



## **Call to Order**

The December 11, 2023, regular meeting of the Orange County Transportation Authority (OCTA) Board of Directors and affiliated agencies was called to order by Chairman Hernandez at 9:00 a.m. at the OCTA Headquarters, 550 South Main Street, Orange, California.

**Directors Present:** Gene Hernandez, Chairman  
Tam Nguyen, Vice Chairman  
Doug Chaffee  
Jose Diaz  
Andrew Do  
Jon Dumitru  
Jamey Federico  
Brian Goodell  
Patrick Harper  
Michael Hennessey  
Steve Jones  
Fred Jung  
Farrah N. Khan  
Jessie Lopez  
Vicente Sarmiento  
Donald P. Wagner

**Directors Absent:** Katrina Foley

**Staff Present:** Jennifer L. Bergener, Deputy Chief Executive Officer  
Gina Ramirez, Clerk of the Board Specialist, Principal  
Allison Cheshire, Clerk of the Board Specialist, Senior  
James Donich, General Counsel

## **Special Calendar**

### **1. Closed Session**

A Closed Session was held pursuant to Government Code Section 54956.9(d)(1) - Conference with General Counsel - Existing Litigation - Orange County Transportation Authority v. DK-USA, LLC, et al., OCSC Case No. 30-2018-00983763.

James Donich, General Counsel, noted there was no report out on this item.

All Directors were present for this item.

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

Resolutions of Appreciation were presented to outgoing Board Members Jose Diaz, Brian Goodell, Steve Jones, and Jessie Lopez.



**3. Presentation of Resolutions of Appreciation for Employees of the Month**

Resolutions of Appreciation were presented to Graden Alegre, Coach Operator; Phillip Nguyen, Maintenance; and Jeff Mills, Administration; as Employees of the Month for December 2023.

**Consent Calendar (Items 4 through 18)**

**4. Approval of Minutes**

A motion was made by Director Wagner, seconded by Director Jung, and declared passed by those present, to approve the minutes of the November 27, 2023, Orange County Transportation Authority and affiliated agencies' regular meeting.

**5. Conflict of Interest Code and 2023 Annual Statement of Economic Interests Filing**

A motion was made by Director Wagner, seconded by Director Jung, and declared passed by those present, to:

- A. Approve the list of designated positions and disclosure categories subject to the Orange County Transportation Authority's Conflict of Interest Code.
- B. Direct the Clerk of the Board to distribute and monitor the 2023 annual Statement of Economic Interests - Form 700 to Members of the Board of Directors and designated positions, to be filed by April 1, 2024.

**6. 91 Express Lanes Update for the Period Ending - September 30, 2023**

A motion was made by Director Wagner, seconded by Director Jung, and declared passed by those present, to receive and file as an information item.

**7. Approval to Release Request for Proposals for Oversight of Orange County Transportation Authority Express Lanes Roadside Services**

A motion was made by Director Wagner, seconded by Director Jung, and declared passed by those present, to:

- A. Approve the proposed evaluation criteria and weightings for Request for Proposals 3-3010 for selection of a firm to provide oversight of the Orange County Transportation Authority's Express Lanes roadside services in Orange County.
- B. Approve the release of Request for Proposals 3-3010 to select a firm to provide oversight of the Orange County Transportation Authority's Express Lanes roadside services in Orange County for a five-year term, effective April 1, 2024, through March 31, 2029.



**8. First Quarter Fiscal Year 2023-24 Procurement Status Report**

A motion was made by Director Wagner, seconded by Director Jung, and declared passed by those present, to receive and file as an information item.

**9. Orange County Transportation Authority Investment and Debt Programs Report - October 2023**

A motion was made by Director Wagner, seconded by Director Jung, and declared passed by those present, to receive and file as an information item.

**10. Orange County Transportation Authority Climate Adaptation and Sustainability Plan Update**

A motion was made by Director Wagner, seconded by Director Jung, and declared passed by those present, to receive and file as an information item.

**11. Active Transportation Program Biannual Update**

A motion was made by Director Wagner, seconded by Director Jung, and declared passed by those present, to receive and file as an information item.

**12. 2024 Technical Steering Committee Membership**

A motion was made by Director Wagner, seconded by Director Jung, and declared passed by those present, to approve the proposed 2024 Technical Steering Committee membership recommendations.

**13. Cooperative Agreements with the Regional Center of Orange County and My Day Counts, Internal Audit Report No. 24-502**

A motion was made by Director Wagner, seconded by Director Jung, and declared passed by those present, to direct staff to implement the three recommendations provided in the Cooperative Agreements with Regional Center of Orange County and My Day Counts, Internal Audit Report No. 24-502.

**14. Environmental Mitigation Program Endowment Fund Investment Report for September 30, 2023**

A motion was made by Director Wagner, seconded by Director Jung, and declared passed by those present, to receive and file as an information item.



**15. Investigation and Limited Scope Review of Comprehensive Transportation Funding Programs Scope Change for Project No. 20-HBCH-CBT-3960**

A motion was made by Director Wagner, seconded by Director Jung, and declared passed by those present, to direct staff to implement two recommendations provided in the Investigation and Limited Scope Review of Comprehensive Transportation Funding Programs Scope Change for Project No. 20-HBCH-CBT-3960.

**16. Comprehensive Transportation Funding Programs Semi-Annual Review – September 2023**

A motion was made by Director Wagner, seconded by Director Jung, and declared passed by those present, to:

- A. Approve requested adjustments to proposed Comprehensive Transportation Funding Programs projects.
- B. Reaffirm the previously approved scope change for the City of Huntington Beach's Project V-funded Southeastern Ride Share Pilot.

**17. Measure M2 Quarterly Progress Report for the Period of July 2023 through September 2023**

A motion was made by Director Wagner, seconded by Director Jung, and declared passed by those present, to receive and file as an information item.

**18. Measure M2 Environmental Mitigation Program Update**

A motion was made by Director Wagner, seconded by Director Jung, and declared passed by those present, to receive and file as an information item.

**Discussion Items**

**19. Interstate 405 Improvement Project Update**

Jeff Mills, Program Manager, and Kirk Avila, General Manager, Express Lanes Program, provided a report on this item.

**20. Public Comments**

Public comment was received from Paul Hyek.



**21. Chief Executive Officer's Report**

Jennifer L. Bergener, Deputy Chief Executive Officer reported on the following:

- WTS Orange County Scholarship and Leadership Gala
  - Interstate 405 Improvement Project awarded the WTS Innovative Transportation Solutions Award recognized
  - Christina Byrne named Woman of the Year
  - Jeff Mills named Man of the Year
- Stuff-A-Bus Event held Friday, December 8

**22. Directors' Reports**

Director Harper reported that he attended the California Association of Councils of Governments conference on Friday, December 8.

Director Hennessey thanked Directors Goodell and Jones for their service on the F&A Committee.

**23. Adjournment**

The meeting adjourned at 9:37 a.m.

The next regularly scheduled meeting of this Board will be held:

**9:00 a.m., on Monday, January 8, 2024**

OCTA Headquarters  
Board Room  
550 South Main Street  
Orange, California

ATTEST:

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Gina Ramirez  
Assistant Clerk of the Board