



## Call to Order

The May 13, 2024, regular meeting of the Orange County Transportation Authority (OCTA) Board of Directors and affiliated agencies was called to order by Chair Nguyen at 9:00 a.m. at the OCTA Headquarters, 550 South Main Street, Orange, California.

**Directors Present:** Tam T. Nguyen, Chair  
Doug Chaffee, Vice Chair  
Ashleigh Aitken  
Valerie Amezcua  
Jon Dumitru  
Jamey Federico  
Katrina Foley  
Patrick Harper  
Fred Jung  
Stephanie Klopfenstein  
Vicente Sarmiento  
John Stephens  
Mark Tettemer  
Donald P. Wagner

**Directors Absent:** Andrew Do  
Michael Hennessey  
Farrah N. Khan

**Staff Present:** Darrell E. Johnson, Chief Executive Officer  
Jennifer L. Bergener, Deputy Chief Executive Officer  
Andrea West, Clerk of the Board  
Gina Ramirez, Assistant Clerk of the Board  
Allison Cheshire, Clerk of the Board Specialist, Senior  
James Donich, General Counsel

## Special Calendar

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

James Donich, General Counsel, administered the Oath of Office to incoming new Board Member Mark Tettemer.

### 2. Closed Session

A Closed Session was held as follows:

- A. Pursuant to Government Code Section 54957.6 to discuss negotiations with Teamsters Local 952 regarding the coach operators.

- B. Pursuant to Government Code Section 54956.9(d) - Conference with General Counsel - Potential Litigation - one item.

James Donich, General Counsel, reported that the Board met in closed session, as detailed earlier in the meeting, to discuss the negotiations with Teamsters Local 952 regarding the coach operators. Mr. Donich reported that on Director Amezcua's motion, seconded by Director Stephens, the Board unanimously approved a new contract with a 14 percent increase over three years with the Teamsters 952 for the coach operators.

All members were present except Directors Do, Hennessey, and Khan.

**3. Proposed Fiscal Year 2024-25 Southern California Regional Rail Authority Budget**

Darren Kettle, CEO of Metrolink, presented an overview of the draft Southern California Regional Rail Authority Fiscal Year 2024-25 Budget, including the Orange County Transportation Authority's proposed share of operating, rehabilitation, and capital expenses for Metrolink commuter rail service.

Public comment was received from Toni Nelson.

No action was taken on this item.

**Consent Calendar (Items 4 through 20)**

**4. Approval of Minutes**

A motion was made by Director Foley, seconded by Director Sarmiento, and declared passed by those present to approve the minutes of the April 22, 2024 Orange County Transportation Authority and affiliated agencies' regular meeting.

**5. Fiscal Year 2023-24 Internal Audit Plan, Third Quarter Update**

A motion was made by Director Foley, seconded by Director Sarmiento, and declared passed by those present to receive and file the third quarter update to the Orange County Transportation Authority Internal Audit Department Fiscal Year 2023-24 Internal Audit Plan as an information item.

**6. 2024 Board of Directors and Chief Executive Officer Initiatives and Action Plan - First Quarter Progress Report**

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

**7. Acceptance of Grant Awards from the California Department of Toxic Substances Control and the California Transportation Commission**

A motion was made by Director Foley, seconded by Director Sarmiento, and declared passed by those present to:

- A. Authorize the Chief Executive Officer, or designee, to accept the award of \$350,000 in Equitable Community Revitalization Grant funding for the OC Connect Garden Grove Santa Ana Rails to Trails Environmental Assessment and to negotiate and execute grant-related agreements and documents with the California Department of Toxic Substances Control.
- B. Adopt Orange County Transportation Authority Resolution No. 2024-025 and authorize the Chief Executive Officer, or designee, to accept the award of \$12 million in Local Transportation Climate Adaptation Program funding for the Coastal Rail Infrastructure Corridor Resiliency Project and to negotiate and execute required grant-related agreements and documents with the California Transportation Commission.
- C. Authorize the use of \$3 million in Measure M2 funds to match the Local Transportation Climate Adaptation Program funding for the Coastal Rail Infrastructure Corridor Resiliency Project.
- D. Authorize staff to make all necessary amendments to the Federal Transportation Improvement Program, as well as execute any necessary agreements to facilitate the recommendations above.

