



MINUTES

Special Executive Committee Meeting

Committee Members Present

Al Murray, Chairman
Dana Reed, Vice Chairman
(teleconference)
Bryan MacDonald, Immediate Past Chairman
(teleconference)

Staff Present

Jennifer L. Bergener, LOSSAN Managing Director
Gina Ramirez, LOSSAN Deputy Clerk of the Board
James Donich, LOSSAN General Counsel

Committee Members Absent

None

Call to Order

The October 3, 2019, Los Angeles - San Diego – San Luis Obispo (LOSSAN) Rail Corridor Agency's (Agency) Special Executive Committee meeting was called to order by Chairman Murray at 11:01 a.m. at the Orange County Transportation Authority Headquarters, 600 South Main Street, Conference Room 1234 – 12th Floor, Orange, California.

Chairman Murray announced that Vice Chairman Reed, and Immediate Past Chairman MacDonald, would participate via teleconference, and all votes would be taken by roll call.

1. Public Comments

No public comments were received.

Special Calendar

2. Proposed 2020 Board of Directors and Committee Meetings Calendar

Chairman Murray opened this item and proposed a recommendation to cancel the July and October Board of Directors (Board) meetings.

Jennifer L. Bergener, Managing Director, reported that staff, in consultation with Chairman Murray, Vice Chairman Reed, and Immediate Past Chairman MacDonald, developed a calendar that decreases the number of Board meetings to eight meetings per year. Ms. Bergener added that staff believes the proposed dates will adequately provide the appropriate number of meetings to conduct the LOSSAN Agency business, and Special meetings can be added as necessary at the request of the Chairman.

2. (Continued)

Ms. Bergener called special attention to the February and March meetings. That is the launching point for the LOSSAN Agency's annual business plan, and budget requests, which staff has to submit to the state by April 1st, and staff would like to have those two meetings at the beginning of the year to give the Board, interested public members, and the Technical Advisory Committee the opportunities to weigh-in on the annual business plan as it goes through the formal approval process.

A motion was made by Chairman Murray, seconded by Vice Chairman Reed, and following a roll call vote, declared passed 3-0, to approve the 2020 Board of Directors and Committee meetings calendar.

Consent Calendar (Item 3)

3. Approval of Minutes

A motion was made by Immediate Past Chairman MacDonald, seconded by Vice Chairman Reed, and following a roll call vote, declared passed 3-0, to approve the minutes from the May 8, 2019, Executive Committee meeting.

Regular Calendar

There were no Regular Calendar items scheduled.

Discussion Items

4. Status Update on Federal Fiscal Year 2019-20 Operating Agreement

Jennifer L. Bergener, Managing Director, provided opening comments and introduced Jason Jewell, Finance and Administration Manager.

Mr. Jewell provided an update on the current status of the federal fiscal year (FFY) 2018-19 operating agreement with Amtrak as follows:

- To provide continued operation of the Pacific Surfliner intercity passenger rail service that is included in the approved LOSSAN Agency FFY 2020-21 Business Plan, it is necessary to amend the current FFY operating agreement to include additional funding capacity.
- On July 15, 2019, the Board authorized the LOSSAN Agency Managing Director to negotiate and execute a one-year agreement with Amtrak for FFY 2019-20 for the operation of the Pacific Surfliner.
- Authorization for FFY 2020-21 was subject to further negotiations with Amtrak and contingent upon future funding approvals by the State of California.

4. (Continued)

- LOSSAN Agency staff has been working diligently with Amtrak to negotiate an FFY 2019-20 operating agreement.
- One of the last major items to agree on is related to equipment, specifically the use of 17 horizon train units to be used exclusively on the Pacific Surfliner in exchange for a daily lease rate.
- The current operating agreement contains a continuation clause that allows for continued operations of the service until the new agreement is executed, with the maximum continuation until March 2020.
- Staff plans on taking an item to the full Board in October to add approximately 18 million in funding capacity to the agreement.
- The Amtrak operating funding for the FFY 20 includes the Board adopted budget in the amount of approximately \$31 million.

Chairman Murray inquired on the funding capacity of \$18 million, and is there any indication that it may be less than that.

Mr. Jewell responded that 18 million is an estimate, and Amtrak is currently at \$3 million net operating expenses per month with a maximum of six months. That would take the operating agreement through March 2020, if needed. He also stated staff is currently tracking Amtrak's net operating expenses at about \$2.8 million per month. However, LOSSAN Agency staff are close to an agreement with Amtrak, and staff does not anticipate needing the full amount, it is a month-to-month continuation until the new agreement is executed.

5. Managing Directors' Report

Jennifer L. Bergener, Managing Director, stated there were no items to report.

6. Committee Members' Reports

Vice Chairman Reed stated that he would participate via teleconference at the LOSSAN Agency Executive Committee meeting on November 7, 2019.

Vice Chairman Reed inquired on the timing of Jennifer L. Bergener's review.

James Donich, General Counsel, stated that a memo might be sent to the Board of Directors, or it will be agendaized at the March 3, 2020, Executive Committee meeting.

7. Closed Session

There were no Closed Session items scheduled.



8. Adjournment

The meeting was adjourned at 11:41 a.m.

The next regularly scheduled meeting of this Committee will be held at:

11:00 a.m. on Thursday, November 7, 2019

Orange County Transportation Authority Headquarters

600 South Main Street

Conference Room 1234 – 12th Floor

Orange, California.

ATTEST:

Al Murray
LOSSAN Agency Chairman

Gina Ramirez
LOSSAN Agency
Deputy Clerk of the Board