



EXECUTIVE COMMITTEE MINUTES

August 19, 2009

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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 Bob Buster at 12:04 p.m. in the RCA Conference Room, 3403 Tenth Street, Suite 320, Riverside, California.

2. ROLL CALL

Committee Members Present

Bob Buster
Frank Hall
Jim Hyatt
Melissa Melendez
Eugene Montanez

Committee Member Absent

Jeff Stone

3. PUBLIC COMMENTS

1. Ed Sauls, representing Wilhelm Ranch, spoke about the acquisition process and RCA's offer for the Wilhelm Ranch. He requested that the RCA Board consider an alternative process other than the HANS process; elevate consideration of the offer; and for the parties to continue to work towards a resolution.
2. Tami Wilhelm, representing Wilhelm Ranch, informed the Executive Committee of the process she had taken upon receiving title of the property, including offers from developers for the property, negotiations with the RCA, agency and property owner appraisals, and the status of the negotiation to date.

Chairman Buster reviewed the advisory role of the Executive Committee and advised that the Committee may recommend action to the RCA Board of Directors.

Jim Hyatt asked what the next step will be and whether this matter will be forwarded to the RCA Board of Directors' next meeting. Charlie Landry, Executive Director, said that when an agreement is reached with the property owner, it will be placed on the RCA Board of Directors' agenda.

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After discussion, it was determined by the Executive Committee to place this matter as a Closed Session item at their next meeting.

M/S/C (HYATT/MELENDEZ) to direct staff to place this matter, as a Closed Session item, on the agenda for the Executive Committee's next meeting.

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 (MONTANEZ/HYATT) to approve the minutes of the May 20, 2009 meeting of the Executive Committee, as submitted.

7. CONSULTING REPORTING REQUIREMENTS

Charlie Landry, Executive Director, stated that the RCA maintains a small staff and contracts with a number of consultants that provide specialized services. He then reported the scope of services, activities, and reporting requirements for: 1) Ahern, Adcock & Devlin; 2) Best, Best & Krieger; 3) Dave Driscoll; 4) Dudek & Associates; 5) Facilities Management; 6) Geographics; 7) John Husing; 8) David Kennett, Capitol Alliance Consulting; 9) Naty Kopenhaver; 10) Tom Mullen; 11) Riverside County Parks District; and, 12) SAWA. He noted that David Kennett will be making a presentation to the RCA Board at the September 14, 2009 meeting.

Charlie Landry continued and noted that Tom Mullen has been working on the LOGIC\$ Paper, which is shown as Exhibit A, to establish additional federal funding for the HCPs set up for open space acquisition in order to expedite the building of transportation infrastructure. This effort originally included Mike Allen of the Center for Biological Conservation at UCR. Several meeting trips were made that included Doug Wheeler, who previously served as California's Secretary of Resources during the Wilson Administration and is currently with a Washington, D.C., law firm. Meetings were held with a number of foundations to set up a national conference. At a meeting with The Conservation Fund, they learned that they were in the process of doing something very similar. The result is the upcoming Symposium scheduled from September 29, 2009 through October 1, 2009 at the National Conservation Training Center in Shepherdstown, West Virginia. He reviewed the currently published agenda. RCA's RAND Study will be one of the case studies that will be on the agenda. The Symposium is a first step toward establishing a funding mechanism, in addition to Section 6 funds.

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A discussion followed regarding RCA attendance at the Symposium, and it was determined that either the Chairman and Vice Chairman or the Vice Chairman and Past Chairman attend the Symposium.

Gary Thomasian asked if there are other funding sources available, and Charlie Landry said there are funds that are potentially available but there is challenge and complexity on how it will be structured and apportioned. He then discussed the importance of Section 6 funds to RCA's budget as \$30 million were expended to date. RCA is not able to use the remaining \$11 million of Section 6 funds because U.S. Fish and Wildlife has reinterpreted the regulations to not allow the use of local development mitigation fees as match. Staff is working toward resolving this matter.

