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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.

MEETING

Monday, October 7, 2019

12:30 p.m.

**John F. Tavaglione County Administrative Center Annex
Board Chambers, First Floor, 4080 Lemon Street, Riverside, CA 92501**

OFFICERS

Jonathan Ingram, Chairperson
City of Murrieta

Natasha Johnson, Vice-Chairperson
City of Lake Elsinore

BOARD MEMBERS

Daniela Andrade
City of Banning

David Starr Rabb
City of Perris

Julio Martinez
City of Beaumont

Andy Melendrez
City of Riverside

Ed Clark
City of Calimesa

Crystal Ruiz
City of San Jacinto

Jeremy Smith
City of Canyon Lake

James Stewart
City of Temecula

Jacque Casillas
City of Corona

Joseph Morabito
City of Wildomar

Jocelyn Yow
City of Eastvale

Kevin Jeffries
County of Riverside, District 1

Michael Perciful
City of Hemet

Karen Spiegel
County of Riverside, District 2

Lorena Barajas
City of Jurupa Valley

Chuck Washington
County of Riverside, District 3

Lesa Sobek
City of Menifee

V. Manuel Perez
County of Riverside, District 4

David Marquez
City of Moreno Valley

Jeff Hewitt
County of Riverside, District 5

Kevin Bash
City of Norco

Charles Landry, Executive Director



MEETING AGENDA*

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

**Monday, October 7, 2019
12:30 p.m.**

**John F. Tavaglione County Administrative Center Annex
First Floor – Board Chambers
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 COMMENT**

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.)*

RCA BOARD OF DIRECTORS AGENDA

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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 — September 9, 2019**

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

8.1 **WESTERN RIVERSIDE COUNTY MSHCP FEE COLLECTION REPORT FOR AUGUST 2019**

Overview – **STAFF REPORT**

This item is for the RCA Board of Directors to receive and file the Western Riverside County MSHCP Fee Collection Report for August 2019.

9. **RESOLUTION NO. 2019-013, RESOLUTION OF THE BOARD OF DIRECTORS OF THE WESTERN RIVERSIDE COUNTY REGIONAL CONSERVATION AUTHORITY ADOPTING A SOCIAL MEDIA POLICY**

Overview – **STAFF REPORT**

The item is for the RCA Board of Directors to adopt Resolution No. 2019-013, Resolution of the Board of Directors of the Western Riverside County Regional Conservation Authority Adopting a Social Media Policy.

10. **AUTHORITY TO SIGN A TIME EXTENSION FOR THE AGREEMENT FOR THE PURCHASE OF FIFTY COLTON DUNES CONSERVATION BANK CREDITS BETWEEN THE WESTERN RIVERSIDE COUNTY REGIONAL CONSERVATION AUTHORITY AND CALMAT COMPANY**

Overview – **STAFF REPORT**

The item is for the RCA Board of Directors to authorize the Executive Director of RCA to approve a time extension of the CalMat Agreement in the event one is necessary.

11. **EXECUTIVE DIRECTOR'S REPORT**

(NO BUSINESS)

12. **LAND ACQUISITION UPDATE**

RCA BOARD OF DIRECTORS AGENDA

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13. FEATURED SPECIES OF THE MONTH

14. FUTURE AGENDA ITEMS: (Board Members are invited to suggest additional items to be brought forward for future discussion.)

15. CLOSED SESSION

15A. CONFERENCE WITH REAL PROPERTY NEGOTIATOR

Pursuant to Government Code Section 54956.8

Agency Negotiator: RCA – Executive Director or Designee

Under Negotiation: Price/Terms

Assessor Parcel No(s).	Negotiating Party(ies)/Agent
580-500-010	Lisbeth Eddy, Lynn Eddy Zambrano, and Jo Anne Scott

15B. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION

Pursuant to paragraph 1 of subdivision (d) of Government Code Section 54956.9

15B.1 EHOFF II LAKESIDE, LLC, vs. Western Riverside County Regional Conservation Authority, (Case No. RIC 1901547)

15B.2 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)

15B.3 Motion to Intervene – FERC Project No P-14277-003

15C. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION

INITIATION OF LITIGATION Pursuant to paragraph 4 of subdivision (d) of Government Code Section 54956.9

Number of Cases: One potential case

16. ADJOURNMENT

The next meeting of the Western Riverside County Regional Conservation Authority Board of Directors is scheduled for Monday, November 4, 2019, at 12:30 p.m., at the John F. Tavaglione County Administrative Center Annex, Board Chambers, 4080 Lemon Street, Riverside, California.

