



**WESTERN RIVERSIDE COUNTY
REGIONAL CONSERVATION AUTHORITY**
www.wrc-rca.org

MINUTES

Monday, November 6, 2006

1. CALL TO ORDER

The meeting of the Western Riverside County Regional Conservation Authority Board of Directors was called to order by Chairman Kelly Seyarto at 1:05 p.m., in the Board Room of the County Administrative Center, 4080 Lemon Street, First Floor, in Riverside, California 92501.

2. ROLL CALL

Board Members/Alternates Present

Marion Ashley
Dom Betro
Bob Buster
Chris Buydos
Larry Dressel
Frank Hall
John Machisic
Eugene Montanez
Shenna Moqet
Robert Schiffner
Kelly Seyarto
Jeff Stone*
John Tavaglione
Chuck Washington
Mark Yarbrough*
John Zaitz

Board Member Absent

Roy Wilson

3. PUBLIC COMMENTS

There were no public comments.

4. BOARD MEMBER ANNOUNCEMENTS

There were no Board Member announcements.

*Arrived after start of the meeting.

5. ADDITIONS/REVISIONS

Tom Mullen, Executive Director, informed the Board of a letter that was received on November 5, 2006 from the Center for Biological Diversity voicing concerns about the progress of acquisition, criteria revisions and use of resources. This is a late breaking item as the letter was received after the posting of the agenda. He requested that the Board add this Closed Session item to be taken up prior to the Policy Calendar.

Steven DeBaun, Legal Counsel, informed the RCA Board that action is needed to add the late breaking item.

M/S/C (LOWE/BUYDOS) to add, as a late breaking item, under Closed Session, Conference with Legal Counsel: Significant exposure to litigation, pursuant to subdivision (b) of Government Code Section 54956.9.

6. APPROVAL OF MINUTES – October 2, 2006

M/S/C (SEYARTO/ZAITZ) to approve the minutes of the October 2, 2006 meeting as submitted.

Bob Buster declared his intention to not to participate in the discussion and voting on Agenda Item 7.3, *Approval of Amendment No. 1 to Professional Services Agreement Between the Western Riverside County Regional Conservation Authority and O'Reilly Public Relations.*

7. CONSENT CALENDAR:

M/S/C (LOWE/ZAITZ) to approve the following Consent Calendar items:

Abstain: Buster, Agenda Item 7.3

7.1 MODIFICATION OF PROPERTY ACQUISITION PROCEDURES AND ADOPTION OF ORDINANCE 06-01 ESTABLISHING A PROCEDURE TO DELEGATE PROPERTY ACQUISITIONS AND AUTHORIZING THE CLERK OF THE BOARD TO PREPARE ORDINANCE SUMMARIES

- 1) Adopt Ordinance 06-01, "An Amendment to Ordinance 04-02 of the Western Riverside County Regional Conservation Authority Establishing a Procedure to Delegate Property Acquisitions"; and
- 2) Authorize the Clerk of the Board to prepare a summary of future ordinances for publication prior to adoption.

7.2 APPROVAL OF RESOLUTION NO. 06-12, "RESOLUTION OF THE WESTERN RIVERSIDE COUNTY REGIONAL CONSERVATION AUTHORITY AMENDING THE APPENDIX OF THE CONFLICT OF INTEREST CODE PURSUANT TO THE POLITICAL REFORM ACT OF 1974"

- 1) Approve Resolution No. 06-12, "Amending the Appendix of the Conflict of Interest Code Pursuant to the Political Reform Act of 1974"; and
- 2) Submit the Amended Appendix to the County of Riverside Board of Supervisors for approval.

7.3 APPROVAL OF AMENDMENT NO. 1 TO PROFESSIONAL SERVICES AGREEMENT BETWEEN THE WESTERN RIVERSIDE COUNTY REGIONAL CONSERVATION AUTHORITY AND O'REILLY PUBLIC RELATIONS

- 1) Approve Amendment No. 1 to the Professional Services Agreement between the Western Riverside County Regional Conservation Authority and O'Reilly Public Relations extending the term of original agreement until June 30, 2007; and
- 2) Increase the total contract amount by \$75,000 as approved in the FY 2006-07 Budget.

7.4 APPROVAL OF RESOLUTION NO. 06-13 ESTABLISHING PUBLIC RECORDS ACT PROCEDURES FOR THE WESTERN RIVERSIDE COUNTY REGIONAL CONSERVATION AUTHORITY

Approve Resolution No. 06-13 establishing Public Records Act Procedures for the Western Riverside County Regional Conservation Authority.

At this time, the RCA Board adjourned to Closed Session to address the added Closed Session Item.

CONFERENCE WITH LEGAL COUNSEL: ANTICIPATED LITIGATION

Significant exposure to litigation, pursuant to subdivision (b) of Government Code Section 54956.9

At 1:36 p.m., the RCA Board reconvened to its regular meeting. There was no announcement from the Closed Session item.

8. POLICY CALENDAR:

8.1 CORE 2 CRITERIA REFINEMENT

Tom Mullen requested that the RCA Board pull this item from the Policy Calendar. Staff will bring this item back to the RCA Board on December 4, 2006. He added that a letter from the Endangered Habitat League requesting continuance of this item was received on November 3, 2006.

With the item being rescheduled to the December 4, 2006 meeting, no action was taken by the Board.

