



www.wrc-rca.org

The Western Riverside County Regional Conservation Authority was established in 2004 as a joint powers authority to administer the 2003 Western Riverside County Multiple Species Habitat Conservation Plan. Currently, the Authority consists of eighteen (18) cities and the county.

MEETING

Monday June 6, 2016

12:30 p.m.

Riverside County Administrative Center

Board Room, First Floor, 4080 Lemon Street, Riverside, CA 92501

OFFICERS

Eugene Montanez, Chairman
City of Corona

Marion Ashley, Vice-Chairman
County of Riverside, District 5

BOARD MEMBERS

George Moyer
City of Banning

Kevin Bash
City of Norco

Brenda Knight
City of Beaumont

David Starr Rabb
City of Perris

Jeffrey Hewitt
City of Calimesa

Andy Melendez
City of Riverside

Tim Brown
City of Canyon Lake

Crystal Ruiz
City of San Jacinto

Clint Lorimore
City of Eastvale

Maryann Edwards
City of Temecula

Linda Krupa
City of Hemet

Ben Benoit
City of Wildomar

Verne Lauritzen
City of Jurupa Valley

Kevin Jeffries
County of Riverside, District 1

Natasha Johnson
City of Lake Elsinore

John Tavaglione
County of Riverside, District 2

Matt Liesemeyer
City of Menifee

Chuck Washington
County of Riverside, District 3

D. LaDonna Jempson
City of Moreno Valley

John Benoit
County of Riverside, District 4

Jonathan Ingram
City of Murrieta

Charles Landry, Executive Director



www.wrc-rca.org

MEETING AGENDA

* Actions may be taken on any item listed on the agenda. Non-exempt materials related to an item on this agenda submitted to the RCA Board after distribution of the agenda packet are available for public inspection at the RCA Offices, 3403 Tenth Street, Suite 320, Riverside, California, during normal business hours. Such documents are also available on the Western Riverside County Regional Conservation Authority website at www.wrc-rca.org subject to staff's ability to post the documents before the meeting. Alternative formats are available upon request by contacting the Clerk of the Board at (951) 955-9700. Notification of at least 72 hours prior to meeting time will assist staff in accommodating such requests.

Monday, June 6, 2016

12:30 p.m.

Riverside County Administrative Center

First Floor Annex - Board Hearing Room

4080 Lemon Street

Riverside, CA 92501

In compliance with the Americans with Disabilities Act and Government Code Section 54954.2, if special assistance is needed to participate in a Board meeting, please contact the Clerk of the Board at (951) 955-9700. Notification of at least 48 hours prior to meeting time will assist staff in assuring that reasonable arrangements can be made to provide accessibility at the meeting.

1. CALL TO ORDER

2. PLEDGE OF ALLEGIANCE

3. ROLL CALL

4. PUBLIC COMMENTS

At this time members of the public can address the RCA Board of Directors regarding any items within the subject matter jurisdiction of the Board that are not separately listed on this agenda. Members of the public will have an opportunity to speak on agenda items at the time the item is called for discussion. No action may be taken on items not listed on the agenda unless authorized by law. Each individual speaker is limited to speak three (3) continuous minutes or less. Any person wishing to address the Board on any matter, whether or not it appears on this agenda, is requested to complete a Request to Speak form from the Clerk of the Board. The completed form is to be submitted to the Clerk of the Board prior to an individual being heard. Whenever possible, lengthy testimony should be presented to the Board in writing and only pertinent points presented orally. Any written documents to be distributed or presented to the RCA Board of Directors shall be submitted to the Clerk of the Board.

5. BOARD MEMBER ANNOUNCEMENTS

(This item provides the opportunity for the Board Members to report on attended meetings/conferences and any other items related to RCA activities.)

6. ADDITIONS/REVISIONS

(The Board may add an item to the Agenda after making a finding that there is a need to take immediate action on the item and that the item came to the attention of the Board subsequent to the posting of the agenda. An action adding an item to the agenda requires 2/3 vote of the Board. If there are less than 2/3 of the Board Members present, adding an item requires a unanimous vote. Added items will be placed for discussion at the end of the agenda.)

7. APPROVAL OF MINUTES

RCA Board Meeting - [May 2, 2016](#)

8. CONSENT CALENDAR

(All matters listed under the Consent Calendar will be approved in a single motion unless a Board member requests separate action on specific Consent Calendar item. The item will be pulled from the Consent Calendar and placed for discussion.)

8.1 WESTERN RIVERSIDE COUNTY MULTIPLE SPECIES HABITAT CONSERVATION PLAN (MSHCP) LOCAL DEVELOPMENT MITIGATION FEE (LDMF) COLLECTION AND CIVIC/INFRASTRUCTURE CONTRIBUTION REPORT FOR APRIL 2006

Overview - [Staff Report](#)

This item is for the RCA Board of Directors to receive and file the MSHCP LDMF Collection and Civic/Infrastructure Contribution Report for April 2016.

8.2 FISCAL YEAR 2016 THIRD QUARTER FINANCIAL REPORT

Overview - [Staff Report](#)

This item is for the RCA Board of Directors to receive and file the Fiscal Year 2016 Third Quarter Financial Report.

8.3 FISCAL YEAR 2016 THIRD QUARTER CONSULTANT REPORTS

Overview - [Staff Report](#)

This item is for the RCA Board of Directors to receive and file the Fiscal Year 2016 Third Quarter Consultant Reports.

RESOLUTION NO. 2016-010, RESOLUTION OF THE BOARD OF DIRECTORS OF THE

8.4 WESTERN RIVERSIDE COUNTY REGIONAL CONSERVATION AUTHORITY ADOPTING A FUND BALANCE POLICY

Overview - [Staff Report](#)

This item is for the RCA Board of Directors to adopt Resolution No. 2016-010, Resolution of the Board of Directors of the Western Riverside County Regional Conservation Authority Adopting a Fund Balance Policy.

9. RESOLUTION NO. 2016-011, RESOLUTION OF THE BOARD OF DIRECTORS OF THE WESTERN RIVERSIDE COUNTY REGIONAL CONSERVATION AUTHORITY IMPLEMENTING A POLICY REQUIRING A TOLLING/WAIVER AGREEMENT BY MEMBER AGENCIES DURING THE RESOLUTION OF CERTAIN FEE ISSUES

Overview - [Staff Report](#)

This item is for the RCA Board of Directors to adopt Resolution No. 2016-011, Resolution of the Board of Directors of the Western Riverside County Regional Conservation Authority Implementing a Policy Requiring a Tolling/Waiver Agreement by Member Agencies During the Resolution of Certain Fee Issues.

10. EXECUTIVE DIRECTOR'S REPORT

10.1 Identification Badges for RCA Board Members

10.2 Update Concerning Revised Fee Credit and Waiver Policy

10.3 Loan Program

11. LAND ACQUISITION UPDATE

12. ITEMS FOR NEXT MEETING

Board members are invited to suggest additional items to be brought forward for future discussion.

13. CLOSED SESSION ITEMS

13.1 CONFERENCE WITH REAL PROPERTY NEGOTIATOR

Pursuant to Government Code Section 54956.8

Negotiating Parties: RCA - Executive Director or Designee

Under Negotiation: Price/Terms

Item	Assessor Parcel No.	Property Owners
1	935-380-018	John Hong, Susan Hong Palm Realty Company

14. ADJOURNMENT

The next meeting of the Western Riverside County Regional Conservation Authority Board of Directors is scheduled for Monday, July 11, 2016, at 12:30 p.m., at the County of Riverside Administrative Center, Board Room, 4080 Lemon Street, Riverside, California.

[2016 RCA Commonly Used Acronyms](#)

AGENDA ITEM NO. 7

MINUTES
May 2, 2016



MEETING MINUTES

1. CALL TO ORDER

The meeting of the Western Riverside County Regional Conservation Authority was called to order by Chairman Montanez at 12:30 p.m. on Monday, May 2, 2016, in the Board Room of the Riverside County Administrative Center, 4080 Lemon Street, Riverside, California, 92501.

2. PLEDGE OF ALLEGIANCE

Board Member Hewitt led the RCA Board Members and meeting attendees in a flag salute.

3. ROLL CALL - Taken by Rose Esparza, RCA Administrative Manager.

Board Members Present

Board Members Absent

<p>George Moyer, <i>City of Banning</i> Brenda Knight, <i>City of Beaumont*</i> Jeffrey Hewitt, <i>City of Calimesa</i> Tim Brown, <i>City of Canyon Lake</i> Eugene Montanez, <i>City of Corona</i> Clint Lorimore, <i>City of Eastvale*</i> Linda Krupa, <i>City of Hemet</i> Verne Lauritzen, <i>City of Jurupa Valley</i> Natasha Johnson, <i>City of Lake Elsinore</i> D. LaDonna Jempson, <i>City of Moreno Valley</i> Jonathan Ingram, <i>City of Murrieta</i> Kevin Bash, <i>City of Norco</i> David Starr Rabb, <i>City of Perris</i> Andy Melendrez, <i>City of Riverside</i> Crystal Ruiz, <i>City of San Jacinto</i> Maryann Edwards, <i>City of Temecula</i> Ben Benoit, <i>City of Wildomar</i> Kevin Jeffries, <i>Riverside County District I</i> Chuck Washington, <i>Riverside County District III</i> Ella Zanowic, <i>Riverside County District V (Alt. **)</i></p>	<p>Matt Liesemeyer, <i>City of Menifee</i> John Tavaglione, <i>Riverside County District II</i> John Benoit, <i>Riverside County District IV</i></p>
---	--

* Arrived during roll call

**Alt. – Alternate Board Member

RCA BOARD OF DIRECTORS MINUTES

Page 2 of 15

May 2, 2016

4. PUBLIC COMMENTS

Chairman Montanez called for public comments on items not listed on the agenda. There were no public comments.

5. BOARD MEMBER ANNOUNCEMENTS

Chairman Montanez called for any Board Member announcements. There were no announcements.

6. ADDITIONS/REVISIONS

There were no additions or revisions to the agenda.

7. APPROVAL OF MINUTES – April 4, 2016

M/S/C (KRUPA/EDWARDS) to approve the minutes of the April 4, 2016 meeting of the RCA Board of Directors.

Ayes 19, Nays 0, Abstain 1 (ZANOWIC).

8. CONSENT CALENDAR

M/S/C (EDWARDS/INGRAM) to approve the Consent Calendar Agenda Item Nos. 8.1 and 8.2.

Ayes 20, Nays 0, Abstain 0

8.1 WESTERN RIVERSIDE COUNTY MULTIPLE SPECIES HABITAT CONSERVATION PLAN (MSHCP) LOCAL DEVELOPMENT MITIGATION FEE (LDMF) COLLECTION AND CIVIC/INFRASTRUCTURE CONTRIBUTION REPORT FOR MARCH 2016

Overview

This item is for the RCA Board of Directors to receive and file the Western Riverside County MSHCP LDMF Collection and Civic/Infrastructure Contribution Report for March 2016.

8.2 RESOLUTION NO. 2016-009 RESOLUTION OF THE BOARD OF DIRECTORS OF THE WESTERN RIVERSIDE COUNTY REGIONAL CONSERVATION AUTHORITY AUTHORIZING THE ACCEPTANCE OF GRANT FUNDS FOR ACQUISITION OF REAL PROPERTY

Overview

This item is for the RCA Board of Directors to adopt Resolution No. 2016-009, *Resolution of the Board of Directors of the Western Riverside County Regional Conservation Authority Authorizing the Acceptance of Grant Funds for Acquisition of Real Property*. The approval shall be conditional upon the Board's approval, in closed session, of the proposed purchase.

9. RESOLUTION NO. 2016-008, RESOLUTION OF THE BOARD OF DIRECTORS OF THE WESTERN RIVERSIDE COUNTY REGIONAL CONSERVATION AUTHORITY ADOPTING THE FISCAL YEAR 2017 OPERATING AND CAPITAL BUDGET

Overview

This item is for the RCA Board of Directors to adopt Resolution No. 2016-008, *Resolution of the Board of Directors of the Western Riverside County Regional Conservation Authority Adopting the Fiscal Year 2017 Operating and Capital Budget*.

Honey Bernas, Director of Administrative Services, reported that Fiscal Year 2017 is RCA's thirteenth full year of operations and the proposed reflects conservative revenue estimates and limited appropriations in order to meet current commitments and obligations under the MSHCP.

Honey Bernas made reference to the "no surprises" rule in the MSHCP which is RCA's assurance from the Wildlife Agencies that there will not be any unpleasant surprises. RCA fiscal staff likes "surprises" so they adopted their own internal rule and aim for only "pleasant surprises" when it comes the budget and financial reports.

She presented an overall summary of the proposed FY 2017, showing comparisons to the FY 2015 actual revenue and appropriations, the FY 2016 adjusted budget and year-end projections estimated by staff, and the dollar and percentage change from the FY 2016 adjusted budget to the proposed FY2017 Budget. Although the FY 2016 Adjusted budget reflected an overall draw on the fund balance of \$680 thousand, the current projections indicate that the year will end with a surplus of

RCA BOARD OF DIRECTORS MINUTES

Page 4 of 15

May 2, 2016

\$524 thousand. She commended the RCA fiscal staff for the great job that they have done in consistently meeting the budget each and every year.

Total proposed revenue sources of \$27.8 million included Federal and State funds of \$3.5 million and \$2.6 million to fund four acquisitions. It also includes Development Mitigation Fees of \$11 million which represents a 2% increase over the Fiscal Year 2016 adjusted budget. The 2% increase is the CPI adjustment that the Board approved and will be in effect July 1, 2016. Measure A funds of \$3 million will be received next fiscal year. The proposed budget includes 12 land donations and one conservation easement with an approximate value of \$3.2 million.

The budget includes tipping fees from the County of Riverside in the amount of \$2.4 million and one contribution from Southern California Edison for a PSE project. Other proposed revenue sources include Flood Control fees of \$750 thousand dollars and Transportation Uniform Mitigation Fee contributions of \$600 thousand.

Interest at \$130 thousand is estimated at 0.66% which is the current average rate. Also budgeted are infrastructure contributions of \$100 thousand and civic contributions of \$50 thousand.

The proposed budget reflects a 2% decrease in total appropriations, from \$28.3 million in FY2016 to \$27.8 million in FY2017.

The RCA has three programs: Operations, Land Management and Monitoring; and Land Acquisition Program. The proposed budget was prepared using the cost allocation assumptions endorsed by the RCA Board in 2007. RCA uses project accounting; therefore, all of the expenditures are charged directly to the project that is applicable to each of the three programs. She gave an example of timesheets and vendor invoices which are specifically coded to the project which benefited from the services.

General office expenditures that are not directly attributed to a project are allocated among the three programs based on Appendix B-5 of the Western Riverside County MSHCP, which outlines the overall funding program for the MSHCP for the first 25 years which is the acquisition period. The Plan anticipated that the acreage acquired at this time would be greater than the acreage acquired to date, as it did not account for inflation or the recession. Therefore, the cost allocations are based on the actual number of acres acquired to date. For FY2017, general offices expenses are being allocated as: 3% for Operations, 15% for Land Management and Monitoring and 82% for Land Acquisition. There is approximately \$700 thousand in the budget allocated using this approach, which represents only 2.5% of total appropriations.

RCA BOARD OF DIRECTORS MINUTES

Page 5 of 15

May 2, 2016

Salaries and Benefits reflect a 14% increase from FY2016. RCA is requesting the addition of two positions. The new positions include a Senior Real Property Agent and an Ecological Resources Specialist. Salaries also include regular step increases for those staff members that are not topped out in their current classification. Pay increases are allowed based on merit. There are no cost of living adjustments included in the budget. There is an \$86 thousand increase in budgeted benefits and a \$6 thousand reduction in leave buy down payouts.

The RCA has always maintained a small staff. Most of the services have been contracted out so that RCA can adjust as needed by reducing contracts rather than cutting staff. Management believes it would benefit RCA to have these two additional positions for three reasons: cost savings, a succession plan, and increased workloads. Honey Bernas reviewed the salary ranges for each new position and the cost savings that could be generated by RCA. She further explained the benefits of having in-house staff with the increased workload and providing expedited services to the public and Member Agencies that RCA serves. Next year's budgeted contract services are being reduced by \$150 thousand dollars to help offset the cost of the new positions based on anticipated savings from the new positions. Staff anticipates savings may be greater in future years, but allowed for some overlap for the recruitment and selection process and training.

Other appropriations are Land Purchases and Improvements of \$20.6 million that includes 20 properties: three previously committed land acquisitions, four federal and state funded acquisitions; and 13 potential acquisitions.

Honey Bernas continued with the summation of the summary. Staff is proposing \$27.8 million in revenue sources and appropriations. This is a balanced budget with no draw on fund balance. The budget includes \$2 million in contingency which is about 7% of total appropriations. There is \$500 thousand contingency for legal expenditures, and \$1.5 million contingency for potential property acquisitions. Staff projects \$30.6 million fund balance as of June 30, 2016 to carry forward into 2017. Of this amount, \$17.7 million is unrestricted general funds and \$12.9 million is restricted fund balance for capital acquisition purposes.

