

MINUTES

Board of Directors' Meeting

Call to Order

The Monday, August 23, 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

Allison Cheshire, Clerk of the Board, Senior (COBS), conducted an attendance Roll Call and announced a 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
Tam Nguyen
Vicente Sarmiento
Tim Shaw
Harry S. Sidhu
Donald P. Wagner
Ryan Chamberlain

Directors Absent: None

Staff Present: Darrell E. Johnson, Chief Executive Officer
Jennifer L. Bergener, Deputy Chief Executive Officer
Allison Cheshire, Clerk of the Board Specialist, Senior
Gina Ramirez, Clerk of the Board Specialist, Senior

Via Teleconference: James Donich, General Counsel

Invocation

Director Delgleize gave the Invocation.

Pledge of Allegiance

Director Chaffee led the Pledge of Allegiance.

Special Calendar

1. California Transportation Commission Update

Darrell E. Johnson, Chief Executive Officer (CEO), provided opening comments and introduced Michele Martinez, Commissioner of the California Transportation Commission (CTC), who provided a verbal report on this item.

Director Sarmiento thanked Commissioner Martinez for representing Orange County.

Consent Calendar (Items 2 through 7)

2. Approval of Minutes

A motion was made by Director Hernandez, seconded by Vice Chairman Murphy, and following a roll call vote, declared passed 17-0, to approve the Orange County Transportation Authority and affiliated agencies' regular meeting minutes of August 9, 2021.

3. 91 Express Lanes Update for the Period Ending – June 30, 2021

Director Shaw pulled this item and asked staff to give more information on the differences in usage and traffic patterns compared to pre-pandemic use.

Kirk Avila, General Manager, Express Lanes Programs, reported on the following:

- Return of ridership and revenue;
- The difference in traffic patterns;
- Non-peak hours;
- The shift in ridership; and the
- Equal ridership on both the westbound and eastbound lanes.

Mr. Johnson, CEO, commented that the ridership has been mirroring what has been seen across California Department of Transportation (Caltrans) District 12 in similar volumes. Still, traffic patterns are different and may be attributed to a change in work habits.

3. (Continued)

Director Chamberlain commented that Caltrans sees similar travel pattern changes as reflected in the 91 Express Lanes peak periods. He stated traffic volumes have certainly come back, and Caltrans is looking at this statewide and the county level. Things are very fluid as we transition out of the coronavirus pandemic and better understand teleworking. More flexible work schedules will have under the long-term for travel patterns throughout the county and state.

Following the discussion, no action was taken on this receive and file information item.

4. Fiscal Year 2020-21 Fourth Quarter Grant Reimbursement Status Report

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

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

- A. Authorize the Chief Executive Officer to negotiate and execute Amendment No. 6 to Agreement No. C-5-3649 between the Orange County Transportation Authority and Public Risk Innovation, Solutions, and Management for Kaiser Permanente Health Plan, Inc., on a cost per employee basis, for prepaid medical services through December 31, 2022. The annual 2022 Kaiser Permanente Health Plan, Inc. premium cost will vary in accordance with actual enrollment.
- B. Authorize the Chief Executive Officer to negotiate and execute Amendment No. 6 to Agreement No. C-5-3650 between the Orange County Transportation Authority and Public Risk Innovation, Solutions, and Management for Anthem Blue Cross, on a cost per employee basis, for prepaid medical services through December 31, 2022. The annual 2022 Anthem Blue Cross health maintenance organization premium costs will vary in accordance with actual enrollment.
- C. Authorize the Chief Executive Officer to negotiate and execute Amendment No. 6 to Agreement No. C-5-3651 between the Orange County Transportation Authority and Public Risk Innovation, Solutions, and Management for Anthem Blue Cross, on a cost per employee basis, for preferred provider organization medical services through December 31, 2022. The annual 2022 Anthem Blue Cross preferred provider organization premium costs will vary in accordance with actual enrollment.

5. (Continued)

