



WESTERN RIVERSIDE COUNTY REGIONAL CONSERVATION AUTHORITY

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Executive Committee

MEETING MINUTES

Wednesday, November 21, 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 12:09 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

Marion Ashley
Eugene Montanez
John Tavaglione
Jeff Stone
Robin Lowe
Gary Thomasian

Committee Member Absent

Dale Stubblefield

3. PUBLIC COMMENT

There were no public comments.

4. COMMITTEE MEMBER ANNOUNCEMENTS

There were no Committee Member announcements.

5. ADDITIONS/REVISIONS

Staff handed out a revised agenda changing Agenda Item 11.3 to reflect Subdivision (b) rather than Subdivision (c) of Government Code Section 54956.9.

6. APPROVAL OF MINUTES

M/S/C (MONTANEZ/THOMASIAN) to approve the September 19, 2007 Executive Committee meeting minutes, as presented.

7. MOU BETWEEN THE WESTERN RIVERSIDE COUNTY REGIONAL CONSERVATION AUTHORITY AND THE WESTERN RIVERSIDE COUNCIL OF GOVERNMENTS FOR THE TRANSFER OF TUMF FUNDS FOR USE UNDER THE WESTERN RIVERSIDE COUNTY MULTIPLE SPECIES HABITAT CONSERVATION PLAN

Honey Bernas, Director of Administrative Services, reported that RCA and WRCOG staff, and Legal Counsel have been working on an agreement to transfer TUMF funds to RCA to fund property acquisitions and other related costs. In accordance with the MOU, transfer of funds must be approved by the WRCOG Executive Director for contributions up to \$250,000, by the WRCOG Administration & Finance Committee for contributions up to \$1,000,000, and by the WRCOG Executive Committee for contributions over \$1,000,000. This item will be on the WRCOG Executive Committee's December 3, 2007 meeting.

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

- 1) Approve the MOU between RCA and WRCOG regarding the Transfer of TUMF Funds; and***
- 2) Authorize staff to agendize this matter for the December 3, 2007 meeting of the RCA Board of Directors.***

8. PROFESSIONAL SERVICES AGREEMENT BETWEEN THE WESTERN RIVERSIDE COUNTY REGIONAL CONSERVATION AUTHORITY AND THOMAS B. MULLEN FOR ACQUISITION OF FUNDING AND OTHER SPECIAL PROJECTS

Joe Richards, Executive Director, stated that this item is to contract with Tom Mullen to assist the RCA to secure funds to implement the MSHCP. The agreement is for twelve months, until December 30, 2008, at a monthly retainer of \$15,000, plus reimbursable expenses.

Robin Lowe asked if there is a job description for the Executive Director recruitment as the consultant agreement, under Section 3.1.1, General Scope of Services, may be the same as Executive Director's job description. She noted that the agreement did not indicate that the consultant is under the direction of the Executive Director. She asked staff to provide her with a copy of the Executive Director's job description.

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Joe Richards said that the agreement states that engagement of the Consultant and its services is as directed by the Executive Director, and this is under the Recitals section of the agreement. He reiterated that the Consultant's primary responsibility is to secure funding for the MSHCP. For continuity, Mid-County Parkway was included as one of the projects that Tom Mullen will be working on.

Robin Lowe mentioned that she wanted to make sure that there is consistent identification of the agency and it moves forward with the same momentum that it has now since the current Executive Director will also be retiring next year.

John Tavaglione stated that he supports the contract and added that if there is a person who can achieve this, it would be Tom Mullen. He suggested that periodic updates be made to the RCA Board.

Chairman Stone said that the quarterly reports with timelines should identify not only the dollars achieved but also the efforts made during that period. He requested scope and estimated dates of Sacramento and Washington, D.C., congressional visits for the next year so that trips can be calendared in advance.

Tom Mullen suggested working with an Ad Hoc Committee composed of the Chairman, Vice Chairman, Past Chairman and Robin Lowe because of her involvement in past years with the agency.

Gary Thomasian questioned how the contract will be measured for effectiveness, and John Tavaglione said that in order for the process to be successful, RCA must be in front of the federal agencies and the legislators constantly which would be performed by the consultant.

