

## AM 2: Building a Safer, Resilient California *Magic Kingdom 2*

### MODERATOR



#### **Patrick Harder**

*Partner, Infrastructure Practice Group Leader, Nossaman LLP*

Chair of Nossaman LLP's Infrastructure Group, Patrick Harder has more than 35 years of legal experience advising public agencies and private companies on innovative procurements, including design-build, public-private partnerships, lease/lease-back and construction manager/general contractor transactions. He led the Nossaman team that advised New York's Battery Park City Authority on its resiliency program feasibility study, the Port Authority of New York and New Jersey on the LaGuardia AirTrain Development Project, the University of California on the UC Merced 2020

Campus Expansion Project as well as Los Angeles World Airports on their \$2 billion ConRAC and \$4.9 billion APM projects. He is Chambers-rated nationally and globally in the field of P3s and AV Preeminent® Peer Review Rated by Martindale-Hubbell. Before joining the Firm, Patrick was general counsel and executive manager of two of the world's largest construction and engineering firms in Japan. A P3 thought leader, he has helped close many of the most high profile P3 transactions in the country. Patrick also serves as an adjunct professor at USC's Viterbi Graduate School of Civil & Environmental Engineering, teaching courses in Infrastructure Finance and Legal Aspects of Transportation Planning.

### PANELISTS



#### **Jennifer L. Bergener**

*Deputy Chief Executive Officer, Orange County Transportation Authority*

Jennifer L. Bergener is the Deputy Chief Executive Officer of the Orange County Transportation Authority.

As Deputy CEO, Jennifer works directly with CEO Darrell E. Johnson in advancing efforts to fulfill OCTA's mission of keeping Orange County moving with an innovative, balanced and sustainable transportation system. She also helps oversee the agency's more than 1,300 employees and an annual budget of \$1.4 billion.

Jennifer works to ensure the safe and efficient implementation of a transportation system that reflects the diverse travel needs of the county's 34 cities and 3.2 million residents. This includes freeways and express lanes, bus and rail transit, rideshare, commuter rail, active transportation, and environmental sustainability programs.

Jennifer is a transportation industry veteran with diversified experience in programming, finance, project development and delivery, as well as government affairs. She began her career at Amtrak where she provided project development and cost controls and she also worked at the San Mateo County Transit District as a grant and program writer.

For over 20 years, Jennifer has been at OCTA serving in roles with increasing responsibility, primarily in rail planning, project and program delivery and new transit services development.

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She also served as the Managing Director for LOSSAN, which is the managing agency for the state-supported, Amtrak-operated Pacific Surfliner intercity passenger rail service.

Jennifer is married with three sons and lives in Villa Park.



#### **Lee Ann Eager**

*Chair, California Transportation Commission and Consultant & Former President, Fresno County Economic Development Corporation*

Lee Ann Eager has served on the California Transportation Commission since 2020 and was recently appointed to her second term as Chair of the CTC. She is the former President/CEO of the Fresno County Economic Development Corporation, a business development non-profit focused on driving inclusive economic growth throughout Fresno County. Her work included attracting investment to the area, industry recruitment and retention, rural business expansion, and public policy initiatives as part of the region's vision to create long-term economic resiliency.

Lee Ann plays a key strategic and leadership role within the Central Valley, working with stakeholders within the private, public, philanthropic, and academic sectors— nationally and internationally. She's earned a strong reputation for leading the EDC into becoming a dynamic, agile, and internationally award-winning organization that strives to meet the needs of both employers, workers, and job seekers to take part of the community's economic growth.

Lee Ann has been working diligently on the High-Speed Rail Project for the past 14 years including helping local businesses who are being affected by the construction of the project and working in partnership with the trades and our local workforce development board in ensuring that local businesses and workforce have every opportunity to work on this historic project. She has been a vocal proponent of the High-Speed Rail project and workforce development across the entire state.

A consistent thread throughout Lee Ann career is working to improve the conditions of families in her community. As President/CEO of the EDC and Chair of the CTC, she used that unique experience in prioritizing programs and funding to uplift families of the Central Valley region. Prior to her role at the EDC, Lee Ann practiced law in Fresno specializing in Business and Creditor's Rights.

Lee Ann graduated Summa Cum Laude from California State University, Fresno, and also earned her Doctor of Jurisprudence from the University of California, Davis School of Law. Lee Ann serves on the Fresno State Transportation Institute Board as well as being an inaugural member of the Women Transportation Seminar Cen-Cal Chapter. Lee Ann was also appointed by then Governor Brown to the California Workforce Development Board, the California Partnership for the San Joaquin Valley, and the California International Trade Council. She received Fresno State's Top Dog Award for the College of Social Sciences in 2017.

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**Hon. Lisa Middleton**

*Councilmember, City of Palm Springs and Board Member, Riverside County Transportation Commission*

Councilmember Lisa Middleton is a member of the Palm Springs City Council. In December 2021, she became the third transgender person in US History to be the Mayor of an American city.

Since April 2019, Councilmember Middleton has served on the Board of Administration of CalPERS. On the CalPERS Board Councilmember Middleton Chairs the Finance & Administration Committee, is Vice-Chair of the Risk & Audit Committee and serves on the Investment Committee.

Her other board service includes the League of California Cities, Equality California Institute, The Candidate School at Yale University, Riverside County Transportation Commission, Southern California Railroad Authority (Metrolink) and the Sunline Transit Agency.

