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*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.*

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## **MEETING**

**Monday September 12, 2016**

**12:30 p.m.**

**Riverside County Administrative Center**

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

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## **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**



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## 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](http://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, September 12, 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 - [July 11, 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.)

### **WESTERN RIVERSIDE COUNTY MULTIPLE SPECIES HABITAT CONSERVATION PLAN (MSHCP) LOCAL DEVELOPMENT**

#### **8.1 MITIGATION FEE (LDMF) COLLECTION AND CIVIC/INFRASTRUCTURE CONTRIBUTION REPORTS FOR JUNE AND JULY 2016**

*Overview* - [Staff Report](#)

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

**8.2 FISCAL YEAR 2016 PRELIMINARY FOURTH QUARTER FINANCIAL REPORT (UNAUDITED)**

**Overview - [Staff Report](#)**

This item is for the RCA Board of Directors to receive and file the Fiscal Year 2016 Preliminary Fourth Quarter Financial Report (Unaudited).

**8.3 RESOLUTION NO. 2016-014, RESOLUTION OF THE BOARD OF DIRECTORS OF THE WESTERN RIVERSIDE COUNTY REGIONAL CONSERVATION AUTHORITY ADOPTING AN UPDATED RECORDS RETENTION POLICY AND SCHEDULE AND REPEALING RESOLUTION NO. 08-012**

**Overview - [Staff Report](#)**

This item is for the RCA Board of Directors to adopt Resolution No. 2016-014, Resolution of the Board of Directors of the Western Riverside County Regional Conservation Authority Adopting an Updated Records Retention Policy and Schedule and Repealing Resolution No. 08-012.

**8.4 RESOLUTION NO. 2016-015, RESOLUTION OF THE BOARD OF DIRECTORS OF THE WESTERN RIVERSIDE COUNTY REGIONAL CONSERVATION AUTHORITY AMENDING THE CONFLICT OF INTEREST CODE PURSUANT TO THE POLITICAL REFORM ACT OF 1974**

**Overview - [Staff Report](#)**

This item is for the RCA Board of Directors to:

- 1.) To adopt Resolution No. 2016-015, Resolution of the Board of Directors of the Western Riverside County Regional Conservation Authority Amending the Conflict of Interest Code Pursuant to Political Reform Act of 1974; and;
- 2.) Direct staff to submit said amendment to the Riverside County Board of Supervisors as the Authority's code-reviewing

body (Gov. Code Â§ 82011) to request approval of the amendment, as required under Government Code section 87303.

## **8.5 FISCAL YEAR 2016 FOURTH QUARTER CONSULTANT REPORTS**

### **Overview - [Staff Report](#)**

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

## **8.6 AUTHORIZATION TO ENTER INTO TOLLING/WAIVER AGREEMENTS**

### **Overview - [Staff Report](#)**

This item is for the RCA Board of Directors to:

- 1.) Authorize RCA staff, pursuant to legal counsel review and approval, to execute Tolling Agreements with Member Agencies who have outstanding MSHCP Fees or Civic/Infrastructure Contributions; and
- 2.) Direct staff to work with the Executive Committee to refine the Tolling/Waiver Agreement policy and agendize the matter for the Board's consideration upon Executive Committee approval.

## **9. PULLED ITEMS (if any)**

## **10. RESOLUTION NO. 2016-003, RESOLUTION OF THE BOARD OF DIRECTORS OF THE WESTERN RIVERSIDE COUNTY REGIONAL CONSERVATION AUTHORITY REVISING ITS FEE CREDIT AND WAIVER POLICY SUPERSEDING AND REPLACING RESOLUTION NO. 05-05**

### **Overview - [Staff Report](#)**

This item is for the RCA Board of Directors to adopt Resolution No. 2016-003, Resolution of the Board of Directors of the Western Riverside County Regional Conservation Authority Revising Its Fee Credit and Waiver Policy Superseding and Replacing Resolution No. 05-05.

## **11.**

**INTRODUCTION OF RESOLUTION NO. 2016-016, RESOLUTION OF THE BOARD OF DIRECTORS OF THE WESTERN RIVERSIDE COUNTY REGIONAL CONSERVATION AUTHORITY AMENDING ITS BYLAWS WITH REGARDS TO THE ELECTION OF OFFICERS**

**Overview - Staff Report**

This item is for the RCA Board of Directors to:

1) Introduce Resolution No. 2016-016, Resolution of the Board of Directors of the Western Riverside County Regional Conservation Authority Amending Its Bylaws with Regard to the Election of Officers; and

2) Authorize staff to agendize this matter for adoption at the November 7, 2016 meeting of the RCA Board of Directors.

**12. LAND ACQUISITION UPDATE**

**13. ITEMS FOR NEXT MEETING**

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

**14. CLOSED SESSION ITEMS**

**14.1 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	429-140-046	Helen Higgins, Linda Matchie
2	932-220-026	James Davis, John Davis
3	384-270-006	Anheuser Busch

**15. ADJOURNMENT**

The next meeting of the Western Riverside County Regional Conservation Authority Board of Directors is scheduled for Monday, October 13, 2016, at 12:30 p.m., at the County of Riverside Administrative Center, Board Room, 4080 Lemon Street, Riverside, California.

# **AGENDA ITEM NO. 7**

**MINUTES**  
**July 11, 2016**



## **MEETING MINUTES**

### **1. CALL TO ORDER**

The meeting of the Western Riverside County Regional Conservation Authority was called to order by Chairman Eugene Montanez at 12:35 p.m. on Monday, July 11, 2016, in the Board Room of the Riverside County Administrative Center, 4080 Lemon Street, Riverside, California, 92501.

### **2. PLEDGE OF ALLEGIANCE**

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

### **3. ROLL CALL - Taken by Rose Haro, RCA Administrative Manager.**

#### **Board Members Present**

#### **Board Members Absent**

<p>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>            Matt Liesemeyer, <i>City of Menifee</i>            D. LaDonna Jempson, <i>City of Moreno Valley</i>            Jonathan Ingram, <i>City of Murrieta</i>            Kevin Bash, <i>City of Norco</i>            Mark Yarbrough, <i>City of Perris**</i>            Mike Gardner, <i>City of Riverside**</i>            Crystal Ruiz, <i>City of San Jacinto</i>            Maryann Edwards, <i>City of Temecula</i>            Kevin Jeffries, <i>Riverside County District I</i>            Marion Ashley, <i>Riverside County District V</i></p>	<p>George Moyer, <i>City of Banning</i>            Ben Benoit, <i>City of Wildomar</i>            John Tavaglione, <i>Riverside County District II</i>            Chuck Washington, <i>Riverside County District III</i>            John Benoit, <i>Riverside County District IV</i></p>
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\*Arrived after roll call.    \*\*Alt. – Alternate Board Member



## **RCA BOARD OF DIRECTORS MINUTES**

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**July 11, 2016**

### **4. PUBLIC COMMENTS**

Chairman Montanez called for public comments on items not listed on the agenda.

Pam Nelson, representing the Santa Margarita Group/Sierra Club, submitted a request to speak regarding the RCA Reserve Management team. She commended the team of biologists and rangers for donating their time in the evenings to educate the community at the general meetings in Temecula. She said that Dustin McLain spoke about the MSHCP and efforts to protect local habitats and organisms. Parks Department staff member Betsy Dionne delivered a fascinating presentation on western pond turtles. The biologists also assisted with the Quino checkerspot butterfly habitat restoration grant that Sierra Club is partnering with in the Beauty Mountain wilderness area. She further indicated that the rangers responded when residents surrounding Temecula's wine country and Vail Lake called regarding illegal off-road vehicles in protected areas. The Sierra Club appreciates the scientifically based comments and recommendations that are provided about purposed land use projects. They also appreciate the efforts to protect the wildlife corridors and support crossing studies for the I-15 area in Temecula. They are hopeful that more funding can be directed toward management for more staff and safety measures. She further indicated that it is her understanding that rangers need to be able to write citations and be protected with body armor. Trespassers and poachers are not as supportive of conservation as the Sierra Club is.

She further indicated her belief that regarding Closed Session Items 11.2 A and B, that the Sierra Club supports Paulek.

### **5. BOARD MEMBER ANNOUNCEMENTS**

Chairman Montanez called for Board Member announcements.

Board Member Lorimore announced that the City of Eastvale will be hosting their first California League of Cities Division meeting that evening and encouraged everyone to attend.

Chairman Montanez stated that the board room is in the process of being upgraded with a new voting and sound system. All Board Members will need to be trained. The new system will be in place by the next Board meeting on September 12. Training announcements will be forthcoming.

### **6. ADDITIONS/REVISIONS**

Chairman Montanez asked if there were any additions/revisions for the record.

Rose Esparza, Administrative Manager, stated that there were no other additions or revisions.

**RCA BOARD OF DIRECTORS MINUTES**

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**July 11, 2016**

**7. APPROVAL OF MINUTES – June 6, 2016**

***M/S/C (INGRAM/EDWARDS) to approve the minutes of the June 6, 2016 meeting of the RCA Board of Directors.***

***Ayes 17, Nays 0, Abstain 0***

**8. CONSENT CALENDAR**

Chairman Montanez pulled agenda item 8.2 at the request of Board Member Krupa for discussion.

***M/S/C (ASHLEY/JEMPSON) to approve the Consent Calendar Agenda Item Nos. 8.1, 8.3 and 8.4.***

***Ayes 17, 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 MAY 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 May 2016.

**8.3 FISCAL YEAR 2016 THIRD QUARTER CONSULTANT REPORTS**

**Overview**

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

**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**

**Overview**

## RCA BOARD OF DIRECTORS MINUTES

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July 11, 2016

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.*

At this time Chairman Montanez addressed the following pulled Consent Calendar item:

### **8.2 WESTERN RIVERSIDE COUNTY REGIONAL CONSERVATION AUTHORITY SUPPORT FOR SENATE BILL 1386**

#### Overview

This item is for the RCA Board of Directors to authorize the Chairman to sign the attached letter in support of Senate Bill 1386.

Board Member Krupa stated that she is in favor of the bill, but had some concerns regarding the wording and lack of explanation regarding requiring “all relevant state agencies” and the “management of natural and working lands.” She asked how this this pertained to future updates of cities’ general plans that are currently agricultural, but will be rezoned for industrial business park or residential in the future and if there will be any impact.

Michelle Ouellette, General Counsel, answered that because it’s not relevant to RCA, it is not known, but staff and legal counsel will try to obtain additional information.

Board Member Krupa said that she would like to know if the bill negatively impacts a city’s ability to change or update their general plan. The City of Hemet has quite a bit of agricultural land within the city limits. When a landowner decides to leave the agricultural business, the city should have the ability to rezone for business park, rural residential and/or industrial.

Board Member Jeffries had the same concerns. On the surface it appears to be a good bill to support, but he would like to hear about what the opposition is saying about the unintended consequences of this bill. Does it make it harder to get certain projects approved? Does it make it harder to get funding for infrastructure? He would like to know what the opposition has to say about the consequences of the bill.

Chairman Montanez asked what the timing is on this bill.

## RCA BOARD OF DIRECTORS MINUTES

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July 11, 2016

Honey Bernas, Director of Administrative Services, stated that the Assembly Committee approved the bill in June by a vote of 7-1; the Senate passed it with by a vote of 26-7 in early May; and next step is the State Assembly Committee on Appropriations, and then likely the Assembly floor.

Chairman Montanez suggested continuing the matter until the next meeting in order that the Board Members questions can be answered.

Board Member Krupa suggested asking the League of Cities if they have a position on this bill.

Board Member Lorimore asked for an analysis of the bill.

Chairman Montanez suggested that since City of Eastvale is hosting the League of Cities event that Board Member Lorimore could lead the cause.

Board Member Edwards will send a copy of the bill to a political analyst and find out what she can.

Board Member Brown asked that when this item returns to the Board, that the Senators who opposed the bill be identified.

Board Member Edwards stated that she will try to obtain the list.

***M/S/C (INGRAM/EDWARDS) to continue this item to September 12, 2016 Board Meeting to allow for an analysis of this senate bill.***

***Ayes 18, Nays 0, Abstain 0***

*Board Member Yarbrough arrived during the discussion of this item at 12:45p.m.*

## 9. LAND ACQUISITION

Honey Bernas, Director of Administrative Services, reported that as of the last RCA Board of Directors' meeting, 252 additional acres were acquired, bringing the reserve total to approximately 53,347 acres.

10. ITEMS FOR NEXT MEETING

Chairman Montanez asked if any Board Members had items for the next meeting. There were no items requested.

Board Member Ruiz requested that Board meeting be adjourned in the memory of fallen law enforcement officers in Dallas, Texas, and nationwide.

Chairman Montanez suggested that this take place prior to Closed Session. He called for a moment of silence for the law enforcement officers in Dallas, Texas.

11. CLOSED SESSION ITEMS:

11.1. 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
A	581100012 581100049	Terra Investment, Reza Shera
B	287200009 287200010	Iglesia de Cristo Buenos Samaritanos, Nilson Ordonez

11.2 CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION

Pursuant to Paragraph 1 of Subdivision (d) of Government Code Section 54956.9

A. Case No. RIC1600058 A.T. Paulek; Friends of the Northern San Jacinto Valley vs. Western Riverside County Regional Conservation Authority, Coachella Valley Conservation Commission, California Department of Fish & Wildlife

B. Case No. RIC1605515 A.T. Paulek; Friends of the Northern San Jacinto Valley; Center for Biological Diversity vs. County of Riverside; County of Riverside Board of Supervisors; Castle & Cooke Commercial-CA Inc.; Western Riverside County Regional Conservation Authority

C. Case Number RIC10004733 Calvary Chapel of Murrieta vs. Western Riverside County Regional Conservation Authority; City of Murrieta

**RCA BOARD OF DIRECTORS MINUTES**

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**July 11, 2016**

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

**12. ADJOURNMENT**

There being no other items before the RCA Board, Chairman Montanez adjourned the meeting 1:10 p.m., in the honor of fallen Law Enforcement Officers in Dallas, Texas, and nationwide. The next meeting of the Western Riverside County Regional Conservation Authority Board of Directors is scheduled for Monday, September 12, 2016, at 12:30 p.m., at the County of Riverside Administrative Center, Board Room, 4080 Lemon Street, Riverside, California

Prepared by:



Rose Haro  
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  
JUNE AND JULY 2016**

*Regional Conservation Authority*

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

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**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 are the reports for June and July 2016. The reports were prepared on a cash basis and, therefore, reflect the cash received by RCA during those months.

**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 Reports for June and July 2016.

**Attachments**

- 1) Western Riverside County MSHCP LDMF Collection and Civic/Infrastructure Contribution Report for June 2016
- 2) Western Riverside County MSHCP LDMF Collection and Civic/Infrastructure Contribution Report for July 2016



**AGENDA ITEM NO. 8.1**  
**Attachment 1**

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

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

DEVELOPMENT FEES					
City/County by Month	REMITTED			EXEMPTIONS & FEE CREDITS	
	Residential Permits	Commercial Acres	Amount Remitted	Residential Permits	Amount
City of Banning May - No Activity					
City of Beaumont May	56		\$109,312		
City of Calimesa May - No Activity					
City of Canyon Lake May - No Activity					
City of Corona May - No Activity					
City of Eastvale May	25		\$30,060		
City of Hemet May - No Activity					
City of Jurupa Valley May	23	9.6	\$108,688		
City of Lake Elsinore - May Summerly Project <sup>1</sup>		0.7	\$4,718	11	\$21,472
Castle and Cook Alberhill Ranch LLC <sup>2</sup>				9	\$17,568
Pardee-Grossman/Cottonwood Canyon <sup>3</sup>				9	\$17,568
City of Menifee May	21		\$40,922		
City of Moreno Valley April May - No Activity	38		\$74,176		
City of Murrieta May - No Activity					
City of Norco May - No Activity					
City of Perris May	7		\$13,664		
City of Riverside April May	9 55		\$14,058 \$63,809		
City of San Jacinto May - No Activity					
City of Temecula - May Roripaugh DA <sup>4</sup>	66		\$69,810	2	\$3,904
City of Wildomar May	1		\$1,952		
County of Riverside - June Starfield Sycamore Investors <sup>5</sup> Rancho Bella Vista <sup>6</sup>	111		\$217,176	28 8	\$54,264 \$15,504
<b>Total Cities and County</b>	<b>412</b>	<b>10.3</b>	<b>\$748,345</b>	<b>67</b>	<b>\$130,280</b>

CIVIC AND INFRASTRUCTURE PROJECTS	
No Activity	

**TOTAL RECEIPTS - JUNE 2016 \$ 748,345**

- 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) Roripaugh Development Agreement dated 12/17/02. Project is exempt under AD161.
- 5) Starfield Sycamore Investors - Fee Credit Agreement with County of Riverside. Properly exempted at \$1,938 rate.
- 6) Rancho Bella Vista - Fee Credit Agreement with County of Riverside. Properly exempted at \$1,938 rate.

**AGENDA ITEM NO. 8.1**  
**Attachment 2**

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

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

DEVELOPMENT FEES						
City/County by Month	REMITTED			EXEMPTIONS & FEE CREDITS		
	Residential Permits	Commercial Acres	Amount Remitted	Residential Permits	Commercial Acreage	Amount
City of Banning June - No Activity						
City of Beaumont June	7		\$13,664			
City of Calimesa June - No Activity						
City of Canyon Lake June	1		\$1,952			
City of Corona February - Correction June	2	22.1	\$2,482 \$146,921			
City of Eastvale June	24		\$46,848			
City of Hemet June - No Activity						
City of Jurupa Valley June	69	4.5	\$164,657			
City of Lake Elsinore - June Summerly Project <sup>1</sup> Castle & Cook Alberhill Ranch LLC <sup>2</sup> Ramsgate <sup>3</sup> Pardee-Grossman/Cottonwood Canyon <sup>4</sup>		0.9	\$6,047	33 4 29 14		\$64,416 \$7,808 \$56,608 \$27,328
City of Menifee June received in August						
City of Moreno Valley June	28		\$54,656			
City of Murrieta June	2		\$3,904			
City of Norco June - No Activity						
City of Perris June	28	60.0	\$453,422			
City of Riverside June	3	6.2	\$47,220			
City of San Jacinto June	28		\$54,656			
City of Temecula - June Roripaugh DA <sup>5</sup> Harveston DA <sup>6</sup>	18		\$18,270	12	4.5	\$23,424 \$29,903
City of Wildomar June received in August						
County of Riverside - July Starfield Sycamore Investors' Rancho Bella Vista <sup>8</sup>	56		\$115,292	62 8		\$120,156 \$15,504
<b>Total Cities and County</b>	<b>266</b>	<b>93.8</b>	<b>\$1,129,991</b>	<b>162</b>	<b>4.5</b>	<b>\$345,147</b>

**CIVIC AND INFRASTRUCTURE PROJECTS**

No Activity						
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**TOTAL RECEIPTS - JULY 2016 \$ 1,129,991**

- 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) Ramsgate - Rialto Development Corporation DA dated 6/27/90 for 15 years providing extension for permitted delays. Seventh MOU effective 6/27/12 extends the term to 6/27/16. Under review.
- 4) 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.
- 5) Roripaugh Development Agreement dated 12/17/02. Project is exempt under AD161.
- 6) Harveston Development Agreement dated 8/28/01. Winchester Hills property expires 4/23/28, 15 years after the issuance of the 1<sup>st</sup> non-residential permit.
- 7) Starfield Sycamore Investors - Fee Credit Agreement with County of Riverside. Properly exempted at \$1,938 rate.
- 8) Rancho Bella Vista - Fee Credit Agreement with County of Riverside. Properly exempted at \$1,938 rate.

# **AGENDA ITEM NO. 8.2**

## **FISCAL YEAR 2016 PRELIMINARY FOURTH QUARTER FINANCIAL REPORT (UNAUDITED)**

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

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

During the year, the RCA acquired 20 properties totaling approximately 3,948 acres. Of the 20 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 three land donations and two conservation easements with a combined acreage of 262 and an estimated market value of \$2.3 million from the Riverside County Transportation Commission, Soboba Band of Luiseno Indians, and a private developer.

Development mitigation fee revenues collected by Member Agencies totaled \$11.1 million for Fiscal Year 2016. This represents an increase of \$1.7 million, or 18.5%, over last year's \$9.4 million collected.

RCA staff is pleased to report that overall, the RCA reported a combined excess of revenues over expenditures of approximately \$3.1 million.

In the Operations Program (935100), revenues exceeded expenditures by \$93 thousand. This was a direct result of contributions from Flood Control District exceeding the budgeted revenues by \$128.7 thousand. However, actual infrastructure and civic contributions from Member Agencies were significantly lower than projected by \$45 thousand and \$36.8 thousand, respectively.

In the Management and Monitoring Program (935300), revenues exceeded expenditures by \$1.0 million. Tipping fees of \$3.1 million exceeded budgeted revenues by \$809.4 thousand. This is an 8.4% increase over FY2015 tipping fees of \$2.9 million.

In the Land Acquisition Program (935201), revenues exceeded expenditures by \$1.9 million. This was a direct result of savings in land acquisition for properties which will be acquired in future years.

Final Fiscal Year 2016 audited financial statements will be presented to the RCA Board at a later date.

