

## **Environmental Cleanup Allocation Committee September 9, 2010, Meeting Minutes**

### **Committee Members Present:**

Vice-Chair Mary Anne Skorpanich, County of Orange-Watershed and Coastal Resources Program

John Bahorski, City of Cypress

Tim Casey, City of Laguna Niguel

William Cooper, UCI

Gene Estrada, City of Orange

Joe Parco, City of Santa Ana

Tom Rosales, Manager of the Southern California Wastewater Authority

Hector B. Salas, Caltrans

Dick Wilson, City of Anaheim

### **Committee Members Absent:**

Chairperson, Garry Brown, Orange County Coastkeeper

Mark Adelson, Santa Ana Regional Water Quality Control Board

Paul D. Jones, Irvine Ranch Water District

Chad Loften, San Diego Water Quality Control Board

Sat Tamaribuchi, Environmental Consultant

### **Orange County Transportation Authority Staff Present:**

Marissa Espino, Senior Community Relations Specialist

Janice Kadlec, Public Reporter

Charlie Larwood, Planning & Analysis Section Manager

Monte Ward, Measure M Consultant

### **Guests**

Doug Dancs, City of Cypress

Keith Linker, City of Anaheim

#### **1. Welcome**

In the absence of Chairman Garry Brown, Vice Chair Mary Anne Skorpanich welcomed everyone, and began the meeting at 10 a.m.

#### **2. Approval of June 2010 Minutes**

Vice Chair Mary Anne Skorpanich asked if there were any additions or corrections to the June 10, 2010 meeting minutes. There were no corrections or additions requested. A motion was made by Gene Estrada and seconded by William Cooper to approve the June 10, 2010 meeting minutes as presented. The motion passed unanimously.

### **3. ECAC Three-Year Terms**

Monte Ward reminded the committee members they were approaching the end of their three-year terms and reviewed the committee member appointment process. He asked the members to contact OCTA if they wanted to be replaced on the Committee.

### **4. Tier 1 Call for Projects Update**

Monte Ward said staff is currently reviewing the scoring process for the Tier 1 Program with the intent of issuing a call for projects before the year is out. Charlie Larwood gave an update on what needed to be completed in order for the Call for Projects to be issued. This included establishing a Consolidated Purchasing Agreement with the County of Orange for purchase of the products for Tier 1. A Memorandum of Understanding (MOU) needed to be established between the County of Orange and OCTA in order for the Purchasing Agreement to be approved. This MOU will be presented at the September 20 T2020 Committee and, if approved, it will go to the OCTA Board for approval on September 27. It will also need to be approved by the Orange County Board of Supervisors. Charlie Larwood reviewed the term sheet for the MOU and highlighted significant items. He also discussed the Tier 1 Grant Program Call for Projects Work Schedule with the Committee.

Monte Ward asked if there had been any discussion of the response timing for the Call for Projects. It is coming at the end of the year and typically this is a difficult time for local entities to produce a response. Charlie Larwood said there has been discussion on either holding off the Call for Projects or making a longer time period for responses. Monte Ward suggested it might make sense to push it out because agencies are not usually fully staffed until the first of January.

John Bahorski agreed. Currently everyone is short staffed and it would also be helpful to have the County Purchasing Agreement in place so the agencies would know the pricing of everything. Vice Chair Mary Anne Skorpanich said the pricing may not be available for the application process because the bulk pricing amount will not be known until the amount of products to be ordered is known.

Doug Dancs asked if scoring criteria would be presented to the Technical Advisory Committee (TAC). Monte Ward said once everything is nailed down it can be shared with the TAC. He said the process is a couple of steps away from this. General feedback is needed from the ECAC and then he recommends Mary Anne Skorpanich form a subcommittee to consolidate the input and come back with a recommendation.

Vice Chair Mary Anne Skorpanich said the Master Purchasing Agreement will allow cities to place their own orders – it would not rely on the County to place the orders. Monte Ward said once OCTA awards the grant money, the agencies can place their own orders.

Dick Wilson said the timing is good because budgets are done in January and, if what is coming is known, it can be incorporated into the budgets so pushing the application date out to mid or late February would be much appreciated. Monte Ward said he thinks there is a whole cascade of projects related to M2 which will be coming out over the next six months. From a workload standpoint for city staff, it will be a busy time.

