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EXECUTIVE COMMITTEE

The Executive Committee, consisting of the RCA Board Chairperson, Vice Chairperson, past Chairperson, and four members of the RCA Board of Directors, who oversee RCA administrative functions, staff functions, recommend staff positions, job descriptions and salaries, and consider such other matters as delegated to it by the Board.

June 17, 2020, at 12:00 p.m.
Western Riverside County Regional Conservation Authority
(LOCATION TEMPORARILY CLOSED TO PUBLIC)
Riverside Centre, RCA Conference Room
3403 Tenth Street, Suite 320
Riverside, California 92501

EXECUTIVE COMMITTEE MEMBERS

Jonathan Ingram, Chair
City of Murrieta

Natasha Johnson, Vice Chair
City of Lake Elsinore

Larry Greene
City of Canyon Lake

Lesla Sobek
City of Menifee

Crystal Ruiz
City of San Jacinto

Kevin Jeffries
County of Riverside, District 1

Jeffrey Hewitt
County of Riverside, District 5

Honey Bernas, Interim Executive Director



**EXECUTIVE COMMITTEE
AGENDA***

Wednesday, June 17, 2020

12:00 p.m.

(LOCATION TEMPORARILY CLOSED TO PUBLIC)

**Riverside Centre
3403 Tenth Street, Suite 320
Riverside, CA 92501**

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

SPECIAL NOTICE – COVID-19 RELATED PROCEDURES IN EFFECT

Due to the state and local State of Emergency resulting from the threat of Novel Coronavirus (COVID-19), Governor Newsom has issued Executive Order N-29-20 in which Section 3 supersedes Paragraph 11 of Executive Order N-25-20 (issued on March 12, 2020). This new order states that the RCA does not need to make a physical location available for members of the public to observe a public meeting and offer public comment. The Order allows the RCA Executive Committee to hold RCA Executive Committee meetings via teleconferencing and allows for members of the public to observe and address the meeting telephonically or electronically.

Due to Room Size/Social Distancing Requirements, In-person Public Attendance cannot be Accommodated. To follow the new Order issued by the Governor, members of the public wishing to participate via teleconference, can do so by dialing the following number: **(669) 900-6833**, Meeting ID: **826 2628 1715**, Password: **801594** or logging in at:

[CLICK HERE](#)

If you wish to make a public comment, call the number above during the meeting or submit your comments in writing to aboydd@wrcrca.org by June 16, 2020, at 5:00 p.m. Written comments will be read into the record for up to three (3) minutes. If you wish to address the Executive Committee during the meeting, you must mute your phone until called upon by the Chair to speak. If you do not wish to speak, please silence/mute your device during the meeting.

Any member of the public requiring a reasonable accommodation to participate in this meeting in light of this announcement shall contact the Clerk of the Board prior to June 15, 2020, at 5:00 p.m. The Clerk of the Board's telephone number is (951) 955-9700 and email is aboydd@wrcrca.org.

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1. **CALL TO ORDER**
2. **ROLL CALL**
3. **PUBLIC COMMENT** *If you wish to address the Executive Committee during the meeting, you must mute your phone until called upon by the Chair to speak. If you do not wish to speak, please silence/mute your device during the meeting. At this time, members of the public can address the Executive Committee regarding any items within the subject matter jurisdiction of the RCA that are not separately listed on this agenda. Members of the public will have the 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 Executive Committee on any matter, whether or not it appears on this agenda, is requested to submit your comments in writing to aboydd@wrcra.org by June 16, 2020, at 5:00 p.m. Written comments will be read into the record for up to three (3) minutes.*
4. **CLOSED SESSION**
 - 4.1 **PUBLIC EMPLOYEE APPOINTMENT**
Pursuant to Government Code Section 54957
Title: Executive Director
5. **COMMITTEE MEMBER ANNOUNCEMENTS**
6. **ADDITIONS/REVISIONS** *(The Committee 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 Committee subsequent to the posting of the agenda. An action adding an item to the agenda requires 2/3 vote of the Committee. If there are less than 2/3 of the Committee 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 – May 20, 2020**
8. **WESTERN RIVERSIDE COUNTY MSHCP FEE COLLECTION REPORT FOR MAY 2020**

Overview - **STAFF REPORT**

This item is for the RCA Executive Committee to:

- 1) Recommend that the RCA Board of Directors receive and file the Western Riverside County MSHCP Fee Collection Report for May 2020; and
- 2) Authorize staff to agenda this matter for the July 6, 2020, meeting of the RCA Board of Directors.

9. DISCUSSION AND POSSIBLE EXECUTIVE COMMITTEE ACTION CONCERNING THE NEXUS STUDY UPDATE

Overview

This item is for the RCA Executive Committee to discuss and provide staff direction concerning the Nexus Study Update.

