

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 April 27, 2020 regular meeting of the Orange County Transportation Authority (OCTA) and affiliated agencies was called to order by Chairman Jones at 9:03 a.m. at the OCTA Headquarters, 550 South Main Street, Board Room – Conference Room 07-08, Orange, California.

Chairman Jones announced today's Board of Directors (Board) will participate via teleconferencing and all votes would be taken by roll call.

Roll Call

The Clerk of the Board conducted an attendance Roll Call and announced there was quorum of the Board as follows:

Directors Present: Steve Jones, Chairman

Via teleconference:

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
Gregory T. Winterbottom

Director Absent: Ryan Chamberlain, District Director
California Department of Transportation District 12

Also Present: Darrell E. Johnson, Chief Executive Officer (CEO)
Jennifer L. Bergener, Deputy CEO/Chief Operation Officer
Laurena Weinert, Clerk of the Board (COB)
Martha Ochoa, Assistant COB
James Donich, General Counsel (teleconference)

Invocation

Director Davies gave the invocation.

Pledge of Allegiance

Chairman Jones led in the Pledge of Allegiance.

Special Calendar

Orange County Transportation Authority Special Calendar Matters

1. Coronavirus (COVID-19) Update

Darrell E. Johnson, CEO, provided an update on OCTA's efforts to proactively respond to the COVID-19 pandemic, and referenced the materials emailed to the Board in advance of today's Board meeting.

Director Steel inquired if the stations and bus stops have the current "Sunday" bus schedule, if hand sanitizer is available on the bus for passengers, and if social distancing seat markers are on the buses.

Mr. Johnson highlighted how the "Sunday" bus schedule have been communicated to the public. He stated that OCTA is attempting to purchase hand sanitizer for passengers and currently not on the buses, staff is working on a social distancing bus seat plan, and OCTA is following the guidelines of the Federal Transit Administration.

Director Steel requested hand sanitizer for the passengers be made available on the buses, and Mr. Johnson acknowledged Director Steel's directive.

No action was taken on this information item.

Consent Calendar (Items 2 through 17)

Orange County Transportation Authority Consent Calendar Matters

2. Approval of Minutes

A motion was made by Director Hennessey, seconded by Director Hernandez, and following a roll call vote, declared passed 17-0, to approve the Orange County Transportation Authority and affiliated agencies' regular meeting minutes of April 13, 2020.

3. Fiscal Year 2019-20 Internal Audit Plan, Third Quarter Update

A motion was made by Director Hennessey, seconded by Director Hernandez, and following a roll call vote, declared passed 17-0, to receive and file the Orange County Transportation Authority Internal Audit Department Fiscal Year 2019-20 Internal Audit Plan, Third Quarter Update.

4. Cooperative Agreement with the Riverside County Transportation Commission for the State Route 91 Corridor Operations Project

A motion was made by Director Hennessey, seconded by Director Hernandez, and following a roll call vote, declared passed 17-0, to authorize the Chief Executive Officer to negotiate and execute Cooperative Agreement No. C-0-2227, to define roles and responsibilities between the Orange County Transportation Authority and the Riverside County Transportation Commission, in the amount of \$15,000,000, for the construction of the State Route 91 Corridor Operations Project between the Green River on-ramp and southbound State Route 241 toll road.

5. Amendment to Agreement for Bus Advertising Revenue Program

A motion was made by Director Hennessey, seconded by Director Hernandez, and following a roll call vote, declared passed 17-0, to authorize the Chief Executive Officer to execute Amendment No. 2 to Agreement No. C-5-3076 between the Orange County Transportation Authority and Outfront Media Group, LLC, to eliminate the annual minimum guarantee and adopt a payment term based solely on a revenue-sharing arrangement for the remainder of the first option term beginning April 1, 2020 through August 31, 2020.

6. Third Quarter Fiscal Year 2019-20 Procurement Status Report

A motion was made by Director Hennessey, seconded by Director Hernandez, and following a roll call vote, declared passed 17-0, to receive and file as an information item.

7. Approval of the Fiscal Year 2020-21 Local Transportation Fund Claim for Laguna Beach Public Transportation Services

A motion was made by Director Hennessey, seconded by Director Hernandez, and following a roll call vote, declared passed 17-0, to:

- A. Approve the Laguna Beach Municipal Transit Lines Fiscal Year 2020-21 Local Transportation Fund Claim for public transportation services in the amount of \$1,205,587.
- B. Authorize the Chief Executive Officer of the Orange County Transportation Authority to issue allocation/disbursement instructions to the Orange County Auditor-Controller in the amount of the claim.

8. First Quarter 2020 Investment and Debt Report

A motion was made by Director Hennessey, seconded by Director Hernandez, and following a roll call vote, declared passed 17-0, to receive and file the Quarterly Debt and Investment Report prepared by the Treasurer as an information item.

