

Orange County Transportation Authority Board Meeting
OCTA Headquarters
First Floor - Room 154
600 South Main Street, Orange, California
Monday, April 25, 2005, at 9:00 a.m.

Any person with a disability who requires a modification or accommodation in order to participate in this meeting should contact the OCTA Clerk of the Board, telephone (714) 560-5676, no less than two (2) business days prior to this meeting to enable OCTA to make reasonable arrangements to assure accessibility to this meeting.

Invocation

Director Ritschel

Pledge of Allegiance

Director Rosen

Agenda Descriptions

The agenda descriptions are intended to give notice to members of the public of a general summary of items of business to be transacted or discussed. The posting of the recommended actions does not indicate what action will be taken. The Board of Directors may take any action which it deems to be appropriate on the agenda item and is not limited in any way by the notice of the recommended action.

Public Comments on Agenda Items

Members of the public wishing to address the Board of Directors regarding any item appearing on the agenda may do so by completing a Speaker's Card and submitting it to the Clerk of the Board. Speakers will be recognized by the Chairman at the time the agenda item is to be considered. A speaker's comments shall be limited to three (3) minutes.

Special Matters

1. Presentation of Resolutions of Appreciation for Employees of the Month for April 2005

Present of Orange County Transportation Authority Resolutions of Appreciation Nos. 2005-86, 2005-87, 2005-88, respectively, to Coach Operator John Raith, Carlos Perez of Maintenance, and Jeffrey Tatro of Administration, as Employees of the Month for April 2005.

Consent Calendar (Items 2 through 29)

All matters on the consent calendar are to be approved in one motion unless a Board member or a member of the public requests separate action on a specific item.

Orange County Transportation Authority Consent Calendar Matters

2. Approval of Minutes

Of the Orange County Transportation Authority and affiliated agencies' regular meeting of April 11, 2005.

3. Approval of Resolutions of Appreciation for Employees of the Month of April 2005

Approval of Orange County Transportation Authority Resolutions of Appreciation Nos. 2005-86, 2005-87, 2005-88, respectively, to Coach Operator John Raith, Carlos Perez of Maintenance, and Jeffrey Tatro of Administration, as Employees of the Month for April 2005.

4. State and Federal Legislative Status Report

Kecia Washington/Richard J. Bacigalupo

Overview

Assembly Democrats introduced a transportation infrastructure funding proposal. Two bill positions are submitted for consideration. The debate over surface transportation reauthorization continues. Funding for goods movement appears possible. A battle over Congestion Mitigation Air Quality Improvement Program funding is looming.

4. (Continued)

Recommendations

- A. Support on AB 1118 (Umberg, D-Santa Ana)
- B. Support on SB 275 (Torlakson, D-Antioch)

5. Policy Position on Transportation Public-Private Partnerships

Alex Esparza/Richard J. Bacigalupo

Overview

Lack of state funding, coupled with the high costs and impacts of creating new capacity on state highways, have resulted in new strategies for increasing highway capacity that make the maximum use of existing highway capacity. One of these strategies proposed by Governor Arnold Schwarzenegger is the use of public-private partnerships.

Recommendations

- A. Adopt a policy position supporting the use of public-private partnerships that increase highway capacity without limiting the ability to improve public facilities.
- B. Adopt a Support with Amendment position on AB 850 (Canciamilla, D Pittsburg)

6. Limited Scope Review of Stops and Zones Maintenance

Robert A. Duffy/Richard J. Bacigalupo

Overview

The Internal Audit Department has completed a limited scope review of the controls being used by the Orange County Transportation Authority's Stops and Zones Maintenance group on contract agreement C-3-0810 with ShelterCLEAN, Inc. The report included four recommendations addressing administrative issues. The Stops and Zones group disagreed with one recommendation but agreed to implement other improvements to the process in lieu of this recommendation. The Stops and Zones group concurs with, and is in the process of, implementing the three remaining recommendations.

6. **(Continued)**

Recommendation

Receive and file the Limited Scope Review of Stops and Zones Maintenance, Internal Audit Report No. 05.001.

7. **Review of Investment Activities for October through December 2004**

Robert A. Duffy/Richard J. Bacigalupo

Overview

The Internal Audit Department has completed a review of investment activities for the period October 1, 2004, through December 31, 2004. The review indicated that investments were in compliance with the Orange County Transportation Authority's debt, investment and accounting objectives, and policies and procedures.

Recommendation

Receive and file the Review of Investment Activities for October through December 2004 Internal Audit Report No. 05.026.

