



# **WESTERN RIVERSIDE COUNTY REGIONAL CONSERVATION AUTHORITY**

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## **Executive Committee**

### **COMMITTEE MEETING MINUTES**

**Wednesday, April 18, 2007**

#### **1. CALL TO ORDER**

The meeting of the Western Riverside County Regional Conservation Authority Executive Committee was called to order by Chairman Jeff Stone at 12:00 p.m., in Conference Room A in the County Administrative Center, 4080 Lemon Street, Fifth Floor, in Riverside, California 92501.

#### **2. ROLL CALL**

##### **Committee Members/Alternates Present**

Darci Kuenzi  
Robin Lowe  
Jeff Stone  
Dale Stubblefield  
Gary Thomasian

##### **Committee Member Absent**

Eugene Montanez  
John Tavaglione

#### **3. PUBLIC COMMENT**

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 (THOMASIAN/STUBBLEFIELD) to approve the minutes of the March 21, 2007 as presented.***

**7. AMENDMENT NO. 1 TO PROFESSIONAL SERVICES AGREEMENT BETWEEN THE WESTERN RIVERSIDE COUNTY REGIONAL CONSERVATION AUTHORITY AND THE CENTER FOR CONSERVATION BIOLOGY**

Joe Richards, Deputy Executive Director, advised the Committee that the original agreement with CCB was to assess scientific information as it related to the effectiveness of the MSHCP, compared to single species conservation. There is a need to assess the value of the MSHCP and a way to accomplish this was to bring together experts in this field to discuss the significance of multiple species conservation efforts which would provide foundation for a future study. To organize a scientific symposium on MSHCP by CCB requires an amendment to their agreement by increasing the contract cost from \$40,909 to \$100,000.

Tom Mullen, Executive Director, noted that a draft agenda which includes a list of distinguished participants for the symposium is attached to the staff report. He pointed out that this is the first national symposium being held on multiple species habitat conservation plans.

A discussion followed whether sponsorship should be considered to fund the symposium. It was determined that the symposium would be an extension of the agreement to assess scientific information as part of the work being done by CCB. Also, with RCA funding the first symposium would keep it pure, unbiased and out of controversy. Follow-ups to the symposium may be done by the CCB through some sort of national grant or foundation and, at that time, perhaps sponsorship could be considered as an option to fund.

Chairman Stone recalled that the RCA Executive Director had stated time and time again that the Plan will be driven by science and the symposium will be attracting world renowned scientists that specialize in this area. Other public agencies will be looking at this forum for information on how they too can be successful in planning and implementing MSHCPs in their respective communities.

Robin Lowe added that the Western Riverside County Regional Conservation Authority has set such a high bar and is innovative in the development of the MSHCP so much so that in its inception, a number of public agencies came to Riverside County to look at the Plan.

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

- 1) Approve the amendment to the contract between the Western Riverside County Regional Conservation Authority and the Center for Conservation Biology; and***
- 2) Direct staff to agendize this matter for the May 14, 2007 meeting of the RCA Board of Directors.***

**8. CONTRACT AMENDMENT BETWEEN THE WESTERN RIVERSIDE COUNTY REGIONAL CONSERVATION AUTHORITY AND RAND CORPORATION**

Joe Richards stated that RCA had previously engaged RAND Corporation to do a multi-faceted study of the MSHCP as it related to land valuation and funding scenarios. The amendment would broaden the study to look at a funding plan to bring together infrastructure and habitat.

Tom Mullen noted that this was reported to the RCA Board at its last meeting but in discussing the additional task with RAND, it was felt that this was a change in scope. Therefore, this is presented as an amendment to the RAND contract.

In response to Robin Lowe as to the timeline of the study, Tom Mullen said that the entire study, which started last November, was for fifteen months. He anticipates that a report regarding infrastructure funding will be presented to the Board in June/July.