10. EXECUTIVE DIRECTOR'S REPORT

10.1 DISCUSSION AND POSSIBLE ACTION CONCERNING THE FISCAL YEAR 2021 BUDGET

10.2 DISCUSSION OF COVID-19 RELATED EXPENDITURES

11. FUTURE AGENDA ITEMS (Committee members are invited to suggest additional items to be brought forward for future discussion.)

12. UNFINISHED BUSINESS

12.1 UPDATE REGARDING FIRE MANAGEMENT PLAN

12.2 UPDATE CONCERNING THE CALIFORNIA POPPIES ON RCA RESERVE LAND IN THE WALKER CANYON AREA

12.3 DISCUSSION AND POSSIBLE ACTION CONCERNING MOUNTAIN BIKING IN THE MURRIETA HILLS AREA

12. ADJOURNMENT

The next meeting of the Western Riverside County Regional Conservation Authority Executive Committee will be held on Wednesday, August 19, 2020, at 12:00 p.m., at the Riverside Centre, 3403 Tenth Street, Suite 320, Third Floor, RCA Conference Room, Riverside, California, 92501.

ACRONYMS

AGENDA ITEM NO. 7

Minutes

May 20, 2020



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EXECUTIVE COMMITTEE MEETING MINUTES

Wednesday, May 20, 2020

1. CALL TO ORDER

The meeting of the Western Riverside County Regional Conservation Authority Executive Committee was called to order by Chairman Ingram at 12:17 p.m., Wednesday, May 20, 2020, at the RCA Conference Room, 3403 Tenth Street, Suite 320, Riverside, California, 92501.

2. ROLL CALL – was taken by April Boydd.

COMMITTEE MEMBERS PRESENT	COMMITTEE MEMBERS ABSENT
Jonathan Ingram, Chair – City of Murrieta	Kevin Jeffries – County of Riverside, District 1
**Natasha Johnson, Vice Chair – City of Lake Elsinore	
Larry Greene – City of Canyon Lake	
Lesa Sobek – City of Menifee via ZOOM	
Crystal Ruiz – City of San Jacinto	
Jeff Hewitt – County of Riverside, District 5	

*Arrived after start of meeting ** Departed before meeting adjourned

3. PUBLIC COMMENTS

There were no public comments.

4. COMMITTEE MEMBER ANNOUNCEMENTS

Chair Ingram and Vice Chair Johnson thanked everyone involved in the Super Bloom.

5. **ADDITIONS/REVISIONS**

There were no additions or revisions.

6. **APPROVAL OF MINUTES – February 19, 2020**

M/S/C (City of San Jacinto/City of Canyon Lake) to approve the minutes of the February 19, 2020, meeting of the Executive Committee as submitted.

(6 Ayes, 0 Nays, 0 Abstain)

7. **WESTERN RIVERSIDE COUNTY MSHCP FEE COLLECTION REPORT FOR FEBRUARY, MARCH, AND APRIL 2020**

Jennifer Fuller, Director of Administrative Services, reported that for the months of February, March, and April 2020, the total MSHCP fee collection receipts was \$3,936,192.

The Executive Committee, with input from staff and legal counsel, discussed MSHCP fees and the information RCA receives about the fees. The fees need to be remitted to the RCA within 90 days of the permittees' collection. The RCA does not know how long the project was in the works before the fees are collected. The Executive Committee reiterated the need to implement direct collection of fees to improve information and Board decisions.

It was noted that development in the City of Menifee has not slowed down during the Coronavirus.

M/S/C (City of San Jacinto/County of Riverside District 5) to approve this item as recommended:

- 1) Recommend that the RCA Board of Directors receive and file the Western Riverside County MSHCP Fee Collection Reports for February, March, and April 2020; and
- 2) Authorize staff to agendize this matter for the June 1, 2020, meeting of the RCA Board of Directors.

(6 Ayes, 0 Nays, 0 Abstain)

8. **RESOLUTION NO. 2020-003, RESOLUTION OF THE BOARD OF DIRECTORS OF THE WESTERN RIVERSIDE COUNTY REGIONAL CONSERVATION AUTHORITY DELEGATING AUTHORITY TO SIGN INSTRUMENTS ON BEHALF OF THE EXECUTIVE DIRECTOR IN THE EXECUTIVE DIRECTOR'S ABSENCE**

Jennifer Fuller, Director of Administrative Services, presented the item. She stated that on July 11, 2016, the Western Riverside County Regional Conservation Authority Board

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of Directors adopted Resolution 2016-013, delegating authority to sign instruments on behalf of the Executive Director in the Executive Director's absence. Since the resolution was first approved, the RCA has added the Deputy Executive Director and Director of Land Acquisition positions.

