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## EXECUTIVE COMMITTEE

*The Executive Committee, consisting of the RCA Board Chairman, Vice Chairman, Past Chairman, and four members of the RCA Board, makes recommendations regarding personnel, administrative and financial matters, as well as provide guidance on a broad range of issues including target areas or types of habitats needed to remain in rough step. In addition, the Executive Committee may schedule Funding Coordination Committee workshops to discuss funding and acquisition strategy.*

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### MEETING

12:00 p.m.  
Wednesday, January 19, 2009  
Western Riverside County Regional Conservation Authority  
Conference Room  
3403 Tenth Street, Suite 320  
Riverside, California 92501

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### EXECUTIVE COMMITTEE MEMBERS

**Bob Buster, Chairman**  
*County of Riverside, District 1*  
**Gary Thomasian, Vice Chairman**  
*City of Murrieta*  
**Eugene Thomasian, Past Chairman**  
*City of Corona*  
**Frank Hall**  
*City of Norco*  
**Jim Hyatt**  
*City of Calimesa*  
**Melissa Melendez**  
*City of Lake Elsinore*  
**Jeff Stone**  
*County of Riverside, District 3*

**Charles Landry, Executive Director**  
**Honey Bernas, Director of Administrative Services**  
**Ken Graff, Director of Land Acquisition**



## EXECUTIVE COMMITTEE AGENDA

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\*Action(s) may be taken on any item listed on the agenda. Non-exempt materials related to an item on this agenda submitted to the RCA Executive Committee after distribution of the agenda packet are available for public inspection at the RCA Offices, 3403 10<sup>th</sup> Street, Suite 320, Third Floor, Riverside, California, 92501, during normal business hours. Such documents are also available on the Western Riverside County Regional Conservation Authority website at [www.wrc-rca.org](http://www.wrc-rca.org) subject to staff's ability to post the documents before the meeting.

**Wednesday, January 21, 2009**  
**12:00 P.M.**  
**Riverside Centre, RCA Conference Room**  
**3403 Tenth Street, Suite 320**  
**Riverside, CA 92501**

*In compliance with the Americans with Disabilities Act and Government Code Section 54954.2, if special assistance is needed to participate in an Executive Committee meeting, please contact the Clerk of the Board at (951) 955-9700. Notification of at least 48 hours prior to meeting time will assist staff in assuring that reasonable arrangements can be made to provide accessibility at the meeting.*

- 1. CALL TO ORDER**
- 2. ROLL CALL**
- 3. PUBLIC COMMENT** *(At this time members of the public can address the Executive Committee regarding any items within the subject matter jurisdiction of the RCA that are not separately listed on this agenda. Members of the public will have the opportunity to speak on agenda items at the time the item is called for discussion. No action may be taken on items not listed on the agenda unless authorized by law. Each individual speaker is limited to speak three (3) continuous minutes or less. Any person wishing to address the Executive Committee on any matter, whether or not it appears on this agenda, is requested to complete a Request to Speak form available from the Clerk of the Board. The completed form is to be submitted to the Clerk of the Board prior to an individual being heard. Whenever possible, lengthy testimony should be presented to the Executive Committee in writing and only pertinent points presented orally. Any written documents to be distributed or presented to the Executive Committee shall be submitted to the Clerk of the Board.)*
- 4. COMMITTEE MEMBER ANNOUNCEMENTS**
- 5. ADDITIONS/REVISIONS** *(The Committee may add an item to the Agenda after making a finding that there is a need to take immediate action on the item and that the item came to the attention of the Committee subsequent to the posting of the agenda. An action adding an item to the agenda requires 2/3 vote of the Committee. If there are less than 2/3 of the Committee Members present, adding an item requires a unanimous vote. Added items will be placed for discussion at the end of the agenda.)*

**6. APPROVAL OF MINUTES**

**7. FISCAL YEAR 2008-09 FIRST QUARTER FINANCIAL REPORT AND BUDGET ADJUSTMENTS**

Overview

This item is for the RCA Executive Committee to:

- 1) Receive and file the Fiscal Year 2008-09 First Quarter Financial Statements;
- 2) Approve the Budget Adjustments contained in Exhibit A; and
- 3) Authorize staff to agendize this matter for the February 2, 2009 meeting of the RCA Board of Directors.

**8. AMENDMENTS TO THE JOINT POWERS AGREEMENT, THE IMPLEMENTING AGREEMENT, AND THE BYLAWS TO ADD THE CITIES OF MENIFEE AND WILDOMAR TO THE WESTERN RIVERSIDE COUNTY REGIONAL CONSERVATION AUTHORITY**

Overview

This item is for the RCA Executive Committee to:

- 1) Recommend that the RCA Board of Directors approve and direct staff to send the *Amendment No. 3 to the Joint Exercise of Powers Agreement Creating the Western Riverside County Regional Conservation Authority* to the member agencies for execution;
- 2) Recommend that the RCA Board of Directors introduce *Resolution No. 09-001, Resolution of the Board of Directors of the Western Riverside County Regional Conservation Authority Amending the Weighted Voting Section of Its Bylaws to add the Cities of Menifee and Wildomar*, and direct staff to agendize for adoption at the next regularly scheduled meeting;
- 3) Recommend that the RCA Board of Directors execute the *First Amendment to the Implementing Agreement for the Western Riverside County Multiple Species Habitat Conservation Plan/Natural Community Conservation Plan*; and
- 4) Authorize staff to agendize this matter for the February 2, 2009 meeting of the RCA Board of Directors.

**9. CLARIFICATION OF TENETS REGARDING INFRASTRUCTURE CONTRIBUTION TO MSHCP**

Overview

This item is for the RCA Executive Committee to:

- 1) Endorse the tenets regarding MSHCP infrastructure contributions;
- 2) Direct staff to forward the tenets to the County Executive Office and City Managers;
- 3) Direct staff to continue to work with the County and cities to ensure that qualified infrastructure projects contribute to the Plan; and
- 4) Authorize staff to agendize this matter for the February 2, 2009 meeting of the RCA Board of Directors.

**10. RATIFICATION OF 2009 RCA EXECUTIVE COMMITTEE**

Overview

This item is for the RCA Executive Committee to:

- 1) Recommend that the RCA Board of Directors ratify Chairman Buster's appointment to the Executive Committee for 2009; and
- 2) Direct staff to agendize this matter for the February 2, 2009 meeting of the RCA Board of Directors.

**11. REPORT BACK REGARDING RCHCA / RCA MERGER**

Overview

As requested by the RCA Board of Directors on December 10, 2008, this item is a staff report regarding an RCHCA/RCA merger.

**12. DISCUSSION REGARDING RAND REPORT – CHAPTER 8, *THE MSHCP's EFFECTS ON THE PERMITTING PROCESS FOR TRANSPORTATION AND DEVELOPMENT PROJECTS***

Overview

This item is for the RCA Executive Committee to discuss Chapter 8 of the RAND Report.

**RCA EXECUTIVE COMMITTEE AGENDA**

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**January 21, 2009**

**13. EXECUTIVE DIRECTOR'S REPORT**

**14. FUTURE AGENDA ITEMS:** *(Committee members are invited to suggest additional items to be brought forward for discussion.)*

**15. ADJOURNMENT**

The next meeting of the Western Riverside County Regional Conservation Authority Executive Committee will be held on Wednesday, February 18, 2009, at 12:00 p.m., at the Riverside Centre, 3403 Tenth Street, Suite 320, Third Floor, RCA Conference Room, Riverside, California, 92501.

# **AGENDA ITEM NO. 6**

## **MINUTES**



# EXECUTIVE COMMITTEE MINUTES NOVEMBER 19, 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 12:07 p.m. in the RCA Conference Room, 3403 Tenth Street, Suite 320, Riverside, California.

## 2. ROLL CALL

### Committee Members Present

Bob Buster  
Jim Hyatt  
Andy Melendrez  
Eugene Montanez  
Gary Thomasian

### Committee Members 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 additions or revisions to the agenda.

## 6. APPROVAL OF MINUTES

***M/S/C (HYATT/MELENDREZ) to approve the minutes of the Executive Committee's September 17, 2008 meeting as submitted.***

## RCA EXECUTIVE COMMITTEE MINUTES

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November 19, 2008

### 7. RECOMMENDED CHANGES TO SECTION 1.07 OF THE RCA LAND ACQUISITION POLICIES PERTAINING TO BARGAIN SALES

Brian Beck, Land Acquisition Analyst, said that as directed by the RCA Board of Directors at their meeting in October, staff reviewed the land acquisition policies as it related to bargain sales and recommended possible changes. Proposed changes include: 1) Allowing the bargain sale to be based on either an appraisal contracted by the RCA or by the property owner; 2) Making the property owner aware of the bargain policy, in writing, at the time of presenting the offer, and, 3) That there be a written acknowledgement from the property owner that they have been notified of the policy. Staff has also reviewed the Internal Revenue Service requirements for a bargain sale and found that the RCA is in conformance with their definition of a bargain sale.

Gary Thomasian asked how the proposed policies apply to the request by the property owner that appeared before the RCA Board at the last meeting requesting the benefit of a bargain sale status.

Brian Beck noted that appraisals will continue to be acquired by RCA and by the property owner. Staff will continue to review the appraisal to make sure that it is a sound appraisal and it meets industry standards. To qualify for a bargain sale status, the sale or exchange of a property must be less than the appraised value of the property. In addition, the bargain sale status must be approved by the RCA Board at the time of purchase.

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

- 1) Approve the modification to the RCA's Bargain Sale Policy, Section 1.07 of the Land Acquisition Policies; and***
- 2) Authorize staff to agendize this matter for the December 10, 2008 Special Meeting of the RCA Board of Directors.***

### 8. FISCAL YEAR-08 (JULY 1, 2007 – JUNE 30, 2008) INDEPENDENT AUDITORS' REPORT OF THE WESTERN RIVERSIDE COUNTY REGIONAL CONSERVATION AUTHORITY

Honey Bernas, Director of Administrative Services, informed the Executive Committee that the fiscal audit of RCA's accounts and records was performed and completed by Ahern, Adcock, Devlin, LLP. A single audit was also performed because RCA received federal funds. There was one reportable finding concerning the financial statements as it related to the preparation of monthly reconciliations. The capital projects reporting module is not fully integrated into the County's OASIS accounting module and, therefore, staff was not able to post all audit adjustments. Also, reconciliations were not performed adequately on a timely basis due to limited staff resources. Staff concurs with the Auditors finding and she advised the Committee of staff's planned actions to correct the deficiency.

## **RCA EXECUTIVE COMMITTEE MINUTES**

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**November 19, 2008**

Honey Bernas continued and recognized the efforts of Gary Poor, Rochelle Jensen, Theresa Ramos and Brian Beck which resulted in the positive result of the fiscal audit.

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

- 1) Approve the Fiscal Year 2008 Financial Statements and Independent Auditors' report;***
- 2) Endorse the actions presented by staff at the meeting; and***
- 3) Direct staff to agendize this matter for the December 10, 2008 Special Meeting of the RCA Board of Directors.***

### **9. RESOLUTION NO. 08-018, RESOLUTION OF THE BOARD OF DIRECTORS OF THE WESTERN RIVERSIDE COUNTY REGIONAL CONSERVATION AUTHORITY ADOPTING A STATEMENT OF INVESTMENT POLICY**

Steve DeBaun, Legal Counsel, said that the proposed Resolution will update RCA's Investment Policy to conform to the California statutes governing the cities. The County of Riverside Treasurer acts as the Authority's Treasurer. They have requested that the RCA use their format showing the listing of committed investments in RCA's investment policy. The County Treasurer will provide an overview of the Investment Policy to the RCA Board of Directors at the December 10, 2008 meeting.

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

- 1) Recommend that the Board of Directors adopt Resolution No. 08-018, Adopting a Statement of Investment Policy; and***
- 2) Authorize staff to agendize this matter for the December 10, 2008 Special Meeting of the RCA Board of Directors.***

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

#### **10.1 Election of Officers**

Charlie Landry stated that the election of officers will be on the RCA Board of Directors' meeting agenda for December 10, 2008. In accordance with the bylaws, the Chairman and Vice Chairman Seat rotate between a City and the County. This year, the Chairman is a City representative and the Vice Chairman is the County representative. Therefore, for 2009, the Chairman shall be a County representative and the Vice Chairman shall be a City representative.

## **RCA EXECUTIVE COMMITTEE MINUTES**

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November 19, 2008

### **10.2 Report on Consultant Services – Dudek & Associates, Inc.**

Charlie Landry advised that Dudek & Associates provides technical expertise on biology and takes the lead for Joint Project Review. They participate in the weekly coordination meetings with the County of Riverside and monthly meetings with the Wildlife Agencies. They also conduct training sessions to local permittees on MSHCP implementation and the project review process, including detailed instructions regarding specific geographic considerations. He said that a study on the effectiveness, strengths and weaknesses of the Monitoring Program was performed by Dudek. RCA assumes responsibility for the Monitoring Program in three years, and the study will ensure that it will be ready to do so. Dudek is currently performing under budget.

In response to Chairman Montanez's question if RCA staff keeps in contact with city staff to be aware of turnovers that occur, Charlie Landry said that meetings with member cities continue to be scheduled.

### **10.3 RAND Report**

A review of the RAND Report will start at the next Executive Committee meeting beginning with the projections, the background for the projections, and how the projections are derived.

Bob Buster requested that staff provide the Executive Committee with the sections of the publication that will be covered at the meeting.

## **11. FUTURE AGENDA ITEMS**

At this time, Jim Hyatt asked about the status of the RCA budget with the reduction of incoming revenues. Charlie Landry said that for this year, the projection of revenues was significantly reduced. He intends to reduce it further and will be back to the Executive Committee with a mid year adjustment of the budget.

## **12. ADJOURNMENT**

The next meeting of the Western Riverside County Regional Conservation Authority Executive Committee will be held on Wednesday, December 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

**AGENDA ITEM NO. 7**

**FISCAL YEAR 2008-09  
FIRST QUARTER  
FINANCIAL REPORT AND  
BUDGET ADJUSTMENTS**

*Regional Conservation Authority***FISCAL YEAR 2008-09 FIRST QUARTER FINANCIAL REPORT  
AND BUDGET ADJUSTMENTS****Staff Contact:**

**Honey Bernas, Director of  
Administrative Services  
(951) 955-2842**

**Background:**

Attached is the Fiscal Year 2008-09 First Quarter Financial Report, which includes an Executive Summary (cash balance summary and financial statement overview), detailed financial statements, MSHCP Fee Collections Reports.

Budget adjustments, detailed in Exhibit A attached hereto, are necessary in Departments 935100 (Operations) and 953201 (Land Acquisitions). In Operations it is necessary to increase revenue by \$2,538,872 due to an unanticipated Participating Special Entity application. Appropriations need to be increased by \$9,000 mainly due to the purchase of office equipment not anticipated in the budget.

In Land Acquisitions, it is necessary to increase revenue by \$59,407,960 due mainly to Measure A contributions for Winchester 700 and State and Federal grants. Appropriations need to be increased by \$59,273,460 due primarily to property acquired with Measure A, State and Federal Grants.

**Staff Recommendation:**

That the Executive Committee:

- 1) Recommend that the RCA Board of Directors receive and file the Fiscal Year 2008-09 First Quarter Financial Report;
- 2) Approve the Budget Adjustments contained in Exhibit A attached hereto; and
- 3) Authorize staff to agendize this matter for the February 2, 2009 Meeting of the RCA Board of Directors.

**Attachments:**

- 1) Exhibit A – Budget Adjustment
- 2) Attachment 1 – Executive Summary (Cash Balance Summary and Financial Statement Overview)
- 3) Attachment 2 – Detailed Financial Statements
- 4) Attachment 3 – MSHCP Fee Collection Reports



<b>DATE</b>	<b>February 2, 2009</b>
<b>TO</b>	<b>Auditor-Controller</b>
<b>FROM</b>	<b>Honey Bernas, Director of Administrative Services (951) 955-2842</b>
<b>SUBJECT</b>	<b>FISCAL YEAR 2008-09 BUDGET ADJUSTMENTS (FUND 51630)</b>

**Background:**

On February 2, 2009, the RCA Board of Directors approved the budget adjustments contained herein.