Honey Bernas then reviewed Exhibit A-2, Operating and Capital Budget by Program. The General Fund is comprised of the Operations and Land Management and Monitoring Programs. The Capital Project Fund is the Land Acquisition Program.

This presentation resembles the audited financial statement presentation in conformity with Generally Accepted Accounting Principles (GAAP).

Honey Bernas then reviewed Exhibit A-3, Contract Detailed-Appropriations by Category. Explaining that the FY2016 budget amount is displayed for comparison

RCA BOARD OF DIRECTORS MINUTES

Page 6 of 15

May 2, 2016

purposes and the contracts are appropriated and recorded in various expenditure categories as reflected in the exhibit. She explained that for legal services there is no requested increase for Best Best & Krieger. Their budget is \$770 thousand, plus a \$500 thousand contingency. Legal handles litigation, acquisitions, purchase and sale agreements, conservation easements, escrow and title issues, fee policies, audit reports, general policies, certificates of inclusion, and MSHCP interpretation. Capital Alliance Consulting, which is the governmental affairs contract, reflects an increase of \$2,500 dollars for FY2017. RCA's consultant took a 10% reduction in 2009 to help RCA weather the recession. All of RCA's other contractor are back up to their rates prior to that time with the exception of this contractor. The consultant advised that their rates will increase 3.7% increase, which is still 5% below the rate they charged in RCA in 2008. The contract amount for Real Property services was decreased by 15% due to the potential savings of \$100 thousand from the new position. Public outreach services reflect a small savings of \$180. RCA intended to bid the contract in 2016; however, the website updates and improvements provided in 2016 still required work and staff suggested extending the contract for one additional year. There is \$30 thousand decrease for the Federal Loan Program Expense Reimbursement contract which was not renewed. The proposed budget includes \$100 thousand for a possible nexus study update. That contract will be brought back should RCA decide to go forth with the study. Reserve Management increased by \$65 thousand as a result rate increases by at least \$33 thousand, including benefits, for eight Park Rangers. Additionally, the Natural Resources Manager has been dedicated to RCA for 75% of the time, and to the County for 25%. It has been RCA's goal that this position be dedicated 100% to RCA as the services are desperately needed and the workload will only continue to increase as the reserve is assembled. The Parks Department has agreed that this position will be dedicated 100% to RCA. The additional allocation will cost the RCA approximately \$32 thousand at the current rate. Billable rates for Park Rangers range from \$35-\$72/hour. Services for the Biological Monitoring Program reflect a \$12 thousand dollar (1%) increase as a result of a \$100 monthly increase to health benefits. This increases the health benefit to \$600 per month. Billable hourly rates for biologists range from \$18-\$54 per hour. Staff considered going out to bid for biological monitoring services in FY2017; however, in the spring it was learned that the Monitoring Program Administrator was leaving to take a job out of state. Changing the manager and the umbrella company in one year would be a lot to undertake in one year so staff recommends extending the contract for one more year before going out to bid. The \$3,000 increase for external auditors is a result of a 3% increase in hourly rates in accordance with the initial contract. This is the last year of a 5-year contract to perform annual financial audit and agreed-upon procedures. The contract for these services will be competitively bid in FY2017.

Honey Bernas concluded stating that the RCA Executive Committee and staff recommend that the RCA Board of Directors adopt Resolution No. 2016-008,

RCA BOARD OF DIRECTORS MINUTES

Page 7 of 15

May 2, 2016

Adopting the Fiscal Year 2017 Operating and Capital Budget, and offered to answer any questions.

Board Member Jempson asked how many current staff members are at RCA. Honey Bernas answered 11. She further asked if the cost of two positions that are being requested will be offset by any reduction in consultant or contractor services. Honey Bernas answered yes. Chairman Montanez said that was the goal and one of the questions asked by the Executive Committee when the increase in salaries was requested. He further stated that outsourcing is not always cost-effective and the control is not there. These two positions will be brought in house and will hopefully result in future savings of at least what is being expended on consultant services. Honey Bernas added that RCA will still need the services of the contractors, but the budget amounts will be lower. It is hoped that during times of recession, contracts could be reduced further and still retain the new positions.

Board Member Brown stated if asked if the amounts given were the base salaries of the two positions and what is the overhead associated. Honey Bernas responded yes and that the overhead is 39%. Board Member Brown stated it appears Dudek provides RCA with 300 hours per year based on the budgeted amount, and a full time person works over 2,000 per year. He asked if this is a bureaucracy creep or if RCA is just increasing staffing behind the guise, is RCA really going to use a staff person for 2,000 hours as opposed to replacing Dudek for the 300 hours they provided. With the new person coming onboard, RCA still has \$400 thousand allocated to Dudek, he thinks it would be critical to make this happen as soon as possible and try to avoid those additional expensive dollars. Board Member Brown asked for comments and an answer to his question regarding the bureaucracy creep and the extra hours that RCA is placing into the budget. Charlie Landry, Executive Director, stated that RCA staff has been kept at a minimal level. The new positions is being proposed after taking a very hard look at costs and services because RCA has weathered economic downturns by cutting contracts. The increase in hours is because this person is needed in-house full time. Board Member Brown asked if this person going to be strictly replacing the services that Dudek has been providing. Honey Bernas answered that they will also provide assistance to Laurie Correa, who is the Director of Reserve Management and Monitoring, and will help administer both of those programs. They will also be learning Laurie's job for succession. She stated, for clarification, that staff anticipates Dudek will provide 1,800 hours of service for FY2016 at a rate between \$80 and \$200 per hour. Board Member Brown said he did not think the math works; \$400 thousand divided by \$150 comes to between 200 and 300 hours. Dolores Reyna, Administrative Manager, commented that in 2015 Dudek's contract was \$400 thousand, but they were only paid \$205 thousand, so there were savings in 2015 from Dudek. Board Member Brown said that just magnified his question regarding the difference between the offset in hours between the two services. Dolores Reyna further stated that the new position is not

RCA BOARD OF DIRECTORS MINUTES

Page 8 of 15

May 2, 2016

going to do 100% of the work that Dudek is contracted to do, but they will partially take some of the work in the first year, and RCA's goal for future years is for that position to take more work and hopefully eliminating Dudek's contract. Board Member Brown said what he sees is 200 hours going to 2,000 hours, and he can't explain the delta. He said that he was not objecting, but he would just like to see RCA make the case that it needs the position. He's not objecting to the person, he's objecting to the math. Charlie Landry stated that there is a missing piece that this position will provide. RCA is not able to do all the things it would like to do, particularly biological analysis. RCA has been reluctant to have Dudek perform this type of work because it would be costly. There are additional internal requirements this position will fulfill. Management is aware that bureaucracy "creep" is a concern which is why RCA has not proposed increases previously. Honey Bernas stated that in 2015 Dudek provided 1,200 hours of work and for 2016 the projection is 1,800 hours of work. Board Member Brown said \$400 thousand divided by \$150 is about that. Honey Bernas said the new position, maximum pay, topped out, including benefits is \$120 thousand a year and last year RCA paid \$205 thousand. Board Member Brown said he is not objecting to savings, he just wants to make sure RCA does not want to have a person hired without a clear statement of work to perform that is useful to RCA. Honey Bernas stated that this new position will be very useful to RCA and will perform Joint Project Review, which will result in lower costs for property owners going through the process.

Board Member Jeffries said it does not surprise him that the first two to three comments are about hiring additional staff as that is always a little controversial. Most of his questions were answered. He figured Dudek at 1,200 hours for the year and that is only 23 hours a week that they are working for RCA, and the proposal is for a full-time employee to replace someone who is working 23 hours a week. He stated that only government will do that. He understood the future growing needs of RCA. Honey Bernas assured the Board that RCA has the work to keep a staff person busy full-time. Board Member Jeffries stated that he really appreciated RCA staff presenting a balanced budget. Board Member Jeffries said his concern was that RCA is going to see some short-term savings by changing out consultants, which he understands, but will assume long-term pension debt which is not being recognized. He stated that seldom is that calculation put into the burden calculation. Staff offered a burden of 39% on top of their hourly rate as employees. Once the long-term pension debts are calculated, it changes the number. With the pension obligation in California increasing at 20-30% over a handful of years, it's hard to see how this going be beneficial for RCA in the long run. He understands that it will be beneficial in the short run, which is his only heartburn. He further stated that he is not advocating staying with the Economic Development Agency's Real Estate division at their rates. He understood RCA's need to explore other avenues. He asked where RCA is at in terms of Information Technology (IT) and the programs that RCA utilizes. He noted that the County Hospital and LAFCO are, for the most

RCA BOARD OF DIRECTORS MINUTES

Page 9 of 15

May 2, 2016

part, removing themselves from the IT system. The Workforce Investment Board is also considering getting out of the County IT system someday. He asked if RCA is still tied to County IT or is RCA independent. Honey Bernas answered that RCA is somewhat tied in and somewhat pulling away. Roy Henderson has been exploring other options. Board Member Jeffries said that Roy Henderson has a really good understanding on how this all works. Roy Henderson, Chief of Technical Information, stated that the majority of RCA's services are currently provided by County IT. Since coming to RCA, Roy has significantly reduced its IT budget. Board Member Jeffries asked what the impact to RCA was when County IT reorganized its rates. He asked if RCA was one of the winners or the losers on the overall rate. Roy Henderson answered that RCA was a huge winner. Board Member Jeffries advised RCA to enjoy that moment. He further stated that he usually has heartburn over hiring more employers, but understands where RCA is going with this. He would prefer to still contract out so RCA could realize savings, but understands the challenge. Chairman Montanez said RCA would if the County was more affordable.

Board Member Melendrez asked how RCA determines whether an individual is a consultant or a contract will be put to bid through an RFP. He stated that even though the same consultant or contractor may be successful, he believes it is important that contracts are competitively bid on a regular basis. He stated that he is unclear of RCA's current policy regarding this, and suggested that clarification to the Board would be helpful.

M/S/C (INGRAM/RUIZ) to approve Resolution No. 2016-008, *Resolution of the Board of Directors of the Western Riverside County Regional Conservation Authority Adopting the Fiscal Year 2017 Operating and Capital Budget.*

Ayes 19, Nays 1 (BROWN), Abstain 0

10. RECURRING CONTRACTS FOR FISCAL YEAR 2017

Overview

- 1) This item is for the RCA Board of Directors to approve the Recurring Contracts for Fiscal Year 2017; and
- 2) Authorize the RCA Executive Director, upon legal counsel review and approval, to execute said agreements on behalf of the RCA.

Honey Bernas, Director of Administrative Services, presented this item and indicated that the contracts were also discussed in the budget presentation. The Executive Committee and staff recommend seven recurring contracts for FY2017 totaling

RCA BOARD OF DIRECTORS MINUTES

Page 10 of 15

May 2, 2016

\$1.75 million, which represents an approximate 1.8% percent decrease from last fiscal year.

Board Member Melendrez suggested that staff place the contracts on a future agenda item for discussion. Charlie Landry suggested agendizing the matter for discussion mid-year. Board Member Melendrez concurred.

Board Member Brown reiterated his concern that \$350 thousand was still budgeted for contract services even with a new position. He hoped that the employee would be hired and trained as soon as possible so that the \$350 thousand budgeted for contract services would not be expended.

Chairman Montanez suggested that from a procedural standpoint, contracts should be agendized the meeting before the budget is presented as opposed to after the budget. The mid-year presentation will provide an opportunity to address any concerns.

M/S/C (EDWARDS/MOYER) to approve Recurring Contracts for Fiscal Year 2017.

Ayes 20, Nays 0, Abstain 0

11. BIOLOGICAL MONITORING PROGRAM WORK PLAN AND COST ESTIMATE FOR FISCAL YEAR 2017

Overview

This item is for the RCA Board of Directors to approve the Biological Monitoring Program Work Plan and Cost Estimate for Fiscal Year 2016-17.

Laurie Dobson Correa, Director of Reserve Management and Monitoring, presented this item. She explained that the MSHCP requires that a work plan and budget for the Monitoring Program be adopted annually.

The Plan requires monitoring of all 146 Covered Species at least once every 8 years, and a handful of species must be monitored more frequently. The MSHCP differs from most HCPs in that each species has an objective, both for conservation and for monitoring. The monitoring objectives are intended to document species locations in specific named Core Areas and, in some cases, density and reproduction. Monitoring program staff consists of an administrator, database manager, GIS technician, and lead and field biologists provided by the Santa Ana Watershed Association. In addition to surveying for all Covered species, the

RCA BOARD OF DIRECTORS MINUTES

Page 11 of 15

May 2, 2016

program is responsible for developing and adjusting survey protocols, developing survey design, training of staff, collecting, cataloging, checking and recording all species data and producing reports every year. Staff must be trained for covered species as a specific permit requirement. Currently there are 12 full years of species occurrence data on all conserved lands, which includes national forest, public quasi/public lands and all the land that RCA has acquired. The data collection is a big job in and of itself and that data is disseminated to the State of California Bios Program and to other reserve managers such as the Bureau of Land Management, U.S. Forest Service, and State Wildlife Area land managers. Since RCA does surveys on their land, it is important the data gets back to them so that they may use it for their own management efforts.

SAWA proposes to increase MSHCP staff health benefits by \$100 per month, from \$500 to \$600, which so that all SAWA employees receive the same benefit. Since the new director came onboard about two years ago, he has been concerned about the equity between the two groups. There are two very distinct groups, and they have two different sets of benefits, job descriptions and pay rates. The total budget would be \$1,086,334, which is an increase of \$14,519 from last year.

Laurie Dobson Correa reviewed the surveys proposed for FY 2017. She reminded the Board that surveys are usually done on a calendar basis. They start in the spring and go through the fall. The surveys cross fiscal years, so it may appear that the surveys are repeats from last year, but they are actually a continuation of that survey. The surveys proposed FY2017 are Quino checkerspot butterfly and Delhi sands flower-loving fly which are required annually because their distribution is extremely limited and not enough is known about where the species actually are every year. Also surveyed will be the California gnatcatcher and riparian bids, which are federally listed species, along with raptors. RCA must document reproduction for all raptors that are covered. RCA is still trying to document turkey vulture reproduction and golden eagle. There are two golden eagle nests in conservation, and one sort of on the edge that the field manager collects incidentally. Burrowing owl monitoring is done every year in support of meeting the high objectives on burrowing owl breeding pairs in the core areas. The goal is 120 pairs and 22,000 and 21,000 thousand of the primary and secondary habitat before the objective is met and surveys can be suspended. The survey area is very large and many people are involved. It is RCA's goal to be able to suspend those surveys. Also included are hard to find reptiles, which RCA tends to add every year because they are hard to find. The two mountain king snakes tend to be secretive and difficult to find so monitoring staff look for them every year. Staff is hoping that the new Bautista acquisition will have both of those species. The previous property owner said that they are there, so biologists will be looking for them on the 2,800 acres. Staff will also survey for stream and pond associated species – arroyo toad, spadefoot toad and pond turtle. The small mammal trapping is done almost every year because the

RCA BOARD OF DIRECTORS MINUTES

Page 12 of 15

May 2, 2016

Plan covers five different small mammals over different core areas. Carnivore trapping is primarily done by remote cameras. The locations are rotated each year. This year the cameras have been in Calimesa. This is the first year that a mountain lion was seen on a wildlife camera. It was on the Kramer property in Calimesa, and staff is very happy about that. There are vegetation related surveys. Staff surveys for a large group of rare plants every year. The Plan covers 76 rare plants. The water dependent species are hard to do with low rainfall. Staff has tried to do fairy shrimp surveys for the last four years, but there has not been enough rainfall that allows the water to stand long enough for the cysts to hatch. Staff will repeat the effort again and hope for more rain this year. The Engelmann, which only occur in the Santa Rosa Plateau and a small number in the southwest multi-species reserve, will be surveyed for. There will also be some overall vegetation community monitoring, which gives biologist ways to track whether the communities are changing; whether they are degrading or improving provides a baseline for staff to measure habitat quality. She asked if there were any questions.

Board Member Edwards asked if field biologists change locations for security and monitoring. Laurie Correa answered that biologist cover travel all over the reserve. Sometimes the biologists will go back to locations where they previously found species, and will sometimes expand on a survey area or include new areas. The biologists are basically all over the western Riverside County. RCA relies on other agencies for some areas. For the San Bernardino National Forest, RCA relies on U.S.G.S survey work because they are already out there. For the San Jacinto River, SAWA's non-MSHCP group is very heavily involved in Least Bells vireo monitoring. The Riverside-Corona Resource Conservation District is very involved in Santa Ana sucker work. RCA relies on those entities to report their data so RCA does not need crews out in those areas. Monitoring staff rotates over most of western Riverside County.

