



## *Minutes*

### **Measure M2 Environmental Cleanup Allocation Committee**

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#### **Committee Members Present:**

*Gary Brown, Chair.*

*Gene Estrada, Vice Chair.*

*Marc Brown, Santa Ana RWQCB*

*Keith Linker, City of Anaheim*

*Jeff Thompson, Rancho Mission Viejo*

*Mark Tettemer, Irvine Ranch Water District*

*Orange County Transportation Authority  
600 S. Main St., Room 103/104  
Orange, California*

**October 12, 2017 at 10:30 a.m.**

#### **Committee Member(s) Absent:**

*William Hunt, Orange County Water District*

*Jill Ingram, City of Seal Beach*

*Jeff Kuo, Cal State Fullerton*

*Hector B. Salas, Caltrans*

*Grant Sharp, County of Orange*

*Marwan Youssef, City of Westminster*

*Laurie Walsh, San Diego RWQCB*

*Dennis Wilberg, City of Mission Viejo*

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

Alison Army, Sr. Transportation Analyst

Dan Phu, Environmental Programs Mgr.

Brianna Martinez, Transportation Funding

Ken Susilo, Geosyntec, Consultant to OCTA

Kia Mortazavi, Executive Dir., Planning

#### **1. Welcome**

Chair Garry Brown welcomed everyone to the quarterly Measure M Environmental Cleanup Allocation Committee (ECAC) meeting.

#### **2. Approval of July 13, 2017 Minutes**

Chair Garry Brown asked if there were any additions or corrections to the July 13, 2017 meeting minutes. Gene Estrada gave some grammatical corrections to Alison Army.

A quorum was not present to approve the minutes.

### **3. Measure M2 Funding Eligibility for Trash and Other BMPs for Water Quality Improvements**

Dan Phu discussed the background on creating policy for Measure M2 funding eligibility for Trash and other BMPs for water quality improvements. OCTA had Geosyntec look at the issue of supplanting funds per the Measure M2 Ordinance in regards to the state Trash Amendments. Ken Susilo presented the opinion of Geosyntec regarding this issue. He said the Trash Amendments do not have a funding source, so using Measure M funds do not preclude these types of projects as long as capital items are not required by another source. Ken pointed out that this is just a consulting opinion and not a legal opinion.

Ken Susilo discussed with the committee different types of trash removal and which ones are eligible for M2 funding. Ken said street sweeping is an example of a program that is not eligible; M2 funding is primarily for capital improvements for trash removal. He said the ECAC will have to think about how SB 231 will change the ability of cities to raise revenues to address water quality.

The committee suggested the document be made clearer due to previous wording of "Amendments", "Policy" and "Provisions." Keith suggested an edit to change "Trash Amendments" to "Trash Provisions" for clarity and consistency.

Garry Brown asked if OCTA's Legal Counsel should review this document. Kia Mortazavi said he would ask if a legal opinion is necessary. He believes the approval of the consultant opinion is within the purview of the ECAC and the counsel would defer to the ECAC due to the committee's expertise in this area.

Dan Phu said the information will be included in the updated guidelines per the ECAC's suggestion.

It was discussed there might actually be more cities seeking Tier 1 funding due to changes that will come with the trash amendments.

### **4. 2018 Tier 1 Call for Projects Proposed Guidelines Revisions**

Alison Army presented a matrix on proposed updates for the 2018 Comprehensive Transportation Funding Programs Tier 1 Guidelines.

The committee discussed how drainage area would be defined and how points would be given for these projects. Also, discussed was how the points might be the same for residential and commercial projects. It was suggested that points be awarded based on the type of equipment, not just the actual drainage area. Land use may also be looked at to determine the points. Ken Susilo said the points may not be given in this area but awarded in other areas. It was suggested to use the Trash Provisions Guidance for priority land use. Staff will work with Geosyntec to develop the cost/benefit calculations for the new Question 2 of the application which will replace the former question that awarded points for affected waterways.

The committee also talked about giving bonus points if an additional pollutants besides trash, are addressed by the BMP. It was suggested the extra points be given to the targeted pollutants. Staff said they would consider the suggestion and possibly modify an existing question to address this.

The committee asked what would happen if a city removed a device before the end of its lifespan, after receiving money from OCTA. Staff responded that it would be difficult for OCTA to know if it was done after the monitoring period.

OCTA will no longer accept applications that are not filled out correctly. The committee members suggested letting applicants know what types of errors will not be accepted. Staff said the errors are usually careless errors and often mathematical. These are the same standards used for all the other competitive Comprehensive Transportation Funding Programs (CTFP).

**5. Public Comments**

**6. Committee Member Reports**

There were no further reports.

**7. Next Meeting – January 11, 2018**