Robin Lowe added that the information will be of benefit, not only to RCA, but also to RCTC and WRCOG.

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

- 1) Approve the amendment to the contract with RAND Corporation; and***
- 2) Direct staff to agendize this matter for the May 14, 2007 meeting of the RCA Board of Directors.***

**9. AGREEMENT BETWEEN THE WESTERN RIVERSIDE COUNTY REGIONAL CONSERVATION AUTHORITY AND THE COUNTY OF RIVERSIDE TO PROVIDE STAFFING AND SERVICES**

Honey Bernas, Director of Administrative Services, advised the Committee that this agreement was presented to the Executive Committee was amended to include the timeframe in which RCA would reimburse the County for services.

Tom Mullen stated that the agreement clearly defines the services provided by the County which is cost effective to RCA. He added that while the County Chief Executive Officer has the authority within the contract to hire and fire, this could only be triggered by the RCA Board.

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

- 1) Approve the draft agreement with the County of Riverside to provide staffing and services; and***
- 2) Direct staff to agendize this matter for the May 14, 2007 meeting of the RCA Board of Directors.***

**10. APPROVAL OF POLICIES AND PROCEDURES FOR PROPERTY ENCUMBERED BY ASSESSMENTS AND COVENANTS, CONDITIONS AND RESTRICTIONS**

Brian Beck, Principal Development Specialist, presented the proposed policies and procedures. Basically, the policies will provide guidance to staff as it conducts due diligence of properties. The policies on assessments for Willing Sellers and HANS/JPR acquisitions, in the order of preference would be to: 1) Research, if the RCA is exempt from payment of the property assessments; 2) Negotiate with the Seller to eliminate encumbrances from title before close of escrow; 3) Pursue a buyout of the property assessments prior to close of escrow; 4) Defer the buyout of the property assessments until after close of escrow; and, 5) Pay the annual fee for the property assessments. With regard to the policies on CCRs, staff would consider the following, in order of preference: 1) Research if the RCA is exempt from the CCRs; 2) Pursue a modification of the CCRs prior to close of escrow; 3) Defer the modifications of the CCRs until after the close of escrow; 4) Comply with the terms and obligations of the CCRs; and 5) If the CCRs provide for an assessment, staff will follow either Policy Section 1.09 or 1.10, as appropriate.

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

- 1) Recommend adoption of the attached modification to the Land Acquisition Policies to the Board of Directors; and***
- 2) Direct staff to agendize this matter for the May 14, 2007 meeting of the RCA Board of Directors.***

**11. BIOLOGICAL MONITORING PROGRAM WORK PLAN AND COST ESTIMATE FOR FISCAL YEAR 2007-08**

Robin Lowe asked staff to expand on the plan for oversight of the monitoring plan, and Ken Graff, Director of Land Acquisition and Management, said that the MSHCP designates the State as the monitoring program administrator for the first eight years of the permit. RCA is responsible for funding the monitoring program and currently has 35 contract staff for monitoring activities.

Tom Mullen stated that the proposed budget, which includes budgets for administration, land acquisition and management/monitoring is derived from the allocation of anticipated costs, contained in Appendix B-5 of the Plan, which outlines the overall funding program. It breaks out costs for the first 25 years of the plan, i.e. "acquisition period."

Joe Richards said that the monitoring function is unique as it is not only intended to report to the RCA Board but also to the Reserve Management Monitoring Oversight Committee. A meeting with the Regional Manager for California Department Fish and Game and staff was held last week, and he said that it may be a good idea for RCA to set up a Memorandum of Understanding so that there is a monitoring structure that is understood by everyone. In addition, having a work plan and cost estimate will be of assistance to staff for budgeting purposes.

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

- 1) Approve the Biological Monitoring Program Work Plan and Cost Estimate for FY 2007-08 in the amount of \$1,545,000; and***
- 2) Direct staff to agendize this matter for the May 14, 2007 meeting of the RCA Board of Directors.***