M/S/C (ZANOWIC/EDWARDS) to approve Biological Monitoring Program Work Plan and Cost Estimate for Fiscal Year 2017.

Ayes 20, Nays 0, Abstain 0

12. EXECUTIVE DIRECTOR'S REPORT

12.1 Loan Program

Charles Landry, Executive Director, expressed staff's appreciation and thanks to the Riverside Monday Morning Group who met with the Congressional delegation, Department of Interior, and others in Washington, D.C, regarding issues that affect Riverside County and RCA. Those issues included the loan program and RCA's Section 6 request for the upcoming year. RCA is requesting \$2 million, which is the

RCA BOARD OF DIRECTORS MINUTES

Page 13 of 15

May 2, 2016

maximum that can be requested. The Congressional delegation was asked to re-introduce the Stand-alone loan bill. RCA is also trying to include loan language within the new version of the Water Resources Development Act (WRDA), which Congress is looking at now. Additionally, RCA received a letter from Congressman Calvert to Dan Ashe, Director of U.S. Fish and Wildlife Service, in support of RCA's Section 6 request. Charlie Landry expressed his appreciation for Congressman Calvert's assistance.

12.2 Update on Fee Credit and Waiver Policy

Charles Landry, Executive Director, stated that after receiving the Board's direction at the April meeting, staff began rewriting the policy. Staff received a lot of feedback from the RCA Board, Executive Committee, Jonathan Ingram and the Cities of Hemet and Murrieta. Staff is following the guidance received from the Board and simplifying the policy so that it is easily understood, yet provides adequate guidance for Member Agencies. This policy will be taken back to the Executive Committee in two weeks and to the Board of Directors thereafter.

11. LAND ACQUISITION UPDATE

Charlie Landry, Executive Director, reported that at the last RCA Board of Directors meeting, reserve acreage was reported at 52,955 acres. Since that time, RCA acquired two additional properties, the Soboba Donation Phase 2 and a Flood Control easement in Temecula Creek. The properties totaled approximately 140 acres, bringing the reserve to 53,095 acres. The Soboba donation was interesting because the Soboba tribe was moving forward with their fee to trust action in the vicinity of the City of San Jacinto. As they went through that action, RCA contacted the tribe to inform them that their fee to trust action would create a hole in the MSHCP. Through much consultation with the Soboba Band of Luiseño Indians Tribe and Department of Interior, an agreement was reached wherein the tribe would donate 125 acres to RCA, which would make the MSHCP whole. Board Member Edwards asked how RCA found out about the possibility that there would be a void caused by the fee to trust action. Charlie Landry said that RCA learned about the fee to trust action due to the publicity and the City of San Jacinto also informed RCA of this action. RCA and the Soboba tribe immediately began consultation and involved the Department of Interior to solve the issue. Board Member Edwards commented that part of RCA's challenge has been finding out when these type of actions are taking place, instead of after the fact when it's too late, and RCA has to try to go back and make up for the deficit.

RCA BOARD OF DIRECTORS MINUTES

Page 14 of 15

May 2, 2016

12. ITEMS FOR NEXT MEETING

Chairman Montanez asked if any Board Members had items for next meeting. Board Member Brown requested a copy of the land use policy for lands that are owned by RCA. He requested that a discussion on the Vinci property be placed on the June agenda. He would like to know RCA's position on what is being proposed and where RCA thinks this might go. Chairman Montanez asked if there was a link to the land use policy on RCA's website. Staff was unsure and Chairman Montanez said that RCA staff will get back to him on that request. Chairman Montanez stated that he was not familiar with the property Board Member Brown was referring to. He asked what the item was and how it related to RCA. Board Member Brown deferred to Charlie Landry. Charlie Landry advised that it is property that is located in the sphere of influence of the City of Lake Elsinore. The property is adjoining the City of Canyon Lake. He believes the City of Lake Elsinore took action regarding the property last month. Chairman Montanez asked if it would be proper to bring the matter to the RCA and asked if RCA has an issue with the matter. Charlie Landry answered that there is no project yet, so nothing has come to RCA. Chairman Montanez asked if it is closed or open session item. Charlie Landry deferred that question to General Counsel. Steve DeBaun, General Counsel, replied that he had not reviewed the item and, therefore, could not make a determination. He recommended that he be given the information regarding the property, and then he will determine if it is appropriate to agendize the matter. Charlie Landry stated that it's a proposed annexation. Chairman Montanez asked Board Member Brown to meet with legal counsel and staff after the meeting so they are aware of what the subject is. Board Member Brown reiterated that he would like this issue brought forward next month to at least to state where RCA stands on the matter officially. Chairman Montanez said his question is whether the item is a closed or open session matter.

13. CLOSED SESSION ITEMS:

13.1 CONFERENCE WITH REAL PROPERTY NEGOTIATOR

Pursuant to Government Code Section 54956.8

Negotiating Parties: RCA – Executive Director of Designee

Under Negotiation: Price/Terms

Item	Assessor Parcel No.	Property Owners
1	413-480-001 413-480-002 413-480-003 413-480-004 413-480-005	Live Oak Canyon (Thomas Arthur Hudson, Redlands Conservancy, Riverside Land Conservancy)

RCA BOARD OF DIRECTORS MINUTES

Page 15 of 15

May 2, 2016

2	900-060-013 900-060-016 900-060-032 900-060-033	Southwest Mesa Partners, LLC
---	--	------------------------------

After Closed Session, the meeting was reconvened. There were no announcements from Closed Session.

16. ADJOURNMENT

There being no other items before the RCA Board, Chairman Montanez adjourned the meeting at 1:35 p.m. The next meeting of the Western Riverside County Regional Conservation Authority Board of Directors is scheduled for Monday, June 6, 2016, at 12:30 p.m., at the County of Riverside Administrative Center, Board Room, 4080 Lemon Street, Riverside, California

Prepared by:



Rose Esparza
Administrative Manager

Respectfully submitted:



Honey Bernas
Clerk of the Board

AGENDA ITEM NO. 8.1

**WESTERN RIVERSIDE COUNTY
MULTIPLE SPECIES
HABITAT CONSERVATION PLAN
(MSHCP) LOCAL
DEVELOPMENT MITIGATION FEE
(LDMF) COLLECTION AND
CIVIC/INFRASTRUCTURE
CONTRIBUTION REPORT
FOR APRIL 2016**

Regional Conservation Authority

**WESTERN RIVERSIDE COUNTY
MULTIPLE SPECIES HABITAT CONSERVATION PLAN (MSHCP)
LOCAL DEVELOPMENT MITIGATION FEE (LDMF) COLLECTION
AND CIVIC/INFRASTRUCTURE CONTRIBUTION REPORT FOR
APRIL 2016**

Staff Contact:

**Honey Bernas
Director of Administrative Services
(951) 955-9700**

Background:

The RCA Executive Committee directed staff to report on Western Riverside County MSHCP LDMF Collection and Civic/Infrastructure Contributions on a monthly basis.

Attached is the report for April 2016. The report was prepared on a cash basis and, therefore, reflects the cash received by RCA during that month.

Executive Committee and Staff Recommendation:

That the RCA Board of Directors receive and file the attached Western Riverside County MSHCP LDMF Collection and Civic/Infrastructure Contribution Report for April 2016.

Attachment

Western Riverside County MSHCP LDMF Collection and Civic/Infrastructure Contribution Report for April 2016

AGENDA ITEM NO. 8.1
Attachment

**WESTERN RIVERSIDE COUNTY
MULTIPLE SPECIES
HABITAT CONSERVATION PLAN
(MSHCP) LOCAL
DEVELOPMENT MITIGATION FEE
(LDMF) COLLECTION AND
CIVIC/INFRASTRUCTURE
CONTRIBUTION REPORT
FOR APRIL 2016**

**MSHCP LDMF AND CIVIC/INFRASTRUCTURE CONTRIBUTION
CASH RECEIPTS APRIL 2016
CASH BASIS**

DEVELOPMENT FEES					
City/County by Month	REMITTED			EXEMPTIONS AND FEE CREDITS	
	Residential Permits	Commercial Acres	Amount Remitted	Residential Permits	Amount
City of Banning March - No Activity					
City of Beaumont February March	14 39	0.03	\$27,328 \$76,294		
City of Calimesa March		0.52	\$3,442		
City of Canyon Lake March	3		\$5,870		
City of Corona March - No Activity					
City of Eastvale March	25		\$48,800		
City of Hemet March	1		\$1,952		
City of Jurupa Valley March	87		\$169,824		
City of Lake Elsinore - March Summerly Project ¹ Castle and Cook Alberhill Ranch LLC ² Pardee-Grossman/Cottonwood Canyon ³		4.88	\$32,428	11 16 3	\$21,472 \$31,232 \$5,856
City of Menifee March	10		\$19,520		
City of Moreno Valley March	8	6.37	\$57,945		
City of Murrieta March		4.85	\$32,228		
City of Norco March - No Activity					
City of Perris March	30		\$58,560		
City of Riverside February	25	2.09	\$57,774		
City of San Jacinto March	8	0.04	\$15,882		
City of Temecula March	11		\$13,750		
City of Wildomar December January & February - No Activity	8		\$15,616		
County of Riverside-April Starfield Sycamore Investors ⁴ Rancho Bella Vista ⁵	44	3.80	\$111,353	5 8	\$9,690 \$15,504
Total Cities and County	313	22.58	\$748,565	43	\$83,754

CIVIC AND INFRASTRUCTURE PROJECTS	
No Activity	
Total Civic/Infrastructure Remitted	
	\$0

TOTAL RECEIPTS - APRIL 2016 \$ 748,565

- 1) Summerly Project - Development agreement dated 8/24/04. Expiration date 9/23/14. Under review.
- 2) Castle and Cook Alberhill Ranch LLC (formerly known as Murdock Alberhill Ranch Limited Partnership) project exempt from MSHCP by Settlement Agreement between the County and Castle & Cook dated 2/24/2004.
- 3) Pardee Grossman/Cottonwood Canyon Development Agreement - Development Agreement dated 7/9/1990. Expiration date 7/9/2010. Amended January 2010 extending term to 7/1/2030. Under review.
- 4) Starfield Sycamore Investors - Fee Credit Agreement with County of Riverside. Properly exempted at \$1,938 rate.
- 5) Rancho Bella Vista - Fee Credit Agreement with County of Riverside. Properly exempted at \$1,938 rate.

AGENDA ITEM NO. 8.2

FISCAL YEAR 2016 THIRD QUARTER FINANCIAL REPORT

*Regional Conservation Authority***FISCAL YEAR 2016 THIRD QUARTER
FINANCIAL REPORT****Staff Contact:****Honey Bernas, Director of
Administrative Services
(951) 955-2842****Background:**

Attached is the Fiscal Year 2016 Third Quarter Financial Report, which includes an Executive Summary (cash balance summary and financial statement overview), detailed financial statements, and MSHCP Fee Collection Report.

As of March 31, 2016, the RCA acquired 16 properties totaling approximately 3,700 acres. Of the 16 properties, six were funded with Federal and State funds of \$4.8 million and \$2.1 million, respectively. The remaining properties were acquired with development mitigation fees and Measure A funds. In addition, the RCA received two land donations and a conservation easement with a combined acreage of 121 and an estimated market value of \$1.5 million from the Riverside County Transportation Commission, Soboba Band of Luiseno Indians, and a private developer.

As of March 31, 2016, development mitigation fee revenues collected by Member Agencies totaled \$7.9 million, which represents 73% of the budgeted development mitigation fee revenues for Fiscal Year 2016. The current fees collected represent a 22% increase in comparison to the prior year's nine month period ending March 31, 2015 of \$6.5 million. Staff projects development mitigation fee revenues of about \$10.6 million by the end of Fiscal Year 2016.

Staff projects that the RCA's General Fund balance could increase by approximately \$261 thousand (\$43 thousand from savings in Operations and \$218 thousand from savings in Land Management and Monitoring) to \$17.7 million by the end of the fiscal year ending June 30, 2016. The projected increase in the General Fund balance is directly attributable to an increase in tipping fee revenue without increasing appropriations.

The Capital Project Fund is expected to increase by about \$561 thousand as a result of savings in legal costs and land acquisitions. Staff anticipates a restricted Capital Projects Fund balance of approximately \$13.3 million by June 30, 2016.

Executive Committee and Staff Recommendation:

That the RCA Board of Directors receive and file the Fiscal Year 2016 Third Quarter Financial Report.

Attachments:

- 1) Executive Summary (Cash Balance Summary and Financial Statement Overview)
- 2) Detailed Financial Statements
- 3) MSHCP Fee Collection Report

AGENDA ITEM NO. 8.2

Attachment 1

**Executive Summary
(Cash Balance Summary
and Financial
Statement Overview)**

Fiscal Year 2016 Third Quarter Financial Report

July 1, 2015 – March 31, 2016

Preserving our open space heritage • Protecting our economy • Building our future



Cash Balance Summary

July 1, 2015 – March 31, 2016

Rounded to the Nearest Thousand	
Balance as of 07-01-15	\$ 30,467,000
Cash Receipts 07-01-15 through 3-31-16	<u>22,890,000</u>
Cash Available	53,357,000
Cash Disbursements 07-01-15 through 3-31-16	<u>(16,455,000)</u>
Cash Balance as of 3-31-16	<u>\$ 36,902,000</u>

Budget to Actual and FYE Projections

July 1, 2015 – March 31, 2016

Operations (935100)	Budget	Actual	Year-End Projections
<u>Revenue</u>	\$ 498,840	\$ 459,059	\$ 527,953
<u>Appropriations:</u>			
Salaries & Benefits	164,450	118,291	159,373
Supplies & Services	<u>334,390</u>	<u>231,844</u>	<u>324,751</u>
Total Appropriations	<u>\$ 498,840</u>	<u>\$ 350,135</u>	<u>\$ 484,124</u>
Net Operating Position	<u>\$ 0</u>	<u>\$ 108,924</u>	<u>\$ 43,829</u>

Budget to Actual and FYE Projections

July 1, 2015 – March 31, 2016

Management & Monitoring (935300)	Budget	Actual	Year-End Projections
Revenue	\$ 2,714,200	\$ 2,369,485	\$ 2,807,913
Appropriations:			
Salaries & Benefits	375,885	255,350	345,107
Supplies and Services	2,302,815	1,508,859	2,210,069
Other Charges	35,500	35,217	35,217
Total Appropriations	\$ 2,714,200	\$ 1,799,426	\$ 2,590,393
Net Operating Position	\$ 0	\$ 570,059	\$ 217,520

Budget to Actual and FYE Projections

July 1, 2015 – March 31, 2016

Land Acquisition (935201)	Budget	Actual	Year-End Projections
Revenue	\$ 24,352,960	\$ 19,934,680	\$ 23,366,353
Appropriations:			
Salaries & Benefits	1,440,665	1,028,968	1,385,017
Supplies & Services	2,221,895	1,037,168	1,667,041
Interest-Notes	33,000	23,000	23,000
Capital Assets	<u>21,345,400</u>	<u>13,974,044</u>	<u>19,730,000</u>
Total Appropriations	\$ 25,040,960	\$ 16,063,180	\$ 22,805,058
Net Operating Position	\$ (688,000)	\$ 3,871,500	\$ 561,295

Executive Committee and Staff Recommendation

That the RCA Board of Directors receive and file the
Fiscal Year 2016 Third Quarter Financial Report.

