

Environmental Oversight Committee

**Feb. 20, 2008
Meeting Minutes**

Committee Members Present:

Chair Patricia Bates, OCTA Board of Directors
Vice-Chair Melanie Schlotterbeck, Measure M Support Groups
Cathy Green, OCTA Board of Directors
Stephanie Hall, US Army Corps of Engineers
Merlin L. "Bud" Henry Jr., Taxpayers Oversight Committee
Judy McKeehan, SWCA Environmental Consultants
Dan Silver, Endangered Habitats League
Jonathan Snyder, US Fish and Wildlife Service
Erinn Wilson, CA Department of Fish & Game
Sylvia Vega, Caltrans

Committee Members Absent:

Adam Probolsky, Probolsky Research
Debbie Townsend, California Wildlife Conservation Board

Orange County Transportation Authority Staff Present:

Monte Ward
Kurt Brotcke
Jim Sterling
Marissa Espino
Dan Phu
Ryan Maloney

Members of the Public

none

1. Welcome

Chair Patricia Bates welcomed the committee members and called the meeting to order at 10:08 a.m.

2. Approval of January 2008 Minutes

The minutes from January 2008 were reviewed and approved unanimously.

3. Committee Charter Approval

The committee charter was discussed among committee members. With no requests for changes, Chair Patricia Bates made a motion to approve the proposed committee charters. The motion carried and passed unanimously.

4. Presentation Items

a. Renewed Measure M Freeway Program Overview

Tom Bogard presented an overview of the Renewed Measure M (M2) Freeway Program. Based on the voters approval of M2, the OCTA Board saw the need to provide the public the benefits of M2 as soon as possible. This resulted in moving up the schedule on freeway projected funded by M2. This funding in advance of M2 revenues is due to a commercial paper program.

Merlin Henry, Jr. questioned what the impact of the state deficit would have on freeway programs. Tom responded that most of the projects have already passed the environmental improvement phase and have already identified funding programs. Future programs could be affected since the state has taken funds from STIP funds in past financial emergencies. Most major transportation projects have dedicated transportation funds, but some funding could be affected.

Monte Ward commented that the cause of the state's financial shortfall is affecting everyone in the state. Decreased sales tax revenue will have a definite short term impact on funding. The impact on funding may appear worse than reality, since projected revenues are based on current circumstances. Fiscal year reporting will show a change due to the current downturn, but we've experienced this before and have recovered.

Tom mentioned that a possible benefit of the current downturn is reduced pressure on construction pricing. In the past, there have been more bidders and lower estimates than expected.

Chair Bates suggested that the committee should make sure that projects were ready to advance, and questioned if this was why so much money was going into the project development phase. Monte answered that in the 90's real estate acquisition costs were lower. Monte suggested that the current downturn may present the committee with an opportunity for acquisitions and they should work to be ready with a program.

In response to a question from Chair Bates, Monte responded that OCTA does a better job than some transit agencies in getting projects ready and does a better job securing matching funds. Monte suggested that surrounding counties could have a harder time, which might be a benefit due to competition for funding.

Dan Silver asked if the funding for the committee would be affected by the current economic status. Monte said that while the committee would need to monitor the situation, Orange County is historically a very strong county for sales tax revenues even with a varying situation.

Sylvia Vega asked if projects were not ready to advance, could those funds be lost to a county without Measure M or M2 funds? Monte said that this was possible, and that funding for future projects was likely to be very competitive.

b. Committee Organization & Work Plan

Monte provided an overview of recruitment efforts for these two ad hoc working groups. There has been a good response to recruitment efforts and the proposed members are a good cross-section of groups, but other individuals can be added as needed. The ad hoc committees' first task will be to review the workplan and set a timetable for their recommendations to the main committee. Jim Sterling will be the technical lead for the Impact and Mitigation Working Group, and Monte Ward will be the technical lead for the Master Agreement Working Group. Marissa Espino will coordinate the logistics and communications with both proposed ad hoc working group.

Chair Bates asked if there were committee member comments on the creation of the two working groups. Melanie Schlotterbeck asked if the proposed working groups would meet before the next committee meeting on March 5th. Monte responded that the working groups would meet before the next committee meeting. Since mitigation is an ongoing effort, the working groups would be compiling and assessing data, but the working groups haven't formally met.

Chair Bates asked if the two working groups would be guided by the Brown Act public meeting requirements. Monte responded that since they were ad hoc committees that were not taking direct action, the working groups would not need to meet Brown Act requirements. These working groups would then be able to make conference calls and have more flexible scheduling to meet on an as-needed basis.

Director Cathy Green commented that the ad hoc committees had agencies listed, but asked what if they had alternatives. Monte responded that the agency input is important, so working group members would be able to designate alternatives if they were unable to attend.

A motion was called to propose the creation of the two new ad hoc working groups as described. The motion passed unanimously with no objections.

5. Public Comments

There were no public comments.

6. Committee Member Comments

Melanie requested that staff prepare a presentation item on the expected process for requesting projects. Monte said that the working groups would be particularly helpful when they returned with a timetable to provide clarity and let other agencies know when the committee expects project recommendations. Sylvia requested that the

item include the status of current projects and when we expect to hear the group and hear active status.

Melanie asked if that meant the work plan would be filled in with specific dates. Monte responded that the working groups would begin completing details on the work plan.

Chair Bates commented that the committee should have early action projects ready to go in order to have projects ready to fund with early action plan funds. Monte commented that it would be helpful to state the objective of the committee so that other agencies know what to expect and can then evaluate matching funds.

7. Next Meeting

The next committee meeting will be March 5, 2008.

8. Committee Member Reports

None provided

9. Adjournment

The meeting was adjourned at 10:43 a.m.