

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 December 14, 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 a quorum of the Board of Directors (Board) as follows:

Directors Present: Steve Jones, Chairman

***Via teleconference:***

Lisa A. Bartlett  
Doug Chaffee  
Ryan Chamberlain  
Barbara Delgleize  
Michael Hennessey  
Gene Hernandez  
Joseph Muller  
Mark A. Murphy  
Richard Murphy  
Tim Shaw  
Harry S. Sidhu  
Michelle Steel  
Donald P. Wagner

Director Absent: Andrew Do, Vice Chairman

Also Present: Darrell E. Johnson, Chief Executive Officer (CEO)  
Jennifer L. Bergener, Deputy CEO/Chief Operating Officer  
Gina Ramirez, Deputy Clerk of the Board  
Sahara Meisenheimer, Deputy Clerk of the Board  
James Donich, General Counsel (via teleconference)

## **Invocation**

Director Hernandez gave the invocation.

## **Pledge of Allegiance**

Director Hernandez led in the Pledge of Allegiance.

## **Special Calendar**

### **Orange County Transportation Authority Special Calendar Matters**

#### **1. Salute to Outgoing Orange County Transportation Authority Board of Directors**

Darrell E. Johnson, CEO, presented OCTA Resolutions of Appreciation Nos. 2020-289 and 2020-290 to outgoing Board Members Richard Murphy and Michelle Steel. Slides were shown on the screen to salute both Directors R. Murphy and Steel.

## **Consent Calendar (Items 2 through 24)**

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

#### **2. Approval of Minutes**

A motion was made by Director M. Murphy, seconded by Director Shaw, and following a roll call vote, declared passed 13-0, to approve the Orange County Transportation Authority and affiliated agencies' regular meeting minutes of November 23, 2020.

#### **3. Proposed 2021 Board of Directors Meetings Calendar**

A motion was made by Director M. Murphy, seconded by Director Shaw, and following a roll call vote, declared passed 13-0, to approve the Orange County Transportation Authority and affiliated agencies 2021 Board of Directors meetings calendar.

#### **4. Coronavirus Update**

A motion was made by Director M. Murphy, seconded by Director Shaw, and following a roll call vote, declared passed 13-0, to receive and file as an information item.

**5. State Route 241/91 Express Lanes Connector Update**

A motion was made by Director M. Murphy, seconded by Director Shaw, and following a roll call vote, declared passed 13-0, to receive and file as an information item.

**6. Agreement for Roadway Operations and Maintenance Services for the 91 Express Lanes in Orange County**

A motion was made by Director M. Murphy, seconded by Director Shaw, and following a roll call vote, declared passed 13-0, to:

- A. Approve the selection of DeAngelo Brothers, LLC, as the firm to provide roadway operations and maintenance services for the 91 Express Lanes in Orange County.
- B. Authorize the Chief Executive Officer to negotiate and execute Agreement No. C-0-2433 between the Orange County Transportation Authority and DeAngelo Brothers, LLC, in the amount of \$5,848,720, to provide roadway operations and maintenance services for the 91 Express Lanes in Orange County for a four-year initial term effective January 1, 2021, through December 31, 2024, with two, three-year option terms.

**7. Orange County Transportation Authority Toll Violations and Enforcement Ordinance**

A motion was made by Director M. Murphy, seconded by Director Shaw, and following a roll call vote, declared passed 13-0, to adopt the proposed Ordinance No. 2020-01, with the amended schedule of penalties effective January 1, 2021.

**8. Fiscal Year 2019-20 Comprehensive Annual Financial Report, Management Letter and 91 Express Lanes Fund Financial Statements**

A motion was made by Director M. Murphy, seconded by Director Shaw, and following a roll call vote, declared passed 13-0, to:

- A. Receive and file the fiscal year 2019-20 Comprehensive Annual Financial Report and the 91 Express Lanes Fund Financial Statements.
- B. Receive and file the Orange County Transportation Authority Management Letter for fiscal year 2019-20, as an information item.
- C. Direct staff to implement auditor recommendations related to internal controls.

**9. Orange County Transportation Authority Investment and Debt Programs Report - October 2020**

A motion was made by Director M. Murphy, seconded by Director Shaw, and following a roll call vote, declared passed 13-0, to receive and file as an information item.