**Executive Committee and Staff Recommendation:**

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

**Attachments:**

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

**AGENDA ITEM NO. 8.2**  
**Attachment 1**

**EXECUTIVE SUMMARY**  
**(CASH BALANCE SUMMARY**  
**AND FINANCIAL STATEMENT**  
**OVERVIEW)**



## **Fiscal Year 2016 Preliminary Fourth Quarter Financial Report (Unaudited)**

**July 1, 2015 – June 30, 2016**

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



# Cash Balance Summary

July 1, 2015 – June 30, 2016

<b>Rounded to the Nearest Thousand</b>	
<b>Balance as of 07-01-15</b>	<b>\$ 30,467,000</b>
<b>Cash Receipts 07-01-15 through 6-30-16</b>	<b><u>27,189,000</u></b>
<b>Cash Available</b>	<b>57,656,000</b>
<b>Cash Disbursements 07-01-15 through 6-30-16</b>	<b><u>(22,913,000)</u></b>
<b>Cash Balance as of 6-30-16</b>	<b><u>\$ 34,743,000</u></b>

# Budget to Actual

July 1, 2015 – June 30, 2016

<b>Operations (935100)</b>	<b>Adjusted Budget</b>	<b>Actual</b>	<b>Favorable (Unfavorable) Variance</b>
<b>Revenue</b>	<b>\$ 498,840</b>	<b>\$ 539,050</b>	<b>\$ 40,210</b>
<b>Appropriations:</b>			
<b>Salaries &amp; Benefits</b>	<b>164,450</b>	<b>157,664</b>	<b>6,786</b>
<b>Supplies &amp; Services</b>	<b>334,390</b>	<b>288,404</b>	<b>45,986</b>
<b>Total Appropriations</b>	<b>\$ 498,840</b>	<b>\$ 446,068</b>	<b>\$ 52,772</b>
<b>Net Operating Position</b>	<b>\$ 0</b>	<b>\$ 92,982</b>	<b>\$ 92,982</b>

# Budget to Actual

July 1, 2015 – June 30, 2016

<b>Management &amp; Monitoring (935300)</b>	<b>Adjusted Budget</b>	<b>Actual</b>	<b>Favorable (Unfavorable) Variance</b>
<b>Revenue</b>	<b>\$ 2,714,200</b>	<b>\$ 3,479,973</b>	<b>\$ 765,773</b>
<b>Appropriations:</b>			
<b>Salaries &amp; Benefits</b>	<b>375,885</b>	<b>345,423</b>	<b>30,462</b>
<b>Supplies and Services</b>	<b>2,302,815</b>	<b>2,060,030</b>	<b>242,785</b>
<b>Other Charges</b>	<b>35,500</b>	<b>35,217</b>	<b>283</b>
<b>Total Appropriations</b>	<b>\$ 2,714,200</b>	<b>\$ 2,440,670</b>	<b>\$ 273,530</b>
<b>Net Operating Position</b>	<b>\$ 0</b>	<b>\$ 1,039,303</b>	<b>\$ 1,039,303</b>

# Budget to Actual

July 1, 2015 – June 30, 2016

<b>Land Acquisition (935201)</b>	<b>Budget</b>	<b>Actual</b>	<b>Favorable (Unfavorable) Variance</b>
<b>Revenue</b>	<b>\$ 24,352,960</b>	<b>\$ 24,308,634</b>	<b>\$ (44,326)</b>
<b>Appropriations:</b>			
<b>Salaries &amp; Benefits</b>	<b>1,440,665</b>	<b>1,394,512</b>	<b>46,153</b>
<b>Supplies &amp; Services</b>	<b>2,221,895</b>	<b>1,198,737</b>	<b>1,023,158</b>
<b>Other Charges</b>	<b>33,000</b>	<b>23,000</b>	<b>10,000</b>
<b>Capital Assets</b>	<b>21,345,400</b>	<b>19,747,560</b>	<b>1,597,840</b>
<b>Total Appropriations</b>	<b>\$ 25,040,960</b>	<b>\$ 22,363,809</b>	<b>\$ 2,677,151</b>
<b>Net Operating Position</b>	<b>\$ (688,000)</b>	<b>\$ 1,944,825</b>	<b>\$ 2,632,825</b>

# Executive Committee and Staff Recommendation

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

**AGENDA ITEM NO. 8.2**  
**Attachment 2**

**DETAILED**  
**FINANCIAL STATEMENTS**

**Regional Conservation Authority**  
**Preliminary Budget vs. Actual Comparison as of June 30, 2016 (Unaudited)**  
**General Fund - 935100 Operations**

**REVENUE**

Account	Account Description	Adjusted Budget	Actual	% of Actual to Budget	Note No.	Positive (Negative) Variance with Budget
722000	Participating Special Entities	\$ 50,000	\$ 10,137	20%		\$ (39,863)
740020	Interest-Invested Funds	27,470	48,194	175%	1	20,724
740040	Interest-Other	-	1,885	N/A		1,885
769240	Other Gov MSHCP Infrastructure	100,000	54,973	55%	5	(45,027)
769260	Other Gov MSHCP Civic Projects	75,000	38,209	51%	6	(36,791)
771410	Flood Control District	156,370	285,056	182%	7	128,686
777860	Joint Project Review	90,000	99,543	111%		9,543
781360	Other Misc Revenue	-	1,053	N/A	9	1,053
<b>Total Revenue</b>		<b>\$ 498,840</b>	<b>\$ 539,050</b>	<b>108%</b>		<b>\$ 40,210</b>

**EXPENDITURES**

510040	Regular Salaries	\$ 117,100	\$ 111,679	95%		\$ 5,421
510440	Annual Leave Buydown	4,070	4,034	99%		36
515200	Retiree Health Insurance	340	316	93%		24
518100	Budgeted Benefits	42,940	41,635	97%		1,305
<b>Total Appropriation 1</b>		<b>164,450</b>	<b>157,664</b>	<b>96%</b>		<b>6,786</b>
520200	Communications	250	171	68%		79
520270	County Delivery Services	10	7	70%		3
520320	Telephone Service	150	115	77%		35
520350	IT Core Services	900	754	84%	11	146
520940	Insurance-Other	4,130	3,486	84%	12	644
521340	Maint-Communications Equipment	150	150	100%		-
521360	Maint-Computer Equipment	3,370	2,373	70%	13	997
521540	Maint-Office Equipment	735	411	56%		324
521640	Maint-Software	2,040	1,428	70%	14	612
523100	Memberships	665	658	99%		7
523230	Miscellaneous Expense	3,390	2,731	81%		659
523620	Books/Publications	100	-	0%		100
523640	Computer Equip-Non Fixed Asset	2,160	1,766	82%		394
523660	Computer Supplies	400	234	59%		166
523680	Office Equip Non Fixed Assets	100	53	53%		47
523700	Office Supplies	1,000	367	37%		633
523760	Postage-Mailing	580	843	145%		(263)
523800	Printing/Binding	500	4	1%		496
523840	Computer Equipment-Software	175	146	83%		29
524560	Auditing and Accounting	16,130	9,778	61%	15	6,352
524900	GIS Services	1,200	1,318	110%		(118)
525020	Legal Services	66,600	55,490	83%	16	11,110
525140	Personnel Services	1,050	1,052	100%	17	(2)
525300	OASIS Processing-Financials	1,715	1,717	100%	18	(2)
525310	OASIS Processing- HRMS	480	467	97%	18	13
526700	Rent-Lease Bldgs	19,470	19,470	100%	19	-
527780	Special Program Expense	1,000	980	98%		20
527840	Training-Education/ Tuition	300	83	28%		217
527980	Contracts	199,260	177,146	89%	20	22,114
528120	Board/Commission Expense	4,170	3,420	82%		750
528140	Conference/Registration Fees	200	67	34%		133
528900	Air Transportation	180	256	142%		(76)
528960	Lodging	300	150	50%		150
528980	Meals	810	557	69%		253
529000	Miscellaneous Travel Expense	30	36	120%		(6)
529040	Private Mileage Reimbursement	690	720	104%		(30)
<b>Total Appropriation 2</b>		<b>334,390</b>	<b>288,404</b>	<b>86%</b>		<b>45,986</b>
<b>Total Expenditures</b>		<b>\$ 498,840</b>	<b>\$ 446,068</b>	<b>89%</b>		<b>\$ 52,772</b>
<b>Net Operating Position</b>		<b>\$ -</b>	<b>\$ 92,982</b>			<b>\$ 92,982</b>



**Regional Conservation Authority**  
**Preliminary Budget vs. Actual Comparison as of June 30, 2016 (Unaudited)**  
**General Fund - 935300 Land Management and Monitoring**

**REVENUE**

Account	Account Description	Adjusted Budget	Actual	% of Actual to Budget	Note No.	Positive (Negative) Variance with Budget
722000	Participating Special Entities	\$ 50,000	\$ -	0%		\$ (50,000)
740020	Interest-Invested Funds	27,750	35,192	127%	1	7,442
741000	Rents	69,250	73,316	106%	2	4,066
751680	CA-Grant Revenue	64,000	54,763	86%	3	(9,237)
771410	Flood Contrl District	163,200	189,238	116%	7	26,038
781360	Other Misc. Revenue	40,000	18,094	45%	9	(21,906)
781520	Tipping Fees	2,300,000	3,109,370	135%	10	809,370
<b>Total Revenue</b>		<b>\$ 2,714,200</b>	<b>\$ 3,479,973</b>	<b>128%</b>		<b>\$ 765,773</b>

**EXPENDITURES**

510040	Regular Salaries	\$ 262,270	\$ 245,565	94%		\$ 16,705
510440	Annual Leave Buydown	17,555	12,821	73%		4,734
515200	Retiree Health Insurance	1,910	764	40%		1,146
518100	Budgeted Benefits	94,150	86,273	92%		7,877
<b>Total Appropriation 1</b>		<b>375,885</b>	<b>345,423</b>	<b>92%</b>		<b>30,462</b>
520200	Communications	7,250	6,601	91%		649
520270	County Delivery Services	15	11	73%		4
520320	Telephone Service	150	115	77%		35
520350	IT Core Services	900	754	84%	11	146
520940	Insurance-Other	12,100	10,277	85%	12	1,823
521340	Maint-Communications Equipment	150	150	100%		-
521360	Maint-Computer Equipment	8,410	6,873	82%	13	1,537
521500	Maint-Motor Vehicles	5,000	3,501	70%		1,499
521540	Maint-Office Equipment	735	437	59%		298
521640	Maint-Software	2,640	1,968	75%	14	672
523100	Memberships	665	658	99%		7
523230	Miscellaneous Expense	1,090	575	53%		515
523620	Books/Publications	100	-	0%		100
523640	Computer Equip-Non Fixed Asset	9,320	7,173	77%		2,147
523660	Computer Supplies	400	234	59%		166
523680	Office Equip Non Fixed Assets	100	53	53%		47
523700	Office Supplies	4,900	3,825	78%		1,075
523760	Postage-Mailing	680	517	76%		163
523800	Printing/Binding	400	4	1%		396
523840	Computer Equipment-Software	1,790	1,631	91%		159
524560	Auditing and Accounting	2,675	1,715	64%	15	960
524900	GIS Services	1,200	1,318	110%		(118)
525020	Legal Services	65,000	59,283	91%	16	5,717
525140	Personnel Services	1,050	1,052	100%	17	(2)
525300	OASIS Processing-Financials	1,715	1,717	100%	18	(2)
525310	OASIS Processing- HRMS	480	396	83%	18	84
526700	Rent-Lease Bldgs	103,255	103,250	100%	19	5
526910	Field Equipment-Non Assets	68,000	60,236	89%		7,764
527100	Fuel	20,000	9,539	48%		10,461
527780	Special Program Expense	2,500	980	39%		1,520
527840	Training-Education/ Tuition	300	83	28%		217
527880	Training-Other	4,000	1,580	40%		2,420
527980	Contracts	1,968,985	1,767,834	90%	20	201,151
528120	Board/Commission Expense	3,970	3,420	86%		550
528140	Conference/Registration Fees	200	67	34%		133
528900	Air Transportation	180	80	44%		100
528960	Lodging	300	150	50%		150
528980	Meals	360	147	41%		213
529000	Miscellaneous Travel Expense	30	38	127%		(8)
529040	Private Mileage Reimbursement	690	674	98%		16
529500	Electricity	1,130	1,114	99%		16
<b>Total Appropriation 2</b>		<b>2,302,815</b>	<b>2,060,030</b>	<b>89%</b>		<b>242,785</b>
535220	Assessments & HOA	35,500	35,217	99%		283
<b>Total Appropriation 3</b>		<b>35,500</b>	<b>35,217</b>	<b>99%</b>		<b>283</b>
<b>Total Expenditures</b>		<b>\$ 2,714,200</b>	<b>\$ 2,440,670</b>	<b>90%</b>		<b>\$ 273,530</b>
<b>Net Operating Position</b>		<b>\$ -</b>	<b>\$ 1,039,303</b>			<b>\$ 1,039,303</b>

**Regional Conservation Authority**  
**Preliminary Budget vs. Actual Comparison as of June 30, 2016 (Unaudited)**  
**Capital Projects Fund - 935201 Land Acquisition**

**REVENUE**

Account	Account Description	Adjusted Budget	Actual	% of Actual to Budget	Note No.	Positive (Negative) Variance with Budget
711040	Measure A-Local St & Rds	\$ 3,000,000	\$ 3,000,000	100%		\$ -
722000	Participating Special Entities	100,000	-	N/A		(100,000)
740020	Interest-Invested Funds	44,780	88,323	197%	1	43,543
740040	Interest-Other	-	54	N/A		54
751680	CA-Grant Revenue	2,148,950	2,057,825	96%	3	(91,125)
766600	Fed-Capital Grants and Contrib	4,918,800	4,838,175	98%	4	(80,625)
771410	Flood Control District	290,430	290,430	100%	7	-
777170	Development Mitigation Fees	10,800,000	11,147,125	103%	8	347,125
777600	TUMF Revenue-Developer Fees	500,000	500,000	100%		-
781220	Capital Contributions & Donations	2,540,000	2,316,000	91%	22	(224,000)
781360	Other Miscellaneous Revenue	10,000	70,702	707%	9	60,702
<b>Total Revenue</b>		<b>\$ 24,352,960</b>	<b>\$ 24,308,634</b>	<b>100%</b>		<b>\$ (44,326)</b>

**EXPENDITURES**

510040	Regular Salaries	\$ 993,630	\$ 985,286	99%		\$ 8,344
510440	Annual Leave Buydown	54,025	42,906	79%		11,119
515200	Retiree Health Insurance	7,300	2,920	40%		4,380
518100	Budgeted Benefits	385,710	363,400	94%		22,310
<b>Total Appropriation 1</b>		<b>1,440,665</b>	<b>1,394,512</b>	<b>97%</b>		<b>46,153</b>
520200	Communications	2,000	1,274	64%		726
520270	County Delivery Services	75	63	84%		12
520320	Telephone Service	1,200	922	77%		278
520350	IT Core Services	7,200	6,035	84%	11	1,165
520940	Insurance-Other	31,900	29,201	92%	12	2,699
521340	Maint-Communications Equipment	1,200	1,203	100%		(3)
521360	Maint-Computer Equip	26,970	18,987	70%	13	7,983
521540	Maint-Office Equipment	5,880	3,263	55%		2,617
521640	Maint-Software	16,320	11,423	70%	14	4,897
523100	Memberships	5,320	5,261	99%		59
523230	Miscellaneous Expense	10,320	4,317	42%		6,003
523620	Books/Publications	800	-	0%		800
523640	Computer Equip-Non Fixed Asset	17,220	13,710	80%		3,510
523660	Computer Supplies	3,200	1,874	59%		1,326
523680	Office Equip Non Fixed Assets	800	424	53%		376
523700	Office Supplies	8,000	2,916	36%		5,084
523760	Postage-Mailing	4,640	3,064	66%		1,576
523800	Printing/Binding	4,000	30	1%		3,970
523840	Computer Equipment-Software	2,185	1,166	53%		1,019
524560	Auditing and Accounting	142,880	82,159	58%	15	60,721
524900	GIS Services	10,600	10,542	99%		58
525020	Legal Services	1,144,400	308,004	27%	16	836,396
525140	Personnel Services	8,420	8,413	100%	17	7
525300	OASIS Processing-Financials	13,730	13,734	100%	18	(4)
525310	OASIS Processing- HRMS	3,780	3,151	83%	18	629
526410	Legally Required Notices	300	-	0%		300
526700	Rent-Lease Bldgs	155,765	155,760	100%	19	5
527780	Special Program Expense	9,600	7,840	82%		1,760
527840	Training-Education/Tuition	2,400	665	28%		1,735
527980	Contracts	513,600	458,675	89%	20	54,925
528120	Board/Commission Expense	33,360	27,349	82%		6,011
528140	Conference/Registration Fees	1,600	536	34%		1,064
528280	Imaging Supplies	4,000	2,410	60%		1,590
528900	Air Transportation	7,140	2,661	37%		4,479
528920	Car Pool Expense	500	180	36%		320
528960	Lodging	7,400	3,417	46%		3,983
528980	Meals	5,730	1,861	32%		3,869
529000	Miscellaneous Travel Expense	1,140	506	44%		634
529040	Private Mileage Reimbursement	5,920	5,741	97%		179
529080	Rental Vehicles	400	-	0%		400
<b>Total Appropriation 2</b>		<b>2,221,895</b>	<b>1,198,737</b>	<b>54%</b>		<b>1,023,158</b>
534000	Interest Notes-Warrants	33,000	23,000	70%	21	10,000
<b>Total Appropriation 3</b>		<b>33,000</b>	<b>23,000</b>	<b>70%</b>		<b>10,000</b>
540040	Land	21,255,400	19,736,869	93%	22	1,518,531
540060	Improvements-Land	90,000	10,691	12%		79,309
<b>Total Appropriation 4</b>		<b>21,345,400</b>	<b>19,747,560</b>	<b>93%</b>		<b>1,597,840</b>
<b>Total Expenditures</b>		<b>\$ 25,040,960</b>	<b>\$ 22,363,809</b>	<b>89%</b>		<b>\$ 2,677,151</b>
<b>Net Operating Position</b>		<b>\$ (688,000)</b>	<b>\$ 1,944,825</b>			<b>\$ 2,632,825</b>

**Regional Conservation Authority**  
**Notes to Financial Reports**  
**Preliminary June 30, 2016 (Unaudited)**

	Operations	Land Management & Monitoring	Land Acquisition	Total RCA
<b>REVENUES:</b>				
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 0.64%	11,769	11,878	25,765	49,411
4th quarter interest at 0.67%	20,148	6,887	29,083	56,118
Total Interest	<b>\$48,194</b>	<b>\$35,192</b>	<b>\$88,323</b>	<b>\$171,708</b>
2) Rent revenues from the following sources:				
Goodhart		\$5,058		
KCAA Radio, Cordova		6,000		
Archery Club		3,000		
T-Mobile cell tower lease		52,417		
Lockheed lease		1,000		
Beekeepers		5,840		
Total Rent		<b>\$73,316</b>		
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		<b>\$54,763</b>	<b>\$2,057,825</b>	<b>\$2,112,588</b>
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			<b>\$4,838,175</b>	
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			
City of San Jacinto - Ramona Expressway	18,573			
Total Infrastructure	<b>\$54,973</b>			
6) Civic contributions from Member Agencies:				
City of Lake Elsinore-Whiskers Beach Parking Lot	\$1,728			
City of Temecula -Park & Ride Facility	20,799			
Riverside Co. EDA -Southwest Justice Center	15,682			
Total Civic	<b>\$38,209</b>			

**Regional Conservation Authority**  
**Notes to Financial Reports**  
**Preliminary June 30, 2016 (Unaudited)**

	Operations	Land Management & Monitoring	Land Acquisition	Total RCA
<b>REVENUES (Continued):</b>				
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	<b>\$285,056</b>	<b>\$189,238</b>	<b>\$290,430</b>	<b>\$764,724</b>

8) Mitigation fees through 06/30/16 are as follows:

City of Banning			\$0	
City of Beaumont			651,511	
City of Calimesa			173,266	
City of Canyon Lake			19,520	
City of Corona			530,182	
City of Eastvale			2,019,108	
City of Hemet			111,264	
City of Jurupa Valley			1,163,396	
City of Lake Elsinore			66,450	
City of Menifee			953,267	
City of Moreno Valley			430,841	
City of Murrieta			802,800	
City of Norco			22,739	
City of Perris			1,633,652	
City of Riverside			608,888	
City of San Jacinto			172,989	
City of Temecula			285,133	
City of Wildomar			168,007	
County of Riverside			1,334,113	
Total Mitigation			<b>\$11,147,125</b>	

9) Miscellaneous Revenues were received as follows:

Deposit Agreements			\$70,702	\$70,702
Burrowing Owl Donations		7,544		7,544
EMWD Land Management		3,987		3,987
Other	1,053	6,563		7,617
Total Miscellaneous Revenues	<b>\$1,053</b>	<b>\$18,094</b>	<b>\$70,702</b>	<b>\$89,849</b>

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	164,097	246,145
April 2016	157,088	235,633
May 2016	153,011	229,516
June 2016 (Estimated)	153,012	229,518
Prior Year Estimate Adjusted	12,802	19,202
In-County Contribution		400,000
	<b>1,806,247</b>	<b>\$3,109,370</b>

**Regional Conservation Authority**  
**Notes to Financial Reports**  
**Preliminary June 30, 2016 (Unaudited)**

	Operations	Land Management & Monitoring	Land Acquisition	Total RCA
<b>EXPENDITURES:</b>				
11) RCIT Core Services Twelve months at \$632 per month	\$754	\$754	\$6,035	\$7,543
12) Insurance provided by SDRMA:				
General & Property	\$3,486	\$3,478	\$29,201	\$36,165
Vehicle Insurance		6,799		6,799
Total Insurance- six months	\$3,486	\$10,277	\$29,201	\$42,964
13) Computer equipment maintenance:				
RCIT monthly charges of approx. \$1,978/month	\$2,373	\$2,373	\$18,987	\$23,734
Other Vendors		4,500		4,500
Total Computer Equipment and Maintenance	\$2,373	\$6,873	\$18,987	\$28,234
14) Software maintenance is as follows:				
ESRI Annual Software Maintenance	\$910	\$910	\$7,280	\$9,100
RCIT-Microsoft Enterprise	239	239	1,914	2,393
RCIT-Outlook monthly charge \$220	279	819	2,229	3,327
Total Charges	\$1,428	\$1,968	\$11,423	\$14,820
15) Auditing and Accounting consists of the following:				
Vavrinek, Trine, Day & Co.	\$6,371	\$1,348	\$81,088	\$88,808
County Auditor-Controller's Office	3,407	367	1,071	4,845
Total Auditing and Accounting	9,778	\$1,715	\$82,159	\$93,653
16) Legal Services as follows:				
Best, Best and Krieger	\$55,490	\$49,783	\$171,254	\$276,527
Legal Settlements		9,500	136,750	146,250
Total Legal Services	\$55,490	\$59,283	\$308,004	\$422,777
17) Personnel services by County Human Resources: Approx. \$956 per employee annually	\$1,052	\$1,052	\$8,413	\$10,516
18) RCIT-Financial System fee charge:				
Financial Software \$1,430 monthly	\$1,717	\$1,717	\$13,734	\$17,167
HRMS-Payroll \$334 monthly	467	396	3,150	4,013
Total paid for Financial System	\$2,184	\$2,113	\$16,884	\$21,180
19) Rent & lease building cost:				
RCA office monthly rent \$16,225	\$19,470	\$19,470	\$155,760	\$194,701
Monitoring office monthly rent \$6,982		83,780		83,780
Total Rent	\$19,470	\$103,250	\$155,760	\$278,481
20) Contract services are as follows:				
Capitol Alliance Consulting			\$67,500	\$67,500
Dudek	171,384	29,498	72,890	273,773
Economic & Planning Systems*	1,291	1,291	10,330	12,913
Facilities Management		2,843	90,352	93,195
Geographics	2,171	2,035	16,276	20,481
Hogan Lovells - Wheeler Lobbying			150,000	150,000
Kidd Biological*		4,700		4,700
Parks & Open-Space Dist.-Land Mgt.		802,703	30,894	833,597
SAWA		922,464		922,464
Tom Mullen (reimbursable expenditures only)			2,033	2,033
William P. Egetter*	2,300	2,300	18,400	23,000
Total Contracts	\$177,146	\$1,767,834	\$458,675	\$2,403,655

\* Contracts approved under Executive Director Authority.

**Regional Conservation Authority**  
**Notes to Financial Reports**  
**Preliminary June 30, 2016 (Unaudited)**

Operations	Land Management & Monitoring	Land Acquisition	Total RCA
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**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 Conservation Easement		120,000	
Temecula Escarpment Donation		665,000	
Flood Control - Temecula Creek Conservation Easement		170,000	
Soboba Donation -Ph 2		686,000	
Subtotal Donated Properties		\$2,316,000	
Properties Acquired:			
Kaelin #2 Property		\$2,482,673	
Costanzo Property		33,188	
Tax Sale Parcels 2013		288,832	
Tax Sale Parcels 2014		30,316	
Inland Premier Phase II		455,530	
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 Property		300,754	
Anheuser Busch Ph V		3,019,009	
Bautista Canyon Property		3,839,664	
TNC/Caramello Property		151,425	
Shoppe Property		231,784	
Martin Property		301,969	
Calvary Chapel Property		3,258,368	
Southwest Mesa Property		319,060	
Hong Property		678,647	
Consultants Costs:			
Facilities Management		464,639	
Parks & Open-Space Dist.		9,636.6	
Hess/EEI*		13,700	
BBK		232,260	
Escrow Costs		20,668	
Total Land Acquisition Costs		\$19,736,869	

\* Contracts approved under Executive Director Authority.