The Executive Director executes a number of miscellaneous instruments, including, but not limited to, agreements, grant deeds, and easements to fulfill the responsibilities delegated by the Board of Directors, the RCA JPA, and the MSHCP to the Executive Director. On occasion, the Executive Director is unavailable to execute such documents. Most agencies have a process to delegate, on a temporary basis, the power to execute instruments when the Executive Director is unavailable. The current resolution only allows for the delegation of authority to execute documents to the Director of Administrative Services, the Director of Reserve Management and Monitoring, or both. Staff believes it would be appropriate to include the Director of Land Acquisition and the Deputy Executive Director, or any combination of the four. Therefore, RCA staff believes that it would be efficient to give the Executive Director the authority to delegate this signing authority to either the Deputy Executive Director, the Director of Administrative Services, the Director of Reserve Management and Monitoring, the Director of Land Acquisitions, or any combination of the four, when the Executive Director is temporarily unavailable. This delegation of authority would only be triggered by the Executive Director in writing or by the Board Chairperson if the Executive Director is not available.

The Executive Committee, with input from staff and legal counsel, discussed the pros and cons of adding additional positions to the resolution, including one that is currently vacant. Discussion included the list of available positions for delegation of authority and the items the Executive Director signs.

It was recommended that the vacant position be eliminated and add the language "for future positions as designated by the Executive Director."

M/S/C (City of Lake Elsinore/County of Riverside District 5) to approve this item as recommended:

- 1) Recommend that the RCA Board of Directors adopt Resolution No. 2020-003, Resolution of the Board of Directors of the Western Riverside County Regional Conservation Authority Delegating Authority to Sign Instruments on Behalf of the Executive Director in the Executive Director's Absence; and
- 2) Authorize staff to agendaize this matter for the June 1, 2020, meeting of the RCA Board of Directors.

(6 Ayes, 0 Nays, 0 Abstain)

9. NON-DEVELOPMENT HANS FUNDING LEVEL FOR FISCAL YEAR 2021

Jennifer Fuller, Director of Administrative Services, presented the Non-Development HANS funding level for Fiscal Year 2021. The MSHCP allows for property owners who do

not intend to file a development application to submit their properties for evaluation and possible acquisition under the HANS process. The MSHCP requires that a separate fund and priority list be established for properties that fall within this category. RCA Land Acquisition Policy, section 1.13. requires that the level of funding to be set aside for Non-Development HANS properties is reviewed annually and set by the RCA Board of Directors. Staff recommends leaving the funding level unchanged at 3% of the MSHCP fees collected, effective July 1, 2020. Staff projects FY2021 mitigation fees at about \$10.5 million. A 3% funding level will allow for approximately \$315 thousand to be deposited in the fund for future potential Non-Development HANS properties.

The Executive Committee, with input from staff, discussed the variation in funding from year to year. The variation occurs as the number of Non-Development HANS properties being negotiated can vary from year to year as can the amount of funding needed for other acquisitions

Board Member Greene asked why the funding varies from 1% to 3% over the years.

Honey Bernas, Interim Executive Director, stated that the amount can vary based on properties RCA is negotiating or the acquisitions the RCA is funding.

M/S/C (City of Canyon Lake/City of Lake Elsinore) to approve this item as recommended:

- 1) Recommend that the RCA Board of Directors direct staff to set aside no more than three percent (3%) of Western Riverside County Multiple Species Habitat Conservation Plan Local Development Mitigation Fees received, effective July 1, 2020, to purchase Non-Development HANS properties under Section 1.13 of the Land Acquisition Policies; and
- 2) Authorize staff to agendize this matter for the June 1, 2020, meeting of the RCA Board of Directors.

(6 Ayes, 0 Nays, 0 Abstain)

10. FISCAL YEAR 2020 THIRD QUARTER FINANCIAL REPORT AND RESOLUTION NO. 2020-004, RESOLUTION OF THE BOARD OF DIRECTORS OF THE WESTERN RIVERSIDE COUNTY REGIONAL CONSERVATION AUTHORITY APPROVING THE COMMITMENT OF FUND BALANCE IN THE GENERAL FUND FOR FISCAL YEAR 2020

Jennifer Fuller, Director of Administrative Services, presented the Fiscal Year 2020 Third Quarter Financial Report, which included an Executive Summary (cash balance summary and financial statement overview), detailed financial statements, and MSHCP Fee Collections Report. She stated that as of March 31, 2020, the cash balance was \$48.8 million, which represents a \$6.7 million increase from the prior fiscal year ending cash balance. Cash receipts were \$21.9 million and cash disbursements were \$15.3 million. The cash balance as of May 19, 2020, was \$49.6 million, and an