- D. Authorize the Chief Executive Officer to negotiate and execute Amendment No. 6 to Agreement No. C-5-3652 between the Orange County Transportation Authority and Public Risk Innovation, Solutions, and Management for Anthem Blue Cross, on a cost per employee basis, for a consumer driven health plan through December 31, 2022. The annual 2022 Anthem Blue Cross consumer driven health plan premium costs and health savings account expenses will vary in accordance with actual enrollment.
- E. Authorize the Chief Executive Officer to negotiate and execute Agreement No. C-1-3670 between the Orange County Transportation Authority and Public Risk Innovation, Solutions, and Management for Delta Dental, on a cost per employee basis, for preferred provider organization dental services through December 31, 2022. The annual 2022 Delta Dental preferred provider organization premium costs will vary in accordance with actual enrollment.
- F. Authorize the Chief Executive Officer to negotiate and execute Amendment No. 11 to Agreement No. C-1-2995 between the Orange County Transportation Authority and Delta Dental, on a cost per employee basis, for health maintenance organization dental services through December 31, 2022. The annual 2022 Delta Dental health maintenance organization premium costs will vary in accordance with actual enrollment.
- G. Authorize the Chief Executive Officer to negotiate and execute Agreement No. C-1-3672 between the Orange County Transportation Authority and Public Risk Innovation, Solutions, and Management for Delta Dental, on a cost per employee basis, for health maintenance organization dental services through December 31, 2022. The annual 2022 Delta Dental health maintenance organization premium costs will vary in accordance with actual enrollment.
- H. Authorize Chief Executive Officer to negotiate and execute Agreement No. C-1-3671 between the Orange County Transportation Authority and Public Risk Innovation, Solutions, and Management for Vision Service Plan, on a cost per employee basis, for vision services through December 31, 2022. The annual 2022 vision services premium costs will vary in accordance with actual enrollment.
- I. Authorize the Chief Executive Officer to negotiate and execute Amendment No. 5 to Purchase Order No. C-7-1897 between the Orange County Transportation Authority and Public Risk Innovation, Solutions, and Management for VOYA for life and accidental death and dismemberment insurance through December 31, 2022. The annual 2022 life and accidental death and dismemberment premium costs will vary in accordance with actual volume in the plan.

5. (Continued)

- J. Authorize the Chief Executive Officer to negotiate and execute Amendment No. 4 to Purchase Order No. C-7-1898 between the Orange County Transportation Authority and Public Risk Innovation, Solutions, and Management for VOYA to provide supplemental life insurance to employees at their own expense through December 31, 2022.
- K. Authorize the Chief Executive Officer to negotiate and execute Amendment No. 4 to Purchase Order No. C-7-1899 between the Orange County Transportation Authority and Public Risk Innovation, Solutions, and Management for VOYA for short-term and long-term disability insurance through December 31, 2022. The annual 2022 short-term and long-term disability premium costs will vary in accordance with actual volume in the plan.
- L. Authorize the Chief Executive Officer to negotiate and execute Amendment No. 4 to Purchase Order No. C-7-1900 between the Orange County Transportation Authority and Public Risk Innovation, Solutions, and Management for VOYA with Compsych to provide employee leave administration through December 31, 2022.

6. Public Transportation Agency Safety Plan – Annual Review and Update

A motion was made by Director Hernandez, seconded by Vice Chairman Murphy, and following a roll call vote, declared passed 17-0, to direct staff to:

- A. Adopt the proposed 2021 Public Transportation Agency Safety Plan safety performance targets and administrative edits.
- B. Adjust the annual review and Board of Directors update to be scheduled on a calendar year basis to align with the calendar year reporting requirements of the Federal Transit Administration National Transit Database.

7. SB 1 (Chapter 5, Statutes of 2017) State of Good Repair Program Recommendations for Fiscal Year 2021-22 Funds

A motion was made by Director Hernandez, seconded by Vice Chairman Murphy, and following a roll call vote, declared passed 17-0, to direct staff to:

- A. Approve Resolution No. 2021-063 authorizing the use of fiscal year 2021-22 SB 1 State of Good Repair Program funding, which is estimated to provide approximately \$6.4 million, for the Transit Security and Operations Center Project.

7. (Continued)

- B. Authorize staff to make all necessary amendments to the Federal Transportation Improvement Program, and execute any necessary agreements to facilitate the above recommendation.

Regular Calendar

8. 2022 State Transportation Improvement Program Overview

Adriann Cardoso, Department Manager of Programming, provided a PowerPoint presentation on this item.

Director Shaw commented on Slide Nine of the PowerPoint presentation and stated the Orange County (OC) Bike Loop has a significant gap in the City of La Habra and hopes staff can work on getting that gap funded and the project completed.

Director Bartlett noted that as the state starts to look at changing from the level of service on freeways and arterials to a reduction of vehicle miles traveled, they consider the different factors that come into place so that projects are not delayed.

Director Foley echoed Director Shaw's comments on completing the OC Bike Loop with a portion in Huntington Beach. She also noted that the County of Orange has begun an active transportation plan and is partnering with all agency partners to develop active transportation.

Director Hennessey asked for clarification on centerline miles, and Ms. Cardoso responded that centerline miles refer to the length of miles of a highway.

Director Sarmiento inquired about mitigating transportation costs for working families.

Commissioner Martinez responded that Orange County did not receive its fair share of funding. She stated that Commissioner Lou Correa wants to ensure that many communities receive any available resources.

Following the discussion, no action was taken on this receive and file as an information item.

