



**Western Riverside County  
Regional Conservation Authority**  
*www.wrc-rca.org*

*Established in 2004, the Western Riverside County Regional Conservation Authority is a joint powers authority consisting of fourteen (14) cities and the county. The RCA is charged with administering the 2003 Western Riverside County Multiple Species Habitat Conservation Plan.*

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**MEETING**

1:00 P.M., October 2, 2006  
Riverside County Administrative Center  
First Floor, Board Room  
4080 Lemon Street, Riverside

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**BOARD OF DIRECTORS**

**OFFICERS**

**Kelly Seyarto, Chairperson**  
*City of Murrieta*

**Jeff Stone, Vice Chairperson**  
*County of Riverside District III*

**Robin Lowe, Past Chairperson**  
*City of Hemet*

**BOARD MEMBERS**

**John Machisic**  
*City of Banning*

**Mark Yarbrough**  
*City of Perris*

**Larry Dressel**  
*City of Beaumont*

**Dom Betro**  
*City of Riverside*

**Shenna Moqet**  
*City of Calimesa*

**Chris Carlson Buydos**  
*City of San Jacinto*

**John Zaitz**  
*City of Canyon Lake*

**Chuck Washington**  
*City of Temecula*

**Eugene Montanez**  
*City of Corona*

**Bob Buster**  
*County of Riverside District I*

**Robert Schiffner**  
*City of Lake Elsinore*

**John Tavaglione**  
*County of Riverside District II*

**William Batey**  
*City of Moreno Valley*

**Roy Wilson**  
*County of Riverside District IV*

**Frank Hall**  
*City of Norco*

**Marion Ashley**  
*County of Riverside District V*

**Tom Mullen, Executive Director**  
**Joe Richards, Deputy Executive Director**



**WESTERN RIVERSIDE COUNTY  
REGIONAL CONSERVATION AUTHORITY**

[www.wrc-rca.org](http://www.wrc-rca.org)

**AGENDA**

**Monday, October 2, 2006  
1:00 p.m.**

**Riverside County Administrative Center  
First Floor Annex – Board Hearing Room  
4080 Lemon Street  
Riverside, CA 92501**

*In compliance with the Americans with Disabilities Act and Government Code Section 54954.2, if special assistance is needed to participate in a Board meeting, please contact the Clerk of the Board at (951) 955-9700. Notification of at least 48 hours prior to meeting time will assist staff in assuring that reasonable arrangements can be made to provide accessibility at the meeting.*

- 1. CALL TO ORDER**
- 2. ROLL CALL**
- 3. PUBLIC COMMENTS**

At this time members of the public can address the RCA Board of Directors regarding any items within the subject matter jurisdiction of the Board that are not separately listed on this agenda. Members of the public will have an opportunity to speak on agenda items at the time the item is called for discussion. No action may be taken on items not listed on the agenda unless authorized by law. Any person wishing to address the Board on any matter, whether or not it appears on this agenda, is requested to complete a Request to Speak form available at the door. The completed form is to be submitted to the Clerk of the Board prior to an individual being heard. Whenever possible, lengthy testimony should be presented to the Board in writing and only pertinent points presented orally.

- 4. BOARD MEMBER ANNOUNCEMENTS**
- 5. ADDITIONS/REVISIONS** *(The Board may add an item to the Agenda after making a finding that there is a need to take immediate action on the item and that the item came to the attention of the Board subsequent to the posting of the agenda. An action adding an item to the agenda requires 2/3 vote of the Board. If there are less than 2/3 of the Board Members present, adding an item requires a unanimous vote. Added items will be placed for discussion at the end of the agenda.)*
- 6. APPROVAL OF MINUTES** – September 11, 2006

**7. CONSENT CALENDAR:**

**7.1 FISCAL YEAR 2005-06 YEAR END FINANCIAL REPORT**

Overview

That the RCA Board of Directors receive and file the Fiscal Year 2005-06 Year End Financial Statement and MSHCP Development Mitigation Fee Collections Report.

**7.2 ADOPTION OF RESOLUTION NO. 06-11 APPROVING SUBGRANT AGREEMENT WITH THE WILDLIFE CONSERVATION BOARD**

Overview

That the RCA Board of Directors adopt Resolution No. 06-11, which rescinds Resolution No. 06-09, and approves Subgrant Agreement SG 6005WG between the Western Riverside County Regional Conservation Authority and the Wildlife Conservation Board.

**8. POLICY CALENDAR:**

**8.1 ADOPTION OF RESOLUTION NO. 06-10 AMENDING THE AUTHORITY'S BYLAWS CONCERNING THE STRUCTURE AND FORMATION OF STANDING COMMITTEES**

Overview

That the RCA Board of Directors adopt Resolution No. 06-10, "*Resolution of the Western Riverside County Regional Conservation Authority Amending the Authority's Bylaws.*"

**9. EXECUTIVE DIRECTOR'S REPORT**

**10. LAND ACQUISITION UPDATE**

**11. ITEMS FOR NEXT MEETING**

Board members are invited to suggest additional items to be brought forward for discussion.

**RCA BOARD OF DIRECTORS AGENDA**

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**12. CLOSED SESSION:**

*With respect to every item of business to be discussed in closed session pursuant to Government Code Section 54957.*

**12.1 Public Employee Appointment**

**Title:** Executive Director

*With respect to every item of business to be discussed in closed session pursuant to Government Code Section 54956.8:*

**Conference with Real Property Negotiator  
Pursuant to Government Code Section 54956.8**

- 12.2 Property:** Assessor's Parcel No. 583-050-007  
**Negotiating Parties**  
**Agency Negotiator:** Director of Land Acquisition and Property Mgt. or Designee  
**Property Agent:** United Five/Alex Stamatakis  
**Under Negotiation:** Price/Terms
- 12.3 Property:** Assessor's Parcel Nos. 569-040-007, 569-040-031  
**Negotiating Parties**  
**Agency Negotiator:** Director of Land Acquisition and Property Mgt. or Designee  
**Property Agent:** SSR Inv Co/Corinne Berge  
**Under Negotiation:** Price/Terms

**13. ADJOURNMENT**

The November meeting of the Western Riverside County Regional Conservation Authority Board of Directors is scheduled to be held at 1:00 p.m. on Monday, November 6, 2006, in the Board Room of the County Administrative Center, First Floor, 4080 Lemon Street, Riverside, California.



**WESTERN RIVERSIDE COUNTY  
REGIONAL CONSERVATION AUTHORITY**

**MINUTES**

**Monday, September 11, 2006  
1:00 p.m.**

**1. CALL TO ORDER**

The meeting of the Western Riverside County Regional Conservation Authority Board of Directors was called to order by Chairman Kelly Seyarto at 1:01 p.m. in the Board Room at the County Administrative Center, 4080 Lemon Street, First Floor, in Riverside, California, 92501.

**2. ROLL CALL**

**Board Members/Alternates Present**

Marion Ashley  
Bob Buster  
Chris Buydos  
Mary Craton  
Chris Buydos  
Larry Dressel  
Frank Hall  
Robin Lowe  
John Machisic  
Shenna Moqet  
Robert Schiffner  
Kelly Seyarto  
Jeff Stone  
Chuck Washington  
Charles White  
Mark Yarbrough

**Board Members Absent**

Dom Betro  
Roy Wilson

**3. PUBLIC COMMENTS**

There were no public comments.

**4. BOARD MEMBER ANNOUNCEMENTS**

There were no Board Member announcements.

**5. ADDITIONS/REVISIONS**

There were no additions or revisions.

**RCA BOARD OF DIRECTORS MINUTES**

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**6. APPROVAL OF MINUTES**

*M/S/C (LOWE/BUSTER) to approve the minutes of the July 24, 2006 as presented.*

**7. CONSENT CALENDAR:**

*M/S/C (LOWE/BUYDOS) to approve the following Consent Calendar Items:*

**7.1 ADOPTION OF RESOLUTION NOS. 06-07, 06-08, AND 06-09 APPROVING SUBGRANT AGREEMENTS WITH THE WILDLIFE CONSERVATION BOARD**

1. Adopt Resolution No. 06-07, which approves Subgrant Agreement SG-6001WG between the Regional Conservation Authority and the Wildlife Conservation Board;
2. Adopt Resolution No. 06-08, which approves Subgrant Agreement SG-6002WG between the Regional Conservation Authority and the Wildlife Conservation Board;
3. Adopt Resolution No. 06-09, which approves Subgrant Agreement SG-6005WG between the Regional Conservation Authority and the Wildlife Conservation Board; and
4. Authorize the Chairman, pursuant to Legal Counsel's review, to execute subgrant agreements on behalf of the Authority.

