



Western Riverside County Regional Conservation Authority

Administrative Committee

Minutes of Action Items

**Wednesday, April 19, 2006
12:00 p.m.**

1. CALL TO ORDER

The meeting of the Western Riverside County Regional Conservation Authority Administrative Committee was called to order by Chairman Kelly Seyarto at 12:21 p.m. in the Twelfth Floor Conference Room A at the County Administrative Center, 4080 Lemon Street, Riverside, California, 92501.

2. ROLL CALL

Committee Members/Alternates Present

Marion Ashley
Bob Buster
John Machisic
Eugene Montanez
Kelly Seyarto

Committee Members Absent

Robin Lowe
Jeff Stone

Staff Members

Sharon Baker-Stewart
Honey Bernas
Ken Graff
Pat Egetter
Rochelle Jensen
Naty Kopenhaver
Tom Mullen
Joe Richards
Michelle Ouellette

Others Present

John Field, Second District
Kathryn Field, Executive Office
Tina Grande, Executive Office
Darcy Kuenzi, Fifth District
Yvonne Moore, CDFG
Joe Monaco, Dudek
Greg Neal, EPD
Janet Parks, Facilities Mgmt
Jennifer Sargent, Executive Office

3. PUBLIC COMMENTS

There were no public comments.

4. COMMITTEE MEMBER ANNOUNCEMENTS

There were no Committee member announcements.

5. ADDITIONS/REVISIONS

There were no additions/revisions.

6. APPROVAL OF MINUTES

M/S/C (MONTANEZ/ASHLEY) to approve the minutes of the March 8, 2006 meeting.

7. DISCUSSION AND POSSIBLE ADMINISTRATIVE COMMITTEE ACTION CONCERNING THE BIOLOGICAL MONITORING PROGRAM WORK PLAN AND COST ESTIMATE FOR FISCAL YEAR 2006-07

Joe Richards, Deputy Executive Director, informed the Committee that, as required by the MSHCP, staff has developed a Biological Monitoring Program work plan to monitor covered species within the conservation areas. A meeting of the Reserve Management Oversight Committee to review the work plan was called but cancelled due to lack of a quorum. The work plan with an estimated cost of \$1,520,419.00 for FY 2006-07 is presented to the Administrative Committee for review and approval.

Honey Bernas, Director of Administrative Services, noted an amendment to the program budget, as follows: 1) Under RCA Contracted Labor, increase the RCD Office Facility line by \$5,000, from \$75,000 to \$80,000; and, 2) Under RCA Funded Operating Expenses & Equipment, decrease the Field Equipment – Non Fixed Asset line by \$5,000, from \$26,000 to \$21,000. The amended line items would not change the Grand Total Cost of the work plan.

M/S/C (MACHISIC/MONTANEZ) to:

- 1) Approve the Biological Monitoring Program Work Plan and Estimate of Cost for FY 2006-07 in the amount of \$1,520,419; and,***
- 2) Place this item on the May 1, 2006 meeting agenda of the RCA Board of Directors.***

8. RECEIVE AND FILE THE MANAGEMENT AUDIT OF THE WESTERN RIVERSIDE COUNTY REGIONAL CONSERVATION AUTHORITY AND ENDORSE THE ACTIONS IDENTIFIED IN EXHIBIT A

Tom Mullen, Executive Director, stated that in November 2005, the Board approved expanding the scope of work for the audit to include a management audit. The audit that started in January 2006 was completed and the General Recommendations and Staff Response, shown in Exhibit A, are presented to the Committee. Staff basically concurs with the recommendations. With regard to the recommendations on staffing and basic structure of the organization chart, he recommended that the Executive Director should have the responsibility to develop and maintain the agency's organizational chart and fill positions within the adopted budget. A review of some positions is underway and a recommendation on the reclassifications will be presented to the Committee once it is completed. With regard to the recommendation for RCA to develop an independent structure from the County, staff will explore this recommendation.

Bob Buster pointed out that the big variable is the revenue stream, and Tom Mullen said that the two requests for proposals that RCA will be launching will assist in this matter. The Programmatic Study will determine whether accelerating the placement of infrastructure through the MSHCP is possible and the Economatrix Study will provide an estimate on the cost per acre and the sources of revenues in five-year increments over a twenty-five year period. Both of the studies will look at federal loan programs and subventions. Preliminary discussions with consultant representatives from Lowry and the Ferguson Group indicate that there is a good chance we may be able to tap into a couple of existing programs that would be acceptable to the Congress and the Administration. Whether it is a federal loan program or a subvention program, the two major studies will provide answers to these matters.

