AGENDA
ORANGE COUNTY PARKS COMMISSION
THURSDAY, JANUARY 7, 2021 7:00 p.m

JOHN KOOS
Chair
Fourth District

JOE MULLER
Vice Chair
Coastal Cities

BERT ASHLAND
First District

DAVE SHAWVER
Inland Cities

DAVID HANSON
Third District

MICHAEL POSEY
Second District

JUSTIN MCCUSKER
Fifth District

Executive Officer
Stacy Blackwood

The Orange County Parks Commission welcomes you to this meeting. This agenda contains a brief general description of each item to be considered. The Commission encourages your participation. If you wish to speak on a matter that does not appear on the agenda, you may do so during the Public Comment period at the beginning of the meeting. Except as otherwise provided by law, no action shall be taken on any item not appearing on the agenda. When addressing the Commission, please state your name for the record prior to providing your comments. Speakers may be limited to three (3) minutes.

Pursuant to the provisions of California Governor's Executive Order N-29-20, issued on March 17, 2020, the Orange County Parks Commission will be conducting its meeting remotely. While there will not be a physical location for the meeting, the public is invited to observe the meeting by dialing +1-415-655-0001, using Access Code 177 305 3352 or online at the link below (Password #PARKS#)
https://ocgov.webex.com/ocgov/onstage/g.php?MTID=e27ccf22c1377479b4a15f99e719a3ab7

Any member of the public wishing to speak should submit the following information no later than 5pm the day of the meeting to Suchitra.Vattyam@ocparks.com or 949-923-3785:

1. The email subject line or voicemail must state the following: Request to Provide Public Comment at OC Parks Commission Meeting on specify meeting date.
2. Name of Person Requesting to Speak
3. Organization Represented or City of Residence
4. Phone Number/ Screen name that will be used to access the meeting (important)
5. Specify Agenda Item Number or Topic

In compliance with the Americans with Disabilities Act, those requiring accommodation for this meeting shall notify OC Parks at 949-923-3785 or Suchitra.Vattyam@ocparks.com by 5pm on the Monday preceding the meeting. Please provide your name and contact phone number or email.

All supporting documentation is available for public review at https://www.ocparks.com/about/commission under the “Agendas and Minutes” link or by calling 949-923-3785 during regular business hours, 8:00 a.m. – 5 p.m., Monday through Friday.
OC COMMUNITY RESOURCES

Orange County Parks Commission
Duties and Responsibilities

(O.C. Codified Ordinances Sec. 2-2-19: Paraphrased)

Except as otherwise provided, the Orange County Parks Commission shall be advisory to the Board of Supervisors and to the Director of OC Parks, and shall have the power and duty:

1. To recommend to the Board of Supervisors plans and policies for the acquisition, development, maintenance and operation of the harbors, beaches and regional parks of the County;

2. On request of the Board of Supervisors, to advise the Board and make recommendations on any matter pertaining to harbors, beaches and regional parks, and any other matters referred by the Board;

3. On request of the Director, to advise on any question of administrative policy and regarding any matter to be decided by the Director under this division;

4. On appeal from an administrative decision by the Director, to act as a board of administrative review;

5. To make such investigations as it may deem necessary in the exercise of its powers;

6. To perform the duties and functions of the County Fish and Game Commission assigned by either statute or this code, and consider methods for the propagation and protection of fish and game in the State of California and County of Orange. The Commission shall be advisory body to the Board of Supervisors.

OC Parks Commission Regular Meeting Schedule: First Thursday, Monthly, 7:00 p.m.
I. ROLL CALL

II. PUBLIC PARTICIPATION

At this time, members of the public may address the Commission on items of public interest that are within the jurisdiction of the Commission and are not contained in tonight’s agenda.

III. CONSENT CALENDAR (Item A)

The following items on the consent calendar will be approved by one motion unless a Commission member requests to pull a specific item.

A. Approve Commission minutes for October 1, 2020.

IV. DISCUSSION CALENDAR (Items A – D)

A. ELECTION OF OFFICERS FOR 2021

The bylaws of the Commission require that the Commission elect a Chair and Vice-Chair for the calendar year at the first meeting of that year.