9. State Legislative Status Report

A motion was made by Director Hennessey, seconded by Director Hernandez, and following a roll call vote, declared passed 17-0, to:

- A. Adopt an OPPOSE position on AB 2011 (Holden, D-Pasadena) and on SB 1390 (Portantino, D-Glendale), which would each create a new construction authority to extend the Gold Line from the City of Montclair to the Ontario International Airport.
- A. Adopt an OPPOSE UNLESS AMENDED position on SB 1363 (Allen, D-Santa Monica), which would require metropolitan planning organizations to meet vehicle miles traveled reduction targets as part of the regional transportation plan.

10. Federal Legislative Status Report

A motion was made by Director Hennessey, seconded by Director Hernandez, and following a roll call vote, declared passed 17-0, to receive and file as an information item.

11. Approval to Release Request for Proposals for Claims Administration Services of the Self-Insured Workers' Compensation Program

A motion was made by Director Hennessey, seconded by Director Hernandez, and following a roll call vote, declared passed 17-0, to:

- A. Approve the proposed evaluation criteria and weightings for Request for Proposals 0-2202 to provide claims administration services for the Orange County Transportation Authority's Self-Insured Workers' Compensation Program.
- B. Approve the release of Request for Proposals 0-2202 to select a firm to provide claims administrative services for a five-year term.

Orange County Transit District Consent Calendar Matters

12. Approval of the Fiscal Year 2020-21 Local Transportation Fund Claim for Public Transportation and Community Transit Services

A motion was made by Director Hennessey, seconded by Director Hernandez, and following a roll call vote, declared passed 17-0, to:

- A. Approve the Orange County Transit District Fiscal Year 2020-21 Local Transportation Fund Claim for public transportation services in the amount of \$165,118,625, and for community transit services in the amount of \$8,753,906, for a total claim amount of \$173,872,531.
- B. Authorize the Chief Executive Officer to issue allocation/disbursement instructions to the Orange County Auditor-Controller in the full amount of the claims.

13. Approval to Release Request for Quotes for the Procurement of Ten 40-Foot Plug-In Battery-Electric Buses

A motion was made by Director Hennessey, seconded by Director Hernandez, and following a roll call vote, declared passed 17-0, to approve the release of Request for Quotes 0-2165 to purchase up to ten 40-foot plug-in battery-electric buses from qualified vendors under the California Statewide Contract for Zero-Emission Transit Buses issued by the California Department of General Services.

Orange County Local Transportation Authority Consent Calendar Matters

14. Orange County Local Transportation Authority Measure M2 Agreed-Upon Procedures Reports, Year Ended June 30, 2019

A motion was made by Director Hennessey, seconded by Director Hernandez, and following a roll call vote, declared passed 17-0, to:

- A. Direct staff to monitor implementation of corrective actions proposed by the cities.
- B. Direct staff to review observations and develop recommendations, as appropriate, for Board of Directors' consideration related to the City of Anaheim's compliance with the Measure M2 Ordinance and Eligibility Guidelines.

15. Approval to Release Invitation for Bids for Metrolink Train Stations Platform Detectable Tiles Replacement and Painted Guidelines Restriping Project

A motion was made by Director Hennessey, seconded by Director Hernandez, and following a roll call vote, declared passed 17-0, to approve the release of Invitation for Bids 9-1787 for the Metrolink Train Stations Platform Detectable Tiles Replacement and Painted Guidelines Restriping Project.

16. Approval to Release Request for Proposals for Public Outreach for the State Route 55 Improvement Project

A motion was made by Director Hennessey, seconded by Director Hernandez, and following a roll call vote, declared passed 17-0, to:

- A. Approve the proposed evaluation criteria and weightings for Request for Proposals 0-2104 to provide public outreach consulting services for the State Route 55 Improvement Project between Interstate 405 and Interstate 5.
- B. Approve the release of Request for Proposals 0-2104 to select a firm to provide public outreach consulting services for the State Route 55 Improvement Project between Interstate 405 and Interstate 5 for a five-year initial term, with an option term of up to 36 months.

17. Amendment to Agreement for Public Outreach Services for the Interstate 5 Central County Improvements Project Between State Route 55 and State Route 57

A motion was made by Director Hennessey, seconded by Director Hernandez, and following a roll call vote, declared passed 17-0, to authorize the Chief Executive Officer to negotiate and execute Amendment No. 3 to Agreement No. C-5-3207 between the Orange County Transportation Authority and Hill International, Inc., in the amount of \$100,340, to exercise the option term of the agreement to provide continued community outreach services, from August 1, 2020, to July 31, 2021, increasing the maximum obligation of the agreement to a total contract value of \$501,702.

