

MINUTES

Board of Directors' Meeting

Call to Order

The Monday, April 12, 2021, regular meeting of the Orange County Transportation Authority (OCTA) and affiliated agencies was called to order by Chairman Do at 9:01 a.m. at the OCTA Headquarters, 550 South Main Street, Board Room – Conference Room 07-08, Orange, California.

Roll Call

The Deputy Clerk of the Board (DCOB) conducted an attendance Roll Call and announced there was quorum of the Board of Directors (Board) as follows:

Via Teleconference: Andrew Do, Chairman
Mark A. Murphy, Vice Chairman
Lisa A. Bartlett
Doug Chaffee
Barbara Delgleize
Katrina Foley
Brian Goodell
Patrick Harper
Michael Hennessey
Gene Hernandez
Steve Jones
Joseph Muller
Vicente Sarmiento
Tim Shaw
Harry S. Sidhu
Donald P. Wagner

Directors Absent: Ryan Chamberlain, District Director – Caltrans District 12

Staff Present: Jennifer L. Bergener, Deputy Chief Executive Officer
Gina Ramirez, Deputy Clerk of the Board
Sahara Meisenheimer, Deputy Clerk of the Board

Via Teleconference: Darrell E. Johnson, Chief Executive Officer
James Donich, General Counsel

Invocation

Director Shaw gave the invocation.

Pledge of Allegiance

Director Muller led in the Pledge of Allegiance.

Special Calendar

1. Administration of the Oath of Office to New Orange County Transportation Authority Board of Director

James Donich, General Counsel, administered the Oath of Office to new Board Member Katrina Foley.

Director Foley thanked Darrell E. Johnson, Chief Executive Officer (CEO), Andrea West, Interim Clerk of the Board, for the orientation and looks forward to working with staff.

Chairman Do and Director Bartlett congratulated Director Foley and welcomed her to the Orange County Transportation Authority (OCTA) Board.

2. Public Member Selection

Darrell E. Johnson, Chief Executive Officer (CEO), provided opening comments and background on the selection process timeline.

Chairman Do stated the Executive Committee discussed the attributes that OCTA was looking for in a Public Member and made the motion to recommend Tam Nguyen to serve as the Public Member.

Vice Chairman Murphy echoed Chairman Do's comments and thanked the staff who put together the process. He noted that while several applicants rose to the top, he concluded that Tam Nguyen is the proper selection for this Board.

A motion was made by Chairman Do, seconded by Vice Chairman Murphy, and following a roll call vote, declared passed 14-1, to approve Tam Nguyen to serve as the Public Member on the Orange County Transportation Authority Board of Directors, filling the currently vacant seat, with a term effective April 12, 2021.

Director Harper echoed Chairman Do and Vice Chairman Murphy's comments and noted Mr. Nguyen is a resident of Fountain Valley and is involved in several community efforts.

2. (Continued)

Director Shaw stated he approached this process differently and favored other applicants who had transit experience and thought it was necessary for the selection.

Director Shaw stated that Mr. Nguyen has not been involved in the transportation industry and felt that since most of the Board Members don't have a background in transportation, it would have been great to have selected someone like Steve Huff or Roy Shabazian, who both have experience in transportation.

Director Bartlett commented the three final candidates were excellent. She stated that the OCTA Board might want to consider two seats for Public Member and have one as the transportation or industry expert and another as an actual Public Member seat.

Director Sarmiento agreed with Directors Bartlett and Shaw on the industry background to have a Public Member who can connect to ridership and may use the bus system.

Director Hennessey abstained from voting on this item.

Director Shaw voted in opposition.

Consent Calendar (Items 3 through 16)

3. Approval of Minutes

A motion was made by Vice Chairman Murphy, seconded by Director Delgleize, and following a roll call vote, declared passed 16-0, to approve the Orange County Transportation Authority and affiliated agencies' regular meeting minutes of March 22, 2021.

4. Coronavirus Update

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

5. Orange County Transportation Authority Investment and Debt Programs Report - February 2021

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

6. Amendment to Agreement for Financial Advisory Services

A motion was made by Vice Chairman Murphy, seconded by Director Delgleize, and following a roll call vote, declared passed 16-0, to authorize the Chief Executive Officer to negotiate and execute Amendment No. 2 to Agreement No. C-7-2137 between the Orange County Transportation Authority and Sperry Capital, Inc., to exercise the option term of the agreement, to extend the term through April 30, 2023 and increase the amount by \$400,000, for a total contract value of \$1,065,000, to provide continued financial advisory services.

7. Annual Insurance Program Review

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

8. Consultant Selection for the Interstate 405 TransModeler Simulation Model Development

A motion was made by Vice Chairman Murphy, seconded by Director Delgleize, and following a roll call vote, declared passed 16-0, to:

- A. Approve the selection of Fehr and Peers as the firm to develop a traffic simulation model for the Interstate 405 using the TransModeler software platform.
- B. Authorize the Chief Executive Officer to negotiate and execute Agreement No. C-0-2558 between the Orange County Transportation Authority and Fehr and Peers, in the amount of \$399,887, to develop a traffic simulation model for Interstate 405 using the TransModeler software platform.