ACRONYMS

AGENDA ITEM NO. 7

MINUTES

September 9, 2019



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MEETING MINUTES

1. CALL TO ORDER

The meeting of the Western Riverside County Regional Conservation Authority was called to order by Chairman Ingram at 12:32 p.m., Monday, September 9, 2019, in the Board Room of the Riverside County Administrative Center, 4080 Lemon Street, Riverside, California, 92501.

2. PLEDGE OF ALLEGIANCE

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

3. ROLL CALL

Member Agency	Board Member Name	Status
City of Banning	Daniela Andrade	Present
City of Beaumont	Julio Martinez	Present
City of Calimesa	Ed Clark	Present
City of Canyon Lake	Jeremy Smith	Present
City of Corona	Jacque Casillas	Present
City of Eastvale	Joseph Tessari, Alternate	Present
City of Hemet	Michael Perciful	Present
City of Jurupa Valley	Lorena Barajas	Absent
City of Lake Elsinore	Natasha Johnson	Present
City of Menifee	Lesa Sobek	Present
City of Moreno Valley	David Marquez	Present
City of Murrieta	Jonathan Ingram, Chairman	Present
City of Norco	Kevin Bash	Present
City of Perris	David Starr Rabb	Absent
City of Riverside	Andy Melendrez	Absent
City of San Jacinto	Crystal Ruiz	Present
City of Temecula	James Stewart	Present
City of Wildomar	Joseph Morabito	Present
County District 1	Kevin Jeffries	Present
*County District 2	Karen Spiegel	Present
County District 3	Chuck Washington	Present
County District 4	V. Manuel Perez	Absent
County District 5	Jeff Hewitt	Present

**Arrived after roll call was taken.*

4. PUBLIC COMMENT

There were no public comments.

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.)

Chairman Ingram announced that Larry Greene stepped down from the City of Canyon Lake and the RCA Board to care for his severely ill wife.

The RCA Board of Directors welcomed new Board Member Jeremy Smith from the City of Canyon Lake.

Board Member Smith announced that Mr. Greene's wife passed away. He requested that the Board reach out to him in support.

Chairman Ingram requested that RCA staff send a condolence card and flowers from the RCA Board.

Chairman Ingram announced that his father is home from the hospital and is receiving care 24/7. He thanked the Board Members for their support during this time.

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.)

There were no additions or revisions.

7. APPROVAL OF MINUTES — June 3, 2019, meeting of the RCA Board of Directors.

RESULT:	APPROVED AS RECOMMENDED [UNANIMOUS]
MOVER:	City of Lake Elsinore
SECONDER:	County District 3
AYES:	Banning, Beaumont, Calimesa, Canyon Lake, Corona, Eastvale, Hemet, Lake Elsinore, Menifee, Moreno Valley, Murrieta, Norco, San Jacinto, Temecula, Wildomar, County District 1, County District 2, County District 3, County District 5
ABSENT:	Jurupa Valley, Perris, Riverside, County District 4

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.)

Chairman Ingram pulled agenda item 8.8 for discussion at the request of Board Member Jeffries.

RESULT:	APPROVED AS RECOMMENDED [UNANIMOUS]
MOVER:	City of Wildomar
SECONDER:	City of Banning
AYES:	Banning, Beaumont, Calimesa, Canyon Lake, Corona, Eastvale, Hemet, Lake Elsinore, Menifee, Moreno Valley, Murrieta, Norco, San Jacinto, Temecula, Wildomar, County District 1, County District 2, County District 3, County District 5
ABSENT:	Jurupa Valley, Perris, Riverside, County District 4

8.1 WESTERN RIVERSIDE COUNTY MSHCP FEE COLLECTION REPORTS FOR MAY, JUNE AND JULY 2019

Overview

This item is for the RCA Board of Directors to receive and file the Western Riverside County MSHCP Fee Collection Reports for May, June, and July 2019.

8.2 FISCAL YEAR 2019 PRELIMINARY FOURTH QUARTER FINANCIAL REPORT (UNAUDITED)

Overview

This item is for the RCA Board of Directors to receive and file the Fiscal Year 2019 Preliminary Fourth Quarter Financial Report.

8.3 FISCAL YEAR 2019 FOURTH QUARTER CONSULTANT REPORTS

Overview

This item is for the RCA Board of Directors to receive and file the Fiscal Year 2019 Fourth Quarter Consultant Reports.

