

ORDINANCE NO. 08-01

WESTERN RIVERSIDE COUNTY REGIONAL CONSERVATION AUTHORITY ORDINANCE ESTABLISHING A POLICY FOR PROPERTY ACQUISITION

PREAMBLE

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"). Pursuant to Section 3.D. of the Agreement, the Authority has the power, in carrying out the purposes of the Agreement, 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. Under Section 17 of the Agreement, the laws of the State of California applicable to a general law city govern the Authority in the manner of exercising its powers. Under Section 15 of the Agreement, acquisition priorities are to be determined by the Authority's Board of Directors taking into account any recommendations of the Funding Coordination Committee ("FCC").

Pursuant to Government Code sections 37350 et seq., the Authority may purchase, hold, and enjoy real and personal property, and control and dispose of it for the common benefit.

The Western Riverside County Regional Conservation Authority ordains as follows:

SECTION 1. AUTHORITY. This Ordinance is enacted, in part, pursuant to the provisions of Government Code sections 37350 et seq. This Ordinance repeals and replaces Ordinances No. 04-02 and 06-01.

SECTION 2. AUTHORITY OF EXECUTIVE DIRECTOR FOR LAND ACQUISITION GENERALLY.

2.1 Authority Up To \$100,000

The Authority authorizes its Executive Director to perform any or all acts necessary, including the execution of a certificate of acceptance on behalf of the Authority, to approve and accept for the Authority the acquisition of any interest in real property consistent with the Multi-Species Habitat Conservation Plan (MSHCP) in an amount up to \$100,000.

2.2 Authority Up To \$500,000

The Authority authorizes its Executive Director to perform any or all acts necessary, including the execution of a certificate of acceptance on behalf of the Authority, to approve and accept for the Authority the acquisition of any interest in real property consistent with the MSHCP, with the consent of the FCC Working Group, in an amount up to \$500,000. The FCC Working Group shall be comprised of the Executive Director, Deputy Executive Director, the Chairperson of the Funding Coordination Committee, Legal Counsel, and other individuals appointed by the Chairperson of the Authority.

2.3 Acquisitions Greater than \$500,000 Require Board Approval

The acquisition of any interest in real property in an amount greater than \$500,000 shall require an affirmative vote of the Authority's Board of Directors.

SECTION 3. BROADER AUTHORITY TO ACCEPT GIFTS, BEQUESTS AND DEVICES.

Notwithstanding the limitations which would otherwise be imposed under Section 2 of this Ordinance, the Authority authorizes its Executive Director to perform any or all acts necessary, including the execution of a certificate of acceptance on behalf of the Authority, to approve and accept for the Authority the acquisition of any interest in real property consistent with the MSHCP obtained through gift, bequest, or devise made to or in favor of the Authority for any public purpose without regard to the value of the property so obtained.

SECTION 4. ACQUISITION PRIORITIES TO BE DETERMINED BY THE BOARD BASED ON RECOMMENDATIONS OF THE FUNDING COORDINATION COMMITTEE THROUGH THE EXECUTIVE DIRECTOR

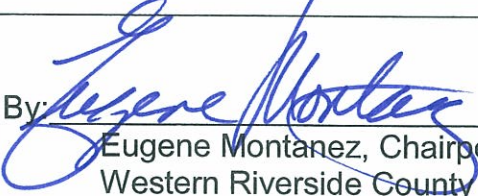

Pursuant to Section 15 of the Agreement, the Authority's Board of Directors shall establish local funding priorities for acquisitions. The Funding Coordination Committee formed by the Board may provide recommendations on these priorities through the Executive Director.

SECTION 5. FORM OF ACQUISITION DOCUMENTS

Standard documents, approved as to form by the Authority's counsel, shall be used to ensure consistency in the Authority's land acquisition process. Counsel must approve any deviation from the standard documents.

SECTION 6. MONTHLY REPORT

The Executive Director shall provide a monthly report and map to the Board showing properties acquired under Sections 2.1, 2.2 and 3 of this Ordinance.

July 7, 2008	By:  Eugene Montanez, Chairperson Western Riverside County Regional Conservation Authority
ATTEST: By:  Honey Bernas, Clerk of the Board	