**AGENDA ITEM NO. 8.2**  
**Attachment 3**

**MSHCP FEE**  
**COLLECTIONS REPORT**

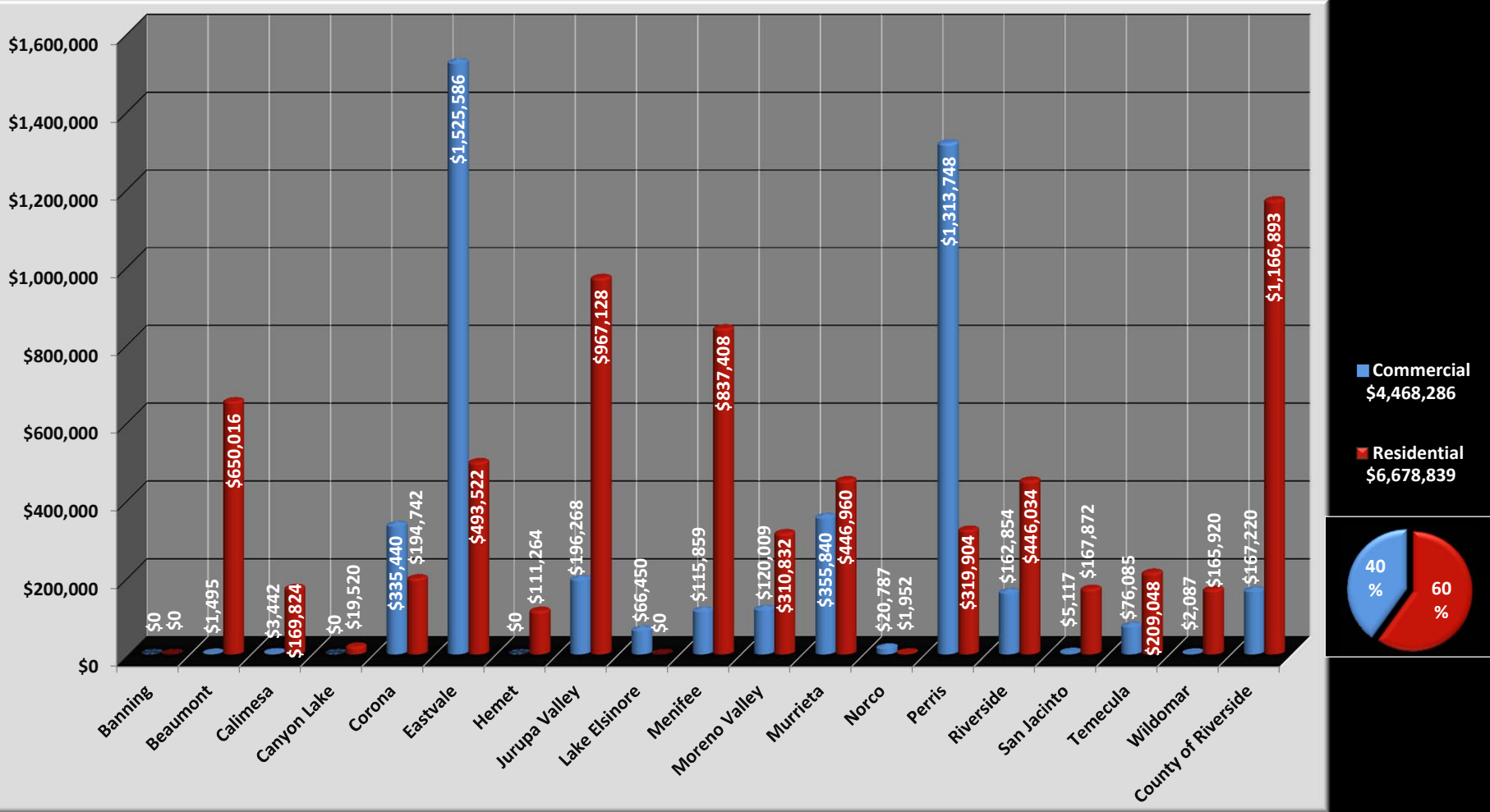
**REGIONAL CONSERVATION AUTHORITY**  
**MSHCP MITIGATION FEE COLLECTIONS BY MEMBER AGENCY**  
**FISCAL YEAR 2016**

BASED ON ACCRUAL BASIS (Month reported by City)

<b>COUNTY AND CITIES:</b>	<b>JUL 2015</b>	<b>AUG 2015</b>	<b>SEP 2015</b>	<b>OCT 2015</b>	<b>NOV 2015</b>	<b>DEC 2015</b>	<b>JAN 2016</b>	<b>FEB 2016</b>	<b>MAR 2016</b>	<b>APR 2016</b>	<b>MAY 2016</b>	<b>JUN 2016</b>	<b>TOTALS FY 2016</b>	<b>PERCENT OF TOTAL</b>
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	46,848	109,312	13,664	651,511	5.8%
CITY OF CALIMESA	-	31,232	-	-	-	74,176	-	39,040	3,442	25,376	-	-	173,266	1.6%
CITY OF CANYON LAKE	-	3,904	1,952	-	-	-	1,938	3,904	5,870	-	-	1,952	19,520	0.2%
CITY OF CORONA	185,357	-	165,926	3,904	5,856	-	19,736	-	-	-	-	149,403	530,182	4.8%
CITY OF EASTVALE	1,250,967	23,033	77,013	25,376	38,935	29,280	15,616	67,148	48,800	366,032	30,060	46,848	2,019,108	18.1%
CITY OF HEMET	19,520	-	23,424	7,808	15,616	-	19,520	15,616	1,952	7,808	-	-	111,264	1.0%
CITY OF JURUPA VALLEY	150,784	154,015	70,272	31,856	39,040	37,088	101,504	28,308	169,824	107,360	108,688	164,657	1,163,396	10.4%
CITY OF LAKE ELSINORE	-	-	-	-	-	-	23,258	-	32,428	-	4,718	6,047	66,450	0.6%
CITY OF MENIFEE	101,454	54,656	124,928	47,172	17,568	42,944	148,352	19,520	19,520	87,840	40,992	248,321	953,267	8.6%
CITY OF MORENO VALLEY	-	-	1,952	18,972	95,315	-	113,680	14,146	57,945	74,176	-	54,656	430,841	3.9%
CITY OF MURRIETA	1,938	-	25,888	1,952	333,450	-	249,188	-	32,228	154,252	-	3,904	802,800	7.2%
CITY OF NORCO	-	-	10,753	-	-	-	10,034	1,952	-	-	-	-	22,739	0.2%
CITY OF PERRIS	27,132	74,453	52,172	201,153	422,209	25,376	27,328	269,530	58,560	8,654	13,664	453,422	1,633,652	14.7%
CITY OF RIVERSIDE	8,374	142,043	8,840	12,092	207,512	31,858	5,856	57,774	9,452	14,058	63,809	47,220	608,888	5.5%
CITY OF SAN JACINTO	-	-	33,184	4,851	11,712	17,568	-	-	15,882	35,136	-	54,656	172,989	1.6%
CITY OF TEMECULA	-	15,504	9,564	19,603	42,595	17,900	1,952	18,750	13,750	57,436	69,810	18,270	285,133	2.6%
CITY OF WILDOMAR	24,949	9,760	-	-	23,424	15,616	-	-	1,952	-	1,952	90,353	168,007	1.5%
COUNTY OF RIVERSIDE (LMS)	169,810	95,803	124,341	145,527	100,105	62,372	27,254	77,542	93,057	111,353	150,472	176,478	1,334,113	12.0%
<b>TOTAL COUNTY AND CITIES</b>	<b>\$ 1,959,806</b>	<b>\$ 645,394</b>	<b>\$ 790,721</b>	<b>\$ 602,248</b>	<b>\$ 1,452,265</b>	<b>\$ 393,218</b>	<b>\$ 802,303</b>	<b>\$ 640,557</b>	<b>\$ 640,955</b>	<b>\$ 1,096,329</b>	<b>\$ 593,477</b>	<b>\$ 1,529,852</b>	<b>\$ 11,147,125</b>	<b>100.0%</b>
<b>OTHER</b>														
FLOOD CONTROL	\$ -	\$ 145,152	\$ 189,238	\$ -	\$ -	\$ 430,333	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 764,724	89.1%
OTHER GOV MSHCP INFRASTRUCTURE	-	-	5,680	-	-	-	30,721	-	-	-	-	18,573	54,973	6.4%
OTHER GOV MSHCP CIVIC PROJECTS	-	-	-	-	-	1,728	-	20,799	-	15,682	-	-	38,209	4.5%
<b>TOTAL OTHER</b>	<b>\$ -</b>	<b>\$ 145,152</b>	<b>\$ 194,918</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ 432,061</b>	<b>\$ 30,721</b>	<b>\$ 20,799</b>	<b>\$ -</b>	<b>\$ 15,682</b>	<b>\$ -</b>	<b>\$ 18,573</b>	<b>\$ 857,906</b>	<b>100.0%</b>
<b>GRAND TOTAL</b>	<b>\$ 1,959,806</b>	<b>\$ 790,547</b>	<b>\$ 985,639</b>	<b>\$ 602,248</b>	<b>\$ 1,452,265</b>	<b>\$ 825,279</b>	<b>\$ 833,023</b>	<b>\$ 661,356</b>	<b>\$ 640,955</b>	<b>\$ 1,112,011</b>	<b>\$ 593,477</b>	<b>\$ 1,548,425</b>	<b>\$ 12,005,031</b>	



**Fiscal Year 2016  
MSHCP Development Mitigation Fee Revenues  
July 1, 2015 through June 30, 2016**



# **AGENDA ITEM NO. 8.3**

**RESOLUTION NO. 2016-014,  
*RESOLUTION OF THE BOARD OF  
DIRECTORS OF THE WESTERN  
RIVERSIDE COUNTY REGIONAL  
CONSERVATION AUTHORITY ADOPTING  
AN UPDATED RECORDS  
RETENTION POLICY AND SCHEDULE  
AND REPEALING RESOLUTION NO. 08-012***

*Regional Conservation Authority*

**RESOLUTION NO. 2016-014  
RESOLUTION OF THE BOARD OF DIRECTORS  
OF THE WESTERN RIVERSIDE COUNTY  
REGIONAL CONSERVATION AUTHORITY  
ADOPTING AN UPDATED RECORDS  
RETENTION POLICY AND SCHEDULE  
AND REPEALING RESOLUTION NO. 08-012**

**Staff Contact:**

**Honey Bernas, Director of  
Administrative Services  
(951) 955-2842**

**Background:**

Pursuant to Section 17 of the JPA, the RCA is required to observe the laws of the State of California applicable to a general law city in its exercise of joint powers. In observing the law RCA has the power to adopt such rules and regulations as the Board may deem necessary for the conduct of the RCA's affairs.

On July 7, 2008, the RCA adopted Resolution No. 08-012, which amended the existing records retention policy and schedule in response to changes in the law regarding retention of RCA records.

In order to stay current with continuing changes in records retention statutes and regulations, the RCA desires to adopt an updated records retention schedule for the orderly retention of RCA records and the proper destruction of obsolete records.

**Staff Recommendation:**

That the Board of Directors adopt Resolution No. 2016-014, *Resolution of the Board of Directors of the Western Riverside County Regional Conservation Authority Adopting an Updated Records Retention Policy and Schedule and Repealing Resolution No. 08-012.*

**Attachment:**

Resolution No. 2016-014 with Exhibit A, Records Retention Schedule

# **AGENDA ITEM NO. 8.3**

## **RESOLUTION NO. 2016-014 with Exhibit A**

RESOLUTION NO. 2016-014

**RESOLUTION OF THE BOARD OF DIRECTORS OF THE  
WESTERN RIVERSIDE COUNTY REGIONAL  
CONSERVATION AUTHORITY ADOPTING AN UPDATED  
RECORDS RETENTION POLICY AND SCHEDULE  
AND REPEALING RESOLUTION NO. 08-012**

**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**, pursuant to Section 17 of the JPA, the RCA is required to observe the laws of the State of California applicable to a general law city in its exercise of joint powers; and

**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**, in July 2008, the RCA adopted Resolution No. 08-012, which amended the existing records retention schedule in response to changes in the law regarding retention of RCA records; and

**WHEREAS**, in order to stay current with continuing changes in records retention statutes and regulations, the RCA desires to adopt an updated records retention schedule for the orderly retention of RCA records and the proper destruction of obsolete records.

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

1. The Board of Directors hereby repeals Resolution No. 08-012 in its entirety.
2. The updated Records Retention Schedule, attached hereto as "Exhibit 'A'," incorporated herein by reference and made a part hereof, is hereby adopted as the Records Retention Schedule of the RCA.
3. The Executive Director and his/her designee shall be responsible for the administration of the retention of records and the destruction of obsolete records pursuant to the Records Retention Schedule.
4. The Executive Director and his/her designee are authorized to update or amend the Records Retention Schedule from time to time, to stay compliant with federal and State laws and regulations regarding records retention.
5. The Board of Directors hereby finds that the Records Retention Schedule complies with the requirements of Government Code section 34090, *et seq.*, and other

records retention statutes and regulations. The Board of Directors further finds that any obsolete records destroyed pursuant to the Records Policy will not adversely affect the RCA or the public.

6. Pursuant to Government Code section 34090.7, the Board of Directors hereby authorizes the Executive Director and his/her designee to destroy at any time any duplicate record, paper or document of the RCA while the original, whether in paper or electronic format, is retained for the legally required time period by RCA.

7. The Executive Director and his/her designee shall have ongoing authority, without further approval required from the Board of Directors and with the consent of the RCA's General Counsel provided herein, to authorize destruction of obsolete RCA records in accordance with the Records Retention Schedule.

8. The Clerk of the Board shall certify to the passage and adoption of this Resolution.

9. This Resolution shall become effective immediately upon its passage and adoption.

**PASSED, APPROVED AND ADOPTED** at the regular meeting of the Board of Directors of the Western Riverside County Regional Conservation Authority held this 12th day of September, 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

APPROVED:

By: \_\_\_\_\_  
Best Best & Krieger LLP  
General Counsel

**EXHIBIT "A"**

**RECORDS RETENTION SCHEDULE**

[ATTACHED]

**WESTERN RIVERSIDE COUNTY REGIONAL CONSERVATION AUTHORITY  
RECORDS RETENTION SCHEDULE FOR CITIES**

Adopted by Resolution No. 2016-014 - RCA Board of Directors

Category of Record	Description or Example of Record	Legal Authority	Legal / Recommended Retention Period
Accident/Illness Reports	Not a public record For Employee Medical Records & Employee Exposure Records regarding exposure to toxic substances or harmful physical agents --Includes Material Safety Data Sheets (MSDS) Does NOT include: records of health insurance claims maintained separate from employer's records; first aid records of one-time treatments for minor injuries; records of employees who worked less than one (1) year if records are given to employee upon termination	GC 6254(c)  8 CCR 3204(d)(1)(A)(B)	Length of employment + 30 years
Accidents/Damage to RCA Property	Risk management administration	GC 34090 CCP 337.15	10 years
Accounting Records – General Ledger	General Ledger	GC 34090 CCP 337	Until audited + 4 years  Published articles show 4 – 7 years retention as typical  Sec. of State Guidelines recommends permanent retention.
Accounting Records – - Permanent Books of Accounts	Records showing items of gross income, receipts and disbursement (including inventories, per IRS regulations)	26 CFR 1.6001-1(c) & (e)	Permanent

Legal Authority Abbreviations

CCP	Code of Civil Procedure (California)	GC	Government Code (California)	PC	Penal Code (California)
CCR	California Code of Regulations	R&TC	Revenue & Taxation Code (California)	H&S	Health & Safety Code (California)
CFR	Code of Federal Regulations	USC	United States Code		
EC	Elections Code (California)	LC	Labor Code (California)		



**WESTERN RIVERSIDE COUNTY REGIONAL CONSERVATION AUTHORITY  
RECORDS RETENTION SCHEDULE FOR CITIES**

Adopted by Resolution No. 2016-014 - RCA Board of Directors

Category of Record	Description or Example of Record	Legal Authority	Legal / Recommended Retention Period
Accounts Payable	Journals, statements, asset inventories, account postings with supporting documents, vouchers, investments, invoices and back-up documents, purchase orders, travel expense reimbursements, petty cash, postage, PERS reports, check requests, etc.	CCP 337 26 CFR 31.6001-1(e)(2); Sec. of State Local Gov't. Records Mgmt. Guidelines recommendation	Until audited + 4 years
Accounts Receivable	Receipts for deposited checks, coins, currency; checks received, reports, investments, receipt books, cash receipts, permits, etc.	CCP 337 26 CFR 31.6001-1(e)(2); Sec. of State Local Gov't. Records Mgmt. Guidelines recommendation	Until audited + 4 years
Affidavits of Publication / Posting	Legal notices for public hearings, etc.	GC 34090	Current + 2 years, unless part of a project or matter that requires longer retention (i.e., CEQA documents)
Agency Report – Events and Ticket/Pass Distribution (FPPC Form 802)	Report of tickets/passes; identifies persons who received tickets/passes and describes the public purpose for the distribution	GC 81009(e)	7 years

Legal Authority Abbreviations

CCP	Code of Civil Procedure (California)	GC	Government Code (California)	PC	Penal Code (California)
CCR	California Code of Regulations	R&TC	Revenue & Taxation Code (California)	H&S	Health & Safety Code (California)
CFR	Code of Federal Regulations	USC	United States Code		
EC	Elections Code (California)	LC	Labor Code (California)		

**WESTERN RIVERSIDE COUNTY REGIONAL CONSERVATION AUTHORITY  
RECORDS RETENTION SCHEDULE FOR CITIES**

Adopted by Resolution No. 2016-014 - RCA Board of Directors

<b>Category of Record</b>	<b>Description or Example of Record</b>	<b>Legal Authority</b>	<b>Legal / Recommended Retention Period</b>
Agency Report of New Positions (FPPC Form 804)	Identifies new positions that will make or participate in making governmental decisions on behalf of the RCA	GC 81009(e)	7 years
Agency Report of Public Official Appointments (FPPC Form 806)	Report of additional compensation received by agency officials when appointing themselves to committees, boards or commissions of other public agencies, special districts, joint powers agencies or joint powers authorities. <u>Copy of current report must be posted on the RCA website</u>	2 CCR 18702.5(b)(3); GC 81009(e)	Original - 7 years
Agenda / Agenda Packets	Board of Directors' meetings – agendas and packets can be imaged immediately for retention, if desired	GC 34090 GC 34090.5	2 years
Agenda reports (staff reports)	Board of Directors' meetings - Originals can be imaged immediately for retention, if desired. The imaged record can serve as the “original” record, if desired	GC 34090 GC 34090.5	2 years
Agreement – Joint Powers Agreement	Original Joint Powers Agreement for RCA	GC 34090 GC 34090.5	Permanent. May be imaged and stored electronically.

Legal Authority Abbreviations

CCP	Code of Civil Procedure (California)	GC	Government Code (California)	PC	Penal Code (California)
CCR	California Code of Regulations	R&TC	Revenue & Taxation Code (California)	H&S	Health & Safety Code (California)
CFR	Code of Federal Regulations	USC	United States Code		
EC	Elections Code (California)	LC	Labor Code (California)		

**WESTERN RIVERSIDE COUNTY REGIONAL CONSERVATION AUTHORITY  
RECORDS RETENTION SCHEDULE FOR CITIES**

Adopted by Resolution No. 2016-014 - RCA Board of Directors

Category of Record	Description or Example of Record	Legal Authority	Legal / Recommended Retention Period
Agreements (See also Contracts)	Original contracts and agreements and back-up materials, including leases, license agreements, service/maintenance contracts, etc.	CCP 337 CCP 337.2 CCP 343	4 years after termination/completion
	Original contracts/agreements regarding the development of real property, design, specifications, surveying, planning, supervision, testing, or observation of construction or improvement to real property; may include records of retention releases, retention withheld, change orders, etc.	CCP 337.15	10 years after termination/completion
Amendments – Multiple Species Habitat Conservation Plan (MSHCP)	Major and minor amendments to MSHCP	GC 34090 GC 60201(d)(8), (10)	Permanent
Annual Financial Report	May include independent auditor analysis	GC 34090	Until audited + 2 years Sec. of State Guidelines recommends while current + 7 years
Applications for Committees (Not selected)	Not selected	GC 34090	2 years

Legal Authority Abbreviations

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**WESTERN RIVERSIDE COUNTY REGIONAL CONSERVATION AUTHORITY  
RECORDS RETENTION SCHEDULE FOR CITIES**

Adopted by Resolution No. 2016-014 - RCA Board of Directors

<b>Category of Record</b>	<b>Description or Example of Record</b>	<b>Legal Authority</b>	<b>Legal / Recommended Retention Period</b>
Applications for Committees (Selected)	Selected	GC 34090 Sec. of State Guidelines	Current + 5 years
Appraisals	For real property negotiations – Not a public record until real estate transaction is complete	GC 34090 GC 6254(h)	2 years
Audit Hearing or Review	Documentation created and or received in connection with an audit hearing or review	GC 34090	2 years
Audit Reports	Financial services; internal and/or external reports	GC 34090 CCP 337 CCP 343	Current + 4 years Sec. of State Guidelines recommends permanent retention
Bank Account Reconciliations	Bank statements, receipts, certificates of deposit, etc.	26 CFR 31.6001-1(e)(2)	4 years Sec. of State Guidelines – recommended retention: until audited + 5 years
Behested Payment Report (FPPC Form 803)	Shows payments made by persons or entities at the behest of elected RCA officials for legislative, governmental or charitable purposes	GC 81009(e)	7 years
Bids, Successful	Includes plan and specifications; notices/affidavits	GC 34090 CCP 337, 337.1	4 years
Bids, Unsuccessful	Unsuccessful bid packages only	GC 34090	2 years

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Category of Record	Description or Example of Record	Legal Authority	Legal / Recommended Retention Period
Biological Data from Monitoring Program			75 years (electronic or paper format)
Bonds	Authorization/public hearing records/prospectus/proposals/certificates/notices (transcripts)/registers/statements	CCP 336a, 337.5	Upon cancellation, redemption or maturity + 10 years
Bonds, Employee (Fidelity Bonds)	Form of insurance that covers employer (RCA) for losses resulting from fraudulent acts of specified employees	GC 34090	Length of employment + 2 years
Bonds - Final	Final bond documentation; monthly statement of transactions; supporting documents	GC 34090 CCP 337.5	Upon cancellation, redemption or maturity +10 years
Bonds – Paid/Cancelled	Paid or cancelled bonds; warrant certificates; interest coupons	GC 34090 GC 53921	2 years
Bonds – Unsold/Unused	Unsold/unused bonds	GC 34090 GC 43900 et seq.	2 years (specific requirements for disposal of unused bonds)
Brochures/ Publications	Informational/promotional documents created for or by the agency	GC 34090	2 years
Budget, Annual	Annual operating budget approved by the Board of Directors	GC 34090	Current + 2 years  Sec. of State Local Gov't. Records Mgmt. Guidelines recommends permanent retention.
Cal-OSHA	Personnel-Logs, Supplementary Record, Annual Summary (Federal & State-Cal OSHA)	LC 6410; 8 CCR 14307	5 years

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California State Tax Records	Forms filed annually; quarterly and year-end reports	R&TC 19530 R&TC 19704	6 years
Checks (RCA-issued)	Includes payroll checks; canceled or voided checks; copies of checks; electronic versions of checks	GC 34090 CCP 337 26 CFR 31.6001-1(e)(2)	Until audited +4 years Sec. of State Guidelines – recommended retention: until audited + 5 years
Citizen Feedback	General correspondence.	GC 34090	2 years
Claims Against RCA	Paid/Denied	GC 34090	Until settled + 2 years
Community Surveys	Review final survey reports for historic significance	GC 34090	2 years
Complaints - Miscellaneous	Miscellaneous complaints, not related to specific lawsuits involving RCA and not otherwise specifically covered by the Retention Schedule.	GC 34090	2 years
Comprehensive Annual Financial Reports (CAFR)	Finance	GC 34090 CCP 337	Until audited + 4 years
Conflict of Interest Code	Conflict of Interest Code – required under Political Reform Act; must be reviewed by July 1st of every even-numbered year and amended if necessary	GC 87300 et seq.	Permanent

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Category of Record	Description or Example of Record	Legal Authority	Legal / Recommended Retention Period
Contracts, RCA (see also Agreements)	Original contracts and agreements and back-up materials, including leases, license agreements, service/maintenance contracts, etc.	CCP 337 CCP 337.2 CCP 343	4 years after termination/completion
	Original contracts/agreements regarding the development of real property, design, specifications, surveying, planning, supervision, testing, or observation of construction or improvement to real property; may include records of retention releases, retention withheld, change orders, etc.	CCP 337.15	10 years after termination/completion
Correspondence	General correspondence, including letters and e-mail; Various files, not related to specific cases and not otherwise specifically covered by the retention schedule.	GC 34090	2 years
Credit Cards, RCA-owned	Credit card bills or statements and related receipts.	26 CFR 31.6001-1(e)(2)	Until audited + 4 years
	Other records related to use of RCA-owned credit cards (policies, correspondence, etc.)	GC 34090	Current + 2 years
Criteria Refinements	Records relating to approved changes in cell criteria	CCP 337.15	10 years after project completion  Staff recommends permanent retention