8. **Third Quarter Payroll Distribution Review**

Robert A. Duffy/Richard J. Bacigalupo

Overview

The Internal Audit Department has completed a payroll distribution review of the Service Planning and Customer Advocacy Department. A response to this report was not required.

Recommendation

Receive and file the Third Quarter Payroll Distribution Review, Internal Audit Report No. 05 022.

9. Fiscal Year 2003-04 Annual Financial Reports

Robert A. Duffy/Richard J. Bacigalupo

Overview

Macias, Gini and Company LLP, an independent accounting firm, has completed its second annual audit of the Orange County Transportation Authority's financial records and systems, and has issued its opinion on the financial statements for the fiscal year ended June 30, 2004. The Comprehensive Annual Financial Report for the Orange County Transportation Authority, which contains the fiscal year 2003-04 financial statements and the independent auditor's opinion on the basic financial statements, was prepared and presented to the Board of Directors on December 13, 2004. In addition to the Comprehensive Annual Financial Report, the Orange County Transportation Authority is required to obtain an independent auditor's opinion on various other fund financial statements, schedules, and agreements, which were provided by Macias, Gini and Company LLP, and are included herein.

Recommendation

Receive and file the fiscal year 2003-04 annual financial reports as information items.

10. Audit Report on Third Quarter Parts Inventory Cycle Count

Robert A. Duffy/Richard J. Bacigalupo

Overview

The Internal Audit Department has completed a quarterly parts inventory cycle count for the third quarter. No recommendations were made requiring a management response.

Recommendation

Receive and file the Third Quarter Parts Inventory Cycle Count, Internal Audit Report No. 05-021.

11. 91 Express Lanes February 2005 Status Report

Ellen Lee/Paul C. Taylor

Overview

The 91 Express Lanes Status Report for the period ending February 28, 2005, is provided for Orange County Transportation Authority Board of Directors' review. The report provides toll road traffic volume, revenue, financial performance, operations, maintenance, and communications information.

Recommendation

Receive and file the 91 Express Lanes Status Report for the period ending February 28, 2005.

12. 91 Express Lanes Toll Violations Judgment Process Overview

Ellen Lee/Paul C. Taylor

Overview

This report summarizes the violation process and actions taken for nonpayment of toll and penalties.

Recommendation

Receive and file as an information item.

13. 91 Express Lanes Cash Flow Analysis

Paul C. Taylor

Overview

In October 2004, the Orange County Transportation Authority Board adopted a set of guiding principles for the use of excess toll revenues emphasizing compliance with existing agreements, prudent financial planning and options to retire debt, lower tolls, and/or make corridor improvements when excess funds are available. An updated 91 Express Lanes cash flow analysis is provided and excess revenues defined in conformance with the guiding principles.

13. (Continued)

Recommendation

Receive and file as an information item.

14. Section 5310 Grant Program Recommendations for Fiscal Year 2005-2006

Richard Teano/Paul C. Taylor

Overview

The Federal Transit Administration's Section 5310 Grant Program provides capital funds for the purchase, replacement, and rehabilitation of paratransit vehicles to meet the transportation needs of elderly persons and persons with disabilities. The Orange County Transportation Authority is responsible for assisting applicants, evaluating and ranking applications, and transmitting a prioritized list to the California Department of Transportation. The prioritized list is presented for Board approval.

Recommendations

- A. Approve the scores recommended by the Regional Evaluation Committee and authorize staff to include the recommendations for funding in the Fiscal Year 2005-2006 Regional Transportation Improvement Program.
- B. Authorize the Chief Executive Officer to submit the required Certification and Assurances to the California Department of Transportation.
- C. Adopt Resolution No. 2005-85 authorizing the Chief Executive Officer to transmit the Section 5310 Regional Priority List to the California Department of Transportation.

15. **Award of Construction Contract for Americans with Disabilities Act Bus Stop Modifications (Phase 3, Construction Package 3)**
Dipak Roy/Stanley G. Phernambucq

Overview

As part of the Orange County Transportation Authority's Fiscal Year 2004-05 Budget, the Board approved construction of Americans with Disabilities Act improvements at the Orange County Transportation Authority's bus stops countywide. Bids were received in accordance with the Orange County Transportation Authority's public works procurement procedures. Board approval is requested to execute an agreement.

Recommendation

Authorize the Chief Executive Officer to execute Agreement C-5-0469, between the Orange County Transportation Authority and Olivas Valdez, Inc., the lowest responsive, responsible bidder, in an amount not to exceed \$670,820, for Americans with Disabilities Act Bus Stop Modifications in the City of Fullerton.