**Requested Action:**

That the Auditor-Controller make the following budget adjustments:

**OPERATIONS (935100)**

**Increases to Revenue**

722002	Participating Special Entities	2,538,872
<b>Total Increases to Revenue</b>		<b>2,538,872</b>

**Increases to Appropriations**

521360	Maintenance-Hardware	1,000
523680	Office Equip-Non Fixed Assets	6,000
542080	Improvements-Leasehold Buildings	2,000
<b>Total Increases to Appropriations</b>		<b>9,000</b>

**LAND ACQUISITIONS (935201)**

**Increases to Revenue**

711040	Measure A Local Streets & Roads	56,200,000
751680	State Grants	2,138,518
766600	Federal Grants	819,442
777600	TUMF Revenue-Developer Fees	250,000
<b>Total Increases to Revenue</b>		<b>59,407,960</b>

**Increases to Appropriations**

520200	Communications	5,000
520230	Cellular Phones	1,000
523680	Office Equip-non fixed assets	52,000
523700	Office Supplies	7,000
528280	Imaging Supplies	2,000
535560	Depreciation-Equipment	2,500
540040	Land Expenditures	59,157,960
540060	Improvements-Land	31,000
524080	Improvements-Leasehold Buildings	15,000
<b>Total Increases to Appropriations</b>		<b>59,273,460</b>

**APPROVED BY:** \_\_\_\_\_ **DATE:** \_\_\_\_\_  
**BOB BUSTER, CHAIRMAN**  
**RCA Board of Directors**

# **AGENDA ITEM NO. 7**

## **Attachment 1 Executive Summary (Cash Balance Summary And Financial Statement Overview)**

**FISCAL YEAR 2008-09 FIRST QUARTER FINANCIAL STATEMENT**  
**JULY 1, 2008 – SEPTEMBER 30, 2008**

<b>CASH BALANCE SUMMARY</b> Rounded to the Nearest Hundred Thousand	
<b>Balance as of 07-01-08</b>	<b>\$ 23,200,000</b>
<b>Prior Year A/R Collected Net of A/P Paid</b>	<b>\$ 2,500,000</b>
<b>Income 07-01-08 through 09-30-08</b>	<b><u>\$ 2,200,000</u></b>
<b>Cash Available</b>	<b>\$ 27,900,000</b>
<b>Expenditures 07-01-08 through 09-30-08</b>	<b><u>\$ (12,200,000)</u></b>
<b>Balance as of 09-30-08</b>	<b><u>\$ 15,700,000</u></b>

**FISCAL YEAR 2007-08 FIRST QUARTER FINANCIAL STATEMENT  
 JULY 1, 2008 – SEPTEMBER 30, 2008  
 BUDGET TO ACTUAL FOR FIRST QUARTER  
 OPERATIONS (DEPARTMENT 935100)**

	<u>Budget</u>	<u>First Quarter Actual+Accrual</u>
<b><u>Revenue:</u></b>	<b>\$ 945,804</b>	<b>\$ 127,067</b>
<b><u>Appropriations:</u></b>		
<b>Salaries &amp; Benefits</b>	<b>509,103</b>	<b>76,582</b>
<b>Contracts</b>	<b>266,600</b>	<b>31,737</b>
<b>Other Supplies &amp; Services</b>	<b>351,352</b>	<b>31,766</b>
<b>Equipment/Depreciation</b>	<b>71,045</b>	<b>15,309</b>
<b>Cost Applied</b>	<b><u>(243,121)</u></b>	<b><u>(36,336)</u></b>
<b>Total Appropriations</b>	<b>\$ 954,979</b>	<b>\$ 119,058</b>
<b>Net Operating Position (NOP)</b>	<b>\$ <u>(9,175)</u></b>	<b>\$ <u>8,009</u></b>

**FISCAL YEAR 2008-09 FIRST QUARTER FINANCIAL STATEMENT  
 JULY 1, 2008 – SEPTEMBER 30, 2008  
 BUDGET TO ACTUAL FOR FIRST QUARTER  
 LAND ACQUISITION (DEPARTMENT 935201)**

	<u>Budget</u>	<u>First Quarter Actual+Accrual</u>
<b>Revenue:</b>	<b>\$ 40,905,071</b>	<b>\$ 78,878,962</b>
<b>Appropriations:</b>		
<b>Salaries &amp; Benefits</b>	<b>1,480,498</b>	<b>363,922</b>
<b>Contracts</b>	<b>3,075,330</b>	<b>340,000</b>
<b>Other Supplies &amp; Services</b>	<b>3,198,471</b>	<b>329,464</b>
<b>Equipment/Depreciation</b>	<b>33,868</b>	<b>9,065</b>
<b>Capital Assets</b>	<b><u>43,564,725</u></b>	<b><u>78,783,545</u></b>
<b>Total Appropriations</b>	<b>\$ 51,352,892</b>	<b>\$ 79,825,996</b>
<b>Net Operating Position (NOP)</b>	<b>\$ (10,447,821)</b>	<b>\$ (947,034)</b>
<b>Adjustment From Fund Balance</b>	<b>\$ 10,447,821</b>	<b>\$ 947,034</b>
<b>Adjusted NOP</b>	<b><u>\$ 0</u></b>	<b><u>\$ 0</u></b>

**FISCAL YEAR 2008-09 FIRST QUARTER FINANCIAL STATEMENT  
 JULY 1, 2008 – SEPTEMBER 30, 2008  
 BUDGET TO ACTUAL FOR FIRST QUARTER  
 MANAGEMENT AND MONITORING (DEPARTMENT 935300)**

	<u>Budget</u>	<u>First Quarter Actual+Accrual</u>
<b><u>Revenue:</u></b>	<b>\$ 2,621,077</b>	<b>\$ 536,884</b>
<b><u>Appropriations:</u></b>		
<b>Salaries &amp; Benefits</b>	<b>106,252</b>	<b>1,184</b>
<b>Contracts</b>	<b>2,281,436</b>	<b>522,382</b>
<b>Other Supplies &amp; Services</b>	<b>232,389</b>	<b>32,190</b>
<b>Equipment/Depreciation</b>	<b>1,000</b>	<b>282</b>
<b>Total Appropriations</b>	<b><u>\$ 2,621,077</u></b>	<b><u>\$ 556,038</u></b>
<b>Net Operating Position (NOP)</b>	<b><u>\$ 0</u></b>	<b><u>\$ (19,154)</u></b>

# **AGENDA ITEM NO. 7**

## **Attachment 2 Detailed Financial Statements**

**REGIONAL CONSERVATION AUTHORITY (RCA)**  
**FISCAL YEAR 2008-09 FIRST QUARTER FINANCIAL STATEMENT**  
**Fund 51630, DeptID 935100 (Operations)**  
**BUDGET TO ACTUAL ANALYSIS FOR FY 08-09, PERIOD ENDING 9/30/08**

Revenue Budget to Actual and Projections - Fiscal Year 2009				Note: This combines DeptID's 935100 and 935200					
DeptID	Account	Description	Budget Amount	Actual Revenue through 9/30/08	September Accruals	NOTES	Total Actuals and Accruals thru 9/30/08	Projection through 6/30/09	Projection Over/(Under) Budget at 6/30/09
<b>Dept. 935100 Revenue:</b>									
935100	722002	Participating Special Entities	0	0	0	F25	0	2,483,872	2,483,872
935100	740020	Interest	8,925	0	2,231	F9	2,231	8,925	0
935100	769240	Oth Gov MSHCP Infrastructure	212,500	0	0	F21a	0	35,755	(176,745)
935100	769260	Oth Gov MSHCP Civic Projects	212,500	0	0	F21b	0	0	(212,500)
935100	771410	Flood Control Covered Projects	0	0	0	F22	0	0	0
935100	777170	Development Fees-MSHCP	321,102	13,361	56,731	F1,2	70,092	224,295	(96,807)
935100	777600	TUMF-Developer Fees	19,500	0	27,192	F5	27,192	27,192	7,692
935100	777860	Joint Project Review Deposits	84,577	22,500	5,000	F13	27,500	84,577	0
935100	781360	Other Misc Revenue	0	5,052	(5,000)	F26	52	4,000	4,000
935100	781520	Contrib From Other Funds-TIPPING	86,700	0	0	F20	0	0	(86,700)
<b>Dept. 935100 Total Revenue</b>			<b>945,804</b>	<b>40,913</b>	<b>86,154</b>		<b>127,067</b>	<b>2,868,616</b>	<b>1,922,812</b>
<b>Expenditures Budget to Actual and Projections - Fiscal Year 2008</b>									
DeptID	Account	Description	Budget Amount	Actual Amount Expended through 9/30/08	September Accruals	NOTES	Total Actuals and Accruals through 9/30/08	Projection through 6/30/09	Projection (Over)/Under Budget at 6/30/09
<b>Dept. 935100 Appropriations:</b>									
<b>Appropriation 1 (Salaries and Benefits):</b>									
935100	510040	Regular Salaries	326,399	47,756	6,082	F4,7	53,839	304,200	22,200
935100	510200	Payoff-Permanent	0	0	0		0	0	0
935100	510420	Overtime	0	0	0		0	0	0
935100	510440	Administrative Leave	0	0	0	F18	0	0	0
935100	510460	Leave Buy-Out Parity	45,617	0	0	F18	0	22,809	22,809
935100	510320	Temporary Salaries-TAP	0	0	0		0	0	0
935100	518100	Budgeted Benefits	137,087	20,057	2,687	F4,8	22,743	128,207	8,880
<b>Appropriation 1 Total</b>			<b>509,103</b>	<b>67,813</b>	<b>8,769</b>		<b>76,582</b>	<b>455,215</b>	<b>53,888</b>
<b>Appropriation 2 (Supplies and Services):</b>									
935100	520200	Communications	964	1,618	(1,456)	F14	162	647	317
935100	520230	Cellular Phone	60	25	0		25	60	0
935100	520260	Computer Lines	5,387	2,035	(2,035)	F14	0	5,387	0
935100	520270	County Delivery Service	22	0	6	F12	6	22	0
935100	520940	Insurance-Other	10,000	0	5,749	F14	5,749	5,749	4,251
935100	521360	Maint-Hardware	350	1,328	0		1,328	1,328	(978)
935100	521500	Maint-Motor Vehicles	0	0	0		0	0	0
935100	521540	Maint-Office Equipment	500	83	0		83	500	0
935100	521640	Maint-Software	687	0	0		0	687	0
935100	523100	Memberships	20	0	0		0	20	0
935100	523230	Miscellaneous Expense	2,000	714	0		714	2,000	0
935100	523620	Books/Publications	60	0	0		0	60	0
935100	523640	Computer Equip-Non Fixed Asset	3,500	620	0		620	3,500	0
935100	523660	Computer Supplies	1,661	0	0		0	1,661	0
935100	523680	Office Equip Non Fixed Assets	0	3,210	2,459	F16	5,669	5,669	(5,669)
935100	523700	Office Supplies	1,108	2,118	(2,118)	F14	(0)	1,108	0
935100	523720	Photocopying	184	0	0		0	184	0
935100	523760	Postage-Mailing	924	558	(159)	F14	398	924	0
935100	523800	Printing/Binding	454	0	0		0	454	0
935100	523840	Computer Equipment-Software	1,000	140	0		140	1,000	0
935100	524560	Auditing And Accounting	19,500	0	0	F19	0	19,500	0
935100	524900	GIS Services	1,320	0	0		0	1,320	0
935100	525020	Legal Services	250,000	5,295	5,337	F24,14	10,633	250,000	0
935100	525120	Micrographic Services	0	0	0		0	0	0
935100	525140	Personnel Services (HR)	1,114	0	0		0	1,114	0
935100	525300	OASIS Processing-Financials	1,314	3,679	(3,493)	F10,14	186	1,603	(289)
935100	525310	OASIS Processing-HRMS	289	0	0	F10	0	0	289
935100	525440	Professional Services	540	0	0		0	540	0
935100	526410	Legally Required Notices	0	10	0		10	10	(10)
935100	526420	Advertising	35	0	0		0	35	0
935100	526700	Rent-Lease Bldgs	20,610	8,849	(3,883)	F17	4,966	19,865	745
935100	527780	Special Program Exp (Svs Agree)	6,775	0	0		0	6,775	0
935100	527840	Training-Education/Tuition	1,260	0	0		0	1,260	0
935100	527880	Training-Other	396	0	0		0	396	0
935100	527980	<b>Contracts (SEE ATTACHMENT "A")</b>	266,600	22,492	9,245	F11	31,737	189,275	77,325
935100	528080	Labor	1,141	0	84	F23	84	337	804
935100	528120	Board/Commission Expense	4,025	2,330	(1,881)	F14	449	4,025	0
935100	528140	Conference/Registration Fees	7,110	0	0		0	7,110	0
935100	528280	Imaging Supplies	0	1,027	(924)	F14	103	103	(103)
935100	528900	Air Transportation	2,548	0	0		0	2,548	0
935100	528920	Carpool Expense	0	0	0		0	0	0
935100	528960	Lodging	1,712	0	0		0	1,712	0
935100	528980	Meals	1,062	274	0		274	1,062	0
935100	529000	Miscellaneous Travel Expense	902	0	0		0	902	0
935100	529040	Private Mileage Reimbursement	817	168	0		168	817	0
<b>Appropriation 2 Total</b>			<b>617,951</b>	<b>56,573</b>	<b>6,931</b>		<b>63,504</b>	<b>541,268</b>	<b>76,683</b>
<b>Appropriation 3 (Depreciation):</b>									
935100		Depreciation	43,045	0	4,169	F6	4,169	16,675	26,370

			0	0	0		0	0	
<b>Appropriation 3 Total</b>			<b>43,045</b>	<b>0</b>	<b>4,169</b>		<b>4,169</b>	<b>16,675</b>	<b>26,370</b>
<b>Appropriation 4 (Capital Assets):</b>									
935100	540040	Land	0	0	0		0	0	0
935100	542080	Improvements-Leasehold Buildings	8,000	9,612	0		9,612	9,612	(1,612)
935100	546080	Equipment-Computer	10,900	1,528	0		1,528	10,900	0
935100	546140	Equipment-Office	0	0	0		0	0	0
935100	546160	Equipment-Other	4,100	0	0		0	4,100	0
935100	546160	Equipment-Other (Furniture)	5,000	0	0		0	5,000	0
935100	546320	Vehicles-Cars/Light Trucks	0	0	0		0	0	0
935100	546360	Vehicles-Heavy Equipment	0	0	0		0	0	0
<b>Appropriation 4 Total</b>			<b>28,000</b>	<b>11,140</b>	<b>0</b>		<b>11,140</b>	<b>29,612</b>	<b>(1,612)</b>
<b>Appropriation 7 (Intrafund Transfers):</b>									
935100	572600	Intrafund-Maintenance	0	15	0		15	15	(15)
935100	573400	Intrafund Reimb Sal,Ben, Ovhd	(243,121)	0	(36,336)	F3,4	(36,336)	(146,962)	(96,159)
<b>Appropriation 7 Total</b>			<b>(243,121)</b>	<b>15</b>	<b>(36,336)</b>		<b>(36,336)</b>	<b>(146,962)</b>	<b>(96,159)</b>
<b>Dept 935100 Total Expenditures</b>			<b>954,979</b>	<b>135,541</b>	<b>(16,468)</b>		<b>119,058</b>	<b>895,808</b>	<b>59,170</b>
<b>Net Operating Position 935100</b>			<b>(9,175)</b>	<b>(94,628)</b>	<b>102,622</b>		<b>8,009</b>	<b>1,972,808</b>	<b>1,981,982</b>
Less Depreciation			(43,045)	Add back Deprec. (non-cash)			4,169	16,675	
<b>Net Cash Budget</b>			<b>911,934</b>	<b>Adjusted NOP (Cash)</b>			<b>12,178</b>	<b>1,989,482</b>	

**Notes:**

- F1: MSHCP Fee total is based on actuals for City Fees and LMS (County) Fees thru 9/30/08. County fees were actually collected in Sept. City fees were collected in October and accrued.  
F2: Accrue to 3% of total MSHCP Fees (Cities and County) through September 2008.  
F3: Estimated Cost Applied accrual through 9/30/08 for Land Acq & Mgmt & Monitoring related indirect support costs and paid time off (25.08%) of Productive Benefit Estimate).  
F4: Cost Applied reduces salaries & benefits and indirect charges in Operations and charges Land Acquisition and Management & Monitoring directly.