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Deeds, Real Property (Grant Deeds)	File with recorded documents; originals may not be destroyed.	GC 34090	Permanent
Deferred Compensation Reports	Finance - pension/retirement funds	29 CFR 516.5 29 CFR 1627.3	3 years
Demographic/ Statistical Data		GC 34090	Current + 2 years
DMV Drivers' Records Reports (DMV Pull-Notice System)	Motor Vehicle Pulls; Personnel record – not a public record	GC 34090 GC 6254(c) VC 1808.1(c)	Until superseded (should receive new report every 12 months)
Easements, Real Property	File with recorded documents; originals may not be destroyed.	GC 34090	Permanent
Economic Development Projects	Administrative records/Staff reports/Project files	GC 34090	2 years
EEOC Records  (Equal Employment Opportunity Commission)	Records, reports showing compliance with federal equal employment requirements (EEO-4 Reports, etc.)	29 CFR 1602.30	3 years

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Employee Benefits	Benefit plans (including “cafeteria” and other plans); health insurance programs; records regarding COBRA – extension of benefits for separated employees, insurance policies (health, vision, dental, deferred compensation, etc.)	29 USC 1027 28 CCR 1300.85.1 11 CCR 560 29 CFR 1627.3(b)(2)	For life of plan/policy + 6 years
Employee Bonds (Fidelity)	Form of insurance that covers employer (RCA) for losses resulting from fraudulent acts of specified employees	GC 34090	While current + 2 years
Employee Files	Personnel files --Not a public record.	GC 12946 GC 6254(c) 29 CFR 1627.3	While current + 3 years
Employee Information, General	Name, address, date of birth, occupation, rate of pay and weekly compensation earned	GC 12946 29 CFR 1627.3 LC 1174	3 years
Employee Information - Applicant Identification Records	Personnel--Data regarding race, gender, national origin of applicants	2 CCR 11013 (c)(2)	Received + 2 years

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Adopted by Resolution No. 2016-014 - RCA Board of Directors

Category of Record	Description or Example of Record	Legal Authority	Legal / Recommended Retention Period
Employee, Medical & Exposure Records (toxic substances or harmful physical agents)	<p>Medical records are part of personnel file --not a public record.</p> <p>Includes medical records made or maintained by a physician, nurse, or other health care personnel, or technician pertaining to employees exposed to toxic substances or harmful physical agents.</p> <p>Does <u>not</u> include first-aid records of one-time treatment made on-site by a non-physician or observation of minor scratches, cuts, burns, splinters, etc., which do not involve medical treatment, loss of consciousness, restriction of work or motion, or transfer to another job.</p> <p>(For employees of less than 1 year, no need to retain medical records regarding exposure to toxic substances/harmful physical agents if they are returned to employee upon termination)</p>	<p>GC 6254(c)</p> <p>29 CFR 1910.1020 8 CCR 3204 (d)(1)(A)(B)</p>	<p>Length of employment + 30 years</p>
Employee, Medical Records (routine)	<p>Records of first aid treatment for minor injuries (burns, splinters, etc.); records relating to medical leave taken, etc.</p>	<p>GC 12946, 34090 29 CFR 1627.3</p>	<p>Length of employment + 3 years</p>

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Employee, Non-safety	Non-safety employee records may include release authorizations; certifications; reassignments; outside employment; commendations, disciplinary actions; terminations; oaths of office; pre-employment medical evaluations; fingerprints; identification cards (ID's)	29 CFR 1627.3 LC 1174 GC 12946 GC 34090	Length of employment + 3 years
Employee Programs	May include Employee Assistance Program (EAP), Employee Recognition program, etc.	GC 34090 GC 12946	2 years
Employee, Recruitment	Alternate lists/logs, ethnicity disclosures, examination materials, examination answer sheets, job bulletins	GC 12946 GC 34090 29 CFR 1602.31 29 CFR 1627.3	2 years
Employee, Reports	Employee statistics, benefit activity, liability loss	GC 34090	2 years
Employee Rights - General		GC 12946 29 CFR 1602.14	Length of employment + 2 years
Employment Agreements – At-Will Employees; Temporary Employees	Original agreements/contracts for at-will employees or temporary employees	CCP 337 CCP 343	Length of employment + 4 years
Employment Applications - Not Hired	Applications submitted for existing or anticipated job openings, including any records pertaining to failure or refusal to hire applicant	GC 34090 GC 12946 29 CFR 1627.3	2 years

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Employment Eligibility Verification (I-9 Forms)	Federal Immigration and Nationality Act; Immigration Reform/Control Act 1986	8 USC 1324a (b)(3) Pub. Law 99-603	3 years after date of hire, or 1 year after date of termination, whichever is later
Employment - Surveys and Studies	Includes classification, wage rates	GC 12946 GC 34090 29 CFR 516.6	2 years
Employment - Training Records, Non-Safety	Paperwork documenting internal and external training for non-safety employees; includes any volunteer program training - class training materials, internships	GC 34090 GC 12946	Length of employment + 2 years
Employment - Vehicle Mileage Reimbursement Rates	Annual mileage reimbursement rates	GC 34090	Until superseded + 2 years
Enterprise Systems Catalog	Catalog of software applications, computer systems used by the RCA. Due 7/1/2016, per Senate Bill 272 (2015 Statutes).	GC 6270.5 (Eff. 7/1/2016)	Must be completed by 7/1/2016, posted on RCA website and updated annually
Environmental Quality Air Quality (AQMD)	Participants/voucher logs, Total Daily Mileage Survey (TDM); various local authorities; Commute Alternative	CCP 338(k); GC 34090	3 years
Environmental Quality Asbestos	Documents, abatement projects, public buildings	GC 34090	Permanent

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Environmental Quality California Environmental Quality Act (CEQA)	Exemptions, Environmental Impact Report, Mitigation monitoring, negative declaration, notices of completion and determination, comments, statements of overriding considerations	GC 34090 CEQA Guidelines	Permanent
Environmental Quality Congestion Management	Ride sharing, trip management	GC 34090	Completion + 2 years
Environmental Quality Environmental Review	Correspondence, consultants, issues, conservation	GC 34090	Completion + 2 years
Environmental Quality Pest Control	Pesticide applications, inspections and sampling, documents	GC 34090	Completion + 2 years
Environmental Quality Soil	Analysis, construction recommendations	GC 34090	Completion + 2 years
Environmental Quality Soil Reports	Final Reports	GC 34090	Permanent
ERISA Records  (Employee Retirement Security Act)	Employee Retirement Income Security Act of 1974 - Plan reports, certified information filed; records of benefits due	29 USC 1027 29 USC 1059	6 years

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Ethics Training Records (AB 1234; effective 1/1/06)	Records required to be kept under Gov. Code section 53235.2. Records must show dates that local officials satisfied the training requirements and the entity that provided the training	GC 53235.2	5 years after receipt of training
Family and Medical Leave Act (federal)	Records of leave taken, RCA policies relating to leave, notices, communications relating to taking leave	29 CFR 825.500 GC 12946	3 years (federal) 2 years (state)
Federal Tax Records	May include Forms 1095-C, 1096, 1099, W-4 and W-2	26 CFR 31.6001-1(e) 29 CFR 516.5-516.6	Current + 4 years
Fee Schedules/Studies	Considered by the Board	GC 34090	2 years
Fixed Assets Inventory	Reflects purchase date, cost, account number	GC 34090	Until audited + 2 years
Fixed Assets Surplus Property	Auction; disposal – Listing of property; sealed bid sales of equipment	GC 34090 CCP 337	Until audited + 4 years
Fixed Assets Vehicle Ownership & Title	Title transfers when vehicle is sold.	VC 9900 et. seq.	Until sold
Forms	Administrative - blank		Until superseded

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Fund Transfers	Internal; bank transfers & wires	GC 34090	Until audited + 2 years
General Ledgers	All annual financial summaries--all agencies	GC 34090 CCP 337	Until audited + 4 years  Published articles show 4 – 7 years retention as typical  Sec. of State Guidelines recommends permanent retention
Gift to Agency Report (FPPC Form 801)	FPPC form showing payment or donation made to the RCA or to a RCA official and which can be accepted as being made to the RCA	2 CCR 18944(c)(3)(F), (G); FPPC Fact Sheet : “Gifts to an Agency – Part 2”	Must be posted on RCA website for 4 years (per FPPC Fact Sheet)
Gifts/Bequests	Finance – gifts/bequests made to the RCA or the Board	GC 34090	2 years
Grants Community Development Block Grant (CDBG); Urban Development; other Federal and State grants	Grant documents and all supporting documents: applications, reports, contracts, project files, proposals, statements, sub-recipient dockets, environmental review, inventory, consolidated plan, etc.	GC 34090 24 CFR 570.502 24 CFR 85.42	Until completed + 4 years
Grants - Unsuccessful	Applications not entitled	GC 34090	2 years
Historic Preservation Inventory	Records of historic landmarks, including historic register	GC 34090	Current + 2 years

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Insurance	Personnel related	GC 34090	While current, + 2 years
Insurance, Joint Powers Agreement	Accreditation, MOU, agreements and agendas	GC 34090	Current + 2 years
Insurance Certificates, RCA	Liability, performance bonds, employee bonds, property; Insurance certificates filed separately from contracts, includes insurance filed by licensees	GC 34090	While current + 2 years
Insurance, Liability/Property	May include liability, property, Certificates of Participation, deferred, use of facilities	GC 34090	While current + 2 years
Insurance, Risk Management Reports	Federal OSHA Forms; Loss Analysis Report; Safety Reports; Actuarial Studies	29 CFR 1904.44 GC 34090	5 years (federal) 2 years (state)
Investment Reports, Transactions	Summary of transactions, inventory and earnings report	GC 34090 CCP 337	Until audited + 4 years
Invoices	Invoices from vendors and back-up documents	CCP 337 26 CFR 31.6001-1(e)(2); Sec. of State Local Gov't Records Mgmt. Guidelines recommendation	Until audited + 4 years
Job Descriptions	Descriptions of duties, qualifications, responsibilities for each position/classification/job title	29 CFR 1627.3	While current + 3 years

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Category of Record	Description or Example of Record	Legal Authority	Legal / Recommended Retention Period
Joint Project Review	RCA findings, reports and other documents submitted to RCA for review	CCP 337.15	10 years after site development, land donation or acquisition for paper files  Staff recommends permanent digital file retention
Legal Notices / Affidavits of Publication or Posting	Examples: Notices of public hearings, notices of liens, etc. Also proof of publication of notice, or proof of posting of notice	GC 34090	Current + 2 years, unless part of a project or matter that requires longer retention (i.e., CEQA documents)
Legal Opinions	Confidential – not for public disclosure (attorney-client privilege)	GC 34090	Until superseded + 2 years
Litigation	Case files	GC 34090	Until settled + 2 years
Maintenance Manuals	Equipment service/maintenance	GC 34090	Until superseded
Maintenance/Repair Records	Equipment	GC 34090	2 years
Minutes	Board of Directors meetings	GC 34090(e) GC 34090.5	Permanent; documents are to be imaged immediately
Newsletter, RCA	Newsletter issued periodically throughout the year	GC 34090	2 years May wish to retain permanently for historic reference
Notices – Public Meetings	Special Meetings; Adjourned Meetings	GC 34090	2 years

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Oaths of Office	Public officials	GC 34090 29 USC 1113 Sec. of State Guidelines	Current plus 6 years
OSHA	OSHA Log 200, Supplementary Record, Annual Summary (Federal & State-Cal-OSHA); OSHA 300 Log, privacy case list, annual summary, OSHA 301 incident report forms	LC 6410; 8 CCR 14300.33 29 CFR 1904.2 - 1904.6, 1904.33	5 years
OSHA (Accident/Illness Reports)	Personnel - Employee Exposure Records & Employee Medical Records regarding exposure to toxic substances Not a public record	LC 6410; 8 CCR 14300.33; 8 CCR. 3204; GC 6254(c)	Duration of employment plus 30 years
Participating Special Entities (PSEs)	Certificates, RCA findings, reports and other documents submitted to RCA for review	CCP 337.15	10 years after project construction for paper files Staff recommends permanent digital file retention

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Payroll - Federal/State Reports	Annual W-2's, W-4's, Form 1099s, etc.; quarterly and year-end reports	29 USC 436 26 CFR 31.6001-4 R&TC 19530 R&TC 19704 26 USC 6001 26 CFR 301.6501(a)-1 26 CFR 31.6001-1(e) 29 CFR 516.5 – 516.6	6 years
Payroll Deduction/ Authorizations	Finance	29 CFR 516.6(c)	While current + 2 years
Payroll records (employee information)	Records showing employee information/data – names, addresses, etc.; hours worked; regular and overtime wages, etc.	29 CFR 516.5 LC 1174(d), 1197.5	Length of employment + 3 years

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Payroll, registers	Finance Labor costs by employee & program	29 CFR 516.5(a) LC 1174(d)	3 years  Sec. of State Guidelines – recommended permanent retention
Payroll, time cards/sheets	Employee	29 CFR 516.6(a)(1) LC 1174(d)	2 years Sec. of State guidelines – recommends retention: until audited + 6 years
Payroll - Wage Rates / Job Classifications	Employee records	LC 1197.5(d) LC 1174(d) GC 34090 GC 12946 29 CFR 516.6 29 CFR 1602.4 29 CFR 1627.3	While current + 3 years
PERS - Employee Benefits	Retirement Plan – annual reports required to be filed under ERISA  PERS Employee Benefit Plan – original document, or copies	29 USC 1027  29 CFR 1627.3(b)(2) GC 34090	6 years  Current + 2 years

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RECORDS RETENTION SCHEDULE FOR CITIES**

Adopted by Resolution No. 2016-014 - RCA Board of Directors

<b>Category of Record</b>	<b>Description or Example of Record</b>	<b>Legal Authority</b>	<b>Legal / Recommended Retention Period</b>
Personnel Policies -- Rules and Regulations	Including employee handbooks, employee manuals, and other policies/procedures	29 CFR 516.6 29 CFR 1627.3(a)	Current + 3 years
Personnel Records	Payroll <b>or other</b> records containing name, address, date of birth, occupation, rate of pay, etc., including records relating to promotion, demotion, transfer, lay-off, termination	29 CFR 1627.3	3 years
Petitions	Submitted to legislative bodies	GC 34090	Current + 2 years
Policies, Administrative	All policies and procedures, directives rendered by Board not assigned a resolution number	GC 34090	Until superseded + 2 years
Policies, Board of Directors	Original policies adopted by the Board of Directors	GC 34090	Until superseded
Political Support/Opposition, Requests & Responses	Related to legislation	GC 34090	2 years
Press Releases	RCA related	GC 34090	2 years
Procedure Manuals	Administrative	GC 34090	Until superseded + 2 years
Property Acquisition/Disposition	RCA owned. Supporting documents regarding sale, purchase, exchange, lease or rental of property by RCA	CCP 337.15	10 years
Public Records Act Request	Requests from the public to inspect or copy public documents	GC 34090	2 years
Purchasing RFQ's, RFP's	Requests for Qualifications; Requests for Proposals regarding goods and services	GC 34090	Current + 2 years

Legal Authority Abbreviations

CCP	Code of Civil Procedure (California)	GC	Government Code (California)	PC	Penal Code (California)
CCR	California Code of Regulations	R&TC	Revenue & Taxation Code (California)	H&S	Health & Safety Code (California)
CFR	Code of Federal Regulations	USC	United States Code		
EC	Elections Code (California)	LC	Labor Code (California)		

**WESTERN RIVERSIDE COUNTY REGIONAL CONSERVATION AUTHORITY  
RECORDS RETENTION SCHEDULE FOR CITIES**

Adopted by Resolution No. 2016-014 - RCA Board of Directors

<b>Category of Record</b>	<b>Description or Example of Record</b>	<b>Legal Authority</b>	<b>Legal / Recommended Retention Period</b>
Purchasing, Requisitions, Purchase Orders	Original Documents	GC 34090 CCP 337	Until audited + 4 years
Recordings - audio (e.g., for preparation of meeting minutes)	Board of Directors meetings -- audio recording “made for whatever purpose by or at the direction of the local agency”	GC 34090; 54953.5(b)	Minimum 30 days
Recordings - routine video monitoring, telephone, and radio communications	Routine daily recording of telephone & radio communications; routine video monitoring including building security systems	GC 34090, 34090.6	Videos - 1 year; telephone & Radio communications - 100 days (destruction must be approved by Board of Directors & legal counsel)
Recordings, video or digitally recorded – meetings of legislative bodies	Videos or digital recordings of public meetings made by or at the direction of the RCA	GC 54953.5	Minimum 30 days
Recordings, video or digitally recorded (Duplicate – see Description or Example of Record)	Other than videos or digital recordings of public meetings; considered duplicate records if another record of the same event is kept (i.e., written minutes)	GC 34090, 34090.7 85 Ops. Cal. Atty. Gen. 256 (2002)	Minimum 90 days after event is recorded
Records Management Disposition Certification	Documentation of final disposition of records	GC 34090	Permanent
Records Retention Schedules		GC 34090	Current + 2 years
Recruitments and Selection	Records relating to hiring, promotion, selection for training	29 CFR 1627.3	3 years

Legal Authority Abbreviations

CCP	Code of Civil Procedure (California)	GC	Government Code (California)	PC	Penal Code (California)
CCR	California Code of Regulations	R&TC	Revenue & Taxation Code (California)	H&S	Health & Safety Code (California)
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**WESTERN RIVERSIDE COUNTY REGIONAL CONSERVATION AUTHORITY  
RECORDS RETENTION SCHEDULE FOR CITIES**

Adopted by Resolution No. 2016-014 - RCA Board of Directors

<b>Category of Record</b>	<b>Description or Example of Record</b>	<b>Legal Authority</b>	<b>Legal / Recommended Retention Period</b>
Reserve Management Data and Information	Includes adaptive management plan		75 years, electronic format
Resolutions	Resolutions adopted by the Board of Directors	GC 34090(e)	Permanent
Returned Checks	Finance-NSF (not RCA checks)	GC 34090	2 years after audit
Salary/Compensation Studies, Surveys	Studies or surveys of other agencies regarding wages, salaries and other compensation or benefits	GC 34090	While current + 2 years
State Controller	Annual reports.	GC 34090	2 years
Statements of Economic Interest - Form 700 (copies) (elected officials)	<u>Copies</u> of original statements of elected officials forwarded to Fair Political Practices Commission (FPPC)	GC 81009(f), (g)	4 years (can image after 2 years)
Statements of Economic Interest - Form 700 (originals) (non-elected)	<u>Originals</u> of statements of designated employees	GC 81009(e), (g)	7 years (can image after 2 years)
Stop Payments	Finance - bank statements	GC 34090	2 years
Studies, Various RCA		GC 34090	While current + 2 years
Unemployment Insurance Records	Records relating to unemployment insurance – claims, payments, correspondence, etc.	26 USC 3301-3311; Calif. Unemployment Insurance Code; CCP 343	While current + 4 years

Legal Authority Abbreviations

CCP	Code of Civil Procedure (California)	GC	Government Code (California)	PC	Penal Code (California)
CCR	California Code of Regulations	R&TC	Revenue & Taxation Code (California)	H&S	Health & Safety Code (California)
CFR	Code of Federal Regulations	USC	United States Code		
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**WESTERN RIVERSIDE COUNTY REGIONAL CONSERVATION AUTHORITY  
RECORDS RETENTION SCHEDULE FOR CITIES**

Adopted by Resolution No. 2016-014 - RCA Board of Directors

<b>Category of Record</b>	<b>Description or Example of Record</b>	<b>Legal Authority</b>	<b>Legal / Recommended Retention Period</b>
Vouchers - Payments	Account postings with supporting documents	GC 34090 CCP 337	Until audited + 4 years
Wage Garnishment	Wage or salary garnishment	CCP 337	Active until garnishment is satisfied; then retain until audited + 4 years
Warrant Register/Check Register	Record of checks issued; approved by legislative body (copy is normally retained as part of agenda packet information)	GC 34090	Until audited + 2 years
Workers Compensation Files	Work-injury claims (including denied claims); claim files, reports, etc.	8 CCR 10102 8 CCR 15400.2	Until settled + 5 years

Legal Authority Abbreviations

CCP	Code of Civil Procedure (California)	GC	Government Code (California)	PC	Penal Code (California)
CCR	California Code of Regulations	R&TC	Revenue & Taxation Code (California)	H&S	Health & Safety Code (California)
CFR	Code of Federal Regulations	USC	United States Code		
EC	Elections Code (California)	LC	Labor Code (California)		



# **AGENDA ITEM NO. 8.4**

**RESOLUTION NO. 2016-015,  
*RESOLUTION OF THE BOARD OF  
DIRECTORS OF THE WESTERN  
RIVERSIDE COUNTY REGIONAL  
CONSERVATION AUTHORITY  
AMENDING THE CONFLICT OF  
INTEREST CODE PURSUANT TO THE  
POLITICAL REPORT ACT OF 1974***

*Regional Conservation Authority*

**RESOLUTION NO. 2016-015**  
**RESOLUTION OF THE BOARD OF DIRECTORS OF THE WESTERN**  
**RIVERSIDE COUNTY REGIONAL CONSERVATION AUTHORITY**  
**AMENDING THE CONFLICT OF INTEREST CODE PURSUANT TO THE**  
**POLITICAL REFORM ACT OF 1974**

**Staff Contact:**

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

**Background:**

The Political Reform Act (the "Act") requires all public agencies to adopt and maintain a conflict of interest code establishing the rules for disclosure of personal assets and the disqualification from making or participating in the making of any decisions that may affect any personal assets. A conflict of interest code must also specifically designate all agency positions, except for those listed in Government Code section 87200, that make or participate in the making of decisions which may foreseeably have an effect on any financial interest of that person and assign specific types of personal assets to be disclosed that may be affected by the exercise of powers and duties of that position.

The Act further requires that an agency amend its Conflict of Interest Code when necessitated by changed circumstances which includes, among other things, the need to designate new positions. (Gov. Code § 87306.)

Attached is a redlined version of the Authority's proposed amended Conflict of Interest Code showing the changes to be made. The revisions are based on the requirement to designate positions and include clarifying language as provided by the FPPC.

**Staff Recommendations:**

- 1) That the Board of Directors adopt Resolution No. 2016-15, *Resolution of the Board of Directors of the Western Riverside County Regional Conservation Authority Amending the Conflict of Interest Code Pursuant to the Political Reform Act of 1974*; and

**Agenda Item No. 8.4 Staff Report**

**Page 2**

**September 12, 2016**

- 2) Direct staff to submit said amendment to the Riverside County Board of Supervisors as the Authority's code-reviewing body (Gov. Code § 82011) to request approval of the amendment, as required under Government Code section 87303.