**10. Active Transportation Program Local Project Prioritization**

A motion was made by Director M. Murphy, seconded by Director Shaw, and following a roll call vote, declared passed 13-0, to:

- A. Approve the Orange County 2021 Active Transportation Program Local Project Prioritization point assignments for submittal to the Southern California Association of Governments.
- B. Authorize the Chief Executive Officer or his designee to approve future project scope changes and substitutions as needed for the 2021 Active Transportation Program Projects.
- C. Authorize staff to process all necessary amendments to the Federal Transportation Improvement Program to facilitate the above actions.

**11. Consultant Selection for 2022 Long-Range Transportation Plan and Program Environmental Impact Report**

A motion was made by Director M. Murphy, seconded by Director Shaw, and following a roll call vote, declared passed 13-0, to:

- A. Approve the selection of LSA Associates, Inc., as the firm to prepare the 2022 Long-Range Transportation Plan and Program Environmental Impact Report.
- B. Authorize the Chief Executive Officer to negotiate and execute Agreement No. C-0-2523 between the Orange County Transportation Authority and LSA Associates, Inc., in the amount of \$983,500, to prepare the 2022 Long-Range Transportation Plan and Program Environmental Impact Report.

## **Orange County Transit District Consent Calendar Matters**

### **12. Request to Release Request for Proposals for Operation of the Customer Information Center**

A motion was made by Director M. Murphy, seconded by Director Shaw, and following a roll call vote, declared passed 13-0, to:

- A. Approve the proposed evaluation criteria and weightings for Request for Proposals 0-2698 for selection of a firm to operate the Customer Information Center.
- B. Approve the release of Request for Proposals 0-2698 for selection of a firm to operate the Customer Information Center for a three-year initial term with two, two-year options.

### **13. Amendment to Agreement with First Transit, Inc., for the Provision of Contracted Fixed-Route Service**

A motion was made by Director M. Murphy, seconded by Director Shaw, and following a roll call vote, declared passed 13-0, to authorize the Chief Executive Officer to negotiate and execute Amendment No. 11 to Agreement No. C-4-1737 between the Orange County Transportation Authority and First Transit, Inc., to allow reimbursement of specific expenses related to the coronavirus pandemic for an amount of up to \$1,819,942, for the period June 14, 2020 through May 31, 2021.

### **14. Approval to Release Request for Proposals for OC ACCESS and OC Flex Services**

This item was pulled by Director Muller, who inquired about including an application into the Request for Proposal (RFP). This application would provide geographic locations of the OC ACCESS buses and allow legal guardians and parents to locate where the bus is and when and where their children are getting on and off the bus.

Jack Garate, Department Manager of Contract Transit Services, responded that the Orange County Transportation Authority (OCTA) is currently looking at compatible technologies for OCTA's Trapeze system and how other agencies are using the technologies and vetting the existing applications.

Director Muller inquired about the timeline and OCTA partnering with existing technology, instead of recreating an application to give people options and make OCTA's service more efficient.

**14. (Continued)**

Mr. Johnson, CEO, stated that staff would still encourage the Board to release the RFP as planned. Staff would continue to review compatible technologies and report to the Board and the Transit Committee.

A motion was made by Director Muller, seconded by Director Delgleize, and following a roll call vote, declared passed 13-0, to:

- A. Approve the proposed evaluation criteria and weightings for Request for Proposals 0-2150 to select a firm to manage and operate the OC ACCESS paratransit services.
- B. Approve the release of Request for Proposals 0-2150 for the OC ACCESS paratransit services effective January 1, 2022 through December 31, 2025, with two, two-year option terms.

**15. Bus Operations Performance Measurements Report for the First Quarter of Fiscal Year 2020-21**

A motion was made by Director M. Murphy, seconded by Director Shaw, and following a roll call vote, declared passed 13-0, to receive and file as an information item.

**16. February 2021 Bus Service Change**

A motion was made by Director M. Murphy, seconded by Director Shaw, and following a roll call vote, declared passed 13-0, to receive and file as an information item.

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

**17. Approval to Release Request for Proposals for the Preparation of Plans, Specifications, and Estimates for the Interstate 5 Widening Project Between Interstate 405 and Yale Avenue**

A motion was made by Director M. Murphy, seconded by Director Shaw, and following a roll call vote, declared passed 13-0, to:

**17. (Continued)**

- A. Approve the proposed evaluation criteria and weightings for Request for Proposals 0-2637 for consultant services for the preparation of plans, specifications, and estimates for the Interstate 5 Widening Project between Interstate 405 and Yale Avenue.
- B. Approve the release of Request for Proposals 0-2637 for consultant services for the preparation of plans, specifications, and estimates for the Interstate 5 Widening Project between Interstate 405 and Yale Avenue.

