



REVISED
MEETING MINUTES
Monday, January 9, 2012

1. CALL TO ORDER

The meeting of the Board of Directors of the Western Riverside County Regional Conservation Authority was called to order by Chairman Jim Hyatt at 12:32 p.m. in the Board Room of the Riverside County Administrative Center, 4080 Lemon Street, Riverside, California, 92501.

2. PLEDGE OF ALLEGIANCE

Chairman Hyatt welcomed Verne Lauritzen, City of Jurupa Valley's representative, to the RCA Board and requested the he lead the RCA Board Members and those present in a flag salute.

Subsequent to the flag salute, Chairman Hyatt said he received an e-mail from RCA Board Member Melissa Melendez informing him that Lake Elsinore's own, Sgt. Noah Korte, age 29, who was killed in Afghanistan is en route home, and she requested that the RCA Board call for a moment of silence in his honor. Chairman Hyatt led the RCA Board in a moment of silence for Sgt. Noah Korte.

3. ROLL CALL

Board Members Present

Kevin Bash
Bill Batey
Ben Benoit
Roger Berg
Randy Bonner
Thomas Fuhrman
Mike Gardner
Jim Hyatt
Linda Krupa
Verne Lauritzen
Alan Long
John Machisic
Scott Miller
Eugene Montanez
Adam Rush
Karen Spiegel
Jeff Stone

Board Members Absent

Marion Ashley
John Benoit
Bob Buster
Maryann Edwards
Melissa Melendez
Mark Yarbrough

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4. PUBLIC COMMENTS

Bud Spresney of Cerritos, California, prefaced his public comments with an apology to RCA Board Member Maryann Edwards for misquoting a statement that she had made during the December RCA Board meeting. He continued and said that by now, some of the RCA Board members realize that the \$1 billion plus cost saving proposal which he submitted last month has at least one inherent shortcoming. He had planned to discuss this and present a possible solution today, but it is quite lengthy and it might distract from otherwise straightforward ideas. Therefore, a written proposal is submitted in detail to RCA. For now, he reviewed the map noting the linkages containing the cell patterns. The RCA is acquiring a large quantity of land when all that is needed is a 200' wide easement to accommodate small animals when the purpose of linkages is to foster genetic diversity among large animals, which are notably deer and mountain lion. He presented the following options to fully restore this inactive linkage to its previous, full functionality without causing financial problems for Murrieta or the RCA: 1) Convert linkage (or at least the premium-priced land of Linkage 16, east of I-215) to a cost-optimized linkage; and, 2) Advance a portion of the RCA savings to Murrieta for building the proper, width underpasses. (Note: A paper describing Mr. Spresney's proposal was submitted to the RCA for distribution to the RCA Board Members.)

5. BOARD MEMBER ANNOUNCEMENTS

There were no Board Member announcements.

6. ADDITIONS/REVISIONS

There were no additions/revisions to the agenda.

7. APPROVAL OF MINUTES

M/S/C (STONE/MONTANEZ) to approve the December 5, 2011 minutes of the RCA Board of Directors' meeting, as submitted.

Abstained: Gardner, Lauritzen, Spiegel

8. CONSENT CALENDAR

Tom Fuhrman requested that Agenda Item No. 8.2, *Consultant Report – Dudek*, be pulled from the Consent Calendar.

M/S/C (STONE/BATEY) to approve the recommendation for the following Consent Calendar Item:

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8.1 RESOLUTION NO. 11-008, “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 CITY OF JURUPA VALLEY AND TO REVISE THE MEETING SCHEDULE”

Adopt Resolution No. 11-008, “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 City of Jurupa Valley and to Revise the Meeting Schedule.”

The RCA Board then addressed the following pulled Consent Calendar Item:

8.2 CONSULTANT REPORT - DUDEK

Charlie Landry, Executive Director, provided an overview of the services provided to the RCA by Dudek as its biological specialist, including review and analysis of current and future conservation land, preparation of Joint Project Reviews (JPRs), criteria refinements, update of training materials for permittees, issues related to the MSHCP, interaction with the Wildlife Agencies, and interface with the County and cities. The report details the activities performed from July 1, through November 30, 2011.