**Attachments:**

1. Resolution No. 2016-015 with Amended Conflict of Interest Code
2. Legislative Version Redlined Copy showing changes made to Conflict of Interest Code
3. Notice of Intention

**AGENDA ITEM NO. 8.4**  
**Attachment 1**

**RESOLUTION NO. 2016-015**  
**with Amended**  
**Conflict of Interest Code**

**RESOLUTION NO. 2016-015**

**RESOLUTION OF THE BOARD OF DIRECTORS OF THE WESTERN RIVERSIDE COUNTY REGIONAL CONSERVATION AUTHORITY AMENDING THE CONFLICT OF INTEREST CODE PURSUANT TO THE POLITICAL REFORM ACT OF 1974**

**WHEREAS**, the State of California enacted the Political Reform Act of 1974, Government Code Section 81000 et seq. (the "Act"), which contains provisions relating to conflicts of interest which potentially affect all officers, employees and consultants of the Western Riverside County Regional Conservation Authority ("RCA") and requires all public agencies to adopt and promulgate a Conflict of Interest Code; and

**WHEREAS**, the Board of Directors adopted a Conflict of Interest Code (the "Code") which was amended on June 1, 2015, in compliance with the Act; and

**WHEREAS**, subsequent changed circumstances within RCA have made it advisable and necessary pursuant to Sections 87306 and 87307 of the Act to amend and update RCA's Code; and

**WHEREAS**, the potential penalties for violation of the provisions of the Act are substantial and may include criminal and civil liability, as well as equitable relief which could result in RCA being restrained or prevented from acting in cases where the provisions of the Act may have been violated; and

**WHEREAS**, notice of the time and place of a public meeting on, and of consideration by the Board of Directors of, the proposed amended Code was provided each affected designated employee and publicly posted for review; and

**WHEREAS**, a public meeting was held upon the proposed amended Conflict of Interest Code at a regular meeting of the Board of Directors of RCA on September 12, 2016, at which all present were given an opportunity to be heard on the proposed amended Code.

**NOW, THEREFORE, THE BOARD OF DIRECTORS OF THE WESTERN RIVERSIDE COUNTY REGIONAL CONSERVATION AUTHORITY DOES HEREBY RESOLVE AS FOLLOWS:**

1. The Board of Directors of RCA does hereby adopt the proposed amended Conflict of Interest Code, a copy of which is attached hereto and shall be on file with the Director of Administrative Services and available to the public for inspection and copying during regular business hours.

2. The said amended Conflict of Interest Code shall be submitted to the Board of Supervisors of the County of Riverside for approval.

3. The said amended Conflict of Interest Code shall become effective immediately upon the date the Riverside County Board of Supervisors approves the proposed Code as submitted.

**PASSED, APPROVED AND ADOPTED** this 12th day of September, 2016.

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EUGENE MONTANEZ, Chairman  
Western Riverside County  
Regional Conservation Authority

ATTEST:

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

# CONFLICT OF INTEREST CODE OF THE WESTERN RIVERSIDE COUNTY REGIONAL CONSERVATION AUTHORITY

(Amended September 12, 2016)

The Political Reform Act (Gov. Code § 81000, et seq.) requires state and local government agencies to adopt and promulgate conflict of interest codes. The Fair Political Practices Commission has adopted a regulation (2 Cal. Code Regs. § 18730) that contains the terms of a standard conflict of interest code which can be incorporated by reference in an agency's code. After public notice and hearing Section 18730 may be amended by the Fair Political Practices Commission to conform to amendments in the Political Reform Act. Therefore, the terms of 2 California Code of Regulations section 18730 and any amendments to it duly adopted by the Fair Political Practices Commission are hereby incorporated by reference. This incorporation page, Regulation 18730 and the attached Appendix designating positions and establishing disclosure categories, shall constitute the conflict of interest code of the **Western Riverside County Regional Conservation Authority** (the "**Authority**").

All officials and designated positions required to submit a statement of economic interests shall file their statements with the **Director of Administrative Services** as the Authority's Filing Officer. The **Director of Administrative Services** shall make and retain a copy of all statements filed by Members of the Board of Directors and their Alternates and the Executive Director, and forward the originals of such statements to the Clerk of the Board of Supervisors of the County of Riverside. The **Director of Administrative Services** shall retain the originals of the statements filed by all other officials and designated positions. The **Director of Administrative Services** will make all retained statements available for public inspection and reproduction during regular business hours (Gov. Code Section 81008).

*BBK – July 2016*

**APPENDIX**  
**CONFLICT OF INTEREST CODE**  
**OF THE**  
**WESTERN RIVERSIDE COUNTY**  
**REGIONAL CONSERVATION AUTHORITY**  
**(Amended September 12, 2016)**

**PART “A”**

**OFFICIALS WHO MANAGE PUBLIC INVESTMENTS**

Authority Officials who manage public investments, as defined by 2 California Code of Regs. § 18700.3(b), are NOT subject to the Authority’s Code, but must file disclosure statements under Government Code section 87200 et seq. [Regs. § 18730(b)(3)] These positions are listed here for informational purposes only.

It has been determined that the positions listed below are officials who manage public investments<sup>1</sup> :

Members of the Board of Directors and their Alternates

Executive Director

Treasurer<sup>2</sup>

Financial Consultant

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<sup>1</sup> Individuals holding one of the above-listed positions may contact the Fair Political Practices Commission for assistance or written advice regarding their filing obligations if they believe that their position has been categorized incorrectly. The Fair Political Practices Commission makes the final determination whether a position is covered by § 87200.

<sup>2</sup> This is the County Treasurer; no duplicate filing is required under this Code.



## **DESIGNATED POSITIONS**

### **GOVERNED BY THE CONFLICT OF INTEREST CODE**

<b><u>DESIGNATED POSITIONS'</u> <u>TITLE OR FUNCTION</u></b>	<b><u>DISCLOSURE CATEGORIES</u> <u>ASSIGNED</u></b>
Controller	1, 2
Deputy Executive Director, RCA	1, 2
Director of Administrative Services, RCA	4
Director of Land Acquisition, RCA	1, 2
Director of Reserve Management and Monitoring, RCA	1, 2
General Counsel	1, 2
RCA Administrative Manager	4
RCA Administrative Services Officer	4
RCA Chief of Technical Information	5
RCA Ecological Resources Specialist	2, 5
RCA GIS/IT Database Manager	5
RCA Land Acquisition Analyst	1, 2
RCA Senior Real Property Agent	2, 5
RCA Supervising Accountant	4
Reserve Manager	5

**DESIGNATED POSITIONS'**  
**TITLE OR FUNCTION**

**DISCLOSURE CATEGORIES**  
**ASSIGNED**

**MEMBERS OF BOARDS,**  
**COMMITTEES & COMMISSIONS**

Executive Committee	4
Funding Coordination Committee	1, 2
Reserve Management Oversight Committee	1, 2

Consultant and New Positions<sup>3</sup>

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<sup>3</sup> Individuals serving as a consultant as defined in FPPC Reg 18700.3(a) or in a new position created since this Code was later amended that makes or participates in making decisions must file under the broadest disclosure requirements set forth in this Code subject to the following limitation:

The Executive Director may determine that, due to the range of duties or contractual obligations, it is more appropriate to assign a limited disclosure requirement. A clear explanation of the duties and a statement of the extent of the disclosure requirements must be in a written document. (Gov. Code § 82019; FPPC Regs 18219 and 18734.) The Executive Director's determination is a public record and shall be retained for public inspection in the same manner and location as this Conflict of Interest Code. (Gov. Code § 81008.)

## **PART “B”**

### **DISCLOSURE CATEGORIES**

The disclosure categories listed below identify the types of economic investments that the designated position must disclose for each disclosure category to which he or she is assigned.<sup>4</sup> “Investment” means financial interest in any business entity (including a consulting business or other independent contracting business) and are reportable if they are either located in or doing business in the jurisdiction, are planning to do business in the jurisdiction, or have done business during the previous two years in the jurisdiction of the Authority.

Category 1. All investments and business positions in business entities, and sources of income, including gifts, loans and travel payments, that are located in, that do business in, or own real property within the jurisdiction of the Authority.

Category 2: All interests in real property which is located in whole or in part within, or not more than two (2) miles outside, the jurisdiction of the Authority.

Category 3: All investments and business positions in business entities, and sources of income, including gifts, loans and travel payments, that are engaged in land development, construction or the acquisition or sale of real property within the jurisdiction of the Authority.

Category 4: All investments and business positions in business entities, and sources of income, including gifts, loans and travel payments, that provide services, products, materials, machinery, vehicles or equipment of a type utilized by the Authority.

Category 5: All investments and business positions in business entities, and sources of income, including gifts, loans and travel payments, that provide services, products, materials, machinery, vehicles or equipment of a type utilized by designated position’s department, unit or division.

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<sup>4</sup> This Conflict of Interest Code does not require the reporting of gifts from outside this agency’s jurisdiction if the source does not have some connection with or bearing upon the functions or duties of the position. (Reg. 18730.1)

**AGENDA ITEM NO. 8.4**  
**Attachment 2**

**Legislative Version**  
**Redlined Copy** to  
**Show Changes made to**  
**Conflict of Interest Code**

# **CONFLICT OF INTEREST CODE OF THE WESTERN RIVERSIDE COUNTY REGIONAL CONSERVATION AUTHORITY**

**(Amended September 12, 2016)**

The Political Reform Act (Gov. Code § 81000, et seq.) requires state and local government agencies to adopt and promulgate conflict of interest codes. The Fair Political Practices Commission has adopted a regulation (2 Cal. Code Regs. § 18730) that contains the terms of a standard conflict of interest code which can be incorporated by reference in an agency's code. After public notice and hearing Section 18730 may be amended by the Fair Political Practices Commission to conform to amendments in the Political Reform Act. Therefore, the terms of 2 California Code of Regulations section 18730 and any amendments to it duly adopted by the Fair Political Practices Commission are hereby incorporated by reference. This incorporation page, Regulation 18730 and the attached Appendix designating positions and establishing disclosure categories, shall constitute the conflict of interest code of the **Western Riverside County Regional Conservation Authority** (the "**Authority**").

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*BBK – July 2016*

**APPENDIX**  
**CONFLICT OF INTEREST CODE**  
**OF THE**  
**WESTERN RIVERSIDE COUNTY**  
**REGIONAL CONSERVATION AUTHORITY**  
**(Amended September 12, 2016)**

**PART “A”**

**OFFICIALS WHO MANAGE PUBLIC INVESTMENTS**

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Treasurer<sup>2</sup>

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<sup>1</sup> Individuals holding one of the above-listed positions may contact the Fair Political Practices Commission for assistance or written advice regarding their filing obligations if they believe that their position has been categorized incorrectly. The Fair Political Practices Commission makes the final determination whether a position is covered by § 87200.

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## **DESIGNATED POSITIONS**

### **GOVERNED BY THE CONFLICT OF INTEREST CODE**

<b><u>DESIGNATED POSITIONS'</u> <u>TITLE OR FUNCTION</u></b>	<b><u>DISCLOSURE CATEGORIES</u> <u>ASSIGNED</u></b>
Controller	1, 2
Deputy Executive Director, RCA	1, 2
Director of Administrative Services, RCA	4
Director of Land Acquisition, RCA	1, 2
Director of Reserve Management and Monitoring, RCA	1, 2
General Counsel	1, 2
RCA Administrative Manager	4
RCA Administrative Services Officer	4
RCA Chief of Technical Information	5
RCA Ecological Resources Specialist	2, 5
RCA GIS/IT Database Manager	5
RCA Land Acquisition Analyst	1, 2
RCA Senior Real Property Agent	2, 5
RCA Supervising Accountant	4
Reserve Manager	5

**DESIGNATED POSITIONS'**  
**TITLE OR FUNCTION**

**DISCLOSURE CATEGORIES**  
**ASSIGNED**

**MEMBERS OF BOARDS,**  
**COMMITTEES & COMMISSIONS**

Executive Committee	4
Funding Coordination Committee	1, 2
Reserve Management Oversight Committee	1, 2

Consultant and New Positions<sup>3</sup>

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<sup>3</sup> Individuals serving as a consultant as defined in FPPC Reg 18700.3(a) or in a new position created since this Code was later amended that makes or participates in making decisions must file under the broadest disclosure requirements set forth in this Code subject to the following limitation:

The Executive Director may determine that, due to the range of duties or contractual obligations, it is more appropriate to assign a limited disclosure requirement. A clear explanation of the duties and a statement of the extent of the disclosure requirements must be in a written document. (Gov. Code § 82019; FPPC Regs 18219 and 18734.) The Executive Director's determination is a public record and shall be retained for public inspection in the same manner and location as this Conflict of Interest Code. (Gov. Code § 81008.)



## **PART “B”**

### **DISCLOSURE CATEGORIES**

The disclosure categories listed below identify the types of economic investments that the designated position must disclose for each disclosure category to which he or she is assigned.<sup>4</sup> “Investment” means financial interest in any business entity (including a consulting business or other independent contracting business) and are reportable if they are either located in or doing business in the jurisdiction, are planning to do business in the jurisdiction, or have done business during the previous two years in the jurisdiction of the Authority.

Category 1. All investments and business positions in business entities, and sources of income, including gifts, loans and travel payments, that are located in, that do business in, or own real property within the jurisdiction of the Authority.

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Category 4: All investments and business positions in business entities, and sources of income, including gifts, loans and travel payments, that provide services, products, materials, machinery, vehicles or equipment of a type utilized by the Authority.

Category 5: All investments and business positions in business entities, and sources of income, including gifts, loans and travel payments, that provide services, products, materials, machinery, vehicles or equipment of a type utilized by designated position’s department, unit or division.

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<sup>4</sup> This Conflict of Interest Code does not require the reporting of gifts from outside this agency’s jurisdiction if the source does not have some connection with or bearing upon the functions or duties of the position. (Reg. 18730.1)

**AGENDA ITEM NO. 8.4**  
**Attachment 3**

**Notice of Intention**

**NOTICE OF INTENTION TO AMEND THE  
APPENDIX OF THE CONFLICT OF INTEREST CODE OF THE  
WESTERN RIVERSIDE COUNTY  
REGIONAL CONSERVATION AUTHORITY**

NOTICE IS HEREBY GIVEN that the Board of Directors of the Western Riverside County Regional Conservation Authority (the "Authority") intends to amend the Authority's Conflict of Interest Code (the "Code") pursuant to Government Code Section 87306.

The Appendix designates those employees, members, officers, and consultants who make or participate in the making of decisions and are subject to disclosure requirements of the Authority's Code. The Authority's proposed amendment includes new positions that must be designated and adds clarifying language as provided by the FPPC.

The proposed amended Code will be considered by the Board of Directors on September 12, 2016 at 12:30 p.m. at the Riverside County Administrative Center, First Floor Annex, Board Meeting Room, 4080 Lemon Street, Riverside, California, 92501. Any interested person may be present and comment at the public meeting or may submit written comments concerning the proposed amendment. Any comments or inquiries should be directed to the attention of Honey Bernas, Director of Administrative Services, Western Riverside County Regional Conservation Authority, Riverside Centre Building, 3403 Tenth Street, Suite 320, Riverside, California, 92501; (951) 955-9700. Written comments must be submitted no later than September 12, 2016 at 12:30 p.m.

The proposed amended Code may be reviewed at, and copies obtained from, the office of the Director of Administrative Services.

# **AGENDA ITEM NO. 8.5**

## **FISCAL YEAR 2016 FOURTH QUARTER CONSULTANT REPORTS**

*Regional Conservation Authority*

**FISCAL YEAR 2016 FOURTH QUARTER  
CONSULTANT REPORTS**

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**Staff Contact:**

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

**Background:**

Attached are the Fiscal Year 2016 Fourth 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.

**Executive Committee and Staff Recommendation:**

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

**Attachments:**

Fiscal Year 2016 Fourth 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. 8.5**  
**Attachment 1**

**DUDEK**

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

**Report Covers Period:** 04/01/16 to 06/30/16

**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. Separate trainings sessions were held for the City of Murrieta and all Permittees, both during the third quarter of 2016. A separate training session was held for consultants 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. Meetings with EPD this quarter were held on April 6, May 5, and June 2, 2016.

**Wildlife Agency Coordination and Meetings**

Dudek attended three monthly meetings with U.S. Fish and Wildlife Service (USFWS) 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. Meetings with the Wildlife Agencies this quarter were held on April 21, May 19, and June 16, 2016.

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. Meetings with the regulated waters Permitting Agencies this quarter were held on April 13, May 11, and June 8, 2016.

Also in this reporting period, Dudek provided documentation and support to CDFW and USFWS 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 in discussions regarding the following projects, including but not limited to: Norco Line, Hubbard Storm Drain, World Logistics, Salt Creek Trail, Corona Quarry, Corona 720 Criteria Refinement, Murrieta 196, U.S. Army Corps of Engineers (Santa Margarita Watershed) In-Lieu Fee Program, Rancho Diamante, Skyline Heights, Rancho San Geronio, Water Canyon Pipeline Replacement, Mid-County Parkway, Cajalco Road Widening, and 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 was provided to RCA on April 10, 2016.

The last year of monitoring for the Munz's Onion relocation effort is complete and final reporting is in process. A draft of the final report will be provided to RCA in August 2016.

Work on the Burrowing Owl Relocation Standards for the MSHCP has been on hold during this reporting Quarter. Subsequent revisions to the Standards and conference calls with the RCA and Wildlife Agencies may resume following initiation of field activities of burrowing owl management support scheduled for fall 2016 (see below). These activities 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 was submitted on January 4, 2016 for the SCE Valley South System Project. Comments on the Burrowing Owl Determination of Biologically Equivalent or Superior Preservation were sent to SCE on March 20, 2016 and comments on the Biological Technical Report were sent to SCE on May 23, 2016. A formal PSE application was submitted for the SCE Valley-Ivyglen Subtransmission Line Phase 2 (VIG2) on March 29, 2016 although GIS files were not provided until April 6. Coordination regarding VIG2 data needs was ongoing and revised reports (Riparian/Riverine Determination of Biologically Equivalent or Superior Preservation, and Additional Reserve Lands and Public/Quasi-Public Equivalency Analysis) were submitted June 6, 2016. Findings on the VIG2 PSE are anticipated to be issued July 2016. Other PSE application submittals anticipated in 2016 include the SCE West of Devers Upgrade Project (July 2016) and the Alberhill System Project (September 2016).



**AGENDA ITEM NO. 8.5**  
**Attachment 2**

**Geographics**

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

**Report Covers Period:** 4/1/16 – 6/30/16

**Services Provided During Current Work Period:**

Public Information and Branding Services  
Website Updating and Hosting

**Branding Services:**

Geographics created a new general brochure “RCA and the MSHCP” that explains the origins of the agency and the MSHCP with infographics in an easy to understand format. The work involved design, copywriting and illustration. 5,000 brochures were printed.

A new tablecloth with the RCA logo was designed and produced by Geographics for staff use at events.

General information retractable banners (2) were designed for staff use at events. Work was begun on a second banner featuring species that is targeted to school-age children.

The main RCA brochure “What is RCA” was updated and 2,500 copies were printed.

During the fourth quarter, Geographics completed work on RCA’s annual newsletter. The newsletter was printed (1,700 quantity) and mailed to almost 600 contacts, and an accompanying e-newsletter was distributed through Constant Contact.

**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 fourth quarter. The updates included:

- Server diagnostics
- Add link to search to make site Brown Act compliant

**AGENDA ITEM NO. 8.5**  
**Attachment 3**

**Riverside County**  
**Regional Park &**  
**Open-Space District**

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

**Report Covers Period: 04/01/16 – 06/30/16**

**Services Provided During Current Work Period:**

**80 Work Release Program hours were utilized during the Fourth Quarter of FY2016**

**Patrol/Access Control/Maintenance**

**General**

Staff attended Wildland Fire Safety Training in Idyllwild instructed by Chief Dave Driscoll (Ret.).

Night time patrols were implemented by Ranger staff to help address the night time bonfires we are finding on RCA properties.

**Meniffee HMU**

Staff met with Kim Klementowski, CNLM, to discuss access concerns for both CNLM staff and concerns of new mountain biking trails coming from CNLM into Win Mur 700 from the west. This is a new trail the local mountain biking club has made and we will work with CNLM to shut down this trail. The timing is good because B. Dionne and J. Reining have been working hard towards removing a lot of the redundant and excessive trails in the southwest section of the property. Four trail heads north of the creek have been blocked with trail closed signs and vertical mulching. Trails south of the creek have been surveyed. Staff is putting together a plan for shutting down a large area of excessive trails which will involve fencing and signage.

**San Jacinto HMU**

**KB SJ River Donation Mosquito Issue:** Some mosquito activity was found to occur. Vector Control has been treating the pooling water during the 4th quarter.

**San Tim HMU:**

Ranger Rodriguez filed a Sheriff (MVPD) report for a vandalized RCA fence on the Pecuniary property the first weekend of April. A neighbor in the area reported night time OHV activity on the Pecuniary property and upon further investigation by RCA Rangers a 30 foot section of fencing and three t-posts were found to have been removed or damaged. Although there has been OHV activity on Pecuniary in the past, this was the first time that RCA fencing was cut to access to property from this location and detailed witness information was provided. MVPD stated the neighbor witness's information was not substantial enough to press charges. Ranger Rodriguez contacted the Riverside County Sheriff's Department Off-Highway Vehicle Enforcement Program (ROVE) who determined there was enough reasonable suspicion for

ROVE to follow up at the address of the vehicles' owner to put him on notice. Fence repair costs estimated at \$600.00 with labor. The fence line has been patched closed by Ranger Chagolla. Our last patrol of the parcel was March 30<sup>th</sup> and the fencing was intact. The fencing related OHV issues have subsided on the property.

### **Sage HMU**

**Bell/Weigle:** Staff purchased stock and fabricated new gate to be installed off the western end of the property on Ladera Vista Dr. OHV activity in the area has increased and the neighborhood again have voiced their concerns. With the acquisition of Tax Sale 2013 we can limit the main look out point for most OHV and Wine Jeep tours.

### **Cactus Valley HMU**

**Bautista Canyon:** Rangers and Maintenance Staff spent a good deal of time keeping unwanted visitors away from structures still present onsite. One suspected metal thief was stopped at the abandoned houses. Hemet PD ran the suspect's identification and he was found to be on a probation violation. No update by Hemet PD was provided.

### **Habitat/Species Management**

**Western Pond Turtle (WPT):** Efforts to trap and telemetry pond turtles were continued during the fourth quarter. Low rainfall levels slowed activity and emergence of pond turtle was minimal (only one turtle at Bolton Reserve). WPT along Warms Springs Creek exhibit normal activities previously documented.

**McElhinney-Stimmel:** Staff conducted vegetation sampling from 7 randomized points to determine if cattle grazing would be needed this year. Staff measured the average height of vegetation and species composition and concluded that no cattle grazing will be required this year and we will move forward with mechanical treatment. Relatively low vegetation height, senescence, and a well vegetated drainage area were the main factors in the decision not to graze with cattle. Sheep would be nice if we could find some.

Wildlife guzzler shape file layer was completed during 4<sup>th</sup> quarter. This shape files don't include any CDFW guzzlers. The shapefile will help any future staff locate guzzlers for annual maintenance needs.

**HDV BUOW/Spencer's Crossing:** Staff continued to monitor the release site. No new documented observations were found during the 4<sup>th</sup> Quarter. Staff did conduct vegetation maintenance multiple times with string trimming around the artificial burrows and apply herbicide.

**BUOW Breeding Survey:** Staff participated in breeding pair surveys at El Sol, Multi Species Reserve and Johnson Ranch. Overall breeding was very successful with many young fledging during consecutive drought years. Final number will be tabulated during the 1<sup>st</sup> Quarter FY16-17.

**CALMAT OHV Restoration Project:** Staff watered for the last time. The plants are now established and will survive off natural precipitation. Treatment of non-natives will be on-going through the years however.

**Teledyne DSFLF Habitat Improvements:** Staff has been busy restoring habitat and getting ready for the survey season. Initial observation showed DSFLF utilizing areas restored by staff with decent numbers given drought and unwanted vegetation produced with sporadic rain fall.

### **Fire Management/Weed Abatement**

**Weed Abatement:** Most of the work during the 4<sup>th</sup> quarter was comprised weed abatement to comply with County and City ordinances.

## **Acquisitions**

### **Initial Site Inspections:**

**Hong, Susan, and John:** Witness markers present except northern most. There is trash on property and very hard to access. Cost estimate was completed for management to remove all the trash by hauling it out by hand and OHV.

**Terra Investment:** Beautiful alluvial shrub habitat. There is a large patch of cholla and at least one cactus wren nest was observed. There are two spots on the property that are issue areas; one is an old collapsed structure and the other area is highly disturbed with multiple dumped cars, trailers, clothing, wood, metal and other rubbish. There are also buckets of what appears to be oil leaking into the ground. The only witness markers absent were the two western most.