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additional \$6.8 million has been set aside as restricted for the endowments, for a total of \$56.4 million. She further stated that in the Operations Program, revenues of \$688 thousand exceeded expenditures of \$476 thousand by \$212 thousand. In the Land Management and Monitoring Program, revenues of \$2.9 million exceeded expenditures of \$2.2 million by \$692 thousand. In the Land Acquisition Program, total revenues of \$18.4 million exceeded expenditures of \$14.5 million by \$3.9 million. Development Mitigation Fees of \$12.5 million represent 85% of the budgeted Mitigation Fees of \$14.6 million. During the first nine months of the fiscal year, the RCA acquired approximately 793 ARL acres, including 433 acres of purchased land, 84 acres of donated land, and 276 observation easements. Additionally, staff is recommending the RCA Board commit \$3.1 million of the General Fund's \$26.2 Fund Balance to go towards the unfunded liability. This amount will not be remitted to the County, nor CalPERS. It will remain committed in the General Fund, until the RCA Board takes a formal action to transfer the funds to the County if deemed necessary. RCA will continue to reimburse the County bi-weekly for the CalPERS employer contribution along with all other payroll and benefits charges.

The Executive Committee, with input from staff, discussed the committed fund balance and projections related to the impacts from COVID-19. Board Member Hewitt asked if the money will go in a Section 125 fund.

Ms. Fuller stated that the funds are in the County Treasury.

Board Member Hewitt suggested that RCA pay down.

Ms Fuller stated that the agency is lumped into the County and therefore unable to pay it down.

Vice Chair Johnson asked if RCA is working on projections involving the impact from COVID-19.

Chair Ingram stated that staff is working on impacts and will bring something to the Executive Committee.

It was requested that the RCA add an update under the Executive Director section of the Executive Committee agenda to report on the impacts from COVID-19.

M/S/C (City of San Jacinto/County of Riverside District 5) to approve this item as recommended:

- 1) Recommend that the RCA Board of Directors receive and file the Fiscal Year 2020 Third Quarter Financial Report;
- 2) Recommend that the RCA Board of Directors adopt Resolution No. 2020-004, Resolution of the Board of Directors of the Western Riverside County Regional Conservation Authority Approving the Commitment of Fund Balance in the General Fund for Fiscal Year 2020; and

- 3) Authorize staff to agendize this matter for the June 1, 2020, meeting of the RCA Board of Directors.

(6 Ayes, 0 Nays, 0 Abstain)

11. RESOLUTION NO. 2020-005, RESOLUTION OF THE BOARD OF DIRECTORS OF THE WESTERN RIVERSIDE COUNTY REGIONAL CONSERVATION AUTHORITY ADOPTING THE FISCAL YEAR 2021 OPERATING AND CAPITAL BUDGET

Jennifer Fuller, Director of Administrative Services, presented the fiscal year 2020-2021 operating and capital budget. She advised that although there is a draw on fund balance, it is mostly for non-recurring items and land purchases. The budget is built on conservative estimates for revenues and appropriations, while appropriating sufficient funds to meet RCA's obligations under the MSHCP. She presented an overview of the major sources of revenues, appropriations, and fund balances. She advised that the budget contains three exhibits. She continued her presentation with a review of Exhibit A-1 Proposed Budget FY2020 Overall Summary, Exhibit A-2 Proposed Budget FY2020 by Fund and Program, and Exhibit A-3 Contract Detail and Appropriations by Category. She stated that staff will continue to watch to see how revenues develop next fiscal year and will make adjustments to spending as needed to meet any further diminishing revenue picture. She advised that staff will continue to report back quarterly on the actual revenues and expenditures and the comparison to the budget.

The Executive Committee, with input from staff, discussed the different revenue streams and what the revenues could be used for. The endowment fund was also discussed related to the long-term management of certain lands.

M/S/C (City of Canyon Lake/City of San Jacinto) to approve this item as recommended:

- 1) Recommend that the RCA Board of Directors adopt Resolution No. 2020-005, Resolution of the Board of Directors of the Western Riverside County Regional Conservation Authority Adopting the Fiscal Year 2021 Operating and Capital Budget; and
- 2) Authorize staff to agendize this matter for the June 1, 2020, meeting of the RCA Board of Directors.

(6 Ayes, 0 Nays, 0 Abstain)

12. RECURRING CONTRACTS FOR FISCAL YEAR 2021

Jennifer Fuller, Director of Administrative Services, presented RCA's recurring professional services contracts. She referred to the four contracts listed on page two of the staff report and gave a brief overview of each consultant contract. She further stated that all four contracts have been reviewed by legal counsel and each contract has a not

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to exceed amount. The contracts are for audit and agreed upon procedures, Nexus Study consultation, and government affairs consultants.

