

AGENDA
PROPERTY MANAGEMENT COMMITTEE MEETING
WITH BOARD OF DIRECTORS *
ORANGE COUNTY WATER DISTRICT
18700 Ward Street, Fountain Valley CA 92708
Friday, January 26, 2024, 12:00 p.m. Conference Room C-2

*The OCWD Property Management Committee meeting is noticed as a joint meeting with the Board of Directors for the purpose of strict compliance with the Brown Act and it provides an opportunity for all Directors to hear presentations and participate in discussions. Directors receive no additional compensation or stipend as a result of simultaneously convening this meeting. Items recommended for approval at this meeting will be placed on **February 7, 2024**, Board meeting Agenda for approval.

This meeting will be held in person. As a convenience for the public, the meeting may also be accessed by Zoom Webinar and will be available by either computer or telephone audio as indicated below. Because this is an in-person meeting and the Zoom component is not required, but rather is being offered as a convenience, if there are any technical issues during the meeting, this meeting will continue and will not be suspended.

Computer Audio: You can join the Zoom meeting by clicking on the following link:
<https://ocwd.zoom.us/j/81364630427>

Meeting ID: 813 6463 0427

Telephone Audio: (213) 338 8477

Teleconference Sites:

10382 Bonnie Drive, Garden Grove, CA

8856 Citrus Avenue, Westminster

1037 Sherwood Lane, Santa Ana

19 Cannery, Buena Park

601 N. Ross Street, Room 327, Santa Ana

* Members of the public may attend and participate at all locations.

ROLL CALL

ITEMS RECEIVED TOO LATE TO BE AGENDIZED

RECOMMENDATION: Adopt resolution determining need to take immediate action on item(s) and that the need for action came to the attention of the District subsequent to the posting of the Agenda (requires two-thirds vote of the Board members present, or, if less than two-thirds of the members are present, a unanimous vote of those members present.)

VISITOR PARTICIPATION

Time has been reserved at this point in the agenda for persons wishing to comment for up to three minutes to the Board of Directors on any item that is not listed on the agenda, but within the subject matter jurisdiction of the District. By law, the Board of Directors is prohibited from taking action on such public comments. As appropriate, matters raised in these public comments will be referred to District staff or placed on the agenda of an upcoming Board meeting.

At this time, members of the public may also offer public comment for up to three minutes on any item on the Consent Calendar. While members of the public may not remove an item from the Consent Calendar for separate discussion, a Director may do so at the request of a member of the public.

CONSENT CALENDAR (ITEMS NO. 1-2)

All matters on the Consent Calendar are to be approved by one motion, without separate discussion on these items, unless a Board member or District staff request that specific items be removed from the Consent Calendar for separate consideration.

1. MINUTES OF PROPERTY MANAGEMENT COMMITTEE MEETING HELD DECEMBER 8, 2023

RECOMMENDATION: Approve minutes as presented

2. AMENDMENT TO LICENSE AGREEMENT WITH T.E. ROBERTS FOR STORING OF CONSTRUCTION EQUIPMENT LOCATED AT HUCKLEBERRY BASIN, ANAHEIM

RECOMMENDATION: Agendize for February 7 Board meeting: Approve and authorize execution of Amendment Nine to License Agreement with T.E. Roberts, Inc. extending the expiration date to January 31, 2025, with a fee of \$1,377 per month, and all other Agreement terms to remain the same

INFORMATIONAL ITEMS

3. STATUS UPDATE REGARDING THE DISTRICT'S IMPERIAL HIGHWAY PROPERTY
4. QUARTERLY REPORT ON LEASES AND PERMITS/LICENSES FOR THE PERIOD ENDING DECEMBER 31, 2023

CHAIR DIRECTION AS TO ITEMS TO AGENDIZE AS MATTERS FOR CONSIDERATION AT THE FEBRUARY 7 BOARD MEETING

DIRECTORS' COMMENTS/REPORTS

GENERAL MANAGER'S COMMENTS/REPORTS

ADJOURNMENT

PROPERTY MANAGEMENT COMMITTEE

Committee Members

Steve Sheldon - Chair
Natalie Meeks - Vice Chair
Denis Bilodeau
Bruce Whitaker
Roger Yoh

Alternates

Valerie Amezcua - Alternate 1
Dina Nguyen - Alternate 2
Van Tran - Alternate 3
Erik Weigand - Alternate 4
Cathy Green - Alternate 5

In accordance with the requirements of California Government Code Section 54954.2, this agenda has been posted at the guard shack entrance and in the main lobby of the Orange County Water District, 18700 Ward Street, Fountain Valley, CA and on the OCWD website not less than 72 hours prior to the meeting date and time above. All written materials relating to each agenda item are available for public inspection in the office of the District Secretary. Backup material for the Agenda is available at the District offices for public review and can be viewed online at the District's website: www.ocwd.com

Pursuant to the Americans with Disabilities Act, persons with a disability who require a disability-related modification or accommodation in order to participate in a meeting, including auxiliary aids or services, may request such modification or accommodation from the District Secretary at (714) 378-3234, by email at cfuller@ocwd.com, by fax at (714) 378-3373. Notification 24 hours prior to the meeting will enable District staff to make reasonable arrangements to assure accessibility to the meeting.

As a general rule, agenda reports or other written documentation has been prepared or organized with respect to each item of business listed on the agenda, and can be reviewed at www.ocwd.com. Copies of these materials and other disclosable public records distributed to all or a majority of the members of the Board of Directors in connection with an open session agenda item are also on file with and available for inspection at the Office of the District Secretary, 18700 Ward Street, Fountain Valley, California, during regular business hours, 8:00 am to 5:00 pm, Monday through Friday. If such writings are distributed to members of the Board of Directors on the day of a Board meeting, the writings will be available at the entrance to the Board of Directors meeting room at the Orange County Water District office.

MINUTES OF THE PROPERTY MANAGEMENT COMMITTEE MEETING
WITH BOARD OF DIRECTORS
ORANGE COUNTY WATER DISTRICT
December 8, 2023 @ 12:00 p.m.

Director Meeks called the Property Management Committee meeting to order in Conference Room C-2. Members of the public also participated via Zoom. The Secretary called the roll and reported a quorum as follows:

Committee

Steve Sheldon
Natalie Meeks
Denis Bilodeau (participated under AB2449)
Bruce Whitaker (absent)
Roger Yoh (absent)

OCWD Staff

Mike Markus, General Manager
Bruce Dosier, Director of IS/Property Management
John Kennedy, Exec. Director
Jason Dadakis, Exec. Director
Kevin O'Toole, Senior Planner
Jeremy Jungreis, General Counsel
Christina Fuller, District Secretary

Alternates

Valerie Amezcua
Dina Nguyen (absent)
Van Tran (absent)
Vacant
Cathy Green

CONSENT CALENDAR

The Consent Calendar was approved upon motion by Director Green, seconded by Director Amezcua, and carried [4-0] as follows:

Ayes: Meeks, Bilodeau, Amezcua, Green

1. Meeting Minutes

The Minutes of the Property Management Committee meeting held October 27, 2023 were approved as presented.