8.4 RESOLUTION NO. 2019-009, RESOLUTION OF THE BOARD OF DIRECTORS OF THE WESTERN RIVERSIDE COUNTY REGIONAL CONSERVATION AUTHORITY AUTHORIZING THE ACCEPTANCE OF GRANT FUNDS FOR THE JURUPA MOUNTAIN GRANT FOR ACQUISITION OF REAL PROPERTY

Overview

This item is for the RCA Board of Directors to adopt Resolution No. 2019-009, Resolution of the Board of Directors of the Western Riverside County Regional Conservation Authority Authorizing the Acceptance of Grant Funds for the Jurupa Mountain Grant for Acquisition of Real Property.

8.5 RESOLUTION NO. 2019-010, RESOLUTION OF THE BOARD OF DIRECTORS OF THE WESTERN RIVERSIDE COUNTY REGIONAL CONSERVATION AUTHORITY AUTHORIZING THE ACCEPTANCE OF GRANT FUNDS FOR ACQUISITION OF REAL PROPERTY

Overview

This item is for the RCA Board of Directors to adopt Resolution No. 2019-010, Resolution of the Board of Directors of the Western Riverside County Regional Conservation Authority Authorizing the Acceptance of Grant Funds for Acquisition of Real Property.

8.6 RESOLUTION NO. 2019-011, RESOLUTION OF THE BOARD OF DIRECTORS OF THE WESTERN RIVERSIDE COUNTY REGIONAL CONSERVATION AUTHORITY AUTHORIZING THE ACCEPTANCE OF GRANT FUNDS FOR ACQUISITION OF REAL PROPERTY

Overview

This item is for the RCA Board of Directors to adopt Resolution No. 2019-011, Resolution of the Board of Directors of the Western Riverside County Regional Conservation Authority Authorizing the Acceptance of Grant Funds for Acquisition of Real Property.

8.7 RESOLUTION NO. 2019-012, RESOLUTION OF THE BOARD OF DIRECTORS OF THE WESTERN RIVERSIDE COUNTY REGIONAL CONSERVATION AUTHORITY AUTHORIZING THE ACCEPTANCE OF GRANT FUNDS FOR ACQUISITION OF REAL PROPERTY

Overview

This item is for the RCA Board of Directors to adopt Resolution No. 2019-012, Resolution of the Board of Directors of the Western Riverside County Regional Conservation Authority Authorizing the Acceptance of Grant Funds for Acquisition of Real Property.

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

8.8 RESPONSE TO THE 2018-2019 GRAND JURY REPORT

RESULT:	APPROVED AS RECOMMENDED [17 TO 0]
MOVER:	City of Banning
SECONDER:	City of Menifee
AYES:	Banning, Beaumont, Calimesa, Canyon Lake, Corona, Eastvale, Hemet, Lake Elsinore, Menifee, Murrieta, Norco, San Jacinto, Wildomar, County District 1, County District 2, County District 3, County District 5
ABSTAIN:	Moreno Valley, Temecula
ABSENT:	Jurupa Valley, Perris, Riverside, County District 4

Charles Landry, Executive Director, presented the responses to the 2018-2019 Grand Jury Report. He stated that RCA appreciated that the Grand Jury praised the MSHCP by stating that “The Plan has provided great value to the County by accelerating the construction of new transportation infrastructure, development and habitat preservation.” He further stated that there were more than two dozen factual inaccuracies, misunderstandings, or inconsistencies in the report. In the interest of time, he reviewed a few of the biggest inaccuracies and RCA’s proposed responses. He advised that the response before the Board addresses and corrects the factual inaccuracies and misunderstandings in the report. He recommended that the RCA Board approve staff’s recommendations to approve the response and direct staff to forward the final response to the Riverside County Grand Jury, the Presiding Judge of the Superior Court of California-County of Riverside, and the Riverside County Clerk-Recorder.

Chairman Ingram called for public comments regarding the item. The following people spoke on the item:

Dennis Hollingsworth from Murrieta, California, addressed the Board regarding the Grand Jury report. He spoke in favor of the RCA Board’s responses to the Grand Jury report and disagreed with the Grand Jury findings.

Ed Sauls addressed the Board regarding the Grand Jury report. He spoke in favor of the RCA Board’s responses to the Grand Jury report and disagreed with the Grand Jury findings.

Tami Wilhelm addressed the Board regarding the Grand Jury report. She spoke in favor of the RCA Board’s responses to the Grand Jury report and disagreed with the Grand Jury findings.

Chairman Ingram thanked the speakers and asked the Board Members if they had anything to add.