AGENDA ITEM NO. 8.2
Attachment 2

Detailed Financial
Statements

Regional Conservation Authority
Budget vs. Actual Comparison as of March 31, 2016
General Fund - 935100 Operations

REVENUE

Account	Account Description	Budget	Actual	% of Actual to Budget	Note No.	Projection through 6/30/16	Positive (Negative) Variance with Budget
722000	Participating Special Entities	\$ 50,000	\$ -	0%		\$ 10,000	\$ (40,000)
740020	Interest-Invested Funds	27,470	24,529	89%	1	32,705	5,235
740040	Interest-Other	-	1,611	N/A		1,611	1,611
769240	Other Gov MSHCP Infrastructure	100,000	36,400	36%	5	50,000	(50,000)
769260	Other Gov MSHCP Civic Projects	75,000	22,527	30%	6	50,000	(25,000)
771410	Flood Control District	156,370	285,056	182%	7	285,056	128,686
777860	Joint Project Review	90,000	88,936	99%		98,581	8,581
Total Revenue		\$ 498,840	\$ 459,059	92%		\$ 527,953	\$ 29,113

EXPENDITURES

510040	Regular Salaries	\$ 116,100	\$ 84,455	73%		\$ 112,607	\$ 3,493
510440	Annual Leave Buydown	5,420	2,477	46%		4,954	466
515200	Retiree Health Insurance	790	237	30%		316	474
518100	Budgeted Benefits	42,140	31,122	74%		41,496	644
Total Appropriation 1		164,450	118,291	72%		159,373	5,077
520200	Communications	250	131	52%		175	75
520270	County Delivery Services	10	-	0%		10	-
520320	Telephone Service	150	92	61%		123	27
520350	IT Core Services	900	569	63%	11	759	141
520940	Insurance-Other	4,130	2,614	63%	12	3,485	645
521340	Maint-Communications Equipment	150	115	77%		153	(3)
521360	Maint-Computer Equipment	3,370	1,805	54%	13	2,407	963
521540	Maint-Office Equipment	735	292	40%		389	346
521640	Maint-Software	2,040	1,106	54%	14	1,475	565
523100	Memberships	665	658	99%		658	7
523230	Miscellaneous Expense	3,390	2,010	59%		2,680	710
523620	Books/Publications	100	-	0%		-	100
523640	Computer Equip-Non Fixed Asset	1,410	608	43%		1,410	0
523660	Computer Supplies	400	-	0%		200	200
523680	Office Equip Non Fixed Assets	100	21	21%		28	72
523700	Office Supplies	1,000	252	25%		536	464
523760	Postage-Mailing	580	373	64%		497	83
523800	Printing/Binding	500	4	1%		450	50
523840	Computer Equipment-Software	1,025	112	11%		449	576
524560	Auditing and Accounting	16,130	7,588	47%	15	16,117	13
524900	GIS Services	1,200	1,318	110%		1,318	(118)
525020	Legal Services	66,600	45,824	69%	16	64,099	2,501
525140	Personnel Services	1,050	789	75%	17	1,052	(2)
525300	OASIS Processing-Financials	1,715	1,288	75%	18	1,717	(2)
525310	OASIS Processing- HRMS	480	312	65%	18	416	64
526700	Rent-Lease Bldgs	19,470	14,603	75%	19	19,471	(1)
527780	Special Program Expense	900	900	100%		900	-
527840	Training-Education/ Tuition	300	83	28%		111	189
527980	Contracts	199,260	144,444	72%	20	198,592	668
528120	Board/Commission Expense	4,170	2,543	61%		3,391	779
528140	Conference/Registration Fees	200	67	34%		67	133
528900	Air Transportation	180	256	142%		256	(76)
528960	Lodging	300	92	31%		92	208
528980	Meals	810	392	48%		523	287
529000	Miscellaneous Travel Expense	30	36	120%		36	(6)
529040	Private Mileage Reimbursement	690	547	79%		709	(19)
Total Appropriation 2		334,390	231,844	69%		324,751	9,639
546140	Equipment-Office	-	-	0%		-	-
Total Appropriation 4		-	-	0%		-	-
Total Expenditures		\$ 498,840	\$ 350,135	70%		\$ 484,124	\$ 14,716
Net Operating Position		\$ -	\$ 108,924			\$ 43,829	\$ 43,829

Regional Conservation Authority
Budget vs. Actual Comparison as of March 31, 2016
General Fund - 935300 Land Management and Monitoring

REVENUE

Account	Account Description	Budget	Actual	% of Actual to Budget	Note No.	Projection through 06/30/16	Positive (Negative) Variance with Budget
722000	Participating Special Entities	\$ 50,000	\$ -	0%		\$ -	\$ (50,000)
740020	Interest-Invested Funds	27,750	24,755	89%	1	33,007	5,257
741000	Rents	69,250	55,951	81%	2	74,601	5,351
751680	CA-Grant Revenue	64,000	54,763	86%	3	54,763	(9,237)
771410	Flood Contrl District	163,200	189,238	116%	7	189,238	26,038
781360	Other Misc. Revenue	40,000	7,550	19%	9	20,000	(20,000)
781520	Tipping Fees	2,300,000	2,037,228	89%	10	2,436,304	136,304
Total Revenue		\$ 2,714,200	\$ 2,369,485	87%		\$ 2,807,913	\$ 93,713

EXPENDITURES

510040	Regular Salaries	\$ 262,270	\$ 185,537	71%		\$ 247,383	\$ 14,887
510440	Annual Leave Buydown	17,555	5,354	30%		11,779	5,776
515200	Retiree Health Insurance	1,910	573	30%		764	1,146
518100	Budgeted Benefits	94,150	63,886	68%		85,181	8,969
Total Appropriation 1		375,885	255,350	68%		345,107	30,778
520200	Communications	7,250	5,497	76%		7,239	11
520270	County Delivery Services	15	-	0%		15	-
520320	Telephone Service	150	92	61%		123	27
520350	IT Core Services	900	569	63%	11	759	141
520940	Insurance-Other	12,100	7,708	64%	12	10,277	1,823
521340	Maint-Communications Equipment	150	115	77%		143	7
521360	Maint-Computer Equipment	8,410	1,804	21%	13	7,905	505
521500	Maint-Motor Vehicles	5,000	2,612	52%		3,983	1,017
521540	Maint-Office Equipment	735	318	43%		624	111
521640	Maint-Software	2,640	1,106	42%	14	2,475	165
523100	Memberships	665	658	99%		658	7
523230	Miscellaneous Expense	1,090	429	39%		772	318
523620	Books/Publications	100	-	0%		-	100
523640	Computer Equip-Non Fixed Asset	6,320	1,916	30%		6,055	265
523660	Computer Supplies	400	-	0%		300	100
523680	Office Equip Non Fixed Assets	100	21	21%		28	72
523700	Office Supplies	4,900	2,066	42%		3,955	945
523760	Postage-Mailing	680	252	37%		386	294
523800	Printing/Binding	400	4	1%		350	50
523840	Computer Equipment-Software	4,790	420	9%		4,260	530
524560	Auditing and Accounting	2,675	1,540	58%	15	2,053	622
524900	GIS Services	1,200	1,318	110%		1,318	(118)
525020	Legal Services	59,000	39,131	66%	16	55,175	3,825
525140	Personnel Services	1,050	789	75%	17	1,052	(2)
525300	OASIS Processing-Financials	1,715	1,288	75%	18	1,717	(2)
525310	OASIS Processing- HRMS	480	312	65%	18	416	64
526700	Rent-Lease Bldgs	103,255	77,438	75%	19	103,251	4
526910	Field Equipment-Non Assets	68,000	58,127	85%		59,000	9,000
527100	Fuel	20,000	6,351	32%		14,468	5,532
527780	Special Program Expense	2,500	900	36%		900	1,600
527840	Training-Education/ Tuition	300	83	28%		111	189
527880	Training-Other	4,000	-	0%		2,000	2,000
527980	Contracts	1,974,985	1,291,912	65%	20	1,912,549	62,436
528120	Board/Commission Expense	4,170	2,543	61%		3,791	379
528140	Conference/Registration Fees	200	67	34%		67	133
528900	Air Transportation	180	80	44%		80	100
528960	Lodging	300	92	31%		92	208
528980	Meals	360	108	30%		144	216
529000	Miscellaneous Travel Expense	30	36	120%		36	(6)
529040	Private Mileage Reimbursement	690	484	70%		645	45
529500	Electricity	930	673	72%		897	33
Total Appropriation 2		2,302,815	1,508,859	66%		2,210,069	92,746
535220	Assessments & HOA	35,500	35,217	99%		35,217	283
Total Appropriation 3		35,500	35,217	99%		35,217	283
Total Expenditures		2,714,200	1,799,426	66%		\$ 2,590,393	\$ 123,807
Net Operating Position		\$ -	\$ 570,059			\$ 217,520	\$ 217,520

Regional Conservation Authority
Budget vs. Actual Comparison as of March 31, 2016
Capital Projects Fund - 935201 Land Acquisition

REVENUE

Account	Account Description	Budget	Actual	% of Actual to Budget	Note No.	Projection through 6/30/16	Positive (Negative) Variance with Budget
711040	Measure A-Local St & Rds	\$ 3,000,000	\$ 3,000,000	100%		\$ 3,000,000	\$ -
722000	Participating Special Entities	100,000	-	N/A		-	(100,000)
740020	Interest-Invested Funds	44,780	51,424	115%	1	68,565	23,785
740040	Interest-Other	-	39	N/A		39	39
751680	CA-Grant Revenue	2,148,950	2,057,825	96%	3	2,057,825	(91,125)
766600	Fed-Capital Grants and Contrib	4,918,800	4,838,175	98%	4	4,838,175	(80,625)
771410	Flood Control District	290,430	290,430	100%	7	290,430	-
777170	Development Mitigation Fees	10,800,000	7,927,468	73%	8	10,622,000	(178,000)
777600	TUMF Revenue-Developer Fees	500,000	250,000	50%		500,000	-
781220	Capital Contributions & Donations	2,540,000	1,460,000	57%	22	1,930,000	(610,000)
781360	Other Miscellaneous Revenue	10,000	59,319	593%	9	59,319	49,319
Total Revenue		\$ 24,352,960	\$ 19,934,680	82%		\$ 23,366,353	\$ (986,607)

EXPENDITURES

510040	Regular Salaries	\$ 993,630	\$ 729,945	73%		\$ 977,260	\$ 16,370
510440	Annual Leave Buydown	54,025	30,450	56%		44,660	9,365
515200	Retiree Health Insurance	7,300	2,190	30%		2,920	4,380
518100	Budgeted Benefits	385,710	266,383	69%		360,177	25,533
Total Appropriation 1		1,440,665	1,028,968	71%		1,385,017	55,648
520200	Communications	2,000	955	48%		1,673	327
520270	County Delivery Services	75	-	0%		75	-
520320	Telephone Service	1,200	736	61%		981	219
520350	IT Core Services	7,200	4,550	63%	11	6,067	1,133
520940	Insurance-Other	31,900	21,901	69%	12	29,201	2,699
521340	Maint-Communications Equipment	1,200	923	77%		1,196	4
521360	Maint-Computer Equip	26,970	14,438	54%	13	25,251	1,719
521540	Maint-Office Equipment	5,880	2,311	39%		5,581	299
521640	Maint-Software	16,320	8,846	54%	14	14,995	1,325
523100	Memberships	5,320	5,261	99%		5,261	59
523230	Miscellaneous Expense	10,320	3,219	31%		7,292	3,028
523620	Books/Publications	800	-	0%		-	800
523640	Computer Equip-Non Fixed Asset	11,220	4,447	40%		10,429	791
523660	Computer Supplies	3,200	-	0%		3,000	200
523680	Office Equip Non Fixed Assets	800	164	21%		219	581
523700	Office Supplies	8,000	1,999	25%		7,165	835
523760	Postage-Mailing	4,640	1,775	38%		2,867	1,773
523800	Printing/Binding	4,000	30	1%		3,540	460
523840	Computer Equipment-Software	8,185	895	11%		7,593	592
524560	Auditing and Accounting	142,880	66,119	46%	15	128,159	14,721
524900	GIS Services	10,600	10,542	99%		10,542	58
525020	Legal Services	1,144,400	405,775	35%	16	691,033	453,367
525140	Personnel Services	8,420	6,310	75%	17	8,413	7
525300	OASIS Processing-Financials	13,730	10,300	75%	18	13,733	(3)
525310	OASIS Processing- HRMS	3,780	2,496	66%	18	3,328	452
526410	Legally Required Notices	300	-	0%		-	300
526700	Rent-Lease Bldgs	155,765	116,820	75%	19	155,760	5
527780	Special Program Expense	9,600	7,200	75%		7,200	2,400
527840	Training-Education/Tuition	2,400	665	28%		665	1,735
527980	Contracts	513,600	303,803	59%	20	465,071	48,529
528120	Board/Commission Expense	33,360	20,346	61%		27,128	6,232
528140	Conference/Registration Fees	1,600	536	34%		715	885
528280	Imaging Supplies	4,000	2,410	60%		3,213	787
528900	Air Transportation	7,140	2,388	33%		5,184	1,956
528920	Car Pool Expense	500	63	13%		84	416
528960	Lodging	7,400	2,907	39%		5,876	1,524
528980	Meals	5,730	1,409	25%		1,879	3,851
529000	Miscellaneous Travel Expense	1,140	459	40%		1,112	28
529040	Private Mileage Reimbursement	5,920	4,170	70%		5,560	360
529080	Rental Vehicles	400	-	0%		-	400
Total Appropriation 2		2,221,895	1,037,168	47%		1,667,041	554,854
534000	Interest Notes-Warrants	33,000	23,000	70%	21	23,000	10,000
Total Appropriation 3		33,000	23,000	70%		23,000	10,000
540040	Land	21,255,400	13,958,641	66%	22	19,680,000	1,575,400
540060	Improvements-Land	90,000	15,403	17%		50,000	40,000
Total Appropriation 4		21,345,400	13,974,044	65%		19,730,000	1,615,400
Total Expenditures		\$ 25,040,960	\$ 16,063,180	64%		\$ 22,805,058	\$ 2,235,902
Net Operating Position		\$ (688,000)	\$ 3,871,500			\$ 561,295	\$ 1,249,295

Regional Conservation Authority
Notes to Financial Reports
as of March 31, 2016

	Operations	Land Management & Monitoring	Land Acquisition	Total RCA
REVENUES:				
1) Interest from Riverside County Treasurer Pool Investment Fund:				
1st quarter interest at 0.46%	\$8,025	\$8,099	\$15,526	\$31,650
2nd quarter interest at 0.55%	8,252	8,328	17,949	34,529
3rd quarter interest (Estimated)	8,252	8,328	17,949	34,529
Total Interest	\$24,529	\$24,755	\$51,424	\$100,708
2) Rent revenues from the following sources:				
Goodhart		\$4,198		
KCAA Radio, Cordova		4,500		
Archery Club		2,250		
T-Mobile cell tower lease		39,152		
Lockheed lease		750		
Beekeepers		5,100		
Total Rent		\$55,951		
3) State revenues were received for the following purposes:				
NCCP Local Assistance Grant -Tricolor Blackbird Grant		\$54,763		\$54,763
Kaelin #2 - State 35% Match			873,675	873,675
Lloyd, James - State 35% Match			113,750	113,750
McCormick - State 30% Match			63,000	63,000
Dyer/Wynn - State 30% Match			121,200	121,200
Bautista - State 22% Match			841,200	841,200
TNC Caramello -State 30% Match			45,000	45,000
Total State		\$54,763	\$2,057,825	\$2,112,588
4) Federal funds were received for the following property acquisitions:				
Kaelin #2 - Federal 65%			\$1,601,325	
Lloyd, James Federal 65%			211,250	
McCormick - Federal 70%			147,000	
Dyer/Wynn -Federal 70%			282,800	
Bautista - Federal 65%			2,490,800	
TNC Caramello -Federal 70%			105,000	
Total Federal			\$4,838,175	
5) Infrastructure contributions from Member Agencies:				
City of Moreno Valley-Veteran's Way Widening	\$5,680			
City of Beaumont-Brookside Bridge	6,961			
City of Norco -Hamner Storm Drain Imprv	23,760			
Total Infrastructure	\$36,400			
6) Civic contributions from Member Agencies:				
City of Lake Elsinore-Whiskers Beach Parking Lot	\$1,728			
City of Temecula -Park & Ride Facility	20,799			
Total Civic	\$22,527			
7) Contributions from Riverside County Flood Control:				
Hemet MDP Line C, Stage 4	\$145,152			\$145,152
Homeland MDP Line 1, Stage 1	139,903		290,430	430,333
Santa Ana Canyon-Prado Inland Empire Brine Line		189,238		189,238
Total Flood Control	\$285,056	\$189,238	\$290,430	\$764,724

Regional Conservation Authority
Notes to Financial Reports
as of March 31, 2016

Operations	Land Management & Monitoring	Land Acquisition	Total RCA
------------	------------------------------	------------------	-----------

REVENUES (Continued):

8) Mitigation fees through 03/31/16 are as follows:

City of Banning	\$0
City of Beaumont	481,687
City of Calimesa	147,890
City of Canyon Lake	17,568
City of Corona	380,779
City of Eastvale	1,576,168
City of Hemet	103,456
City of Jurupa Valley	782,691
City of Lake Elsinore	55,685
City of Menifee	576,114
City of Moreno Valley	302,009
City of Murrieta	644,644
City of Norco	22,739
City of Perris	1,157,912
City of Riverside	483,801
City of San Jacinto	83,197
City of Temecula	139,617
City of Wildomar	75,701
County of Riverside	895,810
Total Mitigation	\$7,927,468

9) Miscellaneous Revenues were received as follows:

Deposit Agreements	\$59,319	\$59,319
Burrowing Owl Donation	7,550	7,550
Total Miscellaneous Revenues	\$7,550	\$66,869

10) RCA receives \$1.50 per ton for the out-of-county tonnage. In addition, RCA receives a maximum of \$400,000 annually for the in-county tonnage.