9. Bus Restructuring Study Consultant Selection

A motion was made by Vice Chairman Murphy, seconded by Director Delgleize, and following a roll call vote, declared passed 16-0, to:

- A. Approve the selection of Transportation Management and Design, Inc., as the firm to assist in restructuring the OC Bus fixed-route bus system.
- B. Authorize the Chief Executive Officer to negotiate and execute Agreement No. C-0-2739 between the Orange County Transportation Authority and Transportation Management and Design, Inc., in the amount of \$549,914, to assist in the development of recommendations for restructuring the OC Bus fixed-route bus system.

10. Agreement for Detail Bus Cleaning and Pesticide Application Services

A motion was made by Vice Chairman Murphy, seconded by Director Delgleize, and following a roll call vote, declared passed 16-0, to:

- A. Approve the selection of Gamboa Services, Inc., doing business as Corporate Image Maintenance, as the firm to provide detail bus cleaning and pesticide application services.
- B. Authorize the Chief Executive Officer to negotiate and execute Agreement No. C-0-2702 between the Orange County Transportation Authority and Gamboa Services, Inc., doing business as Corporate Image Maintenance, in the amount of \$1,076,726, for detail bus cleaning and pesticide application services for a three-year initial term effective May 1, 2021 through April 30, 2024, with a two-year option term.

11. Amendment to Agreement for Coach Operator, Operations Instructor, and Field Supervisor Uniforms

A motion was made by Vice Chairman Murphy, seconded by Director Delgleize, and following a roll call vote, declared passed 16-0, to authorize the Chief Executive Officer to negotiate and execute Amendment No. 2 to Agreement No. C-6-1442 between the Orange County Transportation Authority and Becnel Uniforms, in the amount of \$50,000, to exercise the second option term of the agreement from July 1, 2021 through June 30, 2022, for continued uniform supply services. This will increase the maximum obligation of the agreement to a total contract value of \$871,852.

12. Orange County Local Transportation Authority Measure M2 Maintenance of Effort, Agreed-Upon Procedures Report, City of Santa Ana, Year Ended June 30, 2020

A motion was made by Vice Chairman Murphy, seconded by Director Delgleize, and following a roll call vote, declared passed 16-0, to direct staff to monitor implementation of corrective action by the City of Santa Ana.

13. Orange County Local Transportation Authority Measure M2 Agreed-Upon Procedures Reports, Year Ended June 30, 2020

A motion was made by Vice Chairman Murphy, seconded by Director Delgleize, and following a roll call vote, declared passed 16-0, to direct staff to monitor implementation of corrective actions proposed by the cities.

14. Approval to Sell Surplus Land

A motion was made by Vice Chairman Murphy, seconded by Director Delgleize, and following a roll call vote, declared passed 16-0, to:

- A. Declare the 0.36-acre parcel located within the Trabuco Rose Preserve as surplus land, pursuant to Government Code Section 54221(b), that is no longer necessary for the Orange County Transportation Authority's use.
- B. Direct staff to sell the surplus land parcel located within the Trabuco Rose Preserve.
- C. Authorize the Chief Executive Officer to execute the necessary documents to complete the sale of the surplus land for the offer price of \$13,400.

15. Consultant Selection for Construction Management Support Services for the State Route 55 Improvement Project Between Interstate 405 and Interstate 5

A motion was made by Vice Chairman Murphy, seconded by Director Delgleize, and following a roll call vote, declared passed 15-1, to:

- A. Approve the selection of AECOM Technical Services, Inc., as the firm to provide construction management support services for the State Route 55 Improvement Project between Interstate 405 and Interstate 5.
- B. Authorize the Chief Executive Officer to negotiate and execute Agreement No. C-0-2582 between the Orange County Transportation Authority and AECOM Technical Services, Inc., as the firm to provide construction management support services for the State Route 55 Improvement Project between Interstate 405 and Interstate 5.

Director Wagner voted in opposition.

16. Revisions to the Measure M2 Eligibility Guidelines

A motion was made by Vice Chairman Murphy, seconded by Director Delgleize, and following a roll call vote, declared passed 16-0, to approve proposed revisions to the Measure M2 Eligibility Guidelines.

Regular Calendar

17. Measure M2 2020 Update: Next 10 Delivery Plan

Kia Mortazavi, Executive Director of Planning provided a PowerPoint presentation.

Director Foley inquired about how the stakeholders' and cities' input are incorporated into the plan.

Mr. Mortazavi responded that OCTA's Technical Advisory Committee and staff maintain the call for projects for the cities and the ongoing review of the revenues.