Eugene Montanez said that one of the concerns would be from an overhead staffing standpoint that when revenues start to drop that there should be policies or mechanism in place to cap overhead.

Tom Mullen noted that staffing of the Authority's operations, management and monitoring, and land acquisitions are the three components to the budget. RCA currently has maintained a very tight staffing of seven employees. Maintenance is at a minimum at this point but monitoring needs to move forward. Land acquisition takes a large portion of the budget. The revenues on land acquisition will fall first. However, it is estimated that there is sufficient funding within the first six (6) months. He does not believe that the softening of real estate will impact RCA this cycle. He further advised that we are working with the COG to determine TUMF revenues, as well as timing and

transfer of said revenue. He thanked and commended staff of the Executive Office for doing an outstanding job on the management audit.

M/S/C (MONTANEZ/MACHISIC) to:

- 1) Receive and file the Management Audit Report;***
- 2) Endorse the actions in Exhibit A; and,***
- 3) Place this item on the May 1, 2006 meeting agenda of the RCA Board of Directors.***

9. REVIEW AND POSSIBLE ADMINISTRATIVE COMMITTEE ACTION CONCERNING THE PROPOSED BUDGET FOR FISCAL YEAR 2006-07

Joe Richards, Deputy Executive Director, said that the proposed Fiscal Year 2006-07 budget anticipates a little over \$58 million in revenues with \$38 million allocated for land purchase. It is estimated that there will be \$36 million in development fees in FY 2006-07; however, staff has reduced the amount of the fees in the budget by 25% due to possible slowdown in development. He noted that the County Building and Safety estimated a 15% reduction in activity for FY 2006-07. There are three components to the proposed budget – Administration, Land Acquisition, and Management/Monitoring. The administration of land purchase, budgeted at \$6 million, included negotiations which is through a contract with the County Facilities Management. This budget line item also includes \$2.5 million for the two major studies – Programmatic and Economatrix Study. Overall administration is about 2-3%, which he believed is reasonable to support a \$58 million program budget. With the uncertainty of the infrastructure contribution, staff has only budgeted \$200,000 at this time. The proposed budget also included \$30 million in Measure “A” revenues. The tipping fees revenue, which is a flexible source of revenue for RCA, has been dedicated to the maintenance and monitoring program. If there is any change in revenues or expenditures, staff will present a budget amendment to the Board in mid year.

In response to Darcy Kuenzi regarding density bonus as a source of revenue for RCA, Tom Mullen said that RCA has not included density bonus as a source of revenue at this point until such time as an agreement is reached.

M/S/C (ASHLEY/BUSTER) to:

- 1) Recommend that the Board approve the proposed budget for Fiscal Year 2006-07; and,***
- 2) Place this item on the May 1, 2006 meeting agenda of the RCA Board of Directors.***

10. CONSIDERATION AND POSSIBLE ADMINISTRATIVE COMMITTEE ACTION CONCERNING CHANGING THE START TIME AND/OR DATES OF FUTURE ADMINISTRATIVE COMMITTEE

Honey Bernas, Director of Administrative Services, informed the Committee that the change in meeting time of RCTC Board meeting may affect the start time of the Administrative Committee meetings.

Discussion followed among the Committee members on the possibility of either changing the meeting day or start time of the meeting.

M/S/C (MONTANEZ/MACHISIC) to change the start time of the Administrative Committee meeting from 12:45 p.m. to 1:00 p.m. or immediately following the meeting of the Western Riverside Council of Governments Administration and Finance Committee.

11. CONSIDERATION AND POSSIBLE ADMINISTRATIVE COMMITTEE ACTION CONCERNING AMENDMENT NO. 2 TO THE AGREEMENT BETWEEN THE WESTERN RIVERSIDE COUNTY REGIONAL CONSERVATION AUTHORITY AND ENVIRONMENTAL CAREERS ORGANIZATION, INC.

Honey Bernas advised the Committee that the amended agreement with Environment Careers Organization, Inc., decreases the rate for fringe, mission and placement, and indirect costs for all new intern placements and new extensions from 52% to 35%.

Committee Member Buster asked how the interns were working out and what hiring process we went through. At this time, Yvonne Moore reviewed the process for recruitment of interns. Committee Member Buster suggested that staff keep in mind the possibility of hiring interns through the County's TAP program, which has a much lower overhead rate.