	Out-of-County Tonnage	Revenue at \$1.50 per ton
July 2015	151,281	\$226,921
August 2015	148,312	222,468
September 2015	143,153	214,729
October 2015	147,404	221,106
November 2015	133,720	200,580
December 2015	161,894	242,841
January 2016	144,389	216,583
February 2016	136,085	204,128
March 2016 (Estimated)	145,780	218,669
Prior Year Estimate Adjusted	12,802	19,202
In-County Contribution		50,000
	1,324,818	\$2,037,228

11) RCIT Core Services

Twelve months at \$632 per month	\$569	\$569	\$4,550	\$5,688
----------------------------------	-------	-------	---------	---------

Regional Conservation Authority
Notes to Financial Reports
as of March 31, 2016

	Operations	Land Management & Monitoring	Land Acquisition	Total RCA
EXPENDITURES:				
12) Insurance provided by SDRMA:				
General & Property	\$2,614	\$2,608	\$21,901	\$27,123
Vehicle Insurance		5,099		5,099
Total Insurance- six months	\$2,614	\$7,708	\$21,901	\$32,223
13) Computer equipment maintenance:				
RCIT monthly charges of approx. \$2,005/month	\$1,805	\$1,804	\$14,438	\$18,046
Total Computer Equipment and Maintenance	\$1,805	\$1,804	\$14,438	\$18,046
14) Software maintenance is as follows:				
ESRI Annual Software Maintenance	\$683	\$683	\$5,460	\$6,825
RCIT-Microsoft Enterprise	270	270	2,160	2,700
RCIT-Outlook monthly charge \$170	153	153	1,226	1,533
Total Charges	\$1,106	\$1,106	\$8,846	\$11,058
15) Auditing and Accounting consists of the following:				
Vavrinek, Trine, Day & Co.	\$6,919	\$1,266	\$63,701	\$71,886
County Auditor-Controller's Office	669	274	2,418	3,362
Total Auditing and Accounting	7,588	\$1,540	\$66,119	\$75,248
16) Legal Services as follows:				
Best, Best and Krieger	\$45,824	\$39,131	\$269,025	\$353,980
Legal Settlement			136,750	136,750
Total Legal Services	\$45,824	\$39,131	\$405,775	\$490,730
17) Personnel services by County Human Resources:				
Approx. \$956 per employee annually	\$789	\$789	\$6,310	\$7,887
18) RCIT-Financial System fee charge:				
Financial Software \$1,430 monthly	1,288	1,288	10,300	\$12,875
HRMS-Payroll \$347 monthly	312	312	2,496	3,120
Total paid for Financial System	\$1,600	\$1,600	\$12,796	\$15,995
19) Rent & lease building cost:				
RCA office monthly rent \$16,225	\$14,603	\$14,603	\$116,820	\$146,026
Monitoring office monthly rent \$6,982		62,835		62,835
Total Rent	\$14,603	\$77,438	\$116,820	\$208,861
20) Contract services are as follows:				
Capitol Alliance Consulting			\$50,625	\$50,625
Dudek	140,462	23,881	49,423	213,766
Economic & Planning Systems*	691	691	5,528	6,910
Facilities Management		1,618	41,730	43,349
Geographics	991	855	6,838	8,683
Hogan Lovells - Wheeler Lobbying			112,500	112,500
Kidd Biological*		4,700		4,700
Parks & Open-Space Dist.-Land Mgt.		597,861	16,726	614,588
SAWA		660,006		660,006
Tom Mullen (reimbursable expenditures only)			2,033	2,033
William P. Egetter*	2,300	2,300	18,400	23,000
Total Contracts	\$144,444	\$1,291,912	\$303,803	\$1,740,159

* Contracts approved under Executive Director Authority.

Regional Conservation Authority
Notes to Financial Reports
as of March 31, 2016

Operations	Land Management & Monitoring	Land Acquisition	Total RCA
------------	------------------------------------	---------------------	-----------

EXPENDITURES (Continued):

21)	Interest to Riverside County on Loan	
	Interest rate at average 2015 Treasurer Pool Investment rate of 0.46%	\$23,000
22)	Land acquisition costs are as follows:	
	Land and Conservation Easements donated to the Authority:	
	RCTC Donation	\$675,000
	Soboba Donation Ph 3	120,000
	Temecula Escarpment Donation	665,000
	Subtotal Donated Properties	\$1,460,000
	Properties Acquired:	
	Kaelin #2 Property	\$2,482,673
	Constanzo Property	33,188
	Tax Sale Parcels 2013	288,832
	Tax Sale Parcels 2014	30,316
	Inland Premier Phase II	455,664
	Sheffield Property	158,536
	McCormick property	211,754
	Stearns/Estudillo Property	131,789
	Dyer/Wynn Project	408,616
	Lloyd Property	327,052
	Parry Property	51,000
	O'Connor Ph V	300,754
	Anheuser Busch Ph V	3,001,225
	Bautista Canyon	3,839,664
	TNC/Caramello Property	151,525
	Shoppe Property	231,809
	Consultants Costs:	
	Facilities Management	347,019
	Parks & Open-Space Dist.	4,881
	BBK - Third Party Appraisals	20,000
	EEI*	2,250
	Escrow Charges	20,095
	Total Land Acquisition Costs	\$13,958,641

AGENDA ITEM NO. 8.2
Attachment 3

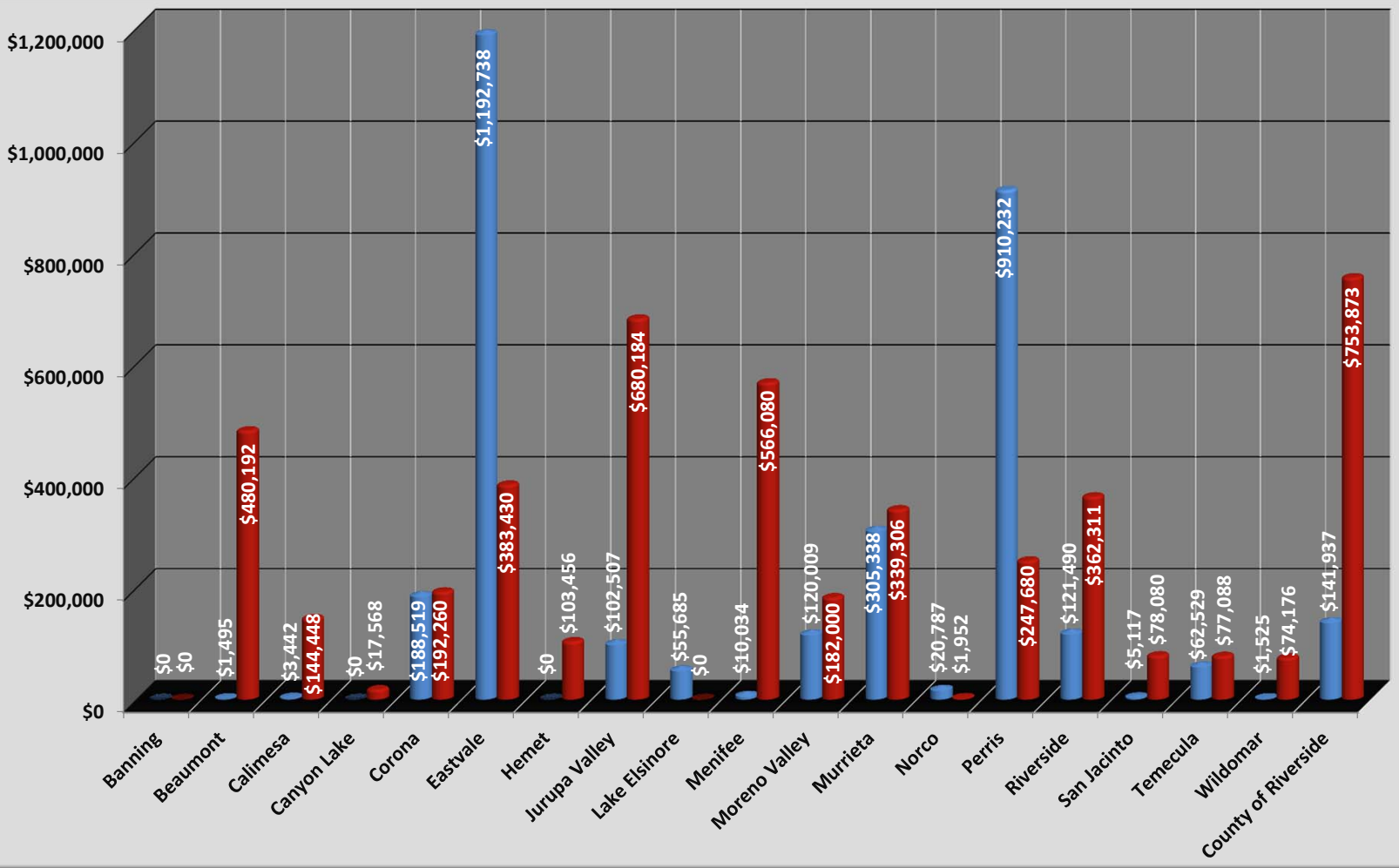
MSCHP Fee
Collection Report

REGIONAL CONSERVATION AUTHORITY
MSHCP MITIGATION FEE COLLECTIONS BY MEMBER AGENCY
FISCAL YEAR 2016

BASED ON ACCRUAL BASIS (Month reported by City)

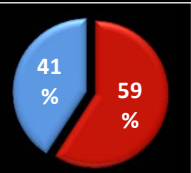
COUNTY AND CITIES:	JUL 2015	AUG 2015	SEP 2015	OCT 2015	NOV 2015	DEC 2015	JAN 2016	FEB 2016	MAR 2016	TOTALS FY 2016	PERCENT OF TOTAL
CITY OF BANNING	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	0.0%
CITY OF BEAUMONT	19,520	40,992	60,512	81,984	98,929	39,040	37,088	27,328	76,294	481,687	6.1%
CITY OF CALIMESA	-	31,232	-	-	-	74,176	-	39,040	3,442	147,890	1.9%
CITY OF CANYON LAKE	-	3,904	1,952	-	-	-	1,938	3,904	5,870	17,568	0.2%
CITY OF CORONA	185,357	-	165,926	3,904	5,856	-	19,736	-	-	380,779	4.8%
CITY OF EASTVALE	1,250,967	23,033	77,013	25,376	38,935	29,280	15,616	67,148	48,800	1,576,168	19.9%
CITY OF HEMET	19,520	-	23,424	7,808	15,616	-	19,520	15,616	1,952	103,456	1.3%
CITY OF JURUPA VALLEY	150,784	154,015	70,272	31,856	39,040	37,088	101,504	28,308	169,824	782,691	9.9%
CITY OF LAKE ELSINORE	-	-	-	-	-	-	23,258	-	32,428	55,685	0.7%
CITY OF MENIFEE	101,454	54,656	124,928	47,172	17,568	42,944	148,352	19,520	19,520	576,114	7.3%
CITY OF MORENO VALLEY	-	-	1,952	18,972	95,315	-	113,680	14,146	57,945	302,009	3.8%
CITY OF MURRIETA	1,938	-	25,888	1,952	333,450	-	249,188	-	32,228	644,644	8.1%
CITY OF NORCO	-	-	10,753	-	-	-	10,034	1,952	-	22,739	0.3%
CITY OF PERRIS	27,132	74,453	52,172	201,153	422,209	25,376	27,328	269,530	58,560	1,157,912	14.6%
CITY OF RIVERSIDE	8,374	142,043	8,840	12,092	207,512	31,858	5,856	57,774	9,452	483,801	6.1%
CITY OF SAN JACINTO	-	-	33,184	4,851	11,712	17,568	-	-	15,882	83,197	1.0%
CITY OF TEMECULA	-	15,504	9,564	19,603	42,595	17,900	1,952	18,750	13,750	139,617	1.8%
CITY OF WILDOMAR	24,949	9,760	-	-	23,424	15,616	-	-	1,952	75,701	1.0%
COUNTY OF RIVERSIDE (LMS)	169,810	95,803	124,341	145,527	100,105	62,372	27,254	77,542	93,057	895,810	11.3%
TOTAL COUNTY AND CITIES	\$ 1,959,806	\$ 645,394	\$ 790,721	\$ 602,248	\$ 1,452,265	\$ 393,218	\$ 802,303	\$ 640,557	\$ 640,955	\$ 7,927,468	100.0%
OTHER											
FLOOD CONTROL	\$ -	\$ 145,152	\$ 189,238	\$ -	\$ -	\$ 430,333	\$ -	\$ -	\$ -	\$ 764,724	92.8%
OTHER GOV MSHCP INFRASTRUCTURE	-	-	5,680	-	-	-	30,721	-	-	36,400	4.4%
OTHER GOV MSHCP CIVIC PROJECTS	-	-	-	-	-	1,728	-	20,799	-	22,527	2.7%
TOTAL OTHER	\$ -	\$ 145,152	\$ 194,918	\$ -	\$ -	\$ 432,061	\$ 30,721	\$ 20,799	\$ -	\$ 823,651	100.0%
GRAND TOTAL	\$ 1,959,806	\$ 790,547	\$ 985,639	\$ 602,248	\$ 1,452,265	\$ 825,279	\$ 833,023	\$ 661,356	\$ 640,955	\$ 8,751,119	

**Fiscal Year 2016
MSHCP Development Mitigation Fee Revenues
July 1, 2015 through March 31, 2016**



Commercial
\$3,243,384

Residential
\$4,684,084



AGENDA ITEM NO. 8.3

FISCAL YEAR 2016 THIRD QUARTER CONSULTANT REPORTS

Regional Conservation Authority

**FISCAL YEAR 2016 THIRD QUARTER
CONSULTANT REPORTS**

Staff Contact:

**Charles Landry
Executive Director
(951) 955-9700**

Background:

Attached are the Fiscal Year 2016 Third Quarter Consultant Reports for Dudek, Geographics, Riverside County Regional Park and Open-Space District, Santa Ana Watershed Association, David Kennett – Capitol Alliance Consulting, LLC, and Douglas P. Wheeler – Hogan Lovells US LLP.

Staff Recommendation:

That the RCA Board of Directors receive and file the Fiscal Year 2016 Third Quarter Consultant Reports.

Attachments:

Fiscal Year 2016 Third Quarter Consultant Reports

- Attachment 1 – Dudek
- Attachment 2 – Geographics
- Attachment 3 – Riverside County Regional Park and Open-Space District
- Attachment 4 – Santa Ana Watershed Association
- Attachment 5 – David Kennett, Capitol Alliance Consulting, LLC
- Attachment 6 – Douglas P. Wheeler, Hogan Lovells US LLP

AGENDA ITEM NO. 8.3
Attachment 1

DUDEK

**CONSULTANT REPORT
DUDEK
FISCAL YEAR 2016 THIRD QUARTER REPORT**

Report Covers Period: 01/01/16 to 03/31/16

Services Provided During Current Work Period:

Joint Project Reviews

As part of our ongoing duties related to MSHCP implementation for the RCA, Dudek continued to provide review of biological reports, analysis and submittals related to Joint Project Reviews (JPRs) submitted by Permittees. Dudek reviewed and completed several JPRs for Permittees in this reporting period.

Permittee Trainings and Support

Dudek assists the RCA in providing training and support to Permittees on MSHCP implementation. These training sessions are provided once or year or upon request and include an overview of the MSHCP, RCA responsibilities, Permittee Responsibilities, rough step, JPR process, required surveys and mitigation, CEQA documents, changes to the MSHCP, reserve lands, and the Wildlife Agencies' role. Discussion of unique circumstances for each Permittee is also provided in the training. A training session for the City of Murrieta was held on March 14, 2016. Another training session for all Permittees was held on March 28, 2016. A separate training session for consultants will be held on April 18, 2016.

Dudek staff continued to provide ongoing support and attended meetings with Permittees on MSHCP implementation and compliance questions. Dudek fields questions on an ongoing basis related to either new projects or ongoing projects.

Monthly meetings with the County Environmental Planning Department (EPD) have resumed as of January 2016. These meetings are a forum to discuss upcoming or ongoing County HANS/JPRs, conservation criteria, and other Permittee requirements to facilitate MSHCP consistency.

Wildlife Agency Coordination and Meetings

Dudek attended three monthly meetings with U.S. Fish and Wildlife Service (FWS) and California Department of Fish and Wildlife (CDFW) staff hosted by the RCA. Duties included coordinating with attendees and review of materials ahead of the meeting.

Dudek also participated in three Pre-Application Meetings with the U.S. Army Corps of Engineers, Regional Water Quality Control Board, CDFW, and FWS staff. Projects represented by Permittees and/or the project representatives are presented for consideration. The various regulatory agencies and RCA discuss, review, and seek solutions to issues related to permitting and MSHCP

compliance. The review and analysis presented in these meetings is often subject to MSHCP Consistency review which is part of Dudek's role with the RCA.

Also in this reporting period, Dudek provided documentation and support to CDFW and FWS related to ongoing projects and questions on MSHCP implementation.