16. **Excess Land Policy Regarding Bundling Multiple Parcels for Sale to a City**
Min Saysay/Stanley G. Phernambucq

Overview

An update on the Orange County Transportation Authority's sale of excess land is presented in this report. Possible revisions to the Right of Way Policies and Procedures Manual addressing the sale of excess land are being brought forward for Board consideration.

Recommendations

- A. Bundle all excess parcels within a city and allow staff to negotiate a sale price based on appraised values, as well as value to the Orange County Transportation Authority of eliminating responsibility for maintenance, liability and long-term management, subject to approval by Board of Directors.

16. (Continued)

- B. Accept payment over time for bundled parcels, not to exceed five years, subject to payment of interest equal to the Orange County Transportation Authority's return on its short-term investment pool.

17. Amendment to Agreement for Orange County Rideshare Program Software and Database Services

Stella Lin/Ellen S. Burton

Overview

The Board of Directors has approved an agreement with the Riverside County Transportation Commission to provide regional rideshare software and database services for Orange County's Rideshare program. Pending approval of the Orange County Transportation Authority Fiscal Year 2005/2006 Budget, it is recommended that the first option term of the agreement be exercised.

Recommendation

Contingent on approval of the Orange County Transportation Authority's Fiscal Year 2005/2006 Budget, authorize the Chief Executive Officer to execute Amendment No. 1 to Agreement C-4-0329 with the Riverside County Transportation Commission in an amount not to exceed \$84,000, for regional rideshare database and support services. The first option term would commence July 1, 2005, and continue through June 30, 2006. The total maximum cumulative obligation is \$154,000.

18. Amendment to Agreement for Graphic Design Services for Bus Public Information

Stella Lin/Ellen S. Burton

Overview

The Board of Directors has approved an agreement with Interactive Publications and Graphics to provide graphic design services for bus public information. Pending approval of the Orange County Transportation Authority Fiscal Year 2005/2006 Budget, it is recommended the first option term of the agreement be exercised.

18. (Continued)

Recommendation

Contingent on approval of the Orange County Transportation Authority Fiscal Year 2005/2006 Budget, authorize the Chief Executive Officer to execute Amendment No. 1 to Agreement C-4-0521 with Interactive Publications and Graphics in an amount not to exceed \$150,000, for graphic design services. The first option term period would commence July 1, 2005, and continue through June 30, 2006. The total maximum cumulative obligation is \$450,000.

19. Amendment to Agreement for Bus Book Printing

Stella Lin/Ellen S. Burton

Overview

The Board of Directors has approved an agreement with Clearwater Graphics to provide services for printing, packaging and delivery of bus books. Pending approval of the Orange County Transportation Authority Fiscal Year 2005/2006 Budget, it is recommended the first option term of the agreement be exercised.

Recommendation

Contingent on approval of the Orange County Transportation Authority Fiscal Year 2005/2006 Budget, authorize the Chief Executive Officer to execute the first option term of Agreement C-4-0520 with Clearwater Graphics in an amount not to exceed \$400,000, for printing, packaging and delivery of bus books for the period July 1, 2005, to June 30, 2006. The total maximum cumulative obligation is \$820,000.

20. Commercial Banking Services Contract Extension

Tom Wulf/James S. Kenan

Overview

In September 2001, the Orange County Transportation Authority executed an agreement with Bank of the West (formally United California bank), in the amount of \$300,000, to provide commercial banking services. The agreement was for a period of three years with two one-year options. This contractor was retained in accordance with Orange County Transportation Authority's procurement procedures for professional services.

20. (Continued)

Recommendation

Authorize the Chief Executive Officer to execute Amendment No. 3 to Agreement C-1-1675 between the Orange County Transportation Authority and Bank of the West, in an amount not to exceed \$120,000, to exercise the second option year from September 1, 2005, to August 31, 2006.

21. Amendment to Agreement for the Lease of Digital Copiers

Joe Tiernan/James S. Kenan

Overview

On May 12, 2003, the Board of Directors approved an agreement with Minolta Business Solutions, in the amount of \$200,000, to provide 30 digital copiers. Minolta Business Solutions was retained in accordance with the Orange County Transportation Authority's procurement procedures for professional and technical services.

Recommendation

Authorize the Chief Executive Officer to execute Amendment No. 4 to Agreement C-2-1265 between the Orange County Transportation Authority and Minolta Business Solutions, in an amount not to exceed \$200,500, to exercise the Agreement's second option year for the lease of digital copiers.