Tom Fuhrman inquired about the budget for this service and expressed his concern that with the current financial state of affairs and asked if there is work that Dudek is currently performing that could be scheduled in the future.

Charlie Landry said that Dudek has an approved budget and they are within the budget. Staff attentively reviews and makes certain that only work that is needed to maintain and support the MSHCP goals is being performed. Dudek’s budget has been reduced continuously for the last three years and staff will continue to review it for the coming fiscal year’s budget.

M/S/C (STONE/GARDNER) to receive and file the report regarding services provided by Dudek.

9. RESOLUTION NO. 12-001, “RESOLUTION OF THE BOARD OF DIRECTORS OF THE WESTERN RIVERSIDE COUNTY REGIONAL CONSERVATION AUTHORITY APPROVING THE PURCHASE OF TAX DEFAULT PROPERTY FROM THE COUNTY OF RIVERSIDE TAX COLLECTOR’S OFFICE”

Brian Beck, Land Acquisition Analyst, said that staff has identified parcels from the list of tax defaulted properties received from the County of Riverside Tax Collector’s Office that are desirable habitat conservation and will enhance and contribute to RCA’s reserve assembly goals. The properties are located in various areas – Alberhill, Wilson Valley, and Anza. The total acreage is 97.92 acres and the total purchase price \$116,548.93

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(\$1,190.25 per acre). He then showed the locations of the parcels on a map and described the importance of the acreage to the linkages. In accordance to the statutory process followed by the Tax Collector's Office, once the RCA Board approves this item, RCA is scheduled to acquire the properties in June 2013, unless redeemed by the property owners.

Jeff Stone said that annually, the Treasurer's Office releases a list of tax delinquent properties and public agencies have the first right to these properties. He urged the RCA Board Members to approve and authorize staff to take the appropriate steps to purchase the properties.

In response to Tom Fuhrman's question if the previous property owners receive any financial benefits from the sale, Jeff Stone confirmed that there is no financial benefit to the previous property owners.

M/S/C (STONE/BATEY) to adopt Resolution No. 12-001, "Resolution of the Board of Directors of the Western Riverside County Regional Conservation Authority Approving the Purchase of Tax Default Property from the County of Riverside Tax Collector's Office".

10. RATIFICATION OF THE CHAIRMAN'S APPOINTMENT OF THE 2012 RCA EXECUTIVE COMMITTEE

Steve DeBaun, Legal Counsel, informed the RCA Board of an FPPC concern that there may be potential conflict of interest when Board Members vote for themselves for positions within a Committee or for Board officers. Therefore, with the exception of the Chairman, Vice Chairman and Past Chairman, he recommended that the remaining appointees to the Executive Committee recuse themselves from voting on this item.

M/S/C (STONE/GARDNER):

- 1) With the exception of the Chairman, Vice Chairman and Past Chairman, the remaining appointees to the 2012 RCA Executive Committee recused themselves from voting on this item; and,***
- 2) Approve Chairman Jim Hyatt's appointment of the 2012 RCA Executive Committee.***

(Board Members Alan Long, John Machisic and Eugene Montanez recused themselves from voting on this matter. Maryann Edwards was not present for the meeting.)

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11. FISCAL YEAR 2012 FIRST QUARTER FINANCIAL REPORT AND BUDGET ADJUSTMENTS

Honey Bernas, Director of Administrative Services, reviewed the FY 2012 First Quarter Financial Report. She reported that as of September 30, 2011, the Cash Balance is \$13,350,000. In Operations, revenues of approximately \$131,000 exceeded expenditures by \$69,000. For the first quarter, operational revenues consisted primarily of contributions from the Flood Control District (\$81,000) and Moreno Valley civic project contributions (\$24,000). Staff recommended the following budget adjustments: 1) Under Operations, decrease Developer Mitigation Revenues by \$163,800 and decrease Legal Services Appropriations by \$163,800; and, 2) Under Land Acquisitions, increase revenue by \$19,865,800, increase Land Acquisition appropriations by \$23,602,000, and decrease Legal Services appropriations by \$236,200. The total proposed increase to Revenues is approximately \$19.9 million.