9. Interstate 405 Improvement Project Update

Jeff Mills, Senior Program Manager, and Chris Boucly, Section Manager III of Public Outreach, provided a PowerPoint presentation on this item.

Chairman Do congratulated staff on keeping the construction going and communicating to the public throughout the process.

Director Nguyen echoed Chairman Do's comments on the construction and how crucial active transportation is for OCTA's Vietnamese and Spanish-speaking communities. He thanked Chairman Do and all the Directors for their past work on the project.

Following the discussion, no action was taken on this receive and file as an information item.

10. Contract Change Orders for Construction of the OC Streetcar Project

Ross Lew, Senior Program Manager, provided a verbal report on this item.

A motion was made by Director Nguyen, seconded by Director Sarmiento, and following a roll call vote, declared passed 15-1, to direct staff to:

- A. Authorize the Chief Executive Officer to negotiate and execute Contract Change Order No. 3.2 to Agreement No. C-7-1904 with Walsh Construction Company II, LLC, in the amount of \$1,100,000, for additional removal and disposal of contaminated materials within the Orange County Transit District-owned Pacific Electric Right-of-Way and other project areas.
- B. Authorize the Chief Executive Officer to negotiate and execute Contract Change Order No. 18.1 to Agreement No. C-7-1904 with Walsh Construction Company II, LLC, in the amount of \$300,000, to increase the allowance for removal of buried man-made objects.

Director Sidhu was not present to vote on this item.

Director Wagner voted in opposition.

Discussion Items

11. Public Comments

The COBS noted that the COB Department received public comments from the following, and all comments were sent to the Board of Directors at 8:44 a.m. on August 23rd and would be retained as part of the record for today's Board meeting:

- Devin Gunnell, on Thursday, August 19, 2021, at 7:38 a.m.,
- Rhonda Shrader, on Thursday, August 19, 2021, at 4:40 p.m.,
- Marvin Nagal on Monday, August 23, 2021, at 6:33 a.m.,
- Olivia Galvan on Monday, August 23, 2021, at 6:37 a.m.; and
- Maria Lopez on Monday, August 23, 2021, at 7:02 a.m.

12. Chief Executive Officer's Report

Mr. Johnson, CEO, reported the following:

August Employees of the Month -

- Barry Chenault - Operations Employee of the Month
 - Barry is a coach operator at the Garden Grove base who started his driving career with OCTA in 1986.
 - In May, he achieved an incredible 29 years of safe driving.
- Andrew Snyder - Maintenance Employee of the Month
 - Andrew is a service worker at the Garden Grove base.
 - He consistently services an average of 18 buses per night, exceeding the standard of 16 buses per evening.
- Niall Barrett - Administrative Employee of the Month
 - Niall is a Program Manager in the Highway Programs section.
 - He leads the delivery of several Interstate 5 (I-5) and California State Route 57 projects, including the award-winning I-5 Central County Improvements Project that was completed ahead of schedule and under budget last year.

South Orange County Multimodal Transportation Study (SOCMTS) Outreach -

- Tomorrow at 11:00 a.m. via Zoom, staff will be presenting an update on the SOCMTS to the South Orange County Economic Coalition.
- This study will address south Orange County's mobility needs beyond the year 2045.

12. (Continued)

Face Mask Requirement Extended -

- Last Friday, August 20, 2021, the Transportation Security Administration (TSA) extended its face mask requirement for all transportation networks, including public transportation, through January 18, 2022.
- TSA's initial face mask requirement on February 1, 2021, had previously been extended through September 13, 2021.

13. Directors' Reports

Director Nguyen reported on the following:

- Participated in a tour of the 91 Express Lanes;
- OCTA's Diversity Outreach Team;
- Youth Bus Pass Program; and
- Information on the Long-Range Transportation Plan.

Director Foley reported on the following:

- Request for someone to remove the graffiti on the Interstate 405 freeway project walls and the Seal Beach interchange near Rossmore in Los Alamitos; and the
- Kids Ride Free Program.

14. Closed Session

A Closed Session was held as follows:

Pursuant to Government Code Section 54956.9(d)(1) - Conference with General Counsel Existing Litigation - Leticia Diaz-Badillo v. Orange County Transportation Authority. OCSC Case No. 30-2019-01119072.

Directors Chaffee, Hennessey, and Sidhu were absent from the Closed Session.

There was no report out.

15. Adjournment

The meeting adjourned at 10:02 a.m.

The next regularly scheduled meeting of this Board will be held at **9:00 a.m. on Monday, September 13, 2021** at the Orange County Transportation Authority Headquarters, Board Room - Conference Room 07-08, 550 South Main Street, Orange, California.

ATTEST:

Allison Cheshire
Clerk of the Board Specialist, Senior

Andrew Do
Chairman