

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 November 9, 2020 regular meeting of the Orange County Transportation Authority (OCTA) and affiliated agencies was called to order by Chairman Jones at 9:00 a.m. at the OCTA Headquarters, 550 South Main Street, Board Room – Conference Room 07-08, Orange, California.

Roll Call

The Clerk of the Board (COB) conducted an attendance Roll Call and announced there was quorum of the Board of Directors (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
Ryan Chamberlain, District Director
California Department of Transportation District 12

Director Absent: None

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

Invocation

Director Steel gave the invocation.

Pledge of Allegiance

Director Pulido led in the Pledge of Allegiance.

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 M. Murphy, seconded by Director Hernandez, and following a roll call vote, declared passed 16-0, to approve the Orange County Transportation Authority and affiliated agencies' regular meeting minutes of October 26, 2020.

2. Employee Separations, Internal Audit Report No. 21-501

A motion was made by Director M. Murphy, seconded by Director Hernandez, and following a roll call vote, declared passed 16-0, to direct staff to implement the recommendations provided in Employee Separations, Internal Audit Report No. 21-501.

3. Coronavirus Update

A motion was made by Director M. Murphy, seconded by Director Hernandez, and following a roll call vote, declared passed 16-0, to receive and file as an information item.

4. Orange County Transportation Authority Investment and Debt Programs Report - September 2020

Finance and Administration (F&A) Committee Chairman Hennessey pulled and commented on this item's dashboard changes, and asked staff to highlight the recent dashboard changes.

Robert Davis, Department Manager of Treasury/Public Finance, reported that at a recent F&A Committee meeting, staff was given a directive from F&A Committee Chairman Hennessey to update the dashboard.

4. (Continued)

Mr. Davis referenced Page 2 of the staff report that the dashboard update was to clarify the debt program is not the same as the investment portfolio. He also referenced Attachment A of the staff report II-I that includes a definition of OCTA's debt obligation.

F&A Committee Chairman Hennessey asked Mr. Davis to talk about OCTA's debt negative credit watch. Mr. Davis explained the previous dashboard noted what did not meet OCTA's credit criteria, and the updated dashboard now includes the downgrades and investments added to the credit watch list.

F&A Committee Chairman Hennessey provided additional comments about the improvements to the dashboard.

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

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

F&A Committee Chairman Hennessey pulled this item and commented that staff was asked to provide periodically a report on the outstanding loans status. He stated this item is an example of a status update and commended the Board for making a change to OCTA's process regarding this type of update.

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

6. Orange County Transportation Authority Code of Conduct

A motion was made by Director M. Murphy, seconded by Director Hernandez, and following a roll call vote, declared passed 16-0, to receive and file as an information item.

7. Active Transportation Program Biannual Update

A motion was made by Director M. Murphy, seconded by Director Hernandez, and following a roll call vote, declared passed 16-0, to receive and file as an information item.

8. Regional Planning Update

A motion was made by Director M. Murphy, seconded by Director Hernandez, and following a roll call vote, declared passed 16-0, to receive and file as an information item.

Orange County Local Transportation Authority Consent Calendar Matters

9. Consultant Selection for the Preparation of Plans, Specifications, and Estimates for the Interstate 5 Widening Project Between Yale Avenue and State Route 55

A motion was made by Director M. Murphy, seconded by Director Hernandez, and following a roll call vote, declared passed 15-0, to:

- A. Approve the selection of TranSystems Corporation as the firm to prepare the plans, specifications, and estimates for the Interstate 5 Widening Project between Yale Avenue and State Route 55.
- B. Authorize the Chief Executive Officer to negotiate and execute Agreement No. C-0-2371 between the Orange County Transportation Authority and TranSystems Corporation for the preparation of plans, specifications, and estimates for the Interstate 5 Widening Project between Yale Avenue and State Route 55.

Vice Chairman Do recused himself because of a potential conflict of interest due to the Levine Act.

10. Capital Programs Division - First Quarter Fiscal Year 2020-21 Capital Action Plan Performance Metrics Report

A motion was made by Director M. Murphy, seconded by Director Hernandez, and following a roll call vote, declared passed 16-0, to receive and file as an information item.

11. Agreement for Measure M2 Environmental Mitigation Program Interim Biological Preserve Monitoring

A motion was made by Director M. Murphy, seconded by Director Hernandez, and following a roll call vote, declared passed 16-0, to:

- A. Approve the selection of Glenn Lukos Associates, Inc., as the firm to provide biological monitoring of the Orange County Transportation Authority's acquired conservation lands.
- B. Authorize the Chief Executive Officer to negotiate and execute Agreement No. C-0-2479 between the Orange County Transportation Authority and Glenn Lukos Associates, Inc., in the amount of \$350,000, to provide biological monitoring of the Orange County Transportation Authority's acquired conservation lands for a three-year term.