**Cost Applied for FYE 9/30/08 includes the following:**

- (see F4a)  
(1) Any salaries incorrectly posted to Operations and subsequently corrected.  
(2) Productive Benefits (applied to Salaries at 65.08% less regular ben at 40.00%.  
(3) Indirect charges applied to Salaries and Productive Benefits at 20.00% only on Management & Monitoring DeptID 935300.

Note F4a: Estimate of non-productive time (PTO) of 25.08%

Cost Applied through 9/30:		FYE Projection
Land Acquisitions (935201)	35,982	143,929
Mgmt & Monitoring (935300)	354	3,033
<b>Total</b>	<b>36,336</b>	<b>146,962</b>

- F5: TUMF accrued revenue is based on the inception-to-date total revenue less amounts reported as revenue in prior fiscal years.  
Note: RCA received \$750,000 from WRCOG in January 2008 for the Fidelity project which was not completed in 07-08, so the revenue had to be reclassified to deferred revenue at FYE 6/30/08 and consequently will be recorded as revenue in 08-09.  
TUMF Fees are allocated 97% to 935201 and 3% to 935100 (Operations).  
F6: Accrue 3 months of depreciation as per depreciation schedule.  
F7: Accrue 1.4 pay periods for Operational salaries through 9/30/08.  
F8: Accrue 1.4 pay periods for Operational benefits through 9/30/08.  
F9: Interest Revenue is based on budget estimate for the first quarter.  
F9a: Interest revenue will vary depending on cash flow.  
F9b: Interest deposited into Ops initially, but needs to be reallocated to another DeptID: 935100 interest % = 3%, 935201 interest % = 97%.  
Note: As per the County Treasurer interest averaged 3.03% for the first quarter, declining each month from 3.10% to 2.96%. RCA budgeted 1.75% for the 08-09 fiscal year.  
F10: County is charging OASIS (both financials and HRMS) to 525300.  
F11: See Contract Detail.  
F12: September accrual is based on 3 months of budget.  
F13: For JPR projects any refunds are debited against the revenue account. JPR related expenses are recorded in Approp 1 (staff time) and Approp 2 (Dudek). Also includes one criteria refinement deposit of \$5,000 for Calimesa reclassified from other misc revenue.  
F14: Reclass expenses between Operations & Land Acq. to reflect 10/90 split as of 9/30/08.  
F15: Southern California Edison - projected to pay in January 2009.  
F16: Reclass of prepaid expense from prior year for furniture purchases for new office.  
F17: Rent paid to Facilities Management for space in the Security Bank Building. RCA moved to the new location the first week of August 2008.  
Accrual includes parking expense (\$500 per year ea + \$35 per month each) for 4 spaces.  
Allocation: 10% OPS/90% Land Acquisitions.  
F18: Management selling back hours (up to 40 maximum per calendar year) of annual leave to the County. The original budget was estimated at 80 hours per management employee, but on 11/18/08 the County Board reduced the annual maximum from 160 hours to 40 hours. Administrative Leave is reclassified to Leave Buy-Out Parity.  
F19: The FYE projection includes 30% of the cost of the Single Audit for Operations. 70% of the Single Audit is charged to Land Acquisitions (935201). Also, 10% of the cost of the audits of the cities is charged to Operations and 90% is charged to Land Acquisitions.  
F20: Portion of TIPPING Fees from Landfills allocated to Operations will not be allocated to Operations and will remain with Management & Monitoring.  
F21a: To be conservative, the projection for Infrastructure has been reduced to what has actually been received through October 2008.  
F21b: To be conservative, the projection for Civic Projects has been reduced to zero since no revenue had been received as late as 10/31/08.  
F22: Flood Control revenue has been budgeted 100% in Management & Monitoring in FY09.  
F23: Based on a cost accounting report of TLMA accounting staff working on RCA project Z9900200 for the period 7/1/08-10/08/08 (Pay periods 15 (20%) thru 22 (100%)). 10% OPS/90% Land Acquisitions.  
F24: Legal expense accrual based on actual invoices through 9/30/08.  
F25: Participating Special Entity (PSE) SCE El Casco System project. Funds to be received in January 2009. Note: \$55,000 to be transferred to Management & Monitoring.  
F26: Misc Revenue includes \$5,000 for criteria refinement for RC14030003: Calimesa CR08-09-11-01. This has been reclassified to JPR Deposit revenue.

**REGIONAL CONSERVATION AUTHORITY (RCA)**  
**FISCAL YEAR 2008-09 FIRST QUARTER FINANCIAL STATEMENT**  
**Fund 51630, DeptID 935201 (Land Acquisition)**  
**BUDGET TO ACTUAL ANALYSIS FOR FY 08-09, PERIOD ENDING 9/30/08**

DeptID	Account	Description	Budget Amount	Actual Revenue through 9/30/08	September Accruals	NOTES	Total Actuals and Accruals through 9/30/08	Projection through 6/30/09	Projection Over/(Under) Budget at 6/30/09
<b>Dept. 935201 Revenue:</b>									
935201	711040	Measure A Local Sts & Rds	20,000,000	0	72,500,000	F9	72,500,000	76,200,000	56,200,000
935201	722002	Participating Special Entities	0	0	0		0	0	0
935201	740020	Interest	297,063	0	74,266	F12	74,266	297,063	0
935201	740040	Interest-Other	0	0	0		0	0	0
935201	751680	Grants-State	1,249,850	0	1,249,850	F9	1,249,850	3,388,368	2,138,518
935201	766600	Grants-Land (Fed)	5,273,205	0	1,907,915	F9	1,907,915	6,092,647	819,442
935201	771820	Development Agreements	0	0	0		0	0	0
935201	777170	Development Fees-MSHCP	10,382,295	2,109,470	156,844	F5,7	2,266,314	7,252,204	(3,130,091)
935201	777600	TUMF Revenue-Developer Fees	630,500	0	879,198	F10	879,198	879,198	248,698
935201	781220	Donations-Land	2,900,000	0	0	F9	0	2,900,000	0
935201	781220	Donations-Consrv Easements	0	0	0	F9	0	0	0
935201	781360	Other Misc Revenue	0	1,420	0		1,420	1,420	1,420
935201	781560	Contributions-Other Agencies	172,158	0	0		0	172,158	0
<b>Dept 935201 Total Revenue</b>			<b>40,905,071</b>	<b>2,110,890</b>	<b>76,768,073</b>		<b>78,878,962</b>	<b>97,183,058</b>	<b>56,277,987</b>
<b>Expenditures Budget to Actual and Projections - Fiscal Year 2008</b>									
DeptID	Account	Description	Budget Amount	Actual Amount Expended through 9/30/08	September Accruals	NOTES	Total Actuals and Accruals through 9/30/08	Projection through 6/30/09	Projection (Over)/Under Budget at 6/30/09
<b>Dept. 935201 Appropriations</b>									
<b>Appropriation 1 (Salaries and Benefits) :</b>									
935201	510040	Regular Salaries	896,820	167,247	53,205	F1	220,452	830,222	66,599
935201	510200	Payoff-Permanent	0	0	0		0	0	0
935201	510320	Temporary Salaries	0	0	0		0	0	0
935201	510420	Overtime	0	80	0		80	80	(80)
935201	518100	Budgeted Benefits	583,678	72,328	71,063	F2	143,391	557,039	26,639
<b>Appropriation 1 Total</b>			<b>1,480,498</b>	<b>239,655</b>	<b>124,268</b>		<b>363,922</b>	<b>1,387,340</b>	<b>93,158</b>
<b>Appropriation 2 (Supplies and Services) :</b>									
935201	520200	Communications	8,679	125	3,244	F14	3,368	13,473	(4,794)
935201	520230	Cellular Phone	540	222	111	F15	333	1,330	(790)
935201	520260	Computer Lines	48,480	0	2,724	F14	2,724	48,480	0
935201	520270	County Delivery Service	198	0	50	F19	50	198	0
935201	520940	Insurance-Other	90,000	57,493	(5,749)	F20	51,744	90,000	0
935201	521360	Maint-Hardware	3,150	0	0		0	3,150	0
935201	521540	Maint-Office Equipment	4,500	749	0		749	4,500	0
935201	521640	Maint-Software	6,179	0	0		0	6,179	0
935201	523100	Memberships	180	0	0		0	180	0
935201	523230	Miscellaneous Expense	18,000	3,534	0		3,534	18,000	0
935201	523620	Books and Publications	540	0	0		0	540	0
935201	523640	Comp. Equip-non fixed assets	31,500	5,581	0		5,581	31,500	0
935201	523660	Computer Supplies	14,949	0	0		0	14,949	0
935201	523680	Office Equip- non fixed assets	0	28,889	22,130	F22	51,020	51,020	(51,020)
935201	523700	Office Supplies	9,972	1,530	2,603	F14	4,134	16,535	(6,563)
935201	523720	Photocopying	1,654	0	0		0	1,654	0
935201	523760	Postage-Mailing	8,316	2,194	244	F14	2,438	8,316	0
935201	523800	Printing/Binding	4,089	0	0		0	4,089	0
935201	523840	Computer Equipment-Software	9,000	0	0		0	9,000	0
935201	524520	Indirect Support Cost	0	0	0	F3	0	0	0
935201	524560	Auditing And Accounting	75,500	0	0	F4	0	75,500	0
935201	524900	GIS Services	11,880	0	0		0	11,880	0
935201	525020	Legal Services	2,386,071	62,301	68,151	F18,14	130,451	2,386,071	0
935201	525120	Micrographic Services	0	0	0		0	0	0
935201	525140	Personnel Services	10,029	0	0		0	10,029	0
935201	525300	OASIS Financials	11,827	0	3,493	F14	3,493	13,973	(2,146)
935201	525310	OASIS Financials	2,605	0	0		0	0	2,605
935201	525440	Professional Services	4,860	0	0		0	4,860	0
935201	525500	Salary/Benefit Reimbursement	0	0	0		0	0	0
935201	526410	Legally Required Notices	223	86	0		86	223	0
935201	526420	Advertising	0	0	0		0	0	0
935201	526700	Rent/Lease Buildings	185,490	40,973	3,723	F17	44,696	173,385	12,105
935201	527780	Special Program Expense	60,975	15,820	0		15,820	60,975	0
935201	527840	Training-Education/Tuition	11,340	0	0		0	11,340	0
935201	527880	Training-Other	3,564	0	0		0	3,564	0
935201	527980	Contracts (See Attachment A)	3,075,330	285,812	54,188	F16	340,000	2,453,848	621,483
935201	528080	Labor (TLMA)	10,270	0	758	F21	758	3,031	7,239
935201	528120	Board/Commission Exp	36,228	2,246	1,797	F14	4,042	36,228	0
935201	528140	Conference/Registration Fees	63,990	0	0		0	63,990	0
935201	528280	Imaging Supplies	0	0	923	F14	923	923	(923)
935201	528900	Air Transportation	22,928	1,248	0		1,248	22,928	0
935201	528920	Carpool Expense	334	15	0		15	334	0
935201	528960	Lodging	15,404	1,109	0		1,109	15,404	0
935201	528980	Meals	9,554	75	0		75	9,554	0
935201	529000	Miscellaneous Travel Expense	8,118	87	0		87	8,118	0
935201	529040	Private Mileage Reimb	7,356	987	0		987	7,356	0
<b>Appropriation 2 Total</b>			<b>6,273,801</b>	<b>511,075</b>	<b>158,389</b>		<b>669,464</b>	<b>5,696,605</b>	<b>577,196</b>
<b>Appropriation 3 (Depreciation) :</b>									
935201		Depreciation	33,868	0	9,065	F8	9,065	36,258	(2,390)
<b>Appropriation 3 Total</b>			<b>33,868</b>	<b>0</b>	<b>9,065</b>		<b>9,065</b>	<b>36,258</b>	<b>(2,390)</b>
<b>Appropriation 4 (Capital Assets) :</b>									
935201	540040	Land	0	0	0		0	0	0
935201	540040	Land-RCA Cash Expenditures	13,717,512	39,133,462	(36,138,879)	F13	2,994,583	13,400,602	316,910

DeptID	Account	Description	Budget Amount	Actual Amount Expended through 9/30/08	September Accruals	NOTES	Total Actuals and Accruals through 9/30/08	Projection through 6/30/09	Projection (Over)/Under Budget at 6/30/09
935201	540040	Land-Contrib(non-cash)RCTC	20,000,000	0	72,500,000	F9	72,500,000	76,200,000	(56,200,000)
935201	540040	Land-Donations (non-cash)	2,900,000	0	0	F9	0	2,900,000	0
935201	540040	Conserv Ease Don (non-cash)	0	0	0	F9	0	0	0
935201	540040	Land-Fed Grants (non-cash)	5,273,205	0	1,907,915	F9	1,907,915	6,092,647	(819,442)
935201	540040	Land-State Grants (non-cash)	1,249,850	0	1,249,850	F9	1,249,850	3,388,368	(2,138,518)
935201	540040	Other Contributions	172,158	0	0	F6	0	172,158	0
935201	540060	Improvements-Land	0	30,940	0		30,940	30,940	(30,940)
935201	542020	Buildings	0	0	0		0	0	0
935201	542060	Improvements-Buildings	0	0	0		0	0	0
935201	524080	Improvements-Leasehold Bldgs	72,000	86,508	0		86,508	86,508	(14,508)
935201	546080	Equipment-Computer	98,100	13,748	0		13,748	98,100	0
935201	546160	Equipment-Other	36,900	0	0		0	36,900	0
935201	546160	Equipment-Other Furniture	45,000	0	0		0	45,000	0
935201	546400	Capital Asset System	0	0	0		0	0	0
<b>Appropriation 4 Total</b>			<b>43,564,725</b>	<b>39,264,659</b>	<b>39,518,886</b>		<b>78,783,545</b>	<b>102,451,224</b>	<b>(58,886,499)</b>
<b>Dept 935201 Total Expenditures</b>			<b>51,352,892</b>	<b>40,015,389</b>	<b>39,810,607</b>		<b>79,825,996</b>	<b>109,571,427</b>	<b>(58,218,535)</b>
<b>Net Operating Position 935201</b>			<b>(10,447,821)</b>	<b>(37,904,499)</b>	<b>36,957,465</b>		<b>(947,034)</b>	<b>(12,388,369)</b>	<b>(1,940,548)</b>
Less Depreciation			(33,868)	Add back Deprec. (non-cash)			9,065	36,258	
Net Cash Budget			51,319,024	Adjusted NOP (Cash)			(937,969)	(12,352,111)	
Draw from Cash Balance (for cash expenditures greater than cash revenue)							937,969	12,352,111	
Adjusted Net Operating Position							0	0	F11

**Notes:**

- F1: Accrue 1.4 pay periods for Land Acquisition related salaries through 9/30/08.  
F2: Accrue 1.4 pay periods for Land Acquisition related benefits through 9/30/08. Includes portion of non-productive time initially posted in Operations.  
F3: No allocated indirect costs this year due to change in indirect cost methodology.  
F4: The FYE projection includes 30% of the cost of the Single Audit for Operations. 70% of the Single Audit is charged to Land Acquisitions (935201). Also, 10% of the cost of the audits of the cities are charged to Operations and 90% is charged to Land Acquisitions.  
F5: Accrue to 97% of total MSHCP Fees (Cities and County) through September 2008.  
F6: N/A  
F7: MSHCP Fee projection based on actuals for City and County (LMS) Fees through Sept.  
F8: Accrue 3 months of depreciation as per depreciation schedule.