**18. Environmental Mitigation Program Endowment Fund Investment Report for September 30, 2020**

A motion was made by Director M. Murphy, seconded by Director Shaw, and following a roll call vote, declared passed 13-0, to receive and file as an information item.

**19. Agreement for Measure M2 Environmental Mitigation Program Interim Preserve Maintenance**

A motion was made by Director M. Murphy, seconded by Director Shaw, and following a roll call vote, declared passed 13-0, to:

- A. Approve the selection of RECON Environmental, Inc., as the firm to provide maintenance services on the seven Orange County Transportation Authority Preserves.
- B. Authorize the Chief Executive Officer to negotiate and execute Agreement No. C-0-2477 between the Orange County Transportation Authority and RECON Environmental, Inc., in the amount of \$1,200,000, for a five-year initial term, with two, one-year option terms, to provide maintenance services for the Measure M2 Environmental Mitigation Program Interim Preserve maintenance.

**20. Award of Agreement for Property Patrol Services**

A motion was made by Director M. Murphy, seconded by Director Shaw, and following a roll call vote, declared passed 13-0, to:

**20. (Continued)**

- A. Approve the selection of High Level Security Solutions, Inc., as the firm to conduct property patrol services for the seven Orange County Transportation Authority properties.
- B. Authorize the Chief Executive Officer to negotiate and execute Agreement No. C-0-2492 between the Orange County Transportation Authority and High Level Security Solutions, Inc., in the amount of \$400,000, for a five-year initial term, with two, one-year option terms, to provide property patrol services for the seven Measure M2 Environmental Mitigation Program properties.

**21. Comprehensive Transportation Funding Programs Semi-Annual Review - September 2020**

A motion was made by Director M. Murphy, seconded by Director Shaw, and following a roll call vote, declared passed 13-0, to:

- A. Approve adjustments to Comprehensive Transportation Funding Programs projects, Local Fair Share and Senior Mobility Program funds.
- B. Authorize the Chief Executive Officer to negotiate and execute cooperative agreement amendments for all active Project V services in order to incorporate proposed coronavirus-related grant term adjustments, up to 24 months.

**22. 2021 Technical Steering Committee Membership**

A motion was made by Director M. Murphy, seconded by Director Shaw, and following a roll call vote, declared passed 13-0, to approve the proposed 2021 Technical Steering Committee membership.

**23. Measure M2 Annual Eligibility Review**

A motion was made by Director M. Murphy, seconded by Director Shaw, and following a roll call vote, declared passed 13-0, to:

- A. Approve all Orange County local agencies as eligible to continue to receive Measure M2 net revenues.
- B. Approve adjustments to Measure M2 maintenance of effort benchmarks for the City of Buena Park from \$4,206,464 and 5.99 percent to \$4,184,754 and 5.96 percent, and the City of Villa Park from \$360,429 and 9.68 percent to \$373,104 and 10.02 percent.



## **Orange County Service Authority For Freeway Emergencies Consent Calendar Matters**

### **24. Approval to Release Request for Proposals for Call Box Maintenance Services**

A motion was made by Director M. Murphy, seconded by Director Shaw, and following a roll call vote, declared passed 13-0, to:

- A. Approve the proposed evaluation criteria and weightings for Request for Proposals 0-2632 for call box maintenance services.
- B. Approve the release of Request for Proposals 0-2632 for call box maintenance services effective July 1, 2021 through June 30, 2027, for an initial term of six years, with one, two-year option term.

## **Regular Calendar**

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

### **25. Interstate 405 Improvement Project Funding Update**

Jeff Mills, Senior Program Manager, presented a PowerPoint presentation as follows:

- Project Location and Key Features;
- Current Project Status;
- Project Bridge Map;
- Risks Materialized to Date;
- Estimate at Completion;
- Potential Funding/Financial Plan; and
- Recommendations.

Director Shaw inquired about accelerating some of the construction work due to the Coronavirus (COVID-19) pandemic since everyone is working from home, and the traffic volumes are much lighter than expected.