Director Sheldon arrived during discussion of the following item.

MATTER FOR CONSIDERATION

2. Pollution Insurance for District Property Located at 3199 East La Palma Avenue in Anaheim

Director of Property Management Bruce Dosier recalled that at the October Property Committee meeting, he advised that when OCWD purchased the Property, OCWD was required to indemnify the seller (Panattoni) and the prior property owner (Boeing) for the Property and an adjoining 23 acres. He reported that since OCWD was required to indemnify the prior owners, in an abundance of caution, OCWD purchased a 10-year pollution insurance policy for potential contamination which expires January 31, 2024. He stated that staff sees the risk of encountering unknown soil or groundwater contamination as being very low; however, staff has been working with Rutan and Tucker and insurance broker Marsh in obtaining environmental liability insurance quotes. He stated that staff recommends that the Board authorize the General Manager to negotiate and execute a pollution liability insurance policy for a term of up to 10-year policy in an amount not to exceed \$300,000. Director Bilodeau stated he is skeptical that insurance is still needed after ten years with no issues.

Upon motion by Director Green, seconded by Director Meeks and carried [4-1], The Committee recommended that the Board at its December 20 Board meeting: Authorize the General Manager

to negotiate and execute a pollution liability insurance policy for La Palma Basin for a term of up to 10 years in an amount not to exceed \$300,000.

Ayes: Sheldon, Meeks, Amezcua, Green

Noes: Bilodeau

INFORMATIONAL ITEMS

3. Status Update Regarding the District's Imperial Highway Property

Mr. Dosier reported that District and Adams Streeter staff met with the City of Anaheim staff on November 1 to discuss potential access to the Property. He stated that OCWD staff presented several concepts regarding access to the Property, including a roundabout on Imperial Highway and a redesign of the off-ramp from the westbound 91 Freeway at Imperial Highway. Mr. Dosier advised that City staff stated that a roundabout would not be likely as Imperial Highway has far too many lanes for a roundabout. He reported that Anaheim staff advised that the discussion regarding design of the off ramp would ultimately be with Caltrans District 12 as Caltrans has jurisdiction over Imperial Highway. He noted that District staff has reached out to Caltrans right-of-way staff several times to review and solicit feedback regarding Property access concepts, but at this time, no meeting has been scheduled. Mr. Dosier advised that once the District and Adams Streeter have met with Caltrans staff, Adams Streeter will begin working on developing the other information key information regarding the property.

4. Status Update on Planning Remediation of Former Prado Shooting Area

Senior Planner Kevin O'Toole reported that as a precautionary first step before commencing work on the development of the Remedial Action Plan, OCWD drafted a technical memo outlining the proposed haul route, methodologies for obtaining exclusive access to sections on USACE property, and justification for determining the proposed haul route is superior to alternatives on only OCWD property. He advised that the technical memo was recently submitted to DTSC for their review and concurrence. He noted that once concurrence is received for the proposed haul route and methodology, AECOM will commence work on the Remedial Action Plan and supporting environmental documentation.

CHAIR DIRECTION AS TO ITEMS TO AGENDIZE AS MATTERS FOR CONSIDERATION AT THE DECEMBER 20 BOARD MEETING

It was agreed to place Item No. 2 on the on the Consent Calendar at the December 20 Board meeting.

ADJOURNMENT

There being no further business to come before the Committee, the meeting was adjourned at 12:30 p.m.

Natalie Meeks, Vice Chair

AGENDA ITEM SUBMITTAL

Meeting Date: January 26, 2024

To: Property Management Committee/
Board of Directors

From: Mike Markus

Staff Contact: B. Dosier/D. Park

Budgeted: N/A

Budget Amount: N/A

Revenue Estimate: \$16,525 annual

Funding Source: N/A

Program/Line Item No. N/A

General Counsel Approval: Required

Engineers/Feasibility Report Approved: N/A

CEQA Compliance: N/A

**SUBJECT: AMENDMENT TO LICENSE AGREEMENT WITH T.E. ROBERTS FOR
STORING OF CONSTRUCTION EQUIPMENT LOCATED AT HUCKLEBERRY
BASIN, ANAHEIM**

SUMMARY

In 2017, the District issued a License Agreement with T.E. Roberts, Inc. for the purpose of storing equipment while performing a construction project for the city of Anaheim (City). At the completion of the project, T.E. Roberts wished to remain on District property on an ongoing basis and was granted license extensions, with the current agreement expiring on January 31, 2024. T.E. Roberts is requesting a one (1) year extension.

Attachment(s): Amendment Nine to License Agreement

RECOMMENDATION

Agendize for February 7 Board meeting: Approve and authorize execution of Amendment Nine to License Agreement with T.E. Roberts, Inc. extending the expiration date to January 31, 2025, with a fee of \$1,377 per month, and all other Agreement terms to remain the same.

BACKGROUND/ANALYSIS

On July 17, 2017, T.E. Roberts entered into a short-term License Agreement with OCWD for the purpose of storing equipment and materials consisting of backhoes, loaders, excavators, steel pipe and fittings, while performing pipeline construction work for the City. The licensed area is approximately 7,000 square feet located on the southeast end of Huckleberry Basin in Anaheim. T.E. Roberts is allowed to use OCWD's maintenance roads off Lakeview Avenue or Tustin Avenue to access the licensed area.

In December 2019, T.E. Roberts notified staff that the project for the City had been completed and that they wished to remain on the District's property on an ongoing basis for storing their equipment and materials for a monthly fee of \$500. The original license agreement expired January 16, 2018 and the Board approved several license extensions, with the current agreement expiring on January 31, 2024 and allowing either party to terminate the license agreement with ten (10) days written notice. The Board approved the current agreement with the monthly fee increased to \$1,337, which was based on comparable land rental rates in the area. Staff has no objection to T.E. Roberts' ongoing use of District land for storage, on an annual basis with a 3% annual fee increase and recommends approving and authorizing the execution of Amendment Nine to the License Agreement extending the expiration to January 31, 2025.

PRIOR BOARD ACTION

2/15/2023, R23-2-16, Authorize execution of Amendment Eight to License Agreement with T.E. Roberts, Inc. to extend the expiration date to January 31, 2024, with a license fee of \$1,337 per month.

2/16/2022, R22-2-13, Authorize execution of Amendment Seven to License Agreement with T.E. Roberts, Inc. to extend the expiration date to January 31, 2023, with a license fee of \$1,298 per month.

2/3/2021, R21-2-13, Authorize execution of Amendment Six to License Agreement with T.E. Roberts, Inc. to extend the expiration date to January 31, 2022, with a license fee of \$1,260 per month.

2/5/2020, R20-2-14, Authorize execution of Amendment Five to License Agreement with T.E. Roberts, Inc. to extend the expiration date to January 31, 2021, with a license fee of \$500 per month.