12. Consultant Selection for Traffic and Intelligent Transportation Systems Engineering Services for the Warner Avenue Regional Traffic Signal Synchronization Program Project

A motion was made by Director M. Murphy, seconded by Director Hernandez, and following a roll call vote, declared passed 16-0, to:

- A. Approve the selection of Iteris, Inc., as the firm to provide traffic and intelligent transportation systems engineering services for the Warner Avenue Regional Traffic Signal Synchronization Program Project.
- B. Authorize the Chief Executive Officer to negotiate and execute Agreement No. C-0-2020 between the Orange County Transportation Authority and Iteris Inc., to provide traffic and intelligent transportation systems engineering services for the Warner Avenue Regional Traffic Signal Synchronization Program Project.

Orange County Service Authority For Freeway Emergencies Consent Calendar Matters

13. Service Authority for Freeway Emergencies Call Box Upgrade and Reduction Plan

A motion was made by Director M. Murphy, seconded by Director Hernandez, and following a roll call vote, declared passed 16-0, to authorize staff to reduce the number of freeway call boxes operated by the Orange County Service Authority for Freeway Emergencies as part of a required call box radio upgrade.

Regular Calendar

Orange County Transit District Regular Calendar Matters

14. Agreement for the Procurement of 40-Foot Plug-In Battery-Electric Buses

Darrell E. Johnson, CEO, opened that last month the Transit Committee unanimously approved this item, as well as went to the Board last month. A public comment was received from one vendor and at the October 12 Board meeting, Mr. Johnson suggested a pause to discuss and review the vendor's concerns.

Mr. Johnson referenced the memo addressed to the Board (in today's Board agenda packet) regarding the discussions, and OCTA recommends procurement of the 40-foot plug-in battery-electric buses.

14. (Continued)

Mr. Johnson introduced Cliff Thorne, Director of Maintenance and Motorists Services, who provided a PowerPoint presentation as follows:

- Background;
- Procurement;
- Attributes; and
- Staff Recommendation.

A discussion ensued regarding the following:

- Director Pulido stated this item is a good transition to zero-emission technology, complimented staff, and provided other comments.
- Director Muller inquired about the 6 years/300,000 miles warranty on the proportion system, and how many miles is a bus driven.
- Mr. Thorne responded that a bus is driven approximately 45,000 per year, and this item's warranty is more robust and exceeds what OCTA normally gets for a Compressed Natural Gas bus.

A motion was made by Director Pulido, seconded by Vice Chairman Do, and following a roll call vote, declared passed 14-0, to authorize the Chief Executive Officer to negotiate and execute Agreement No. C-0-2165 between the Orange County Transportation Authority and New Flyer of America, Inc., in the amount of \$10,373,230, for the purchase of up to ten 40-foot plug-in battery-electric buses.

Directors Hennessey and R. Murphy were not present to vote on this item.

Orange County Transportation Authority Regular Calendar Matters

15. Amendments to the Master Plan of Arterial Highways

Darrell E. Johnson, CEO, stated that at the November 2, 2020 Regional Planning and Highways (RP&H) Committee meeting, the RP&H Committee excluded and deferred Recommendation B, Item 1, viii until the cities of Santa Ana (Santa Ana) and Garden Grove (Garden Grove) reached consensus on an outstanding issue.

Mr. Johnson stated OCTA believes a consensus has been reached by Santa Ana and Garden Grove and all of today's listed recommendations are for Board consideration.

15. (Continued)

Mr. Johnson introduced Kia Mortazavi, Executive Director of Planning, who provided the PowerPoint presentation as follows:

- Background;
- Master Plan of Arterial Highways Amendment Process – Review and Consensus;
- Proposed Amendments;
- Traffic Study Results;
- Transit Impacts;
- Memorandum of Understanding & Support Letters; and
- Next Steps.

Chairman Jones stated Garden Grove supports Santa Ana's Active Transportation (AT) efforts, and highlighted Garden Grove's concerns with the Willowick Golf Course (Willowick) development in Santa Ana.

Chairman Jones noted Garden Grove's support is with the condition that Santa Ana is committed to work with Garden Grove regarding the Willowick development.

Director Wagner noted concerns with AT and felt it was for exercise and recreation, etcetera. He inquired if OCTA had an AT work purpose study, questioned if OCTA is the appropriate entity for AT, as well as provided other comments.

Mr. Mortazavi commented on how AT is being used for work purposes and the data collection. Director Wagner requested the AT study/data.