The Executive Committee discussed the need for a consultant in Sacramento as well as Washington, D.C. The importance of a continued presence in Washington, D.C., was discussed to secure future funding opportunities.

It was requested that the RCA bring back a report on what the consultants in Washington, D.C., have been working on during the shutdown.

M/S/C (City of Canyon Lake/City of San Jacinto) to approve this item as recommended:

- 1) Recommend that the RCA Board of Directors approve the Recurring Contracts for Fiscal Year 2021;
- 2) Recommend that the RCA Board of Directors authorize the Interim Executive Director, pursuant to legal counsel review and approval, to execute said agreements on behalf of the RCA; and
- 3) Authorize staff to agendize this matter for the June 1, 2020, meeting of the RCA Board of Directors.

(6 Ayes, 0 Nays, 0 Abstain)

13. RESOLUTION NO. 2020-006, RESOLUTION OF THE BOARD OF DIRECTORS OF THE WESTERN RIVERSIDE COUNTY REGIONAL CONSERVATION AUTHORITY PROCLAIMING A LOCAL EMERGENCY AS OF MARCH 10, 2020 IN RESPONSE TO THE INTRODUCTION OF THE NOVEL CORONAVIRUS (COVID-19) IN RIVERSIDE COUNTY

Jennifer Fuller, Director of Administrative Services, presented the Item. She stated that on March 8, 2020, the County of Riverside Public Health Officer proclaimed a local health emergency that was ratified by the Board of Supervisors on March 10, 2020. In addition to the local emergency proclamation resolution, the County requested other agencies and special districts within the County to adopt similar resolutions. To that end, the RCA Interim Executive Director declared a local emergency on March 10, 2020. The President of the United States declared a National Emergency on March 13, 2020. Reaffirming the Interim Executive Director's declaration of a local emergency will enhance RCA's ability to mobilize local resources, coordinate interagency response, accelerate procurement of vital supplies, and seek future reimbursement by state and federal governments.

The Executive Committee, with input from legal counsel, discussed the local declaration of emergency and its importance for cost recovery purposes and what effect the declaration could have on the RCA's authority over its lands.

It was requested that legal counsel review the legal authority of a declaration as it relates to the state's powers during an emergency and add language to the resolution that specifies cost recovery.

M/S/C (County of Riverside District 5/City of San Jacinto) to approve this item as recommended:

- 1) Recommend that the RCA Board of Directors adopt Resolution No. 2020-006, Resolution of the Board of Directors of the Western Riverside County Regional Conservation Authority Proclaiming a Local Emergency as of March 10, 2020, in response to the introduction of the Novel Coronavirus (COVID-19) in Riverside County; and
- 2) Authorize staff to agendize this matter for the June 1, 2020, meeting of the RCA Board of Directors.

(6 Ayes, 0 Nays, 0 Abstain)

14. FISCAL YEAR 2020 THIRD QUARTER CONSULTANT REPORTS

Honey Bernas, Interim Executive Director, reported on the activities and services provided by Dudek, Geographics, Kadesh & Associates, LLP, Riverside County Regional Parks and Open-Space District, the Santa Ana Watershed Association, and Douglas P. Wheeler, Hogan Lovells, US LLP, during the third quarter of Fiscal Year 2020.

M/S/C (County of Riverside District 5/City of Lake Elsinore) to approve this item as recommended:

- 1) Recommend that the RCA Board of Directors receive and file the Fiscal Year 2020 Third Quarter Consultant Reports; and
- 2) Authorize staff to agendize this matter for the June 1, 2020, meeting of the RCA Board of Directors.

(6 Ayes, 0 Nays, 0 Abstain)

15. LOCAL DEVELOPMENT MITIGATION FEE CREDIT FOR APPROXIMATELY 71.52 ACRE PROPERTY

Brian Beck, Land Acquisition Analyst, presented the item. He stated that staff has negotiated the acceptance of a land donation of approximately 71.52 acres. The property is located south of Nuevo Road and north of San Jacinto Avenue in the unincorporated Nuevo area. The property is being donated in exchange for a fee credit in the amount of \$519,000. The value was negotiated based on appraisals commissioned by the RCA and the landowner. The appraisals have been reviewed and determined to meet Federal Appraisal standards. The property in question is shown on the map and is described for conservation under the HANS process. In addition, the property will contribute to the

reserve assembly goals of the MSHCP, as the property is located within Extension of Existing Core 4. This core area connects to conserved lands within the Plan Area, including Mystic Lake conserved lands to the Northeast.