RCA Support

Dudek staff provided various forms of analysis and provided staff support by attending meetings, conference calls and conducting research via email related to ongoing and past projects. During this reporting period, Dudek was involved with the following projects, including but not limited to: Tri-Valley JPR (Lake Elsinore), Back Basin 770 (Lake Elsinore), Murrieta 196 mitigation (Murrieta), Bautista Creek Recharge Basins, Interstate 15 Express Lanes (Caltrans), and discussions regarding the San Jacinto Wildlife Area.

RCA requested a scope of work to complete a historic evaluation on several structures that need to be removed from newly acquired conservation land in the Bautista Canyon area, southeast of the City of Hemet in unincorporated Riverside County. The historic evaluation report will be provided to RCA in early April.

The last year of monitoring and the final reporting for the Munz's Onion relocation effort are ongoing and should be completed this year.

Work on the Burrowing Owl Relocation Standards for the MSHCP was temporarily placed on hold during this reporting Quarter. Subsequent revisions to the Standards and conference calls with the RCA and Wildlife Agencies may resume during the next reporting period. Burrowing owl management support activities (see below) will provide valuable information for revisions to the draft Standards.

Participating Special Entities

Dudek staff provided support and coordination related to pending and existing Participating Special Entities (PSE). Issues related to several ongoing Southern California Edison (SCE) projects and the MSHCP are ongoing and require support related to MSHCP implementation. An informal PSE review submitted in mid-December 2015 and is ongoing for the SCE Valley South System Project. It is also anticipated that a formal PSE application will be submitted for the SCE Valley-Ivyglen Subtransmission Line Phase 2 in early April. Other PSE application submittals anticipated in 2016 include the SCE Alberhill System Project and the West of Devers Upgrade Project.

Management Support

In partnership with the U.S. Fish and Wildlife Service (USFWS), and the San Diego Zoo Institute for Conservation Research, Dudek staff assisted in the preparation of a California Energy Commission (CEC) grant proposal titled "Assessing California's mitigation guidelines for burrowing owls impacted by habitat development and project activities: better science, better conservation, better economic outcomes". The study will provide information on the effectiveness of burrowing owl relocations in southern California and within the Plan area and will support the RCA's burrowing owl management objectives.

AGENDA ITEM NO. 8.3
Attachment 2

Geographics

**CONSULTANT REPORT
GEOGRAPHICS
FISCAL YEAR 2015-16 THIRD QUARTER REPORT**

Report Covers Period: 1/1/16 – 3/31/16

Services Provided During Current Work Period:

Public Information and Branding Services
Website Updating and Hosting

Branding Services:

Geographics revised and updated the Participating Special Entities (PSE) brochure, and printed 100 copies.

A new Powerpoint template was designed by Geographics for staff use.

Two posters were designed (“WRC MSHCP Permittee Training” and “WRC MSHCP Consultant Training”) for the permittee and consultant training room.

During the third quarter, Geographics began work on RCA’s annual newsletter.

Work on the project began in January. This included meetings with RCA to develop an outline for the content, refinement of the outline, and final determination of the outline.

Copywriting began with a story conference in January to develop a detailed approach and discuss the research required. After this meeting, Geographics developed a task list and requested materials from staff. The initial outline included:

- Bautista Property Acquisition
- Section 6 Funds
- Flood Control Levy
- The Trouble with Reptiles
- Featured Species
- Brush Rabbits

Work on the newsletter and its accompanying e-newsletter will continue into the next quarter.

Website Hosting:

Geographics provided secure hosting with automatic backups for all three months of the quarter.

Website Updates:

Various updates and modifications were made to the website during the third quarter. The updates included:

- Update plugins and themes
- Modify photo pages to display multiple categories
- Add photos to photo gallery
- Update newsletters featured on website
- Adjust formatting of board member/executive profile pages
- Design/add home page buttons for special notices

AGENDA ITEM NO. 8.3
Attachment 3

Riverside County
Regional Park &
Open-Space District

**CONSULTANT REPORT
RIVERSIDE COUNTY PARKS AND OPEN-SPACE DISTRICT
FISCAL YEAR 2016 THIRD QUARTER REPORT**

Report Covers Period: 01/01/16 – 03/31/16

Services Provided During Current Work Period:

48 Work Release Program hours were utilized during the Third Quarter of FY2016

Patrol/Access Control/Maintenance

General

Ranger Chagolla was rear ended by a motorist on I-215. Very little damage was sustained on the RCA truck. Extensive front end damage was sustained on the vehicle at fault.

Los Alamos Building Project: Staff deconstructed large metal storage building located along Los Alamos/Clinton Keith Road. The building is in the construction path of the Clinton Keith Road extension project. This project took up the majority of staff time during the second quarter and is complete. Building components stored shipping container that has been moved to the Goodhart Cactus Valley property and placed on large concrete pad near the lower shop/cabin.

EI Sol: Artificial burrow and habitat survey was conducted during the month of March. Multiple artificial burrows were found to be occupied with signs of breeding present. More breeding pair information will be obtained during the seasonal breeding pair surveys.

San Jacinto HMU

Pico Thompson: Fencing improvement completed. Staff worked on a trespass issue on the Pico Thompson Parcel. Coordinated with law enforcement, but found no one on site. On arrival the Ranger noted new vandalism on the entry gate with the chain cut and gate open. It was evident that someone targeted the heavy metal gate for metal theft. The gate was re-welded and re-secured that day. Staff scouted the roads. No flat tire devices were found.

EMWD SJ RIVER: Continued site visit and photo points. OHV activity documented in Treatment Areas B, F, and D. In Treatment Area D, staff made contact with 9 OHV riders. 7 were on dirt bikes and two were in UTV mule. They were riding loops on existing trails. Riders were informed it was conservation land and OHVs are not allowed. Riders were very nice and corporative. They claimed they did not know they were not allowed to ride there and said they would leave. The dirt bike riders were mostly younger teens and were part of a competitive team that was practicing.

KB SJ River Donation Mosquito Issue: Some mosquito activity was found to occur. KB Homes completed final earth work to drain all water to main San Jacinto River channel. Vector Control continued treating the pooling water during the 3rd quarter.

KHOV Donation: MSHCP staff continued to oversee the erosion issue at the KHOV Donation site (former Valle Vista landfill). During the 3rd Quarter no new erosion issues were found during site inspection following rain events.

San Tim HMU:

Ranger Chagolla was busy with patrol of Oak Valley due to motorcycle riders searching for open riding areas. Calimesa PD was called to help disperse 10 trucks with OHV equipment after initial requests for them to disperse were ignored.

Cactus Valley HMU

Goodhart Residence: Completion of the reinforcing the southern overhang on main residence was completed. A. Salazar installed 7 new 4x6 support post affixed to 12 inch long brackets cemented 24 inches into the ground. It is very structurally sound. All work besides purchasing of material was completed on A. Salazar's personal time which will go toward his volunteer and caretaker time.

Habitat/Species Management

Western Pond Turtle: Effort to trap and telemetry pond turtles was implemented during the third quarter. Less than expected rainfall levels slowed activity and emergence of pond turtle. Many either left conservation lands in search of water or remained underground.

Bolton Habitat Improvement: Staff cut down the four remaining dead pine trees along the road. After one of the dead trees fell over due to high winds, the decision was made to remove all of them. The trees were cut into 7 foot sections and placed in the pond to provide basking habitat for turtles. Staff tied two of the logs to cinder blocks to anchor them in the center. The remaining wood was bucked up and removed from the site. One of the trees had to be felled in the pond; all the others were felled on the road. Staff also planted 5 willows and 7 mulefat along the southern portion of the pond with the goal of creating a vegetation barrier that will limit any human activity.

HDV BUOW/Spencer's Crossing: Staff continued to monitor the release site. No new documented observations were found during the 3rd Quarter. Staff conducted vegetation maintenance multiple times with string trimming around the artificial burrows and applied herbicide.

CALMAT OHV Restoration Project: Staff continued to manage the site for non-native Russian thistle. Staff efforts have maintained control of the Russian thistle, and it will only require basic maintenance moving forward. The restoration is establishing itself well with most of the container plants responding to the supplemental watering and growing substantially. A site meeting with State OHV Grant Staff will take place in early FY16-17.

Teledyne DSFLF Habitat Improvements: Staff has been busy restoring habitat from type-converted non-native plants and herbaceous to suitable habitat for Delhi fly. Mainly mechanical (string trimming, harrow, hand raking, etc.) methods were used to remove unwanted vegetation and restore habitat. In the last 10 years, staff has not seen this much vegetation growth within the conservation area.

Fire Management/Weed Abatement

Weed abatement notices for multiple properties have been received. Staff, with contractor assistance, has been busy completing to compliance.

Acquisitions

Initial Site Inspections:

Bechtel: The property has an extensive network of trails and OHV activity from private land to the west. There is some trash on the property. There is also a large skate park and a BMX bike ramp on the property.

Soboba Donation Phase 2: Northern witness markers were missing and the east witness marker north of Soboba Road was missing. 12 tires are scattered about the property along with other random rubbish. Soboba Donation currently has >20 tires dumped off side of road. Staff initially removed 100+ tires from this area pre-acquisition and made efforts to restrict access, but efforts are being circumvented.

Calvary Chapel of Murrieta: Pre-acquisition site inspection completed. Nice chaparral and CSS habitats with a tiny bit of oak savannah. An old ranch remains in southern portion of property composed of a couple very old sheds/chicken coups, corral, piles of old trash, and the remains of a long burnt tractor trailer. Two locked shipping containers are also located at this spot.

Live Oak: Staff attended site visit with CDFW/WCB and RLC for the Live Oak property. The property is a nice mixture of grassland, Oak Woodland and CSS. Access is limited only from the north and there are no problem areas or concerns present on the site.

Jurupa Donation: No witness markers present. No dumping or any other initial concerns. Several open mines on hillside north of property.

Martin Property: Initial site inspection found no major issues. There are two old pens on the property. It looks like they may have been used to hold birds. The pens are next to the BLM land where there are a lot of spent shells and clay pigeons. It appears that area was used as a shooting range. There is also trash along the western border across the road from a private residence. Most of the trash is right outside the property boundary.

Shope Property: Nice dense chaparral plant community with one trail going through the property.

AGENDA ITEM NO. 8.3
Attachment 4

Santa Ana
Watershed Association

**CONSULTANT REPORT
SAWA – BIOLOGICAL MONITORING PROGRAM
FISCAL YEAR 2016 THIRD QUARTER REPORT**

Report Covers Period: 01/01/16 – 03/31/16

Services provided during current work period:

Conducted biological monitoring surveys for:

- Carnivores (mountain lion, coyote, bobcat, long-tailed weasel) via motion-triggered cameras in habitat linkages;
- California Gnatcatcher via area-constrained visual encounter surveys and call-playback surveys within suitable conserved habitat;
- Burrowing Owl via binocular and spotting scope observation of burrows recently visited by owls in Core Areas;
- Quino checkerspot butterfly via area-constrained visual encounter surveys at any conserved locations where the species has been observed in the last five years;
- Fairy shrimp and spadefoot toad in vernal pools with standing water;
- Engelmann oaks via re-visiting sampling plots to determine recruitment since 2011.
- Rare plants via area-constrained visual encounter surveys at conserved locations known or suspected to support covered rare plant species;

Collaborated with:

- CA Department of Fish and Wildlife staff at the San Jacinto Wildlife Area to enhance Tricolored Blackbird breeding habitat. Tricolored Blackbird is currently a candidate for listing as an Endangered Species in California. The project was funded by a CA Department of Fish and Wildlife Local Assistance Grant which was recently amended to reflect adjusted tasks and materials to meet the scope of the grant. The grant ended on 03/31/16 and a final summary report was delivered to CA Department of Fish and Wildlife.
- Santa Ana Watershed Association to monitor herpetofauna arrays in San Timeteo Canyon. These sampling stations were removed in January after nearly one year of monitoring at this location.
- The Species Restoration Project to remove non-native aquatic species from local waterways.
- US Fish and Wildlife Service, Riverside County Flood Control District and partnering agencies to monitor and rescue native fish during another water flow reduction in the Santa Ana River.
- Riverside County Flood Control District to provide a scope of work and cost estimate for small mammal trapping and relocation in the event that maintenance activities required animal relocation. No work has been requested yet in 2016.

Accomplishments:

- Gathered useful data for carnivores, California Gnatcatcher, Burrowing Owl, Quino checkerspot butterfly, fairy shrimp and spadefoot toad, Engelmann oaks, and rare plants.
- Finalized CA Department of Fish and Wildlife Local Assistance Grant project to enhance Tricolored Blackbird breeding habitat at the San Jacinto Wildlife Area (see above). The San Jacinto Valley is a

critical reproduction area for Tricolored Blackbirds in southern California and this project significantly improved breeding conditions for the species on MSHCP conserved lands.

- Accepted \$1,000 grant award from Price Philanthropies to purchase Trimble Juno 3B handheld GPS unit which can be used to do advanced mapping and data collection in the field.
- Attended and presented information at The Western Section of The Wildlife Society's annual conference and a subsequent Burrowing Owl workshop.
- Hosted three monthly monitoring/management coordination meetings with local land managers and Wildlife Agency representatives.

AGENDA ITEM NO. 8.3
Attachment 5

David Kennett,
Capitol Alliance
Consulting, LLC



8 Oak Tree Drive
Newport Beach, CA 92660

MEMORANDUM

To: RCA
From: Dave Kennett
RE: January to March 2016 Activity Report
Date: March 31, 2016

RCA's government affairs agenda from January to March 2016 included these continuing efforts:

1. Seeking an increase in federal grant funding for HCP land acquisition;
2. Pursuing federal legislation to provide loans and loan guarantees for HCP land acquisition;
3. Fending off designation of critical habitat within the MSHCP.

This quarter, we participated in Washington, DC meetings with RCA. Our goal was to advance our efforts on all of the above fronts and seek other policy changes to benefit the MSHCP.

President Increases Budget Request for Habitat Acquisition Grants

In February, President Barack Obama issued his budget proposal for Fiscal Year 2017. The President asked Congress to appropriate \$53.5 million for the account that funds HCP acquisition grants. Last year's Presidential budget proposal requested just \$50 million. Though RCA and other HCP advocates could likely spend more than the President proposes, we are moving in the right direction. Congress will use the President's budget as the basis for its consideration of HCP funding.

Loan Legislation Update

We are seeking re-introduction of a stand-alone bill to create a loan program for HCPs that facilitate infrastructure development. Rep. Ken Calvert has agreed to re-introduce his measure from prior Congresses and there are new indications that Sen. Dianne Feinstein will again author a Senate companion bill. We are working with both offices to secure support for the bills from other Members in the House and Senate.

Critical Habitat Designations

Once again, USFWS did not issue any Critical Habitat Designations (CHDs) related to the MSHCP during this period and thus continues to adhere to its commitment to exclude MSHCP lands from CHDs for most threatened and endangered species.

In February, USFWS released a set of new rules on Adverse Modification of habitat and CHDs. Within those rules was a new policy that signals more clearly than ever that USFWS will remain true to its word not to place CHDs on MSHCP land. The policy states:

When we undertake a discretionary 4(b)(2) exclusion analysis, we will always consider areas covered by a . . . habitat conservation plan (HCP), and we anticipate consistently excluding such areas from a designation of critical habitat if incidental take caused by the activities in those areas is covered by the

permit under section 10 of the Act and the HCP meets all of the following conditions:

- a The permittee is properly implementing the HCP and is expected to continue to do so for the term of the agreement. An HCP is properly implemented if the permittee is and has been fully implementing the commitments and provisions in the HCP, Implementing Agreement, and permit.*
- b The species for which critical habitat is being designated is a covered species in the HCP, or very similar in its habitat requirements to a covered species. The recognition that the Services extend to such an agreement depends on the degree to which the conservation measures undertaken in the HCP would also protect the habitat features of the similar species.*
- c The HCP specifically addresses that species' habitat and meets the conservation needs of the species in the planning area.*

The fact that USFWS released this policy statement is a testament to the work RCA has done to educate USFWS staff in Washington, DC on the benefits of HCPs. More crucially, RCA has clearly convinced USFWS DC staff to closely monitor their Regional and Area offices and provide enhanced, specific guidance to those offices. Further, it should not be underestimated that the policy was released during a Democratic Administration.

I continue to work with local water agencies that have sued the federal government to rescind the critical habitat designation for the Santa Ana sucker. They are concurrently pursuing creation of an HCP for the sucker and other species along the Santa Ana River. Formation of the "Upper Santa Ana River Habitat Conservation Plan" should result in the removal of the sucker's CHD from the areas covered by your MSHCP. These agencies continue to hold regular stakeholder meetings on the plan that include USFWS staff.

CAC Participates in DC Meetings with RCA and National HCP Coalition

In March, I participated in a series of meetings in Washington, DC with RCA and other organizations that make up the newly formed National Habitat Conservation Plan Coalition. Last quarter's report explained how RCA and CAC helped form that Coalition. The group's goal in DC was to advocate for greater HCP funding and push for policy changes that would benefit HCPs.