7/17/2019, R19-7-100, Authorize execution of Amendment Four to License Agreement with T.E. Roberts, Inc. to extend the expiration date to January 31, 2020, with a license fee of \$500 per month, with all other Agreement terms to remain the same.

1/16/2019, R19-1-8, Authorize execution of Amendment Three to License Agreement with T.E. Roberts, Inc. to extend the expiration date to June 30, 2019, with a license fee of \$500 per month, with all other Agreement terms to remain the same.

7/18/2018, R18-7-74, Authorize execution of Amendment Two to License Agreement, extending the expiration date to December 31, 2018 for a fee of \$1,148, with all other agreement terms to remain the same.

1/03/2018, R18-1-2, Approve execution of Amendment One to License Agreement extending the expiration date to July 31, 2018 for a fee of \$1,148, with all other Agreement terms to remain the same.

LOCATION MAP



AMENDMENT NINE TO LICENSE AGREEMENT

(T. E. Roberts, Inc.)

(Huckleberry Basin)

THIS AMENDMENT is made and entered into this 15th day of February 2023 by and between the **ORANGE COUNTY WATER DISTRICT**, a political subdivision of the State of California organized under Chapter 924 of the Statutes of 1933, as amended (hereinafter the "OCWD") and **T.E. ROBERTS, INC.**, a California corporation (hereinafter, "Licensee"):

RECITALS

WHEREAS, OCWD and Licensee entered into a License Agreement on July 17, 2017 (the "License") for the purpose of storing Licensee's equipment and materials consisting of backhoes, loader, excavator, steel pipe and fittings, while performing construction work for the City of Anaheim; and

WHEREAS, on January 3, 2018, Lessor entered into Amendment One to the License, to extend the Expiration Date to July 31, 2018;

WHEREAS, on July 18, 2018, Licensee entered into Amendment Two to extend the License to a new Expiration Date of December 31, 2018.

WHEREAS, on January 16, 2019, Licensee entered into Amendment Three to extend the License to a new Expiration Date of June 30, 2019.

WHEREAS, on July 17, 2019, Licensee entered into Amendment Four to extend the License to a new Expiration Date of January 31, 2020.

WHEREAS, on February 5, 2020, Licensee entered into Amendment Five to extend the License to a new Expiration Date of January 31, 2021.

WHEREAS, on February 3, 2021, Licensee entered into Amendment Six to extend the License to a new Expiration Date of January 31, 2022 with a new monthly fee of \$1,260.

WHEREAS, on February 16, 2022, Licensee entered into Amendment Seven to extend the License to a new Expiration Date of January 31, 2023 with a new monthly fee of \$1,298.

WHEREAS, on February 15, 2023, Licensee entered into Amendment Seven to extend the License to a new Expiration Date of January 31, 2024 with a new monthly fee of \$1,337.

WHEREAS, Licensee wishes to extend the License to a new Expiration Date of January 31, 2025.

NOW, THEREFORE, in consideration of the matters set forth in the foregoing recitals and the terms, covenants and conditions hereinafter contained, the parties do hereby agree as follows:

1. The Expiration Date in License shown in Section 1.2 of the License (“Term”) is changed to read “January 31, 2025”.
2. Paragraph 1.3 License Consideration is replaced as follows:

As consideration for the issuance of this License, Licensee shall pay to OCWD the sum of **ONE THOUSAND THREE HUNDRED SEVENTY-SEVEN DOLLARS** (\$1,377.00) in advance on the first day of each calendar month beginning February 1, 2024 and throughout the remainder of the License term (“License Fee”) in accordance with Part II (General Provisions).

3. Each and every other term, covenant and condition of the License not herein expressly modified is hereby ratified and confirmed by the parties hereto and are and shall remain in full force and effect.

[SIGNATURES ON FOLLOWING PAGE]

IN WITNESS WHEREOF, the parties hereto have executed this Amendment to License as of the day and year first hereinabove written.

<p>“LICENSOR” ORANGE COUNTY WATER DISTRICT, a political subdivision of the State of California organized under Chapter 924 of the Statutes of 1933, as amended</p> <p>By: _____ Cathy Green, President</p> <p>By: _____ John Kennedy, General Manager</p> <p>APPROVED AS TO FORM: RUTAN & TUCKER, LLP.</p> <p>_____ General Counsel, Orange County Water District</p>	<p>“LICENSEE” T.E. ROBERTS, Inc., a California corporation</p> <p>By: _____</p> <p>Name: <u>Timothy Roberts</u> Title: <u>President</u></p> <p>By: _____</p> <p>Name: _____ Title: _____</p> <p><i>[Note: Licenses issued to corporations require the signature of two corporate officers]</i></p> <p>Licensee Information:</p> <p>Address for Notices:</p> <p>T.E. Roberts 306 West Katella Avenue, Unit B Orange, CA 92867</p>
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AGENDA ITEM SUBMITTAL

Meeting Date: January 26, 2024

To: Property Management Committee/
Board of Directors

From: Mike Markus

Staff Contact: B. Dosier/D. Park

Budgeted: No

Budget Amount: \$0

Cost Estimate: \$0

Funding Source: N/A

Program/Line Item No.: N/A

General Counsel Approval: N/A

Engineers/Feasibility Report: N/A

CEQA Compliance: N/A

**Subject: STATUS UPDATE REGARDING THE DISTRICT'S IMPERIAL HIGHWAY
PROPERTY**

SUMMARY

The District owns a 19-acre land parcel in the city of Anaheim, west of Imperial Highway and south of the Santa Ana River. Voit Real Estate Services (Voit) has been hired to market the property for a potential tenant. At its May 17, 2023 meeting, the Board of Directors authorized staff to engage Adams Streeter Engineering to provide conceptual cost estimates for road access options and other key information relevant to the property that may be required to issue a Request for Quote/ Request for Proposals (RFQ/RFP) for potential development of the property. Staff will update the Committee.

ATTACHMENTS:

- Letter to Caltrans Interim Director requesting meeting to discuss access options to OCWD's Imperial Highway Property
- OCWD-Imperial Hwy Boundary and Topography Exhibit

RECOMMENDATION

Informational

DISCUSSION/ANALYSIS

The District owns a 19-acre land parcel in the city of Anaheim (APN 358-291-01) located west of Imperial Highway and south of the Santa Ana River (Property). The Property has access through a gate entrance on the southbound side of Imperial Highway, which passes over a portion of the Santa Ana River Trail. This trail and gate are maintained by the County of Orange, and the District has limited access to the Property for maintenance purposes, as outlined in a Grant Deed transfer in 1973 that conveyed portions of District land to Caltrans. Staff has contacted Caltrans regarding site access and the approval process for a potential tenant to obtain access rights from Imperial Highway to the Property, however this has been inconclusive.

The Property was previously leased by Sunny Slope to operate a wholesale container tree nursery and is currently vacant. At its November 16, 2022 meeting, the Board authorized staff to engage the services of Voit for six months to market the Property and seek other tenants

as appropriate. Voit had a number of inquiries on the Property, however site was and continues to be an issue for most potential tenants and their intended use. Although the agreement with Voit terminated on May 31, 2023, as of recent communication with Mike Hefner, Voit Executive Vice President, Voit continues to receive inquiries for the site.