Gene Estrada asked how long after the Call for Projects is released would the applications need to be in. Vice Chair Mary Anne Skorpanich asked if mid January would be a good date. Gene Estrada said the first of February would be better.

Tom Rosales asked if the workshop is in the first week of December, how far in advance would the notification be sent out. Marissa Espino said as soon as the OCTA internal notification advancing the project is received, the notice will be sent out. If possible, OCTA staff will issue a "save the date" notification at least a month in advance.

Vice Chair Mary Anne Skorpanich asked how much money OCTA plans on funding for the first round of projects. Charlie Larwood said OCTA will be dispersing approximately \$2.8 million. Monte Ward said there would be three rounds of funding and this would be the first round. The next two rounds would be three years apart. He said the first year would be looking into evaluating how the first year devices worked.

Vice Chair Mary Anne Skorpanich asked if there were any thoughts in making it specific to screens. Hector B. Salas said his thought would be screens with some inserts.

Vice Chair Mary Anne Skorpanich asked what was eligible for funding. Charlie Larwood said the cities indicated in the Countywide Survey that they wanted to use the money for screens. He said the entire program is approximately \$19.5 million. A one year call, to start with, is being done because OCTA has never done this type of project before. They will come back to the committee to see what worked and did not work and then there will be two three-year Call for Projects. After this, based on cash flow, the Committee can decide how they want to manage the program.

Doug Dancs said inserts and screens go hand in hand. Monte Ward said it is up to the Committee to include inserts in the MOU Request for Proposal (RFP). Gene Estrada said he definitely thought catch basin inserts with filters should be included.

Dick Wilson asked Vice Chair Mary Anne Skorpanich how she would envision the purchasing procedures. Vice Chair Mary Anne Skorpanich said the cities would deal directly with the vendor. The agencies would place the order and be responsible for overseeing the installation. Monte Ward said the Agreement is not exclusive. If any city feels they can get a better deal, they can purchase outside of the Agreement.

Charlie Larwood reviewed the ECAC Tier 1 Grant Program Competitive Scoring Criteria with the Committee. He said the draft information presented was staffs' first attempt, and more feedback is needed from the ECAC. There are seven questions in the criteria which were approved by the ECAC and the OCTA Board last spring. Some of the Scoring Considerations were not clearly stated and the document needs to be reviewed by the OCTA programming staff as well. The idea is to make it easy for the cities to apply for the funds taking into consideration there is a limited amount of money. The criteria needs to show the projects are cost effective and there has been some prioritization.

Tim Casey asked if the proposals are going to be evaluated and the best ones funded up to \$2.8 million or is the money going to be divided between the cities applying for the Grant. Monte Ward said the ECAC has the opportunity to make a recommendation on which way they would like to see the money divided. Tim Casey said he would hope all good faith applications would be funded, acknowledging that the Tier 1 amount would be fairly low. The presented Scoring Criteria seemed very appropriate for Tier 2 projects.

John Bahorski agreed with dividing the money between all Tier 1 grant applicants because of the way some cities are laid out they will never get the Tier 2 grant funds. John Bahorski asked what about the cities who have already put screens and filters in. How would this be accounted for? Monte Ward said they would qualify for the "Bonus Points" in the Scoring Criteria.

Doug Dancs suggested scoring higher points in the Scoring Criteria on areas of concern such as putting catch basins in industrial areas, commercial areas, residential area, etc. Vice Chair Mary Anne Skorpanich suggested scoring more points if debris collection data is used in the plan.

Gene Estrada said he recalls having this discussion before and the consensus was to give the money to most of the cities. For the cities who did not submit applications, provide help so they can apply in the next round of funding. Doug Dancs suggested establishing a minimum amount of money and providing more money to the bigger cities that have a greater need. Charlie Larwood said this is an area for concern. In the Guidelines it says there is a \$500,000 cap per city, but there is nothing that says some of the larger cities have very high prioritized projects each year that score higher than the smaller cities. There is nothing in the Guidelines that addresses this situation.