Chair Ingram asked Legal Counsel to explain a fee credit.

Steve DeBaun, General Counsel, stated that a fee credit is a determination based on the value of the property that is being provided. In return for the land that is being provided, the property owner gets a fee credit in the amount of the property for future payment of fees.

Chair Ingram asked if the fee credit is specific to the property or is it transferable.

Mr. Beck stated that fee credits are tied to the project.

M/S/C (City of Canyon Lake/County of Riverside District 5) to approve this item as recommended:

- 1) Recommend that the RCA Board of Directors approve a Fee Credit of \$519,000;
- 2) Recommend that the RCA Board of Directors authorize the Interim Executive Director, pursuant to legal counsel review and approval, to execute a Fee Credit Agreement on behalf of the RCA; and
- 3) Authorize staff to agendize this matter for the June 1, 2020, meeting of the RCA Board of Directors.

(6 Ayes, 0 Nays, 0 Abstain)

Representative from City of Lake Elsinore departed the meeting at the start of item 16.

16. RESOLUTION NO. 2020-007, RESOLUTION OF THE BOARD OF DIRECTORS OF THE WESTERN RIVERSIDE COUNTY REGIONAL CONSERVATION AUTHORITY DESIGNATING THE APPLICANT'S AGENT FOR NON-STATE AGENCIES WITH THE CALIFORNIA GOVERNOR'S OFFICE OF EMERGENCY SERVICES (Cal OES)

Jennifer Fuller, Director of Administrative Services, presented the Item. She stated that to apply for and receive funding assistance from the Federal Emergency Management Agency (FEMA) through the Cal OES, all non-state agencies are required to designate specific positions as authorized agents to act on the agency's behalf in submitting for reimbursements. Cal OES requires the designation to be approved by the Agency's governing body through a formal resolution, also known as Cal OES Form 130. A designation is valid for three years from the date approved. Currently the RCA does not have a Form 130 on file with Cal OES. The attached resolution designates the Executive Director, Director of Administrative Services, and the Administrative Manager as authorized agents for the RCA.

M/S/C (City of San Jacinto/City of Canyon Lake) to approve this item as recommended:

- 1) Recommend that the RCA Board of Directors adopt Resolution No. 2020-007, Resolution of the Board of Directors of the Western Riverside County Regional Conservation Designating the Applicant's Agent with the California Governor's Office of Emergency Services (Cal OES); and
- 2) Authorize staff to agendize this matter for the June 1, 2020, meeting of the RCA Board of Directors.

(4 Ayes, 0 Nays, 1 Abstain)

17. BIOLOGICAL MONITORING PROGRAM WORK PLAN AND COST ESTIMATE AND CLINTON KEITH ROAD OVERCROSSING MITIGATION MONITORING REIMBURSABLE PROGRAM WORK PLAN AND COST ESTIMATE FOR FISCAL YEAR 2021

Tricia Campbell, Director of Reserve Management & Monitoring, presented the Biological Monitoring Program Work Plan and Cost Estimate for Fiscal Year 2021. She stated that the MSHCP requires that the Monitoring Program Administrator submit an annual Work Plan and Cost Estimate for implementation of the Monitoring Program. The work plan describes the monitoring activities planned, fieldwork schedule, and the estimate of cost for personnel and operations. The work plan is to be approved by the RCA Board and becomes part of the annual RCA budget. She explained that one of the key components of the MSHCP is the Biological Monitoring Program, which collects data on the MSHCP's 146 Covered Species and their associated habitats. She further stated that the increase in Budget Fiscal Year 2021 is well deserved, and the monitoring crew will put in additional survey effort for the Quino Checkerspot Butterfly and monitor the usage of the Clinton Keith overcrossing by wildlife species. All results from the monitoring work will be provided in the MSHCP annual report. She explained that monitoring results are used to assess the MSHCP's effectiveness at meeting conservation objectives and to provide information to the management team. She described the different species surveys that are planned for Fiscal Year 2021.

M/S/C (City of San Jacinto/City of Canyon Lake) to approve this item as recommended:

- 1) Recommend that the RCA Board of Directors approve the Biological Monitoring Program Work Plan and Cost Estimate and Clinton Keith Road Overcrossing Mitigation Monitoring Reimbursable Program Work Plan and Cost Estimate for Fiscal Year 2021; and
- 2) Authorize staff to agendize this matter for the June 1, 2020, meeting of the RCA Board of Directors.

(5 Ayes, 0 Nays, 0 Abstain)

18. OPR CONTRACT AMENDMENT FOR FISCAL YEAR 2020

Jennifer Fuller, Director of Administrative Services, presented the Item. She stated that in September 2018, the RCA entered into an agreement with OPR Communications, Inc. (OPR) for on-call media relations services. In July 2019, the RCA and OPR extended the contract for another two years for an amount not to exceed \$150,000 for each year. During this fiscal year, OPR has accomplished a number of highlights, including the monthly newsletter, a social media presence that in recent weeks has more engagement than some of our local partners, and the fully redesigned website.