**8. Agreement for Fence Installation at the Pacific Electric Right-of-Way in the City of Anaheim**

A motion was made by Director Foley, seconded by Director Sarmiento, and declared passed by those present to authorize the Chief Executive Officer to negotiate and execute Agreement No. C-4-2095 between the Orange County Transportation Authority and Izurieta Fence Company, Inc., the lowest responsive, responsible bidder, in the amount of \$143,340, for the fence installation at Pacific Electric Right-of-Way in the City of Anaheim.

**9. Agreement for Painting, Coating, and Roof Replacement at the Laguna Hills Transportation Center**

A motion was made by Director Foley, seconded by Director Sarmiento, and declared passed by those present to authorize the Chief Executive Officer to negotiate and execute Agreement No. C-4-2073 between the Orange County Transportation Authority and Ankor Associates, Inc., the lowest responsive, responsible bidder, in the amount of \$358,000, for painting, coating, and roof replacement at the Laguna Hills Transportation Center.

**10. Agreement for Bus Hoist Replacement at the Irvine Sand Canyon Bus Base**

A motion was made by Director Foley, seconded by Director Sarmiento, and declared passed by those present to authorize the Chief Executive Officer to negotiate and execute Agreement No. C-4-2092 between the Orange County Transportation Authority and Autolift Services, Inc., the lowest responsive, responsible bidder, in the amount of \$219,757, for bus hoist replacement at the Irvine Sand Canyon Bus Base.

**11. Approval of the Fiscal Year 2024-25 Local Transportation Fund Claim for Public Transportation and Community Transit Services**

A motion was made by Director Foley, seconded by Director Sarmiento, and declared passed by those present to:

- A. Approve the Orange County Transit District Fiscal Year 2024-25 Local Transportation Fund claim for public transportation services in the amount of \$212,667,523.41, and for community transit services in the amount of \$11,273,685.71 for a total claim amount of \$223,941,209.12.
- B. Authorize the Chief Executive Officer to issue allocation/disbursement instructions to the Orange County Auditor-Controller in the full amount of the claims.

**12. Approval of the Fiscal Year 2024-25 Local Transportation Fund Claim for Laguna Beach Public Transportation Services**

A motion was made by Director Foley, seconded by Director Sarmiento, and declared passed by those present to:

- A. Approve the Laguna Beach Municipal Transit Lines Fiscal Year 2024-25 Local Transportation Fund claim for public transportation services, in the amount of \$1,532,505.
- B. Authorize the Chief Executive Officer of the Orange County Transportation Authority to issue allocation/disbursement instructions to the Orange County Auditor-Controller in the amount of the claim.

**13. Review of Interstate 405 Improvement Project: Design-Build Contract, Internal Audit Report No. 24-507**

A motion was made by Director Foley, seconded by Director Sarmiento, and declared passed by those present to direct staff to implement the recommendation provided in the Review of Interstate 405 Improvement Project: Design-Build Contract, Internal Audit Report No. 24-507.

**14. Orange County Local Transportation Authority Report on Compliance with the Measure M2 Ordinance, Year Ended June 30, 2023**

A motion was made by Director Foley, seconded by Director Sarmiento, and declared passed by those present to receive and file the Independent Auditor's Report on Compliance with the Measure M2 Ordinance and Report on Internal Control over Compliance for the year ended June 30, 2023, as an information item.

**15. Orange County Local Transportation Authority Measure M2 Maintenance of Effort, Agreed-Upon Procedures Report, City of Cypress, Year Ended June 30, 2023**

A motion was made by Director Foley, seconded by Director Sarmiento, and declared passed by those present to

Direct staff to develop recommendation(s) for Board of Directors' action related to the status of the City of Cypress' Measure M2 eligibility.

**16. Orange County Local Transportation Authority Measure M2 Agreed-Upon Procedures Reports, Year Ended June 30, 2023**

A motion was made by Director Foley, seconded by Director Sarmiento, and declared passed by those present to:

- A. Direct staff to monitor implementation of corrective actions by cities.
- B. Direct staff to review with legal counsel the results of agreed-upon procedures applied to the cities of Buena Park and Orange and develop recommendations for Board of Directors' consideration to address the exceptions related to Local Fair Share expenditures by the City of Buena Park and maintenance of effort expenditures by the City of Orange.
- C. Direct staff to withhold funds from a future payment to the City of Mission Viejo to address the shortfall in match funds in accordance with the Senior Mobility Program Guidelines.