**7.2 FISCAL YEAR 2004-05 INDEPENDENT AUDITORS' REPORT OF THE WESTERN RIVERSIDE COUNTY REGIONAL CONSERVATION AUTHORITY**

1. Receive and file the Fiscal Year 2004-05 Independent Auditors' Report; and
2. Endorse the actions shown in Attachment 2 of the staff report.

**7.3 MODIFICATION OF PROPERTY ACQUISITION PROCEDURES AND ADOPTION OF ORDINANCE 06-01 ESTABLISHING A PROCEDURE TO DELEGATE PROPERTY ACQUISITIONS**

*Adopt Ordinance 06-01, "An Amendment to Ordinance 04-02 of the Western Riverside County Regional Conservation Authority Establishing a Procedure to Delegate Property Acquisitions."*

**7.4 CONTRACT FOR SPECIAL PROGRAM AND ECONOMIC FORECAST STUDY**

1. Authorize the Executive Director to negotiate a contract with Rand Corporation;
2. Authorize the Chairman, after review and approval by Legal Counsel, to execute a contract with Rand Corporation in an amount not to exceed Nine Hundred Twenty-Two Thousand Five Hundred Fourteen Dollars (\$922,514) to perform the services summarized in the staff report; and
3. Authorize the Executive Director to issue change orders, as warranted, totaling up to fifteen percent (15%) of the total contract value.

**7.5. INTRODUCTION OF RESOLUTION NO. 06-10 AMENDING THE AUTHORITY'S BYLAWS REGARDING THE STRUCTURE AND FUNCTION OF STANDING COMMITTEES**

1. Approve the revisions to the Bylaws concerning the structure and function of standing committees; and
2. Authorize staff to agendize this matter for possible adoption at the October 2, 2006 Board meeting.

**8. POLICY CALENDAR:**

**8.1 POLICY REGARDING FORMATION AND ROLE OF THE AD HOC COMMITTEE (SECTION 6.6.2 OF THE MSHCP)**

Joe Richards, Deputy Executive Director, reviewed the proposed policy as related to the formation and role of the ad hoc committee, as well as the process in determining consistency on development projects with respect to the Plan. If the permittee and RCA are unable to reach resolution during the process, the Plan calls for an ad hoc committee of elected officials to further review and attempt to resolve the issues. There has not been a need for an ad hoc committee in the past, but it appears that there is a project in the unincorporated area that may require the assembling of an ad hoc committee. The proposed composition of the ad hoc committee includes: 1) the County Supervisor of the district in which the project is located; 2) the member representing the City whose sphere of influence contains the project; 3) two County Supervisors; and, 4) a member representing a city staff. He recommended that the Board adopt the policy regarding the formation and role of the ad hoc committee.

***M/S/C (LOWE/MACHISIC) to adopt the policy regarding the formation and role of the ad hoc committee.***

**Abstained: Washington**

**8.2 FORMATION OF AD HOC COMMITTEE JPR 05-10-06-02/HANS 145/PM 30595 GREENEWAY DEVELOPMENT**

Joe Richards stated that this item is to establish an ad hoc committee for the Greenway project under JPR 05-10-06 due to the fact that during the "meet and confer" process, a resolution was not reached. Therefore, the next step is to assemble an ad hoc committee of elected officials to further review and attempt to resolve the issues. As noted in the previous agenda item, he recommended that the RCA Board appoint an ad hoc committee composed of: 1) the County Supervisor of the District in which the project is located; 2) the member representing the City whose sphere of influence contains the project; 3) two County Supervisors; and, 4) a member representing a city staff.

In response to Board Member Robin Lowe's question if having three County Supervisors appointed to the ad hoc committee would place them in jeopardy, Steve DeBaun, Legal Counsel, stated that it would not place them in jeopardy as they would be meeting as part of their RCA Board responsibilities.

At this time, Chairman Seyarto opened the item for public comments.

Mr. C. Kline of PAC II Partners, on behalf of Mr. Greenway, spoke and informed the RCA Board that he was present today to answer any questions that they may have on the Greenway Development.

***M/S/C (STONE/LOWE) to:***

- 1) Establish an ad hoc committee for the Greenway Development; and,***
- 2) Appoint the following Board Members to the ad hoc committee, pursuant to RCA policy, to resolve MSHCP consistency issues regarding JPR 05-10-06-02/HANS 145/PM 30595:***
  - Jeff Stone - The County Supervisor of the district in which the project is located;***

- ***Chuck Washington - The member representing the City whose sphere of influence contains the project;***
- ***Bob Buster and Marion Ashley - Two County Supervisors; and,***
- ***Kelly Seyarto - A member representing a City.***

### **8.3 POLICY REGARDING PUBLIC ACCESS TO SELECTED RESERVE LANDS**

Joe Richards said that staff is proposing a pilot public access program starting with hiking and equestrian uses for the following RCA properties: 1) Riverside Clark/Morring; 2) Kramer; and, 3) Wolfskill-Driscoll. As an example, the Riverside Clark/Morring property is adjacent to the Moreno Valley Equestrian Center and staff could set up an agreement with the Center to establish riding opportunities on the property using existing trails and roads. In all cases, the concurrence of the Wildlife Agencies is needed to be certain that RCA is in compliance as it relates to permits.

***M/S/C (LOWE/STONE) to:***

- 1) Authorize staff to develop a pilot public access program for the reserve lands identified; and***
- 2) Direct staff to bring a report back on the pilot public access program to the RCA Board in 60 days.***

### **8.4 RECOMMENDATION REGARDING COUNTY OF RIVERSIDE CRITERIA REFINEMENT**

Joe Richards reported that the County has requested that the RCA, on their behalf, undertake a Criteria Refinement on a property located north of Ironwood Avenue near Redlands Boulevard within Criteria Cell No. 836. The County of Riverside is considering adjusting the conservation configuration to allow for development opportunities. If the RCA Board authorizes staff to undertake the Criteria Refinement, the County will reimburse all RCA costs in performing the Criteria Refinement and is in compliance with RCA policy. A report with a recommendation could be presented to the Board in two months.

***M/S/C (LOWE/STONE) to authorize staff to undertake a criteria refinement for property within Cell No. 836, on behalf of the County of Riverside.***

# RCA BOARD OF DIRECTORS MINUTES

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## 9. EXECUTIVE DIRECTOR'S REPORT

### 1. Management Audit

Tom Mullen, Interim Executive Director, presented a chart showing actions taken to date in response to the audit recommendations that were presented to the RCA Board in May.

It was determined by the RCA Board to receive and file the management audit report.

## 10. LAND ACQUISITION UPDATE

Ken Graff, Director of Land Acquisition and Property Management, informed the Board that since its last meeting, RCA has closed escrow on two additional properties which brings the total of acreage to 32,166. In addition, 3,564 acres are currently in escrow.

## 11. ITEMS FOR NEXT MEETING

No additional items for the next meeting were requested by the Board Members.

At this time, the RCA Board adjourned to Closed Session.

## 12. CLOSED SESSION:

*With respect to every time of business to be discussed in closed session, pursuant to Government Code Section 54957:*

### 12.1 Public Employee Appointment

**Title:** Executive Director

*With respect to every item of business to be discussed in closed session, pursuant Government Code Section 54956.8:*

### 12.2 Conference with Real Property Negotiators

**Property:** Assessor's Parcel No. 581-190-007

**Negotiating Parties:**

**Agency:** Director of Land Acquisition and Property Mgt. or Designee

**Property Owner:** United Five/Alex Stamakis

**Under Negotiation:** Price/Terms of Payments

### 12.3 Conference with Real Property Negotiators

**RCA BOARD OF DIRECTORS MINUTES**

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**September 11, 2006**

**Property:** Assessor's Parcel No. 579-430-007  
**Negotiating Parties:**  
**Agency:** Director of Land Acquisition and Property Mgt. or Designee  
**Property Owner:** De Jesus/Frank Walker  
**Under Negotiation:** Price/Terms of Payments

**12.4 Conference with Real Property Negotiators**

**Property:** Assessor's Parcel Nos. 579-430-005, 579-430-006  
**Negotiating Parties:**  
**Agency:** Director of Land Acquisition and Property Mgt. or Designee  
**Property Owner:** Santos1/Frank Walker 1  
**Under Negotiation:** Price/Terms of Payment

**12.5 Conference with Real Property Negotiator**

**Property:** Assessor's Parcel Nos. 579-430-002, 579-430-003  
**Negotiating Parties:**  
**Agency Negotiator:** Director of Land Acquisition and Property Mgt. or Designee  
**Property Agent:** Santos 2/Frank Walker 2  
**Under Negotiation:** Price/Terms

There were no announcements from the Closed Session Items.