Director Delgleize complimented Slide Eight of the PowerPoint presentation and acknowledged the Planning staff, who are in the background and put this plan together.

A motion was made by Director Wagner, seconded by Director Chaffee, and following a roll call vote, declared passed 16-0, to:

- A. Adopt the 2020 Measure M2 Next 10 Delivery Plan.
- B. Direct staff to continue to monitor revenue and project cost shifts that could affect the delivery plan and return to the Board of Directors with changes if necessary.

18. Proposed Amendment to the Orange County Local Transportation Authority Measure M2 Ordinance No. 3

Adriann Cardoso, Department Manager of Programming, provided a verbal report on the following and noted Francesca Ching, Section Manager III of Measure M2 Programs, was on the line to answer any questions.

- Background on the Measure M2 Program;
- Overview on the approved amendment; and
- The Public Hearing for this Ordinance will be held on May 24, 2021.

Director Shaw stated he supports this item but noted his concerns about the large amount of federal money the cities will be receiving. Director Shaw also stated the cities will most likely put the money towards capital improvements versus the cities' obligations and he wants to reiterate how Measure M2 funds should be used for its original intent.

Mr. Johnson, CEO, stated that the American Rescue Plan Act of 2021 passed on March 11, 2021. He noted that OCTA is not clear on how dollars will be spent, it is a one-year proposed extension, and OCTA wants the cities to continue to be successful.

18. (Continued)

Director Foley stated she appreciates the one year extension for the cities and believes it will help the cities stabilize.

A motion was made by Director Delgleize, seconded by Director Sarmiento, and following a roll call vote, declared passed 16-0, to:

- A. Direct staff to initiate the process to amend the Orange County Local Transportation Authority Measure M2 Ordinance No. 3 to extend the fiscal year 2020-21 revised maintenance of effort requirement into fiscal year 2021-22 to continue assisting local jurisdictions through this period of economic uncertainty.
- B. Direct staff to set a date of May 24, 2021, for a public hearing and Board of Directors' action to consider adoption of the amendment to the Orange County Local Transportation Authority Measure M2 Ordinance No. 3 as it relates to the maintenance of effort requirement.

Discussion Items

19. State Plans and Policies Related to Climate Change

Kurt Brotcke, Director of Strategic Planning, provided a PowerPoint presentation.

A discussion ensued regarding:

- The State Plan is very problematic and what is in OCTA's control.
- Think about transit riders and projects in the context of this new plan by the state.
- Review funding aspects that could impact future projects in Orange County.
- Actual impacts at the local level.
- What does it mean to convert freeways to a boulevard.
- Adding additional bike lanes and how it is not very well defined.

Mr. Johnson, CEO, stated that the California State Transportation Agency extended the comment deadline on the draft Climate Action Plan for Transportation Infrastructure, also known as CAPTI. Staff will continue to update the Board as more information is released.

20. Fiscal Year 2021-22 Budget Assumptions

Victor Velasquez, Department Manager of Financial Planning & Analysis, provided a PowerPoint presentation.

Mr. Johnson, CEO, discussed OCTA's emerging theme which is that revenues are bouncing back and restoring services; specifically, on the transit side with the Coronavirus relief packages.

21. Public Comments

There were no Public Comments received.

22. Chief Executive Officer's Report

Mr. Johnson, CEO, reported on the following:

Construction Outreach-

- OCTA staff are continuing outreach efforts on the construction projects.
- On April 12th, OCTA staff is presenting an update on the 405 Improvement Project to the Seal Beach City Council to keep them apprised of construction activity that may impact their city.

Sustainability Efforts-

- OCTA is celebrating and promoting sustainability throughout the month of April, which is Earth Month and leading up to Earth Day on April 22nd.
- This month, staff has launched a new page on the OCTA website that highlights OCTA's ongoing sustainability initiatives.
- OCTA has a long history of promoting a culture of sustainability and delivering projects and programs that protect our air, land, water, and community. The new web page tells the story of how OCTA does this. The new web page is viewable at octa.net/green.

23. Directors' Reports

There were no Directors' Reports.

24. Closed Session

There were no Closed Session items scheduled.

25. Adjournment

Chairman Do adjourned this meeting in memory of former OCTA Board Member and Mayor of Garden Grove, William Dalton.

Director Jones thanked Chairman Do for closing the meeting in his memory. He noted that Mr. Dalton was not only a Board Member and mayor but a good friend, and mentor to him and he would be dearly missed.

The meeting was adjourned at 10:22 a.m.

The next regularly scheduled meeting of this Board will be held at **9:00 a.m. on Monday, April 26, 2021** at the Orange County Transportation Authority Headquarters, Board Room - Conference Room 07-08, 550 South Main Street, Orange, California.

ATTEST:

Gina Ramirez
Deputy Clerk of the Board

Andrew Do
Chairman