The Coalition met with key policy makers at the Department of Interior, the White House Office of Management and Budget, the White House Council on Environmental Quality, and the US Army Corps of Engineers. We also met with Rep. Ken Calvert, both our Senators, Rep. John Carter (R-TX) who represents an HCP in Texas, and the top staffers on both the House and Senate Appropriations Subcommittee that funds HCP land acquisition. Finally, we met with the Western Governor's Association to discuss their Endangered Species Act reform efforts.

We left the meetings with a number of specific tasks including:

- Suggest specific changes to the USFWS structure to ensure Regional and Area offices are working in good faith with their HCP partners;
- Quantify the nation-wide funding need for HCP land acquisition;
- Seek a MOU with federal agencies to achieve greater integration between ESA and Clean Water Act Section 404 permitting;
- Develop materials on HCPs for the Presidential Transition Team to educate the new Administration;

- Provide input for the Western Governor's Association ESA reform initiative with an eye towards specific HCP policy changes for which they could advocate.

As always, it is a pleasure to serve RCA as your full-service government affairs consultant. If this report brings rise to any questions, please do not hesitate to contact Dave Kennett at 202-320-1290.

AGENDA ITEM NO. 8.3
Attachment 6

Douglas P. Wheeler
Hogan Lovells US LLP

Quarterly Contract Report

WESTERN RIVERSIDE COUNTY REGIONAL CONSERVATION AUTHORITY

January through March, 2016

Advent of the New Year brought little respite from gridlock in the Congress, with the real possibility that an election year stalemate will further dampen legislators' appetite for new initiatives. Nonetheless, it remained possible to advance the Authority's legislative agenda, through reliance on staff contacts and association with other supportive organizations, including the California and National HCP Coalitions, and Riverside's Monday Morning Group, whose agendas coincide with ours. In fact, the growing strength and geographic diversity of a National HCP Coalition has enabled the Authority to claim increased support for its Washington agenda: (1) implementation of WIFIA, through adoption by EPA of "user-friendly" regulations; (2) enactment of a parallel provision for acquisition of wildlife habitat as advance mitigation for TIFIA transportation projects; and (3) introduction and enactment of "stand-alone" legislation, to authorize loans and loan guarantees for habitat acquisition, regardless of nexus to WIFIA- and TIFIA-eligible projects.

The President's budget proposal for FY 2017, announced in February, includes \$20 million for implementation of the WIFIA program. Although EPA had earlier received modest amounts (\$5 million) of "start-up" funding in FYs 2015 and FY 2016, this proposal for FY 2017 is the first indication that EPA will provide loans and loan guarantees under its WIFIA authority, including support of project-related mitigation programs such as the WRRCRA MSHCP. Owing to an exceptionally low estimate of underwriting costs, the FY 2017 appropriation request—if approved—will yield substantial sums for this purpose. The Authority has voiced support for regulations that would facilitate the cost-effective acquisition of habitat for mitigation purposes. Because it is expected that EPA will consider only large proposals, i.e., in excess of \$20 million, it has been suggested that smaller projects be "bundled", in cooperation with eligible applicants, such as SAWPA and its constituent agencies.

Enactment of a parallel provision in TIFIA will now depend on its inclusion in the House version of pending Water Resources Reform and Development Act (WRDA) legislation. Members will recall that a senior member of the majority staff of the Senate Committee on Environment and Public Works, Shant Boyajian, had proposed the use of WRDA as a "vehicle" for enactment of a TIFIA amendment. Owing to Mr. Boyajian's departure from the Committee staff, however, we've lost a champion, and the Senate bill was adopted in Committee without the requisite TIFIA amendment. [Boyajian had been instrumental in Senate passage of a comprehensive transportation bill that included the TIFIA provision, but it did not survive a conference committee]. Although Boyajian's former colleagues remain interested in the TIFIA concept, the focus has now shifted to the House Subcommittee on Water Resources and the Environment, which has responsibility for WRDA re-authorization in the House. There, another senior staff member, Geoff Bowman, has expressed interest in use of WRDA as a vehicle for the TIFIA amendment, with support from Representative Calvert.

Another change in staff, this time in the office of Senator Dianne Feinstein, augers well for the introduction of "stand alone" legislation of the kind which was first proposed by the Authority in the 112th Congress. Ken Rooney has succeeded to the duties of James Peterson, former Natural Resources Counsel to the Senator. Mr. Rooney may be less demanding of Republican support for the draft bill as a condition of the Senator's endorsement. If so, a joint introduction by Senator Feinstein and Representative Calvert would again signal bi-partisan support for the concept, which, as noted, has already been enacted into law as part of WIFIA, and endorsed by the Senate as an amendment to TIFIA. Introduction and enactment of the stand-alone legislation remains a high priority for the 114th Congress.

In late March, the Authority's Executive Director, Charlie Landry, participated in Washington meetings of the California and National Habitat Conservation Planning coalitions. These meetings, with senior Administration officials, and members of the Congress and their staffs, were intended to demonstrate broad support for the Authority's HCP agenda, including increased funding for land acquisition under section 6 of the Endangered Species Act, imminent release by the U.S. Fish and Wildlife Service of a revised HCP Handbook, and interagency coordination of resource permit applications, to effect project streamlining. At the same time, coalition members met with representatives of the Western Governors' Association, to hear from them about outcomes of WGA's ESA initiative, which is said to have identified opportunities for greater participation by states and local government in the management of threatened species and their habitats. A report of the project, including its recommendations, will be presented at the WGA annual meeting in July.

Forthcoming Items of Note

While in Washington for its annual visit last month, Riverside's Monday Morning Group identified two additional possibilities for funding the acquisition of MSHCP habitat. First, it would appear that the Department of Defense's Readiness and Environmental Protection Integration (REPI) program, affords an opportunity to forestall encroachment of intrusive development at March Air Force Base, while funding acquisition of bordering habitat as mitigation for environmental impacts of base activities. MMG members, including Tom Mullen, will explore this opportunity with March, USAF and REPI administrators in Washington. Second, in recognition that protection of some habitats can help to reduce demand for water and prevent the adverse consequences of drought, MMG is exploring the possibility of amending WIFIA (above), to include funding for drought-related projects. Finally, the May/June issue of *Environmental Law Forum* will include my article on the success of HCPs, including the pioneering Western Riverside MSHCP.

Douglas P. Wheeler, Esq.
Washington, D.C.
May 2, 2016

AGENDA ITEM NO. 8.4

**RESOLUTION NO. 2016-010,
*RESOLUTION OF THE BOARD OF
DIRECTORS OF THE WESTERN
RIVERSIDE COUNTY REGIONAL
CONSERVATION AUTHORITY
ADOPTING A FUND BALANCE POLICY***

*Regional Conservation Authority***RESOLUTION NO. 2016-010, RESOLUTION OF THE BOARD
OF DIRECTORS OF THE WESTERN RIVERSIDE COUNTY
REGIONAL CONSERVATION AUTHORITY
ADOPTING A FUND BALANCE POLICY****Staff Contact:****Honey Bernas
Director of Administrative Services
(951) 955-2842****Background:**

In February 2009, the Governmental Accounting Standards Board (GASB) issued Statement No. 54 - *Fund Balance Reporting and Governmental Fund Type Definitions*, with the intent of enhancing the usefulness of fund balance information by providing clearer fund balance classifications to be consistently applied by governmental funds. This statement was applicable to all governments effective June 30, 2011. This standard did not change the total amount of a given fund balance, but it created new categories and terminology used to describe the components that make up the fund balance. The Regional Conservation Authority (RCA) implemented this statement during Fiscal Year 2011 and fund balances were reclassified in accordance with the statement at implementation.

Since its implementation in FY2011, the RCA has adhered to the Government Finance Officers Association (GFOA) recommended best practices on fund balance. In an effort to formalize the practices, the attached Fund Balance Policy is presented for consideration. The policy explains the five components of fund balance (Nonspendable, Restricted, Committed, Assigned, Unassigned) as defined by GASB 54.

Committed Fund Balance is defined by GASB 54 as amounts that can only be used for specific purposes pursuant to constraints imposed by formal action of the government's highest level of decision-making authority. These committed amounts cannot be used for any other purpose unless the government removes or changes the specified use by taking the same type of action (i.e., adoption of a resolution) it employed to previously commit those amounts. This policy provides that only the RCA's Board of Directors has the authority to *commit* fund balance for specific purposes, as deemed necessary through the adoption of a resolution.

Assigned Fund Balance is defined by GASB as amounts that are constrained by the entity's intent to be used for specific purposes, but are neither restricted nor committed. This policy delegates the authority to *assign* unassigned fund balance to the RCA's Executive Director for inclusion in the annual financial reports.

GASB 54 does not require, but recommends, a minimum fund balance policy. The GFOA recommends that governments implement a minimum General Fund unrestricted fund balance of no less than two months of regular General Fund operating revenues or regular General Fund operating expenditures. In a conservative approach, RCA staff recommends adopting a policy to maintain a minimum of 12 months (100%) of the next year's General Fund annual budgeted expenditures in unrestricted (i.e., committed, assigned and unassigned) fund balance. On May 2, 2016, the RCA Board of Directors approved the Fiscal Year 2017 Operating and Capital Budget which included the General Fund operating expenditures at \$3.4 million. The General Fund's unrestricted fund balance as of June 30, 2015, the most recent audited financial statements, was \$17.3 million. Staff projects the June 30, 2016 General Fund's unrestricted fund balance at \$17.6 million, which surpasses the proposed minimum unrestricted fund balance.

Executive Committee and Staff Recommendation:

That the RCA Board Directors adopt Resolution No. 2016-010, *Resolution of the Board of Directors of the Western Riverside County Regional Conservation Authority Adopting a Fund Balance Policy.*

Attachments:

1. Resolution No. 2016-010
2. Fund Balance Policy

AGENDA ITEM NO. 8.4
Attachment 1

RESOLUTION NO. 2016-010

RESOLUTION NO. 2016-010

RESOLUTION OF THE BOARD OF DIRECTORS OF THE WESTERN RIVERSIDE COUNTY REGIONAL CONSERVATION AUTHORITY ADOPTING A FUND BALANCE POLICY

WHEREAS, the Governmental Accounting Standards Board (GASB) has issued Statement No. 54, *Fund Balance Reporting and Governmental Fund Type Definitions*, which changed the terminology used for fund balance reporting on balance sheets of Governmental Funds; and

WHEREAS, the Regional Conservation Authority (RCA) has considered Fund Balance Policy RCA-GA-004 which outlines the RCA's policy and procedures in relation to governmental fund balances; and

WHEREAS, the GASB Statement defines *restricted* amounts as resources that are subject to externally enforceable legal restrictions for a specific purpose; and

WHEREAS, the GASB Statement defines *committed* amounts as those resources that are constrained to specific purposes by a formal action of the government's highest level of decision-making authority. This policy provides that only the RCA's Board of Directors has the authority to commit fund balance by adoption of a formal resolution; and

WHEREAS, for financial statement reporting purposes, the GASB Statement defines *assigned* amounts as those the government intends to use for a specific purpose. This policy delegates to the RCA Executive Director the authority to *assign* unassigned fund balance amounts; and

WHEREAS, the GASB Statement defines *unassigned* amounts as the residual fund balance in the General Fund that has not been assigned to other funds and that has not been restricted, committed, or assigned to specific purposes; and

WHEREAS, when expenditures are incurred for purposes for which both restricted and unrestricted (committed, assigned, or unassigned) fund balances are available, the RCA's policy is to first apply restricted fund balance. When expenditures are incurred for purposes for which committed, assigned, or unassigned fund balances are available, the RCA's policy is to first apply committed fund balance, then assigned fund balance, and finally unassigned fund balance; and

WHEREAS, the RCA has established a General Fund minimum fund balance policy. At the end of each fiscal year, the General Fund should have a minimum unrestricted fund balance of 100% of the next fiscal year's General Fund annual budgeted operating expenditures. This target amount has been established in order to provide a reasonable level of assurance that the RCA's day-to-day operations will be able to continue even if circumstances occur where revenues are insufficient to cover expenditures. The minimum fund balance is shown in the annual financial statements as unassigned fund balance.

NOW, THEREFORE, BE IT RESOLVED that the RCA Board of Directors hereby approves the attached Fund Balance Policy.

PASSED AND ADOPTED at a regular meeting of the Board of Directors of the Western Riverside County Regional Conservation Authority held the 6th day of June, 2016.

BY: _____
Eugene Montanez, Chairman
Western Riverside County
Regional Conservation Authority

ATTEST:

BY: _____
Honey Bernas, Clerk of the Board
Western Riverside County
Regional Conservation Authority

AGENDA ITEM NO. 8.4
Attachment 2

Fund Balance Policy



SECTION:	2C	CATEGORY: General Accounting – Fund Balance Policy
RESOLUTION NO: POLICY NO:	2016-010 RCA-GA 004	APPROVED BY: RCA Board of Directors
DATE APPROVED:	6-6-16 (tentative)	AGENDA ITEM: 8.4

PURPOSE: To establish guidelines for reporting fund balance within the annual financial statements of the Western Riverside County Regional Conservation Authority (RCA).

SCOPE: This policy applies to all governmental funds of the RCA: General Fund, Special Revenue Funds, Debt Service Funds and Capital Project Funds. As of the implementation of this policy, the RCA only has a General Fund and a Capital Project Fund.

DEFINITIONS:

Fund balance is essentially the difference between the assets and liabilities reported in the RCA's governmental funds. There are five separate components of fund balance (i.e., nonspendable, restricted, committed, assigned and unassigned), each of which identifies the extent to which a government is bound to honor constraints on the specific purposes for which amounts can be spent. The five components of fund balance are as follows:

Restricted:

Nonspendable Fund Balance – Resources that are a) not in spendable form (such as inventories, prepaids, long-term receivables, or property held for resale), or b) legally or contractually required to be maintained intact (such as an endowment's principal amount).

Restricted Fund Balance – Resources that are subject to externally enforceable legal restrictions. These restrictions would be either a) externally imposed by creditors (such as through debt covenants), grantors, contributors, or laws or regulations of other governments, or b) imposed by law through constitutional provisions or enabling legislation.

Unrestricted:

Committed Fund Balance – Resources that are constrained to specific purposes by a formal action of the government's highest level of decision-making authority. Those committed amounts cannot be used for any other purpose unless the government removes or changes the specified use by taking the same type of action it employed to previously commit those amounts. The formal action to commit fund balance must occur prior to the end of the reporting period, but the amount which will be subject to the constraint, may be determined in the subsequent period.

Assigned Fund Balance – Resources that are constrained by the government’s intent to be used for specific purposes, but that are neither restricted nor committed.

Unassigned Fund Balance – In the General Fund, the residual fund balance that has not been assigned to other funds and that has not been restricted, committed or assigned to specific purposes. In other Governmental Funds, if expenditures incurred for specific purposes exceeded the amounts restricted, committed, or assigned for those purposes, it may be necessary to report a negative unassigned fund balance.

POLICY:

1. With regard to **Committed Fund Balance**, the RCA’s highest level of decision-making authority is the RCA’s Board of Directors. Only the RCA Board of Directors may *commit* fund balances through adoption of a formal resolution. Those committed amounts cannot be used for any other purpose unless the RCA Board of Directors removes or changes the specified use by adoption of a resolution.
2. With regard to **Assigned Fund Balance**, this policy delegates to the RCA Executive Director the authority to *assign* unassigned fund balance amounts where the RCA’s intent is for those amounts to be used for specific purposes. This delegation of authority is for the sole purpose of reporting these amounts in the annual financial statements.
3. When expenditures are incurred for purposes for which both restricted and unrestricted (committed, assigned, or unassigned) fund balances are available, the RCA’s policy is to first apply restricted fund balance. When expenditures are incurred for purposes for which committed, assigned, or unassigned fund balances are available, the RCA’s policy is to first apply committed fund balance, then assigned fund balance, and finally unassigned fund balance.
4. The RCA has established a General Fund minimum fund balance policy. At the end of each fiscal year, the General Fund should have a minimum unrestricted (committed, assigned or unassigned) fund balance of 100% of the next year’s General Fund annual budgeted operating expenditures. This target amount has been established in order to provide a reasonable level of assurance that the RCA’s day-to-day operations will be able to continue even if circumstances occur where revenues are insufficient to cover expenditures. The General Fund’s minimum fund balance policy is to be reported in the notes to the annual financial statements. The minimum fund balance is shown in the annual financial statements as unassigned fund balance.

This policy has been prepared in accordance with Governmental Accounting Standards Board (GASB) Statement No. 54. No other policy or procedure supersedes the authority and provisions of this policy.