**Tuscany Hills:** Nice largish property (~105 acres). Hilly with chaparral/coastal sage scrub on north slopes and xeric sage scrub on the south slopes. No dumping on property. No witness markers present.

**Live Oak Canyon:** Beautiful property of a mosaic of chaparral, coastal sage scrub, and mixed (mostly nonnative) forb/grassland.

**Rancho Road Escarpment:** Approximately one F550 load of dumping on southwestern parcel. Cable preventing people from accessing the property is currently down and needs to be re-fastened to prevent more dumping and illegal fires.

**Jurupa Donation-** Conducted 2<sup>nd</sup> preacquisition review. Witness markers have now been installed.

**AGENDA ITEM NO. 8.5**  
**Attachment 4**

**Santa Ana**  
**Watershed Association**

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

**Report Covers Period:** 04/01/16 – 06/30/16

**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, conducted and completed.
- California Gnatcatcher vegetation/habitat data surveys at gnatcatcher survey sites via modified point intercept method, conducted and completed.
- Focused California Gnatcatcher surveys for presence, territories, and nesting at Lake Matthews Reserve via area-constrained visual encounter surveys and call-playback surveys within suitable conserved habitat, conducted and completed.
- Burrowing Owl via binoculars and spotting scopes at locations with owls to determine numbers of breeding pairs and nest outcomes, possibly completed.
- Quino checkerspot butterfly via area-constrained visual encounter surveys at any conserved locations where the species has been observed in the last 5+ years, conducted and completed.
- Engelmann oaks via re-visiting sampling plots to determine recruitment since 2011, conducted and completed.
- Rare plants via area-constrained visual encounter surveys at conserved locations known or suspected to support covered rare plant species.
- Terrestrial herps via grid-based area searches for lizards and snakes. Experimenting with onduline roofing material at select sites.
- Tricolored Blackbird via a state-wide effort to estimate numbers of breeding birds.
- Delhi Sands flower-loving fly via visual walking surveys at recently occupied locations.
- Golden Eagle via United States Geological Survey (USGS) territory surveys.
- Nashville Warbler surveys begun and half-way completed.

Collaborated with:

- Continue to coordinate with CA Department of Fish and Wildlife (CDFW) staff at the San Jacinto Wildlife Area (SJWA) regarding management of the Tricolored Blackbird breeding habitat.
- Collaborated with the Santa Ana Watershed Association (SAWA) to help remove cattails from the Tricolored Blackbird enhancement site at the SJWA.
- Coordinated with USFWS to collect 12 females, 2 males, and 3+ egg clusters of Quino checkerspot butterflies from the Anza Knolls property.
- Collaborating with USGS with their California Gnatcatcher Regional Survey and Golden Eagle territory surveys.
- Collaborated with Riverside County Habitat Conservation Agency (RCHCA) to conduct California Gnatcatcher surveys at Lake Matthews Reserve.



- Partnered with Aaron Echols from the Inland Empire Resource Conservation District (IERCD) to conduct Atriplex surveys at Wilhelm Ranch.
- Collaborated with Arlee Montalvo from the Riverside County Resource Conservation District (RCRCD) to update their list of sensitive species.
- Consulted with Andy Sanders and Teresa Salvato from the University of California Riverside (UCR) regarding plant identification.
- Started training CDFW Natural Resources Volunteer Program (NRVP) volunteers for terrestrial herp surveys.
- Collaborated with other wildlife agencies on long-term planning at an Arroyo Toad Monitoring Strategy kick-off meeting in May.
- Collaborated with other wildlife agencies on current issues in a quarterly Southern California Native Freshwater Fauna Working Group meeting in June, including but not limited to effects of the polyphagous shot hole borer on aquatic habitat systems.

### **Accomplishments:**

- Gathered useful data for carnivores, California Gnatcatcher, Burrowing Owl, Quino checkerspot butterfly, Engelmann oaks, rare plants, herps, Tricolored Blackbird, and Delhi Sands flower-loving fly.
- Already met species objective for granite spiny lizard until 2024.
- Completed CDFW Local Assistance Grant project to enhance Tricolored Blackbird breeding habitat at the San Jacinto Wildlife Area; final report submitted to RCA. 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.
- Assisted Dr. Gordon Pratt, an expert on Quino checkerspot butterfly, with his Quino habitat enhancement project in Beauty Mountain Area.
- Hosted three monthly monitoring/management coordination meetings with local land managers and wildlife agency representatives.
- Spoke on the Monitoring Program at the first annual Riverside Green Festival in April.
- Updated the BMP Operations Manual.

**AGENDA ITEM NO. 8.5**  
**Attachment 5**

**David Kennett,**  
**Capitol Alliance**  
**Consulting, LLC**



8 Oak Tree Drive  
Newport Beach, CA 92660

## MEMORANDUM

To: RCA  
From: Dave Kennett  
RE: April to June 2016 Activity Report  
Date: July 12, 2016

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RCA's government affairs agenda from April to June 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;
4. Building and participating in National HCP Coalition

### Congress Shows Strong Support for Habitat Acquisition Grants

After years of fighting to save ESA habitat acquisition grants from extinction, we are pleased to report that Congressional support for the program has solidified. Following on the heels of the President's budget request of \$53.5 million for the Cooperative Endangered Species Conservation Fund (CESCF), the account from which HCP grants are funded, the Senate and House Appropriations Committees each passed a bill containing CESCF funding. The Senate matched the President's request while the House proposes an increase to \$55.6 million for the program.

All of the proposals would fund HCP land acquisition grants at \$19.7 million. While RCA alone could spend most or all of those dollars, the account remains on an upward trend and we will continue to seek more funding for HCP land acquisition. In the meantime, we will work with RCA, Congress and the US Fish and Wildlife Service (USFWS) to ensure that RCA gets as much of the \$19.7 million as possible.

### Loan Legislation Update

We continue to seek 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, but continues to wait for Senator Dianne Feinstein to author her bill so that the measures can be introduced simultaneously.

We are also working with Senate and House Committee staff on an effort to include loan language in the Water Resources Development Act (WRDA) bill due to pass Congress in 2016. While we already created a program to issue habitat loans for HCPs that support water projects, we are now looking to include language in WRDA that would allow loans to HCPs that support transportation projects. Because WRDA does not authorize transportation projects, we are facing germaneness issues, but at the very least our efforts will keep this important proposal on the front burner until Congress renews work on a transportation bill.

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.

I continue to work with local water agencies that are 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.

National Habitat Conservation Plan Coalition Effort's Grow

As you will recall, responding the calls from the USFWS and our Congressional allies to show support for HCPs from beyond California, we recently helped for a National Habitat Conservation Plan Coalition. Members of the new coalition ranging from key states such as Florida and Texas have helped us expand our reach. Our goals are to:

- 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.

I participate in regular conference calls with the group and have worked with Congress and the Administration to further these goals. The benefits of a broader coalition can also be seen in growing Congressional support for habitat acquisition grants.

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. 8.5**  
**Attachment 6**

**Douglas P. Wheeler**  
**Hogan Lovells US LLP**

Quarterly Contract Report

WESTERN RIVERSIDE COUNTY REGIONAL CONSERVATION AUTHORITY

April through June, 2016

During the period, even members of the Senate and House became frustrated with the lack of progress on important legislative initiatives, including the Water Resources Development Act of 2016 (WRDA). The Authority has been tracking WRDA, owing to the possibility of its use as a vehicle for a long-sought amendment of TIFIA. Members will recall that Congressional staff had recommended this strategy as a means to authorize TIFIA loans and loan guarantees for the acquisition of HCP habitat. Neither the House (H.R. 5303) or Senate (S. 2848) WRDA bills contained this provision when they were reported out of committee in May and April, respectively. Although there remains the possibility of inclusion in a Manager's Amendment at the time of floor action, even this prospect is clouded by the slow pace of legislative activity. On June 29, Senate Committee Chair Inhofe and 28 members of his Committee on Environment and Public Works called for "consideration and final passage (of WRDA) before the summer recess". This did not occur, but S. 2848 has been placed on the Senate Calendar for consideration at a later date. Similarly, there has been no action in the House since H.R. 5303 was reported favorably by the Committee on Transportation and Infrastructure in May.

While awaiting the outcome of its TIFIA proposal, the Authority has proposed a second WRDA amendment, authorizing WIFIA loans and loan guarantees for the acquisition of habitat which contributes to drought relief. This concept arose during conversations between the Monday Morning Group and Senator Feinstein and Representative Calvert on April 19-20, and quickly won the support of WRDA advocates, including Chairman Randy Record and the Metropolitan Water District of Southern California. Its fate will depend on whether or not there is timely consideration of WRDA, as in the case of the TIFIA amendment.

Both EPA and the Corps of Engineers continue to make progress on the implementation of WIFIA, which—thanks to the Authority's advocacy—includes a provision for loans and loan guarantees to acquire habitat in conjunction with water infrastructure projects. In anticipation of funding during FY 2017, EPA has requested comment on its plan to require certain information of WIFIA applicants (Information Collection Request). As a result of early contact with EPA staff, the Authority has been invited to consult with EPA on this proposal, and other draft WIFIA application materials. Executive Director Landry has accepted that invitation, and will participate this month in a consultation by telephone.

**Other Matters of Current Interest:**

As a leader in both the California and National HCP Coalitions, the Authority has been at the forefront of advocacy for *permit integration*, by which HCP sponsors could obtain section 10 FWS permits and section 404 Corps of Engineers permits concurrently. The Coalitions have tabled a draft memorandum of understanding between the Corps and the Service to facilitate permit integration, but neither agency appears willing to execute the MOU without policy guidance from the White

House. Because permit streamlining has been an Administration priority, it is expected that the Council on Environmental Quality will be sympathetic to this request. At a recent meeting, CEQ staff member Tim Male expressed support, and agreed to consult with his colleagues at CEQ and OMB about the feasibility of a Presidential directive in the closing days of this Administration. Male also suggested that the Coalition approach Paul Souza, newly appointed Regional Director of FWS in the Pacific Southwest, for an expression on his support...in yet another attempt to identify sources of funding for implementation of the MSHCP, Authority staff and consultants have opened discussions with the Department of Defense and the U.S. Air Force about applicability of DOD's **Readiness and Environmental Protection Integration (REPI)** program, in which the armed services acquire open space at the perimeter of military reservations to forestall intrusive development. The program could have applicability at March AFB, where habitat acquisition could meet MSHCP requirements, while buffering on-going flight operations. Qualifying projects are nominated annually by each of the services, and successful candidates are selected for funding by DOD...at its annual meeting in June, the Western Governors Association concluded the first phase of its year-long **Endangered Species Initiative** by adopting a policy resolution which emphasizes the role of states in implementing the Endangered Species Act. Members of the HCP coalitions, including the Authority, had been briefed on the project, and have been invited by WGA to participate in the next phases, including adoption of a similar resolution by the National Governors Association, briefing for the in-coming Presidential administration, and Congressional consideration of the recommendations...the long-awaited **update of the HCP Handbook** was released in draft by the Fish and Wildlife Service on June 28. The Handbook was first published in 1996, and an update is overdue, given the significant changes in HCP practice and function which have occurred since then. FWS has invited comment during the 60-day period which closes on August 29, and the HCP coalitions are expected to weigh in on behalf of HCP administrators, including the Authority. Although the Handbook is intended mainly as a guide for FWS personnel, its policies on contentious issues like permit integration will have profound implications for the entire HCP community.

*Douglas P. Wheeler, Esq.*  
*Washington, D.C.*  
*July 18, 2016*

## **AGENDA ITEM NO. 8.6**

# **AUTHORIZATION TO ENTER INTO TOLLING/WAIVER AGREEMENTS**



*Regional Conservation Authority*

**AUTHORIZATION TO ENTER INTO  
TOLLING/WAIVER AGREEMENTS**

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**Staff Contact:**

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

**Background:**

On June 6, 2016, the RCA Board of Directors considered a policy requiring that member agencies enter into Tolling/Waiver Agreements. The matter was continued, and the Board directed that the matter be referred to the Executive Committee for further discussion and research.

On June 16, 2016, the Executive Committee discussed the proposed policy and directed staff to continue working with the Executive Committee to refine the policy and report back to the Executive Committee. The Executive Committee further authorized staff and legal counsel to negotiate Tolling Agreements with those Member Agencies with outstanding fee disputes that are currently working with RCA.

Staff is seeking the Board's authorization to enter into Tolling Agreements, pursuant to legal counsel review and approval, with Member Agencies who have outstanding MSHCP fees or Civic/Infrastructure Contributions.

**Executive Committee and Staff Recommendations:**

That the RCA Board of Directors –

- 1) Authorize staff, pursuant to legal counsel review and approval, to enter into Tolling/Waiver Agreements with Member Agencies who have outstanding MSHCP fees or Civic/Infrastructure Contributions; and
- 2) Direct staff to continue to work with the Executive Committee to refine the Tolling/Waiver Agreement policy and agendize the matter for the Board's consideration upon Executive Committee approval.

# **AGENDA ITEM NO. 10**

**RESOLUTION NO. 2016-003,  
*RESOLUTION OF THE BOARD OF  
DIRECTORS OF THE WESTERN  
RIVERSIDE COUNTY REGIONAL  
CONSERVATION AUTHORITY  
REVISING ITS FEE CREDIT AND  
WAIVER POLICY SUPERSEDING AND  
REPLACING RESOLUTION NO. 05-05***

*Regional Conservation Authority*

**RESOLUTION NO. 2016-003  
RESOLUTION OF THE BOARD OF DIRECTORS OF THE  
WESTERN RIVERSIDE COUNTY REGIONAL  
CONSERVATION AUTHORITY  
REVISING ITS FEE CREDIT AND WAIVER POLICY  
SUPERSEDING AND REPLACING RESOLUTION NO. 05-05**

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**Staff Contact:**

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

**Background:**

The RCA Board of Directors directed staff to update RCA's fee credit and waiver policy and to provide member agencies an opportunity to review and provide input concerning the proposed policy. The purpose of the policy is to provide implementation guidance to Member Agencies and to allow RCA oversight regarding fee credits and waivers.

Staff developed a draft policy, which was approved for distribution to the Member Agencies by the Executive Committee. Staff distributed the proposed policy to Member Agencies seeking their input and suggestions and received valuable comments from a number of Member Agencies. All comments and suggestions were vetted by the Executive Committee. After reviewing the policy at numerous meetings, the Executive Committee approved the policy and directed staff to bring it forward to the RCA Board of Directors for consideration.

This matter was placed on the Board's agenda for February 1, 2016. Staff requested that the matter be continued in order to afford staff and the Executive Committee an opportunity to consider additional revisions proposed by Member Agencies. The Executive Committee considered additional revisions at their February 17 and March 16, 2016 meetings, and directed staff to agendaize this matter for April 4, 2016 meeting of the RCA Board of Directors.

On April 4, 2016, the RCA Board of Directors considered the policy and heard public comments. Staff was directed to revise the policy to address local control and the matter was referred back to the RCA Executive Committee.

The policy was revised by staff and considered by the RCA Executive Committee on May 18, 2016. The Executive Committee approved the policy revisions and directed staff to send the policy to Member Agencies for review. The draft policy was sent to all Member Agencies for review and comment.

## **Agenda Item No. 10 Staff Report**

**Page 2**

**September 12, 2016**

On June 16, 2016, the RCA Executive Committee reviewed comments received from Member Agencies as of that date, approved the draft policy, and directed staff to agendize the matter for the July 11, 2016 meeting of the RCA Board of Directors barring staff receiving additional substantive comments. Staff received substantive comments from the City of Temecula so that matter was not agendized for the July 11, 2016 RCA Board meeting.

On August 2, 2016, Committee Members Ingram and Edwards met with RCA staff and legal counsel to discuss the City of Temecula's comments. As a result of that meeting, definitions were added to Section II.C. and clarifying language was added to Section III.A of the policy.

On August 17, 2016, the RCA Executive Committee reviewed and approved the proposed policy and directed staff to agendize the matter for the Board's consideration at their September 12, 2016.

The Fee Credit and Waiver Policy before the Board of Directors for consideration defines the application process, review timeline, review standards, levels of approval authority, decision and appeal process, reporting, and conveyance of conservation land.

The Executive Committee and staff recommend that the RCA Board of Directors adopt Resolution No. 2016-003.

### **Executive Committee and Staff Recommendation:**

That the RCA Board of Directors adopt Resolution No. 2016-003, *Resolution of the Board of Directors of the Western Riverside County Regional Conservation Authority Revising its Fee Credit and Waiver Policy Superseding and Replacing Resolution No. 05-05.*

### **Attachment**

Resolution No. 2016-003

**AGENDA ITEM NO. 10**  
**Attachment**

**RESOLUTION NO. 2016-003**

**RESOLUTION NO. 2016-003**

**RESOLUTION OF THE BOARD OF DIRECTORS OF THE  
WESTERN RIVERSIDE COUNTY REGIONAL  
CONSERVATION AUTHORITY REVISING ITS  
FEE CREDIT AND WAIVER POLICY SUPERSEDING AND  
REPLACING RESOLUTION NO. 05-05**

**WHEREAS**, this policy becomes effective on the date adopted by the Western Riverside County Regional Conservation Authority Board of Directors and is not retroactive; and

**WHEREAS**, the Western Riverside County Regional Conservation Authority (“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”); and

**WHEREAS**, the Member Agencies are all Permittees under the Western Riverside County Multiple Species Habitat Conservation Plan (“MSHCP”) and parties to the MSHCP Implementing Agreement (“IA”); and

**WHEREAS**, the RCA has the power to adopt such policies 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 MSHCP, the MSHCP IA, and the JPA; and

**WHEREAS**, Sections 6.1.1 and 8.4.2 of the MSHCP allow the use of incentives to be offered to landowners and developers to fully or partially compensate them for the conservation of their lands, including waiver and/or reduction of the Local Development Mitigation Fee (“Fee”); and

**WHEREAS**, MSHCP Fee Credits should be in exchange for land that contributes to Reserve Assembly.

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

**I. FEE CREDIT, WAIVER OR REDUCTION NOTIFICATION**

When a Member Agency determines that a request for a fee credit, waiver or reduction (“Fee Credit”) is appropriate for on-site conservation which meets the standards in Section II below, the Member Agency shall notify the RCA’s Executive Director (“Executive Director”) in writing as part of the Joint Project Review (“JPR”) Application. This notification shall include all relevant documentation related to the project, including project description, map, criteria cells, and designation of land proposed for conservation.

- II. STANDARDS. Fee credits, waivers, or reductions shall meet the following standards:
- A. Proposed conservation land must be within Criteria Cells and contribute to Reserve Assembly;
  - B. Conservation land must be of a size, configuration and location such that it can be managed as part of the MSHCP Conservation Area;
  - C. Fuel modification/hazardous vegetation areas, manufactured slopes, storm drain or detention basin outfalls, constructed slope protection, and Best Management Practices (i.e., bioswales, infiltration trenches, basins) will be excluded from fee credits, waivers, and reductions and will not be accepted for management by the RCA.

Definitions:

Fuel modification area – an area established adjacent to structures or roads in which highly combustible native plants, invasive introduced or ornamental plants are modified and/or totally replaced with fire resistant or drought resistant alternatives; or areas subject to hazardous abatement orders.

Hazardous vegetation – vegetation that is flammable and endangers the public safety by creating a fire hazard, including, but not limited to, seasonal and recurrent weeds, stubble, brush, dry leaves, and tumbleweeds.

Manufactured slope – a slope created by natural landform alteration (grading) by cutting or filling a natural slope or importing fill material to create a slope.

III. APPRAISAL

- A. The RCA or Member Agency will obtain an appraisal for the property being offered in exchange for the Fee Credit, Waiver or Reduction. The cost of the appraisal will be the responsibility of the entity that commissions the appraisal.
- B. The appraisal shall be prepared by a licensed appraiser and meet the standards in Section 6.1.1 of the MSHCP. The property owner may select the appraiser RCA uses from an approved list of appraisers used by the RCA.

IV. DECISION.

A. Member Agency – Approval Authority up to \$200,000.00

A Member Agency may approve Fee Credits, Waivers or Reductions up to \$200,000.00. The RCA will assist Member Agency in making a determination on the Fee Credits, Waivers or Reductions if requested. Notwithstanding the above, the RCA is authorized to review and audit a Member Agency's approval of Fee Credits hereunder.

B. Board of Directors – Over \$200,000.00

All Fee Credits, Waivers or Reductions over \$200,000.00 require approval of the RCA Board of Directors. The Executive Director shall place the Fee Credit request on the agenda for the next regularly scheduled meeting of the RCA Board of Directors for which an agenda has not been posted.

V. REPORTING. The Member Agency will provide the RCA with a copy of all Fee Credit, Waiver or Reduction Agreements within 30 days of execution. The Executive Director shall provide monthly reports to the RCA Board of Directors of all notifications concerning fee credits, waivers, or reductions.

VI. CONVEYANCE OF CONSERVATION LAND. Conservation land associated with approved Fee Credits shall be conveyed in fee title to the RCA or another entity or organization lawfully authorized to acquire and hold conservation easements pursuant to Civil Code Section 815.3. If a non-member agency holds title to the land, the entity must enter into a Management MOU with RCA agreeing to manage the land in accordance with the MSHCP prior to issuance of a grading permit for the project. The conservation land shall be free of encumbrances that could adversely impact the ability to manage the conservation land.

VII. ACTION BY MEMBER AGENCIES. Nothing in this Resolution impedes or limits a Member Agency's ability to approve a fee credit agreement.

VIII. SUPERSEDE. This Resolution hereby supersedes and replaces Resolution No. 05-05.

**PASSED AND ADOPTED** at the regular meeting of the Board of Directors of the Western Riverside County Regional Conservation Authority held this 12th day of September, 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. 11**

**INTRODUCTION OF  
RESOLUTION NO. 2016-016  
RESOLUTION OF THE BOARD OF  
DIRECTORS OF THE WESTERN RIVERSIDE  
COUNTY REGIONAL  
CONSERVATION AUTHORITY  
AMENDING ITS BYLAWS WITH  
REGARD TO THE ELECTION OF OFFICERS**

*Regional Conservation Authority*

**INTRODUCTION OF RESOLUTION NO. 2016-016  
RESOLUTION OF THE BOARD OF DIRECTORS OF THE  
WESTERN RIVERSIDE COUNTY REGIONAL  
CONSERVATION AUTHORITY  
AMENDING ITS BYLAWS WITH  
REGARD TO THE ELECTION OF OFFICERS**

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**Staff Contact:**

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

**Background:**

Pursuant to Section 17 of the JPA, the RCA has the power to adopt such rules and regulations as the RCA's Board of Directors may deem necessary for the conduct of the RCA's affairs. Pursuant to Article XIII of the RCA Bylaws, the RCA may amend its bylaws from time to time.

At the December 7, 2015 RCA Board of Directors' meeting, staff was directed to place an item on the agenda to allow the RCA Board of Directors to consider amending the RCA Bylaws with regard to election of officers and appointment of the RCA Executive Committee.

Staff placed this matter on the Executive Committee's agenda for August 17, 2016. Staff presented the item along with a chart depicting the manner in which RCA, RCTC and WRCOG's officers are elected and executive committee or equivalent is appointed. The chart is attached to this agenda item.

Article VI, Section A, of the RCA Bylaws requires that the Chairperson and Vice Chairperson annually alternate between a member representing a City and member of the Board of Supervisors. The Executive Committee recommends that the RCA Board of Directors consider amending the Bylaws to modify this annual alternation and instead require that at least once every three years, the Chairperson or Vice Chairperson shall be a regular member of the Board who is a member of the Board of Supervisors.

Article IX, Section 3, Subsection A, requires that the Executive Committee shall be appointed by the Chairperson and ratified by the Board. After reviewing the methods used to appoint similar committees by WRCOG and RCTC as shown on the attached chart, the Executive Committee recommends not amending this section of the Bylaws.

The Executive Committee directed legal counsel to prepare the attached proposed amendment to the RCA Bylaws for the Board's consideration.

