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## **MEETING MINUTES**

### **Monday, July 7, 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 1:05 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  
Karen Spiegel  
Jeff Stone  
Gary Thomasian  
Chuck Washington  
Charles White  
Roy Wilson  
Mark Yarbrough\*  
John Zaitz

##### **Board Members Absent**

Dale Stubblefield

\*Arrived after start of the meeting.

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**3. PUBLIC COMMENTS**

There were no public comments.

**4. BOARD MEMBER ANNOUNCEMENTS**

There were no Board Member announcements.

**5. ADDITIONS/REVISIONS**

There were no addition/revisions to the agenda.

**6. APPROVAL OF MINUTES**

*M/S/C (ZAITZ/STONE) to approve the minutes of the June 9, 2008 meeting of the RCA Board of Directors as submitted.*

Abstain: Edwards, Lowe

**7. CONSENT CALENDAR**

*M/S/C (BUSTER/ASHLEY) to approve the following Consent Calendar items:*

**7.1 APPROVAL OF AGREEMENT NO. 09001, PROFESSIONAL SERVICES AGREEMENT BETWEEN THE WESTERN RIVERSIDE COUNTY REGIONAL CONSERVATION AUTHORITY AND DAVID KENNETT TO PROVIDE GOVERNMENT RELATIONS SERVICES**

Approve Agreement No. 09001, Professional Services Agreement between the RCA and David Kennett to provide government relations services.

**7.2 APPROVAL OF AGREEMENT NO. 09004, PROFESSIONAL SERVICES AGREEMENT BETWEEN THE WESTERN RIVERSIDE COUNTY REGIONAL CONSERVATION AUTHORITY AND JOSEPH A. RICHARDS TO PROVIDE CONSULTING SERVICES**

Approve Agreement No. 09004, Professional Services Agreement between the RCA and Joseph A. Richards to provide consulting services.

**7.3 RESOLUTION NO. 08-012, RESOLUTION OF THE BOARD OF DIRECTORS OF THE WESTERN RIVERSIDE COUNTY REGIONAL CONSERVATION AUTHORITY UPDATING A RECORDS RETENTION POLICY AND SCHEDULE**

Adopt Resolution No. 08-012, Resolution of the Western Riverside County Regional Conservation Authority Updating the RCA's Records Retention and Policy and Schedule.

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### **7.4 ADOPTION OF RESOLUTION NO. 08-014, RESOLUTION OF THE BOARD OF DIRECTORS OF THE WESTERN RIVERSIDE COUNTY REGIONAL CONSERVATION AUTHORITY APPROVING THE ACCEPTANCE OF MULTIPLE GRANTS FOR THE ACQUISITION OF REAL PROPERTY**

1. Adopt Resolution No. 08-014, Resolution of the Western Riverside County Regional Conservation Authority which approves the acceptance of multiple grants for the acquisition of real property; and
2. Authorize the Executive Director, pursuant to Legal Counsel's review, to execute the necessary grant and funding agreements, on behalf of the Authority.

### **7.5 REQUEST TO RESCHEDULE THE DECEMBER 1, 2008 MEETING OF THE WESTERN RIVERSIDE COUNTY REGIONAL CONSERVATION AUTHORITY**

Reschedule the RCA Board of Directors' December meeting from 1:00 p.m. December 1, 2008, to 2:00 p.m., December 10, 2008.

## **8. DISCUSSION ITEMS**

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

Steve DeBaun, BB&K Legal Counsel, stated that Ordinance 08-01 was introduced to the Board of Directors at their meeting last month. Early this year, the RCA amended its joint powers agreement to cite to and rely upon State laws governing cities in lieu of State laws governing counties. The adoption of Ordinance 08-01 would make the RCA's property acquisition policy consistent with the State laws governing cities regulations relating to property acquisition.

***M/S/C (BUSTER/ZAITS) to:***

- 1) ***Adopt Ordinance 08-01, Ordinance of the Western Riverside County Regional Conservation Authority Establishing a Policy for Property Acquisition; and***
- 2) ***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.***

**8.2 INTRODUCTION OF ORDINANCE NO. 08-02, AN ORDINANCE OF THE BOARD OF DIRECTORS OF THE WESTERN RIVERSIDE COUNTY REGIONAL CONSERVATION AUTHORITY ADOPTING PURCHASING POLICY FOR SUPPLIES, MATERIALS, OR EQUIPMENT**

Honey Bernas, Director of Administrative Services, introduced Ordinance 08-02 to the Board of Directors. The Ordinance is to establish a purchasing policy for supplies, materials, or equipment. It requires that funding for the purchase of supplies, equipment or materials should be accounted for with each year's fiscal budget whenever possible and that approval of the budget by the RCA Board shall constitute approval of such purchases. Contracts in the amount of \$50,000 or less, with no prior budgetary approval, may be approved by the Executive Director, after consultation with the Chairman. Contracts, supplies, materials, or equipment in excess of \$50,000 and not included in the budget will require prior authorization by the Board of Directors. The Ordinance also includes the policy for disposal of surplus supplies, materials, or equipment, emergency purchases and conflict of interest. The policy does not apply to any public works contracts or for supplies, materials or equipment for any such public project.