**13. ADJOURNMENT**

There being no other business before the Board, Chairman Seyarto adjourned the meeting at 1:54 p.m. The next meeting of the Western Riverside County Regional Conservation Authority Board of Directors is scheduled to be held on Monday, September 11, 2006, at 1:00 p.m. at the County Administrative Center, Board Room, 4080 Lemon Street, Riverside, California, 92501.

Respectfully submitted,



Honey Bernas  
Clerk of the Board

***Regional Conservation Authority***

**FISCAL YEAR 2005-06 YEAR-END  
 FINANCIAL STATEMENT**

**Staff Contact:**


**Tom Mullen, Executive Director  
 (951) 955-9700**

**Background:**

Attached are the fiscal year 2005-06 year-end Financial Statement and MSHCP Development Mitigation Fee collections report by member agencies.

**Staff Recommendation:**

That the RCA Board of Directors receive and file the Fiscal Year 2005-06 Year-End Financial Statement and MSHCP Development Mitigation Fee Collections Report.

FINANCIAL INFORMATION	
Fiscal Year 2006 Budget: Yes <input type="checkbox"/> No <input type="checkbox"/>	Cost: \$ N/A Annual Cost: \$ N/A
Source of Funds: N/A	Budget Adjustment: N/A From To
Approved by: 	Date: September 27, 2006

**Attachments:**

1. Fiscal year 2005-06 year-end Financial Statement
2. MSHCP Development Mitigation Fee Collections Report

**ATTACHMENT 1**  
**FY 2005-06**  
**YEAR-END FINANCIAL**  
**STATEMENT**

# REGIONAL CONSERVATION AUTHORITY (RCA)

Fund 51630, DeptID 935200

OPERATIONS YEAR END FINANCIAL REPORT FOR FY 2005-06 (ENDING 6/30/06)

**Revenue Budget to Actual Fiscal Year 2006**

Department	Account	Description	Budget Amount	Total Actuals and Accruals through 6/30/06	Over/(Under) Budget at 6/30/06
<b>Dept. 935200 Revenue</b>					
935200	740020	Interest-Invested Funds	50,000	1,104,845	1,054,845
935200	777170	Developer Mitigation	3,099,608	5,407,106	2,307,498
935200	781360	Other Misc Revenue	0	45	45
935200	781520	Undistributed Revenue-Tipping Fees	2,725,000	4,397,599	1,672,599
935200	781560	Contributions-Other Agencies-Grants	75,000	199,167	124,167
<b>Dept. 935200 Total Revenue</b>			<b>5,949,608</b>	<b>11,108,763</b>	<b>5,159,155</b>

**Expenditures Budget to Actual Fiscal Year 2006**

Department	Account	Description	Budget Amount	Total Actuals and Accruals through 6/30/06	(Over)/Under Budget at 6/30/06
<b>Dept. 935200 Appropriations</b>					
<b>Appropriation 1 (Salaries and Benefits):</b>					
935200	510040	Regular Salaries	542,857	412,437	130,420
935200	510320	Temporary Salaries-TAP	0	26,634	(26,634)
935200	518100	Budgeted Benefits	187,143	193,369	(6,226)
<b>Appropriation 1 Total</b>			<b>730,000</b>	<b>632,441</b>	<b>97,559</b>
<b>Appropriation 2 (Supplies and Services):</b>					
935200	520200	Communications	2,300	4,306	(2,006)
935200	520230	Cellular Phone	3,000	3,713	(713)
935200	520260	Computer Lines	3,000	0	3,000
935200	520940	Insurance-Other	70,000	3,252	66,748
935200	521500	Maint-Motor Vehicles	40,000	0	40,000
935200	521540	Maint-Office Equipment	0	3,430	(3,430)
935200	521640	Maint-Software	0	1,630	(1,630)
935200	523230	Miscellaneous Expense	30,000	4,852	25,148
935200	523620	Books/Publications	2,000	249	1,751
935200	523640	Computer Equip-Non Fixed Asset	30,700	12,418	18,282
935200	523680	Office Equip Non Fixed Assets	8,500	13,210	(4,710)
935200	523700	Office Supplies	5,000	17,005	(12,005)
935200	523720	Photocopying	3,000	0	3,000
935200	523760	Postage-Mailing	5,000	6,022	(1,022)
935200	523800	Printing/Binding	3,000	5,093	(2,093)
935200	523840	Computer Equipment-Software	16,408	0	16,408
935200	524560	Auditing And Accounting	0	18,032	(18,032)
935200	524700	County Counsel	0	0	0
935200	524900	GIS Services	0	273,399	(273,399)
935200	525300	OASIS Processing-Financials	7,500	4,880	2,620
935200	525440	Professional Services	17,500	96,555	(79,055)
935200	526410	Legally Required Notices	0	62	(62)
935200	526700	Rent-Lease Bldgs	62,000	43,260	18,740
935200	527880	Training-Other	1,200	3,170	(1,970)
935200	527980	<b>Contracts (SEE EXHIBIT "A")</b>	3,095,000	2,247,077	847,923
935200	528080	Labor	153,000	46,293	106,707
935200	528120	Board/Commission Expense	120,000	20,970	99,030
935200	528140	Conference/Registration Fees	0	0	0
935200	528900	Air Transportation	43,200	2,639	40,561
935200	528960	Lodging	21,600	1,393	20,207
935200	528980	Meals	14,400	3,394	11,006
935200	529000	Miscellaneous Travel Expense	13,800	227	13,573
935200	529040	Private Mileage Reimbursement	5,000	6,351	(1,351)
<b>Appropriation 2 Total</b>			<b>3,776,108</b>	<b>2,842,881</b>	<b>933,227</b>
<b>Appropriation 4 (Capital Assets):</b>					
935200	540040	Land	0	0	0
935200	546080	Equipment-Computer	8,500	7,760	740
935200	546140	Equipment-Office	25,000	42,399	(17,399)
935200	546160	Equipment-Other	75,000	0	75,000
935200	546320	Vehicles-Cars/Light Trucks	75,000	0	75,000
935200	546360	Vehicles-Heavy Equipment	60,000	0	60,000
<b>Appropriation 4 Total</b>			<b>243,500</b>	<b>50,158</b>	<b>193,342</b>
<b>Appropriation 7 (Intrafund Transfers):</b>					
935200	573400	Intrafund Reimb Sal,Ben, Ovh	0	(447,400)	447,400
<b>Appropriation 7 Total</b>			<b>0</b>	<b>(447,400)</b>	<b>447,400</b>
<b>Dept 935200 Total Expenditures</b>			<b>4,749,608</b>	<b>3,078,080</b>	<b>1,671,528</b>
<b>Net Operating Position 935200</b>			<b>1,200,000</b>	<b>8,030,683</b>	<b>6,830,683</b>

# REGIONAL CONSERVATION AUTHORITY (RCA)

Fund 51630, DeptID 935201

LAND ACQUISITIONS YEAR END FINANCIAL REPORT FOR FY 2005-06 (ENDING 6/30/06)

## Revenue Budget to Actual Fiscal Year 2006

Department	Account	Description	Budget Amount	Total Actuals and Accruals through 6/30/06	Over/(Under) Budget at 6/30/06
<b>Dept. 935201 Revenue</b>					
935201	777170	Developer Mitigation	21,000,000	35,274,267	14,274,267
935201	781560	Contrib-Other Agencies-Grants	35,000,000	12,677,600	(22,322,400)
<b>Dept 935201 Total Revenue</b>			<b>56,000,000</b>	<b>47,951,867</b>	<b>(8,048,133)</b>
<b>Expenditures Budget to Actual Fiscal Year 2006</b>					
Department	Account	Description	Budget Amount	Total Actuals and Accruals through 6/30/06	(Over)/Under Budget at 6/30/06
<b>Dept. 935201 Appropriations</b>					
<b>Appropriation 1 (Salaries and Benefits):</b>					
935201	510040	Regular Salaries	140,260	171,669	(31,409)
935201	510320	Temporary Salaries	0	0	0
935201	518100	Budgeted Benefits	56,104	72,708	(16,604)
<b>Appropriation 1 Total</b>			<b>196,364</b>	<b>244,378</b>	<b>(48,014)</b>
<b>Appropriation 2 (Supplies and Services):</b>					
935201	523230	Miscellaneous Expense	200,000	1,708	198,292
935201	524520	Indirect Support Cost	0	125,396	(125,396)
935201	524560	Auditing And Accounting	0	88	(88)
935201	524900	Labor(GIS Services)	0	117,410	(117,410)
935201	525440	Professional Services	0	77,400	(77,400)
935201	527980	<b>Contracts (SEE EXHIBIT "A")</b>	400,000	218,234	181,766
935201	528080	Labor	19,636	0	19,636
935201	529000	Miscellaneous Travel Expense	10,000	0	10,000
935201	529040	Private Mileage Reimbursement	0	394	(394)
<b>Appropriation 2 Total</b>			<b>629,636</b>	<b>540,630</b>	<b>89,006</b>
<b>Appropriation 4 (Land):</b>					
935201	540040	Land	55,174,000	14,752,699	40,421,301
935201	542020	Buildings	0	952,393	(952,393)
935201	542060	Improvements-Buildings	0	58,000	(58,000)
935201	546400	Capital Asset System	0	0	0
<b>Appropriation 4 Total</b>			<b>55,174,000</b>	<b>15,763,092</b>	<b>39,410,908</b>
<b>Dept 935201 Total Expenditures</b>			<b>56,000,000</b>	<b>16,548,100</b>	<b>39,451,900</b>
<b>Net Operating Position 935201</b>			<b>0</b>	<b>31,403,767</b>	<b>31,403,767</b>