In response to Jeff Stone's question regarding where the tipping fee revenues are located in the report and what the trend is for the tipping fees, Honey Bernas said that currently the out- of-county tipping fees have increased and staff is projecting that revenues will exceed projections by approximately \$400,000.

Charlie Landry said that this is shown in the backup material under Revenues, Tipping Fees, Account 781520. In addition, as requested by Chairman Hyatt, he explained that the Tipping Fees consist of 50% of out-of-county fees for the El Sobrante Landfill and a portion of in-county fees.

Tom Fuhrman asked about the adjustments being made under Land Acquisitions and Honey Bernas explained that the adjustments are necessary to reflect several acquisitions, including four properties acquired with grant funding and five donations. Due to the uncertainty of receiving grant funding and donations, staff budgeted conservatively, thus requiring the adjustments. A budget adjustment is also necessary to reflect the \$5 million loan proceeds from the County.

In response to Tom Fuhrman's question about RCA's budgetary state after the Busch property acquisition, Charlie Landry said that for the acquisition, RCTC's remaining funding obligation is being used. Additionally, because RCA has borrowed \$5 million from the County of Riverside, RCA will start repaying that loan at \$1 million/year starting in year five. Finally, there is \$8 million plus interest that will be due in year eight. There are a number of ways to fund this last payment, including use of the 200-acre property. The total negotiated price was \$42 million.

M/S/C (STONE/BEATTY) to:

- 1) Receive and file the Fiscal Year 2011-12 First Quarter Financial Report;***
- 2) Approve the budget adjustments contained in Exhibit A;***

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3) *Authorize the Chairman to direct the Auditor-Controller to make the budget adjustments contained in Exhibit A; and*

4) *Approve the use of \$600,000 in previously committed fund balance to fund the budget adjustments.*

12. EXECUTIVE DIRECTOR'S REPORT

Charlie Landry reported on the following matters:

12.1 UPDATE REGARDING CALIFORNIA GAME COMMISSION

As requested by RCA Board Member Fuhrman, staff communicated that they made a request to the Department of Fish and Game to have the California Fish and Game Commission do a presentation regarding mule deer at a future RCA Board meeting.

12.2 LETTERS TO SENATORS DIANNE FEINSTEIN AND BARBARA BOXER IN SUPPORT OF INCREASING SECTION 6 FUNDING

Section 6 funding will be before the Senate for approval. However, the proposal is almost 50% less than last year (\$48 million). Staff is proposing that the RCA Board send letters to Senators Dianne Feinstein and Barbara Boxer to increase the Section 6 funding up to \$80 million, which was the appropriation amount last year.

M/S/C (MONTANEZ/STONE) to authorize the preparation of a letter for the Chairman's signature to Senators Feinstein and Boxer urging an increase of Section 6 funding to \$80 million.

13. LAND ACQUISITION UPDATE

Brian Beck, Land Acquisition Analyst, reported that an additional 226.11 acres were added to the reserve, bringing the total conserved land to 44,940.8 acres. He presented a map showing the locations of the added acreage.

14. ITEMS FOR NEXT MEETING

Tom Fuhrman asked for staff to provide a report on the 146 protected species, outlining species being protected, which are considered endangered, and those common to other open space areas, such as Bureau of Land Management (BLM) lands.

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

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15. CLOSED SESSION ITEM:

- 15.1 CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION**
Pursuant to Subdivision (a) of Government Code Section 54956.9
- **RIC 530137 Anheuser Busch**

The RCA Board meeting reconvened after Closed Session. There were no announcements from closed session.

16. ADJOURNMENT

There being no other items to be considered, Chairman Hyatt adjourned the meeting. The next meeting of the Western Riverside County Regional Conservation Authority Board of Directors is scheduled for Monday, February 6, 2012, at 12:30 p.m., at the County of Riverside's Administrative Center, Board Room, 4080 Lemon Street, Riverside, California.

Respectfully submitted,



Honey Bernas
Clerk of the Board