



**WESTERN RIVERSIDE COUNTY
REGIONAL CONSERVATION AUTHORITY**

www.wrc-rca.org

**MEETING MINUTES
Monday, June 9, 2008**

1. CALL TO ORDER

The meeting of the Board of Directors of the Western Riverside County Regional Conservation Authority was called to order by Chairman Eugene Montanez at 1:06 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*
Larry Dressel
Frank Hall
Daryl Hickman
Jim Hyatt
Robin Lowe
John Machisic
Andy Melendrez
Eugene Montanez
Robert Schiffner
Jeff Stone*
John Tavaglione*
Gary Thomasian
Chuck Washington
Charles White
Mark Yarbrough
John Zaitz

Board Members Absent

Dale Stubblefield
Roy Wilson

*Arrived after start of the meeting during Closed Session.

3. PUBLIC COMMENTS

There were no public comments.

4. BOARD MEMBER ANNOUNCEMENTS

There were no Board Member announcements.

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5. ADDITIONS/REVISIONS

Chairman Montanez announced that Agenda Item 8.2, *Adoption of Resolution No. 08-11*, will be discussed after the Closed Session and Agenda Item 12A.3, *APN 470-100-005 Jerome Thompson, Bonny Thompson*, is pulled from the Consent Calendar and will be re-agendized for the July 7, 2008 meeting.

6. APPROVAL OF MINUTES

M/S/C (ZAITZ/LOWE) to approve the minutes of the May 5, 2008 meeting of the RCA Board of Directors as submitted.

Abstain: Hickman, Melendrez, Washington

7. CONSENT CALENDAR

M/S/C (SCHIFFNER/ZAITZ) to approve the following Consent Calendar items:

Abstain: Hickman

7.1 RESOLUTION NO. 08-006, RESOLUTION OF THE BOARD OF DIRECTORS OF THE WESTERN RIVERSIDE COUNTY REGIONAL CONSERVATION AUTHORITY ADOPTING AN ENDOWMENT FUND INVESTMENT POLICY

Adopt Resolution No. 08-006, Resolution of the Western Riverside County Regional Conservation Authority Adopting an Endowment Fund Investment Policy.

7.2 RESOLUTION NO. 08-007, RESOLUTION OF THE BOARD OF DIRECTORS OF THE WESTERN RIVERSIDE COUNTY REGIONAL CONSERVATION AUTHORITY ADOPTING POLICY NO. RCA-AM001, A CAPITALIZATION THRESHOLD POLICY

Adopt Resolution No. 08-007, Resolution of the Board of Directors of the Western Riverside Regional Conservation Authority Adopting Policy No. RCA-AM001, A Capitalization Threshold Policy.

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7.3 RESOLUTION NO. 08-008, RESOLUTION OF THE BOARD OF DIRECTORS OF THE WESTERN RIVERSIDE COUNTY REGIONAL CONSERVATION AUTHORITY DELEGATING TO THE EXECUTIVE DIRECTOR THE POWER AND AUTHORITY TO MAKE TRANSFERS OF APPROPRIATIONS WITHIN A BUDGET UNIT

Adopt Resolution No. 08-008, Resolution of the Board of Directors of the Western Riverside County Regional Conservation Authority Delegating to the Executive Director the Power and Authority to Make Transfers of Appropriations within a Budget Unit.

7.4 RESOLUTION NO. 08-010, RESOLUTION OF THE BOARD OF DIRECTORS OF THE WESTERN RIVERSIDE COUNTY REGIONAL CONSERVATION AUTHORITY ADOPTING POLICY NO. RCA-AM002, A POLICY ESTABLISHING "CONTROL OVER EQUIPMENT"

Adopt Resolution No. 08-010, Resolution of the Western Riverside County Regional Conservation Authority Adopting Policy No. RCA-AM002, A Policy Establishing "Control Over Equipment."

7.5 MEMORANDUM OF UNDERSTANDING BETWEEN THE BUREAU OF LAND MANAGEMENT AND THE WESTERN RIVERSIDE COUNTY REGIONAL CONSERVATION AUTHORITY FOR PARTICIPATION IN THE SOUTH COAST RESOURCE MANAGEMENT PLAN REVISION

- 1) Approve the MOU between the RCA and BLM for RCA participation in the SCRMP revision process; and
- 2) Authorize the Chairman, pursuant to Legal Counsel review, to execute the MOU on behalf of the Authority.

7.6 LEASE AGREEMENT BETWEEN THE WESTERN RIVERSIDE COUNTY REGIONAL CONSERVATION AUTHORITY AND THE COUNTY OF RIVERSIDE FACILITIES MANAGEMENT DEPARTMENT TO LEASE OFFICE SPACE AT 3403 TENTH STREET, SUITE 320, RIVERSIDE, CALIFORNIA

- 1) Approve the negotiated Lease Agreement between the RCA and the County of Riverside Facilities Department to lease office space at 3403 Tenth Street, Suite 320, Riverside, California; and
- 2) Authorize the Executive Director, pursuant to Legal Counsel review and approval, to execute the Lease Agreement on behalf of the Authority.

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7.7 FISCAL YEAR 2007-08 THIRD QUARTER FINANCIAL STATEMENTS

Receive and file the Fiscal Year 2007-08 Third Quarter Financial Statements.