# REGIONAL CONSERVATION AUTHORITY (RCA)

Fund 51631, DeptID 935300

MANAGEMENT AND MONITORING YEAR END FINANCIAL REPORT FOR  
FY 2005-06 (ENDING 6/30/06)

## Revenue Budget to Actual Fiscal Year 2006

Department	Account	Description	Budget Amount	Total Actuals and Accruals through 6/30/06	Over/(Under) Budget at 6/30/06
Dept. 935300 Revenue					
935300	740020	Interest-Invested Funds	0	324	324
Dept. 935200	Total Revenue		0	324	324

# REGIONAL CONSERVATION AUTHORITY (RCA)

Fund 51630 (935200, 935201, 935300)

YEAR END FINANCIAL REPORT FOR FY 2005-06 (ENDING 6/30/06)

**Year-End Actuals:**

Description	Operations 935200	Land Acquisitions 935201	Reserve Management 935300	Total
Revenues	11,108,763	47,951,867	324	59,060,954
Expenditures	(3,078,080)	(16,548,100)	0	(19,626,180)
<b>Net Operating Position</b>	<b>8,030,683</b>	<b>31,403,767</b>	<b>324</b>	<b>39,434,774</b>

<b>05-06 Budgeted NOP</b>	1,200,000	0	0	1,200,000
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<b>NOP Variance Favorable (Unfavorable)</b>	6,830,683	31,403,767	324	38,234,774
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## REGIONAL CONSERVATION AUTHORITY (RCA)

### Fund 51630 Revenue Analysis

#### BUDGET TO ACTUAL ANALYSIS FOR FISCAL YEAR 05-06, PERIOD ENDING 6/30/06

Source: Simpler Financials, dated 7/14/06.

Date: September 21, 2006

Department	Account	Description	Budget Amount	Amount Received through 5/31/06	Projection through 6/30/06	Projection Over/(Under) Budget at 6/30/06
<b>Dept. 935200 Revenue</b>						
935200	740020	Interest-Invested Funds	50,000.00	1,104,845.39	1,104,845.39	1,054,845.39
935200	777170	Developer Mitigation	3,099,608.00	5,407,106.00	5,407,106.00	2,307,498.00
935200	781360	Other Misc Revenue	0.00	45.00	45.00	45.00
935200	781520	Undistributed Revenue-Tipping Fees	2,725,000.00	4,397,599.00	4,397,599.00	1,672,599.00
935200	781560	Contributions-Other Agencies	75,000.00	199,167.40	199,167.40	124,167.40
<b>Dept. 935200 Total Revenue</b>			<b>5,949,608.00</b>	<b>11,108,762.79</b>	<b>11,108,762.79</b>	<b>5,159,154.79</b>
<b>Dept. 935201 Revenue</b>						
935201	777170	Developer Mitigation	21,000,000.00	35,274,266.77	35,274,266.77	14,274,266.77
935201	781560	Contributions-Other Agencies	35,000,000.00	-	-	(35,000,000.00)
<b>Dept 935201 Total Revenue</b>			<b>56,000,000.00</b>	<b>35,274,266.77</b>	<b>35,274,266.77</b>	<b>(20,725,733.23)</b>
<b>Total 935200 and 935201 Revenue FY 2006</b>			<b>61,949,608.00</b>	<b>46,383,029.56</b>	<b>46,383,029.56</b>	<b>(15,566,578.44)</b>

## EXHIBIT A

### REGIONAL CONSERVATION AUTHORITY (RCA)

CONTRACT EXPENSE DETAIL FOR FY 05-06 AS OF 6/30/06

Department	Account	Description	Budget Amount	Sum Expended Amount through 6/30/06	YE Actual (Over)/Under Budget at 6/30/06
		<b>OPERATIONS</b>			
935200	527980	Best, Best & Krieger	310,000	307,620	2,380
935200	527980	CDFG	240,000	681	239,319
935200	527980	DFG-Law Enforcement	125,000	0	125,000
935200	527980	Dudek & Assoc., Inc.	560,000	555,507	4,493
935200	527980	EDA	0	0	0
935200	527980	Environmental Careers Org.	0	241,924	(241,924)
935200	527980	The Ferguson Group	15,000	15,625	(625)
935200	527980	O'Reilly Public Relations	0	57,897	(57,897)
935200	527980	Parks-Land Mgmt	540,000	390,330	149,670
935200	527980	Patricia Lock-Dawson	100,000	0	100,000
935200	527980	Randall S. Towers	75,000	33,908	41,092
935200	527980	David Kennett	0	0	0
935200	527980	Naty Kopenhaver	30,000	28,913	1,088
935200	527980	Thomas Mullen	125,000	10,800	114,200
935200	527980	Contract Employees-Other	100,000	0	100,000
935200	527980	SAWA	375,000	371,121	3,879
935200	527980	TLMA	300,000	0	300,000
935200	527980	USGS	0	70,000	(70,000)
935200	527980	WRCOG	200,000	162,751	37,249
<b>Total Operations</b>			<b>3,095,000</b>	<b>2,247,077</b>	<b>847,923</b>
		<b>LAND ACQUISITION</b>			
935201	527980	Best, Best & Krieger	0	183,293	(183,293)
935201	527980	EDA	0	0	0
935201	527980	Facilities Management	400,000	0	400,000
935201	527980	Economics&Politics (J. Husing)	0	4,166	(4,166)
935201	527980	Patricia Lock-Dawson	0	19,110	(19,110)
935201	527980	O'Reilly Public Relations	0	11,665	(11,665)
935201	527980	Riverside Land Conservancy	0	0	0
<b>Total Land Acquisition</b>			<b>400,000</b>	<b>218,234</b>	<b>181,766</b>

**ATTACHMENT 2**  
**FY 2005-06**  
**MSHCP DEVELOPMENT**  
**MITIGATION FEE**  
**COLLECTIONS REPORT**

**ATTACHMENT 2**

**REGIONAL CONSERVATION AUTHORITY  
NET MSHCP MITIGATION FEE COLLECTIONS BY MEMBER AGENCY  
FY 2005/06**

	<b>TOTALS</b>	<b>PERCENT OF TOTAL</b>
<b>CITY OF BANNING</b>	<b>\$179,325.00</b>	<b>0.48%</b>
<b>CITY OF BEAUMONT</b>	<b>\$3,329,165.57</b>	<b>8.89%</b>
<b>CITY OF CALIMESA</b>	<b>\$7,559.40</b>	<b>0.02%</b>
<b>CITY OF CANYON LAKE</b>	<b>\$34,671.00</b>	<b>0.09%</b>
<b>CITY OF CORONA</b>	<b>\$565,452.20</b>	<b>1.51%</b>
<b>CITY OF HEMET</b>	<b>\$2,015,658.26</b>	<b>5.38%</b>
<b>CITY OF LAKE ELSINORE</b>	<b>\$814,649.08</b>	<b>2.18%</b>
<b>CITY OF MORENO VALLEY</b>	<b>\$3,551,028.60</b>	<b>9.48%</b>
<b>CITY OF MURRIETA</b>	<b>\$974,056.15</b>	<b>2.60%</b>
<b>CITY OF NORCO</b>	<b>\$34,037.40</b>	<b>0.09%</b>
<b>CITY OF PERRIS</b>	<b>\$3,165,206.10</b>	<b>8.45%</b>
<b>CITY OF RIVERSIDE</b>	<b>\$3,423,703.86</b>	<b>9.14%</b>
<b>CITY OF SAN JACINTO</b>	<b>\$1,883,322.20</b>	<b>5.03%</b>
<b>CITY OF TEMECULA</b>	<b>\$520,458.40</b>	<b>1.39%</b>
<b>COUNTY OF RIVERSIDE</b>	<b>\$16,754,488.00</b>	<b>44.74%</b>
<b>FLOOD CONTROL</b>	<b>\$199,167.40</b>	<b>0.53%</b>
<b>MISC PARTICIPANT FEES</b>	<b>\$0.00</b>	<b>0.00%</b>
<b>TOTALS</b>	<b>\$37,451,948.62</b>	<b>100.00%</b>