At its May 17, 2023 meeting, the Board authorized an agreement with Adams Streeter Engineering to prepare a Site Development Analysis of the District's Imperial Highway property to include 1) development of key information about the Property to explore issuing an RFQ/RFP for potential future development (this information includes analyzing the property boundary, plotting existing easements, researching storm drains, sewer, water, and utilities, preparing grading, drainage, and water quality plans), and 2) development of high-level conceptual access options to the Property, meet with Caltrans and City of Anaheim staff to review and solicit feedback regarding the Property access concepts.

Based on the legal description provided by Fidelity National Title (FNT), the District's Title Company, Adams Streeter has finalized the overall boundary and topography exhibit of the property. Staff continues to reach out to Caltrans staff to schedule a meeting to review and solicit feedback regarding Property access concepts. Caltrans staff requested an overview of the concepts in writing and staff provided a letter addressed to District 12 interim director Mario Orso with an overview of the access concepts (letter attached). At this time, no meeting is scheduled. Staff has directed Adams Streeter to continue work on developing the other key information regarding the property.

Once Adams Streeter completes its report, staff will return to the Committee for Board approval to issue an RFP/RFQ for development services. Subsequently, staff will return to the Committee with the RFP/RFQ responses.

Staff will update the Committee.

Summary of Prior Steps Taken:

October 2022 Sunnyslope Trees notifies the District that it will vacate property December 1, 2022

November Voit hired to market the property for lease

December Sunnyslope vacated the property

May 2023 Agreement approved with Adams Streeter for Site Development analysis.

Agreement with Voit terminated May 31

June Adams Streeter began work on boundaries and aerial survey of the property.

July Adams Streeter continues working on boundaries – seeking clarification from Title Company

October Title Company revises Preliminary Title Report (PTR) – provides update to boundary and ownership

November Adams Streeter revising aerial survey of property
Title Company revises Preliminary Title Report (PTR) – provide another update to boundary and ownership (clarified overlapping boundaries)

Meeting with City of Anaheim staff to discuss potential access options

January 2024 Letter sent to Interim Caltrans Director requesting meeting to discuss Property access.

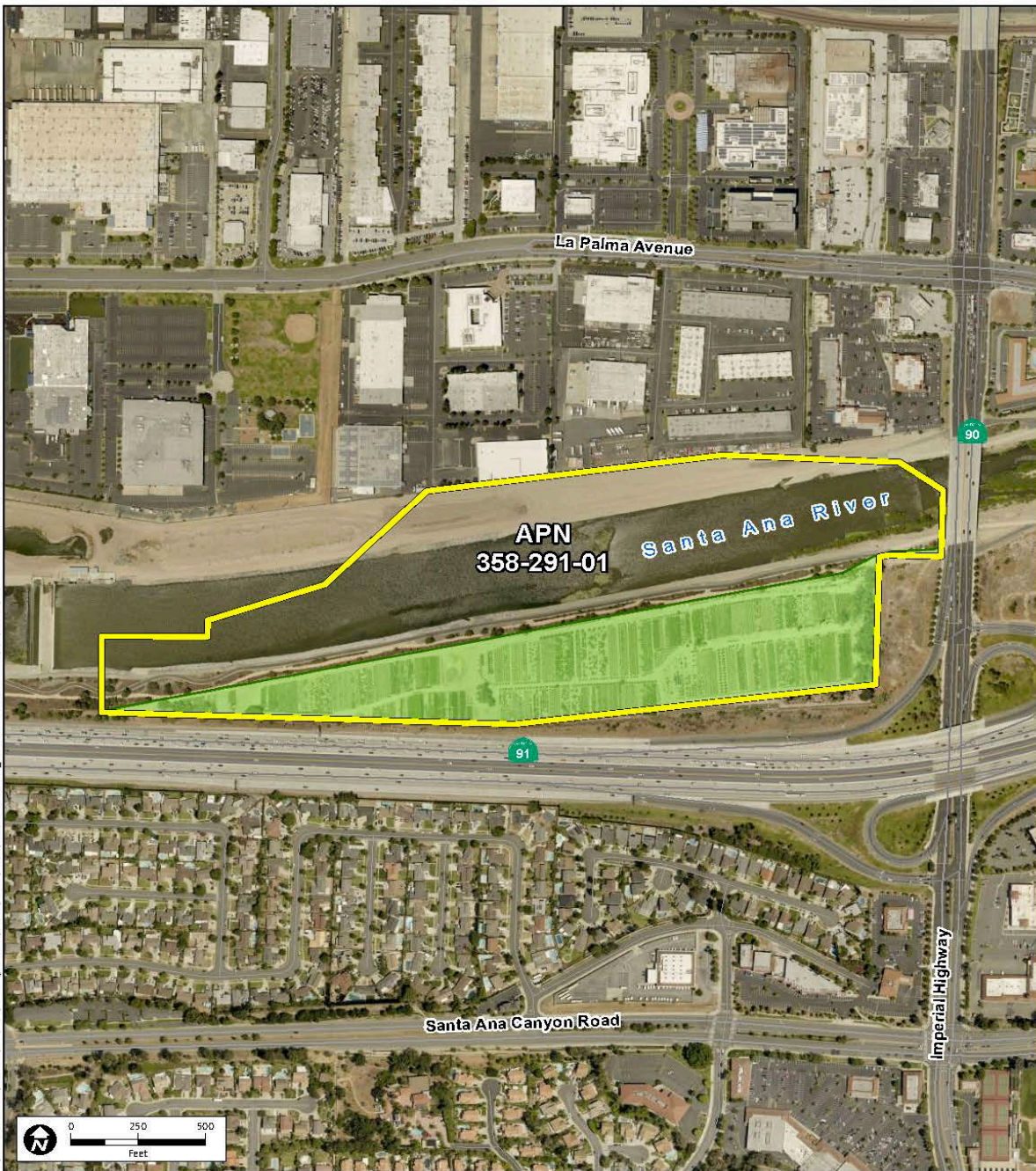
PRIOR RELEVANT BOARD ACTION(S)

5/17/2023, R23-05-61: Authorize the General Manager to negotiate and execute an agreement with Adams Streeter to prepare a Site Development Analysis of the District's Imperial Highway property to include 1) development of key information about the Property, and 2) development of high-level conceptual access options to the Property, meet with Caltrans and City of Anaheim staff to review and solicit feedback regarding the Property access concepts; at a cost not to exceed \$73,550

3/15/2023, M23-33: Authorize staff to engage an engineering firm to provide conceptual cost estimates for the access options and to develop key information about the Property


11/16/2022, M22-116: Authorize staff to engage the services of Voit Real Estate Services to market the property being vacated by Sunny Slope Tree Farm for Lease

LOCATION MAP



K:\GIS\GISDataStore\OCWD\Property\Management\DanP\MXD\SunnySlopeTreeFarm_APN358-291-01.mxd (5/5/2022)



-  OCWD Owned Parcel (APN 358-291-01)
-  Sunny Slope Tree Farm Leased Area

Sunny Slope Tree Farm Co.
OCWD Lease APN 358-291-01

SOURCE: OCWD (05/2022); OCPW (2021)

DIRECTORS

VALERIE AMEZCUA
DENIS R. BILODEAU, P.E.
CATHY GREEN
NATALIE MEEKS
DINA L. NGUYEN, ESQ.
STEPHEN R. SHELDON
VAN TRAN, ESQ.
BRUCE WHITAKER
ROGER C. YOH, P.E.