The scope of work in the current contract only called for design recommendations for the website. After discussions with RCA staff and the Chair, OPR was directed to completely redesign the website, develop new content, and new interactive site elements. The new website improves the user experience and engagement. The new website required a significant number of hours and programming.

OPR also provided other services outside the original scope of the contract related to strategic counsel for the COVID-19 response, the potential super bloom, and outreach to the mountain biking community and other constituents. Given the changes in scope, the RCA is requesting a contract amendment in the \$56,000 to compensate OPR for the time and expenses related to these items.

The Executive Committee discussed the excellent job done by OPR on the website.

M/S/C (City of Menifee/City of San Jacinto) to approve this item as recommended:

- 1) Recommend that the RCA Board of Directors approve the OPR Contract Amendment for Fiscal Year 2020;
- 2) Recommend that the RCA Board of Directors authorize the Interim Executive Director, pursuant to legal counsel review and approval, to execute said amendment on behalf of the RCA; and
- 3) Authorize staff to agendaize this matter for the June 1, 2020, meeting of the RCA Board of Directors.

(5 Ayes, 0 Nays, 0 Abstain)

19. DISCUSSION AND POSSIBLE ACTION CONCERNING THE NEXUS STUDY UPDATE

Honey Bernas, Interim Executive Director, stated that RCA has been working with the BIA in regard to fee increases. The BIA requested that the extension of time be extended to 20 years instead of 15 years. They also requested that instead of collecting fees at the time building permits are issued, that the RCA consider collecting fees at certificate of occupancy. Finally, the BIA requested that RCA consider not implementing the increased fees until July 2021.

The Executive Committee, with input from staff and legal counsel, discussed the timing of collection of TUMF fees collected by WRCOG, the timing of collection of the MSHCP fees, and what it would mean to the RCA to collect at certificate of occupancy rather than building permit issuance. If collected when the certificate of occupancy is issued, there is a risk that the developer will not finish the project and the fees will not be collected. Counsel discussed the need for a Letter of Credit on all projects to help ensure the fees would be collected. A concern was raised that the mitigation must be done prior to or at the time of impact.

It was requested that staff review RCA's options and include the Nexus Study on next month's Executive Committee agenda.

20. DISCUSSION AND POSSIBLE ACTION CONCERNING COVID-19 RESPONSE

21. UNFINISHED BUSINESS

21.1 UPDATE REGARDING FIRE MANAGEMENT PLAN

21.2 UPDATE CONCERNING THE CALIFORNIA POPPIES ON RCA RESERVE LAND IN THE WALKER CANYON AREA

21.3 DISCUSSION AND POSSIBLE ACTION CONCERNING MOUNTAIN BIKING IN THE MURRIETA HILLS AREA

22. EXECUTIVE DIRECTOR'S REPORT

22.1 UPDATE REGARDING SECTION 6 GRANT FUNDS

Honey Bernas, Interim Executive Director, stated that RCA recently received a \$10 million federal grant which would include \$3.4 million in state match.

Tricia Campbell stated that RCA received its first cannabis project for Joint Project Review. She advised that RCA cannot perform Joint Project Reviews or other MSHCP implementation measures, in support of cannabis projects because it's not federally legal.

23. FUTURE AGENDA ITEMS: *(Committee members are invited to suggest additional items to be brought forward for future discussion.)*

24. CLOSED SESSION

Item 24.1 was moved to the next scheduled meeting.

24.1 CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION
Pursuant to paragraph 1 of subdivision (d) of Government Code Section 54956.9

EHOFF II LAKESIDE, LLC, vs. Riverside County Transportation Commission; County of Riverside; and Western Riverside County Regional Conservation Authority (Case No. 5:19-cv-01693)

EHOFF II Lakeside, LLC, a Delaware limited liability corporation, vs. Western Riverside County Regional Conservation Authority (Case No. RIC1901547)

24.2 PUBLIC EMPLOYEE APPOINTMENT
Pursuant to Government Code Section 54957
Title: Executive Director

After closed session, the meeting was reconvened. There were no announcements from General Counsel on closed session.

25. ADJOURNMENT

There being no more items before the Executive Committee, Chairman Ingram adjourned the meeting at 3:05 p.m. The next meeting of the Western Riverside County Regional Conservation Authority Executive Committee will be held on Wednesday, June 17, 2020, at 12:00 p.m., at the Riverside Centre, 3403 Tenth Street, Suite 320, Third Floor, RCA Conference Room, Riverside, California, 92501.