Board Member Jeffries stated that the speakers said most everything that he wanted to say. He stated that the report is a commentary of the Grand Jury trying to understand how the Plan works, and it is incredibly difficult to take an outside view and try to

understand it in a matter of weeks or months. There have been a lot of challenges historically with the organization and private property rights that the Board could elaborate on, but he believes the Board has made significant changes. He further stated that his concerns are in the nuances of the rebuttal to the Grand Jury report. He said that in his experience on the Board of Supervisors, an agency can get sideways with the Grand Jury on particular issues by the way it replies or calls them out, and he expressed concern that the draft response could result in that and could invite potentially years of new scrutiny and evaluations of every little thing the organization does. He recommended that the rebuttal be structured more as an education. He recommended getting the facts out by explaining things in a non-confrontational way. He suggested that staff take a slightly more nuanced approach by softening the responses and explaining instead of lecturing.

Board Member Spiegel agreed with Board Member Jeffries and asked if anyone from the Board spoke with the Grand Jury.

Chairman Ingram stated that he, the Vice Chair, multiple Board Members, and staff spoke with the Grand Jury multiple times.

Charles Landry stated that the Grand Jury spent almost seven months speaking with staff and Board Members.

Board Member Spiegel stated that she feels better knowing that they met with staff and Board Members. She stated that in reading the report it does not sound like the Grand Jury met with anyone because the information is so grossly inaccurate. She said that she agrees with Board Member Jeffries to be careful what we ask for when responding because this will just be the beginning and not the end. It is educational. The Grand Jury didn't ask the right questions or ask the questions printed on the report, in just looking at the first eight questions.

Board Member Ruiz stated that she was furious when discussing the report in the Executive Committee meeting. In reading the Grand Jury report, it doesn't appear that they listened to who they talked to or that they cared. She explained that the Grand Jury is supposed to find the truth in the matter. She questioned the motives of the Grand Jury, why they were convened and what was behind the investigation. She stated that the Grand Jury didn't listen. She stated that she is a conservative and most conservatives are not known for conservation, but it is an honor and privilege to be on the RCA Board doing the right thing for land owners, the community and the environment. She said that the response was already toned down. RCA needs to take a stand to support the RCA. RCA needs to be proud of the work they do and stand behind it. She stated that she stands behind the responses to the Grand Jury report and thanked Chairman Ingram and Vice Chair Johnson for representing the organization.

Vice Chair Johnson stated that she was interviewed by the Grand Jury and that the level of sophistication was disheartening. She stated that the way RCA responds and Board Member Jeffries' point is very important. She further stated that there are some things suggested in the report that RCA can do, such as focus on education. There are opportunities available to educate and to be aware of the perception of RCA to those the Board serves. She stated that it's okay for the Grand Jury to have scrutiny over some things, such as the RCA and Board, however, how staff was treated it is not okay. She stated that RCA needs to be careful how much they soften things in the report and keep

things factual. She recommended that RCA thank the Grand Jury for their feedback, move on, and focus on the work to be done.

Board Member Bash stated that he has been on the Board since 2011, which is longer than anyone on the Board. He stated that the Board has an excellent staff. There is a learning curve, but the learning curve is not as big as people want to believe. He recommended that RCA tell the truth and put the Grand Jury in their place. He further stated that he supports the Board and will go with the direction the Board desires. He said that he is proud of the legal team and proud of RCA.

Board Member Sobek stated that she sits on the Executive Committee and learned a lot about the Grand Jury report and those that were interviewed. She thanked the public for speaking. She stated that the Board needs to do their jobs as leaders by being professional, clear, and concise.

Board Member Hewitt stated that the Grand Jury talked to him. He stated that he agrees with the whole premise of the Grand Jury to have citizen oversight for government agencies. He stated that it is needed at every level, but it doesn't mean that what they come up with or say is right. He disagreed with Board Member Jeffries' recommendation to tone down the response. He stated that more scrutiny is fine because when things are done right, there is nothing to hide. He stated that RCA's response is good, and RCA has nothing to hide. He stated that he enjoys talking with the Grand Jury and that they are a great bunch of people. He stated that RCA should put this behind it and move on. He further stated that there are learning curves for everybody and learning moments for all. He stated that he views the program as being extremely necessary and extremely successful in the coming years.

