



## **EXECUTIVE COMMITTEE MINUTES**

**Wednesday, June 18, 2008**

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

The meeting of the Western Riverside County Regional Conservation Authority Executive Committee was called to order by Chairman Eugene Montanez at 12:06 p.m. in Conference Room C in the County Administrative Center, 4080 Lemon Street, Fifth Floor, in Riverside, California 92501.

### **2. ROLL CALL**

#### **Committee/Alternate Members Present**

Bob Buster  
Jim Hyatt  
Andy Melendrez  
Eugene Montanez  
Gary Thomasian

#### **Committee Member Absent**

Larry Dressel  
Jeff Stone

### **3. PUBLIC COMMENT**

There were no public comments.

### **4. COMMITTEE MEMBER ANNOUNCEMENTS**

There were no Committee member announcements.

### **5. ADDITIONS/REVISIONS**

There were no revisions or additions to the agenda.

### **6. APPROVAL OF MINUTES**

***M/S/C (HYATT/MELENDREZ) to approve the May 21, 2008 minutes, as presented.***

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

Charles Landry, Executive Director, stated that this item was on the agenda at the last meeting but was re-agendized to provide an opportunity for David Kennett to submit a recap of accomplishments in FY 2007-08 and complete a Campaign Disclosure Form. David Kennett's recap of accomplishments and Campaign Disclosure Form are attached to the staff report. Based on the submitted campaign disclosure form, there were no contributions made to any RCA Board Member.

Bob Buster requested that David Kennett continually provide a recap of accomplishments.

In response to Chairman Montanez' question on the status of the RAND Report, Charles Landry said that the study is in the process of being completed. A meeting to review the draft report is scheduled for next week. He expects to present the report to the RCA Board in September.

Andy Melendrez asked the difference in contract cost between David Kennett and The Ferguson Group.

Honey Bernas, Director of Administrative Services, said that the monthly retainer for David Kennett is slightly higher, but the contract does not allow for reimbursable expenses so it is anticipated that the actual cost to the RCA will be less.

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

- 1) ***Recommend that the Board of Directors approve the Professional Services Agreement with David Kennett to provide Government Relations Services; and***
- 2) ***Authorize staff to agendize this matter for the July 7, 2008 meeting of the RCA Board of Directors.***

### 8. APPROVAL OF AGREEMENT NO. 09002 PROFESSIONAL SERVICES AGREEMENT BETWEEN THE WESTERN RIVERSIDE COUNTY REGIONAL CONSERVATION AUTHORITY AND JOSEPH A. RICHARDS TO PROVIDE CONSULTING SERVICES

Charles Landry advised the Committee that he would like to retain the services of Joe Richards to perform certain tasks. He advised that some of the projects that Joe Richards will be working on are minor Plan Amendments and RCA policies and procedures. Also, his expertise and background is needed relating items connected with the U.S. Fish and Wildlife and the California Department of Fish and Game.

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Chairman Montanez noted the importance of providing regular updates of work performed to rationalize a contract with a RCA retiree. The report to the RCA Board should include information on work performed and should be submitted on a regular, continuing basis. The same would apply to other consultants such as Tom Mullen and David Kennett.

Charles Landry said that the agreement included a provision for a quarterly report to be submitted to the Executive Director. He will provide a report to the RCA Board on the consultants' work activities on a regular basis.

Andy Melendrez asked if Joe Richards' contract is for a one year period. If it is for more than one year, he asked when RCA would fill the Deputy Executive Director vacancy. Charles Landry stated that the agreement with Joe Richards is for one year. He advised that he is interested in filling the Deputy Executive Director position in the future.

In response to a request to define the projects that Joe Richards will be working on, Charles Landry said that the minor amendment work relates to future acquisition strategy that would not be suitable to be discussed in an open session.

Chairman Montanez suggested that for the RCA Board agenda, staff may want to include the litigation items under Closed Session, if the Board Members wish to discuss them.

Jim Hyatt asked the difference in the work being performed by Tom Mullen and Joe Richards. Charles Landry said that some of Tom Mullen's work activities include the Winchester 700 and securing funding and grants while Joe Richards will be predominantly working on minor amendments and developing policies and procedures.

Jim Hyatt asked if Joe Richards will be involved with such items as Calimesa's criteria refinement to which Charles Landry said that this is one of the minor amendments that Joe Richards will be working on.

### ***M/S/C (THOMASIAN/HYATT) to:***

- 1) Recommend that the Board of Directors approve the Professional Services Agreement with Joseph A. Richards to provide consulting services; and***
- 2) Authorize staff to agendize this matter for the July 7, 2008 meeting of the RCA Board of Directors.***

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### **9. 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**

Honey Bernas said that this item related to the latest amendment to the Joint Powers Amendment (JPA) changing the governing authority for the RCA from state laws governing the counties to state laws governing cities. The latest JPA amendment required updating RCA's records retention policy and schedule.

Ward Simmons, BB&K Legal Counsel, added that this policy will conform to the statutes in the Government Code relating to the schedule for retaining records in accordance to the state laws governing the cities.