**17. Third Quarter Fiscal Year 2023-24 Capital Action Plan Performance Metrics**

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

**18. Cooperative Agreements with the California Department of Transportation for the State Route 91 Improvement Project Between State Route 57 and State Route 55 for Right-of-Way Capital and Support Services**

A motion was made by Director Foley, seconded by Director Sarmiento, and declared passed by those present to:

- A. Authorize the Chief Executive Officer to negotiate and execute Cooperative Agreement No. C-4-2212, between the Orange County Transportation Authority and the California Department of Transportation, in the amount of \$5,926,000, for right-of-way support services, right-of-way engineering, right-of-way acquisition, and utility relocation costs for the State Route 91 Improvement Project between State Route 55 and Lakeview Avenue.
- B. Authorize the Chief Executive Officer to negotiate and execute Cooperative Agreement No. C-4-2213, between the Orange County Transportation Authority and the California Department of Transportation, in the amount of \$28,166,000, for right-of-way support services, right-of-way engineering, right-of-way acquisition, right-of-way decertification of excess land, and utility relocation costs for the State Route 91 Improvement Project between State Route 55 and La Palma Avenue.
- C. Authorize the Chief Executive Officer to negotiate and execute Cooperative Agreement No. C-4-2214, between the Orange County Transportation Authority and the California Department of Transportation, in the amount of \$5,510,000, for right-of-way support services, right-of-way engineering, right-of-way acquisition, and utility relocation costs for the State Route 91 Improvement Project between La Palma Avenue and Acacia Street.

**19. Measure M2 Comprehensive Transportation Funding Programs – Proposed Off-Cycle Guidelines Revisions**

A motion was made by Director Foley, seconded by Director Sarmiento, and declared passed by those present to approve revisions to the Comprehensive Transportation Funding Programs guidelines.

**20. Comprehensive Transportation Funding Programs - 2024 Call for Projects Programming Recommendations**

A motion was made by Director Foley, seconded by Director Sarmiento, and declared passed by those present to:

- A. Approve the award of \$18.72 million in 2024 Regional Capacity Program (Project O) funds to six local jurisdiction projects.
- B. Approve the award of \$12.89 million in 2024 Regional Traffic Signal Synchronization Program (Project P) funds to five local jurisdiction projects.

## **Regular Calendar**

### **21. Coastal Rail Resiliency Study Updates**

Dan Phu, Program Manager, and Christina Byrne, Department Manager of Public Outreach provided a presentation on this item.

A motion was made by Director Foley, seconded by Director Sarmiento, declared passed, to direct staff to further develop the updated concepts in the Initial Assessment and return to the Board of Directors with a comprehensive plan to integrate both engineering and sand nourishment solutions to help protect the rail corridor in the immediate timeframe.

Public comments were received via email from Suzie Whitelaw and Brian Yanity.

In-person public comments were received from the following:

- Suzie Whitelaw
- Lisa Gant
- Joe Wilson
- Andy Hall
- Amanda Quintanilla
- Gary Walsh
- Toni Nelson

Directors Aitken, Dumitru, and Jung were not present to vote on this item.

## **Discussion Items**

### **22. Public Comments**

Public comment was received from Amanda Quintanilla.

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

Darrell E. Johnson, Chief Executive Officer, reported on the following:

- Golden Hub Award
- OCTA Bike Ride and Rally
- Bike Month
- California Transportation Commission Meeting



**24. Directors' Reports**

Director Amezcua thanked OCTA staff for attending the Mother's Day celebration at the Southwest Senior Center.

Director Stephens thanked Director Federico for his help in directing him and his mayor pro tem at an event location.

Director Klopfenstein thanked OCTA for winning the Golden Hub of Innovation for the Interstate 405 project. In addition, she participated in the hike with staff on April 27<sup>th</sup> and enjoyed the knowledgeable staff on plants, flora, and fauna.

Director Tettemer provided information on his public service background, thanked staff for the warm welcome, and for helping him get up to speed on the agenda.

**25. Orange County Transportation Authority Fiscal Year 2024-25 Budget Workshop**

Andrew Oftelie, Chief Financial Officer, and Sean Murdock, Director of Finance and Administration, presented the proposed fiscal year 2024-25 budget in a workshop setting.

No action was taken on this item.

**26. Adjournment**

The meeting adjourned at 12:37 p.m.

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

**9:00 a.m., on TUESDAY, May 28, 2024**

OCTA Headquarters  
Board Room  
550 South Main Street  
Orange, California

ATTEST:

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Gina Ramirez  
Assistant Clerk of the Board