**F9a: Accrued Contrib, Granted & Donated Properties through 9/30/08 as follows :**

RCTC (Contributed) Measure A	72,500,000	See note F9d
Federal Section 6 (Grants)	1,907,915	See note F9e
State Grants	1,249,850	See note F9f
Donations	0	See note F9g
Conservation Easement Donations	0	See note F9h
<b>Total to Accrue through 9/30/08:</b>	<b>75,657,765</b>	

**F9b: Projected Contributed, Granted & Donated Properties:**

RCTC (Contributions)	3,700,000	Note F9d
Federal Section 6 (Grants)	4,184,732	Note F9e
State Grants	2,138,518	See note F9f
Donations	3,036,000	See note F9g
Conservation Easement Donations	0	
<b>Total projected:</b>	<b>13,059,250</b>	
<b>Total Accrued through 9/30/08:</b>	<b>75,657,765</b>	See F9a
<b>Total KNOWN Projected FY 08-09</b>	<b>88,717,015</b>	

F9c: Total Est Measure A donations for 08-09 **76,200,000**

**F9d: RCTC Measure A properties contributed or to be contribute Estimated Closing Date**

Winchester 700 HANS	6,000,000	Actual closing 9/8/08
Winchester 700 Murrieta	66,500,000	Actual closing 9/8/08
RCTC Hemet	3,700,000	Actual closing 12/26/08
<b>Total</b>	<b>76,200,000</b>	
less contributions closed	(72,500,000)	
<b>contributions to be closed</b>	<b>3,700,000</b>	

**Closed as of 9/30/08**

**Note F9e: (Projected Federal Section 6 Grants): Estimated Closing Date**

Cordes	658,065	Actual closing 10/22/08
Schleuniger	1,054,500	actual closing 11/4/08
Benton 36	1,299,250	actual closing 10/23/08
Holden	152,500	actual closing 11/13/08
Casa Modelo	1,249,850	Actual closing 7/15/08
Hannon/Smith	258,000	estimated closing 2/27/09
Bishop, William	650,482	estimated closing 6/30/09
Clark	770,000	actual closing 11/6/08
<b>Total</b>	<b>6,092,647</b>	
less Federal Grants closed	(1,907,915)	
<b>Federal Grants to be closed</b>	<b>4,184,732</b>	

**Closed as of 9/30/08**

**Note F9f: (State Grants): Estimated Closing Date**

Schleuniger	1,054,500	actual closing 11/4/08
Holden	147,500	actual closing 11/13/08
Casa Modelo	1,249,850	Actual closing 7/15/08
Hannon/Smith	67,000	estimated closing 2/27/09
Bishop, William	99,518	estimated closing 6/30/09
Clark	770,000	actual closing 11/6/08
<b>Total</b>	<b>3,388,368</b>	
less State Grants closed	(1,249,850)	
<b>State Grants to be closed</b>	<b>2,138,518</b>	

**Closed as of 9/30/08**

Note F9f1:

DeptID	Account	Description	Budget Amount	Actual Amount Expended through 9/30/08	September Accruals	NOTES	Total Actuals and Accruals through 9/30/08	Projection through 6/30/09	Projection (Over)/Under Budget at 6/30/09
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**Note F9g: Donations (RCA has fee title):**

		Estimated Closing Date
67.00 acres	RCTC-Hemet	0 Move to RCTC contribution
28.53 acres	Koy Builders (2 Parcels)	280,000 December 2008
88.66 acres	Palmyrita	461,000 actual closing 12/5/08
46.00 acres	Hill Country	2,295,000 Note F9g1
	<b>Total Projected Donations</b>	<b>3,036,000</b>
	<b>less donations closed</b>	<b>0</b>
	<b>Donations to be closed</b>	<b>3,036,000</b>

**Closed as of 9/30/08**

Note F9g1: Appraised Value-TBD. Estimated value is based on \$45k per acre times 51 acres. To be conservative the FYE projection is based on the original budget.

**Note F9h: Conservation Easement Donations (no fee title):**

	Estimated Closing Date
	0
	0
<b>Total Projected C. E. Donation</b>	<b>0</b>
<b>less Consv Easements closed</b>	<b>0</b>
<b>Consv Easements to be closed</b>	<b>0</b>

**Conservation Easement-Purchase:**

0

**Closed as of 9/30/08**

Note: Donations are recorded as revenues in the year of donation, but since cash is not actually paid by RCA no expenditures are posted to the General Ledger.

F10: TUMF accrued revenue is based on the inception-to-date total revenue less amounts reported as revenue in prior fiscal years.

Note: RCA received \$750,000 from WRCOG in January 2008 for the Fidelity project which was not completed in 07-08, so the revenue had to be reclassified to deferred revenue at FYE June 30, 2008 and consequently will be recorded as revenue in 08-09.

TUMF Fees are allocated 97% to 935201 and 3% to 935100 (Operations).

**F11: Current year actual and projected operating deficits are covered by Cash Balance.**

Fund 51630 Cash balance at 7/1/08:	23,202,903	
07-08 A/R collected in 08-09	3,323,414	A/R + Interest Receivable
07-08 A/P paid in 08-09	(847,580)	
Less 08-09 cash NOP 935201 (Land Acq)	(12,352,111)	Land Acquisition only
Add 08-09 cash NOP 935100 (Operations)		
Add 08-09 cash NOP 935300 (Mgmt & Mon)	33,250	
TUMF deferred revenue used on project	(750,000)	non cash revenue
Estimated Gross Cash balance at 6/30/09:	12,609,876	
less estimated accrued revenue at 6/30/09	(250,000)	(city MSHCP estimate)
Estimated Net Cash balance at 6/30/09:	12,359,876	

F12: Interest Revenue accrual is based on budget estimate for the first quarter.

F12a: Interest revenue will vary depending on cash flow.

F12b: Interest deposited into Ops initially, but needs to be reallocated to other DeptID's: 935100 interest % = 3%, 935201 interest % = 97%.

Note: As per the County Treasurer interest averaged 3.03% for the first quarter, declining each month from 3.10% to 2.96%. RCA budgeted 1.75% for the 08-09 fiscal year.

F13a: Adjustments to cash land acquisitions FYE projection:

**Additional Commitments:**

Life Springs-Phase 1	250,000	
Life Springs	650,000	
Francis	203,000	
Reynolds	0	Postpone to 7/1/08
<b>Total Additional</b>		<b>1,103,000</b>

**Savings on Projects:**

Save Schleuniger	(1,000,000)	
Save Hannon	(115,310)	
Save Bishop	(266,100)	
Save Stockdale	(38,500)	
<b>Total Savings</b>		<b>(1,419,910)</b>

**Net Adjustment (316,910)**

F13b: To accrue adjustments to actual expenditures:

Total land exp thru 9/30/08:	39,133,462.08
less notes pay to be reclassified	(8,057,375.00)
less pr accruals to be reversed	(28,146,608.75)
Facilities Mgmt charges-August	65,104.98
<b>Adjusted Total</b>	<b>2,994,583.31</b>

**Total adjustment (36,138,878.77)**

F14: Reclass expenses from Operations to Land Acquisitions to reflect 10/90 split as Sept.

F15: Accrue September based on average of July & August.

F16: See Contract detail report.

F17: Accrue lease expense for new office for July - September. Facilities Management made errors in the actual billings that will be corrected. 10% OPS/90% Land Acquisitions. Also accrue 90% of parking expense ( 4 spaces at \$500 per year ea + \$35 per month ea).

F18: Accrue legal expenses through 9/30/08 for BBK and Skapik.

F19: Accrue 3 months of annual budget.

F20: Transfer 10% of annual insurance costs to Operations.

DeptID	Account	Description	Budget Amount	Actual Amount Expended through 9/30/08	September Accruals	NOTES	Total Actuals and Accruals through 9/30/08	Projection through 6/30/09	Projection (Over)/Under Budget at 6/30/09
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F21: Based on a cost accounting report of TLMA accounting staff working on RCA project Z9900200 for the period 7/1/08-10/08/08 (PP's 15 (20%) thru 22 (100%). 10% OPS/90% LA.)  
F22: Reclass of prepaid expense from prior year for furniture purchases for new office.

**REGIONAL CONSERVATION AUTHORITY (RCA)**  
**FISCAL YEAR 2008-09 FIRST QUARTER FINANCIAL STATEMENT**  
**Fund 51630, DeptID 935300 (Management and Monitoring)**  
**BUDGET TO ACTUAL ANALYSIS FOR FY 08-09, PERIOD ENDING 9/30/08**

DeptID	Account	Description	Budget Amount	Actual Revenue through 9/30/08	September Accruals	NOTES	Total Actuals and Accruals thru 9/30/08	Projection through 6/30/09	Projection Over/(Under) Budget at 6/30/09
<b>Dept. 935300 Revenue:</b>									
935300	722001	Local Non-Trans Facilities	0	0	0		0	0	0
935300	722002	Participating Special Entities	0	0	0	F13	0	55,000	55,000
935300	722003	City/County Rdways Plan Cov	0	0	0		0	0	0
935300	740020	Interest-Invst'd Funds	33,250	0	8,313	F3	8,313	33,250	0
935300	741000	Rents	7,200	4,300	240	F5	4,540	11,160	3,960
935300	769240	Oth Gov MSHCP Infrastructure	212,500	0	0	F2	0	100,000	(112,500)
935300	769260	Oth Gov MSHCP Civic Projects	212,500	0	0	F2	0	100,000	(112,500)
935300	771410	Flood Control District	146,200	0	0	F12	0	146,200	0
935300	771820	Developer Agreements	0	0	0		0	0	0
935300	781360	Other Misc Revenue	0	0	0		0	0	0
935300	781520	<b>TIPPING FEES</b>	<b>2,009,427</b>	0	524,032	F1	524,032	<b>2,096,127</b>	<b>86,700</b>
935300	781560	Contr. - Other Agencies	0	0	0		0	0	0
<b>Dept. 935300 Total Revenue</b>			<b>2,621,077</b>	<b>4,300</b>	<b>532,584</b>		<b>536,884</b>	<b>2,541,737</b>	<b>(79,340)</b>
<b>Expenditures Budget to Actual and Projections - Fiscal Year 2008</b>									
DeptID	Account	Description	Budget Amount	Actual Amount Expended through 9/30/08	September Accruals	NOTES	Total Actuals and Accruals through 9/30/08	Projection through 6/30/09	Projection (Over)/(Under) Budget at 6/30/09
<b>Dept. 935300 Appropriations:</b>									
<b>Appropriation 1 (Salaries and Benefits):</b>									
935300	510040	Regular Salaries	64,363	557	160	F8	717	63,993	370
935300	510320	Temporary Salaries	0	0	0		0	0	0
935300	518100	Budgeted Benefits	41,889	546	(79)	F7	467	40,409	1,480
<b>Appropriation 1 Total</b>			<b>106,252</b>	<b>1,103</b>	<b>81</b>		<b>1,184</b>	<b>104,402</b>	<b>1,850</b>
<b>Dept. 935300 Appropriations</b>									
<b>Appropriation 2 (Supplies and Services):</b>									
935300	520200	Communications	3,500	285	142	F4	427	3,500	0
935300	520260	Computer Lines	10	24	12	F4	36	10	0
935300	521360	Maint-Computer Equip	1,000	0	0		0	1,000	0
935300	523230	Miscellaneous Expense	1,095	370	0		370	1,095	0
935300	523620	Books/Publications	113	0	0		0	113	0
935300	523640	Comp Equip-Non Fixed Assets	0	224	0		224	224	(224)
935300	523660	Computer Supplies	0	0	0		0	0	0
935300	523680	Office Equip-Non Fixed Assets	21,000	0	0		0	5,000	16,000
935300	523700	Office Supplies	14,654	299	0		299	4,000	10,654
935300	523840	Computer Equip-Software	579	0	0		0	579	0
935300	524520	Indirect Support Cost	21,250	0	237	F7	237	19,281	1,969
935300	524560	Auditing and Accounting	0	0	0		0	0	0
935300	525020	Legal Services	85,000	2,020	1,815	F6	3,835	75,000	10,000
935300	525300	OASIS Financials	0	0	0		0	0	0
935300	525440	Professional Services	0	0	0		0	0	0
935300	526700	Rent-Lease Buildings	83,780	0	20,945	F11	20,945	83,780	0
935300	526910	Field Equip-Non Fix Assets	0	4,826	0		4,826	4,826	(4,826)
935300	526960	Small tools and instruments	0	0	0		0	0	0
935300	527840	Training-Education/Tuition	0	990	0		990	990	(990)
935300	527880	Training-Other	0	0	0		0	0	0
935300	527980	<b>Contracts (See Attachment A)</b>	<b>2,281,436</b>	<b>135,734</b>	<b>386,648</b>	<b>F9</b>	<b>522,382</b>	<b>2,203,150</b>	<b>78,286</b>
935300	528900	Air Transportation	344	0	0		0	344	0
935300	529040	Private Mileage Reimb.	64	0	0		0	64	0
<b>Appropriation 2 Total</b>			<b>2,513,826</b>	<b>144,773</b>	<b>409,799</b>		<b>554,572</b>	<b>2,402,957</b>	<b>110,869</b>
<b>Appropriation 3 (Depreciation):</b>									
935300	535561	Depreciation-Computer Equip.	1,000	0	282	F10	282	1,129	(129)
<b>Appropriation 3 Total</b>			<b>1,000</b>	<b>0</b>	<b>282</b>		<b>282</b>	<b>1,129</b>	<b>(129)</b>
<b>Appropriation 4 (Capital Assets):</b>									
935300	546080	Equipment-Computer	0	0	0		0	0	0
<b>Appropriation 4 Total</b>			<b>0</b>	<b>0</b>	<b>0</b>		<b>0</b>	<b>0</b>	<b>0</b>
<b>Dept 935300 Total Expenditures</b>			<b>2,621,077</b>	<b>145,875</b>	<b>410,162</b>		<b>556,038</b>	<b>2,508,488</b>	<b>112,590</b>
<b>Net Operating Position 935300</b>			<b>0</b>	<b>(141,575)</b>	<b>122,422</b>		<b>(19,154)</b>	<b>33,250</b>	<b>33,250</b>

Less Depreciation	(1,000)	Add back Deprec. (non-cash)	282	1,129
Net Cash Budget	<b>2,620,077</b>	Adjusted NOP (Cash)	(18,872)	34,379
		less interest	(8,313)	(33,250)
		Adjusted NOP (Cash)	(27,185)	1,129

**Notes:**

- x F1: TIPPING FEE revenue projection is based on the original budget for 935300 + adding back the original budget allocation to Operations in the amount of \$86,700.
- X F2: To be conservative, reduce the FYE projections for infrastructure and civic projects. Only \$35,755 was received in October for Infrastructure for the Scott Road project.
- x F3: Interest revenue (accrual is based on budget estimate for first quarter. Interest is to be accumulated and not spent in for current program expenditures.
- x F4: September accrual based on average of July & August actuals.
- X F5: Includes Lease Income for Radio Tower Lease at \$500 per month and Cordova rent at \$100 per month. The radio tower lease payments are behind. They are only paid up through Feb 2008.  
The projection includes the following items that were not budgeted in FY 09:  

Archery Club License annual fee	3,000
Beekeeper income	960
<b>Total</b>	<b>3,960</b>
- x F6: BBK legal expenses accrued through Sept 30.
- x F7: Accrue Indirect and Non-productive time for salaries posted and accrued.
- x F8: Accrue salaries for 1.4 pay periods through 9/30/08.
- x F9: See Contract detail.

- X F10: Depreciate Video Probe over 5 years (60 months). Acquired in February 08.
- x F11: Accrual based on 3 months of budget.
- x F12: Actual revenue from Flood Control is only paid after FYE, but will be accrued once the amount is determined.
- x F25: Participating Special Entity (PSE) SCE El Casco System project. Funds to be received in January 2009. Note: \$55,000 to be transferred from Operations.

