



## *Minutes*

### **Measure M2 Environmental Oversight Committee**

#### **Committee Members**

*Lisa Bartlett, Chairman*  
*Melanie Schlotterbeck, Vice Chair*  
*Charles Baker, Caltrans District 12*  
*Dr. David Chapel, Grand Jury Assoc. of O.C.*  
*Lori Donchak, Board of Directors*  
*Veronica Li, US Army Corp of Engineers*  
*David Mayer, CA Dept. of Fish & Wildlife*  
*Derek McGregor, DMc Engineering*  
*Dan Silver, Endangered Habitats League*  
*Jonathan Snyder, US Fish & Wildlife Service*  
*Anthony Villa, Taxpayers Oversight Comm.*

*Orange County Transportation Authority*  
*500 South Main Street, Room 07*  
*Orange, California*  
**Wednesday August 17, 2016**  
**2:30 p.m.**

#### **Member(s) Absent**

*John Walsh, CA Wildlife Conservation Board*

Any person with a disability who requires a modification or accommodation in order to participate in this meeting should contact the OCTA Clerk of the Board, telephone (714) 560-5676, no less than two (2) business days prior to this meeting to enable OCTA to make reasonable arrangements to assure accessibility to this meeting.

#### **1. Welcome**

Chairman Lisa Bartlett called the Environmental Oversight Committee (EOC) meeting to order at 2:30 p.m.

#### **2. Pledge of Allegiance**

Vice-Chairman Melanie Schlotterbeck led the Pledge of Allegiance.

#### **3. Approval of June 1, 2016 Minutes**

Chairman Lisa Bartlett asked if there were any additions or corrections to the June 1, 2016 EOC minutes. A motion was made by Melanie Schlotterbeck, seconded by Lori Donchak and passed unanimously to approve the June 1, 2016 EOC meeting minutes as presented.

#### **4. Harriett Wieder Restoration Projects Update**

Lesley Hill provided a brief status updated on the Harriett Wieder Restoration Project.

Lori Donchak said things look hopeful. Lesley agreed.

**5. M2 Revenue Forecast Update**

Dan Phu introduced Rodney Johnson, OCTA Deputy Treasurer, who presented an updated forecast on the M2 sales tax.

**6. EMP Endowment Procurement Update**

Rodney Johnson, OCTA Deputy Treasurer, provided an update on the EMP Endowment Procurement.

Dan Phu said once the agenda and staff report is finalized for the OCTA Finance & Administration (F&A) Committee, he would send a link to the EOC members so they can see the final recommendations.

Lori Donchak asked how committee members should relay their comments. Dan said Director of the contracts department is here today if there are any questions or committee members can relay comments to staff as well.

Lori asked why the item did not come to the EOC before it goes to the OCTA Board. Dan said the mission of this committee is to oversee and administer the technical recommendations. The EOC reviewed and gave input on the scope of work.

Lori asked about the make-up of the finalist. Rodney said all of the finalists were community foundations that are active in this area. He said initially there was a financial firm interested, but their proposal did not stack-up to the other proposals.

Lisa Bartlett asked if the EOC would be seeing the scoring sheets. Rodney said they would be available with the final report.

Lori said she appreciates that the link to the reports will be sent out so that this committee could see the information.

Melanie Schlotterbeck asked what time the F&A Committee meets on August 24<sup>th</sup>. Rodney said it is at 10:30 am. Melanie said she is looking forward to seeing the final report.

**7. Trabuco Canyon Company, LLC: Residual Parcels Sale**

Dan Phu gave an overview of the project. Lesley Hill gave a recap/presentation of the tours that took place in July.

Melanie Schlotterbeck thanked staff for the update and photos. She said the intent of the Measure M2 funds was not to set up staging areas for access, but there are other funding sources that could help out.

Melanie believes the appraisal should be moved forward even if 60 percent is native and the other part is non-native. She says she feels it is the missing piece. She asked if there are appraisers on standby. Dan said OCTA has appraisers on a “bench” for when we need to use them. He said the process is not just the appraisals by the appraisers, but there is an appraisal review, an environmental site assessment, and finally title and escrow. The estimated cost of this package is roughly \$30,000.

Melanie asked if this includes the title review. Dan said the preliminary title report is pulled as a part of the appraisal process. He said if we do get into successful negotiation and acquisition, then there’s another title pulled as part of the title and escrow process.

Melanie asked is there a way to get an estimate on clean-up costs. She said we may not want to keep some of the amenities that are on the site. Dan said it is a possibility. He said much of the work is physical hauling and OCTA has a contractor that can probably give us a “back of the envelope” estimate on the costs in general for hauling. Melanie believes it would be useful information because this is a key difference between other projects.

Melanie asked if the barn on the property has any historical significance. Dan said as part of the acquisition of the other properties we did retain a cultural consulting firm. He said if it is the desire of this committee to hire a cultural consultant, it would be an extra cost. He said Cal State Fullerton has a historical structures database for Orange County. He said we would need to hire a qualified architectural historian, to assess this structure using the database. Melanie said this is useful information the committee may need in the future. She says it could be a potential problem if OCTA has to maintain the structure.