Melissa Melendez asked if there are responsibilities that overlap and if there is a possibility to streamline responsibilities. Also, as discussed at a previous meeting, she requested an update of the services that the consultants provide on a regular basis so that when the contracts come up for renewal, they are aware of the scope of services that they provide. Charlie Landry responded that the degree of service that each of the consultants provide are specialized in nature which does not leave room for overlap in responsibilities. Staff will continue to report on a regular basis.

At this time, Jim Hyatt inquired whether there is a need to have more than one Legal Counsel at the meetings especially with the current state of economy and Michelle Ouellette explained the area of expertise and role of each of the Legal Counsel and that their attendance of meetings is dependant upon the matters to be discussed, whether it is a meeting of the Board, Committee, or other meetings scheduled by staff.

Eugene Montanez stated that both Legal Counsels should probably be in attendance at the RCA Board meetings. For the Executive Committee, it is dependent upon the makeup of the Committee and items on the agendas. With the current Committee membership, he believes that only one Legal Counsel is needed. He suggested that staff discuss this matter with the Chairman.

8. RCA GOALS AND OBJECTIVES

Charlie Landry presented the RCA goals and objectives as follows:

Goals

- Protect the Permit
- Expedite Infrastructure

- Increase Funding

Objectives

- Effective implementation
- Monitor timeliness, problems
 - Train Permittees (held every six months)
 - Revise procedures as needed
- Regain Section 6 funds
 - Gain other National funding
 - Conduct Nexus Study in the future

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- Clarify Development Process For New Development
- Continue to Build Management and Monitoring
- Streamline procedures
Resolve interpretation issues
Train Permittees (Emphasize Contributions)
- Increase endowment
Look for additional efficiencies in monitoring

Jim Hyatt asked about the Nexus Study, given the fact that WRCOG is looking at reducing TUMF fees, and the status of current housing market. Charlie Landry responded that the Nexus Study will still need to be done and in doing so, consider the RAND Report as it related to variations of land values, acreage to be acquired, etc. Land values have not declined as compared to house values.

Steve DeBaun noted that WRCOG is reducing the network to some degree which will have an impact on the size of the program. WRCOG has discretion to reduce their program whereupon RCA is constrained by agreements with various agencies.

In response to Jim Hyatt question if RCA has received comments from the Building Industry Association (BIA) relating to reduction of fees, Charlie Landry said that RCA's fees are modest as compared to planning and building fees. Chairman Buster added that the BIA is one of principal initiators and has advocated the environmental concept.

Eugene Montanez stated that an approach to handle BIA's call to reduce RCA fees, if it arises, is by providing RCA needed acreage and/or linkage refinements.

Charlie Landry indicated that one of the items emphasized to the permittees was to seek out land contributions as it minimizes the acreage to be purchased. As an example, Lewis Homes has donated approximately 1,100 acres. Gary Thomasian added that contribution of conservation easements would also be helpful in addition to land contributions.

Charlie Landry noted that this item will be presented to the RCA Board of Directors and requested that if Executive Committee members have any input or additional goals and objectives, that they provide them to staff.

9. MAJOR AMENDMENT WISH LIST

Charlie Landry stated that as requested, staff has placed this item on the Executive Committee agenda. For a major amendment, the following are items that could be addressed: 1) clarify covered activities such as update of circulation elements and trail elements; 2) clarify fee structure; 3) recognizing previous agreements such as the Lake Elsinore Back Basin agreement, Murdock settlement, etc; 4) clarify some of the outer cell lands and acreage that are out of criteria cells; 5) look at species that may be eliminated analyzing the fact that there are benefits from the species and the cumulated affect to CEQA of development as related to the MSHCP; 6) review the risks involved as the Plan is being opened to environmental groups, etc; 7) whether the Hemet Vernal Pools remain in the Plan; 8) constrained funding with

the current economy; and, 9) additional requirements to monitoring and management. He stated that embarking on a major amendment will require expenditure of a large amount of funds.

Chairman Buster stated that a cost saving item, especially during these economic times, to be considered is the consolidation of RCA and RCHCA. This is an opportunity to reduce meetings to be attended by members of the two agencies, lower overhead costs, have a combined management criteria, have same monitoring standards, and have effective conservation.