22. First Quarter 2005 Debt and Investment Report

Kirk Avila/James S. Kenan

Overview

Under the California Government Code, the governing body of a local agency has the authorization to appoint, for a period of one year, a Treasurer to invest, reinvest, purchase, exchange, sell, or manage public funds. Additionally, the California Government Code requires that the Orange County Transportation Authority Treasurer submit a quarterly investment report detailing the investment activity for the period. This investment report covers the first quarter of 2005, January through March, and includes a discussion on the Orange County Transportation Authority's debt portfolio.

22. (Continued)

Recommendations

- A. Authorize the Treasurer to invest, reinvest, purchase, exchange, sell, and manage Orange County Transportation Authority funds during fiscal year 2005-06.
- B. Receive and file the Quarterly Investment Report prepared by the Treasurer as an information item.

23. Amendment to Agreement for Medical Clinic Services with Golden West Medical Center

Debbie Christensen/James S. Kenan

Overview

On June 11, 2001, the Board of Directors approved an agreement with Golden West Medical Center, in the amount of \$250,000, to provide medical clinic services. Golden West Medical Center was retained in accordance with the Orange County Transportation Authority's procurement procedures for professional and technical services.

Recommendation

Authorize the Chief Executive Officer to execute Amendment No. 3 to Agreement C-1-1549 between the Orange County Transportation Authority and Golden West Medical Center, in an amount not to exceed \$105,000, for medical clinic services.

Orange County Transit District Consent Calendar Matters

24. Amendment to Cooperative Agreement with the Office on Aging Beth McCormick/William L. Foster

Overview

The Orange County Transportation Authority and the Orange County Office on Aging currently have a cooperative agreement in the amount of \$250,000, to match Tobacco Settlement Revenue funds for use on specific senior non-emergency medical transportation projects. An amendment is required to extend the cooperative agreement and clarify each agency's participation in the current fiscal year.

Recommendations

- A. Authorize the Chief Executive Officer to execute Amendment No. 2 to Cooperative Agreement C-2-0617 with the Office on Aging, in an amount not to exceed \$5,000, as part of the local match for a California Department of Transportation Environmental Justice Planning Grant.
- B. Authorize allocation of an amount not to exceed \$50,000, to reimburse the Office on Aging for senior non-emergency medical transportation trips provided to individuals with ACCESS eligibility beginning April 1, 2005, and continuing until Same-Day Taxi Service is implemented.

25. Amendment to Agreement for ACCESS Eligibility Determination Services Gracie Davis/William L. Foster

Overview

On April 18, 2002, the Board of Directors approved an agreement with Magnolia Physical Therapy, in the amount of \$678,250, to provide ACCESS eligibility determination services. Magnolia Physical Therapy was retained in accordance with the Orange County Transportation Authority's procurement procedures for professional services.

25. (Continued)

Recommendation

Authorize the Chief Executive Officer to execute Amendment No. 2 to Agreement C-2-0040 between the Orange County Transportation Authority and Magnolia Physical Therapy, in an amount not to exceed \$710,000, for the evaluation of ACCESS applications through June 30, 2006.

26. Amendment to Agreement for Coach Operator Uniforms

Tom Franklin/William L. Foster

Overview

On June 14, 2004, the Board of Directors approved an agreement with Gall's Incorporated, in an amount not to exceed \$339,594, to provide coach operator uniforms. Gall's Incorporated was retained in accordance with the Orange County Transportation Authority's procurement procedures for professional services.

Recommendation

Authorize the Chief Executive Officer to execute Amendment No. 1 to Agreement C-3-1326 between the Orange County Transportation Authority and Gall's Incorporated, in an amount not to exceed \$339,594, for coach operator uniforms.

27. Agreement for Leased Tires and Full Tire Maintenance Service

Al Pierce/William L. Foster

Overview

As part of the Orange County Transportation Authority's Fiscal Year 2004-05 Budget, the Board approved the lease of tires and full service tire maintenance. Offers were received in accordance with the Orange County Transportation Authority's procurement procedures for professional and technical services. Board approval is requested to execute an agreement.

27. (Continued)

Recommendation

Authorize the Chief Executive Officer to execute Agreement C-4-1065 between the Orange County Transportation Authority and Bridgestone/Firestone North American Tire, LLC, in an amount not to exceed \$10,238,647, for leasing of tires and full service tire maintenance for a five year term.

28. Amendment to Agreement for Provisions of Adult Day Healthcare Transportation

Dana Wiemiller/William L. Foster

Overview

On May 30, 2002, the Board of Directors approved an agreement with South County Senior Services in the amount of \$132,000, to provide adult day healthcare transportation. South County Senior Services was retained in accordance with the Orange County Transportation Authority's procurement procedures for professional/technical services.

