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MEETING MINUTES

1. CALL TO ORDER

The meeting of the Western Riverside County Regional Conservation Authority was called to order by Chairman Marion Ashley at 12:31 p.m. on Monday, March 11, 2013, in the Board Room of the Riverside County Administrative Center, 4080 Lemon Street, Riverside, California, 92501.

2. PLEDGE OF ALLEGIANCE

Chairman Ashley led the RCA Board Members and meeting attendees in a flag salute.

3. ROLL CALL

Board Members Present

Marion Ashley, *Riverside County District 5*
Kevin Bash, *City of Norco*
Tim Brown, *City of Canyon Lake*
Maryann Edwards, *City of Temecula**
Debbie Franklin, *City of Banning**
Tom Fuhrman, *City of Menifee*
Mike Gardner, *City of Riverside*
Dick Haley, *City of Corona**
Jim Hyatt, *City of Calimesa*
Kevin Jeffries, *Riverside County District 1**
Natasha Johnson, *City of Lake Elsinore*
Verne Lauritzen, *City of Jurupa Valley*
Scott Miller, *City of San Jacinto*
Shellie Milne, *City of Hemet*
Harry Ramos, *City of Murrieta*
Adam Rush, *City of Eastvale*
Richard Stewart, *City of Moreno Valley*
Jeff Stone, *Riverside County District 3*
John Tavaglione, *Riverside County District 2*
Mark Yarbrough, *City of Perris**

Board Members Absent

John Benoit, *Riverside County District 4*
Ben Benoit, *City of Wildomar*
Roger Berg, *City of Beaumont*

**Arrived after start of meeting*

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4. PUBLIC COMMENTS

There were no public comments.

5. BOARD MEMBER ANNOUNCEMENTS

Agenda Item 10.2 was taken out of order.

Chairman Ashley said that RCA members including himself, Scott Miller, Jeff Stone, and Charlie Landry were in Washington, D.C., last week. He reviewed the activities/meetings undertaken to advocate for the loan program, as follows: 1) Meeting with Congressmen Paul Ruiz and Mark Takano (Riverside County); 2) Meeting with Congressmen Gary Miller and Paul Cook (San Bernardino County); 3) Coordinated effort with the Monday Morning Group to advocate for Section 6 grant funding and the loan program; and 4) Meeting with Congressman Ken Calvert to further discuss the loan program and the Infrastructure Facilitation and Habitat Conservation Act. He noted that Senator Barbara Boxer is very supportive of the MSHCP and her approach with regard to the Water Infrastructure Finance and Innovation Act (WIFIA) and it was requested that the loan program be included.

Scott Miller commented on the productive meetings with key legislative and agency staff in Washington, D.C., and their support toward the loan program. They were impressed with the RCA pamphlet showing the benefits of the MSHCP to Western Riverside County's infrastructure projects and job creation and requested additional copies of the pamphlet. They also met with the U.S. Fish and Wildlife Service (USFWS) with regard to Section 6 funding. He then reviewed the scoring system and rating that funding proposals have to undergo in order to move forward. The USFWS stated the importance of soliciting support from other HCP agencies in the nation.

Jeff Stone stated that he was pleased with the hands on efforts of RCA's lobbyists – Dave Kennett and Doug Wheeler and their knowledge of the status of legislation and how it can be modified. The meeting to brief Congressmen Takano and Ruiz on the MSHCP and the importance of the loan program proposal was productive. Their ability to grasp why we have a habitat plan was impressive. The brochure was a powerful piece in that it not only illustrates the expenditure of over a billion dollars worth of infrastructure, but translates how many jobs are created as a result of this habitat plan. The Riverside County Habitat Plan is the largest and most successful habitat plan in the Country. Not only does RCA have a vested interest in the Plan, but the United States does also. They want to see this Plan be as a model for other HCP's that can be successfully implemented across the United States. He commended the efforts of Chairman Ashley and Vice Chairman Miller on the Washington, D.C. trip.

Charlie Landry, Executive Director, noted the importance of meetings with Ducks Unlimited and with the National Association of Home Builders to secure bipartisan support.

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Adam Rush echoed the need to reach out to stakeholders to push for nationwide bipartisan support. He acknowledged the value of Riverside County having the support of Congressmen Calvert and Ruiz.

6. ADDITIONS/REVISIONS

There were not additions/revisions to the agenda.

7. APPROVAL OF MINUTES

M/S (Stone/Hyatt) to approve the minutes of the February 4, 2013 meeting of the RCA Board of Directors.

Tom Fuhrman noted that Page 3/Agenda Item 9 was not included in the mailed copy of the minutes and, therefore, the minutes should be brought back to the RCA Board's next meeting for approval.

Tim Brown stated that the word "only" was left out of the minutes under agenda item No. 9.

Staff was directed to place the minutes on the next RCA Board meeting agenda for approval.

8. CONSENT CALENDAR

Adam Rush requested that Agenda Item 8.1, ***Fiscal Year 2013 Second Quarter Financial Report***, be pulled from the Consent Calendar.

M/S/C (Stone/Gardner) to approve the following Consent Calendar items:

8.2 FISCAL YEAR 2012-13 BUDGET ADJUSTMENT

- 1) Approve the budget adjustment contained in the attached Exhibit A; and
- 2) Authorize the Chairman to direct the Auditor-Controller to make the budget adjustment contained in the attached Exhibit A.

