

**REGIONAL CONSERVATION AUTHORITY
MINUTES
JULY 12, 2004**

1. CALL TO ORDER

The meeting of the Western Riverside County Regional Conservation Authority was called to order by Chair Robin Lowe.

2. ROLL CALL

Barbara Hanna, City of Banning
Larry Dressel, City of Beaumont
Martin Gibson, City of Canyon Lake
Eugene Montanez, City of Corona
Robin Lowe, City of Hemet
Robert Schiffner, City of Lake Elsinore
Charles White, City of Moreno Valley
Frank Hall, City of Norco
Dom Betro, City of Riverside
Chuck Washington, City of Temecula
Supervisor Buster – District One
Supervisor Tavaglione – District Two
Supervisor Venable – District Three
Supervisor Wilson – District Four
Supervisor Ashley – District Five

Guests:

Brian Smith, County of Riverside
Brian Beck, County of Riverside
Amelia Vailuu, County of Riverside, EDA
Gail Wanczuk
Andrea DeLeon
Tony Carstens, Director TLMA
K. Gifford, County of Riverside Executive Offices
Darcy Kuenzi, Office of Supervisor Ashley
Laurie Dobson Correa, RCTD
Honey Bernas, TLMA
Jeffrey Specter, City of Moreno Valley
Debbie Lindbergh, Alhadeff & Solar
Jean Carr, Jones & Stokes

Staff:

Rick Bishop
Chris Brickel
Kevin Viera
Bill Hodge
Patricia Lock-Dawson
Carolyn Luna

David Huynh
Steve DeBaun, Legal Counsel
Michelle Ouelette, Legal Counsel
Brian Beck

3. PUBLIC COMMENTS

There were no public comments

4. BOARD MEMBER COMMENTS

No Board Member comments

5. MINUTE APPROVAL – June 7, 2004

M/S/C (Montanez/Ashley) Approve minutes of June 7, 2004 meeting as presented.
Motion carried 13/2-abstentions.

6. CONSENT CALENDAR

6.1 Adoption of Resolution No. 04-04, Request for NCCP Local Assistance Funds for Development of an Implementation guidance Program and Management of NCCP Reserve Lands.

Chairperson Robin Lowe called upon Patricia Lock-Dawson to provide information and comments on Item 6.1 as shown in the agenda. Ms. Lock-Dawson spoke of requesting funds to assist in the implementation guidance materials as well as managing reserve land. She asks the board to approve the request of \$200,000 for assistance with the two items mentioned.

M/S/C (Hanna/White) Approve adoption of Resolution No. 04-04.
Motion Carried Unanimously.

7. POLICY CALENDAR

7.1 Status of Permit Issuance

Ms. Michelle Ouelette, BB&K, advised that on June 27, 2004 both Fish and Wildlife Service and Dept of Fish and Game issued Take Permits for Western Riverside County MSHCP. The signing ceremony is currently scheduled for August 12, 2004. She continued with additional information on the "No Surprises Policy".

Action: Authorize staff to take appropriate action to:

1. Encourage the Department of the Interior to promptly complete the rulemaking on the Permit Revocation Rule.
2. Pursue a legislative reminder

M/S/C (Hall/Tavaglione) Approval for staff to take recommended actions as outlined above.

Suggestions and comments followed on the importance of caution and uniformity, cooperating with the BIA and "No Surprises" assurance. Ms. Ouelette advised members that there are original copies of the agreement available for each city. Receipt of the copy requires signature of the city's representative with the suggestion that each city's document be retained by the City Attorney or City Manager.

7.2 RCA Conflict of Interest Code

Mr. Steve DeBaun, BB&K, advised that public agencies are required to have a Conflict of Interest Code and he referred everyone to the draft Conflict of Interest Code included in the Agenda. Supervisor Buster requested a map to show the area of authority – specifically, what is “Western Riverside County”. On future agendas he recommends posting anything such as a contract, permits, etc. anything that might trigger disqualification because of a gift or donation above the various limits. Posting should be on each agenda as a matter of record.

Comments focused on the State Law requiring agencies with appointed members as opposed to elected members be required to disclose gifts, contributions, etc. in amounts exceeding \$250 in a calendar year. When serving in your home agency, the law does not apply. Mr. Washington questioned whether the alternates were to complete the form as well as the member. Mr. DeBaun advised it would be necessary.

Action: Adopt the Western Riverside County Regional Conservation Authority Conflict of Interest Code.

M/S/C (Gibson/Buster) Approve adoption of the Conflict of Interest Code as presented.