**ATTACHMENT A**  
**CONTRACT DETAIL**  
**REGIONAL CONSERVATION AUTHORITY (RCA)**  
**CONTRACT EXPENSE DETAIL FOR FY 2008-09 AS OF 9/30/08**

Description	Budget Amount	Actuals through 9/30/08	September Accruals	Actual Expended & Accrued through 9/30/08	Projection through 6/30/09	YE Actual (Over)/Under Budget at 6/30/09
<b>OPERATIONS</b>						
Dudek & Assoc., Inc.	85,000	20,264	8,553	28,817	76,075	8,925
Fish & Wildlife Service (GS)	17,500	0	0	0	8,750	8,750
CDFG (New Contract Position)	9,100	0	0	0	4,550	4,550
SAMP-ACOE	133,000	0	0	0	75,000	58,000
Naty Kopenhaver	16,000	1,328	692	2,020	14,400	1,600
Joseph Richards	0	900	0	900	10,500	(10,500)
Grant Writer	6,000	0	0	0	0	6,000
<b>Total Operations</b>	<b>266,600</b>	<b>22,492</b>	<b>9,245</b>	<b>31,737</b>	<b>189,275</b>	<b>77,325</b>
<b>LAND ACQUISITION</b>						
U.C.R. (CCB)	50,000	25,000	0	25,000	50,000	0
Driscoll, David J.	25,000	0	0	0	25,000	0
Naty Kopenhaver	64,000	11,952	6,228	18,180	57,600	6,400
O'Reilly Public Relations	75,000	0	0	0	67,500	7,500
Facilities Management	700,000	17,346	35	17,381	630,000	70,000
Capital Alliance Consulting	75,000	21,865	0	21,865	75,000	0
Economics&Politics (J. Husing)	24,000	6,000	0	6,000	24,000	0
Dudek & Assoc., Inc.	722,500	73,775	28,525	102,300	646,425	76,075
Lobbying (To Be Determined)	150,000	0	0	0	75,000	75,000
Tom Mullen	190,000	45,000	0	45,000	171,000	19,000
Joseph Richards	0	4,875	4,125	9,000	59,500	(59,500)
Professional Services	250,000	0	0	0	100,000	150,000
Fish & Wildlife Service (GS)	157,500	0	0	0	78,750	78,750
CDFG (New Contract Position)	81,900	0	0	0	40,950	40,950
Public Outreach (To Be Determined)	200,000	0	0	0	0	200,000
NEXUS Study	0	0	0	0	0	0
Programmatic (RAND)	70,000	80,000	0	80,000	147,514	(77,514)
Parks & Open Space Dist-Land Mgmt	216,430	0	15,275	15,275	205,609	10,822
Grant Writer	24,000	0	0	0	0	24,000
<b>Total Land Acquisition</b>	<b>3,075,330</b>	<b>285,812</b>	<b>54,188</b>	<b>340,000</b>	<b>2,453,848</b>	<b>621,483</b>
<b>MANAGEMENT &amp; MONITORING</b>						
Parks & Open Space Dist-Land Mgmt	865,719	0	159,587	159,587	822,433	43,286
Dudek & Assoc., Inc.	42,500	14,462	19,436	33,898	42,500	0
Driscoll, David J.	25,000	0	0	0	25,000	0
Misc Training Providers	8,500	0	0	0	8,500	0
SAWA	1,254,850	102,042	207,626	309,668	1,219,850	35,000
F&W Svc (Coordinator/Administrator)	84,867	19,230	0	19,230	84,867	0
<b>Total Management &amp; Monitoring</b>	<b>2,281,436</b>	<b>135,734</b>	<b>386,648</b>	<b>522,382</b>	<b>2,203,150</b>	<b>78,286</b>
<b>Total Contracts</b>	<b>5,623,366</b>	<b>444,039</b>	<b>450,081</b>	<b>894,120</b>	<b>4,846,273</b>	<b>777,093</b>

# **AGENDA ITEM NO. 7**

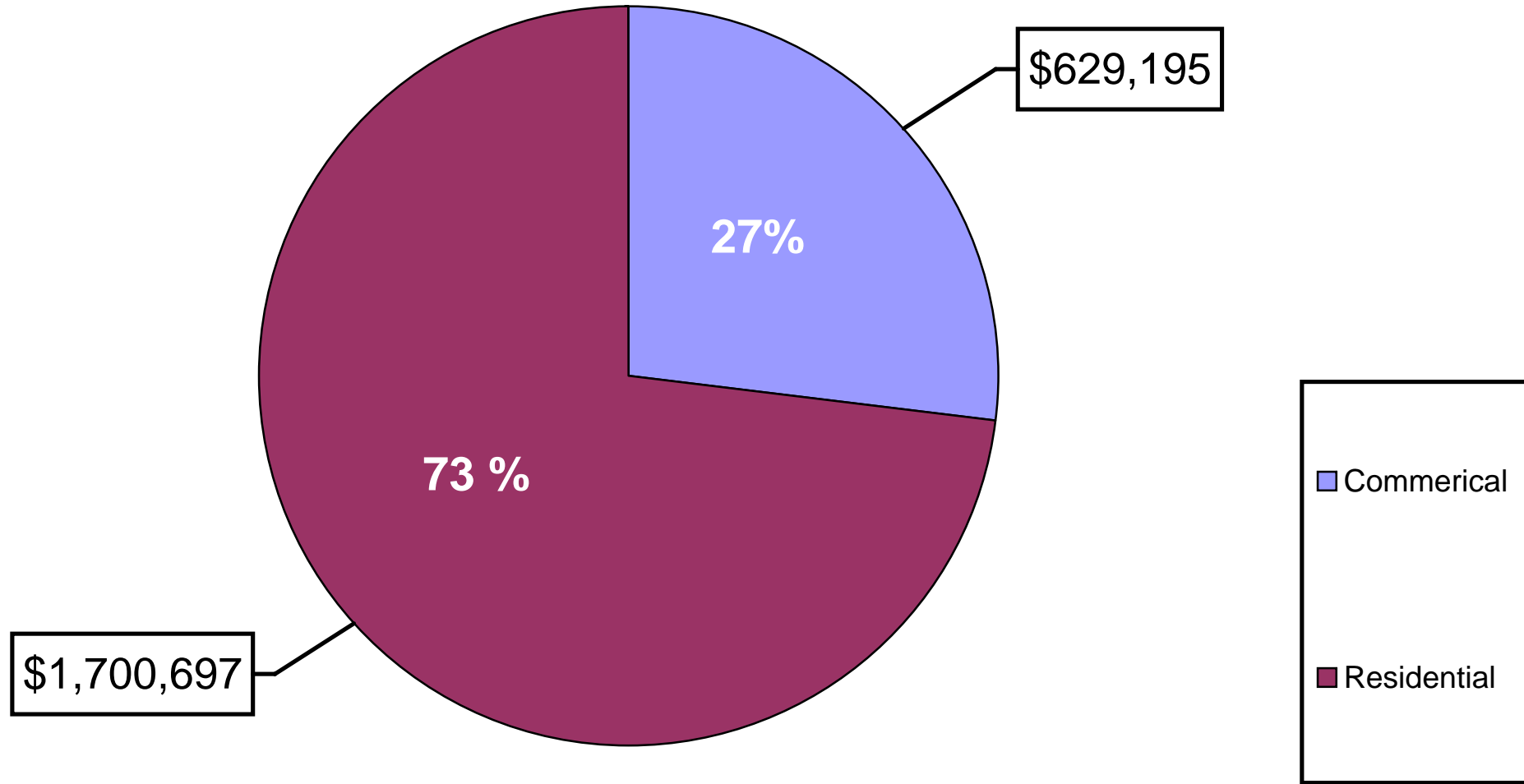
## **Attachment 3 MSHCP Fee Collection Reports**

**REGIONAL CONSERVATION AUTHORITY**  
**NET MSHCP MITIGATION FEE COLLECTIONS BY MEMBER AGENCY**  
**FISCAL YEAR 2008-09**

**BASED ON ACCRUAL BASIS METHODOLOGY (Accounts for reported month, not month fees collected, which is the cash basis)**

	JULY 2008	AUGUST 2008	SEPTEMBER 2008	OCTOBER 2008	NOVEMBER 2008	DECEMBER 2008	JANUARY 2009	FEBRUARY 2009	MARCH 2009	APRIL 2009	MAY 2009	JUNE 2009	APRIL 2009	MAY 2009	JUNE 2009	08-09 YTD TOTALS	PERCENT OF TOTAL
CITY OF BANNING	\$0.00	\$0.00	\$0.00													\$0.00	0.00%
CITY OF BEAUMONT	\$87,420.00	\$22,616.62	\$15,575.00													\$125,611.62	5.38%
CITY OF CALIMESA	\$0.00	\$0.00	\$0.00													\$0.00	0.00%
CITY OF CANYON LAKE	\$0.00	\$0.00	\$1,938.00													\$1,938.00	0.08%
CITY OF CORONA	\$66,695.67	\$28,102.37	\$0.00													\$94,798.04	4.06%
CITY OF HEMET	\$29,070.00	\$6,597.00	\$17,440.00													\$53,107.00	2.27%
CITY OF LAKE ELSINORE	\$0.00	\$0.00	\$7,662.93													\$7,662.93	0.33%
CITY OF MORENO VALLEY	\$38,748.00	\$60,546.00	\$12,229.00													\$111,523.00	4.77%
CITY OF MURRIETA	\$31,123.23	\$0.00	\$17,622.63													\$48,745.86	2.09%
CITY OF NORCO	\$0.00	\$0.00	\$6,728.94													\$6,728.94	0.29%
CITY OF PERRIS	\$73,644.00	\$0.00	\$2,296.00													\$75,940.00	3.25%
CITY OF RIVERSIDE	\$143,225.12	\$34,935.91	\$86,907.41													\$265,068.44	11.35%
CITY OF SAN JACINTO	\$3,628.35	\$0.00	\$7,784.46													\$11,412.81	0.49%
CITY OF TEMECULA	\$2,533.20	\$13,020.00	\$546.00													\$16,099.20	0.69%
COUNTY OF RIVERSIDE (LMS)	\$467,181.00	\$538,075.00	\$512,514.00													\$1,517,770.00	64.96%
<b>TOTAL COUNTY AND CITY MSHCP FEES</b>	<b>\$943,268.57</b>	<b>\$703,892.90</b>	<b>\$689,244.37</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$2,336,405.84</b>	<b>100.00%</b>
<b>Other:</b>																	
<b>FLOOD CONTROL</b>	\$0.00	\$0.00	\$0.00													\$0.00	
<b>MISC PARTICIPANT FEES</b>	\$0.00	\$0.00	\$0.00													\$0.00	
<b>TOTAL OTHER</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	
<b>GRAND TOTAL</b>	<b>\$943,268.57</b>	<b>\$703,892.90</b>	<b>\$689,244.37</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$2,336,405.84</b>	

**MSHCP Development Mitigation Fee Categories  
Total First Quarter Fiscal Year 2009**



## **AGENDA ITEM NO. 8**

**AMENDMENTS TO THE  
JOINT POWERS AGREEMENT,  
THE IMPLEMENTING  
AGREEMENT, AND THE  
BYLAWS TO AD THE CITIES  
OF MENIFEE AND WILDOMAR  
TO THE WRCRCA**

*Regional Conservation Authority***AMENDMENTS TO THE JOINT POWERS AGREEMENT,  
THE IMPLEMENTING AGREEMENT, AND THE BYLAWS TO ADD  
THE CITIES OF MENIFEE AND WILDOMAR TO THE WESTERN  
RIVERSIDE COUNTY REGIONAL CONSERVATION AUTHORITY****Staff Contact:****Best, Best & Krieger, LLP  
(951) 686-1450****Background:**

The Cities of Wildomar and Menifee seek to join the Western Riverside County Regional Conservation Authority ("RCA"). The following procedure needs to be utilized in order to add Menifee and Wildomar as members of the RCA. First, the Joint Powers Agreement needs to be amended to add Menifee and Wildomar. Second, the RCA bylaws will need to be amended to update the acreages for each new City in the weighted voting section. In addition, the method used to calculate the weighted voting section has been changed to reflect a more objective measurement (i.e., the number of acres of the Criteria Area in each of the incorporated areas, as opposed to the number of acres within the Criteria Area *anticipated to be conserved* in each of the incorporated areas). Third, the RCA, Menifee, Wildomar, and the Wildlife Agencies will need to execute an amendment to the Implementing Agreement. Menifee and Wildomar are also taking their own separate actions to become part of the RCA. While these actions will not be completed by the time of the Executive Committee meeting, the cities have informed us that they hope to accomplish their actions by the February 2, 2009 RCA Board Meeting.

**Staff Recommendation:**

That the Executive Committee:

- 1) Recommend that the RCA Board of Directors approve and direct staff to send the *Amendment No. 3 to the Joint Exercise of Powers Agreement Creating the Western Riverside County Regional Conservation Authority* to the member agencies for execution;
- 2) Recommend that the RCA Board of Directors introduce *Resolution No. 09-001, Resolution of the Board of Directors of the Western Riverside County Regional Conservation Authority Amending the Weighted Voting Section of Its Bylaws to add the Cities of Menifee and Wildomar*, and direct staff to agendize for adoption at the next regularly scheduled meeting of the RCA Board of Directors; and
- 3) Recommend that the RCA Board of Directors execute the *First Amendment to the Implementing Agreement for the Western Riverside County Multiple Species Habitat Conservation Plan/Natural Community Conservation Plan*

**Attachments:**

1. *Amendment No. 3 to Joint Exercise of Powers Agreement Creating the Western Riverside County Regional Conservation Authority*
2. *Resolution No. 09-001, Resolution of the Board of Directors of the Western Riverside County Regional Conservation Authority Amending the Weighted Voting Section of Its Bylaws to Add The Cities of Wildomar and Menifee*
3. *First Amendment to the Implementing Agreement for the Western Riverside County Multiple Species Habitat Conservation Plan/Natural Community Conservation Plan*
4. *Amended Bylaws*

# **AGENDA ITEM NO. 8**

## **Attachment 1 Amendment No. 3 to Joint Exercise of Powers Agreement Creating the WRCRCA**

LAW OFFICES OF  
BEST BEST & KRIEGER LLP  
3750 UNIVERSITY AVENUE  
P.O. BOX 1028  
RIVERSIDE, CALIFORNIA 92502

1     **AMENDMENT NO. 3 TO JOINT EXERCISE OF POWERS AGREEMENT CREATING**  
2     **THE WESTERN RIVERSIDE COUNTY REGIONAL CONSERVATION AUTHORITY**

3  
4             This Amendment dated \_\_\_\_\_, 2009 ("Third Amendment"), is made by  
5 and between the COUNTY OF RIVERSIDE, the Cities of BANNING, BEAUMONT,  
6 CALIMESA, CANYON LAKE, CORONA, HEMET, LAKE ELSINORE, MORENO  
7 VALLEY, MURRIETA, NORCO, PERRIS, RIVERSIDE, SAN JACINTO, TEMECULA,  
8 hereinafter sometimes referred to collectively as the "Parties", and the CITY OF  
9 MENIFEE and the CITY OF WILDOMAR.

10                             **RECITALS**

11             WHEREAS, the Parties, and each of them, have executed a Joint Exercise of  
12 Powers Agreement Creating the Western Riverside County Regional Conservation  
13 Authority ("Agreement"); and

14             WHEREAS, section 5(C) of the Agreement states that the Agreement may be  
15 amended to add new parties provided there is mutual consent by the governing bodies  
16 of each of the Parties to the Agreement; and

17             WHEREAS, the Parties and the City of Menifee desire that City of Menifee  
18 become a member of the Western Riverside Regional Conservation Authority ("RCA").

19             WHEREAS, the Parties and the City of Wildomar desire that City of Wildomar  
20 become a member of the Western Riverside Regional Conservation Authority ("RCA").

21  
22             NOW, THEREFORE, for and in consideration of the mutual covenants and  
23 conditions hereinafter stated, the Parties, the City of Menifee and the City of Wildomar  
24 agree as follows:

25  
26             **Section 1A. Add City of Menifee.** The City of Menifee agrees to the terms and  
27 conditions of the Agreement hereto and by this reference incorporated herein as Exhibit  
28

1 “A” and any previous amendments thereto. The City of Menifee shall become a member  
2 of the RCA upon the Effective Date as defined in section 5 of this Third Amendment.

3  
4 **Section 1B. Add City of Wildomar.** The City of Wildomar agrees to the terms  
5 and conditions of the Agreement hereto (Exhibit “A”) and any previous amendments  
6 thereto. The City of Wildomar shall become a member of the RCA upon the Effective  
7 Date as defined in section 5 of this Third Amendment.