Vice Chair Mary Anne Skorpanich said it is her understanding that if the ECAC wants to introduce something to do with the equity issue, such as funds being distributed to as many cities that meet the minimum requirements, it needs to be done outside the scoring criteria but included it in the Call for Projects. For example "projects will be

prioritized based on Scoring Criteria which is attached and then funds will be awarded based on the broad distribution...”

Monte Ward suggested forming a small subcommittee chaired by Mary Anne Skorpanich to go over the options and form a consensus. Gene Estrada, Doug Dancs and Keith Linker volunteered for the subcommittee.

Tim Casey suggested the upcoming workshop provide participants with an example of a “good faith” project application. Monte Ward said maybe the subcommittee could do a construct of what would be seen as a strong application. Charlie Larwood said staff will contact the subcommittee members to work on the Scoring Criteria and maybe some sort of application example.

#### **5. Tier 2 Grant Program RFP Update**

Charlie Larwood said the Tier 2 Grant Program Request for Proposals (RFP) is going well. This RFP is for a consultant who will help identify the most strategically effective areas within the County to the larger scale, multi-jurisdictional Best Management Practices’ (BMP’s). They have received three very good proposals that are well within the cost and scope of the RFP. Also they all believed they could get this done within one year. The RFP submittals were on August 30, the evaluations will be on September 15, and interviews conducted afterward. The recommendations will be brought to the T2020 Committee on November 15th and, upon approval, to the OCTA Board on November 22nd. It is conceivable there can be someone hired before the end of the year. Charlie thanked the seven ECAC members who volunteered to work on the evaluation team for this procurement.

#### **6. County/OCTA Storm Water Purchases & Installation MOU**

Vice Chair Mary Anne Skorpanich gave an overview of the County/OCTA Storm Water Purchases & Installation MOU. Charlie Larwood brought the Committees attention to the Draft MOU Staff Report in their agenda packages. The Staff Report will be presented to the T2020 Committee on September 20, and if approved presented to the OCTA Board on September 27, for approval. The MOU is scheduled to be brought to the County Board of Supervisors on October 19, for approval.

John Bahorski asked if the cities would be able to purchase off the MOU for their own projects. Vice Chair Mary Anne Skorpanich said she would suppose this could be done but she will investigate and get back to him.

#### **7. 9.22.10 BMP Technology Fair**

Marissa Espino gave an update on the September 22 BMP Technology Fair. She provided the Committee Members a list of the vendors contacted for the Fair and indicated the 16 who have responded will participate. Staff did specify the vendors can bring only products eligible for OCTA funding.

Tim Casey asked if the OC Coastkeeper was interested in participating. Marissa Espino said they were asked, but have not responded yet.

Gene Estrada asked who was notified. Marissa Espino said the invitation was sent to the general stakeholders list which included all cities, water agencies/organizations, and the TAC. She can send it out to anyone else the Committee thinks might be interested. There will also be a reminder sent out next week.

Tim Casey asked if the information provided by the vendors can be compiled in case some people missed the Fair. Marissa Espino said this can certainly be done.

**8. ECP Public Outreach**

Marissa Espino said the OCTA staff kicked off the Environmental Cleanup Program (ECP) outreach program. With the help of Mary Anne Skorpanich and Garry Brown, presentations were given to the Orange County Business Council and OCTA staff presented at the Orange County City Managers Association and Caltrans. Marissa gave a quick review of the public outreach Power Point presentation. She said presentations were also scheduled to the Orange County League of Cities and the Orange County Coastal Coalition in September and also the Orange County Council of Governments in October. Meetings also will be scheduled with Water Agencies of Orange County, the Independent Special Districts of Orange County, and possibly the Orange County Regional Chapter of Community Associations Institute. Monte Ward and Hal McCutchan have been meeting with the Orange County Board of Supervisors' staff.

**9. Next Meeting – October 14, 2010**

The next ECAC meeting will be October 14, 2010

**10. Committee Member Reports**

Tim Casey asked if they would be receiving an update on Sales Tax collection. Monte Ward said information is starting to be gathered for this quarter and the Committee can receive a presentation when the Quarter M2 report is complete.

**11. Adjournment**

The meeting adjourned at 11:15 a.m.