Chairman Ingram stated that he admires the effort that the Grand Jury put into the report and knows that they have a difficult job. He stated that he would be glad to meet with the Supervisors, and if they believe something in the responses needs to be toned down, staff is more than willing to work with them to revise the responses. He stated that he spent seven months and multiple hours meeting with the Grand Jury and that he likes everyone with the Grand Jury. He said the comments that land was to be acquired at \$4,000 an acre was incorrect. The anticipated price was \$13,000 per acre and that has not changed. He stated that there were comments with respect to outsourcing. He stated that he came from the private industry and has a different perspective on how government and businesses should be run. RCA deals with multiple disciplines on a yearly bases and the reason for outsourcing is because RCA can't afford to pay 17 disciplines sitting on site. It's a huge sum of money, so by contracting out RCA has saved an expediential amount of money for the taxpayers in Riverside County. RCA has helped accelerate \$5 billion in infrastructure in the County. He stated that when staff and others reached out to lobbyists, there was a reason. That reason was that RCA needed additional income. He stated that over the last five years, the money spent for lobbyists was approximately \$1.5 million, with an approximately a \$25 million return on investment, which is really good. Additionally, as a result of the lobbyists' efforts, there is a refuge bill in the House and a companion bill in the Senate. The Board is aware that RCA is working on an outreach plan, working to fund the endowment, and gain additional sources of revenue. The RCA needs to be able to access money to accomplish what is needed to complete the Plan, and there hasn't been a lot of money available over the last decade. The County and most of the cities have struggled with lack of funding. He stated he has the utmost respect

for the Grand Jury and does not have an issue with oversight. He stated that he was under the assumption that the Grand Jury looked at malfeasance which RCA had none. The Plan creates a synergy between environment, infrastructure and species. He stated he agrees with Mr. Sauls and believes that the Plan should be completed. The problem with the Plan is that until it is finished, it is holding up millions of development dollars from coming into Riverside County. This is about what is in the best interest of the County. He does not believe that anything in the response was outlandish and that RCA was just being extraordinarily direct with the information being inaccurate. Chairman Ingram stated that if anything in the response is perceived as rude or inappropriate, he is willing to entertain changing it so that everyone is satisfied.

Board Member Johnson made a motion to leave the response as is, continue to focus on the Plan, and thank the Grand Jury for their feedback.

Overview

This item is for the RCA Board of Directors:

- 1) Approve the attached response to the 2018-2019 Grand Jury Report: Western Riverside County Regional Conservation Authority; and
- 2) Direct the Clerk of the Board to forward the final response to the Riverside County Grand Jury, the Presiding Judge of the Superior Court of California – County of Riverside, and the County Clerk-Recorder.

9. **RESOLUTION NO. 2019-008, RESOLUTION OF THE BOARD OF DIRECTORS OF THE WESTERN RIVERSIDE COUNTY REGIONAL CONSERVATION AUTHORITY AMENDING AND ADOPTING THE TICKET DISTRIBUTION POLICY TO CONFORM WITH SECTION 18944.1 OF TITLE 2, CALIFORNIA CODE OF REGULATIONS**

RESULT:	APPROVED AS RECOMMENDED [17 TO 0]
MOVER:	City of San Jacinto
SECONDER:	City of Banning
AYES:	Banning, Beaumont, Calimesa, Corona, Hemet, Lake Elsinore, Menifee, Moreno Valley, Murrieta, Norco, San Jacinto, Temecula, Wildomar, County District 1, County District 2, County District 3, County District 5
ABSENT:	Canyon Lake, Eastvale, Jurupa Valley, Perris, Riverside, County District 4

Representatives from the City of Canyon Lake and City of Eastvale departed the meeting at the start of this item.

Steve DeBaun, General Counsel, presented the Ticket Distribution Policy which conforms with Section 18944.1 of Title 2, California Code of Regulations. He gave a brief overview of the Ticket Distribution Policy.

Chairman Ingram stated that during the Executive Committee meeting, the Item was discussed and everyone agreed that no Board Member should be accept tickets or freebies as elected politicians.

Overview

This item is for the RCA Board of Directors:

- 1) Approve the attached response to the 2018-2019 Grand Jury Report: Western Riverside County Regional Conservation Authority; and
- 2) Direct the Clerk of the Board to forward the final response to the Riverside County Grand Jury, the Presiding Judge of the Superior Court of California – County of Riverside, and the County Clerk-Recorder.

10. LAND ACQUISITION UPDATE

Charles Landry, Executive Director, reported that since July 2019, RCA acquired seven properties totaling 157 acres, which brings the reserve acreage total to approximately 61,537.

11. ITEMS FOR NEXT MEETING

Chairman Ingram announced that staff will be bringing forward a discussion item concerning wildfire issues, defensible space, an ongoing maintenance program, and possibly retaining a state lobbying firm to obtain additional funding.

12. CLOSED SESSION ITEMS

Representative from County District 1 departed the meeting at the start of Closed Session.

12.1 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(s).	Property Owner(s) / Agent(s)
1	964-130-004	Albert Anton Hernandez, Evelyn Hernandez Diaz
2	932-220-033	Sally S. Yeh
3	932-160-024	The Nature Conservancy (TNC Anderson)

Before the start of Closed Session Agenda Item No. 12.2, City of Moreno Valley recused himself and exited the room.