ORANGE COUNTY WATER DISTRICT
ORANGE COUNTY'S GROUNDWATER AUTHORITY

OFFICERS

President
CATHY GREEN

First Vice President
DENIS BILODEAU

Second Vice President
VAN TRAN

General Manager
MICHAEL R. MARKUS, P.E., D.WRE

January 4, 2024

Mario Orso
District 12 Director (Acting)
Department of Transportation
Property Management
1750 E. Fourth Street, Suite 100
Santa Ana, California 92705

Via email: mario.orso@dot.ca.gov

SUBJECT: OCWD Request to meet to discuss access options to OCWD's Imperial Highway Property

Mr. Orso,

OCWD owns a 19-acre land parcel in Anaheim (APN 358-291-01) located west of Imperial Highway, south of the Santa Ana River (SAR) and adjacent to the 91 Freeway (Property). The Property has access through a driveway on the southbound side of Imperial Highway (where the westbound on-ramp for the 91 Freeway begins) and passes over a portion of the Santa Ana River Trail. Based on a Grant Deed Transfer in 1973 (Book 10517, Page 730) conveying portions of OCWD land to Caltrans, OCWD has limited access from a driveway on Imperial Highway and through a gate to the Property for maintenance purposes (see Figure 1). The trail and gate are now owned and maintained by the County of Orange, however OCWD has retained its access for maintenance vehicles. Furthermore, the Property was the subject of an OCWD decertification request with Caltrans about 10 years ago.

From 1981-2022, the Property was leased from OCWD by Sunny Slope Tree Farm to operate a wholesale container tree nursery, with limited in-and-out traffic via the driveway on Imperial Hwy and gate. As the Property is currently vacant, with District Board approval, OCWD has engaged the services of a broker to market the Property and are currently seeking a potential new lease opportunity.



Figure 1 Note that the parcel map shows the land as one APN and that OCWD owns it all, however, it is divided into 4 parcels, 2 of which are owned by OCWD and 2 of which are owned by OC Flood Control (Including the driveway / access from Imperial Highway).

OCWD’s Board may consider marketing the Property via a Request for Proposals (RFP) with developers in the future to potentially lease or sell the property for development, however, would like to determine what type of access could be developed prior to doing so. OCWD staff developed conceptual options for access to the Property (see Exhibits A – D attached):

Exhibit A - Expansion of Existing Access

- Access to and from Imperial Hwy using existing access point to property.
- Requires widening existing intersection.
- Requires land acquisition from Caltrans and County of Orange.

Exhibit B - Imperial Highway – New Intersection / Offramp realignment

- Access would be from a new four-way intersection on Imperial Highway
- Requires realigning SR-91 westbound off-ramp to Imperial Hwy north approx. 200 ft.
- Requires land acquisition from Caltrans and County of Orange

Exhibit C - Imperial Hwy Roundabout / Offramp realignment

- Access would be from a roundabout on Imperial Hwy

- Requires realigning on/off ramps for SR-91
- Requires land acquisition from Caltrans and County of Orange

Exhibit D - La Palma Ave Bridge Access – West of Imperial Hwy

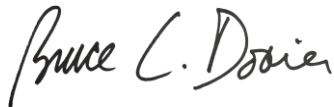
- Access to and from La Palma Ave by bridge (west of Imperial Hwy)
- Requires building a bridge across SAR and road in potential SCE/APU easement.
- Requires land acquisition from SCE/APU and other parties.

OCWD staff would like to discuss with Caltrans conceptual ideas for developing access to the Property; what it would take for a developer to design an intersection on Imperial Highway inclusive of the on/off ramps, etc., or other access ideas, and/or what might be acceptable to Caltrans.

Additionally, in the short-term, OCWD would like to lease the property, however, since access is via the driveway on Imperial Highway along the freeway on-ramp, it may be subject to restrictions by Caltrans and/or the County of Orange.

We would appreciate a meeting with Caltrans staff to discuss these issues. I can be reached via email at bdosier@ocwd.com or by telephone at (714) 378-3298 for any inquiries or additional information.

Sincerely,



Bruce C. Dosier
Director of Information Services / Property Management

Enclosures: Exhibits A – D depicting conceptual access ideas

cc: Jennifer Pham, Caltrans, Chief, Office of Right of Way, District 12 (jennifer.pham@dot.ca.gov)
Alma Villanueva, Caltrans, Branch Chief, Relocation Assistance, Excess Lands, Property Management (alma.villanueva@dot.ca.gov)
Daniel Park, OCWD, Property Manager, dpark@ocwd.com

Exhibit A - Expansion of Existing Access

Imperial Highway Property

Expansion of Existing Access

- Access to and from Imperial Hwy using existing access point to property (see inset picture)
- Requires widening existing intersection
- Requires land acquisition from Caltrans and County



Exhibit B - Imperial Highway – New Intersection / Offramp realignment

Imperial Highway Property

Imperial Hwy – New Intersection / Offramp realignment

- Access would be from a new four-way intersection on Imperial Highway
- Requires realigning SR-91 westbound off-ramp to Imperial Hwy north approx. 200 ft.
- Requires land acquisition from Caltrans and County of Orange



Exhibit C - Imperial Hwy Roundabout / Offramp realignment

Imperial Highway Property

Imperial Hwy Roundabout / Offramp realignment

- Access would be from a roundabout on Imperial Hwy
- Requires realigning on/off ramps for SR-91
- Requires land acquisition from Caltrans and County of Orange