AGENDA ITEM NO. 9

**RESOLUTION NO. 2016-011
RESOLUTION OF THE BOARD OF
DIRECTORS OF THE WESTERN
RIVERSIDE COUNTY REGIONAL
CONSERVATION AUTHORITY
IMPLEMENTING A POLICY
REQUIRING A TOLLING/WAIVER
AGREEMENT BY MEMBER AGENCIES
DURING THE RESOLUTION OF
CERTAIN FEE ISSUES**

Regional Conservation Authority

**RESOLUTION NO. 2016-011
RESOLUTION OF THE BOARD OF DIRECTORS OF THE
WESTERN RIVERSIDE COUNTY REGIONAL CONSERVATION
AUTHORITY IMPLEMENTING A POLICY REQUIRING A
TOLLING/WAIVER AGREEMENT BY MEMBER AGENCIES
DURING THE RESOLUTION OF CERTAIN FEE ISSUES**

Staff Contact:

**Steven DeBaun, General Counsel
(951) 686-1450**

Background:

The Regional Conservation Authority (RCA) audits the Member Agencies' fee collection and remittance on an annual basis. When questions or discrepancies arise, the RCA and Member Agencies work to amicably resolve any issues which may arise. Discussions to resolve audit discrepancies between the RCA and a Member Agency often involve a lengthy time period due to discussion with the Executive Committee, staffs, supervisors, directors, boards and city councils. In an effort to allow the RCA and its Member Agencies time for discussion and resolution of any audit findings or other fee disputes without the pressure of statute of limitations, the RCA Executive Committee directed legal counsel to draft a policy requiring Member Agencies which have outstanding audit findings to enter into a tolling agreement and waiving certain procedural defenses.

At the Executive Committee direction, legal counsel prepared a draft policy which requires the Member Agencies which have a fee collection/remittance dispute with the RCA to execute a tolling/waiver agreement while the dispute is negotiated. Under the policy, Member Agencies will be required to sign a tolling agreement within 90 days of receiving notice of fee discrepancies which arise during audits or otherwise identified by the RCA.

If the Member Agency fails to sign the tolling agreement within the time frame set forth above, the Resolution provides that the RCA Board of Directors may withdraw Measure A certification for such agency.

For existing fee disputes, the Executive Committee has suggested that legal counsel be directed to negotiate tolling agreements with those Member Agencies with outstanding fee disputes that arose after July 1, 2013. Legal counsel shall report back to the Executive Committee on the status of such tolling agreement within three (3) months.

Agenda Item No. 9 Staff Report

Page 2

June 6, 2016

The policy does not forgive fee disputes arising prior to the date of the resolution. The policy expressly states that it does not excuse the payment of any outstanding fees and that all Member Agencies with existing fee disputes must continue to work in good faith to resolve them.

The Executive Committee has reviewed the policy and directed that it be presented to the Board of Directors for consideration.

Executive Committee and Staff Recommendation:

That the RCA Board of Directors –

- 1) Review and take possible action on the draft tolling/waiver policy; and
- 2) Direct legal counsel to negotiate tolling agreements with Member Agencies with existing fee disputes that arose after July 1, 2013.

Attachment:

Resolution No. 2016-011, Resolution of the Board of Directors of the Western Riverside County Regional Conservation Authority Requiring a Tolling/Waiver Agreement by Member Agencies During the Resolution of Certain Fee Issues

AGENDA ITEM NO. 9
Attachment

RESOLUTION NO. 2016-011

RESOLUTION NO. 2016-011

**RESOLUTION OF THE BOARD OF DIRECTORS OF THE
WESTERN RIVERSIDE COUNTY REGIONAL
CONSERVATION AUTHORITY IMPLEMENTING
A POLICY REQUIRING A TOLLING/WAIVER
AGREEMENT BY MEMBER AGENCIES DURING THE
RESOLUTION OF CERTAIN FEE ISSUES**

WHEREAS, the Western Riverside County Regional Conservation Authority (the "RCA") is a public agency of the State of California formed by a Joint Exercise of Powers Agreement ("JPA"); and

WHEREAS, the RCA is composed of the County of Riverside and the 18 cities in western Riverside County ("Member Agencies");

WHEREAS, the RCA has the power to adopt such rules and regulations as the Board may deem necessary for the conduct of the RCA's affairs; and

WHEREAS, the RCA desires to ensure a consistent and adequate flow of fee revenues to support its operations, consistent with the intent of the Western Riverside County Multiple Species Habitat Conservation Plan ("MSHCP"), the MSHCP Implementing Agreement ("IA"), and the JPA; and

WHEREAS, the Member Agencies have adopted a fee ordinance ("Fee Ordinance") requiring each Member Agency to collect and remit the Local Development Mitigation Fee ("LDMF") to the RCA; and

WHEREAS, Resolution No. 07-04 requires the remittance of LDMF on a monthly basis; and

WHEREAS, Resolution No. 07-04 requires that Member Agencies remit contributions for qualified infrastructure and civic projects within 90 days of the contract being issued for such projects;

WHEREAS, Section 6.6.2(C) of the MSHCP requires the RCA to ensure the transmission of the LDMF from each Member Agency to the RCA; and

WHEREAS, Member Agency fee audits and other reviews will occasionally identify LDMFs and contributions for qualified infrastructure and civic projects owed to the RCA by a Member Agency; and

WHEREAS, the audit process necessarily reviews past fiscal years and also may be delayed during the information gathering process; and

WHEREAS, the discussions to resolve fee discrepancies between the RCA and a Member Agency usually involves a lengthy time period due to discussions with executive committees, staff, supervisors, directors, boards and city councils; and

WHEREAS, in order to allow time for discussion and resolution of any fee disputes without prejudice to Member Agencies or the RCA, the RCA has determined that such a Member Agency should be required to enter into an agreement tolling and waiving certain procedural defenses; and

WHEREAS, the Measure A sales tax ordinance adopted by the Riverside County Transportation Commission requires the Member Agencies to participate in the MSHCP as a condition of receiving Measure A local street and roads funds; and

WHEREAS, to comply with Measure A, the RCA is required to certify on an annual basis that the Member Agencies are properly participating in the MSHCP, which includes the collection and remittance of LDMFs and civic/infrastructure contributions; and

WHEREAS, the RCA and the Member Agencies wish to amicably resolve all issues related to LDMFs and civic/infrastructure contributions.

NOW, THEREFORE, BE IT RESOLVED by the Western Riverside County Regional Conservation Authority Board of Directors that:

I. TOLLING/WAIVER AGREEMENT.

- A. Within ninety (90) days after the date that RCA staff first notifies the Member Agency in writing of a delinquency in the payment of LDMF or civic/infrastructure contributions by the Member Agency, the Member Agency shall enter into a tolling/waiver agreement in substantial compliance with the sample tolling/waiver agreement attached to this Resolution as Exhibit "A."
- B. Failure to enter into a tolling/waiver agreement as required in this Section I or to otherwise resolve the payment of delinquent LDMFs or civic/infrastructure contributions by a Member Agency may result in the loss of Measure A certification to the Member Agency as determined by RCA.
- C. This resolution shall not be read to excuse the payment of any delinquent LDMF or civic/infrastructure contributions by a Member Agency. All Member Agencies are expected to continue a good faith negotiation with RCA to resolve any outstanding disputes regarding delinquent LDMF or civic/infrastructure contributions regardless of when they were originally due.

II. REPORTING. The Executive Director shall provide periodic reports to the Executive Committee of the progress, if any, concerning the payment of delinquent LDMFs.

PASSED AND ADOPTED at the regular meeting of the Board of Directors of the Western Riverside County Regional Conservation Authority held the 6th day of June, 2016.

By: _____
Eugene Montanez, Chairman
Western Riverside County
Regional Conservation Authority

ATTEST:

By: _____
Honey Bernas, Clerk of the Board
Western Riverside County
Regional Conservation Authority

EXHIBIT A

Attachment to Resolution 2016-011

TOLLING AGREEMENT

This Tolling Agreement (“Agreement”) is made effective as of the ____ day of _____, 2016 by and between the Western Riverside County Regional Conservation Authority (“RCA”) and the City/County of ____ (“City/County”). RCA and the City/County may be referred to collectively as “Parties” and individually as “Party.”

RECITALS

- A. The RCA is a governmental agency, created pursuant to the provisions of the California Government Code section 6500 et seq.;
- B. The City/County is a California municipal corporation located within western Riverside County;
- C. The City/County adopted a fee ordinance (“Fee Ordinance”) requiring the City/County to collect and remit the Local Development Mitigation Fee (“LDMF”) to the RCA;
- D. Resolution No. 07-04 requires the RCA to ensure the transmission of the LDMF from each Member Agency to the RCA on a monthly basis;
- E. The Parties desire that the City/County and RCA defer or avoid litigation at this time regarding any and all petitions, rights, causes of action, counter claims, cross claims, claims and defenses arising from the alleged failure to pay the amounts legally due under the MSHCP adopted by the City/County, if any, that the City/County has collected and withheld, or should have collected, under any City Fee Ordinance imposing the LDMF within its city limits. The City/County was notified of certain disputed LDMF and/or civic/infrastructure payment deficiency by RCA on or about [INSERT DATE OF LETTER], but the scope of this dispute includes any or all LDMF and/or civic/infrastructure contributions that the City/County has collected and withheld, or should have collected within the tolling period identified herein. The City/County contends that it has complied with the provisions of City’s/County’s MSHCP Fee Ordinance and the MSHCP or Resolution No. 07-04 (collectively, the “Dispute”);
- F. The Parties acknowledge that there may be disputes as to the amount of LDMFs and/or civic/infrastructure contributions the City/County should pay the RCA;
- G. The Parties now desire to enter into this Agreement, to waive certain defenses and to toll the time the RCA would have to bring an action regarding any dispute as to the payment of LDMF and/or civic/infrastructure contributions by the City/County.

TERMS

The Parties, incorporating the above recitals as part of their Agreement, in consideration of the mutual promises and obligations as contained herein, do memorialize their Agreement as follows:

1. For good and valuable consideration, the receipt of which is acknowledged, the Parties agree that the period from the Effective Date of this Agreement until the Effective Termination of this Agreement (the "Tolling Period") shall be excluded from, and not be counted in, the computation of time for the purposes of any statute of limitations, time to sue provisions, or any other time-based limitations or defenses, including, without limitation, laches, estoppel, or waiver, whether at law or in equity, under statute, contract, tort or otherwise, that might be asserted as a bar, limitation, or defense to any suit, action, cause of action, or claim by RCA against any City arising out of or relating to the Dispute. The Parties agree that the Dispute shall include any and all claims by RCA related to the City's payment of LDMF and/or civic/infrastructure contributions to RCA as of the [ENTER DATE] [the Date of Notification] ("Discovery Date"). The Parties hereby further agree that the Dispute shall include any and all claims encompassed within Code of Civil Procedure section 338 as of the Discovery Date.
2. The Parties further agree that RCA shall not need to comply, to the extent it is required, with the claims presentation requirement pursuant to Government Code section 900 et seq. ("Government Code Claim"). The Parties agree that they shall not raise as a procedural defense or bar in any judicial action, arbitration, mediation, or any combination of the three, any failure to comply with any Government Code Claim.
3. This Agreement is intended to satisfy California Code of Civil Procedure section 360.5 and any other provision of law necessary to extend any statute of limitations or statute of repose. As such, California Code of Civil Procedure section 360.5 requires that no waiver executed prior to the expiration of the time limited for the commencement of the action by this title shall be effective for a period exceeding four years from the date of expiration of the time limited for commencement of the action by this title and no waiver executed after the expiration of such time shall be effective for a period exceeding four years from the date thereof, but any such waiver may be renewed for a further period of not exceeding four years from the expiration of the immediately preceding waiver. Such waivers may be made successively. Furthermore, either Party may terminate this Agreement after giving a ninety (90) day written notice to the other Party ("Effective Date of Termination") provided, however, that Sections 1 and 2 shall survive the termination of this Agreement for the purposes of any judicial action, arbitration, mediation, or any combination of the three, concerning the Dispute filed prior to the Effective Date of the Termination. The Agreement shall automatically terminate upon the execution of an agreement, memorandum of agreement or understanding or other binding document between the Parties settling the Dispute.
4. As used in this Agreement, notice includes but is not limited to, the communication of any notice, request, demand, approval, statement, report, acceptance, consent, waiver and appointment. All notices must be in writing. Notice is given either (i) when delivered in person to the person or company intended named below, (ii) when delivered via facsimile with confirmation from the receiving party via return fax; or (iii) when sent via reputable

overnight courier (such as Federal Express), addressed by name and addressed to the party or persons intended, as follows:

To RCA: Western Riverside County Regional
Conservation Authority
3403 Tenth Street, Suite 320
Riverside, CA 92501
Phone: (951) 955-9700
Fax: (951) 955-8873
Attention: Executive Director

With copy to: Best Best & Krieger LLP
P.O. Box 1028
Riverside, CA 92501
Phone: (951) 686-1450
Fax: (951) 686-3083
Attention: Steven C. DeBaun

To City/County: _____

Phone: () _____
Fax: () _____

until such time as a party gives notice of the change of address in accordance with the terms of this section.

5. The Parties have discussed this Agreement with their respective counsel and governing bodies and understand its terms and implications.
6. This Agreement may be signed in counterparts by one or more of the Parties, and those counterparts, when taken together, will have the same force and effect as if a single, original document had been signed by all of the Parties.
7. By entering into this Agreement, the Parties do not admit any fact or assume any liability of any kind.
8. This Agreement does not form a joint venture or partnership by or among the Parties.
9. This Agreement will be interpreted and enforced pursuant to the laws of the State of California.
10. If any provision of this Agreement is found invalid or unenforceable, the balance of the Agreement will remain in full force and effect.
11. Each signatory of this Agreement represents that he or she is authorized to execute this Agreement on behalf of the Party for which he or she signs. Each Party represents that it has the legal authority to enter into this Agreement and to perform all obligations under this Agreement.

12. This Agreement has been arrived at through negotiations and each Party has had a full and fair opportunity to revise the terms of this Agreement. As a result, the normal rule of construction that any ambiguities are to be resolved against the drafting Party do not apply in the construction or interpretation of this Agreement.
13. This Agreement constitutes the entire agreement of the Parties with respect to the subject matter of this Agreement and supersedes any prior oral or written agreement, understanding, or representation relating to the subject matter of this Agreement.
14. Any modifications to this Agreement must be in writing only.
15. This Agreement is effective as of the date first noted herein.

**WESTERN RIVERSIDE COUNTY
REGIONAL CONSERVATION AUTHORITY**

By: _____

Dated: _____

Charles Landry
Executive Director

Approved as to form:

By: _____

Dated: _____

Name: _____

Best Best & Krieger LLP

CITY/COUNTY OF _____

By: _____

Dated: _____

Name: _____

Mayor

Approved as to form:

By: _____

Dated: _____

Name: _____

City Attorney

2016 RCA
Commonly Used Acronyms

ARL	Additional Reserve Lands
BUOW	Burrowing Owl
CALFIRE	California Department of Forestry and Fire Protection
CALTRANS	California Department of Transportation
CD	Consistency Determination
CDFG	California Department of Fish and Game
CDFW	California Department of Fish and Wildlife (<i>formerly CDFG</i>)
CEQA	California Environmental Quality Act
CETAP	Community and Environmental Transportation Acceptability Process
CHD	Critical Habitat Designation
CIP	Capital Improvement Program
CNLM	Center for Natural Lands Management
EMWD	Eastern Municipal Water District
EPD	Environmental Programs Department (<i>Riverside County</i>)
ERP	Expedited Review Process
FY	Fiscal Year
HANS	Habitat Evaluation and Acquisition Negotiation Strategy
HMU	Habitat Management Unit
IC	Interchange
JPR	Joint Project Review
LDMF	Local Development Mitigation Fee
MOU	Memorandum of Understanding
MSHCP	Multiple Species Habitat Conservation Plan
OHV	Off-Highway Vehicle
PCL	Proposed Constrained Linkage
PQP	Public/Quasi-Public
PSE	Participating Special Entities
RCA	Regional Conservation Authority
RCD	Resource Conservation Districts
RCRCD	Riverside-Corona Resource Conservation District
RCOE	Riverside County Office of Education
RCTC	Riverside County Transportation Commission
RCTD	Riverside County Transportation Department
RMOC	Reserve Management Oversight Committee
ROVE	Recreation Off-Highway Vehicle Enforcement
SAWA	Santa Ana Watershed Association
SB	San Bernardino
SR	State Route
SWG	State Wildlife Grant
TAC	Technical Advisory Committee
TIFIA	Transportation Infrastructure Finance and Innovation Act
TUMF	Transportation Uniform Mitigation Fee
USFWS	United States Fish and Wildlife Service
UTM Nad 83 Zone 11	Meter Coordinate System for Maps
WIFIA	Water Infrastructure Finance and Innovation Act
WA	Wildlife Agencies (<i>USFWS & CDFG</i>)
WCB	Wildlife Conservation Board
WPT	Western Pond Turtle
WRDA	Water Resources Development Act