8  
9 **Section 2. Revise the first sentence of Section 7(C)(III) of the Agreement**  
10 **regarding Quorum and Voting as follows.** “The item shall be approved by Board  
11 members present at the meeting who represent Cities representing a majority of an  
12 equal combination of 1) the population of the county living in incorporated areas within  
13 the boundaries of the MSHCP Plan area, and 2) the number of acres currently within the  
14 Criteria Area in the incorporated areas as follows: Banning – 78 acres; Beaumont –  
15 10,098 acres; Calimesa – 3,380 acres; Canyon Lake – 303 acres; Corona – 2,315 acres;  
16 Hemet – 1,158 acres; Lake Elsinore – 13,917 acres; Menifee – 249 acres; Moreno  
17 Valley – 2,325 acres; Murrieta – 8,722 acres; Norco – 681 acres; Perris – 3,181 acres;  
18 Riverside – 1,201 acres; San Jacinto – 4,224 acres; Temecula – 3,903 acres; and  
19 Wildomar – 4,152 acres.”

20  
21 **Section 3. Revise Section 24 of the Agreement to add Notice address for**  
22 **City of Menifee and the City of Wildomar.**

23 Q. City of Menifee  
24 City Manager  
25 29683 New Hub Drive, Suite C  
26 Menifee, CA 92586  
27 (951) 672-6777  
28

LAW OFFICES OF  
BEST BEST & KRIEGER LLP  
3750 UNIVERSITY AVENUE  
P.O. BOX 1028  
RIVERSIDE, CALIFORNIA 92502

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R. City of Wildomar  
City Manager  
23738 Clinton Keith Rd  
Wildomar, CA 92595  
(951) 677-7751

**Section 4. Other Provisions to Remain in Effect.** Except as set forth herein, all provisions of the Agreement shall remain in full force and effect, and shall govern the actions of the parties hereto and the amended provisions set forth in this Third Amendment.

**Section 5. Effective Date.** This Third Amendment shall become effective on the date that execution of this Third Amendment is authorized by all of the governing bodies of each party to the Agreement.

**IN WITNESS WHEREOF**, the parties hereto have caused this Third Amendment to be executed and attested by their proper officers thereunto duly authorized as of the date first above written.

Dated: \_\_\_\_\_

**CITY OF BANNING**

Attest:  
\_\_\_\_\_  
City Clerk

By: \_\_\_\_\_  
Mayor

Dated: \_\_\_\_\_

**CITY OF BEAUMONT**

Attest:  
\_\_\_\_\_  
City Clerk

By: \_\_\_\_\_  
Mayor

Dated: \_\_\_\_\_

**CITY OF CALIMESA**

Attest:  
\_\_\_\_\_  
City Clerk

By: \_\_\_\_\_  
Mayor

LAW OFFICES OF  
BEST BEST & KRIEGER LLP  
3750 UNIVERSITY AVENUE  
P.O. BOX 1028  
RIVERSIDE, CALIFORNIA 92502

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Dated: \_\_\_\_\_

**CITY OF CANYON LAKE**

Attest:

\_\_\_\_\_  
City Clerk

By: \_\_\_\_\_  
Mayor

Dated: \_\_\_\_\_

**CITY OF CORONA**

Attest:

\_\_\_\_\_  
City Clerk

By: \_\_\_\_\_  
Mayor

Dated: \_\_\_\_\_

**CITY OF HEMET**

Attest:

\_\_\_\_\_  
City Clerk

By: \_\_\_\_\_  
Mayor

Dated: \_\_\_\_\_

**CITY OF LAKE ELSINORE**

Attest:

\_\_\_\_\_  
City Clerk

By: \_\_\_\_\_  
Mayor

Dated: \_\_\_\_\_

**CITY OF MENIFEE**

Attest:

\_\_\_\_\_  
City Clerk

By: \_\_\_\_\_  
Mayor

Dated: \_\_\_\_\_

**CITY OF MORENO VALLEY**

Attest:

\_\_\_\_\_  
City Clerk

By: \_\_\_\_\_  
Mayor

1 Dated: \_\_\_\_\_

**CITY OF MURRIETA**

2 Attest:

3 \_\_\_\_\_

By: \_\_\_\_\_

4 City Clerk

Mayor

5 Dated: \_\_\_\_\_

**CITY OF NORCO**

6 Attest:

7 \_\_\_\_\_

By: \_\_\_\_\_

8 City Clerk

Mayor

9 Dated: \_\_\_\_\_

**CITY OF PERRIS**

10 Attest:

11 \_\_\_\_\_

By: \_\_\_\_\_

12 City Clerk

Mayor

13 Dated: \_\_\_\_\_

**CITY OF RIVERSIDE**

14 Attest:

15 \_\_\_\_\_

By: \_\_\_\_\_

16 City Clerk

Mayor

17 Dated: \_\_\_\_\_

**CITY OF SAN JACINTO**

18 Attest:

19 \_\_\_\_\_

By: \_\_\_\_\_

20 City Clerk

Mayor

21 Dated: \_\_\_\_\_

**CITY OF TEMECULA**

22 Attest:

23 \_\_\_\_\_

By: \_\_\_\_\_

24 City Clerk

Mayor

25 Dated: \_\_\_\_\_

**CITY OF WILDOMAR**

26 Attest:

27 \_\_\_\_\_

By: \_\_\_\_\_

28 City Clerk

Mayor

LAW OFFICES OF  
BEST BEST & KRIEGER LLP  
3750 UNIVERSITY AVENUE  
P.O. BOX 1028  
RIVERSIDE, CALIFORNIA 92502

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Dated: \_\_\_\_\_

**COUNTY OF RIVERSIDE**

Attest:

\_\_\_\_\_

By: \_\_\_\_\_  
Chairman, Board of Supervisors

# **AGENDA ITEM NO. 8**

**Attachment 2  
Resolution No. 09-001  
Resolution of the  
Board of Directors of the  
WRCRCA Amending the  
Weighted Voting Section of  
Its Bylaws to Add the  
Cities of Menifee and Wildomar**

**RESOLUTION NO. 09-001**

**RESOLUTION OF THE BOARD OF DIRECTORS OF  
THE WESTERN RIVERSIDE COUNTY REGIONAL  
CONSERVATION AUTHORITY AMENDING THE WEIGHTED  
VOTING SECTION OF ITS BYLAWS TO ADD THE  
CITIES OF MENIFEE AND WILDOMAR**

**WHEREAS**, the Western Riverside County Regional Conservation Authority (“Authority”) is a public agency of the State of California formed by a Joint Exercise of Powers Agreement (“Agreement”); and

**WHEREAS**, pursuant to Section 19 of the Agreement, the Authority has the power to adopt such rules and regulations as the Board may deem necessary for the conduct of the Authority’s affairs; and

**WHEREAS**, the Authority has presented to its members an amendment to the Agreement which adds the Cities of Menifee and Wildomar as parties to the Agreement; and

**WHEREAS**, the Authority has adopted Bylaws and the Authority has determined that it is necessary at this time to revise the Authority’s Bylaws to amend the manner in which weighted voting is calculated due to the addition of the Cities of Menifee and Wildomar as parties to the Agreement; and

**WHEREAS**, notice of this change to the Bylaws has been provided as required in the Bylaws; and

**WHEREAS**, this Bylaw revision shall be effective only upon the approval of the Joint Powers Amendment described above.

**NOW, THEREFORE, BE IT RESOLVED** the Western Riverside County Regional Conservation Authority hereby resolves to amend its Bylaws as follows:

1. Article V, Section B, Section 3 of the RCA Bylaws are amended to read as follows:

“3. the item shall be approved by Board members present at the meeting who represent Cities representing a majority of an equal combination of 1) the population of the county living in incorporated areas within the boundaries of the MSHCP Plan area, and 2) the number of acres currently within the Criteria Area in the incorporated areas as follows: Banning – 78 acres; Beaumont – 10,098 acres; Calimesa – 3,380 acres; Canyon Lake – 303 acres; Corona – 2,315 acres; Hemet – 1,158 acres; Lake Elsinore – 13,917 acres; Menifee – 249 acres; Moreno Valley – 2,325 acres; Murrieta – 8,722 acres; Norco – 681 acres; Perris – 3,181 acres; Riverside – 1,201 acres; San Jacinto – 4,224 acres; Temecula – 3,903 acres; and Wildomar – 4,152 acres.”

2. The remainder of Article V, Section B, Section 3 is to remain unchanged.
3. This Amendment shall be effective upon the approval of this Resolution by the Board of Directors and upon the approval of the Joint Powers Amendment described above.

PASSED AND ADOPTED at the regular meeting of the Board of Directors at the Western Riverside County Regional Conservation Authority held this 2<sup>nd</sup> day of February, 2009.

By: \_\_\_\_\_  
Bob Buster, Chairperson  
Western Riverside County  
Regional Conservation Authority

ATTEST:

By: \_\_\_\_\_  
Honey Bernas, Clerk  
Western Riverside County  
Regional Conservation Authority

# **AGENDA ITEM NO. 8**

## **Attachment 3 First Amendment to the Implementing Agreement**

FIRST AMENDMENT TO THE IMPLEMENTING AGREEMENT

for the

WESTERN RIVERSIDE COUNTY MULTIPLE SPECIES  
HABITAT CONSERVATION PLAN/NATURAL  
COMMUNITY CONSERVATION PLAN

by and between

CITY OF MENIFEE, CITY OF WILDOMAR, WESTERN RIVERSIDE COUNTY  
REGIONAL CONSERVATION AUTHORITY, UNITED STATES FISH AND WILDLIFE  
SERVICE AND CALIFORNIA DEPARTMENT OF FISH AND GAME

1.0 PARTIES

This First Amendment to the Implementing Agreement (“Amended Agreement”), made and entered into as of this \_\_\_\_\_ day of \_\_\_\_\_, 2009, by and among the City of Menifee and City of Wildomar (together with their successors and assigns, the “Permittees”), the Western Riverside County Regional Conservation Authority, the United States Fish and Wildlife Service, and the California Department of Fish and Game (all, collectively, the “Parties”), defines the Parties’ roles and responsibilities and provides a common understanding of the actions that will be undertaken to implement the Western Riverside County Multiple Species Habitat Conservation Plan/Natural Community Conservation Plan (“MSHCP” or “Plan”). The United States Fish and Wildlife Service and the California Department of Fish and Game may be referred to collectively herein as the “Wildlife Agencies.”

2.0 RECITALS

This Amended Agreement is entered into with regard to the following facts:

**WHEREAS**, an Implement Agreement (“Agreement”) was entered into by and between Western Riverside County Regional Conservation Authority, County of Riverside, Riverside County Flood Control and Water Conservation District, Riverside County Regional Parks and Open Space District, Riverside County Waste Management District, Riverside County Transportation Commission, City of Banning, City of Beaumont, City of Calimesa, City of Canyon Lake, City of Corona, City of Hemet, City of Lake Elsinore, City of Moreno Valley, City of Murrieta, City of Norco, City of Perris, City of Riverside, City of San Jacinto, City of Temecula, California Department of Transportation, California Department of Parks And Recreation, United States Fish and Wildlife Service and California Department of Fish and Game and became effective on June 22, 2004; and

**WHEREAS**, on October 1, 2008, the City of Menifee became a California municipal corporation located within western Riverside County; and

**WHEREAS**, on July 1, 2008, the City of Wildomar became a California municipal corporation located within western Riverside County; and

**WHEREAS**, the Western Riverside County Regional Conservation Authority (“Regional Conservation Authority”) is a public agency and a joint powers authority, created pursuant to the provisions of the California Government Code section 6500; and

**WHEREAS**, the California Department of Fish and Game (“CDFG”) is a department of the California Resources Agency with jurisdiction over the conservation, protection, restoration, enhancement and management of fish, wildlife, native plants and habitat necessary for biologically sustainable populations of those species under the California Endangered Species Act (California Fish and Game Code §§ 2050 et seq.) (“CESA”), the California Native Plant Protection Act (California Fish and Game Code §§ 1900 et seq.), the California Natural Community Conservation Planning Act (“NCCP Act”) (California Fish and Game Code §§ 2800 et seq.) and other relevant state laws; and

**WHEREAS**, the United States Fish and Wildlife Service (“USFWS”) is an agency of the United States Department of the Interior and has jurisdiction over the conservation, protection, restoration, enhancement and management of fish, wildlife, native plants and habitat necessary for biologically sustainable populations of those species to the extent set forth in the Federal Endangered Species Act (16 U.S.C. §§ 1531 et seq.) (“FESA”) and other relevant federal laws; and

**WHEREAS**, the Parties desire Permittees to implement the MSHCP.

## **AGREEMENT**

**THEREFORE**, the Parties do hereby understand and agree as follows:

### **3.0 INCORPORATION OF THE AGREEMENT**

The Agreement and each of its provisions are intended to be, and by this reference are, incorporated herein.

### **4.0 CITY OF MENIFEE**

The City of Menifee agrees to the terms and conditions of the Agreement set forth in section 3.0 above.

### **5.0 CITY OF WILDOMAR**

The City of Wildomar agrees to the terms and conditions of the Agreement set forth in section 3.0 above.

6.0 AGREEMENT PROVISIONS AMENDED

The following provisions of the Agreement are amended as set forth below:

**3.21 “Cities”** means collectively the cities of Banning, Beaumont, Calimesa, Canyon Lake, Corona, Hemet, Lake Elsinore, Menifee, Moreno Valley, Murrieta, Norco, Perris, Riverside, San Jacinto, Temecula, and Wildomar.

**27.4 Notices.** Any notice permitted or required by this Agreement shall be in writing, delivered personally, by overnight mail, or by United States mail, certified and postage prepaid, return receipt requested to the persons listed below and addressed as follows, or at such other address as any Party may from time to time specify to the other Parties in writing. Notices may be delivered by facsimile or other electronic means, provided that they are also delivered personally or by overnight or certified mail. Notices shall be transmitted so that they are received within the specified deadlines. Notice delivered via certified mail, return receipt requested, shall be deemed given five (5) days after deposit in the United States mail. Notices delivered personally shall be deemed given on the date they are delivered. Notices delivered via overnight delivery shall be deemed given on the next business day after deposit with the overnight mail delivery service. The RCA shall maintain a list of individuals responsible for ensuring Plan compliance for each of the Parties, which may change. The following are the individuals currently responsible for ensuring Plan compliance:

City Manager City of Menifee 29683 New Hub Drive, Suite C Menifee, CA 92586 Telephone: 951-672-6777	City Manager City of Wildomar 23738 Clinton Keith Rd Wildomar, CA 92595 Telephone: 951-677-7751
---	---

In addition to the above list, the following individuals will also be provided all notices as set forth in this section:

Mayor City of Menifee 29683 New Hub Drive, Suite C Menifee, CA 92586 Telephone: 951-672-6777	Mayor City of Wildomar 23738 Clinton Keith Rd. Wildomar, CA 92595 Telephone: 951-677-7751
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7.0 OTHER PROVISIONS TO REMAIN IN EFFECT

Except for the amended provisions as set forth herein, all other provisions of the Agreement shall remain in full force and effect, and shall govern the action of the parties hereto.

8.0 EFFECTIVE DATE

This Amended Agreement shall become effective on the date that is executed by all of the Parties.

**IN WITNESS WHEREOF, THE PARTIES HERETO** have executed this Implementing Agreement to be in effect as of the date last signed below.