Director Bartlett commented that for OCTA to receive different funding, certain levels of AT are required for Orange County residents. Director Bartlett stated that OCTA, as a master planning authority for transportation, is the appropriate entity for AT connectivity.

Director Pulido thanked staff, Chairman Jones, and Santa Ana's surrounding cities for the support. Director Pulido stated Santa Ana will adopt a new General Plan and is confident about working together with the Willowick development.

15. (Continued)

A motion was made by Director Pulido, seconded by Chairman Jones, and following a roll call vote, declared passed 13-1, to:

- A. Authorize the Chief Executive Officer, or his designee, to negotiate and execute a final memorandum of understanding specifying roles and responsibilities for implementation of proposed actions related to the Master Plan of Arterial Highways amendment request. Participating agencies include the cities of Fountain Valley, Santa Ana, Tustin, and the Orange County Transportation Authority.
- B. Conditionally approve the following amendment to the Master Plan of Arterial Highways to:
 - 1. Reclassify the following streets from a secondary (four-lane, undivided) arterial to a divided collector (two-lane divided):
 - i. Cambridge Street between Fairhaven Avenue and State Route 22.
 - ii. Santa Clara Avenue between Grand Avenue and Tustin Avenue.
 - iii. Broadway Street between 1st Street and 17th Street.
 - iv. Penn Way between Interstate 5 southbound on/off-ramps and Washington Avenue.
 - v. Santiago Avenue between Washington Avenue and 6th Street.
 - vi. Standard Avenue between 6th Street and Warner Avenue.
 - vii. Civic Center Drive between Fairview Street and Bristol Street.
 - viii. Hazard Avenue between Euclid Street and Harbor Boulevard.
 - ix. Raitt Street between Segerstrom Avenue and Santa Ana Boulevard.
 - x. McFadden Avenue between Harbor Boulevard and Grand Avenue.
 - xi. Flower Street between Warner Avenue and First Street.
 - xii. Halladay Avenue between Warner Avenue and Dyer Road.
 - xiii. Chestnut Avenue between Standard Avenue and Grand Avenue.

15. (Continued)

2. Reclassify Civic Center Drive between French Street and Santiago Street, from a secondary (four-lane, undivided) arterial to a collector (two-lane, undivided) arterial.
3. Reclassify 1st Street between Bristol Street and Tustin Avenue, from a major (six-lane, divided) to a primary (four-lane, divided) arterial.
4. Reclassify Chestnut Avenue between Grand Avenue the eastern city limit, from a primary (four-lane, divided) to a divided collector (two-lane, divided) arterial.
5. Remove the following facilities from the Master Plan of Arterial Highways:
 - i. Flower Street between 17th Street and its northern terminus.
 - ii. Logan Street between Stafford Street and Santa Ana Boulevard.
 - iii. Stafford Street between proposed Logan Street and Santiago Street.

The proposed amendment will become final contingent upon the Orange County Transportation Authority (1) fully executing a final memorandum of understanding with the cities of Fountain Valley, Santa Ana, and Tustin, and (2) receiving documentation that the City of Santa Ana has complied with the requirements of the California Environmental Quality Act and have amended their general plan.

If the original proposed Master Plan of Arterial Highways amendment is modified as a result of the California Environmental Quality Act and/or general plan amendment process, the modified Master Plan of Arterial Highways amendment shall be returned to the Orange County Transportation Authority Board of Directors for consideration and action.

- C. Conditionally approve the amendment to the Master Plan for Arterial Highways for Fairhaven Avenue between Grand Avenue to Tustin Avenue from a secondary (four-lane, undivided) arterial to a divided collector (two-lane, divided) arterial. The proposed amendment will become final contingent upon the Orange County Transportation Authority receiving documentation that the cities of Santa Ana and Orange have complied with the requirements of the California Environmental Quality Act and have amended their respective general plans.

15. (Continued)

If the cities of Santa Ana and Orange do not update their respective general plans within three years to reflect the Master Plan of Arterial Highway amendment, the contingent amendment will expire, but can be returned to the Orange County Transportation Authority Board of Directors for reconsideration and action.

If the original proposed Master Plan of Arterial Highways amendment is modified as a result of the California Environmental Quality Act and/or general plan amendment process, the modified Master Plan of Arterial Highways amendment shall be returned to the Orange County Transportation Authority Board of Directors for consideration and action.

- D. Direct the Executive Director of Planning, or his designee, to file a Notice of Exemption from the California Environmental Quality Act in support of the Master Plan of Arterial Highways amendment.
- E. Receive and file a status report on the active Master Plan of Arterial Highways amendments.