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

- 1) Recommend that the Board of Directors adopt Resolution No. 08-012 Updating the RCA's Records Retention Policy and Schedule; and***
- 2) Authorize staff to agendize this matter for the July 7, 2008 meeting of the RCA Board of Directors.***

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

Honey Bernas stated that the ordinance establishes a policy for the RCA with regard purchasing supplies, materials, or equipment. Supplies, materials or equipment shall be included in the approved budget. It retains the authority level for the Executive Director at \$50,000 or less. Purchases not included in the budget, which are over \$50,000 will require RCA Board approval. The proposed policy also includes provisions for emergency purchases and conflict of interest.

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In response to Bob Buster if RCA uses the County Purchasing Department for purchases, Honey Bernas responded that in some cases RCA use the vendors on the County Purchasing Department list. However, when there is an instance that RCA is able to make a purchase at a lower cost than what was quoted by County vendors, i.e., furniture for new offices, then RCA will take the lower bid.

**M/S/C (HYATT/MELENDREZ) to:**

- 1) ***Recommend that the Board Introduce Ordinance No. 08-02, An Ordinance of the Board of Directors of the Western Riverside County Regional Conservation Authority Adopting a Purchasing Policy for Supplies, Materials or Equipment, and after reading the title of the Ordinance, waive further reading;***
- 2) ***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 September 8, 2008 regular meeting of the RCA Board of Directors to vote on the Ordinance;***
- 3) ***Authorize staff to agendize this matter for the September 8, 2008 regular meeting of the RCA Board of Directors;***
- 4) ***Recommend that the Board vote to adopt Ordinance 08-01 at the September 8, 2008 regular meeting of the RCA Board of Directors;  
and***
- 5) ***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.***

### **11. RESOLUTION NO. 08-013, A RESOLUTION OF THE BOARD OF DIRECTORS OF THE WESTERN RIVERSIDE COUNTY REGIONAL CONSERVATION AUTHORITY ADOPTING A SURPLUS REAL PROPERTY POLICY**

Ward Simmons stated that the proposed policy also related to the amendment of the authority level to state laws governing the cities. The policy for handling of surplus real property remains the same.

Andy Melendrez requested a change for reporting on Page 3, under Section III (B), *Contact Local Planning Authority*, second sentence, to "Failure of the City or County to report within ~~forty days~~ sixty days..."

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

- 1) Recommend that the Board adopt Resolution No. 08-013, A Resolution of the Board of Directors of the Western Riverside County Regional Conservation Authority Adopting a Surplus Real Property Policy, with the amendment to Section III (B) as noted; and***
- 2) Authorize staff to agendize this matter for the July 7, 2008 meeting of the RCA Board of Directors.***

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

### **12.1 Report on Consultant Services**

Charles Landry reported that some of the projects that Tom Mullen has been working which include: 1) Winchester 700; 2) Anheuser Busch; 3) RAND Study; and, 4) securing funding by contacting environmental groups and foundations which starts with making them aware of the significance of Riverside County's plan.

Bob Buster mentioned the Santa Monica Mountain Conservancy as an example of an effort funded by grants from nonprofit organizations and bonds. This is a partnership of local governments as a joint powers entity for interlinking a network of parks, trails, and open space for public use and wildlife habitat. He stated that perhaps they should be contacted as a resource. He noted another effort to save the everglades in Florida. He noted the importance of grass root efforts and stated that RCA should link with local community groups.

In response to Bob Buster's question regarding progress toward securing State funds, Charles Landry said that RCA has received match funds from the California Wildlife Conservation Board. He noted that because of the dire budget situation that the State is faced with, available funding, if any, is very limited.

### **12.2 Office Move and Executive Committee Meeting Location**

Charles Landry reported that RCA is scheduled to move to its new offices at 3403 Tenth Street, Suite 320, Riverside, in August. RCA's new offices have a conference room that is able to accommodate meetings of the Executive Committee, and therefore, the September Executive Committee meeting will be held at RCA's new offices.

## **13. FUTURE AGENDA ITEMS**

Bob Buster asked when discussion will commence on the possible merger between the Riverside County Habitat Conservation Agency and the Western Riverside County Regional Conservation Agency. Chairman Montanez stated that when this was previously

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discussed, because of the anticipated hiring of a new Executive Director, it was decided to provide adequate time for the new Executive Director to adjust before RCA considers and evaluates this proposal.

Charles Landry said that it may be possible to start discussion in the October-November time frame.

At this time, Chairman Montanez adjourned the meeting to Closed Session.

**14. CLOSED SESSION**

**14.1 CONFERENCE WITH LEGAL COUNSEL: ANTICIPATED LITIGATION**  
**Pursuant to Subdivision (b) of Government Code Section 54956.9**  
**Exposure to Litigation**  
**Number of Potential Cases: 2**

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

After Closed Session, the meeting reconvened. There were no announcements from the Closed Session.

**15. ADJOURNMENT**

There being no other items before the Western Riverside County Regional Conservation Authority Executive Committee, Chairman Montanez adjourned the meeting at 12:51 p.m. The next meeting will be held on Wednesday, September 17, 2008, at 12:00 p.m., at the Riverside Centre, 3403 Tenth Street, Suite 320, Third Floor Conference Room, Riverside, California, 92501.

Respectfully submitted,



Honey Bernas  
Clerk of the Board