12.2 CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION
Initiation of litigation pursuant to paragraph (4) of subdivision (d) of Section 54956.9

Number of Cases: 1

After Closed Session, the meeting was reconvened. Steve DeBaun, General Counsel, announced the following:

Concerning Agenda Item No. 12.1.1 – APN 964-130-004, the Board of Directors approved a Purchase and Sale Agreement to purchase approximately 4.67 acres of real property for \$260,000.

Concerning Agenda Item No. 12.1.2 – APN 932-220-033, the Board of Directors approved a Purchase and Sale Agreement to purchase approximately 9.69 acres of real property for \$205,000.

Concerning Agenda Item No. 12.1.3 – APN 932-160-024, the Board of Directors approved a Purchase and Sale Agreement to purchase approximately 18.89 acres of real property for \$280,000.

Concerning Agenda Item No. 12.2, the Board of Directors approved an agreement with the City of Moreno Valley to:

- (a) collect from the City a one-time lump sum payment of \$75,000 to settle old fee disputes with RCA; and
- (b) the City agrees to amend its MSHCP Fee Ordinance to remove the exemption for affordable housing projects.

13. ADJOURNMENT

There being no other items before the RCA Board, Chairman Ingram adjourned the meeting at 1:32 p.m. The next meeting of the Western Riverside County Regional Conservation Authority Board of Directors is scheduled for Monday, October 7, 2019, at 12:30 p.m., at the John F. Tavaglione County Administrative Center Annex, Board Chambers, 4080 Lemon Street, Riverside, California.

Prepared by:



April Boydd
Administrative Manager

Respectfully submitted:



Honey Bernas
Deputy Executive Director

AGENDA ITEM NO. 8.1

**WESTERN RIVERSIDE COUNTY
MSHCP FEE COLLECTION
REPORTS FOR
AUGUST 2019**

Regional Conservation Authority

**WESTERN RIVERSIDE COUNTY
MSHCP FEE COLLECTION REPORT FOR
AUGUST 2019**

Staff Contact:

**Honey Bernas
Deputy Executive Director
(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 August 2019. The report was prepared on a cash basis and, therefore, reflects the cash received by RCA during that month.

Executive Committee and Staff Recommendation:

That the RCA Board of Directors receive and file the Western Riverside County MSHCP Fee Collection Report for August 2019.

Attachment

Western Riverside County MSHCP LDMF Collection and Civic/Infrastructure Contribution Report for August 2019

AGENDA ITEM NO. 8.1

Attachment 1

**Western Riverside County
MSHCP LDMF Collection and
Civic/Infrastructure Contribution
Report for August 2019**

**WESTERN RIVERSIDE COUNTY MSHCP LDMF COLLECTION AND
CIVIC/INFRASTRUCTURE CONTRIBUTION REPORT FOR AUGUST 2019
CASH BASIS**

LOCAL DEVELOPMENT MITIGATION FEE COLLECTIONS						
		REMITTED			EXEMPTIONS & FEE CREDITS	
		Residential Permits	Commercial/Industrial Acres	Amount Remitted	Residential Permits	Amount
City/County	Month					
City of Banning	July received in Sept.					
City of Beaumont	July	8	2.7	\$37,054		
City of Calimesa	July	30		\$65,040		
City of Canyon Lake	July	1		\$2,168		
City of Corona	July received in Sept.					
City of Eastvale	July	37	2.1	\$65,230		
City of Hemet	July - No Activity					
City of Jurupa Valley	July	13	16.7	\$161,114		
City of Lake Elsinore	July - No Activity					
City of Menifee	July	37		\$72,416		
City of Moreno Valley	July	35	5.6	\$118,041		
City of Murrieta	July - Pending					
City of Norco	June	1		\$2,104		
	July - No Activity					
City of Perris	July	3		\$5,430		
City of Riverside	July - Pending					
City of San Jacinto	July	17		\$36,856		
City of Temecula	July	9		\$19,512		
City of Wildomar	July	8	5.9	\$60,529		
County of Riverside	August	178		\$388,664		
	Starfield Sycamore Investors*				12	\$23,256
Total LDMF Collections		377	32.9	\$1,034,159	12	\$ 23,256

CIVIC AND INFRASTRUCTURE CONTRIBUTIONS		
Riverside County Flood Control and Water Conservation Dist.	Lake Elsinore-3rd Street Channel	\$21,900
	South Norco Channel, Stage 6, Norco MDP Line S	\$232,333
Total Civic/Infrastructure Contributions		\$254,233

TOTAL AUGUST 2019 \$1,288,392

* Starfield Sycamore Investors - Fee Credit Agreement with County of Riverside. Properly exempted at \$1,938 rate.