*Regional Conservation Authority*

<b>ADOPTION OF RESOLUTION NO. 06-11          APPROVING A SUBGRANT AGREEMENT          WITH THE WILDLIFE CONSERVATION BOARD</b>
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**Staff Contact:**

**Brian Beck, Principal Development  
 Specialist  
 (951) 955-0039**

**Background:**

On September 11, 2006, the Board of Directors adopted Resolution No. 06-09 which authorized the approval of Subgrant Agreement SG-6005WG to accept federal funds from the State Wildlife Conservation Board. The resolution incorrectly referenced United Five Star Capital Corp. as the seller of the property. The correct seller of the property is JPR, INC. Staff has modified the resolution accordingly. Staff has summarized the funding for the project as follows:

<u>Parcel Number</u>	<u>Acreage</u>	<u>Purchase Price</u>	<u>Federal Grant Amount</u>	<u>State Match Amount</u>	<u>RCA Match Amount</u>
579020010	321.54	\$2,733,000	\$1,366,500	0	\$1,366,500

Today's action before the Board of Directors will correct the error in the resolution.

**Agenda Item No. 7.2 Staff Report**

**Page 2**

**October 2, 2006**

**Staff Recommendation:**

That the RCA Board of Directors adopt Resolution No. 06-11, which rescinds Resolution No. 06-09 and approves Subgrant Agreement SG-6005WG between the Western Riverside County Regional Conservation Authority and the Wildlife Conservation Board.

**Attachment:**

1. Resolution No. 06-11, Approving Subgrant SG-6005WG from the Wildlife Conservation Board for the Tule Peak/Anza Valley Area.

FINANCIAL INFORMATION	
Fiscal Year 2007 Budget: Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	Cost: \$ N/A Annual Cost: \$ N/A
Source of Funds: N/A	Budget Adjustment: N/A
Approved by: <i>Honey Bernas</i>	Date: September 27, 2006

**RESOLUTION NO. 06-11**

**RESOLUTION OF THE BOARD OF DIRECTORS OF THE  
WESTERN RIVERSIDE COUNTY  
REGIONAL CONSERVATION AUTHORITY  
APPROVING SUBGRANT SG-6005WG FROM THE  
WILDLIFE CONSERVATION BOARD FOR THE TULE PEAK/ANZA VALLEY AREA**

**WHEREAS**, on September 11, 2006, the Board of Directors of the Western Riverside County Regional Conservation Authority adopted Resolution No. 06-09 which incorrectly referenced United Five Star Capital Corp. as the seller of Assessor Parcel Number 579-020-010 and the Board of Directors hereby desires to correct the error in Resolution 06-09 by adopting a revised resolution as follows:

**WHEREAS**, JPR, INC. has offered for the sum of \$2,733,000 the property shown on "Exhibit A" attached to this Resolution, located east of Howard Road and north of Ramsey Road, within Assessor Parcel Number 579-020-010, in the Tule Peak/Anza Valley area;

**WHEREAS**, on March 6, 2006, the Board of Directors of the Western Riverside County Regional Conservation Authority authorized the acquisition of the subject property and approved the expenditure of \$1,366,500 of RCA MSHCP Fees as a match for a grant from the Wildlife Conservation Board;

**WHEREAS**, on August 17, 2006 the Wildlife Conservation Board approved a subgrant agreement in the amount of \$1,366,500 to assist the Western Riverside County Regional Conservation Authority in acquiring the subject property;

**WHEREAS**, the Western Riverside County Regional Conservation Authority is willing to accept the subgrant from the Wildlife Conservation Board; and

**WHEREAS**, the acceptance of this subgrant will assist the Western Riverside County Regional Conservation Authority in providing open space for preservation of wildlife and plant life;

**NOW, THEREFORE, BE IT RESOLVED, DETERMINED AND ORDERED** by the Board of Directors of the Western Riverside County Regional Conservation Authority as follows:

1. That the Board of Directors of the Western Riverside County Regional Conservation Authority hereby finds and declares that the above recitals are true and correct.

2. That the Board of Directors of the Western Riverside County Regional Conservation Authority approves subgrant agreement SG-6005WG from the Wildlife Conservation Board for the sum of \$1,366,500 to assist in the acquisition of real property in the Wilson Valley/Sage area for habitat conservation.

3. Resolution No. 06-09 is hereby rescinded.

4. That the Chairman of the Board of Directors of the Western Riverside County Regional Conservation Authority is authorized to execute the documents necessary to accept the grant from the Wildlife Conservation Board.

**PASSED AND ADOPTED** at a regular meeting of the Board of Directors of the Western Riverside County Regional Conservation Authority held the 2nd day of October, 2006.

BY: \_\_\_\_\_  
Kelly Seyarto, Chairman  
Western Riverside County  
Regional Conservation Authority

ATTEST:

BY: \_\_\_\_\_  
Honey Bernas, Clerk of the Board

**EXHIBIT "A"**

THE LAND REFERRED TO IN THIS REPORT IS SITUATED IN THE STATE OF CALIFORNIA, COUNTY OF RIVERSIDE AND IS DESCRIBED AS FOLLOWS:

GOVERNMENT LOTS 16 THROUGH 23, INCLUSIVE, IN SECTION 7, TOWNSHIP 8 SOUTH, RANGE 3 EAST, SAN BERNARDINO BASE AND MERIDIAN;

EXCEPTING THEREFROM ALL THE COAL AND OTHER MINERALS ON SAID LAND AS RESERVED IN THE UNITED STATES PATENT RECORDED DECEMBER 16, 1935 IN BOOK 261 PAGE 365 OF OFFICIAL RECORDS OF RIVERSIDE COUNTY, CALIFORNIA.

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**ATTACHMENT 1**

**RESOLUTION NO. 06-10**

**RESOLUTION OF THE BOARD OF DIRECTORS OF  
THE WESTERN RIVERSIDE COUNTY REGIONAL  
CONSERVATION AUTHORITY AMENDING THE  
AUTHORITY'S BYLAWS**

**WHEREAS**, the Western Riverside County Regional Conservation Authority ("Authority") is a public agency of the State of California formed by a Joint Exercise of Powers Agreement ("Agreement"); and

**WHEREAS**, pursuant to Section 19 of the Agreement, the Authority has the power to adopt such rules and regulations as the Board may deem necessary for the conduct of the Authority's affairs; and

**WHEREAS**, the Authority has adopted bylaws; and

**WHEREAS**, it is necessary at this time to revise the Authority's bylaws to make changes to the Authority's Committee structure.

**NOW, THEREFORE, BE IT RESOLVED** that the Western Riverside County Regional Conservation Authority Board of Directors does hereby amend its bylaws as follows:

Article IX, Section A, of the bylaws is hereby amended to read as follows (new language underlined):

A. **FORMATION.** The following Standing Committees of the Authority are hereby created:

1. The Funding Coordination Committee. This Committee shall provide recommendations to the Board on funding priorities and strategies for MSHCP Conservation Area acquisitions. Additionally, this Committee shall provide a forum to discuss land acquisition priorities of the U.S. Fish and Wildlife Service ("USFWS") and California Department of Fish and Game ("CDFG") and acquisitions by other entities using non-local sources of revenue. It is envisioned that this Committee will meet at least twice annually. The Committee is not intended to address the acquisition of specific properties. The Board shall establish policies under which the Funding Coordination Committee shall make recommendations to the Board. Such policies shall include conflict of interest guidelines for the Committee members. Members of this committee shall consist of the Executive Committee Members, and representatives of the USFWS, and the CDFG. Member Agency Planning Directors shall be invited to participate in the meeting.