Prepared by:



April Boydd
Administrative Manager

Respectfully submitted:



Jennifer Fuller
Director of Administrative Services

AGENDA ITEM NO. 8

Staff Report

**Western Riverside County MSHCP
Fee Collection Report for May 2020**

Regional Conservation Authority

**WESTERN RIVERSIDE COUNTY
MSHCP FEE COLLECTION REPORT FOR
MAY 2020**

STAFF CONTACT

**Jennifer Fuller
Director of Administrative Services
(951) 955-9700**

BACKGROUND

The RCA Executive Committee directed staff to report on Western Riverside County Multiple Species Habitat Conservation Plan (MSHCP) Local Development Mitigation Fee (LDMF) Collection and Civic/Infrastructure Contribution on a monthly basis.

Attached is the report for May 2020. The report was prepared on a cash basis and, therefore, reflects the cash received by RCA during that month.

STAFF RECOMMENDATIONS

That the RCA Executive Committee:

- 1) Recommend that the RCA Board of Directors receive and file the Western Riverside County MSHCP Fee Collection Reports for May 2020; and
- 2) Authorize staff to agendize this matter for the July 6, 2020, meeting of the RCA Board of Directors.

ATTACHMENTS

1. Western Riverside County MSHCP LDMF Collection and Civic/Infrastructure Contribution Report for May 2020

AGENDA ITEM NO. 8

Attachment 1

Western Riverside County MSHCP LDMF Collection and Civic/Infrastructure Contribution Report for May 2020

**WESTERN RIVERSIDE COUNTY MSHCP LDMF COLLECTION AND
CIVIC/INFRASTRUCTURE CONTRIBUTION REPORT FOR MAY 2020
CASH BASIS**

LOCAL DEVELOPMENT MITIGATION FEE COLLECTIONS							
City/County	Month	REMITTED			EXEMPTIONS & FEE CREDITS		
		Residential Permits	Commercial Industrial Acres	Amount Remitted	Residential Permits	Commercial Industrial Acres	Amount
City of Banning	March - Pending						
City of Beaumont	April	3		\$6,504			
City of Calimesa	April	29		\$62,872			
City of Canyon Lake	April - No Activity						
City of Corona	April - Pending						
City of Eastvale	April	44		\$61,072			
City of Hemet	April			\$64			
City of Jurupa Valley	April	30		\$65,040			
City of Lake Elsinore	March	91	1.2	\$117,357			
	April	22		\$30,536			
	Summerly Project ¹				33		\$71,544
City of Menifee	April - Pending						
City of Moreno Valley	April		6.5	\$47,688			
City of Murrieta	April	83		\$93,541			
City of Norco	March	1		\$2,168			
City of Perris	March	5		\$10,840			
City of Riverside	March - Pending						
City of San Jacinto	April	12		\$26,016			
City of Temecula	February	35		\$48,580			
	March	39		\$54,912			
	April - Roripaugh DA ²					21.3	\$157,237
City of Wildomar	March - No Activity						
County of Riverside	May	108		\$226,344			
Total LDMF Collections		502	7.7	\$853,534	33	21.3	\$228,781

CIVIC AND INFRASTRUCTURE CONTRIBUTIONS		
Riverside Co. Flood Control & Water Conservation Dist.	Jurupa Pyrite MDP Line A-2, Stage 1	\$10,519
Total Civic/Infrastructure Contributions		\$10,519

TOTAL MAY 2020 \$864,053

¹ Summerly Project - Development agreement dated 8/24/04. Settlement Agreement with RCA per MOA dated 11/6/17.

² Roripaugh Development Agreement dated 12/17/02. Project is exempt under AD161.

2019 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
DBESP	Determination of Biologically Equivalent or Superior Preservation
EMWD	Eastern Municipal Water District
EPD	Environmental Programs Department (<i>Riverside County</i>)
ERP	Expedited Review Process
ESA	Endangered Species Act
FAST	Fixing America's Surface Transportation
FY	Fiscal Year
HANS	Habitat Evaluation and Acquisition Negotiation Strategy
HCP	Habitat Conservation Plan
HMU	Habitat Management Unit
IC	Interchange
IMER	Initial Management Evaluation Report
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
RCOE	Riverside County Office of Education
RCRCD	Riverside-Corona Resource Conservation District
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
WA	Wildlife Agencies (<i>USFWS & CDFW</i>)
WCB	Wildlife Conservation Board
WIFIA	Water Infrastructure Finance and Innovation Act
WIIN	Water Infrastructure Improvements for the Nation
WPT	Western Pond Turtle
WRDA	Water Resources Development Act