Recommendation

Authorize the Chief Executive Officer to execute Amendment No. 4 to Agreement C-2-0306 between the Orange County Transportation Authority and South County Senior Services, in an amount not to exceed \$236,086, for the provision of adult day healthcare transportation through June 30, 2006.

29. Amendment to Agreement with City of Laguna Beach for Provision of ACCESS Services

Beth McCormick/William L. Foster

Overview

On April 14, 2003, the Orange County Transportation Authority approved an agreement with the City of Laguna Beach for a period of five years to provide complementary paratransit service in compliance with the Americans with Disabilities Act to meet the city's obligation as the operator of local fixed route services.

29. (Continued)

Recommendations

- A. Authorize the Chief Executive Officer to execute Amendment No. 1 to Agreement C-3-0198 between the Orange County Transportation Authority and the City of Laguna Beach, to increase the maximum obligation in an amount not to exceed \$63,400.
- B. Modify the Same Day Non-ADA Taxi Operating Plan, approved by the Board of Directors on November 24, 2005, to increase the maximum number of daily trips by six to allow the City of Laguna Beach to participate in this demonstration program under Agreement C-3-0198.

Regular Calendar

Orange County Transportation Authority Regular Calendar Matters

30. Central County Corridor Study Findings and Recommendations

Kurt Brotcke/Paul C. Taylor

Overview

The Central County Corridor Study Board Committee met on March 31, 2005, to consider staff findings and recommendations for the first phase of study to look at options to improve travel in central Orange County. Members present at the meeting included Chairman Campbell, Committee Chair Cavecche, Committee Vice-Chair Monahan, Directors Brewer, Correa, Green, and Rosen. Directors Pulido and Silva were absent.

Recommendation (by Committee)

Approve staff findings and recommendations as presented without the Orange Freeway (State Route 57) extension south of the San Diego Freeway (Interstate 405) to Pacific Coast Highway and prioritize the State Route 57 for an early decision.

31. Rapid Transit Options Selection

Jose Martinez/Paul C. Taylor

Overview

As directed by the Board of Directors, staff is undertaking an analysis of rapid transit options, including potential projects and evaluation issues, along with program factors for each project. The study is focused on issues and considerations suggested by the Board of Directors in the January 2005 Measure M workshop and subsequent Board of Directors and Committee meetings that assess time-critical elements to maintain federal-funding eligibility and a 2010 opening date. An update on the analysis of the rapid transit options is presented to the Committee, including sample packages for consideration.

Recommendations (by Committee)

The Committee recommended Rapid Transit Options Sample Package 5 with addition of Projects G1, G3, and T4. (Please see attached Draft Sample Package 5A.)

Further, the Committee recommended that:

- A. The Board explore phased implementation on each project as funding allows.
- B. Staff approach cities about dedicating traffic lanes for bus rapid transit (with initial emphasis on the cities along Beach Boulevard).

Other Matters

32. Chief Executive Officer's Report

33. Directors' Reports

34. Public Comments

At this time, members of the public may address the Board of Directors regarding any items within the subject matter jurisdiction of the Board of Directors, but no action may be taken on off-agenda items unless authorized by law. Comments shall be limited to three (3) minutes per speaker, unless different time limits are set by the Chairman subject to the approval of the Board of Directors.

35. Closed Session

Pursuant to Government Code Section 54956.8 to discuss the sale of real property interests to the City of Anaheim. The negotiator for OCTA is Min Saysay, and the negotiator for the City of Anaheim is Clare Fletcher. The real property interests in the City of Anaheim are identified as follows:

1. Lincoln Avenue east of Pearl Street
2. Southwest corner of Bellevue Dr. and South Street
3. Anaheim Way southeast of Haster
4. Anaheim Way south of Katella Avenue
5. Manchester Avenue north of Orangewood Avenue
6. 2400 South Manchester Avenue
7. 1500 Block of West Lincoln Avenue
8. Manchester Avenue south of Lincoln Avenue
9. Anaheim Way north of Lewis
10. 1227 Center Street
11. 1229 Center Street
12. Illinois Street north of South Street
13. La Palma Avenue east of Brookhurst Street
14. Lincoln Avenue southeast of Pearl Street
15. 1830 West Crescent Avenue
16. Anaheim Way at the I-5
17. Anaheim Way at Claudina
18. Anaheim Way south of Stanford
19. Anaheim Way northwest of Claudina
20. 1500 Block of West Lincoln Avenue

36. Adjournment

The next regularly scheduled meeting of the OCTA/OCTD/OCLTA/OCSAFE/OCSSAV Committee will be held at **9:00 a.m. on May 9, 2005**, at OCTA Headquarters at 600 South Main Street, First Floor - Room 154, Orange, California.