



**WESTERN RIVERSIDE COUNTY
REGIONAL CONSERVATION AUTHORITY**

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MINUTES

Monday, February 5, 2007

1. CALL TO ORDER

The meeting of the Western Riverside County Regional Conservation Authority Board of Directors was called to order by Chairman Jeff Stone at 1:04 p.m., in the Board Room of the County Administrative Center, 4080 Lemon Street, First Floor, Riverside, California 92501.

2. ROLL CALL

Board Members/Alternates Present

Marion Ashley
Dom Betro
Bob Buster
Larry Dressel
Maryann Edwards
Frank Hall
Jim Hyatt
Robin Lowe
John Machisic
Robert Schiffner
Jeff Stone
John Tavaglione
Gary Thomasian
Roy Wilson
Mark Yarbrough
John Zaitz

Board Members Absent

Bill Batey
Eugene Montanez
Dale Stubblefield

3. PUBLIC COMMENTS

There were no public comments.

4. BOARD MEMBER ANNOUNCEMENTS

There were no Board Member announcements.

5. ADDITIONS/REVISIONS

Chairman Stone noted that Agenda Item No. 7.2, *Fiscal Year 2006-07 Appropriation Transfers and Adjustments*, will be continued.

6. APPROVAL OF MINUTES

M/S/C (ZAITZ/LOWE) to approve the minutes of the January 8, 2007 meeting as presented.

7. CONSENT CALENDAR:

Robin Lowe requested that Agenda Item No. 7.3, *Proposal to Change the Date of the March Meeting of the RCA Board of Directors*, be pulled from the Consent Calendar.

M/S/C (ZAITZ/ASHLEY) to approve the following Consent Calendar item:

7.1 APPROVAL OF EXECUTION OF IRS FORM 8283 FOR MSHCP ACQUISITIONS

Overview

This item is for the RCA Board of Directors to:

- 1) Approve requests from John Bell, Scott Smith and Ulf Grefelt to execute IRS Form 8283;
- 2) Authorize the Executive Director or his designee to execute the IRS Form 8283, provided the appraisals meet MSHCP standards; and
- 3) Authorize the Executive Director or his designee to execute the IRS Form 8283 for future requests, provided the appraisals meet MSHCP standards.

7.3 PROPOSAL TO CHANGE THE DATE OF THE MARCH MEETING OF THE RCA BOARD OF DIRECTORS

Robin Lowe stated that the proposed March 12, 2007, meeting date conflicts with a scheduled League of Cities meeting.

Honey Bernas, Director of Administrative Services, indicated that she will attempt to find another date for the March meeting.

It was determined to cancel the RCA Board meeting on March 5, 2007 and that staff inform the Board Members of the date of next RCA Board meeting.

8. POLICY CALENDAR

8.1 RECOMMENDATION REGARDING INFRASTRUCTURE CONTRIBUTION TO MSHCP

Joe Richards, Deputy Executive Director, reviewed the provisions covered under the MSHCP projects and the permittee contributions related to infrastructure projects. In response to a question, he stated that grade separation projects or similar projects are considered as reconstruction for safety purposes and would not warrant contribution to the Plan.

Tom Mullen, Executive Director, stated that this item was presented for clarification purposes so that the RCA and its member agencies are all on the same page.

In response to Robin Lowe's question why there is a need to re-endorse the provisions if they are in the Plan and have already been endorsed by member agencies, Joe Richards said that there was a concern raised about contribution from a city infrastructure project that was not covered under another provision under the Plan, i.e. TUMF. The provisions would clarify that if a project is not covered under TUMF or is not part of Measure A, there would be a contribution to the MSHCP.

Michelle Ouellette, Legal Counsel, informed the RCA Board that the provisions are not new and are in the Plan. However, the language in the MSHCP was vague and that the provisions, as presented, would clarify the intent under Section 8 of the Plan. She added that as RCA progresses to implement the Plan, items will come up as issues that were not anticipated previously. She reiterated that these are not changes but rather a restatement, in one place, in a more understandable language so that everybody is on the same page.

Robin Lowe requested that the provisions relating to infrastructure contributions be made available to everyone concerned.

Chairman Stone stated that as part of staff recommendations, the clarified provisions will be provided to the County and member cities.

M/S/C (LOWE/EDWARDS) to:

- 1) Endorse the following tenets regarding MSHCP infrastructure contributions;**

- 2) **Direct staff to forward the tenets to the County Executive Officer and City Managers for action;**
- 3) **Direct staff to work with the County and cities to ensure that qualified infrastructure projects contribute to the Plan;**

Tenets Relating to Local Infrastructure Contribution

- A. **TUMF:** TUMF contributions have been adopted and stand at 5% of the facility cost or about \$64 million over 25 years. WRCOG is maintaining a separate account for these contributions and will release funds, at our request, for acquisitions.
- B. **City and County Roadways Covered by the Plan:** These facilities would contribute 5% of the facility construction cost subject to the following:
 1. The 5% contribution applies to new facilities, or the widened portions of existing facilities for capacity enhancement.
 2. Maintenance and safety projects as defined in Section 7 the Plan are exempt from the 5% contribution.
 3. For projects with multiple fund sources, the 5% does not apply to:
 - a) Portions paid for by Measure A (contribution already paid directly by RCTC)
 - b) Portions paid for by TUMF (contribution already paid directly by WRCOG)
 4. Payment of federal funds is contingent on approval by the Federal Highway Administration.
 5. Contributions for all Caltrans facilities are covered by the Caltrans mitigation bank, regardless of fund source(s).
 6. Contributions for transportation facilities not funded by TUMF or Measure A will be remitted to the RCA upon approval of the construction contract by the Permittee.
- C. **Local Non-Transportation Facilities (i.e. parks and civic buildings):** The Plan calls for Permittees to contribute the appropriate commercial / industrial fee for these types of facilities.