2. Reserve Management Oversight Committee. The Reserve Management Oversight Committee (RMOC) shall serve as the intermediary between the Reserve Managers and the decision making function of the Authority. The Executive Director or designee shall serve as Chairperson of the RMOC. The RMOC shall be composed of, at a minimum, one representative appointed by each of the following entities: USFWS, CDFG, Riverside County Regional Parks and Open Space District, Bureau of Land Management, U.S. Forest Service, California Department of Parks and Recreation, Authority, and up to five (5) other private or public agencies or entities that own or manage land within the MSHCP Conservation Area.
3. Executive Committee. The Executive Committee shall be appointed by the Chairperson and ratified by the Board. The Committee shall be composed of seven (7) members, and have at least two (2) and no more than three (3) representatives representing the County. The Board Chairperson, Vice Chairperson and past Chairperson, if any, of the Commission shall be members of the Committee. The Executive Committee shall oversee Authority administrative functions, staff functions, recommend staff positions, job descriptions and salaries, and consider such other matters as delegated to it by the Board.
4. Stakeholders Committee. The Stakeholders Committee shall be appointed by the Chairperson and ratified by the Board. The Committee shall be composed of up to sixteen (16) members, whose members shall be drawn from the following:
  - a. groups representing property owners affected by the MSHCP;
  - b. groups representing environmental interests implicated by the MSHCP; and
  - c. groups representing the building industry within the area affected by the MSHCP.
  - d. Committee members shall not be permitted to appoint alternates. The Committee shall meet when requested to do so by the Chairperson or Board. The Committee shall meet as often as necessary; however, reasonable efforts shall be made to hold committee meetings a twice yearly. The Executive Director shall chair the meetings and facilitate discussion. The Stakeholders Committee shall review implementation plans from a stakeholder perspective and perform such other duties as directed by the Board.

PASSED AND ADOPTED at the regular meeting of the Board of Directors at the Western Riverside County Regional Conservation Authority held this 2nd day of October, 2006.

By: \_\_\_\_\_  
Kelly Seyarto, Chairman  
Western Riverside County  
Regional Conservation Authority

ATTEST:

By: \_\_\_\_\_  
Honey Bernas, Clerk of the Board  
Western Riverside County  
Regional Conservation Authority

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# WESTERN RIVERSIDE COUNTY REGIONAL CONSERVATION AUTHORITY

## **BYLAWS**

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### **ARTICLE I – NAME AND AUTHORIZATION**

- A. **NAME.** The name of this agency shall be the Western Riverside County Regional Conservation Authority, hereinafter known as the Authority.
- B. **AUTHORIZATION.** The County Of Riverside (“County”) and the Cities of Banning, Beaumont, Calimesa, Canyon Lake, Corona, Hemet, Lake Elsinore, Moreno Valley, Murrieta, Norco, Perris, Riverside, San Jacinto and Temecula, by that Joint Exercise of Powers Agreement dated as of January 27, 2004 (“Agreement”) created the Authority for the purpose of acquiring, administering, operating and maintaining land and facilities for ecosystem conservation and habitat reserves for certain rare, threatened and endangered species covered by the Western Riverside County Multiple Species Habitat Conservation Plan (“MSHCP”).

### **ARTICLE II – PURPOSE, DUTIES & POWERS**

- A. **PURPOSE.** The Authority shall acquire, administer, operate and maintain land and facilities to establish habitat reserves for the conservation and protection of species covered by the MSHCP and to implement the MSHCP after the MSHCP is approved by the County and Cities and appropriate permits are issued by the U.S. Fish and Wildlife Service and the California Department of Fish and Game.
- B. **DUTIES AND POWERS.** Duties and Powers of this Authority are set forth in local, state and federal law and the Agreement, as may be amended from time to time. These duties and authorization include, but are not limited to, the following:
  - 1. To make and enter into contracts;

2. To employ agents, consultants, attorneys and employees;
3. To acquire property, and any interest in property, both real and personal by purchase, gift, option, grant, bequest, devise or otherwise, and hold and dispose of such property;
4. To conduct and direct studies and to develop and implement plans to complement, modify or supplement the MSHCP;
5. To incur debts, liabilities, and obligations;
6. To sue and be sued in its own name;
7. To employ reserve managers and other personnel to operate, maintain, and administer the habitat reserves established through implementation of the MSHCP;
8. To be an applicant, make applications for, and receive grants from governmental and private entities and to participate in State bond issues;
9. To prepare project reports and applications, to qualify for grants, and to enter into grant contracts and to do all other things necessary to comply with State and Federal laws and regulations with respect to grants;
10. To borrow or receive advances of funds from its members or from such other sources as may be permitted by law;
11. To contract with its members and other entities who operate or will operate the habitat reserves established through implementation of the MSHCP;
12. To issue bonds, notes, warrants and other evidences of indebtedness to finance costs and expenses to carry out the powers of the Authority;
13. To acquire, hold, and dispose of equipment;
14. To lobby state and federal governments and their officials as well as private entities to obtain funding for implementation of the MSHCP and employ individuals or entities to conduct such lobbying activities on its behalf; and

15. To exercise all other powers common to the members not specifically mentioned above which may be necessary to carry out the purposes of this Agreement.

### **ARTICLE III – MEMBERSHIP**

- A. **REGULAR MEMBERS.** The regular members of the Board shall be the five members of the Riverside County Board of Supervisors and one member from each incorporated city who is signatory to the Agreement. Written notification of the appointment of a City representative shall be provided to the Chairperson of the Board.
- B. **ALTERNATE MEMBERS:**
  1. Each member of the Riverside County Board of Supervisors may appoint an alternate member to the Board of the Authority and each City may appoint one alternate member to the Board of the Authority.
  2. Each regular member and alternate member of a City must hold an elective office on the respective governing body appointing the regular or alternate member.
  3. Written notification of the appointment of an alternate member of a County representative or City, as appropriate, shall be provided to the Chairperson of the Board.
  4. In the absence of a regular member, the alternate member shall, if present, participate in a meeting of the Board or committee the same as if the alternate member were the regular member.

### **ARTICLE IV – TERM, VACANCIES AND COMPENSATION**

- A. **TERM.** Regular members and alternate members shall serve on the Board during the term for which they were appointed or until their successor has been appointed or their appointment has been revoked, whichever is earlier. However, a regular or alternate member's position on the Board shall automatically terminate if and when the term of the elected public office of such regular or alternate member is terminated.
- B. **VACANCIES.** Any vacancy in the office of regular or alternate member, whether because of death, incapacity, resignation, loss of underlying office, removal or otherwise, shall be filled by the appointing authority for such member. When a vacancy occurs, it shall be the duty of the

respective Party having the vacancy to promptly inform the Board of the name of the replacement regular or alternate member.

- C. RESIGNATION. Any regular or alternate member may resign at any time by giving written notice of such resignation to the Authority's Executive Director. Such resignation shall be effective at the time specified; acceptance of such resignation shall not be necessary to make it effective.
- D. REMOVAL. Any regular or alternate member may be removed, with or without cause stated, by the authority responsible for his or her appointment.
- E. COMPENSATION. Unless prohibited by law from accepting compensation, each regular and alternate member (when performing the duties of a regular member) of the Authority shall be compensated at the rate of One Hundred Dollars (\$100) for any day attending to the business of the Authority, but not to exceed Four Hundred Dollars (\$400) in any month, along with necessary traveling and personal expenses incurred in the performance of his or her duties as authorized by the Authority.

#### **ARTICLE V – VOTING**

- A. QUORUM. A majority of the members of the Board shall constitute a quorum for the transaction of business and all official acts of the Board shall require the affirmative vote of a majority of the members of the Board. Each regular member or alternate member acting in the place of a regular member shall have one vote at meetings of the Board. However, any member of the Board, immediately after a vote of the Board and prior to the start of the next item on the agenda may call for a weighted vote.
- B. WEIGHTED VOTING. For an item to be passed by weighted vote, all of the following requirements shall be met:
  - 1. the item shall be approved by a majority of the Board members present at the meeting who represent the Riverside County Board of Supervisors, who each shall have one vote;
  - 2. the item shall be approved by a majority of the Board members present at the meeting who represent Cities, who each shall have one vote; and
  - 3. the item shall be approved by Board members present at the meeting who represent Cities representing a majority of an equal combination of 1) the population of the county living in incorporated

4

**Approved 6/7/04**  
**Updated 3/7/05; Resolution No. 05-01**  
**Updated 9/12/05; Resolution No. 05-07**  
**Updated 12/5/05; Resolution No. 05-10**  
**Updated 03/06/06; Resolution No. 06-01**  
**Updated 04/03/06; Resolution No. 06-02**  
**Updated 05/01/06; Resolution No. 06-03**

areas within the boundaries of the MSHCP Plan area, and 2) the acres within these incorporated areas anticipated to be conserved within the Criteria Area established by the MSHCP as follows: Banning – 70 acres; Beaumont – 7,250 acres; Calimesa – 1,740 acres; Canyon Lake – 40 acres; Corona – 470 acres; Hemet – 810 acres; Lake Elsinore – 6,350 acres; Moreno Valley – 105 acres; Murrieta – 2,390 acres; Norco – 100 acres; Perris – 1,060 acres; Riverside – 90 acres; San Jacinto – 2,130 acres; and Temecula – 990 acres. For purposes of this paragraph, each regular Board member of the meeting who represents a City shall be assigned votes based on the percentage of the population of incorporated areas within the boundaries of the MSHCP Plan area represented by that member in relation to the total population of incorporated areas within the boundaries of the MSHCP Plan area as well as the percentage of the acreage anticipated to be conserved within the Criteria Area subject to the jurisdiction of that member in relation to the total incorporated area acreage within the Criteria Area set forth in the MSHCP. The Criteria Area acreage set forth in this subsection 3 shall be automatically modified if the Authority adopts a resolution as set forth in Section 7 of the Agreement modifying the acreage amounts.