In response to the question if there is a difference in the roles of RCA lobbyist David Kennett and Tom Mullen, Chairman Stone stated that a lobbyist is not going to be effective in securing the kind of funding that RCA will need to make its plan successful. It will take someone like Tom Mullen who personally knows the legislators in Washington, D.C., who is knowledgeable and can stress that the Riverside County's Multi Species Habitat Conservation Plan is the most advanced plan in the country that satisfies the Endangered Species Act. For this reason, the federal government should step up to the plate by providing funding, especially in these economic times of uncertainty with contributions from developers. The contract with Tom Mullen has a worthy shot of achieving funding for the Plan.

At this time, the Executive Committee members discussed at length the contrast in the objectives and focus regarding land acquisition between the RCA, RCTC and WRCOG and that mitigation of RCA's acquired land could be used by RCTC and WRCOG to build the infrastructure. RCA's focus is toward the preservation and contiguous use of property.

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Marion Ashley said that RCTC lobbyists focus on highways and transportation, not habitat conservation.

Robin Lowe stated that there is no one with a deeper passion for succeeding and carrying on the message than Tom Mullen. He is looking for success of the MSHCP and to use it as an example as the premier plan in the country and that Riverside County is the example to follow for other states. As this unfolds and there is access given, it will then show just valuable it fits together. She noted that WRCOG does not employ lobbyists.

Chairman Stone iterated that the motivation of forming the MSHCP was to get master permits in order for Riverside County to expedite infrastructure. As an example, he stated that it would not have been possible to proceed to build the Newport Road extension without the master permit.

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

- 1) Approve the Professional Services Agreement between the RCA and Thomas B. Mullen; and***
- 2) Authorize staff to agendize this matter for the December 3, 2007 meeting of the RCA Board of Directors.***

9. EXECUTIVE DIRECTOR'S REPORT

9.1 Board Member Orientation/Refresher Course

Joe Richards proposed scheduling a Board Member orientation/refresher course in February. He also stated that a status report on rough step will be presented to the RCA Board in December.

The Executive Committee agreed that it would be beneficial to have the orientation for incoming Board Members and to provide a review on RCA's MSHCP and its goals/objectives.

9.2 Lease Agreement

Honey Bernas stated that RCA staff has been working with the County Facilities Department toward moving to the Security Bank building. The office space that being considered was increased from approximately 7,800 square feet to approximately 9,000 square feet with a monthly lease cost of \$22,279. RCA's current office is 2200 square feet at \$1379/month. She said that the County has informed RCA that its lease will be increased to \$2.50/sq. ft., which is the same cost per sq. ft. for the Security Bank office space. She noted that RCA does not own any furniture and they have inquired whether the current occupants of the Security Bank offices

will consider selling their furniture. In addition to furniture, there is a need to purchase IT equipment.

As suggested by Chairman Stone, it was determined that a subcommittee comprised of Eugene Montanez, Robin Lowe and himself be designated to discuss the logistics of RCA's office needs, find the most cost-effective alternative and bring it back to the Executive Committee.

10. FUTURE AGENDA ITEMS

There were no requests for future agenda items.

At this time, Chairman Stone adjourned to Closed Session at 12:34 p.m.

11. CLOSED SESSION:

A. 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**

11.1 Property: Assessor's Parcel No. 362-170-004
Negotiating Parties
Agency Negotiator: Director of Land Acquisition and Property Mgt. or Designee
Property Agent: Canyon Breeze/Dorian Henderson
Under Negotiation: Price/Terms

11.2 Property: Assessor's Parcel No. 900-070-001
Negotiating Parties
Agency Negotiator: Director of Land Acquisition and Property Mgt. or Designee
Property Agent: Winchester 700/K. Erik Friess
Under Negotiation: Price/Terms

B. With respect to every item of business to be discussed in Closed Session, pursuant to Government Code Section 54956.9

**11.3 Conference with Legal Counsel - Anticipated Litigation
Exposure to Litigation, Pursuant to Subdivision (b) of Government
Code Section 54956.9: One Case**

C. With respect to every item of business to be discussed in Closed Session, pursuant to government Code Section 54957

11.4 Public Employee Recruitment
Title: Executive Director
Public Employment

There were no announcements from the Closed Session items.

14. ADJOURNMENT

With no other items to be discussed, Chairman Stone adjourned the meeting at 1:49 p.m. The next Western Riverside County Regional Conservation Authority Executive Committee meeting is scheduled to be held at 1:00 p.m., on Wednesday, December 19, 2007, County Administrative Center, Fifth Floor Conference Room C, 4080 Lemon Street, Riverside.

Respectfully submitted,



Honey Bernas
Clerk of the Board