RECOMMENDED ACTIONS:

Nominate and select Commissioners for:

1. Chair for Calendar Year 2021
2. Vice-Chair for Calendar Year 2021

B. PROPOSED 2021 OC PARKS COMMISSION MEETING AND FIELD TRIP SCHEDULE

The 2021 Commission activity schedule is provided for review and approval.

RECOMMENDED ACTION:

Approve the 2021 Parks Commission meeting and field trip schedule.

C. CONVEYANCE OF REAL PROPERTY AND ACCESS EASEMENTS AT PETERS CANYON REGIONAL PARK

Two County park parcels associated with Peters Canyon Regional Park are proposed for conveyance and issuance of easements. These parcels do not contain recreation amenities, and portions of the parcels are located across a
private residential road from the park itself. Board approval of the real estate transactions, including park abandonment, sale and conveyance instruments, and easements will reduce County financial and maintenance responsibilities and memorialize historically used accessways.

RECOMMENDED ACTIONS:

1. Recommend that the Board of Supervisors find that the subject properties are not needed for County use and approve conveyance of the two parcels of surplus property to Jack Chou.

2. Recommend that the Board of Supervisors approve the easement to Randall Evans Lake and Sarah Joyce Lake as Co-Trustees of the Lake Living Trust, for the purpose of formalizing access to their adjacent residential property.

3. Recommend that the Board of Supervisors approve the easement to Michael A. Waggoner and Charlotte A. Waggoner, Trustees of the Waggoner Revocable Living Trust, for the purpose of formalizing access to their adjacent residential property.

4. Recommend that the Board of Supervisors approve the easement and waive nominal purchase fees associated with transfer to East Orange County Water District for the purpose of formalizing access to their existing easement located on adjacent property owned by the Lake Living Trust.

D. PARK ABANDONMENT AND CONVEYANCE OF LAND AT UPPER NEWPORT BAY

A portion of Upper Newport Bay was previously slated as part of a road extension in the County’s Master Plan of Arterial Highways (MPAH); it currently does not contain any recreation amenities. The parcel has since been removed from the MPAH and is proposed to be conveyed to the owner of an adjacent property.

RECOMMENDED ACTIONS:

1. Recommend that the Board of Supervisors find that the subject property is not required for County use and approve actions related to park abandonment of the subject property.

2. Recommend that the Board of Supervisors authorize actions necessary for County staff to approve and execute all real estate instruments to transfer the parcel for reasonable consideration based on the market value for the property’s intended use.
V. OC PARKS DIRECTOR’S REPORT

A. DEPARTMENT UPDATE

B. UPCOMING OC PARKS EVENTS

OC Parks continues to provide virtual content on social media while in-person programs remain on hold. January will feature a variety of highlights, including updates and features from the parks, OC Zoo, and historical and paleontological facilities. These virtual programs and highlights can be accessed on both Facebook and Instagram.

VI. COMMISSION COMMENTS AND REPORT

At this time Commissioners may comment on agenda or non-agenda matters and ask questions of or give direction to staff, provided that no action may be taken on off-agenda items unless authorized by law.

VII. ADJOURNMENT
**ORANGE COUNTY PARKS COMMISSION**

**STAFF REPORT**

**FROM:** Stacy Blackwood, Director, OC Parks  
**DATE:** January 7, 2021

**SUBJECT:** Proposed 2021 OC Parks Commission Meeting and Field Trip Schedule

A proposed schedule of 2021 meeting and field trip dates is provided below for the Commission's review.

Seasonal field trips provide the Commission with valuable onsite experiences at various County facilities. The locations of these field trips will be determined by the Commission in the month(s) preceding the field trip.