**Agenda Item No. 11 Staff Report**

**Page 2**

**September 12, 2016**

**Executive Committee and Staff Recommendations:**

That the RCA Board of Directors –

- 1) Introduce Resolution No. 2016-016, *Resolution of the Board of Directors of the Western Riverside County Regional Conservation Authority Amending the Its Bylaws with Regard to the Election of Officers*; and
- 2) Authorize staff to agendize this matter for adoption at the November 7, 2016 meeting of the RCA Board of Directors.

**Attachments**

1. Chart
2. Resolution No. 2016-016
3. Redline Bylaws
4. Amended Bylaws

**AGENDA ITEM NO. 11**  
**Attachment 1**

**Chart**

	RCA	RCTC	WRCOG
<b>Officers</b>	Chair	Chair	Chair
	Vice Chair	Vice Chair Second Vice Chair	Vice Chair Second Vice Chair
<b>Elections</b>	Conducted annually in December	Conducted annually at first meeting in December	Conducted annually no later than July
<b>Rotation</b>	Chair and Vice Chair must alternate annually between a city and county representative	Rotate regularly. At all times, at least one of the officer positions must be held by a County Supervisor	None

	EXECUTIVE COMMITTEE	EXECUTIVE COMMITTEE	ADMINISTRATION & FINANCE
<b>Term</b>	1 year	2 years - other than Chair, Vice Chair and Past Chair, who serve by virtue of their position	1 year
<b>Selection</b>	Appointed by Chair and ratified by Board	Selected by Members	Appointed by Chair
<b>Membership</b>	Chair Vice Chair Past Chair 2-3 County Supervisors (at least 2, but no more than 3)	Chair Vice Chair Second Vice Chair Past Chair 2 - Corona, Moreno Valley, Murrieta, Riverside, and Temecula 1 - Banning, Beaumont, Calimesa, Canyon Lake, Hemet, Lake Elsinore, Menifee, Norco, Perris, San Jacinto, and Wildomar 1 - Blythe, Cathedral City, Coachella, Desert Hot Springs, Indian Wells, Indio, La Quinta, Palm Desert, Palm Springs, and Rancho Mirage 3 - County Supervisors (appointed by BOS)	Chair Vice Chair Second Vice Chair Past Chair 7 - additional members selected by Chair. Chair is encouraged to consider geographic balance. Of the seven, 2 - County Supervisors (minimum) 1 - Water District representative

**AGENDA ITEM NO. 11**  
**Attachment 2**

**RESOLUTION NO. 2016-016**

**RESOLUTION NO. 2016-016**

**RESOLUTION OF THE BOARD OF DIRECTORS OF THE  
WESTERN RIVERSIDE COUNTY REGIONAL CONSERVATION  
AUTHORITY AMENDING ITS BYLAWS WITH REGARD  
TO THE ELECTION OF OFFICERS**

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

**WHEREAS**, pursuant to Section 17 of the JPA, the RCA has the power to adopt such rules and regulations as the RCA’s Board of Directors (“Board”) may deem necessary for the conduct of the RCA’s affairs;

**WHEREAS**, pursuant to Article XIII of the RCA Bylaws, the RCA has presented to its members an amendment to the RCA Bylaws which amends the provisions regarding the election of RCA officers;

**WHEREAS**, the Board has determined that it is necessary at this time to revise the RCA’s Bylaws as set forth herein; and

**WHEREAS**, notice of this change to the Bylaws has been provided as required in the Bylaws.

**NOW, THEREFORE, BE IT RESOLVED** the Western Riverside County Regional Conservation Authority hereby resolves to amend its Bylaws as follows:

1. Article VI, Section A, is hereby amended to read as follows:

ELECTIONS. The Board shall elect a Chairperson and a Vice Chairperson at its meeting every December, or as soon thereafter as practical. At least once every three years, the Chairperson or Vice Chairperson shall be a regular member of the Board who is a member of the Board of Supervisors. The term of the Chairperson and Vice Chairperson shall commence on the first day of the month following the selection, unless otherwise determined by the Board.

2. This Amendment shall be effective upon the approval of this Resolution by the Board of Directors.

**PASSED AND ADOPTED** at the regular meeting of the Board of Directors of the Western Riverside County Regional Conservation Authority held this \_\_\_\_ day of \_\_\_\_\_, 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. 11**  
**Attachment 3**

**REDLINED BYLAWS**

**WESTERN RIVERSIDE COUNTY  
REGIONAL CONSERVATION AUTHORITY**  
**REDLINED**  
**BYLAWS**

**ARTICLE I – NAME AND AUTHORIZATION**

- A. **NAME.** The name of this agency shall be the Western Riverside County Regional Conservation Authority, hereinafter known as the Authority.
- B. **AUTHORIZATION.** The County of Riverside (“County”) and the Cities of Banning, Beaumont, Calimesa, Canyon Lake, Corona, Hemet, Lake Elsinore, Moreno Valley, Murrieta, Norco, Perris, Riverside, San Jacinto and Temecula, by that Joint Exercise of Powers Agreement dated as of January 27, 2004 (“Agreement”) created the Authority for the purpose of acquiring, administering, operating and maintaining land and facilities for ecosystem conservation and habitat reserves for certain rare, threatened and endangered species covered by the Western Riverside County Multiple Species Habitat Conservation Plan (“MSHCP”).

**ARTICLE II – PURPOSE, DUTIES & POWERS**

- A. **PURPOSE.** The Authority shall acquire, administer, operate and maintain land and facilities to establish habitat reserves for the conservation and protection of species covered by the MSHCP and to implement the MSHCP after the MSHCP is approved by the County and Cities and appropriate permits are issued by the U.S. Fish and Wildlife Service and the California Department of Fish and Game.
- B. **DUTIES AND POWERS.** Duties and Powers of this Authority are set forth in local, state and federal law and the Agreement, as may be amended from time to time. These duties and authorization include, but are not limited to, the following:
  - 1. To make and enter into contracts;
  - 2. To employ agents, consultants, attorneys and employees;
  - 3. To acquire property, and any interest in property, both real and personal by purchase, gift, option, grant, bequest, devise or otherwise, and hold and dispose of such property;

4. To conduct and direct studies and to develop and implement plans to complement, modify or supplement the MSHCP;
5. To incur debts, liabilities, and obligations;
6. To sue and be sued in its own name;
7. To employ reserve managers and other personnel to operate, maintain, and administer the habitat reserves established through implementation of the MSHCP;
8. To be an applicant, make applications for, and receive grants from governmental and private entities and to participate in State bond issues;
9. To prepare project reports and applications, to qualify for grants, and to enter into grant contracts and to do all other things necessary to comply with State and Federal laws and regulations with respect to grants;
10. To borrow or receive advances of funds from its members or from such other sources as may be permitted by law;
11. To contract with its members and other entities who operate or will operate the habitat reserves established through implementation of the MSHCP;
12. To issue bonds, notes, warrants and other evidences of indebtedness to finance costs and expenses to carry out the powers of the Authority;
13. To acquire, hold, and dispose of equipment;
14. To lobby state and federal governments and their officials as well as private entities to obtain funding for implementation of the MSHCP and employ individuals or entities to conduct such lobbying activities on its behalf; and
15. To exercise all other powers common to the members not specifically mentioned above which may be necessary to carry out the purposes of this Agreement.

### **ARTICLE III – MEMBERSHIP**

- A. **REGULAR MEMBERS.** The regular members of the Board shall be the five members of the Riverside County Board of Supervisors and one member from each incorporated city who is signatory to the Agreement.

Written notification of the appointment of a City representative shall be provided to the Chairperson of the Board.

**B. ALTERNATE MEMBERS:**

1. Each member of the Riverside County Board of Supervisors may appoint an alternate member to the Board of the Authority and each City may appoint one alternate member to the Board of the Authority.
2. Each regular member and alternate member of a City must hold an elective office on the respective governing body appointing the regular or alternate member.
3. The Board of Supervisors ("BOS") may appoint a city council member of a member city to represent the member as an alternate at meetings of the RCA Board or committees. Notice of the alternate appointment shall be made in writing to the chairperson of the RCA Board. In no event shall the same person serve as a city representative and alternate for a BOS member at the same meeting.
4. In the absence of a regular member, the alternate member shall, if present, participate in a meeting of the Board or committee the same as if the alternate member were the regular member.

**ARTICLE IV – TERM, VACANCIES AND COMPENSATION**

- A. **TERM.** Regular members and alternate members shall serve on the Board during the term for which they were appointed or until their successor has been appointed or their appointment has been revoked, whichever is earlier. However, a regular or alternate member's position on the Board shall automatically terminate if and when the term of the elected public office of such regular or alternate member is terminated.
- B. **VACANCIES.** Any vacancy in the office of regular or alternate member, whether because of death, incapacity, resignation, loss of underlying office, removal or otherwise, shall be filled by the appointing authority for such member. When a vacancy occurs, it shall be the duty of the respective Party having the vacancy to promptly inform the Board of the name of the replacement regular or alternate member.
- C. **RESIGNATION.** Any regular or alternate member may resign at any time by giving written notice of such resignation to the Authority's Executive Director. Such resignation shall be effective at the time specified; acceptance of such resignation shall not be necessary to make it effective.

- D. REMOVAL. Any regular or alternate member may be removed, with or without cause stated, by the authority responsible for his or her appointment.
- E. COMPENSATION. Unless prohibited by law from accepting compensation, each regular and alternate member (when performing the duties of a regular member) of the Authority shall be compensated at the rate of One Hundred Dollars (\$100) for any day attending to the business of the Authority, but not to exceed Four Hundred Dollars (\$400) in any month, along with necessary traveling and personal expenses incurred in the performance of his or her duties as authorized by the Authority.

### **ARTICLE V – VOTING**

- A. QUORUM. A majority of the members of the Board shall constitute a quorum for the transaction of business and all official acts of the Board shall require the affirmative vote of a majority of the members of the Board. Each regular member or alternate member acting in the place of a regular member shall have one vote at meetings of the Board. However, any member of the Board, immediately after a vote of the Board and prior to the start of the next item on the agenda may call for a weighted vote.
- B. WEIGHTED VOTING. For an item to be passed by weighted vote, all of the following requirements shall be met:
  - 1. the item shall be approved by a majority of the Board members present at the meeting who represent the Riverside County Board of Supervisors, who each shall have one vote;
  - 2. the item shall be approved by a majority of the Board members present at the meeting who represent Cities, who each shall have one vote; and
  - 3. the item shall be approved by Board members present at the meeting who represent Cities representing a majority of an equal combination of 1) the population of the county living in incorporated areas within the boundaries of the MSHCP Plan area, and 2) the number of acres currently within the Criteria Cells in the incorporated areas as follows: *Banning – 78 acres; Beaumont – 10,098 acres; Calimesa – 3,380 acres; Canyon Lake – 303 acres; Corona – 2,315 acres; Eastvale – 1,024 acres; Hemet – 1,158 acres; Jurupa Valley – 5,039 acres; Lake Elsinore – 14,336 acres; Menifee – 249 acres; Moreno Valley – 2,325 acres; Murrieta – 8,726 acres; Norco – 733 acres; Perris – 3,181 acres; Riverside – 1,201 acres; San Jacinto – 4,580 acres; and Temecula – 3,917 acres; and Wildomar – 4,151 acres.* Population data shall be

determined through California Department of Finance estimates, adjusted annually.

In addition, the Board may, through resolution, revise the above-referenced number of acres due to the addition of a new member entity or other appropriate adjustments as the Board deems necessary.

## **ARTICLE VI – NOMINATION AND ELECTION OF OFFICERS**

- A. ELECTIONS. The Board shall elect a Chairperson and a Vice-Chairperson at its meeting every December ~~starting in 2005~~, or as soon thereafter as practical. At least once every three years, the Chairperson or Vice Chairperson shall be a regular member of the Board who is a member of the Board of Supervisors. ~~The Chairperson and Vice Chairperson shall annually alternate between a regular member of the Board representing a City and a regular member of the Board who is a member of the Board of Supervisors.~~ The term of the Chairperson and Vice Chairperson shall commence on the first day of the month following the selection, unless otherwise determined by the Board.
- B. NOMINATIONS. Any member of the Authority may nominate any regular member for an office contemplated in Section A. An individual receiving the majority of the votes for any of the offices shall be deemed to have been elected. Different procedures and requirements apply to the office of treasurer and controller, pursuant to Section E. and the Agreement.
- C. RESIGNATIONS. In the event an officer resigns or ceases to be an officer, the Board shall select a replacement therefore at the next regular meeting of the Board, or as soon thereafter as practical.
- D. ABSENCES. In the absence or inability of the Chairperson to act, the Vice-Chairperson shall act as Chairperson.
- E. APPOINTMENTS. The Board shall appoint the treasurer of a member agency to serve as the Treasurer. The Board shall also appoint the finance director of a member agency to serve as the Controller.

## **ARTICLE VII – DUTIES OF OFFICERS**

- A. CHAIRPERSON. The duties of the Chairperson shall be to:
1. Preside at all meetings of the Authority, provided that the Board, by a majority vote of the members present, may overrule any decision under this Section A.1 by the Chairperson at or during the meeting;

2. Call special meetings of the Authority when necessary;
  3. Appoint ad hoc committees, when necessary, including, without limitation, an Elected Officials Ad Hoc Committee described in the MSHCP.
- B. VICE-CHAIRPERSON. The duties of the Vice-Chairperson shall be to perform the duties and exercise the power of the Chairperson during the absence of the Chairperson.
- C. EXECUTIVE DIRECTOR. The duties of the Executive Director shall be to administer the MSHCP, as defined above, in compliance with the duties and responsibilities set forth in Sections 5.0 and 6.0 of the MSHCP, and such other duties as may be prescribed by the Board, from time to time. The Executive Director shall perform such duties as prescribed by the Board including, without limitation, the administration of agency contracts. The Executive Director may, after consultation with the Chairperson, authorize contracts in an amount up to \$50,000 without prior Board approval. All such contracts shall be reviewed by legal counsel and shall be reported to the Board after execution. The Executive Director may not issue such contracts totaling more than \$50,000 1) to any one entity in any calendar year, or 2) to a group of entities working on a single project for the Authority. The Executive Director's authority for the purchase of supplies, materials, or equipment is limited to \$25,000.

## **ARTICLE VIII – MEETINGS**

- A. AGENDA. Matters to be placed on the Agenda for any regular meeting or Committee meeting may be filed with the Executive Director of the Authority by any member of the Authority by the Thursday before such regular meeting or special meeting. The Agenda for each regular or special meeting shall be prepared under the control and direction of the Executive Director after consultation and concurrence by the Board Chairman or Vice Chairman, if the Chairman is not available. The Executive Director shall cause copies of the Agenda to be mailed or delivered to each regular and alternate member at least three (3) working days prior to the regular meeting date. During a Board or Committee meeting, any member may bring to the Board's attention any item of new business or request for action. Action on any matter of business not listed Agenda shall be deferred until properly listed on the Agenda for a subsequent meeting unless properly added to the Agenda as an item of subsequent need in accordance with Government Code, Section 54954.2. Notwithstanding, the provisions of this section, individual members of the Board may provide a reference to staff or other resources for factual information, request staff to report back to the Authority at a subsequent

meeting concerning any matter, or take action to direct staff to place a matter of business on a future agenda.

- B. **REGULAR MEETING.** A schedule of regular meetings of the Authority will be adopted by the Board annually. Regular meetings shall be held, to the extent feasible, at the County Administrative Center, 4080 Lemon Street, First Floor, Riverside, California, or at such other location set by the Authority. Regular meetings may be canceled by majority vote of the Authority at a regular or special meeting prior to the meeting to be canceled. A regular meeting may also be canceled by the Chairperson for lack of a quorum or substantive agenda items. The Executive Director shall endeavor to mail or deliver notice of such cancellation to each regular member and alternate member at least twenty-four (24) hours prior to the time of the meeting.
- C. **SPECIAL MEETINGS.** A special meeting of the Authority may be called at any time by the Chairperson, or in his or her absence by the Vice-Chairperson, or by any four (4) regular members by delivering personally or by mail written notice to the Executive Director and each regular and alternate member. Such notice shall be so delivered at least twenty-four (24) hours before the time of such meeting as specified in the notice. The call and notice shall specify the time and place of the special meeting and the business to be transacted. No other business shall be transacted at such meeting. Such written notice may be dispensed with as to any member who at or prior to the time the meeting convenes files with the Executive Director a written waiver of notice. Such waiver may be given by telegram or telecopier. Such written notice may also be dispensed with as to any regular or alternate member who is actually present at the meeting at the time it convenes.
- D. **POSTING OF AGENDAS.** The Authority shall post agendas of all regular meetings, containing a brief general description of each item of business to be transacted or discussed at the meeting, at least seventy-two (72) hours before such regular meeting. The agenda shall specify the time and location of the meeting and shall be posted at the County Administration Center, 4080 Lemon Street, Riverside, or at another location specified by the Chairperson that is freely accessible to members of the public. No action shall be taken on any item not appearing on such posted agendas, except as permitted by state law.
- E. **RALPH M. BROWN ACT.** All meetings of the Board, including without limitation, regular, special and adjourned meetings, shall be called, noticed, held and conducted in accordance with the provisions of the Ralph M. Brown Act (commencing with Section 54950 of the California Government Code).



- F. ADDRESSING AUTHORITY ON AGENDA ITEMS. No person shall address the Authority at any meeting until he or she has first been recognized by the Chairperson. The decision of the Chairperson to recognize a person may be changed by vote of a majority of the members of the Authority present at the meeting. When addressing the Authority, each individual speaker will be limited to three minutes or less of public testimony on each agendized item. The Authority may, either at the direction of the Chairperson or by a majority vote of the Authority, waive this three (3) minute time limitation.

## **ARTICLE IX – STANDING COMMITTEES**

- A. FORMATION. The following Standing Committees of the Authority are hereby created:
1. The Funding Coordination Committee. This Committee shall provide recommendations to the Board on funding priorities and MSHCP Conservation Area acquisitions. Additionally, this Committee shall provide a forum to discuss land acquisition priorities of the U.S. Fish and Wildlife Service (“USFWS”) and California Department of Fish and Game (“CDFG”) and acquisitions by other entities using non-local sources of revenue. It is envisioned that this Committee will meet at least twice annually. The Committee is not intended to address the acquisition of specific properties. The Board shall establish policies under which the Funding Coordination Committee shall make recommendations to the Board. Such policies shall include conflict of interest guidelines for the Committee members. Members of this committee shall consist of the Executive Committee Members, and representatives of the USFWS, and the CDFG. Member Agency Planning Directors shall be invited to participate in the meeting.
  2. Reserve Management Oversight Committee. The Reserve Management Oversight Committee (RMOC) shall serve as the intermediary between the Reserve Managers and the decision making function of the Authority. The Executive Director or designee shall serve as Chairperson of the RMOC. The RMOC shall be composed of, at a minimum, one representative appointed by each of the following entities: USFWS, CDFG, Riverside County Regional Parks and Open Space District, Bureau of Land Management, U.S. Forest Service, California Department of Parks and Recreation, Authority, and up to five (5) other private or public agencies or entities that own or manage land within the MSHCP Conservation Area.

3. Executive Committee. The Executive Committee shall be appointed by the Chairperson and ratified by the Board. The Committee shall be composed of seven (7) members, and have at least two (2) and no more than three (3) representatives representing the County. The Board Chairperson, Vice Chairperson and past Chairperson, if any, of the Authority shall be members of the Committee. The Executive Committee shall oversee Authority administrative functions, staff functions, recommend staff positions, job descriptions and salaries, and consider such other matters as delegated to it by the Board.
  4. Stakeholders Committee. The Stakeholders Committee shall be appointed by the Chairperson and ratified by the Board. The Committee shall be composed of up to sixteen (16) members, whose members shall be drawn from the following:
    - a. groups representing property owners affected by the MSHCP;
    - b. groups representing environmental interests implicated by the MSHCP; and
    - c. groups representing the building industry within the area affected by the MSHCP.
    - d. Committee members shall not be permitted to appoint alternates. The Committee shall meet when requested to do so by the Chairperson or Board. The Committee shall meet as often as necessary; however, reasonable efforts shall be made to hold committee meetings at least twice yearly. The Executive Director shall chair the meetings and facilitate discussion. The Stakeholders Committee shall review implementation plans from a stakeholder perspective and perform such other duties as directed by the Board.
- B. CONTROL AND SUPERVISION. In the performance of their duties and responsibilities, all Committees of the Authority shall submit all policy matters coming before them to the Authority for final consideration, unless otherwise specified by the Board. Committee members shall be appointed on an annual basis.

## **ARTICLE X – CORPORATE POWERS**

- A. SUCCESSION. The Authority has perpetual succession and may adopt a seal and alter it at its pleasure.

- B. LITIGATION. The Authority may sue and be sued, except as otherwise provided by law, in all actions and proceedings, in all courts and tribunals of competent jurisdiction.
- C. CLAIMS. All claims for money or damages against the Authority are governed by Division 3.6 (commencing with Section 810) of Title 1 of the Government Code except as provided therein, or by other statutes or regulations expressly applicable thereto.
- D. MOTIONS, REGULATIONS AND ORDINANCES. The acts of the Authority shall be expressed by motion, resolution, or ordinance. All ordinances shall take effect upon their adoption. The enacting clause of all ordinances shall be as follows: "The Western Riverside County Regional Conservation Authority hereby ordains as follows: "All ordinances shall be signed by the Chairperson or by the Vice-Chairperson of the Authority.

## **ARTICLE XI – CONTRACTS**

The Authority may make contracts and enter into stipulations of any nature whatsoever either in connection with eminent domain proceedings or otherwise, including but not limited to, contracts and stipulations to indemnify and save harmless, to employ labor, and to do all acts necessary and convenient for the full exercise of the powers authorized by law. The Authority may contract with any Department or Agency of the United States of America, with any public agency (including, but not limited to, the County, WRCOG, CDFG or USFWS), or with any person upon such terms and conditions as the Authority finds is in its best interest.