Gary Thomasian noted that as the Plan is written, there is an eventual merge of the two agencies. At this time, it appears that the RCA has a number of activities to resolve prior to initiating the process to bring in RCHCA.

A discussion followed on the management and monitoring practices of both agencies.

Melissa Melendez asked if, in the case of a merger, the land acquired by the RCHCA will be added to RCA's land acquisition. Michelle Ouellette said that it is already included as it counts as part of the 347,000 acres and is considered public/quasi-public land.

Frank Hall said that in considering the merger, there should first be a plan and a time schedule for the merge. Once steps for the merger are identified, it is a matter of following the schedule.

10. FIRST AMENDMENT TO REVENUE LEASE BETWEEN THE WESTERN RIVERSIDE COUNTY REGIONAL CONSERVATION AUTHORITY AND THE COUNTY OF RIVERSIDE

Honey Bernas, Director of Administrative Services, said that the purpose of the amendment for the office lease is to relinquish its space of the shared lobby and adjacent lobby within Suite 300/320 to the Economic Development Agency and acquire a much needed storage area. Furthermore, a three percent annual increase scheduled for July 1, 2009 and July 1, 2010 will be waived resulting in a savings of \$11,508.27 to the RCA.

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

- 1) Approve the First Amendment to the Revenue Lease between the Western Riverside County Regional Conservation Authority and the County of Riverside; and***
- 2) Authorize staff to agendize this matter for the September 14, 2009 meeting of the RCA Board of Directors.***

11. DISCUSSION REGARDING RAND REPORT – CHAPTER 6, “PROJECTED REVENUE FOR RCA”

Charlie Landry stated that the RAND Report focused on two issues: 1) The adequacy of the overall revenue stream; and, 2) The timing of revenues and expenditures. RCA revenues relied heavily on local development mitigation fees. Other revenues include \$153 million in Measure A funds to be used towards coverage of RCTC’s projects with \$139 million contribution to date; tipping fees with this year’s in-county projection at \$165,000; other infrastructure and transportation; TUMF; and, LDMF. He then reviewed a chart showing that the current revenue and current expenditures do not correspond well with optimal expenditures.

Based on the overall projection of revenues, the report recommended that RCA identify potential sources of additional revenues. Sources of potential revenues may include, but not be limited to property-based revenues, development-based revenues, transportation-based revenues, and sales-based revenues. Additional integrated federal funding for transportation and conservation could be of great benefit as it would allow RCA to accelerate reserve assembly and reduce overall land acquisition costs. However, currently the highway funds cannot be used for conservation and ESA funds cannot be used to build highways. In order to do so, state and federal legislation would be required to enable such flexibility.

In response to Chairman Buster about seeking contributions should be sought from UCR Center for Conservation Biology, Charlie Landry said that their contributions have been through assistance by analysis and research of species.

Melissa Melendez asked if the RAND Report took into consideration fluctuation of land values but would eventually balance out and Charlie Landry said that RAND studied various scenarios from reciprocal to exponential property values as well as and stagnant properties. Whereupon, they indicated that the most likely one is reciprocal and most of their assumptions were based on such.

12. EXECUTIVE DIRECTOR’S REPORT

12.1 RCA Office Hours

RCA staff has been reduced one day per pay period recognizing the current economic situation. Therefore, RCA offices will be closed every Friday.

12.2 Status of the Cities of Menifee and Wildomar JPA Membership

The U.S. Fish and Wildlife Service and the California Department of Fish and Game have signed off on the Permit and the Implementing Agreement completing the process for the cities of Menifee and Wildomar to be members of the RCA.

13. FUTURE AGENDA ITEMS

There were no future agenda items requested.

14. ADJOURNMENT

There being no other items before the Executive Committee, Chairman Buster adjourned the meeting at 2:07 p.m. The next meeting of the Western Riverside County Regional Conservation Authority Executive Committee is scheduled to be held on Wednesday, September 16, 2009, at 12:00 p.m., at the RCA Offices, 3403 Tenth Street, Suite 320, Riverside, California, 92501.

Respectfully submitted,

A handwritten signature in blue ink that reads "Honey Bernas". The signature is written in a cursive, flowing style.

Honey Bernas
Clerk of the Board