7.8 MULTIPLE SPECIES HABITAT CONSERVATION PLAN ANNUAL REPORT 2007

Receive and file the Multiple Species Habitat Conservation Plan Annual Report 2007.

8. DISCUSSION ITEMS

8.1 INTRODUCTION OF ORDINANCE 08-01, ORDINANCE OF THE WESTERN RIVERSIDE COUNTY REGIONAL CONSERVATION AUTHORITY ESTABLISHING A POLICY FOR PROPERTY ACQUISITION

Steve DeBaun, BB&K Legal Counsel, stated that the RCA recently amended its Joint Powers Agreement to change the governing authority from state laws governing counties to state laws governing cities. The purpose of Ordinance 08-01 is to cite and rely upon state laws governing the cities. It maintains a status quo on the Executive Director's authority regarding property acquisition. He added that the authority need not be reauthorized every five (5) years, once the Ordinance is adopted.

At this time, John Machisic introduced Ordinance 08-01, read the title of the Ordinance and waived further reading of said Ordinance.

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

- 1) Authorize the Clerk of the Board to publish a summary of the proposed Ordinance and post a certified copy of the proposed Ordinance in the Clerk's office at least five days prior to the July 7, 2008 RCA Board meeting;***
- 2) Authorize staff to agendize this matter for the July 7, 2008 Regular Meeting of the RCA Board of Directors to vote on the Ordinance;***
- 3) Adopt Ordinance 08-01 at the July 7, 2008 Regular Meeting of the RCA Board of Directors; and***
- 4) Authorize the Clerk to publish a summary of the ordinance with the names of the Board members voting for and against the Ordinance within 15 days after adoption of the Ordinance.***

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9. EXECUTIVE DIRECTOR'S REPORT

9.1 Permittee Training

Charles Landry, Executive Director, informed the RCA Board that staff has scheduled two training sessions for the Permittees in June.

Jim Hyatt requested that RCA staff send each Board Member a list of their respective city staff members who are scheduled to attend the training sessions.

10. LAND ACQUISITION UPDATE

Ken Graff, Director of Land Acquisition and Property Management, informed the Board that since its last meeting, the RCA has acquired two additional properties for a total of 40,864 acres of conserved land.

11. ITEMS FOR NEXT MEETING

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

12. CLOSED SESSION:

12A. CONFERENCE WITH REAL PROPERTY NEGOTIATOR

Pursuant to Government Code Section 54956.8

Negotiating Parties: RCA – Director of Land Acquisition and
Property
Management or Designee

Under Negotiation: Price/Terms

Item	Assessor Parcel Nos.	Property Owners
1	289-030-009 289-070-002 289-070-005 289-110-015	Joyce Ashley, Dennis Ashley
2	569-050-021	Marti Rustam, Tahoe International

12B. CONFERENCE WITH LEGAL COUNSEL: ANTICIPATED LITIGATION

Pursuant to Subdivision (b) of Government Code Section 54956.9

Exposure to Litigation

Number of Potential Cases: 2

At this time, Steve DeBaun and Michelle Ouellette, Legal Counsel, left the Closed Session.

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12C. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION
Pursuant to Subdivision (a) of Government Code Section 54956.9
■ **Case No. RIC 493433**

After the Closed Session, the RCA Board meeting reconvened. There were no announcements from the Closed Session. Chairman Montanez opened the meeting to discuss Agenda Item No. 8.2, as announced at the start of the meeting.

8.2 ADOPTION OF RESOLUTION NO. 08-011, A RESOLUTION OF THE BOARD OF DIRECTORS OF THE WESTERN RIVERSIDE COUNTY REGIONAL CONSERVATION AUTHORITY MAKING A FINDING THAT THE MEMORANDUM OF UNDERSTANDING ENTERED INTO ON JANUARY 16, 2008, BETWEEN THE WESTERN RIVERSIDE COUNTY REGIONAL CONSERVATION AUTHORITY, THE COUNTY OF RIVERSIDE, AND ANHEUSER-BUSCH, INCORPORATED, IS VOID ON ITS FACE AND HAS NO FORCE OR EFFECT

Chairman Montanez opened the item for public comments.

Michelle Staples, representing Marceleet and James Stimmel, expressed her appreciation to the RCA Board for taking action to declare the Memorandum of Understanding as void. Additionally, she asked that action be taken to withdraw the request for approval made to the U.S. Fish and Wildlife Service and to the California Fish and Game. She thanked the RCA Board for considering the request.

M/S/C (ZAITZ/LOWE) to adopt Resolution No. 08-011, A Resolution Making a Finding that the Memorandum of Understanding Entered into on January 15, 2008, Between the Western Riverside County Regional Conservation Authority, the County of Riverside, and Anheuser-Busch, Incorporated, is Void on Its Face and Has No Force or Effect.

Abstain: Ashley, Stone, Tavaglione, Washington

13. ADJOURNMENT

There being no other items to discuss, Chairman Montanez adjourned the meeting at 1:51 p.m. The next meeting of the Western Riverside County Regional Conservation Authority Board of Directors is scheduled to be held on Monday, July 7, 2008, at 1:00 p.m. at the County Administrative Center, Board Room, 4080 Lemon Street, Riverside, California.

Respectfully submitted,



Honey Bernas
Clerk of the Board