Motion Carried.

7.3 Status Report – MSHCP Guidance Manual Preparation and Training Workshops

Carolyn Syms Luna advised that the MSHCP Workshop will take place on July 15, 2004 at the WRCOG TAC Meeting. She would encourage City Managers to have their Public Works Directors attend this scoping session also. A follow up meeting will be scheduled approximately four weeks later to address revisions and/or additions.

7.4 RCA Priorities and Organizational Structure

Carolyn Syms Luna reviewed the priorities for the next year: Training, Committee Organization, Management Planning, Funding Priorities, Acquiring Land, Joint Project Review and Legal Action – “No Surprises Rule”.

Members of the implementation staff were introduced noting their particular positions. There will be some organizational changes. Rick Bishop’s position was clarified as that of a Policy Arm for the RCA Board and acting as a direct liaison for state and federal issues as well.

Action: Endorse the RCA Priority list and direct staff to proceed forward accordingly.

M/S/C (White/Montanez) Approve the RCA Priority list with staff to proceed forward.

Motion Carried:

7.5 Sub-lease Agreement between the RCA and Riverside-Corona Resource Conservation District

Michelle Ouelette provided a brief review of the sub-lease agreement. Questions and comments followed on:

- DFG Occupancy
- Monitoring Equipment Availability
- Pros/Cons on everyone being situated at the County Building to attain greater efficiency.
- Correction to Item 2. in the agreement to show Section 11 as opposed to Section 13.
- What is the purpose of Riverside-Corona Resource Conservation District (RCRCD)?
- What are the education functions and will presentations be available?
- Rent rates – location, parking and equipment makes it feasible

Action: Approve the Sublease Agreement and authorize the RCA chairperson to execute said agreement on behalf of the RCA Board

M/S/C (Tavaglione/Ashley) Approve the sublease agreement to be executed by RCA Chair.

Motion Carried: 15/0

7.6 Consideration and possible approval of Ordinance No. 04-01 authorizing the acceptance of property by the RCA and the Execution of a Certificate of Acceptance related thereto.

Mr. Brian Beck, RCA Staff, provided a presentation regarding 63 acres north of the Highgrove Landfill. After evaluation, the property was shown to be negative for toxics and the board would recommend acceptance of the property for conservation. It is shown to be a good habitat for the California Gnat Catcher.

M/S/C (Schiffner/Betro) Approve Ordinance No. 04-01

Motion Carried: 15/0

7.7 Board Workshop – Land Acquisitions and Priorities

Patricia Lock Dawson spoke on recent land acquisitions, funding through grant opportunities, how we acquire properties and grant money available for eligible lands. The funding group would review priorities for purchase, administer funds and seek BOS approval for the accounting process. Brian Beck, EDA, began his slide presentation discussing the types of acquisitions to be considered by the board for implementing the MSHCP.

1. Willing Sellers
2. Habitat Acquisition Negotiation Strategies (HANS)
3. Initiated by the Board
4. City MOU

A typical acquisition process would include: Title report, appraisal, review of documents and conferring with the Board or other consulting group. After completing these steps, an offer to the property owner is made. At this point, he accepted questions from members. Supervisor Tavaglione inquired as to the type of Title Policy to be requested and recommended it should be ALTA Policies rather than CLTA Policies. Mr. Beck advised this would be an excellent recommendation to include in Policies and Procedures.

Mr. Steve DeBaun spoke briefly of a recommendation to allow staff to make acquisitions using tiered authority for purchases in varying amounts. A draft ordinance is included in the

agenda packet. He emphasized they will not be looking for board approval on this recommendation today but would seek approval perhaps at the August meeting.

Patricia Lock Dawson continued with this agenda item by briefly discussing how the committees will interface with the RCA Board. The four committees established thus far have established membership, all governing by-laws have been approved, meeting schedules are being established and they are identifying priorities and agendas so that the committees will be up and running quickly. Mr. Frank Hall requested a list of committee members to be included with the previously mentioned materials.

8. General Announcements

Chair Robin Lowe reminded everyone of the Scoping Session concerning the MSHCP. The meeting will be held on July 15, 2004 at 9:30 a.m. in conjunction with the WRCOG TAC meeting. The location will be County Administration Center, 4080 Lemon Street, 4th Floor, Rooms C & D, Riverside, CA 92501.

9. Items for Future Agenda

No items suggested by members.

10. Closed Session

A Closed session was held.

11. Adjournment

Meeting was adjourned with next meeting scheduled for August 2, 2004.