M/S/C (BUSTER/MONTANEZ) to:

- 1) Recommend that the Board approve the amendment to the Agreement between the RCA and the Environmental Careers Organization, Inc. to take effect immediately until June 30, 2007; and,***
- 2) Place this item on the May 1, 2006 meeting agenda of the RCA Board of Directors.***

12. CONSIDERATION AND POSSIBLE ADMINISTRATIVE COMMITTEE ACTION CONCERNING A POLICY REGARDING USES AND ACTIVITIES ON RCA-OWNED RESERVES

Joe Richards stated that as RCA continues to acquire properties, a policy needs to be in place on the types of uses that will be permitted on portions of the Reserve under its stewardship. The proposed policy notes the activities allowed and sets parameters for uses in the Reserve. Staff recommends that certain activities, such as hunting and grazing, be placed on hold for future consideration until more land is acquired and details have been worked out with the Wildlife Agencies. The proposed policy includes allowing for existing roadways and to accommodate planned roadways in the Reserve as long as it complied with the Section 7 of the Plan. In addition, the RCA will turn over right-of-way for road projects upon request by the Permittee and will make every effort to keep obstructions out of the way, i.e. fencing. But in order to do so, the Permittee (city or County) will need to notify the RCA of their plans for roadways as soon as possible.

In response to Bob Buster's question if RCA has worked with communication facilities on such things as cell phone towers, Joe Richards said that staff has not worked with communication or public communication agencies to date. This will be dealt with on a case-by-case basis.

With regard to mountain bike and horseback riding activities, Joe Richards said that this would be a trail issue. John Machisic noted that in allowing for horse trails in the Reserve, facilities such as stables must be built. In addition, he noted problems and difficulty in removing single family dwellings in the Reserve once they are built. Perhaps a mobile home type of structure may be considered instead.

Chairman Seyarto said that this is a starting point for the policy and agreed that there is a need to review and consider elements of the policy once RCA has acquired a fair amount of properties.

M/S/C (BUSTER/MONTANEZ) to:

- 1) Recommend that the Board approve the policy regarding uses and activities on RCA-Owned Reserves; and,***
- 2) Place this item on the May 1, 2006 meeting agenda of the RCA Board of Directors.***

13. CALL BACK ITEMS

- 13.1 Update on the Threatened and Endangered Species Recovery Act (TESRA)**

Michelle Ouellette reported no action on the TESRA bill. She noted a correspondence being circulated by the California Natural Resources Group encouraging entities to sign on to support TESRA.

Tom Mullen iterated that RCA not become involved in this issue. He said that the rural counties organization has requested the California Building Industry Association (BIA) to become involved. There is a \$3.8 million effort by the BIA targeted toward the Senate to introduce a Senate Bill concerning the Endangered Species Act. He does not believe that this will go far, but in any case, RCA should not take a position on this matter as it is an implementing agency.

M/S/C (BUSTER/ASHLEY) to recommend that RCA not take a position on the TESRA bill.

Tom Mullen said that staff will bring this item back only if there is movement in the Senate.

13.2 Discussion and Possible Administrative Committee Action Concerning Use of Volunteers for Reserve Maintenance

Ken Graff, Director of Land Acquisition and Management, said that staff was requested to look into the use of volunteers for MSHCP Reserve maintenance, as Supervisor Buster has read news accounts that volunteers were used to eradicate exotic weeds, etc. He said that volunteers can provide a service with potentially large savings in labor costs benefiting the several of the required functions of the RCA's reserve maintenance, management, and monitoring programs. Examples of tasks where volunteers were used include the monitoring of the Bald Eagle migration, two man Fire Lookouts and Interpretive Centers, as well as cleaning road and highway shoulders and local clean-up campaigns. He reviewed the comments by Parks and the Monitoring Program Administrator to be considered regarding the proposal to use volunteers. The RCA currently has 7,000 acres in inventory that it is responsible for and a majority of reserve lands that are still in fee title are managed and maintained by other agencies. Therefore, it is premature at this time to implement a volunteer program at this time. RCA should support and participate with any specific volunteer program request from Parks, non-profit organizations and local permittee agencies, but not as a lead agency for the program.

Eugene Montanez agreed and said that forming an organization to monitor at this time would be problematic and contrary to not having an additional overhead expense. It would be beneficial for RCA to contract with others such as the Conservation Corp.

Bob Buster agreed with staff's recommendation and added that RCA may at some point in the future consider implementing such a program.

It was determined by the Committee to continue discussions on a Volunteer Program for RCA related services when warranted.