Jeff Stone stated that he felt the \$50,000 threshold for supplies and equipment was too high and proposed that the authority level for the Executive Director for the purchase of supplies, materials or equipment, and services be limited to \$25,000 and to retain the authority for up to \$50,000 for professional services and other contracts.

In response to Gary Thomasian's question if the policy includes the purchase of vehicles used for field work, Honey Bernas said that the RCA contract's with the County Parks Department for this service and they go through the bidding process for vehicle acquisition.

Andy Melendrez asked the average amount spent on supplies and whether RCA goes through bidding process, Honey Bernas estimated that the annual expenditure for supplies is approximately \$20,000, and this is included in the budget. For the most part, RCA orders supplies from the County Purchasing Department. Honey Bernas stated that she would be glad to develop a report showing expenditures for supplies, materials and equipment for the past four years.

Charlie Landry, Executive Director, added that the estimated amount for supplies is a compilation of multiple, lesser amount of purchases. Purchase of big ticket items such as the copier and server are not frequent and are budgeted items.

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MaryAnn Edwards stated she thought it was important that the policy contain a provision to address emergency needs. Honey Bernas indicated that the policy includes an emergency provision wherein purchase(s) shall be made in consultation with the Chairman and reported to the RCA Board at their next meeting.

At this time, Chairman Montanez read the title of Ordinance No. 08-02 and waived further reading of the Ordinance.

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

- 1) Authorize the Clerk of the Board to publish a summary of the proposed Ordinance, as amended, and post a certified copy of the Ordinance in the Clerk's office at least five days prior to the September 8, 2008 Board meeting;***
- 2) Authorize staff to agendize this matter for the September 8, 2008 Regular Meeting of the RCA Board of Directors to vote on the Ordinance;***
- 3) Recommend that the Board vote to adopt Ordinance No. 08-02 at the September 8, 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.***

## **9. EXECUTIVE DIRECTOR'S REPORT**

### **9.1 Report on Consultant Services**

Charles Landry, Executive Director, reported that over the past year, Tom Mullen worked on projects such as: 1) Winchester 700; 2) Anheuser-Busch land swap; 3) Rand Study; and, 4) Working with various Foundations and organizations to solicit funds for operation and acquisition purposes and looking at a range of other funding mechanisms. Currently, the Rand Study is undergoing peer review and is expected to be released in September. He proposed that the RCA Board hold a special meeting to review the study.

Gary Thomasian asked what topics will be covered by the Rand Study report. Charles Landry said that the Study will cover, but not be limited to: 1) MSHCP benefits by governmental agencies and Permittees in Riverside County from years 1 through 4; i.e., transportation, infrastructure, development; and, 2) Cost and revenue projections as well as tools needed to manage and achieve the objectives of the MSHCP.

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John Zaitz requested a status report on the Washington, D.C., trips related to funding/grants. Charles Landry explained the complex nature and means when dealing with Foundations from starting with getting them interested in conservation projects and pointing out the benefits of an MSHCP to the region.

Robin Lowe stated that she and some Board Members accompanied Tom Mullen to Washington, D.C., last spring. At that time, the framework and the plan of attack were presented to the Department of Interior, Secretary Dirk Kempthorne, some Senate members as well as Douglas Wheeler, former California Secretary of Resources. She added that the complexity is where the RCA plan fits in the importance of conservation within the United States. The Rand Study will provide analysis and information to the RCA especially since conservation is not exclusive to us. It was hoped that the Study would be completed in July, but the timeline for completion was moved to the fall because the magnitude of the scope is greater than anticipated. She said that the amount of coverage that Tom Mullen has made to national conservancies and bringing focus to Riverside's conservation plan and efforts have been tremendous.

Jim Hyatt asked about the number of hours that Tom Mullen has worked and requested that the RCA Board be provided regular updates on the number of hours worked.

Jeff Stone confirmed that a CalPERS retiree may work up to 960 hours/fiscal year and maintain their retiree status.

Bob Schiffner questioned whether maintaining the monitoring contract is beneficial and requested that staff provide a report.

### **10. LAND ACQUISITION UPDATE**

Ken Graff, Director of Land Acquisition and Property Management, informed the RCA Board that some acquisitions are currently in escrow awaiting closure. The acquisitions will be included in the staff report at the next meeting.

### **11. ITEMS FOR NEXT MEETING**

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

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**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	470-100-005	Jerome Thompson, Bonny Thompson
2	900-020-024	Roy Holden, Clara Holden, Jim Holden
3	571-500-001	Shari Small

**12B. CONFERENCE WITH LEGAL COUNSEL: ANTICIPATED LITIGATION**

**Pursuant to Subdivision (b) of Government Code Section 54956.9**

**Exposure to Litigation**

**Number of Potential Cases: 3**

**12C. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION**

**Pursuant to Subdivision (a) of Government Code Section 54956.9**

■ **Case No. 493432**

The meeting reconvened at 1:38 p.m. There were no announcements from the Closed Session.

**13. ADJOURNMENT**

There being no other items to discuss, Chairman Montanez adjourned the meeting at 1:38 p.m. The next meeting of the Western Riverside County Regional Conservation Authority Board of Directors is scheduled to be held on Monday, September 8, 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