Derek McGregor asked if the phase one assessment of hazardous materials comes before the appraisal. Dan said they happen concurrently, by separate professionals.

Derek asked what happens if the appraisal comes in higher than expected. Dan said the evaluation is speculative. He said the committee can ask to hire an appraiser before OCTA makes a bid. He said Trabuco Canyon, LLC (TCC) is aware the property needs to be appraised by an independent appraiser.

Monte Ward said if we get to the point of offers and evaluations, it becomes part of the OCTA Board closed session. He said when it gets down to the actual discussions, this committee and the TCC will be involved.

Derek asked how long this piece of property has been up for sale. Dan said since late 2015/early 2016.

Derek asked if the TCC is considering other offers at this time. Dan said we do not know who else has indicated interest in the property or their degree of seriousness, but the TCC has indicated there are others interested.

Derek said there are some deadlines set in the information and he wondered if those were set to get us moving. Dan said he does not have that information, but the TCC has shown a willingness to work with OCTA.

Derek asked why this piece is separate from the original holding; why was it divided into three pieces. Dan said originally the Ferber property was 454 contiguous acres owned by the TCC. They purchased it from the Ferber family in the early 2000s. The TCC intended to develop the property, but the property was leased to two stable operators in the interim. When the TCC decided not to develop the property OCTA was not interested in the property due to the stable operations. Then the TCC carved out portions to sell to OCTA that did not include operations. Now the operations have stopped and this final piece of the property is available.

Dan Silver said he was neutral on whether to purchase the property or not before he went on the tour. He said when he was done with the tour he believed it would be a good fit to build on our previous investments.

Dan Silver asked about the offer. He asked if the TCC set the November deadline. He worries OCTA will not be ready by November. Dan Phu said it is not exclusive to OCTA, but those are the parameters they want to start with and we would need to respond to them by September 1.

Dan Silver asked if the EOC gave this approval, could we ask the TCC to give us some time exclusively through December so that we don't have \$30,000 at risk. Dan Phu said it is a possibility. He said there are always some risks. Monte Ward said we would have a clearer appraisal before November. He said OCTA would have a clearer financial outlook at that time as well. Monte said Dan Silver's concerns could be addressed at that time.

Lori Donchak said she expects OCTA will be going through a belt-tightening and that it will not be business as usual across the board due to lack of sales tax income. She wonders if we can go forward with this purchase knowing that we will be lacking in funds in the future.

Lori Donchak asked if there are others that would want to help us with some matching funds regarding the acquisition of this parcel. She said this is a strategic/exciting parcel, but wonders if OCTA can commit to it at this point.

Dan Phu said OCTA received \$600,000 in Section 6 Fish and Wildlife grants through US Department of Interior for the development of the conservation plan in 2011/12. He said after the conservation plan, there is another component that allows OCTA to go

after money once the conservation plan is submitted. He said there are external opportunities depending on where you are in the program.

Dan Phu said, as far as external opportunities, we continue to discuss with other environmental entities ideas on how they can help us with management opportunities and maybe we can see how we can leverage their help.

Lori Donchak asked at what point in the process those conversations would happen. Dan Phu said we can engage in conversations now, but we need to wait until OCTA have a clearer financial picture before committing. He said OCTA needs to be careful because the funding not coming from Measure M would not give us mitigation credits.

Monte Ward said the timing on this project is good because OCTA will know the financial outlook by the end of October. He said staff needs that financial information before giving the committee exact numbers and guidance. He believes this committee will be able to make a timely decision with the appropriate information.

A motion was made by Melanie Schlotterbeck, seconded by Derek McGregor and passed unanimously to begin the appraisal process to consider acquiring the Trabuco Canyon Company, LLC residual parcel.

#### **8. Aliso Canyon Preserve Hike and Ferber Ranch Preserve Equestrian Ride**

Marissa Espino provided an overview of the Aliso Canyon Preserve hike on August 13. She said there will be another Ferber Ranch equestrian ride on August 27<sup>th</sup>. She said there will be another round of hikes and rides in October as well.

Melanie Schlotterbeck asked how many people attended. Marissa said 25 people attended.

#### **9. Public Comments**

There were no public comments.

#### **10. Committee Member Reports**

Melanie Schlotterbeck, who works with the non-profit Friends of Harbor, Beaches, and Parks, said they are a founding member of the Safe Trails Coalition. She said they did a presentation with the Coastal Greenbelt Authority introducing them to the Aliso Canyon property and acknowledging some of the upcoming OCTA activities. She said they were excited about the property and thankful that OCTA is involved locally. She said they offered to set-up a meeting for the public after the Request for Proposal (RFP) was released.

#### **11. Next Meeting – September 7, 2016**

#### **12. Adjournment**

The meeting adjourned at 3:21 p.m.