## **ARTICLE XII – REIMBURSEMENTS**

- A. PERSONS SUBJECT TO REIMBURSEMENT PROVISIONS. These Reimbursement Provisions ("Provisions") shall be applicable to all members of the Authority's legislative bodies, as defined in Government Code section 54952, provided such persons receive compensation for actual and necessary Authority expenses ("Official"). Legislative Bodies include, but are not limited, to the Board of Directors, the Funding Coordination, the Reserve Management Oversight Committee, the Executive Committee and the Stakeholders Committee.
- B. PURPOSE. The purpose of these Provisions is to provide guidelines for the reimbursement of any Official for actual and necessary expenses incurred in the performance of their duties. Whenever issues of reimbursement arise, the Authority shall adhere to Government Code sections 53232.2 and 53232.3.
- C. TRANSPORTATION

1. Use of Personal Vehicle. The Authority shall reimburse for mileage incurred when personal vehicles are used to attend Board and Committee meetings and conferences or other meetings approved by the Board or Executive Director and in furtherance of the Authority's affairs. Authority will reimburse mileage for travel to and from the destination based upon the approved Internal Revenue Service rate in effect.
  2. Rentals. The Authority shall reimburse for actual and necessary vehicle rental expenses. The Authority shall only reimburse economy or compact rate vehicles unless (i) such class of vehicle is unavailable; or (ii) such class of vehicles do not accommodate a disability. When an Official rents a vehicle, he or she shall obtain insurance for the vehicle at the Authority's expense.
  3. Shuttle, Bus, Taxi, and Public Transportation. Shuttle, bus, taxi, and public transportation may be used between an airport, hotel and conference site whenever it is available. Officials are encouraged to use the most efficient mode of transportation available.
  4. Air Travel or Other Common Carrier Transportation. As necessary for the performance of their official duties, Officials may use air travel or other mode of common carrier transportation to and from the destination.
- D. LODGING. Lodging costs shall not exceed the maximum group rate published by the conference or activity sponsor, provided that lodging at the group rate is available. If a group rate is not available, the government rate of the provider of lodging shall be used. If neither the group nor government rates are available, the Authority shall reimburse lodging at a rate not exceeding \$300.00 per night without Board approval. For lodging in high costs cities (e.g., San Francisco, New York, Washington., D.C.), the Authority will reimburse at a rate not exceeding \$490.00 per night without Board approval. Lodging reimbursement rates will be adjusted annually according to the CPI in the applicable metropolitan statistical area.
- E. MEALS. The actual costs of meals incurred while attending conferences or other meetings in furtherance of the Authority's affairs are reimbursable provided the Authority's staff is given a receipt. Meal costs shall be reimbursed at an amount not exceeding the greater of one hundred fifty dollars (\$150.00) per day or the applicable Internal Revenue Service rate.
- F. PERSONAL EXPENSES AND OTHER EXPENSES NOT REIMBURSABLE. The Authority shall not reimburse the cost of transportation, lodging, meals, or other costs of travel when such costs are of a personal nature incurred in conjunction with the performance of

- official duties. Personal costs, not reimbursable by the Authority, shall include, but not be limited, to the following: (i) alcoholic beverages; (ii) parking and traffic violations; (iii) entertainment; (iv) services provided by the provider of lodging; and (v) expenses incurred on behalf of a spouse, dependent, or traveling companion.
- G. CONFERENCES AND OTHER MEETINGS. Officials shall only receive reimbursement of travel, lodging, and meals for conferences or other meetings in furtherance of the Authority's affairs. No other occurrences will be reimbursed.
- H. EXPENSES NOT INCLUDED WITHIN THESE PROVISIONS. Occurrences or expenses which do not fall within these Provisions or the Internal Revenue Service reimbursable rates must be approved by the Board in a public meeting before the expense is incurred.
- I. EXPENSE REPORTS. The Authority shall not reimburse any expenses until an expense form is submitted to the Authority's administrative office no later than 45 days of the expenditure. Expense forms shall be accompanied by receipts documenting each expense. Furthermore, Officials will be required to provide a brief report on the conference or meeting attended at the next regular meeting of his or her respective legislative body.
- J. CPI INCREASE. The dollar limits referenced herein shall be automatically updated annually pursuant to reflect increases in the Consumer Price Index.

### **ARTICLE XIII – AMENDMENTS**

- A. ADOPTION. These Bylaws may be amended at any meeting of the Authority by a majority vote.
- B. PROPOSAL. Any Authority member may propose a Bylaw amendment. Such proposal shall be in writing and shall be referred to the Chairperson who shall report the proposed amendment with recommendation to the Authority. All regular members shall receive at least four (4) weeks notice of any amendments to these Bylaws. Notice may be provided on a Board Meeting Agenda of the Board or by separate notice delivered by mail, e-mail or facsimile to the regular member.

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Updated 01/09/12; Resolution No. 11-008  
Updated 06/02/14; Resolution No. 14-004  
Updated 11/07/16; Resolution No. 2016-016

**AGENDA ITEM NO. 11**  
**Attachment 4**

**AMENDED BYLAWS**

# WESTERN RIVERSIDE COUNTY REGIONAL CONSERVATION AUTHORITY

## BYLAWS

### ARTICLE I – NAME AND AUTHORIZATION

- A. NAME. The name of this agency shall be the Western Riverside County Regional Conservation Authority, hereinafter known as the Authority.
- B. AUTHORIZATION. The County of Riverside (“County”) and the Cities of Banning, Beaumont, Calimesa, Canyon Lake, Corona, Hemet, Lake Elsinore, Moreno Valley, Murrieta, Norco, Perris, Riverside, San Jacinto and Temecula, by that Joint Exercise of Powers Agreement dated as of January 27, 2004 (“Agreement”) created the Authority for the purpose of acquiring, administering, operating and maintaining land and facilities for ecosystem conservation and habitat reserves for certain rare, threatened and endangered species covered by the Western Riverside County Multiple Species Habitat Conservation Plan (“MSHCP”).

### ARTICLE II – PURPOSE, DUTIES & POWERS

- A. PURPOSE. The Authority shall acquire, administer, operate and maintain land and facilities to establish habitat reserves for the conservation and protection of species covered by the MSHCP and to implement the MSHCP after the MSHCP is approved by the County and Cities and appropriate permits are issued by the U.S. Fish and Wildlife Service and the California Department of Fish and Game.
- B. DUTIES AND POWERS. Duties and Powers of this Authority are set forth in local, state and federal law and the Agreement, as may be amended from time to time. These duties and authorization include, but are not limited to, the following:
  - 1. To make and enter into contracts;
  - 2. To employ agents, consultants, attorneys and employees;
  - 3. To acquire property, and any interest in property, both real and personal by purchase, gift, option, grant, bequest, devise or otherwise, and hold and dispose of such property;



4. To conduct and direct studies and to develop and implement plans to complement, modify or supplement the MSHCP;
5. To incur debts, liabilities, and obligations;
6. To sue and be sued in its own name;
7. To employ reserve managers and other personnel to operate, maintain, and administer the habitat reserves established through implementation of the MSHCP;
8. To be an applicant, make applications for, and receive grants from governmental and private entities and to participate in State bond issues;
9. To prepare project reports and applications, to qualify for grants, and to enter into grant contracts and to do all other things necessary to comply with State and Federal laws and regulations with respect to grants;
10. To borrow or receive advances of funds from its members or from such other sources as may be permitted by law;
11. To contract with its members and other entities who operate or will operate the habitat reserves established through implementation of the MSHCP;
12. To issue bonds, notes, warrants and other evidences of indebtedness to finance costs and expenses to carry out the powers of the Authority;
13. To acquire, hold, and dispose of equipment;
14. To lobby state and federal governments and their officials as well as private entities to obtain funding for implementation of the MSHCP and employ individuals or entities to conduct such lobbying activities on its behalf; and
15. To exercise all other powers common to the members not specifically mentioned above which may be necessary to carry out the purposes of this Agreement.

### **ARTICLE III – MEMBERSHIP**

- A. **REGULAR MEMBERS.** The regular members of the Board shall be the five members of the Riverside County Board of Supervisors and one member from each incorporated city who is signatory to the Agreement.

Written notification of the appointment of a City representative shall be provided to the Chairperson of the Board.

**B. ALTERNATE MEMBERS:**

1. Each member of the Riverside County Board of Supervisors may appoint an alternate member to the Board of the Authority and each City may appoint one alternate member to the Board of the Authority.
2. Each regular member and alternate member of a City must hold an elective office on the respective governing body appointing the regular or alternate member.
3. The Board of Supervisors ("BOS") may appoint a city council member of a member city to represent the member as an alternate at meetings of the RCA Board or committees. Notice of the alternate appointment shall be made in writing to the chairperson of the RCA Board. In no event shall the same person serve as a city representative and alternate for a BOS member at the same meeting.
4. In the absence of a regular member, the alternate member shall, if present, participate in a meeting of the Board or committee the same as if the alternate member were the regular member.

**ARTICLE IV – TERM, VACANCIES AND COMPENSATION**

- A. **TERM.** Regular members and alternate members shall serve on the Board during the term for which they were appointed or until their successor has been appointed or their appointment has been revoked, whichever is earlier. However, a regular or alternate member's position on the Board shall automatically terminate if and when the term of the elected public office of such regular or alternate member is terminated.
- B. **VACANCIES.** Any vacancy in the office of regular or alternate member, whether because of death, incapacity, resignation, loss of underlying office, removal or otherwise, shall be filled by the appointing authority for such member. When a vacancy occurs, it shall be the duty of the respective Party having the vacancy to promptly inform the Board of the name of the replacement regular or alternate member.
- C. **RESIGNATION.** Any regular or alternate member may resign at any time by giving written notice of such resignation to the Authority's Executive Director. Such resignation shall be effective at the time specified; acceptance of such resignation shall not be necessary to make it effective.

- D. REMOVAL. Any regular or alternate member may be removed, with or without cause stated, by the authority responsible for his or her appointment.
- E. COMPENSATION. Unless prohibited by law from accepting compensation, each regular and alternate member (when performing the duties of a regular member) of the Authority shall be compensated at the rate of One Hundred Dollars (\$100) for any day attending to the business of the Authority, but not to exceed Four Hundred Dollars (\$400) in any month, along with necessary traveling and personal expenses incurred in the performance of his or her duties as authorized by the Authority.

### **ARTICLE V – VOTING**

- A. QUORUM. A majority of the members of the Board shall constitute a quorum for the transaction of business and all official acts of the Board shall require the affirmative vote of a majority of the members of the Board. Each regular member or alternate member acting in the place of a regular member shall have one vote at meetings of the Board. However, any member of the Board, immediately after a vote of the Board and prior to the start of the next item on the agenda may call for a weighted vote.
- B. WEIGHTED VOTING. For an item to be passed by weighted vote, all of the following requirements shall be met:
  - 1. the item shall be approved by a majority of the Board members present at the meeting who represent the Riverside County Board of Supervisors, who each shall have one vote;
  - 2. the item shall be approved by a majority of the Board members present at the meeting who represent Cities, who each shall have one vote; and
  - 3. the item shall be approved by Board members present at the meeting who represent Cities representing a majority of an equal combination of 1) the population of the county living in incorporated areas within the boundaries of the MSHCP Plan area, and 2) the number of acres currently within the Criteria Cells in the incorporated areas as follows: *Banning – 78 acres; Beaumont – 10,098 acres; Calimesa – 3,380 acres; Canyon Lake – 303 acres; Corona – 2,315 acres; Eastvale – 1,024 acres; Hemet – 1,158 acres; Jurupa Valley – 5,039 acres; Lake Elsinore – 14,336 acres; Menifee – 249 acres; Moreno Valley – 2,325 acres; Murrieta – 8,726 acres; Norco – 733 acres; Perris – 3,181 acres; Riverside – 1,201 acres; San Jacinto – 4,580 acres; and Temecula – 3,917 acres; and Wildomar – 4,151 acres.* Population data shall be

determined through California Department of Finance estimates, adjusted annually.

In addition, the Board may, through resolution, revise the above-referenced number of acres due to the addition of a new member entity or other appropriate adjustments as the Board deems necessary.

## **ARTICLE VI – NOMINATION AND ELECTION OF OFFICERS**

- A. **ELECTIONS.** The Board shall elect a Chairperson and a Vice Chairperson at its meeting every December, or as soon thereafter as practical. At least once every three years, the Chairperson or Vice Chairperson shall be a regular member of the Board who is a member of the Board of Supervisors. The term of the Chairperson and Vice Chairperson shall commence on the first day of the month following the selection, unless otherwise determined by the Board.
- B. **NOMINATIONS.** Any member of the Authority may nominate any regular member for an office contemplated in Section A. An individual receiving the majority of the votes for any of the offices shall be deemed to have been elected. Different procedures and requirements apply to the office of treasurer and controller, pursuant to Section E. and the Agreement.
- C. **RESIGNATIONS.** In the event an officer resigns or ceases to be an officer, the Board shall select a replacement therefore at the next regular meeting of the Board, or as soon thereafter as practical.
- D. **ABSENCES.** In the absence or inability of the Chairperson to act, the Vice Chairperson shall act as Chairperson.
- E. **APPOINTMENTS.** The Board shall appoint the treasurer of a member agency to serve as the Treasurer. The Board shall also appoint the finance director of a member agency to serve as the Controller.

## **ARTICLE VII – DUTIES OF OFFICERS**

- A. **CHAIRPERSON.** The duties of the Chairperson shall be to:
  - 1. Preside at all meetings of the Authority, provided that the Board, by a majority vote of the members present, may overrule any decision under this Section A.1 by the Chairperson at or during the meeting;
  - 2. Call special meetings of the Authority when necessary;

3. Appoint ad hoc committees, when necessary, including, without limitation, an Elected Officials Ad Hoc Committee described in the MSHCP.
- B. VICE CHAIRPERSON. The duties of the Vice Chairperson shall be to perform the duties and exercise the power of the Chairperson during the absence of the Chairperson.
- C. EXECUTIVE DIRECTOR. The duties of the Executive Director shall be to administer the MSHCP, as defined above, in compliance with the duties and responsibilities set forth in Sections 5.0 and 6.0 of the MSHCP, and such other duties as may be prescribed by the Board, from time to time. The Executive Director shall perform such duties as prescribed by the Board including, without limitation, the administration of agency contracts. The Executive Director may, after consultation with the Chairperson, authorize contracts in an amount up to \$50,000 without prior Board approval. All such contracts shall be reviewed by legal counsel and shall be reported to the Board after execution. The Executive Director may not issue such contracts totaling more than \$50,000 1) to any one entity in any calendar year, or 2) to a group of entities working on a single project for the Authority. The Executive Director's authority for the purchase of supplies, materials, or equipment is limited to \$25,000.

#### **ARTICLE VIII – MEETINGS**

- A. AGENDA. Matters to be placed on the Agenda for any regular meeting or Committee meeting may be filed with the Executive Director of the Authority by any member of the Authority by the Thursday before such regular meeting or special meeting. The Agenda for each regular or special meeting shall be prepared under the control and direction of the Executive Director after consultation and concurrence by the Board Chairman or Vice Chairman, if the Chairman is not available. The Executive Director shall cause copies of the Agenda to be mailed or delivered to each regular and alternate member at least three (3) working days prior to the regular meeting date. During a Board or Committee meeting, any member may bring to the Board's attention any item of new business or request for action. Action on any matter of business not listed Agenda shall be deferred until properly listed on the Agenda for a subsequent meeting unless properly added to the Agenda as an item of subsequent need in accordance with Government Code, Section 54954.2. Notwithstanding, the provisions of this section, individual members of the Board may provide a reference to staff or other resources for factual information, request staff to report back to the Authority at a subsequent meeting concerning any matter, or take action to direct staff to place a matter of business on a future agenda.

- B. **REGULAR MEETING.** A schedule of regular meetings of the Authority will be adopted by the Board annually. Regular meetings shall be held, to the extent feasible, at the County Administrative Center, 4080 Lemon Street, First Floor, Riverside, California, or at such other location set by the Authority. Regular meetings may be canceled by majority vote of the Authority at a regular or special meeting prior to the meeting to be canceled. A regular meeting may also be canceled by the Chairperson for lack of a quorum or substantive agenda items. The Executive Director shall endeavor to mail or deliver notice of such cancellation to each regular member and alternate member at least twenty-four (24) hours prior to the time of the meeting.
- C. **SPECIAL MEETINGS.** A special meeting of the Authority may be called at any time by the Chairperson, or in his or her absence by the Vice Chairperson, or by any four (4) regular members by delivering personally or by mail written notice to the Executive Director and each regular and alternate member. Such notice shall be so delivered at least twenty-four (24) hours before the time of such meeting as specified in the notice. The call and notice shall specify the time and place of the special meeting and the business to be transacted. No other business shall be transacted at such meeting. Such written notice may be dispensed with as to any member who at or prior to the time the meeting convenes files with the Executive Director a written waiver of notice. Such waiver may be given by telegram or telecopier. Such written notice may also be dispensed with as to any regular or alternate member who is actually present at the meeting at the time it convenes.
- D. **POSTING OF AGENDAS.** The Authority shall post agendas of all regular meetings, containing a brief general description of each item of business to be transacted or discussed at the meeting, at least seventy-two (72) hours before such regular meeting. The agenda shall specify the time and location of the meeting and shall be posted at the County Administration Center, 4080 Lemon Street, Riverside, or at another location specified by the Chairperson that is freely accessible to members of the public. No action shall be taken on any item not appearing on such posted agendas, except as permitted by state law.
- E. **RALPH M. BROWN ACT.** All meetings of the Board, including without limitation, regular, special and adjourned meetings, shall be called, noticed, held and conducted in accordance with the provisions of the Ralph M. Brown Act (commencing with Section 54950 of the California Government Code).
- F. **ADDRESSING AUTHORITY ON AGENDA ITEMS.** No person shall address the Authority at any meeting until he or she has first been recognized by the Chairperson. The decision of the Chairperson to recognize a person may be changed by vote of a majority of the members

of the Authority present at the meeting. When addressing the Authority, each individual speaker will be limited to three minutes or less of public testimony on each agenda item. The Authority may, either at the direction of the Chairperson or by a majority vote of the Authority, waive this three (3) minute time limitation.

## **ARTICLE IX – STANDING COMMITTEES**

A. **FORMATION.** The following Standing Committees of the Authority are hereby created:

1. **The Funding Coordination Committee.** This Committee shall provide recommendations to the Board on funding priorities and MSHCP Conservation Area acquisitions. Additionally, this Committee shall provide a forum to discuss land acquisition priorities of the U.S. Fish and Wildlife Service (“USFWS”) and California Department of Fish and Game (“CDFG”) and acquisitions by other entities using non-local sources of revenue. It is envisioned that this Committee will meet at least twice annually. The Committee is not intended to address the acquisition of specific properties. The Board shall establish policies under which the Funding Coordination Committee shall make recommendations to the Board. Such policies shall include conflict of interest guidelines for the Committee members. Members of this committee shall consist of the Executive Committee Members, and representatives of the USFWS, and the CDFG. Member Agency Planning Directors shall be invited to participate in the meeting.
2. **Reserve Management Oversight Committee.** The Reserve Management Oversight Committee (RMOC) shall serve as the intermediary between the Reserve Managers and the decision making function of the Authority. The Executive Director or designee shall serve as Chairperson of the RMOC. The RMOC shall be composed of, at a minimum, one representative appointed by each of the following entities: USFWS, CDFG, Riverside County Regional Parks and Open Space District, Bureau of Land Management, U.S. Forest Service, California Department of Parks and Recreation, Authority, and up to five (5) other private or public agencies or entities that own or manage land within the MSHCP Conservation Area.
3. **Executive Committee.** The Executive Committee shall be appointed by the Chairperson and ratified by the Board. The Committee shall be composed of seven (7) members, and have at least two (2) and no more than three (3) representatives representing the County. The Board Chairperson, Vice Chairperson and past Chairperson, if

any, of the Authority shall be members of the Committee. The Executive Committee shall oversee Authority administrative functions, staff functions, recommend staff positions, job descriptions and salaries, and consider such other matters as delegated to it by the Board.

4. Stakeholders Committee. The Stakeholders Committee shall be appointed by the Chairperson and ratified by the Board. The Committee shall be composed of up to sixteen (16) members, whose members shall be drawn from the following:
  - a. groups representing property owners affected by the MSHCP;
  - b. groups representing environmental interests implicated by the MSHCP; and
  - c. groups representing the building industry within the area affected by the MSHCP.
  - d. Committee members shall not be permitted to appoint alternates. The Committee shall meet when requested to do so by the Chairperson or Board. The Committee shall meet as often as necessary; however, reasonable efforts shall be made to hold committee meetings at least twice yearly. The Executive Director shall chair the meetings and facilitate discussion. The Stakeholders Committee shall review implementation plans from a stakeholder perspective and perform such other duties as directed by the Board.
- B. CONTROL AND SUPERVISION. In the performance of their duties and responsibilities, all Committees of the Authority shall submit all policy matters coming before them to the Authority for final consideration, unless otherwise specified by the Board. Committee members shall be appointed on an annual basis.

## **ARTICLE X – CORPORATE POWERS**

- A. SUCCESSION. The Authority has perpetual succession and may adopt a seal and alter it at its pleasure.
- B. LITIGATION. The Authority may sue and be sued, except as otherwise provided by law, in all actions and proceedings, in all courts and tribunals of competent jurisdiction.
- C. CLAIMS. All claims for money or damages against the Authority are governed by Division 3.6 (commencing with Section 810) of Title 1 of the



Government Code except as provided therein, or by other statutes or regulations expressly applicable thereto.

- D. **MOTIONS, REGULATIONS AND ORDINANCES.** The acts of the Authority shall be expressed by motion, resolution, or ordinance. All ordinances shall take effect upon their adoption. The enacting clause of all ordinances shall be as follows: "The Western Riverside County Regional Conservation Authority hereby ordains as follows: "All ordinances shall be signed by the Chairperson or by the Vice Chairperson of the Authority.

## **ARTICLE XI – CONTRACTS**

The Authority may make contracts and enter into stipulations of any nature whatsoever either in connection with eminent domain proceedings or otherwise, including but not limited to, contracts and stipulations to indemnify and save harmless, to employ labor, and to do all acts necessary and convenient for the full exercise of the powers authorized by law. The Authority may contract with any Department or Agency of the United States of America, with any public agency (including, but not limited to, the County, WRCOG, CDFG or USFWS), or with any person upon such terms and conditions as the Authority finds is in its best interest.

## **ARTICLE XII – REIMBURSEMENTS**

- A. **PERSONS SUBJECT TO REIMBURSEMENT PROVISIONS.** These Reimbursement Provisions ("Provisions") shall be applicable to all members of the Authority's legislative bodies, as defined in Government Code section 54952, provided such persons receive compensation for actual and necessary Authority expenses ("Official"). Legislative Bodies include, but are not limited, to the Board of Directors, the Funding Coordination, the Reserve Management Oversight Committee, the Executive Committee and the Stakeholders Committee.
- B. **PURPOSE.** The purpose of these Provisions is to provide guidelines for the reimbursement of any Official for actual and necessary expenses incurred in the performance of their duties. Whenever issues of reimbursement arise, the Authority shall adhere to Government Code sections 53232.2 and 53232.3.
- C. **TRANSPORTATION**
1. **Use of Personal Vehicle.** The Authority shall reimburse for mileage incurred when personal vehicles are used to attend Board and Committee meetings and conferences or other meetings approved by the Board or Executive Director and in furtherance of the Authority's affairs. Authority will reimburse mileage for travel to and

from the destination based upon the approved Internal Revenue Service rate in effect.

2. Rentals. The Authority shall reimburse for actual and necessary vehicle rental expenses. The Authority shall only reimburse economy or compact rate vehicles unless (i) such class of vehicle is unavailable; or (ii) such class of vehicles do not accommodate a disability. When an Official rents a vehicle, he or she shall obtain insurance for the vehicle at the Authority's expense.
  3. Shuttle, Bus, Taxi, and Public Transportation. Shuttle, bus, taxi, and public transportation may be used between an airport, hotel and conference site whenever it is available. Officials are encouraged to use the most efficient mode of transportation available.
  4. Air Travel or Other Common Carrier Transportation. As necessary for the performance of their official duties, Officials may use air travel or other mode of common carrier transportation to and from the destination.
- D. LODGING. Lodging costs shall not exceed the maximum group rate published by the conference or activity sponsor, provided that lodging at the group rate is available. If a group rate is not available, the government rate of the provider of lodging shall be used. If neither the group nor government rates are available, the Authority shall reimburse lodging at a rate not exceeding \$300.00 per night without Board approval. For lodging in high costs cities (e.g., San Francisco, New York, Washington., D.C.), the Authority will reimburse at a rate not exceeding \$490.00 per night without Board approval. Lodging reimbursement rates will be adjusted annually according to the CPI in the applicable metropolitan statistical area.
- E. MEALS. The actual costs of meals incurred while attending conferences or other meetings in furtherance of the Authority's affairs are reimbursable provided the Authority's staff is given a receipt. Meal costs shall be reimbursed at an amount not exceeding the greater of one hundred fifty dollars (\$150.00) per day or the applicable Internal Revenue Service rate.
- F. PERSONAL EXPENSES AND OTHER EXPENSES NOT REIMBURSABLE. The Authority shall not reimburse the cost of transportation, lodging, meals, or other costs of travel when such costs are of a personal nature incurred in conjunction with the performance of official duties. Personal costs, not reimbursable by the Authority, shall include, but not be limited, to the following: (i) alcoholic beverages; (ii) parking and traffic violations; (iii) entertainment; (iv) services provided by the provider of lodging; and (v) expenses incurred on behalf of a spouse, dependent, or traveling companion.

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**Updated 06/02/14; Resolution No. 14-004**  
**Updated 11/07/16; Resolution No. 2016-016**

**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 &amp; CDFG</i> )
WCB	Wildlife Conservation Board
WPT	Western Pond Turtle
WRDA	Water Resources Development Act