8.2 REAPPOINTMENT OF AD HOC COMMITTEE JPR 05-10-06-02/HANS 145/PM 30595 GREENEWAY DEVELOPMENT

Steve DeBaun stated that the appointment and structure of the Ad Hoc Committee was previously discussed by the RCA Board at its September 11, 2006 meeting. Typically, when three members of the Board of Supervisors are appointed to a Committee of RCA or other public agency such as RCTC, it is not considered as a Brown Act problem as they function as members of the RCA or RCTC. The approved membership of this Ad Hoc Committee, which included three members of the Board of Supervisors and the permittees, is not very apparent as to who they are representing. To avoid problems for the members of the Board of Supervisors, he recommended that the membership of this Ad Hoc Committee be reappointed with one less County Supervisor and adding one other City Council member.

M/S/C (LOWE/HALL) that the Chairman reappoint an ad hoc committee with one less County Supervisor and one additional City Council person, pursuant to RCA policy, to resolve MSHCP consistency issues regarding JPR 05-10-06-02/HANS 145/PM 30595.

9. EXECUTIVE DIRECTOR'S REPORT

9.1 PROGRESS REPORT AND RELEASE OF ANNUAL REPORT

Tom Mullen said that last month, Secretary of Interior Dirk Kempthorne announced the Section 6 award of more than \$67 million in grants to 27 states to support conservation planning and acquisition of vital habitat for threatened and endangered fish, wildlife and plants. The Inland Empire was awarded \$21 million with the County of Riverside receiving \$12 million to purchase habitat to support the Western Riverside County Multiple Species

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HCP, \$5 million to the Coachella Valley and the remainder to the Delhi Sands flower-loving fly. This is the largest grant awarded in the nation which shows the federal government's commitment to the Multiple Species Habitat Conservation Plan (MSHCP). He commended Patricia Lock Dawson, RCA Consultant who worked on the grant application, for doing an outstanding job. This is also a reflection on the efforts and commitment by the RCA Board, County Supervisors and City Councils.

At this time, Tom Mullen presented a report of the Western Riverside County MSHCP on the following: 1) Progress of acquisitions; 2) Key acquisitions and highlights; 3) Species monitoring; and, 4) Funding. In conclusion, 22% of the MSHCP's acquisition goal, only 10% of the way through the buy program, acquired nearly 10,000 acres this year, and it has successfully completed the first two years of species management and monitoring. Ultimately, the MSHCP will create a reserve of 510,000 acres with about 43% of the total acreage in Western Riverside County. He stated that this is a monumental task and applauded the RCA Board, County and cities, property owners, environmentalists, regulating agencies, and staff for their work.

9.2 MANAGEMENT AUDIT PROGRESS REPORT

Tom Mullen noted that staff has satisfactory completed all of the tasks that were noted in the management audit. He thanked the auditors and praised the staff members who worked on the audit.

10. LAND ACQUISITION UPDATE

Ken Graff, Director of Land Acquisition and Property Management, informed the RCA Board that 33,671 acres were acquired to date.

11. CALL BACK ITEMS

11.1 POLICY REGARDING PUBLIC ACCESS TO SELECTED RESERVE LANDS

Ken Graff reported that staff has been working with the Moreno Valley Equestrian and the City of Moreno Valley to develop a policy which would provide public access to the property acquired in Moreno Valley.

12. ITEMS FOR NEXT MEETING

Tom Mullen stated that the Core 2 report will be agendaized for the next meeting.

At this time, the RCA Board adjourned to Closed Session.

13. CLOSED SESSION:

**Conference with Real Property Negotiator
Pursuant to Government Code Section 54956.8**

- 13.1 Property:** Assessor's Parcel No. 583-050-007
Negotiating Parties
Agency Negotiator: Director of Land Acquisition and Property Mgt. or Designee
Property Agent: United Five/Alex Stamatakis
Under Negotiation: Price/Terms
- 13.2 Property:** Assessor's Parcel No. 581-200-001
Negotiating Parties
Agency Negotiator: Director of Land Acquisition and Property Mgt. or Designee
Property Agent: United Five/Alex Stamatakis
Under Negotiation: Price/Terms

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13.3 Property: Assessor's Parcel Nos. 425-100-003, 425-210-002, 425-210-014, 425-210-016, 425-210-017, 425-210-021, 425-210-022, 425-210-036, 425-210-037, 425-210-039, 425-210-041, 425-210-042, 425-210-043, 425-210-044, 425-220-025, 425-220-026, 425-220-027, 427-200-020, 427-200-044, 427-200-045, 427-200-046, 427-200-048, 427-200-049, 427-200-051, 427-200-052, 427-210-032, 427-210-035, 427-210-036, 427-210-054, 427-210-055, 427-210-056, 427-210-057, 431-220-028, 431-220-029, 431-220-030, 431-220-031, 431-220-032, 431-220-033, 431-220-034, 431-230-022, 431-230-033, 431-230-051, 431-230-057, 431-230-058, 431-230-059, 431-230-060, 431-230-061, 431-230-062, 431-230-063, 431-230-064, 431-230-065, 431-230-066, 431-230-067, 431-230-068, 431-240-025, 431-240-028, 431-240-029, 431-240-033, 431-240-034, 431-240-035, 431-240-036, 431-250-019, 431-250-025, 431-250-026

Negotiating Parties

Agency Negotiator: Director of Land Acquisition and Property Mgt. or Designee

Property Agent: Thompson, Calvary, Holgate, Wastal, Shelbran Investments/Randy Wastal

Under Negotiation: Price/Terms

There were no announcements from the Closed Session items.

14. ADJOURNMENT

There being no other items before the Western Riverside County Regional Conservation Authority Board of Directors, Chairman Seyarto adjourned the meeting at 2:13 p.m. The next meeting is scheduled to be held on Monday, December 4, 2006, at 1:00 p.m. in the Board Room of the County Administrative Center, First Floor, 4080 Lemon Street, Riverside, California.

Respectfully submitted,



Honey Bernas
Clerk of the Board