Mr. Mills responded that staff was very successful in implementing additional closures and extended nighttime closures. When the pandemic first started, particularly in the March through May timeframe, there were significantly lower traffic volumes at that time. OCTA was able to take advantage of that and accelerate some of the work on the freeway. After that time in the summer, it got back up to about 95 percent of normal. And even with this second shut down, traffic volumes have not reduced to a level where the staff has been able to do that. OCTA staff are reviewing traffic volumes on a week over week basis and looking for that opportunity again.

**25. (Continued)**

A motion was made by Director Hernandez, seconded by Director M. Murphy, and following a roll call vote, declared passed 12-0, to:

- A. Authorize the use of an additional \$180,234,000 in Measure M2 funds for the Interstate 405 Improvement Project to increase the overall project budget from \$1,900,000,000 to \$ 2,080,234,000.
- B. Authorize staff to process all necessary amendments to the Federal Transportation Improvement Program and execute or amend all necessary agreements to facilitate the above action.
- C. Pursuant to the Public Contract Code, find that satisfactory progress is being made on the project and authorize the Chief Executive Officer to negotiate and execute a contract change order to reduce retention withholding from five percent to three percent on future invoices from OC 405 Partners, and authorize the Chief Executive Officer to release retention to OC 405 Partners, in an amount not to exceed \$10,000,000, at 75 percent of substantial completion of the project, and to release retention to OC 405 Partners, in an amount not to exceed \$5,000,000, at 90 percent of substantial completion of the project.

Director Sidhu was not present to vote on this item.

**Orange County Transit District Regular Calendar Matters**

**26. Fiscal Year 2020-21 Comprehensive Business Plan - Bus Program Assumptions**

Mr. Johnson, CEO, provided opening comments and introduced Sean Murdock, Director of Finance and Administration.

Sean Murdock, Director of Finance and Administration, presented a PowerPoint presentation on the following:

- Background;
- Bus Program Operating Revenue;
- Projected Fixed-Route Service Levels;
- Projected Paratransit Trips;
- Revenue and Cost Pressures;
- Revenue Pressures;
- Fiscal Year 2021 Bus Program Operating Budget;
- Paratransit Cost - % of Total Operating Cost;
- Future Capital Cost for Bus Replacement;
- Primary Revenue Assumptions;

**26. (Continued)**

- Primary Cost Assumptions;
- Future Considerations and;
- Next Steps.

Chairman Jones stated that since Vice Chair Andrew Do could not attend today's meeting, he requested some of the Directors present at the December 7th Executive Committee to incorporate some of this feedback.

A discussion ensued regarding the following:

- Control paratransit costs better;
- Fare Policy Changes;
- Zone or tiered based fare approach;
- Definition of "complimentary service" in terms of paratransit;
- Continue to maintain the paratransit service;
- Suggestion to work on a tiered/zone basis; and
- An application that can educate our riders on what is available near their location.

Director M. Murphy commented on recognizing that OCTA's data is new and not necessarily predictable. He also concurred with Vice Chair Do to wait for the next quarters' report ~~will~~ to clarify the funding side.

Chairman Jones stated it would be prudent for OCTA to use this opportunity as the staff learns more information in the months to figure out how to right-size the program between bus ridership and ACCESS.

Mr. Johnson, CEO, commented that OCTA is trying to find a balance between the requirements of the Americans with Disabilities Act, the expectations of the constituents in Orange County, and the significant revenue downturns. Staff can go back and develop opportunities for consideration after the next sales tax true up for the second quarter.

A motion was made by Director Delgleize, seconded by Director Muller, and following a roll call vote, declared passed 13-0, to direct staff to incorporate Board of Directors' feedback on the bus program assumptions for the Fiscal Year 2020-21 Comprehensive Business Plan.

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

### **27. Measure M2 Next 10 Delivery Plan: Context and Options**

Mr. Johnson, CEO, provided opening comments and introduced Kia Mortazavi, Executive Director of Planning, who presented a PowerPoint presentation as follows:

- M2 Delivery Plan Goals;
- M2 Delivery Plan Timeline;
- M2 Transportation Investment Plan;
- M2 Sales Tax Revenue Forecast;
- Maintain Schedules Option;
- Lower Debt Option;
- Balanced Option; and
- Next Steps.