<table>
<thead>
<tr>
<th>Date</th>
<th>Event Description</th>
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<tbody>
<tr>
<td>January 7</td>
<td>Regular Meeting</td>
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<tr>
<td>February 4</td>
<td>Regular Meeting</td>
</tr>
<tr>
<td>March 4</td>
<td>Regular Meeting</td>
</tr>
<tr>
<td>April 1</td>
<td>Cancelled Meeting</td>
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<tr>
<td>Friday, April 9</td>
<td>Commission Field Trip – Location TBD</td>
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<tr>
<td>May 6</td>
<td>Regular Meeting</td>
</tr>
<tr>
<td>June 3</td>
<td>Regular Meeting</td>
</tr>
<tr>
<td>July 1</td>
<td>Cancelled Meeting</td>
</tr>
<tr>
<td>Friday, July 9</td>
<td>Commission Field Trip – Location TBD</td>
</tr>
<tr>
<td>August 5</td>
<td>Regular Meeting</td>
</tr>
<tr>
<td>September 2</td>
<td>Cancelled Meeting</td>
</tr>
<tr>
<td>Friday, September 10</td>
<td>Commission Field Trip – Location TBD</td>
</tr>
<tr>
<td>October 7</td>
<td>Regular Meeting</td>
</tr>
<tr>
<td>November 4</td>
<td>Regular Meeting</td>
</tr>
<tr>
<td>December 2</td>
<td>Cancelled Meeting</td>
</tr>
</tbody>
</table>

**RECOMMENDED ACTION:**

Approve the 2021 Parks Commission meeting and field trip schedule.

[Signature]

Stacy Blackwood
ORANGE COUNTY PARKS COMMISSION

STAFF REPORT

FROM: Stacy Blackwood, Director, OC Parks

DATE: January 7, 2021

SUBJECT: Conveyance of Real Property and Access Easements at Peters Canyon Regional Park

In 1992, the Irvine Company dedicated 340 acres of land to the County within the boundaries of the Cities of Orange and Tustin, to be preserved as open space. This land was later named Peters Canyon Regional Park ("Peters Canyon"), and today, Peters Canyon is largely surrounded by residential development. Portions of Peters Canyon are located immediately adjacent to and/or surrounding Bent Tree Road and Shady Canyon Road, a private road leading to a private residential community.

Jack Chou is the owner of several parcels adjacent to Peters Canyon along Shady Canyon Road. Mr. Chou intends to develop his property with three single family homes and construct an entry signage monument for those homes. The Orange County Fire Authority requires Mr. Chou to provide a fuel modification zone as a fire protection measure in order to develop his property. Consequently, Mr. Chou approached the County about purchasing two County parcels that surround Shady Canyon Road (Parcels PR30K-101.5 and 101.6 on attached Location Map, totaling 0.95 acres), which presently do not have any recreation uses, to establish the required fuel modification zone and for the entry monument. The County has prepared a purchase and sale agreement for acquisition of both parcels in the amount of $120,000. The agreement includes a reservation of access easements to the County within the two parcels (Parcels PR30K-876 and 877) to allow the County continued access along Shady Canyon Road. The sale of the parcels to Mr. Chou will support development of homes with adequate fuel modification zones and relieve the County of financial and maintenance obligations for properties that are not currently used for recreational purposes.

In reviewing the parcels, staff discovered the smaller parcel (Parcel 104-290-26) has an unrecorded historic access easement over the westerly portion of that property (Parcel PR30K-878), which is routinely used by the East Orange County Water District ("EOCWD"), the Lake family to access adjacent Lake family property, and the Waggoner family to access their adjacent property for landscape and maintenance. Staff met separately with EOCWD and representatives of both the Lake family and the Waggoner family. All parties have requested that the County formally document the historic easement before the property is conveyed to Jack Chou. The Lake and Waggoner families have each agreed to pay $5,000 to the County for processing and easement consideration fees. The nominal easement purchase fees are being waived for EOCWD to facilitate a public benefit associated with the public utility purpose, but EOCWD will arrange for payment of the County’s $2,500 processing fee as the total consideration to be received from EOCWD.

The conveyance and easement parcels were appraised based on a historical market data analysis conducted by CEO Real Estate to ensure the County is receiving a fair market value. Both CEO Real Estate and OC Parks recommend approval of this transaction to facilitate the
development of a fuel modification zone and an entry monument, and to formalize and document the historic easement usage by adjacent property owners and the water district.

Natural Community Conservation Plan and Habit Conservation Plan ("NCCP/HCP"): The property is not subject to NCCP/HCP but is subject to a fuel modification zone resulting from the establishment of NCCP/HCP in the adjacent reserve. Jack Chou as Grantee will accept the obligation to maintain the property pursuant to Orange County Fire Authority’s fuel modification guidelines consistent with NCCP/HCP policies.