Councilmember Middleton served for 36 years with the State Compensation Insurance Fund, retiring as the Senior Vice President of Internal Affairs.

Councilmember Middleton is a graduate of UCLA and USC, receiving her Master's from USC's School of Public Administration.



**Jake Nelson**

*Director, Traffic Safety Advocacy & Research, AAA National Office*

In his current role as Director of Traffic Safety Advocacy & Research for AAA, Jake is an influential communicator who provides thought leadership on issues related to traffic injury prevention. From interpreting fatal crash statistics to assessing solutions to keeping drivers safe, Jake excels at translating complex research into evidence-based policies, research-validated interventions, and easy-to-understand language for the media. Jake has been featured in a variety of national media outlets, from USA

Today and the New York Times to appearances on NBC's Today Show, ABC's World News Tonight, and The Dr. Oz Show.

As an epidemiologist, Jake considers traffic injuries and deaths an overlooked public health threat to Americans. He applies rigorous research and the sciences of public health to AAA's public policy development, governmental advocacy and consumer education activities. Jake has developed nationwide advocacy strategies, brokered national partnerships and negotiated strategic alliances to influence consumers and policymakers in an effort to protect those who travel U.S. roads each day.

As the Association's chief safety expert, Jake regularly works with transportation stakeholder groups, public health practitioners and elected officials at all levels of government. He frequently represents the AAA federation before state policy audiences, Congress and U.S. federal agencies, to persuasively state the case for AAA's public policy recommendations and evidence-based interventions.

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Inducted into the Delta Omega Honorary Society in Public Health, Jake is a Mid-American Public Health Leadership Fellow alumnus and a member of the National Public Health Leadership Society. He holds an undergraduate degree from the University of Michigan, completed his graduate studies in public health at the George Washington University, and in public policy at the University of Chicago. While in Chicago, he was named a McCormick Tribune Leadership Fellow. Jake also holds a Certificate in Nonprofit Management from Duke University and has completed the Leadership Development Program through Eckerd College and the Center for Creative Leadership- the largest and most respected global program of its kind.

Prior to joining AAA, Jake managed a state-certified health department in the Chicago area where he directed public health education campaigns, a portfolio of governmental grant work, health-focused research and public health policy support for state and local policymakers. He advised on a wide range of issues from HIV prevention and childhood obesity, to the prevention of substance abuse and heart disease.

Though he began his career as a researcher in the medical field, Jake shifted his focus to applying research to policy development, and honed his skills in the real-world application of data and rigorous academic research to protect and improve the public's health, and to help people reach their full potential.



**Toks Omishakin**

*Secretary, California State Transportation Agency*

Toks Omishakin was appointed the 4th Secretary of Transportation for the state of California by Governor Gavin Newsom in February of 2022. As Secretary of the California State Transportation Agency (CALSTA), he has oversight of 8 State Departments, Boards and Commissions that, combined, have more than 42,000 people and a budget that exceeds \$30 billion annually. Safety, Equity, Climate Action, and Economic Prosperity—the Core Four—are the top transportation priorities established for the state. Prior to his appointment as Secretary, he was Director of the California Department of Transportation (Caltrans) where, as the chief executive of the department, he managed a \$17.5 billion budget and more than 22,000 employees that oversee 50,000 lane miles of highways, maintain more than 20,000 bridges, provide permitting of more than 250 public-use airports, fund 3 of Amtrak's busiest intercity rail services and provide transit support to more than 400 local and regional transit agencies. In 2020, he and the Caltrans executive team established a new strategic direction for the department prioritizing partnerships and community engagement to accomplish its goals to create a cleaner, safer, more equitable and connected transportation system for California.

Toks came to Caltrans following eight years as Deputy Commissioner with the Tennessee Department of Transportation (TDOT). There, he successfully established environmental and multimodal local and national groundbreaking planning policies and programs, including a new Multimodal Access Grant program and new Office of Community Transportation. Prior to that, he served as Director of Healthy Living Initiatives in the Nashville Mayor's Office. In that capacity, he led development of Metro Nashville's Complete Streets Policy and helped establish a more balanced approach to transportation planning and design for the city. This included spearheading the creation of two bicycle sharing programs.

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In 2019, Tokes became Chair of the Council on Active Transportation for the American Association of State Highway and Transportation Officials (AASHTO). This came after two years serving as Vice Chair as well as serving as Inaugural Chair of AASHTO's Multimodal Task Force. He served for 10 years on the board of America Walks and is now an emeritus advisor to the national organization. He also serves on boards at the Mineta Transportation Institute, Veloz and has advised the U.S. Federal Reserve Bank of St. Louis through its Transportation Council Board. In work with institutions, he serves on the advisory board at Tennessee Tech University for Civil and Environmental Engineering and at the University of California Los Angeles (UCLA) Institute for Transportation studies.

In October of 2020, Tokes was appointed to then-President-elect Biden-Harris Transportation Transition Team. In December of 2020 he was recognized with the Excellence in Leadership award by the Conference of Minority Transportation Officials (COMTO) NorCal and named Person of the Year by the California Transportation Foundation (CTF) in May of 2021.

Born in Knoxville, Tennessee, Tokes and his wife have two children. He has a Ph.D. in Engineering Management from the University of Tennessee, Knoxville; a master's degree in Urban and Regional Planning from Jackson State University; and a Bachelor of Arts in Engineering Technology from Mississippi Valley State University.