Dated: \_\_\_\_\_

**UNITED STATES FISH AND WILDLIFE SERVICE**

---

Deputy Manager  
United States Fish and Wildlife Service  
California/Nevada Operations Office  
Sacramento, California

Dated: \_\_\_\_\_

**CALIFORNIA DEPARTMENT OF FISH AND GAME**

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Deputy Director  
Habitat Conservation Division  
California Department of Fish and Game  
Sacramento, California

Dated: \_\_\_\_\_

**CALIFORNIA DEPARTMENT OF FISH AND GAME**

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Regional Manager  
Inland Region  
California Department of Fish and Game  
Long Beach, California

Dated: \_\_\_\_\_

**WESTERN RIVERSIDE COUNTY  
REGIONAL CONSERVATION AUTHORITY**

Attest:

\_\_\_\_\_  
Clerk of the Board

\_\_\_\_\_  
Chairman of the Board of Directors  
Western Riverside County Regional Conservation  
Authority  
Riverside, California

Dated: \_\_\_\_\_

**CITY OF MENIFEE**

Attest:

\_\_\_\_\_  
City Clerk

\_\_\_\_\_  
Mayor  
City of Menifee  
Menifee, California

Dated: \_\_\_\_\_

**CITY OF WILDOMAR**

Attest:

\_\_\_\_\_  
City Clerk

\_\_\_\_\_  
Mayor  
City of Wildomar  
Wildomar, California

# **AGENDA ITEM NO. 8**

## **Attachment 4**

### **Amending Bylaws to Add the Cities of Menifee and Wildomar**

# **WESTERN RIVERSIDE COUNTY REGIONAL CONSERVATION AUTHORITY**

## **BYLAWS**

### **ARTICLE I – NAME AND AUTHORIZATION**

- A. **NAME.** The name of this agency shall be the Western Riverside County Regional Conservation Authority, hereinafter known as the Authority.
- B. **AUTHORIZATION.** The County of Riverside (“County”) and the Cities of Banning, Beaumont, Calimesa, Canyon Lake, Corona, Hemet, Lake Elsinore, Moreno Valley, Murrieta, Norco, Perris, Riverside, San Jacinto and Temecula, by that Joint Exercise of Powers Agreement dated as of January 27, 2004 (“Agreement”) created the Authority for the purpose of acquiring, administering, operating and maintaining land and facilities for ecosystem conservation and habitat reserves for certain rare, threatened and endangered species covered by the Western Riverside County Multiple Species Habitat Conservation Plan (“MSHCP”).

### **ARTICLE II – PURPOSE, DUTIES & POWERS**

- A. **PURPOSE.** The Authority shall acquire, administer, operate and maintain land and facilities to establish habitat reserves for the conservation and protection of species covered by the MSHCP and to implement the MSHCP after the MSHCP is approved by the County and Cities and appropriate permits are issued by the U.S. Fish and Wildlife Service and the California Department of Fish and Game.
- B. **DUTIES AND POWERS.** Duties and Powers of this Authority are set forth in local, state and federal law and the Agreement, as may be amended from time to time. These duties and authorization include, but are not limited to, the following:
  - 1. To make and enter into contracts;
  - 2. To employ agents, consultants, attorneys and employees;
  - 3. To acquire property, and any interest in property, both real and personal by purchase, gift, option, grant, bequest, devise or otherwise, and hold and dispose of such property;

4. To conduct and direct studies and to develop and implement plans to complement, modify or supplement the MSHCP;
5. To incur debts, liabilities, and obligations;
6. To sue and be sued in its own name;
7. To employ reserve managers and other personnel to operate, maintain, and administer the habitat reserves established through implementation of the MSHCP;
8. To be an applicant, make applications for, and receive grants from governmental and private entities and to participate in State bond issues;
9. To prepare project reports and applications, to qualify for grants, and to enter into grant contracts and to do all other things necessary to comply with State and Federal laws and regulations with respect to grants;
10. To borrow or receive advances of funds from its members or from such other sources as may be permitted by law;
11. To contract with its members and other entities who operate or will operate the habitat reserves established through implementation of the MSHCP;
12. To issue bonds, notes, warrants and other evidences of indebtedness to finance costs and expenses to carry out the powers of the Authority;
13. To acquire, hold, and dispose of equipment;
14. To lobby state and federal governments and their officials as well as private entities to obtain funding for implementation of the MSHCP and employ individuals or entities to conduct such lobbying activities on its behalf; and
15. To exercise all other powers common to the members not specifically mentioned above which may be necessary to carry out the purposes of this Agreement.

### **ARTICLE III – MEMBERSHIP**

- A. **REGULAR MEMBERS.** The regular members of the Board shall be the five members of the Riverside County Board of Supervisors and one member from each incorporated city who is signatory to the Agreement.

Written notification of the appointment of a City representative shall be provided to the Chairperson of the Board.

**B. ALTERNATE MEMBERS:**

1. Each member of the Riverside County Board of Supervisors may appoint an alternate member to the Board of the Authority and each City may appoint one alternate member to the Board of the Authority.
2. Each regular member and alternate member of a City must hold an elective office on the respective governing body appointing the regular or alternate member.
3. The Board of Supervisors (“BOS”) may appoint a city council member of a member city to represent the member as an alternate at meetings of the RCA Board or committees. Notice of the alternate appointment shall be made in writing to the chairperson of the RCA Board. In no event shall the same person serve as a city representative and alternate for a BOS member at the same meeting.
4. In the absence of a regular member, the alternate member shall, if present, participate in a meeting of the Board or committee the same as if the alternate member were the regular member.

**ARTICLE IV – TERM, VACANCIES AND COMPENSATION**

- A. **TERM.** Regular members and alternate members shall serve on the Board during the term for which they were appointed or until their successor has been appointed or their appointment has been revoked, whichever is earlier. However, a regular or alternate member’s position on the Board shall automatically terminate if and when the term of the elected public office of such regular or alternate member is terminated.
- B. **VACANCIES.** Any vacancy in the office of regular or alternate member, whether because of death, incapacity, resignation, loss of underlying office, removal or otherwise, shall be filled by the appointing authority for such member. When a vacancy occurs, it shall be the duty of the respective Party having the vacancy to promptly inform the Board of the name of the replacement regular or alternate member.
- C. **RESIGNATION.** Any regular or alternate member may resign at any time by giving written notice of such resignation to the Authority’s Executive Director. Such resignation shall be effective at the time specified; acceptance of such resignation shall not be necessary to make it effective.

- D. REMOVAL. Any regular or alternate member may be removed, with or without cause stated, by the authority responsible for his or her appointment.
- E. COMPENSATION. Unless prohibited by law from accepting compensation, each regular and alternate member (when performing the duties of a regular member) of the Authority shall be compensated at the rate of One Hundred Dollars (\$100) for any day attending to the business of the Authority, but not to exceed Four Hundred Dollars (\$400) in any month, along with necessary traveling and personal expenses incurred in the performance of his or her duties as authorized by the Authority.

### **ARTICLE V – VOTING**

- A. QUORUM. A majority of the members of the Board shall constitute a quorum for the transaction of business and all official acts of the Board shall require the affirmative vote of a majority of the members of the Board. Each regular member or alternate member acting in the place of a regular member shall have one vote at meetings of the Board. However, any member of the Board, immediately after a vote of the Board and prior to the start of the next item on the agenda may call for a weighted vote.
- B. WEIGHTED VOTING. For an item to be passed by weighted vote, all of the following requirements shall be met:
  - 1. the item shall be approved by a majority of the Board members present at the meeting who represent the Riverside County Board of Supervisors, who each shall have one vote;
  - 2. the item shall be approved by a majority of the Board members present at the meeting who represent Cities, who each shall have one vote; and
  - 3. the item shall be approved by Board members present at the meeting who represent Cities representing a majority of an equal combination of 1) the population of the county living in incorporated areas within the boundaries of the MSHCP Plan area, and 2) the number of acres currently within the Criteria Area in the incorporated areas as follows: Banning – 78 acres; Beaumont – 10,098 acres; Calimesa – 3,380 acres; Canyon Lake – 303 acres; Corona – 2,315 acres; Hemet – 1,158 acres; Lake Elsinore – 13,917 acres; Menifee – 249 acres; Moreno Valley – 2,325 acres; Murrieta – 8,722 acres; Norco – 681 acres; Perris – 3,181 acres; Riverside – 1,201 acres; San Jacinto – 4,224 acres; and Temecula – 3,903 acres; and Wildomar – 4,152 acres. For purposes of this paragraph, each regular Board member of the meeting who represents a City shall be

assigned votes based on the percentage of the population of incorporated areas within the boundaries of the MSHCP Plan area represented by that member in relation to the total population of incorporated areas within the boundaries of the MSHCP Plan area as well as the percentage of the acreage anticipated to be conserved within the Criteria Area subject to the jurisdiction of that member in relation to the total incorporated area acreage within the Criteria Area set forth in the MSHCP. The Criteria Area acreage set forth in this subsection 3 shall be automatically modified if the Authority adopts a resolution as set forth in Section 7 of the Agreement modifying the acreage amounts.

## **ARTICLE VI – NOMINATION AND ELECTION OF OFFICERS**

- A. **ELECTIONS.** The Board shall elect a Chairperson and a Vice-Chairperson at its meeting every December starting in 2005, or as soon thereafter as practical. The Chairperson and Vice Chairperson shall annually alternate between a regular member of the Board representing a City and a regular member of the Board who is a member of the Board of Supervisors. The term of the Chairperson and Vice-Chairperson shall commence on the first day of the month following the selection, unless otherwise determined by the Board.
- B. **NOMINATIONS.** Any member of the Authority may nominate any regular member for an office contemplated in Section A. An individual receiving the majority of the votes for any of the offices shall be deemed to have been elected. Different procedures and requirements apply to the office of treasurer and controller, pursuant to Section E. and the Agreement.
- C. **RESIGNATIONS.** In the event an officer resigns or ceases to be an officer, the Board shall select a replacement therefore at the next regular meeting of the Board, or as soon thereafter as practical.
- D. **ABSENCES.** In the absence or inability of the Chairperson to act, the Vice-Chairperson shall act as Chairperson.
- E. **APPOINTMENTS.** The Board shall appoint the treasurer of a member agency to serve as the Treasurer. The Board shall also appoint the finance director of a member agency to serve as the Controller.

## **ARTICLE VII – DUTIES OF OFFICERS**

- A. **CHAIRPERSON.** The duties of the Chairperson shall be to:
  - 1. Preside at all meetings of the Authority;

2. Call special meetings of the Authority when necessary;
  3. Appoint ad hoc committees, when necessary, including, without limitation, an Elected Officials Ad Hoc Committee described in the MSHCP.
- B. VICE-CHAIRPERSON. The duties of the Vice-Chairperson shall be to perform the duties and exercise the power of the Chairperson during the absence of the Chairperson.
- C. EXECUTIVE DIRECTOR. The duties of the Executive Director shall be to administer the MSHCP, as defined above, in compliance with the duties and responsibilities set forth in Sections 5.0 and 6.0 of the MSHCP, and such other duties as may be prescribed by the Board, from time to time. The Executive Director shall perform such duties as prescribed by the Board including, without limitation, the administration of agency contracts. The Executive Director may, after consultation with the Chairperson, authorize contracts in an amount up to \$50,000 without prior Board approval. All such contracts shall be reviewed by legal counsel and shall be reported to the Board after execution. The Executive Director may not issue such contracts totaling more than \$50,000 1) to any one entity in any calendar year, or 2) to a group of entities working on a single project for the Authority. The Executive Director's authority for the purchase of supplies, materials, or equipment is limited to \$25,000.

## **ARTICLE VIII – MEETINGS**

- A. AGENDA. Matters to be placed on the Agenda for any regular meeting or Committee meeting may be filed with the Executive Director of the Authority by any member of the Authority by the Thursday before such regular meeting or special meeting. The Agenda for each regular or special meeting shall be prepared under the control and direction of the Executive Director after consultation and concurrence by the Board Chairman or Vice Chairman, if the Chairman is not available. The Executive Director shall cause copies of the Agenda to be mailed or delivered to each regular and alternate member at least three (3) working days prior to the regular meeting date. During a Board or Committee meeting, any member may bring to the Board's attention any item of new business or request for action. Action on any matter of business not listed Agenda shall be deferred until properly listed on the Agenda for a subsequent meeting unless properly added to the Agenda as an item of subsequent need in accordance with Government Code, Section 54954.2. Notwithstanding, the provisions of this section, individual members of the Board may provide a reference to staff or other resources for factual information, request staff to report back to the Authority at a subsequent

meeting concerning any matter, or take action to direct staff to place a matter of business on a future agenda.

- B. **REGULAR MEETING.** Regular meetings of the Authority shall be held, to the extent feasible at 1:00 p.m. the first Monday of each month at the County Administrative Center, 4080 Lemon Street, First Floor, Riverside, California or at such other location set by the Authority. Regular meetings may be canceled by majority vote of the Authority at a regular or special meeting prior to the meeting to be canceled. A regular meeting may also be canceled by the Chairperson for lack of a quorum. The Executive Director shall endeavor to mail or deliver notice of such cancellation to each regular member and alternate member at least twenty-four (24) hours prior to the time of the meeting.
- C. **SPECIAL MEETINGS.** A special meeting of the Authority may be called at any time by the Chairperson, or in his or her absence by the Vice-Chairperson, or by any four (4) regular members by delivering personally or by mail written notice to the Executive Director and each regular and alternate member. Such notice shall be so delivered at least twenty-four (24) hours before the time of such meeting as specified in the notice. The call and notice shall specify the time and place of the special meeting and the business to be transacted. No other business shall be transacted at such meeting. Such written notice may be dispensed with as to any member who at or prior to the time the meeting convenes files with the Executive Director a written waiver of notice. Such waiver may be given by telegram or telecopier. Such written notice may also be dispensed with as to any regular or alternate member who is actually present at the meeting at the time it convenes.
- D. **POSTING OF AGENDAS.** The Authority shall post agendas of all regular meetings, containing a brief general description of each item of business to be transacted or discussed at the meeting, at least seventy-two (72) hours before such regular meeting. The agenda shall specify the time and location of the meeting and shall be posted at the County Administration Center, 4080 Lemon Street, Riverside, or at another location specified by the Chairperson that is freely accessible to members of the public. No action shall be taken on any item not appearing on such posted agendas, except as permitted by state law.
- E. **RALPH M. BROWN ACT.** All meetings of the Board, including without limitation, regular, special and adjourned meetings, shall be called, noticed, held and conducted in accordance with the provisions of the Ralph M. Brown Act (commencing with Section 54950 of the California Government Code).
- F. **ADDRESSING AUTHORITY ON AGENDA ITEMS.** No person shall address the Authority at any meeting until he or she has first been

recognized by the Chairperson. The decision of the Chairperson to recognize a person may be changed by vote of a majority of the members of the Authority present at the meeting. When addressing the Authority, each individual speaker will be limited to three minutes or less of public testimony on each agenda item. The Authority may, either at the direction of the Chairperson or by a majority vote of the Authority, waive this three (3) minute time limitation.

## **ARTICLE IX – STANDING COMMITTEES**

A. **FORMATION.** The following Standing Committees of the Authority are hereby created:

1. **The Funding Coordination Committee.** This Committee shall provide recommendations to the Board on funding priorities and MSHCP Conservation Area acquisitions. Additionally, this Committee shall provide a forum to discuss land acquisition priorities of the U.S. Fish and Wildlife Service (“USFWS”) and California Department of Fish and Game (“CDFG”) and acquisitions by other entities using non-local sources of revenue. It is envisioned that this Committee will meet at least twice annually. The Committee is not intended to address the acquisition of specific properties. The Board shall establish policies under which the Funding Coordination Committee shall make recommendations to the Board. Such policies shall include conflict of interest guidelines for the Committee members. Members of this committee shall consist of the Executive Committee Members, and representatives of the USFWS, and the CDFG. Member Agency Planning Directors shall be invited to participate in the meeting.
2. **Reserve Management Oversight Committee.** The Reserve Management Oversight Committee (RMOC) shall serve as the intermediary between the Reserve Managers and the decision making function of the Authority. The Executive Director or designee shall serve as Chairperson of the RMOC. The RMOC shall be composed of, at a minimum, one representative appointed by each of the following entities: USFWS, CDFG, Riverside County Regional Parks and Open Space District, Bureau of Land Management, U.S. Forest Service, California Department of Parks and Recreation, Authority, and up to five (5) other private or public agencies or entities that own or manage land within the MSHCP Conservation Area.
3. **Executive Committee.** The Executive Committee shall be appointed by the Chairperson and ratified by the Board. The Committee shall be composed of seven (7) members, and have at least two (2) and

no more than three (3) representatives representing the County. The Board Chairperson, Vice Chairperson and past Chairperson, if any, of the Commission shall be members of the Committee. The Executive Committee shall oversee Authority administrative functions, staff functions, recommend staff positions, job descriptions and salaries, and consider such other matters as delegated to it by the Board.

