

Measure M 2 Environmental Cleanup Allocation Committee

November 10, 2011, Meeting Minutes

Committee Members Present:

Chair Mary Anne Skorpanich, County of Orange-Watershed & Coastal Recourses Program
Vice Chair Garry Brown, Orange County CoastKeeper
John Bahorski, City of Cypress
Tim Casey, City of Laguna Niguel
William Cooper, UCI
Gene Estrada, City of Orange
Dick Wilson, City of Anaheim

Committee Members Absent:

Mark Adelson, Santa Ana Regional Water Quality Control Board
Chad Loflen, San Diego Water Quality Control Board
Joe Parco, City of Santa Ana
Tom Rosales, General Manager, South Orange County Wastewater Authority
Hector B. Salas, Caltrans
Sat Tamaribuchi, Environmental Consultant

Orange County Transportation Authority Staff Present:

Allison Army, Sr. Transportation Analyst
Marissa Espino, Senior Community Relations Specialist
Janice Kadlec, Public Reporter
Charlie Larwood, Planning & Analysis Section Manager
Abby McClenahan, Manager of Programming
Dan Phu, Project Development Section Manager
Monte Ward, Measure M Consultant

Guests

Ken Susilo, Geosyntec
Wallace Walrod, Orange County Business Council

1. Welcome

Chair Mary Anne Skorpanich welcomed everyone and began the meeting at 10:10 a.m.

2. Approval of the October 13, 2011 Meeting Minutes

Chair Mary Anne Skorpanich asked if there were any additions or corrections to the October 13, 2011 meeting minutes.

Gene Estrada asked for the last sentence, second paragraph, page 2 to be deleted – it was redundant and didn't say anything: ~~“Gene Estrada said he will return the sign document once he receives a copy of the staff signed document.”~~

A motion was made by Gene Estrada, seconded by Tim Casey, and carried unanimously to approve the October 13, 2011 Meeting Minutes as corrected.

3. Tier 1 Status Update

Dan Phu gave a status update of the Tier 1 Program. Allison Army gave a background report on instructions given the local jurisdictions regarding acquiring a vendor from the Master Agreement.

Garry Brown asked if the majority of the projects chose vendors other than the three approved vendors on the Master Agreement list, also, are there any project delays if they chose to go with vendors not on the Master Agreement list. Dan Phu said the majority of the local jurisdictions wanted to use one of the approved vendors. Timing issues would be reflected by the procurement process for those local jurisdictions that chose other vendors.

Gene Estrada asked for a clarification, as he understands the local jurisdiction cannot apply for their 75% payment until an invoice is submitted. Dan Phu said that is correct, in order for the local jurisdiction to get reimbursed they have to expend a portion of the money. Gene Estrada said his concern is the local jurisdictions may end up having to front the money and one of the things this program was supposed to do is minimize the amount of expenditures the cities were going to have to expend. He asked if anyone had expressed a concern about this. Dan Phu said they had not heard about any concerns. Jurisdictions have only inquired about clarification on how to get reimbursed for the 75/25 percent.

Chair Mary Anne Skorpanich said she remembered a discussion about being able to get an advance of funds. Abbe McClenahan said local jurisdictions can get an advance in funds if they provide 1) a city council resolution showing the project has been awarded and 2) a copy of the purchase order. If they supply these documents along with an invoice from the city, they can get an advance in funds.

Chair Mary Anne Skorpanich said there was a discussion after review of the top ranking projects about taking a second look at eligible expenses (for example, should plant replacement be an eligible expense in landscape retrofit). Would this happen at the next ECAC meeting? Dan Phu said this can be done if the ECAC wanted; the subcommittee has worked with the Programming Department on updating the Tier 1 guidelines and is still taking care of a few items. They will talk about some of the nuances at the next subcommittee meeting and then bring them forward to the ECAC. Charlie Larwood said there was also a question about changing some of the questions from a strict "yes/no" answer to a grading type of question. This also will be brought back to the ECAC.

4. Tier 2 Study Update and Policy Discussion

Charlie Larwood gave a brief update on the ongoing Tier 2 Study and policy discussions. Dan Phu introduced two copies of the OCTA M2 Environmental Cleanup Program Tier 2 Funding Draft Scoring Metrics; one showing tracked changes and one without. He gave an overview of the approved changes to the document so far. Ken Susilo gave an overview of the next layer of the scoring metrics.

Scoring Metrics

The ECAC discussed the following as they pertained to M2-Required Scoring Metrics (70/100 points).

- Project cost
- Project Cost effectiveness
- Wet & Dry water flow
- Using SBPAT as an analysis tool
- Pollutant weight
- Monitoring data
- Funding evenly throughout the County
- Fair prices/cost effectiveness/auditing

The ECAC reached a general consensus that the distribution of scores among the three factors of the M2-Required Scoring Metrics (70/100 points) is satisfactory.

Ken Susilo gave an overview of the second part of the scoring metrics, which deals with Multiple Benefits, Project Sustainability, and Policy. He said the second part of the metrics is more objective and difficult because there are no models giving answers.

Tim Casey asked if getting down deep into detail in each of the subcategories is needed. The questions themselves prompt an applicant to substantiate what they consider would be a multiple benefit or project sustainability – be a little more subjective than objective. Charlie Larwood said it can go either way. After the last project award, the feedback from the evaluation committee was not to make the questions straight “yes or no” questions but to allow the evaluators to rate the answers.

William Cooper said the more subjective way to do the scoring would be to ask the applicant to consider the type of issues listed rather than putting points on these subcategories. Then the evaluator can consider how well they articulate their considerations. Tim Casey suggested they leave the questions but not assign a point value to the subcategory.

Monte Ward suggested a hybrid, take the more detailed questions in the marked-up version and indicate these are the things the evaluators will be looking for, but do not assign the points to each question. Tim Casey agreed; let the evaluators assign the points. He said, as a committee, he was not sure they could identify all the attributes for these projects. Monte Ward said the prompts will be listed in each question and the applicants can decide how they want to treat them.

Chair Mary Anne Skorpanich summarized the discussion: The maximum points will be assigned to letters a), b), c), and d) but not to the subcategory items below each.

William Cooper asked what if the applicant comes up with an item that is really a good idea. Charlie Larwood suggested this could be listed as "other considerations."

After discussion, the ECAC made the decision on 2)b)i) was: ~~Are other funding sources identified or~~ *(strike this because it is part of Project Readiness)* its overmatch provided? (1 pt. first 40%, 5%, 1 pt. per additional 5%, max 5 pts.)

Dick Wilson said he remembered reading that leveraging other grant money was encouraged by the M2 Environmental Program. He asked if this is correct. Dan Phu read from the M2 Ordinance: "The process shall give priority to cost effective projects and programs that offer opportunity to leverage other funds for maximum benefits." Chair Mary Anne Skorpanich said, ideally, they can be leveraged by other grant funds but that might not be the case.

Dan Phu said the final draft of the Scoring Metrics will be presented at the December 8, 2011 meeting and the ECAC can vote on it at that time.

CTFP Funding Guidelines

Wallace Walrod gave an update on the CTFP Funding Guidelines.

5. Public Comments

There were no public comments.

6. Committee Member Reports

Marissa Espino reported staff made a presentation at the NPDES meeting on the progress of the Tier 2 Program.

Charlie Larwood said the Tier 1 Program Call for Projects will go out on February 18, 2012 and over the next few months they will be finalizing Chapter 12 for Tier 2.

7. Next Meeting – December 8, 2011

The next meeting of the ECAC will be December 8, 2011 in the OCTA offices.

8. Adjournment

The meeting adjourned at 12:10 p.m.