Director Steel voted in opposition.

Vice Chairman Do and Director Hennessey were not present to vote on this item.

Orange County Local Transportation Authority Regular Calendar Matters

16. Measure M2 Next 10 Delivery Plan: Market Conditions Key Indicators Analysis and Forecast

Darrell E. Johnson, CEO, provided opening comments and introduced Dr. Wallace Walrod, Ph.D., Chief Economic Advisor, Orange County Business Council (OCBC), and Dr. Marlon Boarnet, Ph.D., Professor and Chair of the Department of Urban Planning and Spatial Analysis at the University of Southern California.

A PowerPoint from the guest speakers was presented as follows:

- OCTA Infrastructure Construction Cost Pressure Index Model Components;

16. (Continued)

- 3-Year Moving Average of Year-Over-Year Percent Change in California Department of Transportation (Caltrans) Construction Cost Index (CCI) and Building Permits;
- 3-Year Moving Average of Year-Over-Year Percent Change on Caltrans CCI and California Unemployment Rates;
- Forecast and Range of OCTA Infrastructure Cost Increases by Index Value;
- Cost Pressures Have Shifted, Both Structurally and Due to the Coronavirus; and
- OCBC Infrastructure Construction Cost Forecast.

Mr. Johnson closed with comments that OCTA updated the Measure M2 (M2) sales tax revenue forecast and cost pressures for the Orange County construction market.

Mr. Johnson stated that next month, staff will bring forward the M2 assumptions for program and project delivery, and the updated M2 Next 10 Delivery Plan and Comprehensive Business Plan will be presented in the first quarter of 2021.

A discussion ensued regarding the following:

- Director Shaw commented on today's news that Pfizer's coronavirus vaccine is going well and asked what should OCTA be thinking about as the pandemic has closure.
- Dr. Walrod commented the vaccine would influence the shape and timing of the economy.
- Dr. Boarnet stated that when the model was built it took recent data that provided a reasonable forecast, and the next update to the model will be in March 2021. The data provides OCTA with infrastructure construction cost forecast in Orange County.
- Director Wagner referenced Attachment A of the staff report, commented on the index forecasts for fall 2018 and in 2019, and asked how the forecast perform against the actuals.
- Dr. Boarnet provided comments, stated the forecasts were close to the actuals, and there were declining cost pressures before the pandemic.
- Mr. Johnson noted the model performed within the range, and the forecast is for general construction and not for utilities and right-of-way acquisitions.

A motion was made by Director Pulido, seconded by Director Hernandez, and following a roll call vote, declared passed 14-0, to continue to monitor market conditions key indicators and their effects on the Next 10 Delivery Plan and provide updates to the Board of Directors as appropriate.

Vice Chairman Do and Director Hennessey were not present to vote on this item.

Discussion Items

17. 2020 Board of Directors and Chief Executive Officer Initiatives and Action Plan - Third Quarter Progress Report

Darrell E. Johnson, CEO, reported that due to the coronavirus, in May 2020, the action plan was adjusted to ensure the milestones continued to reflect OCTA's needs and ability to serve the public, as well as highlighted the third quarter progress for this item's action plan.

No action was taken on this information item.

18. Public Comments

There were no public comments.

19. Chief Executive Officer's Report

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

South Orange County Multimodal Transportation Study (SOCMTS) Roundtable -

- Tomorrow at 9:00 a.m., OCTA will host an Elected Official Roundtable for the SOCMTS through Zoom.
- This study will consider the transportation needs in south Orange County to identify improvements for all modes of transportation through 2045.
- Directors Bartlett, Delgleize, and Muller are planning on participating.
- Board Members interested in participating were asked to advise Mr. Johnson.

Veterans Day -

- Veterans Day is on Wednesday and unfortunately, OCTA is not able to host the annual in-person OCTA Veterans Appreciation event.
- Instead, OCTA created a slideshow and posters to recognize OCTA's veterans who will also receive a pin and challenge coin to thank them for their service.
- Later today, the slideshow will be sent to the Board.
- Mr. Johnson thanked all those who have served in the United States Armed Forces and OCTA's dedicated employees.

19. (Continued)

OCTA's Clerk of the Board –

Laurena Weinert, OCTA's Clerk of the Board, is retiring after 36 years of dedicated service and was acknowledged with a resolution for her years of service at OCTA.

20. Directors' Reports

There were no Directors' reports.

21. Closed Session

There were no Closed Sessions scheduled.

22. Adjournment

The meeting adjourned at 10:12 a.m.

The next regularly scheduled meeting of this Board will be held at **9:00 a.m. on Monday, November 23, 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