4. Stakeholders Committee. The Stakeholders Committee shall be appointed by the Chairperson and ratified by the Board. The Committee shall be composed of up to sixteen (16) members, whose members shall be drawn from the following:
  - a. groups representing property owners affected by the MSHCP;
  - b. groups representing environmental interests implicated by the MSHCP; and
  - c. groups representing the building industry within the area affected by the MSHCP.
  - d. Committee members shall not be permitted to appoint alternates. The Committee shall meet when requested to do so by the Chairperson or Board. The Committee shall meet as often as necessary; however, reasonable efforts shall be made to hold committee meetings at least twice yearly. The Executive Director shall chair the meetings and facilitate discussion. The Stakeholders Committee shall review implementation plans from a stakeholder perspective and perform such other duties as directed by the Board.

- B. CONTROL AND SUPERVISION. In the performance of their duties and responsibilities, all Committees of the Authority shall submit all policy matters coming before them to the Authority for final consideration, unless otherwise specified by the Board. Committee members shall be appointed on an annual basis.

## **ARTICLE X – CORPORATE POWERS**

- A. SUCCESSION. The Authority has perpetual succession and may adopt a seal and alter it at its pleasure.
- B. LITIGATION. The Authority may sue and be sued, except as otherwise provided by law, in all actions and proceedings, in all courts and tribunals of competent jurisdiction.

- C. CLAIMS. All claims for money or damages against the Authority are governed by Division 3.6 (commencing with Section 810) of Title 1 of the Government Code except as provided therein, or by other statutes or regulations expressly applicable thereto.
- D. MOTIONS, REGULATIONS AND ORDINANCES. The acts of the Authority shall be expressed by motion, resolution, or ordinance. All ordinances shall take effect upon their adoption. The enacting clause of all ordinances shall be as follows: "The Western Riverside County Regional Conservation Authority hereby ordains as follows: "All ordinances shall be signed by the Chairperson or by the Vice-Chairperson of the Authority.

### **ARTICLE XI – CONTRACTS**

The Authority may make contracts and enter into stipulations of any nature whatsoever either in connection with eminent domain proceedings or otherwise, including but not limited to, contracts and stipulations to indemnify and save harmless, to employ labor, and to do all acts necessary and convenient for the full exercise of the powers authorized by law. The Authority may contract with any Department or Agency of the United States of America, with any public agency (including, but not limited to, the County, WRCOG, CDFG or USFWS), or with any person upon such terms and conditions as the Authority finds is in its best interest.

### **ARTICLE XII – REIMBURSEMENTS**

- A. PERSONS SUBJECT TO REIMBURSEMENT PROVISIONS. These Reimbursement Provisions ("Provisions") shall be applicable to all members of the Authority's legislative bodies, as defined in Government Code section 54952, provided such persons receive compensation for actual and necessary Authority expenses ("Official"). Legislative Bodies include, but are not limited, to the Board of Directors, the Funding Coordination, the Reserve Management Oversight Committee, the Executive Committee and the Stakeholders Committee.
- B. PURPOSE. The purpose of these Provisions is to provide guidelines for the reimbursement of any Official for actual and necessary expenses incurred in the performance of their duties. Whenever issues of reimbursement arise, the Authority shall adhere to Government Code sections 53232.2 and 53232.3.
- C. TRANSPORTATION
  - 1. Use of Personal Vehicle. The Authority shall reimburse for mileage incurred when personal vehicles are used to attend Board and Committee meetings and conferences or other meetings approved

by the Board or Executive Director and in furtherance of the Authority's affairs. Authority will reimburse mileage for travel to and from the destination based upon the approved Internal Revenue Service rate in effect.

2. Rentals. The Authority shall reimburse for actual and necessary vehicle rental expenses. The Authority shall only reimburse economy or compact rate vehicles unless (i) such class of vehicle is unavailable; or (ii) such class of vehicles do not accommodate a disability. When an Official rents a vehicle, he or she shall obtain insurance for the vehicle at the Authority's expense.
  3. Shuttle, Bus, Taxi, and Public Transportation. Shuttle, bus, taxi, and public transportation may be used between an airport, hotel and conference site whenever it is available. Officials are encouraged to use the most efficient mode of transportation available.
  4. Air Travel or Other Common Carrier Transportation. As necessary for the performance of their official duties, Officials may use air travel or other mode of common carrier transportation to and from the destination.
- D. LODGING. Lodging costs shall not exceed the maximum group rate published by the conference or activity sponsor, provided that lodging at the group rate is available. If a group rate is not available, the government rate of the provider of lodging shall be used. If neither the group nor government rates are available, the Authority shall reimburse lodging at a rate not exceeding \$300.00 per night without Board approval. For lodging in high costs cities (e.g., San Francisco, New York, Washington., D.C.), the Authority will reimburse at a rate not exceeding \$490.00 per night without Board approval. Lodging reimbursement rates will be adjusted annually according to the CPI in the applicable metropolitan statistical area.
- E. MEALS. The actual costs of meals incurred while attending conferences or other meetings in furtherance of the Authority's affairs are reimbursable provided the Authority's staff is given a receipt. Meal costs shall be reimbursed at an amount not exceeding the greater of one hundred fifty dollars (\$150.00) per day or the applicable Internal Revenue Service rate.
- F. PERSONAL EXPENSES AND OTHER EXPENSES NOT REIMBURSABLE. The Authority shall not reimburse the cost of transportation, lodging, meals, or other costs of travel when such costs are of a personal nature incurred in conjunction with the performance of official duties. Personal costs, not reimbursable by the Authority, shall include, but not be limited, to the following: (i) alcoholic beverages; (ii) parking and traffic violations; (iii) entertainment; (iv) services provided by

the provider of lodging; and (v) expenses incurred on behalf of a spouse, dependent, or traveling companion.

- G. CONFERENCES AND OTHER MEETINGS. Officials shall only receive reimbursement of travel, lodging, and meals for conferences or other meetings in furtherance of the Authority's affairs. No other occurrences will be reimbursed.
- H. EXPENSES NOT INCLUDED WITHIN THESE PROVISIONS. Occurrences or expenses which do not fall within these Provisions or the Internal Revenue Service reimbursable rates must be approved by the Board in a public meeting before the expense is incurred.
- I. EXPENSE REPORTS. The Authority shall not reimburse any expenses until an expense form is submitted to the Authority's administrative office no later than 45 days of the expenditure. Expense forms shall be accompanied by receipts documenting each expense. Furthermore, Officials will be required to provide a brief report on the conference or meeting attended at the next regular meeting of his or her respective legislative body.
- J. CPI INCREASE. The dollar limits referenced herein shall be automatically updated annually pursuant to reflect increases in the Consumer Price Index.

### **ARTICLE XIII – AMENDMENTS**

- A. ADOPTION. These Bylaws may be amended at any meeting of the Authority by a majority vote.
- B. PROPOSAL. Any Authority member may propose a Bylaw amendment. Such proposal shall be in writing and shall be referred to the Chairperson who shall report the proposed amendment with recommendation to the Authority. All regular members shall receive at least four (4) weeks notice of any amendments to these Bylaws. Notice may be provided on a Board Meeting Agenda of the Board or by separate notice delivered by mail, e-mail or facsimile to the regular member.

## **AGENDA ITEM NO. 9**

# **CLARIFICATION OF TENETS REGARDING INFRASTRUCTURE CONTRIBUTION TO MSHCP**

*Regional Conservation Authority***CLARIFICATION OF TENETS REGARDING INFRASTRUCTURE  
CONTRIBUTION TO MSHCP****Staff Contact:****Charles Landry  
Executive Director  
(951) 955-9700****Background:**

On February 7, 2007, the RCA Board of Directors considered a staff report and adopted a set of tenets regarding MSHCP infrastructure contributions and directed staff to work with the Cities and County to ensure that qualified infrastructure projects provide appropriate mitigation pursuant to the Plan.

The RCA has met with Permittee staffs with regard to infrastructure contributions and remittance. Staff believes we have resolved administrative issues; however, during our discussions, it became clear that the basic tenets required some clarification and amplification.

**Developer-Constructed General Plan Roads:** The original tenets did not address developer-constructed General Plan roads, because most Permittees believed that there were too many variables and uncertainties to apply a contribution factor based on capital costs. After further discussions with Permittee staffs, we recommend that the commercial/industrial “per acre fee” be used in calculating the contribution. Under this approach a residential developer’s obligation would be calculated as follows: the residential “per roof top fee” multiplied by the number of units plus the acreage contained in the General Plan road right-of-way (most likely the half adjacent to the development) multiplied by the commercial/industrial fee. In the case of a commercial development, the obligation would be the total acreage, including the appropriate General Plan road right of way, multiplied by the commercial/industrial fee.

**Non-Transportation Linear Public Works:** The Plan contemplates contributions from Permittees for the construction of “non-transportation” linear projects, such as water lines, sewer lines, and similar facilities, but it contains no contribution estimate or clear guidance for the procedure. Therefore, staff is recommending that the commercial/industrial fee be applied to such facilities.

It is important to understand that funding and implementation is a “work in progress” and we should anticipate future modifications to these tenants as we work through the issues with the Permittee staffs.

**RECOMMENDATION:**

That the RCA Executive Committee recommend that the Board of Directors:

- 1) Endorse the following tenets regarding MSHCP infrastructure contributions;
- 2) Direct staff to forward the tenets to the County Executive Officer and City Managers; and
- 3) Direct staff to continue to work with the County and cities to ensure that qualified infrastructure projects contribute to the Plan;


**Tenets Relating to Local Infrastructure Contribution**

**A. TUMF:** TUMF contributions to the MSHCP have been adopted that required 5% of the facility construction cost or about \$64 million over 25 years. WRCOG is maintaining a separate account for these contributions and will release funds for acquisitions at RCA’s request upon WRCOG approval.

**B. City and County Roadways and Bridges Covered by the Plan:** These facilities would contribute 5% of the facility construction cost subject to the following:

1. The 5% contribution applies to new facilities, or the widened portions of existing facilities for capacity enhancement.
2. Maintenance and safety projects as defined in Section 7 of the Plan are exempt from the 5% contribution.
3. For projects with multiple fund sources, the 5% does not apply to:
  - a. Portions paid for by Measure A (contribution already paid directly by RCTC).
  - b. Portions paid for by TUMF (contribution already paid directly by WRCOG).
4. Payment of federal funds is contingent on approval by the Federal Highway Administration.
5. Contributions for all Caltrans facilities are covered by the Caltrans mitigation bank, regardless of fund source(s).
6. Contributions for transportation facilities not funded by TUMF or Measure A will be remitted to the RCA upon approval of the construction contract by the Permittee.

- D. **Non-Transportation Linear Public Works:** The commercial/industrial fee will be applied to calculate the contribution.
- E. **Local Civic Projects: (i.e. parks, civic buildings, city halls, parks, libraries, juvenile facilities, jails, sewage treatment plants, fire stations, etc.):** The commercial/industrial fee will be applied to calculate the contribution.
- F. **Covered Projects by Riverside County Flood Control and Water Conservation District:** The Implementing Agreement calls for a contribution of 3% of capital costs. The funds are remitted to the RCA annually.
- G. **Developer-Constructed General Plan Roads:** The commercial/industrial fee will be applied to calculate the contribution for developer-constructed General Plan roads.

FINANCIAL INFORMATION	
<b>In Fiscal Year 2009 Budget:</b> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	<b>Cost:</b> \$ None <b>Annual Cost:</b> \$ None
<b>Source of Funds</b> <b>Revenue Accounts:</b> Other Government MSHCP Infrastructure (769240), Other Government MSHCP Civic Projects (769260), Flood Control Covered Projects (771410), TUMF (777600).	<b>Budget Adjustment:</b> None <b>From</b> <b>To</b>
<b>Approved by:</b> 	<b>Date:</b> January 12, 2009

# **AGENDA ITEM NO. 10**

## **RATIFICATION OF THE CHAIRMAN'S APPOINTMENT OF THE 2009 RCA EXECUTIVE COMMITTEE**

*Regional Conservation Authority*

**RATIFICATION OF THE CHAIRMAN'S APPOINTMENT OF THE  
2009 WESTERN RIVERSIDE COUNTY REGIONAL CONSERVATION  
AUTHORITY EXECUTIVE COMMITTEE**

**Contact:**

**Honey Bernas  
Director of Administrative Services  
(951) 955-2842**

**Background:**

In accordance with the RCA bylaws, the Executive Committee shall be appointed by the Chairman and the Chairman's appointment shall be ratified by the RCA Board. The Committee shall be composed of seven (7) members, and have at least two (2) and no more than three (3) representatives of the County. The Board Chairman, Vice Chairman and Past Chairman of the Board shall be members of the Committee. The Executive Committee oversees the Authority administrative functions, staff functions, recommends staff positions, job descriptions and salaries, and considers such other matters as delegated to it by the Board.

For 2009, in addition to the Chairman (Buster), Vice Chairman (Thomasian) and Past Chairman (Montanez), the Chairman has appointed Board Members Frank Hall (*Norco*), Jim Hyatt (*Calimesa*) Melissa Melendez (*Lake Elsinore*), and Jeff Stone (*County of Riverside*).

**Staff Recommendation:**

- 1) Recommend that the RCA Board of Directors ratify Chairman Buster's appointment to the Executive Committee for 2009; and
- 2) Direct staff to agendize this matter for the February 2, 2009 Meeting of the RCA Board of Directors.

# **AGENDA ITEM NO. 11**

## **REPORT BACK REGARDING RCHCA / RCA MERGER**

*Regional Conservation Authority***REPORT BACK REGARDING RCHCA / RCA MERGER****Staff Contact:****Charles Landry  
Executive Director  
(951) 955-9700****Background:**

Pursuant to the direction of the RCA Board, RCA staff has conducted a preliminary assessment of issues associated with a possible merger of the RCHCA and RCA. The Western Riverside County MSHCP does contemplate the eventual merger of the RCHCA into the RCA. Until that occurs, however, the respective Plans are intended to be implemented separately, but coordinated through an agreement between the two authorities and the Wildlife Agencies.

There is no requirement that the plans or agencies be merged at this time. Therefore, both Boards would have to agree to the merger in order to begin the process.

The following is a list of what staff has identified as the primary issues; unknown, pro and con. This is not an exhaustive list of all potential issues, but is intended to provide the Board with information for the current stage of analysis.

**UNKNOWNNS:**

Process – Merger of the SKR HCP and the MSHCP may require amendments to each of the plans. It is not certain whether a major amendment would be needed for either or both, but if it were determined that a major amendment(s) were required, additional environmental review under CEQA and NEPA would also be required, resulting in costs that are unknown at this time as are potential legal challenges.

Concurrence of Wildlife Agencies – Depending on the type of amendment required for a merger, any changes to the HCPs may require review and approval by the Wildlife Agencies, which could result in additional conditions and mitigation requirements.

**PROS:**

Governance – Combining the HCPs would result in a single governance structure that encompasses the entire western Riverside County area, generally covering the range of the SKR species within Riverside County. It is anticipated that this would result in a more comprehensive consideration of policy issues related to conservation and management of the species.

Management and Monitoring – Merging the HCPs would likely increase management and species monitoring efficiencies by combining management/monitoring activities and staffing that would address all of the covered species under the MSHCP.

Fee Structure – Merging the HCPs would likely require consolidation of impact fees, simplifying the fee structure for development projects in western Riverside County.

CONS:

Legal Issues – Either of the HCPs may be subject to legal issues and/or pending litigation that would require further assessment. The status of these issues should be considered in terms of timing for the merger. In addition, if major amendments to either or both plans were to be required, it would open the plan(s) to potential legal challenge.

Fee Structure - Issues related to the fee structure and how the fee revenues can be used for management under a combined plan would need to be resolved. Merger of the HCPs would likely require restructuring of the development impact fee programs under each of the plans. The SKR HCP charges a per acre fee, while the MSHCP Permittees charge a per roof top fee for residential development and a per acre fee for commercial/industrial development. It is anticipated that a fee study would be required in order to accomplish such a restructuring. Additionally, there may be some restrictions on the use of fees imposed for the MSHCP that do not exist for the SKR HCP.

ADDITIONAL ITEMS:

If the RCHCA Board agrees to the merger and the RCA Board concurs, then the RCA should proceed with the following analysis:

- Review and analysis of management agreements, contracts and obligations of the RCHCA
- Staffing assessment
- Timing of the merger
- Implementation agreements
- Fee structures, including legal constraints