Mr. Johnson, CEO, reported at the December 7, 2020, Executive Committee meeting, the Executive Committee and staff discussed options for update on the Measure M2 Next 10 Delivery Plan.

The Committee suggested that staff pursue a financially prudent course of action with a proactive stance on project delivery while remaining flexible given current events' fluidity. There was also a desire to leverage external funding to offset some of the Measure M2 financial impacts. The Committee was interested in keeping projects moving to lower the risk of future project delivery requirements. Staff agreed to revise the "balanced" option according to the discussion. Staff also offered to review the fiscal year 2020-21 second-quarter financial information before presenting a revised Measure M2 Next 10 Delivery Plan to the Committee and Board in early 2021.

A lengthy discussion ensued regarding:

- Clarifying all options presented are within the context of keeping promises made to the voters by Measure M.
- Benefits to the public with a balanced approach and keeping our timelines on our projects and our improvements.

A motion was made by Director M. Murphy, seconded by Director R. Murphy, and following a roll call vote, declared passed 13-0, to:

- A. Direct staff to incorporate feedback provided by the Board of Directors for the pending Next 10 Delivery Plan update.
- B. Extend the Next 10 Delivery Plan timeframe from 2026 to 2030.

## **Discussion Items**

### **28. Public Comments**

The DCOB stated that a public comment was received from Craig A. Durfey on December 11, 2020. The Board was emailed the comment on December 11, 2020 at 4:32 p.m. and the comment will be retained as part of the record for today's Board meeting.

### **29. Chief Executive Officer's Report**

Mr. Johnson, CEO, reported on the following:

Recognition of the December Employees of the Month -

- Operations Employee of the Month is Adam Young.
  - Mr. Young is a Coach Operator at the Garden Grove base who started his driving career with OCTA in November 2019.
- Maintenance Employee of the Month is Rodolfo Rodriguez.
  - Mr. Rodriguez joined OCTA in December 1989 and is currently a Journeyman Mechanic at the Santa Ana Base. He is also a vital member of the team performing the COVID-19 mitigations on our buses.
- Administrative Employee of the Month is Karen DeCrescenzo.
  - Ms. DeCrescenzo is a Human Resources Department Manager who joined OCTA more than four years ago. She has been instrumental in developing OCTA's COVID-19 response efforts, ensuring our employees' health and well-being.
- OCTA's December Employees of the Month were congratulated.

2020 Accomplishments Report

- OCTA has had to overcome unprecedented challenges this year, but thanks to the Board's leadership and vision OCTA achieved a series of accomplishments throughout the year to keep Orange County moving.
- Staff has highlighted this in the 2020 Accomplishments Report, which is available online and several hard copies are available.
- A link will be provided in the weekly update today and please share it through your communication channels. The public can find it at [OCTA.net/2020accomplishments](https://OCTA.net/2020accomplishments).

**29. (Continued)**

- The report is framed around the five strategic Board initiatives established at the beginning of the year.
- Mr. Johnson, CEO, looks forward forward to working with the returning and incoming Board members in 2021.
- OCTA bid farewell to Directors Richard Murphy and Michelle Steel earlier this morning. Below is an impressive and likely record-setting fun fact:
  - OCTA's outgoing Board Members in 2020 have a combined total of nearly 65 years of dedicated service to OCTA: Director Winterbottom (27 years), Pulido (23 years), Steel (six years), Davies (four years), and R. Murphy (four years).
- Mr. Johnson, CEO, wished everyone a very happy and safe holiday season.

**30. Directors' Reports**

Director Steel thanked the Board and staff for their support while serving on the Board.

Director R. Murphy thanked the staff for their support while serving on the Board.

Director Shaw wished the outgoing Members the best and that they served OCTA very well.

Director Delegeize thanked the outgoing Board Members for their service on the OCTA Board and that she enjoyed working with those Members.

Chairman Jones thanked outgoing Directors R. Murphy and Steel for their years of service on the Board.

**31. Closed Session**

There were no Closed Sessions scheduled.

**32. Adjournment**

The next regularly scheduled meeting of this Board will be held at **9:00 a.m. on Monday, January 11, 2021**, at the Orange County Transportation Authority Headquarters, Board Room - Conference Room 07-08, 550 South Main Street, Orange, California.

ATTEST:

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Gina Ramirez  
Deputy Clerk of the Board

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Steve Jones  
Chairman