#### **ARTICLE VI – NOMINATION AND ELECTION OF OFFICERS**

- A. **ELECTIONS.** The Board shall elect a Chairperson and a Vice-Chairperson at its meeting every December starting in 2005, or as soon thereafter as practical. The Chairperson and Vice Chairperson shall annually alternate between a regular member of the Board representing a City and a regular member of the Board who is a member of the Board of Supervisors. The term of the Chairperson and Vice-Chairperson shall commence on the first day of the month following the selection, unless otherwise determined by the Board.
- B. **NOMINATIONS.** Any member of the Authority may nominate any regular member for an office contemplated in Section A. An individual receiving the majority of the votes for any of the offices shall be deemed to have been elected. Different procedures and requirements apply to the office of treasurer and controller, pursuant to Section E. and the Agreement.
- C. **RESIGNATIONS.** In the event an officer resigns or ceases to be an officer, the Board shall select a replacement therefore at the next regular meeting of the Board, or as soon thereafter as practical.

- D. ABSENCES. In the absence or inability of the Chairperson to act, the Vice-Chairperson shall act as Chairperson.
- E. APPOINTMENTS. The Board shall appoint the treasurer of a member agency to serve as the Treasurer. The Board shall also appoint the finance director of a member agency to serve as the Controller.

**ARTICLE VII – DUTIES OF OFFICERS**

- A. CHAIRPERSON. The duties of the Chairperson shall be to:
  - 1. Preside at all meetings of the Authority;
  - 2. Call special meetings of the Authority when necessary;
  - 3. Appoint ad hoc committees, when necessary, including, without limitation, an Elected Officials Ad Hoc Committee described in the MSHCP.
- B. VICE-CHAIRPERSON. The duties of the Vice-Chairperson shall be to perform the duties and exercise the power of the Chairperson during the absence of the Chairperson.
- C. EXECUTIVE DIRECTOR. The duties of the Executive Director shall be to administer the MSHCP, as defined above, in compliance with the duties and responsibilities set forth in Sections 5.0 and 6.0 of the MSHCP, and such other duties as may be prescribed by the Board, from time to time. The Executive Director shall perform such duties as prescribed by the Board including, without limitation, the administration of agency contracts. The Executive Director may, after consultation with the Chairperson, authorize contracts in an amount up to \$50,000 without prior Board approval. All such contracts shall be reviewed by legal counsel and shall be reported to the Board after execution. The Executive Director may not issue such contracts totaling more than \$50,000 1) to any one entity in any calendar year, or 2) to a group of entities working on a single project for the Authority.

**ARTICLE VIII – MEETINGS**

- A. AGENDA. Matters to be placed on the Agenda for any regular meeting or Committee meeting may be filed with the Executive Director of the Authority by any member of the Authority by the Thursday before such regular meeting or special meeting. The Agenda for each regular or

Approved 6/7/04  
 Updated 3/7/05; Resolution No. 05-01  
 Updated 9/12/05; Resolution No. 05-07  
 Updated 12/5/05; Resolution No. 05-10  
 Updated 03/06/06; Resolution No. 06-01  
 Updated 04/03/06; Resolution No. 06-02  
 Updated 05/01/06; Resolution No. 06-03

special meeting shall be prepared under the control and direction of the Executive Director after consultation and concurrence by the Board Chairman or Vice Chairman, if the Chairman is not available. The Executive Director shall cause copies of the Agenda to be mailed or delivered to each regular and alternate member at least three (3) working days prior to the regular meeting date. During a Board or Committee meeting, any member may bring to the Board's attention any item of new business or request for action. Action on any matter of business not listed Agenda shall be deferred until properly listed on the Agenda for a subsequent meeting unless properly added to the Agenda as an item of subsequent need in accordance with Government Code, Section 54954.2. Notwithstanding, the provisions of this section, individual members of the Board may provide a reference to staff or other resources for factual information, request staff to report back to the Authority at a subsequent meeting concerning any matter, or take action to direct staff to place a matter of business on a future agenda.

- B. **REGULAR MEETING.** Regular meetings of the Authority shall be held, to the extent feasible at 1:00 p.m. the first Monday of each month at the County Administrative Center, 4080 Lemon Street, 1st Floor, Riverside, California or at such other location set by the Authority. Regular meetings may be canceled by majority vote of the Authority at a regular or special meeting prior to the meeting to be canceled. A regular meeting may also be canceled by the Chairperson for lack of a quorum. The Executive Director shall endeavor to mail or deliver notice of such cancellation to each regular member and alternate member at least twenty-four (24) hours prior to the time of the meeting.
  
- C. **SPECIAL MEETINGS.** A special meeting of the Authority may be called at any time by the Chairperson, or in his or her absence by the Vice-Chairperson, or by any four (4) regular members by delivering personally or by mail written notice to the Executive Director and each regular and alternate member. Such notice shall be so delivered at least twenty-four (24) hours before the time of such meeting as specified in the notice. The call and notice shall specify the time and place of the special meeting and the business to be transacted. No other business shall be transacted at such meeting. Such written notice may be dispensed with as to any member who at or prior to the time the meeting convenes files with the Executive Director a written waiver of notice. Such waiver may be given by telegram or telecopier. Such written notice may also be dispensed with as to any regular or alternate member who is actually present at the meeting at the time it convenes.

- D. POSTING OF AGENDAS. The Authority shall post agendas of all regular meetings, containing a brief general description of each item of business to be transacted or discussed at the meeting, at least seventy-two (72) hours before such regular meeting. The agenda shall specify the time and location of the meeting and shall be posted at the County Administration Center, 4080 Lemon Street, Riverside, or at another location specified by the Chairperson that is freely accessible to members of the public. No action shall be taken on any item not appearing on such posted agendas, except as permitted by state law.
- E. RALPH M. BROWN ACT. All meetings of the Board, including without limitation, regular, special and adjourned meetings, shall be called, noticed, held and conducted in accordance with the provisions of the Ralph M. Brown Act (commencing with Section 54950 of the California Government Code).
- F. ADDRESSING AUTHORITY ON AGENDA ITEMS. No person shall address the Authority at any meeting until he or she has first been recognized by the Chairperson. The decision of the Chairperson to recognize a person may be changed by vote of a majority of the members of the Authority present at the meeting. When addressing the Authority, each individual speaker will be limited to three minutes or less of public testimony on each agenda item. The Authority may, either at the direction of the Chairperson or by a majority vote of the Authority, waive this three (3) minute time limitation.

**ARTICLE IX\_ – STANDING COMMITTEES**

- A. FORMATION. The following Standing Committees of the Authority are hereby created:
  - 1. The Funding Coordination Committee. This Committee shall provide recommendations to the Board on ~~local~~ funding priorities and ~~local strategies for~~ MSHCP Conservation Area acquisitions. Additionally, this Committee shall provide a forum to discuss land acquisition priorities of the U.S. Fish and Wildlife Service (“USFWS”) and California Department of Fish and Game (“CDFG”) and acquisitions by other entities using non-local sources of revenue. It is envisioned that this Committee will meet at least twice annually. The Committee is not intended to address the acquisition of specific properties. The Board shall establish policies under which the Funding Coordination Committee shall make recommendations to the Board. Such policies shall include conflict of interest guidelines for the Committee

members. Members of this committee shall consist ~~be appointed by the Board and shall consist of, at a minimum~~ consist of the Executive Committee Members, and representatives of ~~the Parties to the Agreement~~, the USFWS, and the CDFG. Member Agency Planning Directors shall be invited to participate in the meeting.