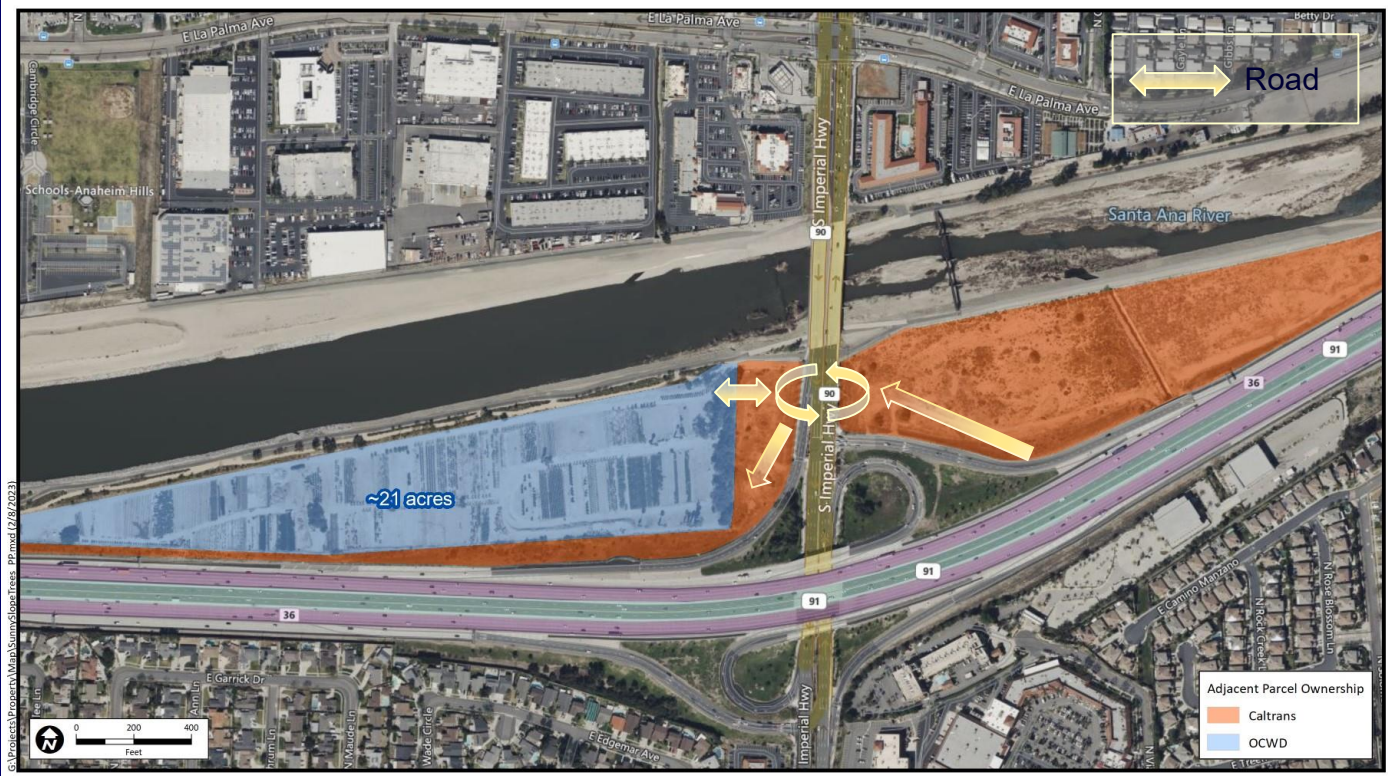


Exhibit D - La Palma Ave Bridge Access – West of Imperial Hwy

Imperial Highway Property

La Palma Ave Bridge Access – West of Imperial Hwy

- Access to and from La Palma Ave by bridge (west of Imperial Hwy)
- Requires building a bridge across SAR and road in potential SCE/APU Easement (see inset picture)
- Requires land acquisition from SCE/APU and other parties



EXHIBIT "B"

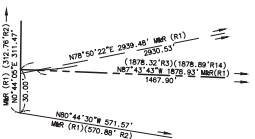
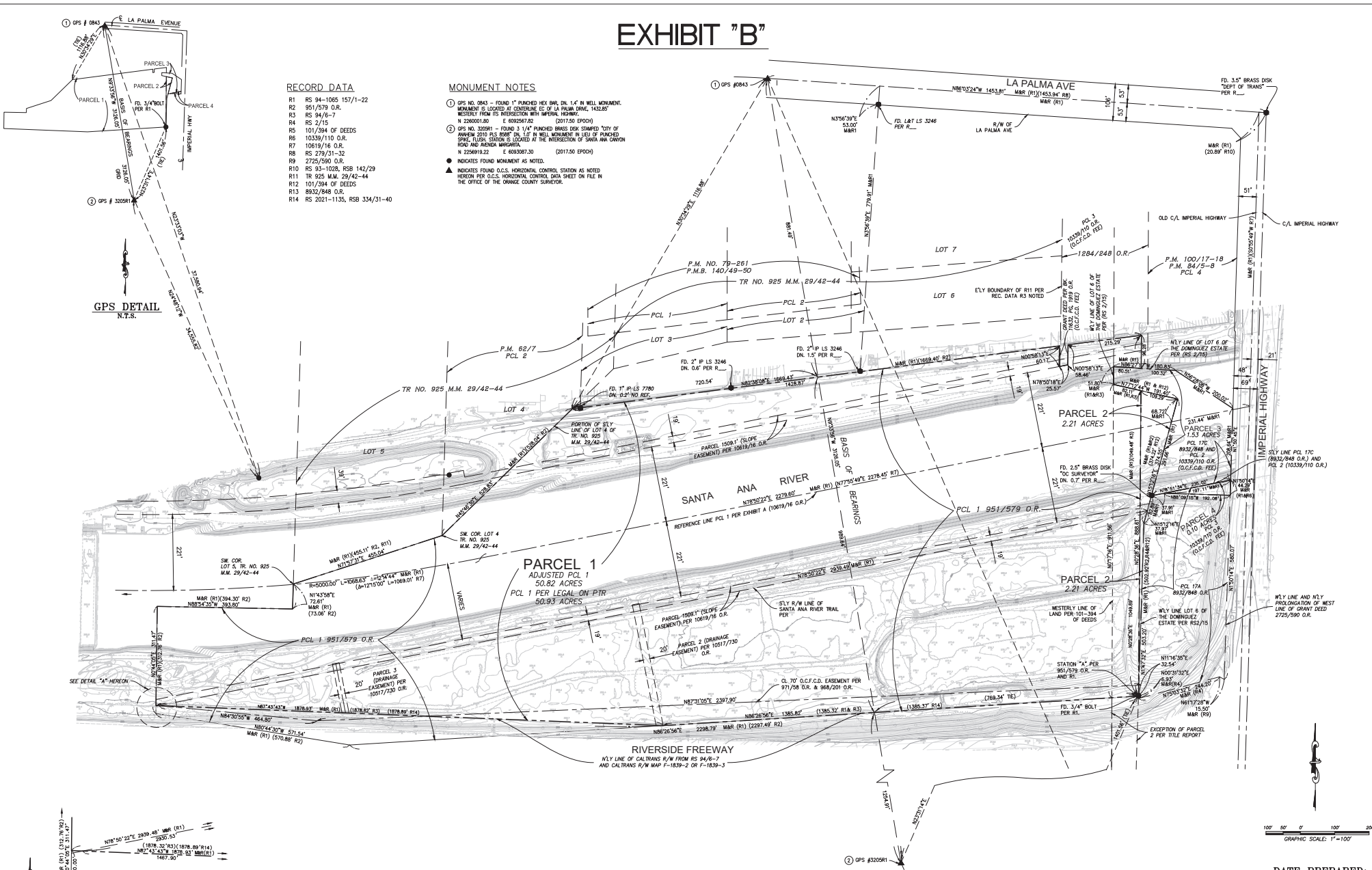
RECORD DATA