Surplus Property: This property was noticed as surplus property per Government code 54222 on July 30, 2020. No interested parties responded to the notice.

Park Abandonment: These parcels were restricted by a Use Restriction and Reversionary Interest held by The Irvine Company, which was terminated by document number 2020000361361 and recorded on July 27, 2020. No other County park restrictions exist on these parcels, therefore, park abandonment is not required.

RECOMMENDED ACTIONS:

1. Recommend that the Board of Supervisors find that the subject properties are not needed for County use and approve conveyance of the two parcels of surplus property to Jack Chou.

2. Recommend that the Board of Supervisors approve the easement to Randall Evans Lake and Sarah Joyce Lake as Co-Trustees of the Lake Living Trust, for the purpose of formalizing access to their adjacent residential property.

3. Recommend that the Board of Supervisors approve the easement to Michael A. Waggoner and Charlotte A. Waggoner, Trustees of the Waggoner Revocable Living Trust, for the purpose of formalizing access to their adjacent residential property.

4. Recommend that the Board of Supervisors approve the easement and waive nominal purchase fees associated with transfer to East Orange County Water District for the purpose of formalizing access to their existing easement located on adjacent property owned by the Lake Living Trust.

Stacy Blackwood

Attachment: Location Map
PR47D-301.1 is a vacant 13,785 square foot parcel of land located north of the Upper Newport Bay between Bayview Trail and the residences along Mesa Drive in Newport Beach, California (see attached Location Map). There are currently no recreation amenities existing on this parcel.

This parcel was owned by The Irvine Company (“TIC”) and included in the County’s Master Plan of Arterial Highways (“MPAH”) as part of an extension of University Drive between Irvine Blvd. and Jamboree Road. After the University Drive extension was no longer considered viable, the subject parcel, along with adjoining strips from University Drive to Jamboree Road, was offered by TIC as an Irrevocable Offer of Dedication (“IOD”) to the County, July 24, 1989 with a restriction for passive recreation uses only. The County accepted the IOD July 27, 1990 recorded as Document 90-395-556. In 1990, the extension of University Drive was also removed from the County’s MPAH.

The owner of the adjacent property, Buck Johns, approached the County to purchase the subject parcel. Since Parcel PR47D-301.1 will not be used by the public and it is not appropriate, convenient, or necessary for park purposes, it may be abandoned pursuant to the County Park Abandonment Law of 1959 (Section 25580 et seq. of the Government Code) and pursuant to Section 2-5-301 “Abandonment” of the County Codified Ordinances. TIC has also approved the Termination of Use Restriction and Reversionary Interest document, which will be recorded in January 2021.

The County park abandonment process requires the Board to meet twice. The first meeting establishes the intent to abandon the parcel, sets the date for the second meeting at least 60 days later, and requires unanimous acceptance by all members. During the 60-day lag time, County staff will comply with all posting and publishing requirements mandated by the code section. During the second meeting the Board will hear any objections by the public and make its final determination regarding abandonment. The proposed transaction will result in conveyance of County Parcel PR47D-301.1 to Buck Johns.

Once the abandonment is complete, CEO Real Estate will proceed with the processing of the quitclaim deed and purchase and sale agreement with Buck Johns to complete the land conveyance. CBRE Valuation and Advisory Services (CBRE) prepared the valuation for the portion of County-owned parcel for conveyance and determined the value to be $13,000. CEO Real Estate has reviewed the CBRE valuation and agrees with its determined value. Buck Johns has additionally agreed to pay a $20,000 processing fee for this transaction.

Natural Community Conservation Plan and Habit Conservation Plan (“NCCP/HCP”): The property is not located in the NCCP/HCP Reserve.
Surplus Property: This property was noticed as surplus property per Government code 54222 on August 17, 2020. No interested parties responded to the notice.

RECOMMENDED ACTIONS:

1. Recommend that the Board of Supervisors find that the subject property is not required for County use and approve actions related to park abandonment of the subject property.

2. Recommend that the Board of Supervisors authorize actions necessary for County staff to approve and execute all real estate instruments to transfer the parcel for reasonable consideration based on the market value for the property's intended use.

Stacy Blackwood

Attachment: Location Map
Purchase Parcel PR47D-301.1
(Portion 0.32 Acres)