8.3 WESTERN RIVERSIDE COUNTY MULTIPLE SPECIES HABITAT CONSERVATION PLAN (MSHCP) LOCAL DEVELOPMENT MITIGATION FEE COLLECTION AND CIVIC/INFRASTRUCTURE CONTRIBUTION REPORT FOR JANUARY 2013

Receive and file the Western Riverside County MSHCP Local Development Mitigation Fee Collection and Civic/Infrastructure Contribution Report for January 2013.

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8.4 MSHCP LOCAL DEVELOPMENT MITIGATION FEE ANNUAL CPI ADJUSTMENT

Approve not to implement the CPI adjustment for MSHCP Local Development Mitigation Fees for Fiscal Year 2013-14.

8.5 CONSULTANT REPORT – DAVE KENNETT FISCAL YEAR 2013 SECOND QUARTER REPORT

Receive and file the Fiscal Year 2013 Second Quarter Report for consultant Dave Kennett.

After the Consent Calendar, Chairman Ashley open discussion of Agenda Item 8.1.

8.1 FISCAL YEAR 2013 SECOND QUARTER FINANCIAL REPORT

Adam Rush requested staff to explain the variation on the actual year-end projection showing the amount slightly up from \$160,000 to slightly under \$195,000.

Honey Bernas, Director of Administrative Services, said that the increase (\$86,000) was for legal services for litigation which was not budgeted under Operations. Staff plans to use savings from line items to cover the increase. If there are not sufficient savings in other line items to cover the increase, a budget adjustment may be necessary.

M/S/C (Rush/Hyatt) to receive and file the Fiscal Year 2013 Second Quarter Financial Report.

9. MODIFICATION TO LAND ACQUISITION POLICY SECTION 1.13

Honey Bernas reviewed the Land Acquisition Policy, Section 1.13, which allows property owners that don't intend to file a development application to submit their properties for evaluation and possible acquisition under the MSHCP. Last year the Board of Directors adopted Land Acquisition Policy 1.13 establishing the fund and set a funding level of 1% of MSHCP Local Development Mitigation Fees. The policy requires that the funding level be reviewed and established by the Board annually.

At their February meeting, the Executive Committee discussed this item. While keeping in mind that every dollar that goes into this program reduces the amount of money available to purchase HANS/JPR, the Executive Committee recommends increasing the level of funding from 1% to 3%. This will accelerate the acquisition of properties on the Non Development HANS list while maintaining the Authority's ability to acquire high priority properties that RCA is obligated to acquire within a set timeframe.

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Jeff Stone asked if the funding increase to 3% would prohibit the RCA Board from from using reserves for HANS acquisitions if it we chooses to do so. Charlie Landry stated that the funds are dedicated, but the Board could reallocate the level of funding.

M/S/C (Stone/Franklin) to:

- 1) Approve the modification to the Land Acquisition Policies Section 1.13; and***
- 2) Direct staff to set aside no more than three percent (3%) of Multiple Species Conservation Plan Local Development Mitigation Fees received effective July 1, 2013 to purchase priority list of properties under Section 1.13.***

10. EXECUTIVE DIRECTOR'S REPORT

Charlie Landry, Executive Director, reported on the following items:

10.1 Report Regarding Sacramento Meeting with CDFW Director

Charlie Landry and Doug Wheeler met with Chuck Bonham, Director of Fish and Wildlife who is a Board Member of the Association of Fish and Wildlife Officials, to discuss the loan program proposal and to request his assistance by connecting with Senator Michael Rubio in an effort to gain bipartisan support for the loan program proposal.

10.2 Loan Program and Washington, D.C., Trip Update

This item was discussed under Agenda Item No. 5, *Board Member Announcements*.

10.3 RCA Board Workshop

The RCA Board Workshop on April 17, 2013 will be held at the City of Temecula Conference Center. The Executive Committee meeting will commence after the workshop.

10.4 Introduction of New RCA Staff Member Toby Soto, RCA Chief of Technical Information

Toby Soto, who was recently hired by RCA to shadow the Chief of Technical Information position and to fill the position when current staff retires, was introduced to the RCA Board of Directors. He has 23 years of experience which included employment with the Riverside County Transportation and Land Management Agency, City of Anaheim, and City of Lake Elsinore.

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11. LAND ACQUISITION UPDATE

Brian Beck reported that since the last meeting, RCA acquired ten (10) acres bringing the total reserve to 45,859 acres.

12. ITEMS FOR NEXT MEETING

There were no items requested by RCA Board Members for the next meeting.

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

13. CLOSED SESSION ITEMS

**13.1 CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION
Pursuant to Subdivision (a) of Government Code Section 54956.9**

- **EDCV12-02181 TJH (DTBx) Silverado Ranch Estates**
- **MCC 1300222 Warren Road Partners, L.P. v. Western Riverside County Regional Conservation Authority**

After the Closed Session, the meeting reconvened.

Michelle Ouellette, Legal Counsel – Best, Best & Krieger, announced that the RCA Board authorized Legal Counsel to defend the RCA from the Warren Road Partners litigation. There were no other announcements.

14. ADJOURNMENT

There being no other items before the RCA Board, Chairman Ashley adjourned the meeting. The next meeting of the Western Riverside County Regional Conservation Authority Board of Directors will be held at the County of Riverside Administrative Center, Board Room, 4080 Lemon Street, Riverside, California, on May 6, 2013 at 12:30p.m.

Respectfully submitted,



Honey Bernas
Clerk of the Board