- R1 RS 94-1065 157/1-22
- R2 951/579 O.R.
- R3 RS 94/6-7
- R4 RS 2/15
- R5 101/394 OF DEEDS
- R6 10339/110 O.R.
- R7 10619/16 O.R.
- R8 RS 279/31-32
- R9 2725/500 O.R.
- R10 RS 93-1028, RSB 142/29
- R11 TR 925 M.M. 29/42-44
- R12 101/394 OF DEEDS
- R13 8932/848 O.R.
- R14 RS 2021-1135, RSB 334/31-40

MONUMENT NOTES

- ① GPS NO. 0843 - FOUND 1" RANCHED HEX BRG. DN. 1.4" IN WELL MONUMENT. MONUMENT IS LOCATED AT CORNER E/O OF LA PALMA BRIDGE 1423.85' WESTERLY FROM ITS INTERSECTION WITH IMPERIAL HIGHWAY.
- ② GPS NO. 320561 - FOUND 3 1/4" RANCHED BRASS DISK STAMPED "CITY OF ANAHEIM 2010 PLS 808" DN. 1.0" IN WELL MONUMENT IN JULY OF RANCHED SPURS (LOCAL SECTION IS LOCATED AT THE INTERSECTION OF SANTA ANA CANYON ROAD AND ARNEA MARGARITA N 2254919.22 E 600287.30 (2017.50 EPOCH)
- INDICATES FOUND MONUMENT AS NOTED.
- ▲ INDICATES FOUND O.C.S. HORIZONTAL CONTROL STATION AS NOTED HEREON PER O.C.S. HORIZONTAL CONTROL DATA SHEET ON FILE IN THE OFFICE OF THE ORANGE COUNTY SURVEYOR.

GPS DETAIL
N.T.S.



DETAIL A
N.T.S.

BASIS OF BEARING:
THE BEARINGS SHOWN HEREON ARE BASED ON THE GRID BEARING BETWEEN O.C.S. HORIZONTAL CONTROL STATION GPS NO. 0843 AND STATION GPS NO. 320561 BEING N93°56'56\"/>

DATUM STATEMENT:
COORDINATES SHOWN ARE BASED ON THE CALIFORNIA COORDINATE SYSTEM (CCS83), ZONE VI, 1983 NAD, (2017.50 EPOCH OCS GPS ADJUSTMENT).
ALL DISTANCES SHOWN HEREON ARE GROUND, UNLESS OTHERWISE NOTED. TO OBTAIN GRID DISTANCES MULTIPLY GROUND DISTANCES BY 0.999998891 WHICH IS PROJECT SPECIFIC COMBINATION FACTOR.

PREPARED BY:



PREPARED FOR:
ORANGE COUNTY WATER DISTRICT

BOUNDARY AND TOPOGRAPHY
EXHIBIT FOR THE
IMPERIAL HIGHWAY PROPERTY
ANAHEIM, CA

DATE PREPARED:
1/16/2024

GRAPHIC SCALE: 1"=100'

AGENDA ITEM SUBMITTAL

Meeting Date: January 26, 2024
To: Property Management Committee/
 Board of Directors
From: Mike Markus
Staff Contact: B. Dosier/D. Park

Budgeted: N/A
Budget Amount: N/A
Cost Estimate: N/A
Funding Source: N/A
Program/Line Item No.: N/A
General Counsel Approval: N/A
Engineers/Feasibility Report: N/A
CEQA Compliance: N/A

Subject: QUARTERLY REPORT ON LEASES AND PERMITS/LICENSES FOR THE PERIOD ENDING DECEMBER 31, 2023

SUMMARY

Attached for Board review is the Quarterly Report on Leases and Permits/Licenses for the period of October 1, 2023 to December 31, 2023.

Attachment(s): Summary Report of Leases & Permits/Licenses ending December 31, 2023

RECOMMENDATION

Informational

BACKGROUND/ANALYSIS

The District has approximately 933 acres of land under 16 leases and 20 permits/licenses.

3rd QUARTER RENT COMPARISON

4th Qtr. 2023	4th Qtr. 2022	Increase/(Decrease) 3 rd Qtr. 2023 vs. 3 rd Qtr. 2022	Percentage Increase/(Decrease) 4 th Qtr. 2023 vs. 4 th Qtr. 2022
\$583,868	\$513,558	\$70,310	13.69%

YEAR TO DATE RENT COMPARISON

Year to Date 2023	Year to Date 2022	Increase/(Decrease) YTD 2023 compared to 2022	Percentage Increase/(Decrease) YTD 2023 compared to 2022
\$1,822,355	\$1,815,611	\$6,744	0.37%

Note: The increase in year over year rent was primarily due to the early rent recording of the January 2024 rent from North American Recycling (\$76,770).

UPCOMING RENEWALS AND ACTIONS

RENEWALS

2024

1st Quarter

- Lease with Sandwood Enterprises Inc. expires on March 31, 2024
- Lease with Montoya Enterprises Inc (Nursery at Santiago Basin) expires on March 3, 2024

2nd Quarter

- Lease with Prado Basin Duck Club expires on June 30, 2024
- Lease with Raahauge Shooting Enterprises (Duck lease) expires on June 30, 2024

ACTIONS - Staff

All Lessees and Permittees/Licensees are in full compliance with the terms of their lease/permit/license and all are current with their rent with the following exceptions:

- None

PROPERTY LICENSE AGREEMENT ISSUED BY GENERAL MANAGER IN 2024 YEAR-TO-DATE

None

**SUMMARY REPORT
STATUS OF LEASES
4th QUARTER ENDED DECEMBER 31, 2023**

Leases	Location	Monthly Rent	Annual Increase	4th Quarter Rent Paid	Year to Date	Status of Rent	Lease Violations	Expiration Date	Acres	Use
Anaheim Adventure Aqua Park	High Season - April-October	\$6,500.00	CPI April	\$ 2,034.00	\$ 86,091.50	Current	None	02-28-30	13.200	Aquapark
Anaheim Adventure Aqua Park	Low Season - November - March	\$2,000.00	CPI April							
Anaheim, City of Well 58	Anaheim Lake	Flat Fee \$1.00			N/A	Current	None	03-31-61	0.380	Production Water Well
Anaheim, City of	Burris Basin	\$1.00/Annual			\$ 1.00	Current	None	01-31-31	14.000	Park
County of Orange, Integrated Waste Mgt.	Smith Basin	Reports			N/A	Current	None	Automatic Annual Renewal	0.010	Monitoring wells for Reeve's Pit (executed 12/12/1996)
Corona Rec. Inc., Doug Elliott	Warner Basin	5% of Gross Receipts or \$8,248.92/mo.	CPI October	\$ 36,617.73	\$ 155,314.05	Current	None	09-30-26	128.150	Fishing concession.
North American Recycling & Crushing, LLC	Huckleberry Pond	\$76,770.61	3% April1	\$ 307,082.44	\$ 916,775.24	Current	None	03-31-27	5.650	Concrete/Asphalt crushing.
NSM Golf, LLC	Burris Pit	\$10,085.65	CPI October	\$ 30,808.27	\$ 122,358.12	Current	None	09-30-24	15.000	Golf driving range - 5 year option.
Harvest Landscape Enterprises, Inc.	South of Lincoln Ave.	\$2,164.31	April 1	\$ 4,328.62	\$ 25,656.66	Current	None	03-31-27	3.600	Container nursery.
Montoya Enterprises Inc. - Nursery	Santiago Basins	\$1,674.00	Fixed April 1	\$ 5,022.00	\$ 19,990.00	Current	None	03-31-24	2.600	Container nursery.
Newport Beach, City of	Seawater Pipeline	Flat Fee \$1			\$ 1.00	Current	None	09-22-47		
Prado Basin Duck Club (1)	Prado Basin - Lower Ponds	\$17,352.41/annual	3% July 1	\$ 8,409.00	\$ 18,409.00	Current	None	06-30-24	66.000	John Kelly Astor - Duck Hunting Concession
Raahauge Shooting Enterprises - Range	Prado	\$19,612.78	CPI May 2021	\$ 39,225.56	\$ 213,641.24	Current	None	04-30-47	135.000	Sporting clays/trap & skeet shooting. No rent increase until May 1, 2019
Raahauge Shooting Enterprises - Ducks (1)	Prado	Flat Fee \$59,814.20	5% July 1	\$ 82,432.00	\$ 82,432.00	Current	None	06-30-24	450.000	Duck hunting, Oct. to Jan.
Raahauge Shooting Enterprises - Pheasant	Prado	\$250/mo.	N/A	\$ 500.00	\$ 2,750.00	Current	None	09-30-24	110.000	Hunter safety classes, dog kennels, raising of game birds.
Sandwood Inc.	Batavia Street	\$13,813.83	CPI April 1	\$ 53,490.98	\$ 143,794.79	Current	None	03-31-24	2.600	Sandbagging/Firewood
Yorba Linda Water District (2)	Warner Basin	\$4,694.43 / year 2019	3% December	\$ 5,283.62	\$ 5,283.62	Current	None	12-31-62	0.4224	Production Water Well 21 Original Rent: \$3,817 - 8/22/2012 - w/ 3% annual increase
TOTAL FOR LEASES				\$ 575,234.22	\$ 1,792,498.22				933.412	

NOTES:

1. Prado Basin Duck Hunting & Raahauge Duck Hunting - (Rent due 50% by October 15 and 50% by December 15).
2. YLWD rent due on Dec. 31 of each year.

**SUMMARY REPORT
STATUS OF PERMITS/LICENSES
4th QUARTER ENDED DECEMBER 31, 2023**

Permits/Licenses	Location	Monthly Rent	Annual Increase	4th Quarter Rent Paid	Year to Date	Status of Rent	Permit/License Violations	Expiration Date	Acres	Use
Anaheim Model Airplane Club & Scamps	Foster-Huckleberry Pond	Comm. Svc.		N/A	N/A	Current	None	Mo. to Mo.	115.820	Model airplane flying area.
Anaheim, City of Well Maintenance	Anaheim Lake	Comm. Svc.		N/A	N/A	Current	None	Mo. to Mo.	0.230	Maintain wells and pipeline.
Anaheim, City of	Burris Basin	N/A		N/A	N/A	Current	None	Year to Year		Pumphouse
Anaheim, City of	Anaheim Lake	Flat Fee \$1.00		One-time fee paid 01/3	\$ -	Current	None	09-30-61		Drain pipe Rio Vista Res.
Anaheim, City of	Alderdale Ave/Maychelle Dr.	One Time Easement Fee \$1,510		One-time fee paid 03/2	\$ -	Current	None	N/A		12" Transmission water main pipeline - Sept 2016
Anaheim, City of	Huckleberry Basin	Flat Fee \$1,148			\$ -	Current	None	10-28-39		Storm drain to Huckleberry
Boy Scouts of America, Troop 850	Santiago Bond Basin	Clean Premises			\$ -			Mo. to Mo.		Store 2 container trailers
CA Dept. of Forestry & Fire Protection	Prado - Highway 71	Fire Protection		\$ -	N/A	Current	None	Mo. to Mo.		Cut fire break along fence - Highway 71.
Inland Empire Utility District	Prado Basin	WQ Report		\$ -	N/A	Current	None	03-31-34		Monitoring well site
Robert & Debra Peterson	Prado - Highway 71	Flat Fee \$1,148		\$ -	\$ -	Current	None	06-30-27		Access Permit / Fee increased from \$550 to \$1,148.
Orange, City of	Orange Reservoir No. 10	N/A		\$ -	N/A	Current	None	05-31-34		Antenna on Reservoir No. 10
OC Transportation Authority (OCTA)	Deep Well #5	N/A		\$ -	\$ -					Temporary construction easement for the District's Deep Well #5 property located on the east side of Pacific Street at Spencer Ave in Fountain Valley
SAWA	Prado Basin	Project Cost		\$ -	N/A	Current	None	12/31/2023		Arundo Removal.
SCE & (formerly Royal Street Communications) T-Mobile (ATS) (1)	Riverdale Avenue, Orange	\$1,077.86 + CPI Annual	CPI November 1	\$ 3,285.32	\$ 12,986.06	Current	None	11-13-27		Cellular Comm. Relay Site
Southern California Edison Co. (2)	Anaheim Lake	\$802.44 + CPI Annual			\$ 826.51	Current	None	02-28-38		ATS contract renews with T-Mobile's renewal
Serrano Irrigation District	Santiago Basin	Conj. well site #4		\$ -	N/A	Current	None	Annual Renewal	0.220	Relocate Power Pole
T.E. Roberts	Huckleberry Basin	\$1,337/mo		\$ 5,348.00	\$ 16,044.00	Current	None	1/31/2024		Conjunctive use well. R90-10-210 / orig exp: 7-1-10
University of So. Calif.	Fullerton Airport/ Other Locations	N/A		\$ -	N/A	Current	None	Mo. to Mo.		Staging area for City of Anaheim Pipeline work
Western Riverside Co. Regional Wastewater	Prado Basin	Copy of Reports		\$ -	N/A	Current	None	6-30-46		Measure seismic activity in monitoring wells.
Yorba Linda Water District	Warner Basin Complex	Flat Fee \$550.00		\$ -	N/A	Current	None	12-31-60		Monitoring wells - 3
TOTAL FOR PERMITS/LICENSES				\$ 8,633.32	\$ 29,856.57				116.270	Discharge from well water 20.
TOTAL FOR LEASES & PERMITS/LICENSES				\$ 583,867.54	\$ 1,822,354.79				1,049.682	

NOTES:

1. Monthly Rent is 70% of \$1,266.77 which is adjusted by the CPI annually
2. SCE License Fee due on March 1 of each year

\$ -