2. Reserve Management Oversight Committee. The Reserve Management Oversight Committee (RMOC) shall serve as the intermediary between the Reserve Managers and the decision making function of the Authority. The Executive Director or designee shall serve as Chairperson of the RMOC. The RMOC shall be composed of, at a minimum, one representative appointed by each of the following entities: USFWS, CDFG, Riverside County Regional Parks and Open Space District, Bureau of Land Management, U.S. Forest Service, California Department of Parks and Recreation, Authority, and up to five (5) other private or public agencies or entities that own or manage land within the MSHCP Conservation Area.
3. Administrative Executive Committee. The Administrative Executive Committee shall be appointed by the Chairperson and ratified by the Board. The Committee shall be composed of seven (7) members, and have at least two (2) and no more than three (3) representatives representing the County. The Board Chairperson, Vice Chairperson and past Chairperson, if any, of the Commission shall be members of the Committee. The Administrative Executive Committee shall oversee Authority administrative functions, staff functions, recommend staff positions, job descriptions and salaries, and consider such other matters as delegated to it by the Board.
4. ~~Implementation and Administration Guidelines Stakeholders~~ Stakeholders Committee. The ~~Implementation and Administration Guidelines Stakeholders~~ Stakeholders Committee shall be appointed by the Chairperson and ratified by the Board. The Committee shall be composed of up to sixteen (16) members, whose members shall be drawn from the following:
  - a. ~~1)~~ groups representing property owners affected by the MSHCP;
  - ~~2) government agencies within Riverside County.~~
  - b. ~~3)~~ groups representing environmental interests implicated by the MSHCP; and

c. ~~4)other stakeholders groups representing the building industry within the area affected by the MSHCP.~~

d. Committee members shall not be permitted to appoint alternates. The Committee shall meet when requested to do so by the Chairperson or Board. The Committee shall meet as often as necessary; however, Reasonable efforts shall be made to hold committee meetings ~~a minimum of~~ at least twice yearly. The Executive Director shall chair the meetings and facilitate discussion. The ~~Implementation and Administration Guidelines~~Stakeholders Committee shall review implementation plans from a stakeholder perspective and perform such other duties as directed by the Board.

B. CONTROL AND SUPERVISION. In the performance of their duties and responsibilities, all Committees of the Authority shall submit all policy matters coming before them to the Authority for final consideration, unless otherwise specified by the Board. Committee members shall be appointed on an annual basis.

#### ARTICLE X – CORPORATE POWERS

A. SUCCESSION. The Authority has perpetual succession and may adopt a seal and alter it at its pleasure.

B. LITIGATION. The Authority may sue and be sued, except as otherwise provided by law, in all actions and proceedings, in all courts and tribunals of competent jurisdiction.

C. CLAIMS. All claims for money or damages against the Authority are governed by Division 3.6 (commencing with Section 810) of Title 1 of the Government Code except as provided therein, or by other statutes or regulations expressly applicable thereto.

D. MOTIONS, REGULATIONS AND ORDINANCES. The acts of the Authority shall be expressed by motion, resolution, or ordinance. All ordinances shall take effect upon their adoption. The enacting clause of all ordinances shall be as follows: "The Western Riverside County Regional Conservation Authority hereby ordains as follows: "All ordinances shall be signed by the Chairperson or by the Vice-Chairperson of the Authority.

## **ARTICLE XI – CONTRACTS**

The Authority may make contracts and enter into stipulations of any nature whatsoever either in connection with eminent domain proceedings or otherwise, including but not limited to, contracts and stipulations to indemnify and save harmless, to employ labor, and to do all acts necessary and convenient for the full exercise of the powers authorized by law. The Authority may contract with any Department or Agency of the United States of America, with any public agency (including, but not limited to, the County, WRCOG, CDFG or USFWS), or with any person upon such terms and conditions as the Authority finds is in its best interest.

## **ARTICLE XII – REIMBURSEMENTS**

- A. PERSONS SUBJECT TO REIMBURSEMENT PROVISIONS. These Reimbursement Provisions (“Provisions”) shall be applicable to all members of the Authority’s legislative bodies, as defined in Government Code section 54952, provided such persons receive compensation for actual and necessary Authority expenses (“Official”). Legislative Bodies include, but are not limited, to the Board of Directors, the Funding Coordination, the Reserve Management Oversight Committee, the Executive Committee and the Stakeholders Committee.
- B. PURPOSE. The purpose of these Provisions is to provide guidelines for the reimbursement of any Official for actual and necessary expenses incurred in the performance of their duties. Whenever issues of reimbursement arise, the Authority shall adhere to Government Code sections 53232.2 and 53232.3.
- C. TRANSPORTATION
  - 1. Use of Personal Vehicle. The Authority shall reimburse for mileage incurred when personal vehicles are used to attend Board and Committee meetings and conferences or other meetings approved by the Board or Executive Director and in furtherance of the Authority’s affairs. Authority will reimburse mileage for travel to and from the destination based upon the approved Internal Revenue Service rate in effect.
  - 2. Rentals. The Authority shall reimburse for actual and necessary vehicle rental expenses. The Authority shall only reimburse

economy or compact rate vehicles unless (i) such class of vehicle is unavailable; or (ii) such class of vehicles do not accommodate a disability. When an Official rents a vehicle, he or she shall obtain insurance for the vehicle at the Authority's expense.

- 3, Shuttle, Bus, Taxi, and Public Transportation. Shuttle, bus, taxi, and public transportation may be used between an airport, hotel and conference site whenever it is available. Officials are encouraged to use the most efficient mode of transportation available.
  4. Air Travel or Other Common Carrier Transportation. As necessary for the performance of their official duties, Officials may use air travel or other mode of common carrier transportation to and from the destination.
- D. LODGING. Lodging costs shall not exceed the maximum group rate published by the conference or activity sponsor, provided that lodging at the group rate is available. If a group rate is not available, the government rate of the provider of lodging shall be used. If neither the group nor government rates are available, the Authority shall reimburse lodging at a rate not exceeding \$300.00 per night without Board approval. For lodging in high costs cities (e.g., San Francisco, New York, Washington., D.C.), the Authority will reimburse at a rate not exceeding \$490.00 per night without Board approval. Lodging reimbursement rates will be adjusted annually according to the CPI in the applicable metropolitan statistical area.
- E. MEALS. The actual costs of meals incurred while attending conferences or other meetings in furtherance of the Authority's affairs are reimbursable provided the Authority's staff is given a receipt. Meal costs shall be reimbursed at an amount not exceeding the greater of one hundred fifty dollars (\$150.00) per day or the applicable Internal Revenue Service rate.
- F. PERSONAL EXPENSES AND OTHER EXPENSES NOT REIMBURSABLE. The Authority shall not reimburse the cost of transportation, lodging, meals, or other costs of travel when such costs are of a personal nature incurred in conjunction with the performance of official duties. Personal costs, not reimbursable by the Authority, shall include, but not be limited, to the following: (i) alcoholic beverages; (ii) parking and traffic violations; (iii) entertainment; (iv) services provided by the provider of lodging; and (v) expenses incurred on behalf of a spouse, dependent, or traveling companion.

- G. CONFERENCES AND OTHER MEETINGS. Officials shall only receive reimbursement of travel, lodging, and meals for conferences or other meetings in furtherance of the Authority's affairs. No other occurrences will be reimbursed.
- H. EXPENSES NOT INCLUDED WITHIN THESE PROVISIONS. Occurrences or expenses which do not fall within these Provisions or the Internal Revenue Service reimbursable rates must be approved by the Board in a public meeting before the expense is incurred.
- I. EXPENSE REPORTS. The Authority shall not reimburse any expenses until an expense form is submitted to the Authority's administrative office no later than 45 days of the expenditure. Expense forms shall be accompanied by receipts documenting each expense. Furthermore, Officials will be required to provide a brief report on the conference or meeting attended at the next regular meeting of his or her respective legislative body.
- J. CPI INCREASE. The dollar limits referenced herein shall be automatically updated annually pursuant to reflect increases in the Consumer Price Index.

**ARTICLE XIII – AMENDMENTS**

- A. ADOPTION. These Bylaws may be amended at any meeting of the Authority by a majority vote.
- B. PROPOSAL. Any Authority member may propose a Bylaw amendment. Such proposal shall be in writing and shall be referred to the Chairperson who shall report the proposed amendment with recommendation to the Authority. All regular members shall receive at least four (4) weeks notice of any amendments to these Bylaws. Notice may be provided on a Board Meeting Agenda of the Board or by separate notice delivered by mail, e-mail or facsimile to the regular member.

(Adopted on \_\_\_\_\_, 2006)

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**Approved 6/7/04**  
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