AGENDA ITEM NO. 9

STAFF REPORT SOCIAL MEDIA POLICY

Regional Conservation Authority

**RESOLUTION NO. 2019-013, RESOLUTION OF THE BOARD OF DIRECTORS
OF THE WESTERN RIVERSIDE COUNTY REGIONAL CONSERVATION
AUTHORITY ADOPTING A SOCIAL MEDIA POLICY**

Staff Contact:

**John Field
Director of Land Acquisition
(951) 955-9700**

Background:

On September 10, 2018, the RCA Board of Directors approved an agreement between the RCA and OPR Communications, Inc., for a public outreach campaign and on-call media services. Part of the outreach campaign includes the establishment and maintenance of our social media presence on several platforms. Most public agencies that utilize social media establish policies to set content guidelines and establish how frequently the sites will be monitored and updated. The attached policy will guide staff and consultants in the development of the RCA's social media sites and establish update and maintenance procedures.

Executive Committee and Staff Recommendation:

That the RCA Board of Directors adopt Resolution No. 2019-013, Resolution of the Board of Directors of the Western Riverside County Regional Conservation Authority Adopting a Social Media Policy.

Attachment

Resolution No. 2019-013

AGENDA ITEM NO. 9
Attachment 1

Resolution 2019-013

RESOLUTION NO. 2019-013

**RESOLUTION OF THE BOARD OF DIRECTORS OF THE
WESTERN RIVERSIDE COUNTY REGIONAL CONSERVATION AUTHORITY
ADOPTING A SOCIAL MEDIA POLICY**

WHEREAS, Board of Directors approved an agreement to hire a public relations firm to begin a public outreach campaign on September 10, 2018; and

WHEREAS, Social media platforms are a very common means of providing information to the public as well as board members and employees; and

WHEREAS, Most public entities that have a presence on social media have a stated policy regarding the use, maintenance, and updating of said social media; and

WHEREAS, The intent of establishing a social media campaign is to increase public awareness of the Western Riverside County Multiple Species Habitat Conservation Plan (MSHCP) and the RCA, as well as provide updates, meeting notices, news releases, and other up-to-date information on the RCA and MSHCP; and

WHEREAS, the Board of Directors of the Western Riverside County Regional Conservation Authority has been presented with a Social Media Policy, attached hereto as Exhibit A and incorporated by reference; and

WHEREAS, the Board of Directors, has reviewed the Social Media Policy and wishes to approve the same;

NOW, THEREFORE, BE IT RESOLVED that the Board of Directors of the Western Riverside County Regional Conservation Authority hereby approves and adopts the Social Media Policy attached hereto as Exhibit A. Furthermore, staff shall be directed to maintain a copy of the Social Media Policy on file at the offices of the RCA and is available for inspection by the public.

PASSED AND ADOPTED at the regular meeting of the Board of Directors of the Western Riverside County Regional Conservation Authority held this 7th day of October, 2019.

By: _____
Jonathan Ingram, Chairman
Western Riverside County Regional
Conservation Authority

ATTEST:

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

AGENDA ITEM NO. 9
Attachment 2

EXHIBIT A
SOCIAL MEDIA POLICY

EXHIBIT A

Western Riverside County Regional Conservation Authority Social Media Policy

I. PURPOSE

The Western Riverside County Regional Conservation Authority (RCA) makes important contributions to the community and the public on a broad range of issues related to species protection, environmental stewardship, and meaningful infrastructure and economic development. Social media is an essential channel for sharing with our constituents the exciting work being done by RCA and our partner agencies. RCA's social media usage will be limited to topics within the subject matter of RCA's jurisdiction. Social media provides our agency with a valuable means of communicating and collaborating with the communities we serve. The purpose of RCA social media sites is to disseminate information about RCA's mission, meetings, activities, and current issues to the public. RCA staff and contractors who engage in social media on behalf of the agency should do so in a manner that is thoughtful, strategic, and collaborative to help inform and educate the public about the significant value of our work and RCA's progress toward achievement of its mission.

This document establishes RCA's Social Media Policy (this "Policy"), and accompanying protocols and procedures. This Policy will be periodically reviewed and may be revised as appropriate by RCA's Executive Director. RCA reserves the right to change, modify, or amend all or part of this Policy at any time.

II. APPLICABILITY

This policy applies to all RCA employees and approved volunteers, consultants, service providers and contractors performing business on behalf of RCA. This Policy also applies to the RCA Board of Directors (See Section VI).

III. RESPONSIBILITY

RCA's Executive Director, or his/her designees, are responsible for facilitating compliance with this Policy. This includes the responsibility to audit agency use of social media and enforce policy compliance.

