Measure M 2 Environmental Cleanup Allocation Committee

May 8, 2014
Meeting Minutes

Committee Members Present:
Chair Mary Anne Skorpanich, O.C. Watersheds
Scott Carroll, Costa Mesa Sanitary District
Gene Estrada, City of Orange
Adam Fischer, Santa Ana Regional Water Quality Control Board
Mark Tettemer, Irvine Ranch Water District
Dick Wilson, City of Anaheim

Committee Members Absent:
John Bahorski, City of Cypress
Vice Chair Garry Brown, Orange County Coastkeeper
Chad Loflen, San Diego Water Quality Control Board
Sat Tamaribuchi, Environmental Consultant
Hector B. Salas, Caltrans
Jean Daniel Saphores, UCI
Dennis Wilberg, City of Mission Viejo
Marwan Youssef, City of Westminster

Orange County Transportation Authority Staff Present:
Alison Army, Senior Transportation Analyst
Marissa Espino, Senior Strategic Communications Officer
Janice Kadlec, Public Reporter
Charlie Larwood, Manager of Planning and Analysis
Dan Phu, Project Development Strategic Planning Section Manager
Monte Ward, Measure M Consultant

1. **Welcome**
   Chair Mary Anne Skorpanich began the Environmental Cleanup Allocation Committee (ECAC) meeting at 10:10 a.m. and welcomed everyone. The ECAC members introduced themselves around the table.

2. **Approval of the February 27, 2014 Meeting Minutes**
   Chair Mary Anne Skorpanich asked if there were any additions or corrections to the February 27, 2014 meeting minutes. There were no additions or corrections to the February 27, 2014 minutes. Approval of the February 27, 2014 minutes was tabled to the next ECAC meeting due to lack of a quorum.

3. **Tier 1 Call for Projects Status Update**

   Dan Phu gave a status update on the Tier 1 Call for Projects. In his report he suggested having only one Call for Projects each year. Having two calls is very hectic and they are finding it is not the most efficient way to do things.

   Chair Mary Anne Skorpanich asked if there were any initial thoughts on the timing of future calls for projects. She believes holding them once a year would be helpful. Dan Phu said the ECAC can vote on this at a future meeting when they have a quorum.

4. **Tier 2 Call Projects Status Update**

   Dan Phu gave a status update on the Tier 2 Call for Projects. Charlie Larwood and Dan Phu explained the way Tier 1 and Tier 2 is financed. Monte Ward suggested the ECAC take a look at the financial situation and have a presentation by the OCTA financial group at a subsequent meeting.

   Chair Mary Anne Skorpanich said she would like to have a financial workshop before they decide on the timing of the third call for projects. They may want a little breather between calls depending on what the cash flow situation looks like.

   Dan Phu said there was approximately $10 million left from the original $38 million. Staff's recommendation is to wait until the next calendar year (2015) to issue a call because, in addition to the finance aspect, they would like to adjust the Tier 1 and Tier 2 guidelines to make them clearer. Dan Phu said currently eight Tier 2 projects are being funded and four of them have asked for extensions. This suggests a little more weight needs to be put on the project readiness category, particularly into a program that is bond-funded. There is allocated money sitting there and OCTA is paying the borrowing costs.

   Mark Tettemer asked what the bases for the requests for extensions were. Dan Phu said one of the projects is not able to get all of the co-ops from the partners. In another instance the design schedule needs more work.

   Gene Estrada said this is another case for reducing calls for projects to one per year and spending more time looking at projects without rushing.

   Dan Phu said staff will look at the entire package – Guidelines, Applications, Scoring Criteria, etc. – and make suggested changes from staff and the evaluation committee. They will then bring everything back to the ECAC for their input.

   Monte Ward suggested having the people who are experiencing delays in their projects come to the ECAC and talk to the group about their issues and challenges. He believed this would help because it would give them a sense of responsibility for what is going on with the project and it would provide a way for the ECAC to gain

knowledge about the challenges for awarded projects. Dan Phu agreed; OCTA would like everyone to come in and give the ECAC a presentation of where they are.

Mark Tettemer asked what dialog OCTA has now with the cities. Dan Phu said they keep an open dialog with cities that request it, they do site visits upon request, and they can also get Geosyntec involved if necessary. They generally make sure the applicants are meeting their deadlines.

Chair Mary Anne Skorpanich suggested announcing the call cycle several months ahead of time to give applicants time to gather everything together. Gene Estrada said he thought this was very important especially for Tier 2.

Monte Ward said it is also important to be aware of how the cities plan in terms of budget.

Chair Mary Anne Skorpanich said there is a Water Bond proposed to be on the upcoming ballot and this might be another source of funds for the cities.

5. **Tier 1 Consolidated Vendors Agreement Draft Scope of Work**
   Alison Army gave an update on the Consolidated Vendors Agreement.

   Chair Mary Anne Skorpanich asked when the Consolidated Vendors Agreement would be expected to be approved by the OCTA Board. Alison Army said they are expected to bring it to the Board in the summer of 2015.

   Gene Estrada suggested changing the wording on page 20 last paragraph of Attachment A, Scope of Work. The last sentence needs to reflect flow-through devices as opposed to full-capture systems.

   Adam Fischer asked how the vendor agreement related to the project. Chair Mary Anne Skorpanich said in the past a Master Agreement was issued with pre-selected vendors that would offer to guarantee their price for a certain number of years and would also provide a volume discount. All the jurisdictions could take advantage of it.

   Adam Fischer asked if someone wanted to do something else like take all their bus stops and put in pavers. Would this be eligible? Charlie Larwood said some of these things would qualify. Basically the projects need to be transportation and storm water related.

   Adam Fischer asked if the money could be used for a WQMP project. Chair Mary Anne Skorpanich said the money cannot be used for any WQMP compliance or retrofit of existing problems. Monte Ward said Measure M2 dollars cannot supplant obligations that new construction, new development, or new projects would bring on. Chair Mary Anne Skorpanich said they can unless it goes beyond what is required of a WQMP. Monte Ward said if the project can demonstrate it can provide treatment or

deal with some of the existing problems in some additional capacity it might make sense and they would encourage this project.

6. **ECAC Memberships**
Marissa Espino introduced Adam Fischer from the Santa Ana Regional Water Quality Control Board as a new Member of the ECAC. She reported the John Bahorski from the City of Cypress and Jean Daniel Saphores from UCI had stepped down and she is waiting to hear from members of the Board to fill these seats.

7. **Public Comments**
There we no public comments.

8. **Committee Member Reports**
Adam Fischer said he is new to the MS4 process and he is nervous about the workshop because they only have enough room for 90 people to attend so there is a possibility they will have another workshop.

Dick Wilson asked if they will be given a summary of the changes to the existing permits. Adam Fischer said within the posted document there is a Draft Technical Report which summarizes the changes but more information will be gathered as people asked different questions during the workshops.

Chair Mary Anne Skorpanich said she just received an update on SB 985 which proposed a structure for voluntary storm water management plans. The update basically amended the bill to take the words "storm water reuse" out and used just "storm water use". There was one significant change – it added a clause that said anybody who wants to be considered for state bond-funded grants would need to have one of these plans.

Gene Estrada asked if the bill had any requirements of what the storm water plan should be. Chair Mary Anne Skorpanich said it is a very short bill and didn't go into great detail but basically if someone wanted money from one of the proposed water bond bills they would need to have one of the proposed storm water resource plans to qualify.

9. **Next Meeting – July 10, 2014**
The next regular scheduled meeting of the ECAC will be July 10, 2014 in the OCTA offices.

9. **Adjournment**
The meeting adjourned at 11:10 p.m.