Regular Calendar

Orange County Transportation Authority Regular Calendar Matters

18. Beach Boulevard Corridor Study Final Report

Sam Sharvini, Transportation Analyst, provided a PowerPoint presentation for this item as follows:

- Project Overview;
- Corridor Overview;
- Purpose and Need;
- Public Engagement;
- Toolbox Development;
- Toolbox;
- Case Studies;
- Eight-Lane Roadway Segment Case Study;
- Next Steps; and
- Improvements Toolbox.

A discussion ensued regarding the following:

- Directors Delgleize and Shaw requested that this study be presented to the cities of Huntington Beach and La Habra City Councils.
- OCTA will offer the presentation for any of the corridor cities.
- Director Delgleize complimented the presentation, acknowledged Mr. Sharvini for presenting, and expressed excitement for the study.

No action taken on this receive and file as an information item.

Orange County Transit District Regular Calendar Matters

19. Award of Agreement for the Purchase of Paratransit Buses

Cliff Thorne, Director of Maintenance and Motorist Services, reported the following:

- Background;
- How the replacement cutaway buses will be equipped, and 117 are recommended;
- Based on OCTA's analysis, the cutaway buses will be gasoline powered;
- The analysis was presented to the Transit Committee on November 14, 2019 and Board-approved on December 9, 2019; and
- Procurement approach was highlighted.

19. (Continued)

A discussion ensued regarding the following:

- Mr. Johnson, CEO, stated that OCTA was assessing the procurement schedule under COVID-19, and the recommended actions did not go through the typical committee process as OCTA was faced with an expiring bid date.
- The recommended cutaway buses do not fall under the California Air Resources Board Innovation Clean Transit regulation that are required of 40- and 60-foot buses.
- OCTA's cutaway buses are currently gasoline, and to transition the fleet to propane or natural gas would require a new infrastructure with a large capital investment.
- In 2026, the zero-emissions bus rule for cutaway buses would apply.
- OCTA will analyze and present alternative fuel options for the fleet at a future Transit Committee and Board meetings.

A motion was made by Director Hennessey, seconded by Vice Chairman Do, and following a roll call vote, declared passed 17-0 to:

- A. Authorize the Chief Executive Officer to negotiate and execute Agreement No. C-9-1570 between the Orange County Transportation Authority and Creative Bus Sales, Inc., in the amount of \$14,953,419, for the purchase of up to 117, 22-foot gasoline-powered cutaway buses, with an option to purchase up to ten additional cutaway buses.
- B. Amend the Orange County Transportation Authority Fiscal Year 2019-20 Budget by \$241,459 to accommodate the final cost of 117, 22-foot gasoline-powered cutaway buses.

20. Public Comments

The Clerk of the Board stated for the record that a member of the public, Charles Johnson, Teamsters Local 952 representative, came in-person to provide a public comment. Due to the Governor's Executive Orders under COVID-19 for public meetings, once the public comment is received it will be emailed to the Board.

21. Chief Executive Officer's Report

Darrell E. Johnson, CEO, reported on the following:

- Due to the teleconferencing of the Board meetings, OCTA has not been able to recognize the Employees of the Month (EOM).
- The March and April EOMs were virtually congratulated and announced as follows:

Month of March:

- Ricardo Serna, Coach Operator
- Todd Fairbanks, Maintenance
- Ana Ripalda, Administrative, Bus Operations

Month of April:

- Mike Nguyen, Coach Operator
- Ruebenn Anderson, Maintenance,
- Matt DesRosier, Administrative, Health, Safety, and Environmental Compliance Department

22. Directors' Reports

There were no Director's reports.

23. Closed Session

A Closed Session were held as follows:

- A. 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.
- B. Pursuant to Government Code Section 54956.9(a) - Conference with General Counsel - Existing Litigation; Orange County Transportation Authority v. G.B Enterprises, et al., OCSC Case No. 30-2018-00978538.
- C. Pursuant to Government Code Section 54957.6 to discuss negotiations with Teamsters Local 952 regarding the coach operators. The lead negotiator for the Orange County Transportation Authority is Maggie McJilton, Executive Director of Human Resources and Organizational Development, and Teamsters Local 952 designee.

There were no report outs for the above noted Closed Session items.

All Board Members were present for the Closed Session items.

24. Adjournment

The meeting adjourned at 9:50 a.m.

The next regularly scheduled meeting of this Board will be held at **9:00 a.m. on Monday, May 11, 2020**, at the OCTA Headquarters, 550 South Main Street, Board Room – Conference Room 07-08, Orange, California.

ATTEST:

Laurena Weinert
Clerk of the Board

Steve Jones
Chairman