13.3 Discussion and Possible Administrative Committee Action Concerning Draft Resolution No. 06-05 Establishing a Policy for Reimbursement of Costs Related to Joint Project Review, Meet and Confer, Criteria Refinement, and MSHCP Amendments

Joe Richards reported that as recommended by the Board, staff referred this item back to the Administrative Committee for further review. Two items were discussed and considered: 1) Whether RCA has the authority to charge administrative fees, under the Plan; and, 2) Whether the project related costs were to be absorbed in the Plan's overall funding program. As noted in the staff report, the Plan allows for the RCA to charge administrative fees. RCA staff falls under the umbrella in terms of cost recovery. The permittee would collect the fee for processing of the project for consistency review, under the MSHCP. The RCA staff would continue the process and bill the permittee (city or county). To simplify the accounting process, the proposed policy would have the developer or applicant deposit the fees to RCA directly and RCA would bill against the deposit for time worked on the project. With response to funding, RCA does not have the flexibility with its funding sources. Development fees are specifically for acquisition. He noted that a question was raised whether the TUMF funds should only be used for land acquisition as it is considered as a development fee. Therefore, RCA's only source of revenue for administrative cost would be the tipping fees which are currently used for management and monitoring.

Eugene Montanez suggested that staff include the range of cost to be charged in its report to the Board.

M/S/C (MONTANEZ/MACHISIC) Recommend that the Board adopt Resolution No. 06-05 Establishing a Policy for Reimbursement of Costs related to Joint Project Review, Meet and Confer, Criteria Refinement, and MSHCP Amendments and authorize staff to agendize this matter for the June 12, 2006 meeting of the RCA Board of Directors.

14. FUTURE AGENDA ITEMS

Chairman Seyarto reported that RCA is being mentioned as one of the participants and may have to review and take a position on the proposal for a rock quarry being done by Granite Construction located in the southwest county. He said that an

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Environmental Impact Report is being developed and is forthcoming. This is just to make the Administrative Committee aware that this project may be before them in the near future.

Marion Ashley said that this is in District 1 area and will go through a very involved process. It is questionable whether RCA will be involved in the process.

Tom Mullen stated that RCA will not take any extraordinary action until such time as the project is referred for its review and position.

At this time, the Administrative Committee adjourned to Closed Session.

15. CLOSED SESSION

Conference with Real Property Negotiator Pursuant to Government Code Section 54956.8

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| 15.1 | Property: | APN 581-200-001 |
| | Negotiating Parties | |
| | Agency Negotiator: | Director of Land Acquisition and Property Mgt. or Designee |
| | Property Agent: | United Five/Alex Stamatakas |
| | Under Negotiation: | Price/Terms |
| 15.2 | Property: | APN 581-190-007 |
| | Negotiating Parties | |
| | Agency Negotiator: | Director of Land Acquisition and Property Mgt. or Designee |
| | Property Agent: | United Five/Alex Stamatakas |
| | Under Negotiation: | Price/Terms |
| 15.3 | Property: | APN Nos. 421-190-008, 421-190-009, 421-200-003, 421-200-006, 421-200-007, 421-200-008, 421-200-017, 421-200-030, 421-200-031, 421-210-012, 421-210-023, 421-210-024, 423-240-003, 423-240-005, 423-240-012 |
| | Negotiating Parties | |
| | Agency Negotiator: | Director of Land Acquisition and Property Mgt. or Designee |
| | Property Agent: | Wolfskill/William Driscoll Trustee |
| | Under Negotiation: | Price/Terms |

- 15.4 Property:** APNs 473-110-001, 473-110-024,
473-110-019, 473-110-020, 473-120-008
- Negotiating Parties**
Agency Negotiator: Director of Land Acquisition and Property Mgt. or
Designee
- Property Agent:** Pecuniary Capitol Group/Don DiLello
Under Negotiation: Price/Terms
- 15.5 Property:** APN No. 473-200-008, 413-140-003
- Negotiating Parties**
Agency Negotiator: Director of Land Acquisition and Property Mgt. or
Designee
- Property Agent:** Moring/Thomas Moring
Under Negotiation: Price/Terms

There were no reportable items from Closed Session.

16. ADJOURNMENT

With no other items before the Administrative Committee, Chairman Seyarto adjourned the meeting at 1:54 p.m. The next meeting is scheduled to be held at 1:00 p.m. on May 10, 2006, or immediately following the WRCOG Administrative and Finance Committee meeting, at the County Administrative Center, 4080 Lemon Street, 12th Floor Conference Room A, Riverside, California.

Respectfully submitted,



Honey Bernas
Clerk of the Board