IV. POLICY

1. RCA's use of social media technology shall conform to the policies, protocols and procedures in this document.
2. RCA's decision to embrace social media considers the value and importance of communicating the agency's mission and goals, technical capabilities and its benefits, achievements and issues management.
3. Access to RCA's social media pages is limited to individuals performing official RCA or County business.
4. RCA is responsible for establishing and maintaining content posted to its social media sites and shall have measures in place to prevent inappropriate or harmful information and links, including by the enforcement of the Site Content guidelines under Section V, below.
5. Use of social media shall be documented and maintained in an easily accessible format that tracks account information and preserves items that may be considered a record subject to disclosure under the California Public Records Act or required to be retained pursuant to the Government Code. RCA's Executive Director, or his/her designee, shall ensure an RCA employee is regularly retaining the social media posts and associated comments contemplated by this Policy.
6. Social media sites shall be monitored regularly, and prompt corrective action shall be taken when an issue arises that places, or has potential to place, RCA at risk.

V. PROCEDURES

The following shall apply to all RCA representatives authorized to utilize RCA social media sites on behalf of RCA:

Policy 1: Social Media Technology Use

- 1.1) Comply with all applicable federal, state, and county laws, regulations and policies including, but not be limited to, copyright, records retention, privacy and employment-related laws, the California Public Records Act, and County established Workforce,

Information and Technology, e-Government and Social Media usage policies.

- 1.2) Be familiar and conduct social media activity in accordance with RCA's Social Media Guidelines.

Policy 2: Authorized Use

- 2.1) Social media network access shall be limited to those with a clear business or public outreach purpose that can be furthered by use of RCA's social media sites, as authorized by RCA's Executive Director, or his/her designee, and in compliance with the purpose of this Policy.

Policy 3: Site Content

- 3.1) RCA is responsible for the content and upkeep of its social media sites.
- 3.2) Sharing or posting content owned by others shall be performed in accordance with copyright, fair use and established laws pertaining to materials owned by others. This includes, but is not limited to, quotes, images, documents, links, etc.
- 3.3) Any electronic content maintained on an RCA social media site, may be considered a public record subject to disclosure under the California Public Record Act.
- 3.4) RCA is responsible for monitoring posts on its social media sites, and taking appropriate action when necessary to protect general site visitors from inappropriate information and links in violation of the express limitations imposed by this Policy. It is understood that social media is a 24/7 medium, however, RCA's moderation capabilities are not. RCA may not see every inappropriate comment right away, and is trusting in the maturity of the community to ignore inappropriate or harmful speech until it can be reviewed and/or removed.
- 3.5) RCA social media sites that allow public comment shall inform visitors of the intended purpose of the site by including a Policy

statement in line with Article I above or a link to RCA's social media policy, and shall provide a clear statement of the discussion topic introduced for public comment so that the public is aware of the limited nature of the discussion. The following type of posts, regardless of format, may be subject to removal for being in violation of this Policy, including but not limited to:

- 3.5.1)** comments not topically related;
- 3.5.2)** profane or obscene language or content;
- 3.5.3)** content that promotes, fosters or perpetuates discrimination on the basis of race, creed, color, age, religion, gender, marital status, status with regards to public assistance, national origin, physical or mental disability or sexual orientation;
- 3.5.4)** sexual content or links to sexual content;
- 3.5.5)** solicitations of commerce;
- 3.5.6)** conduct or encouragement of illegal activity;
- 3.5.7)** information that may tend to compromise the safety or security of the public or public systems;
- 3.5.8)** content that violates a legal ownership interest of any other party;
- 3.5.9)** content that levels personal attacks on individuals or would be considered libelous, malicious and/or would constitute slander; and
- 3.5.10)** threats of violence or injury to any person, property or organization.

Policy 4: Records Management

- 4.1)** RCA is responsible for the creation, administration, and deactivation of social media accounts.
 - 4.1.1)** Account password information shall only be shared with authorized staff that has been designated by the Executive

Director, or her/his designee, to fulfill the role of site account administrator.

4.2) RCA shall maintain a record of social media sites created for RCA's internal use, including, but may not be limited to:

4.2.1) A log file containing the name of the social media network, account ID, password, registered email address, date established, authorizing representative and name of person who created account and agreed to the sites terms of use agreement and/or policy.

4.3) Electronic information posted to a social media site by RCA, or a member of the public if permitted, may be considered a record subject to disclosure under the California Public Record Act. RCA's Executive Director, or his/her designee, shall ensure an RCA employee is regularly taking screenshots, documenting and retaining all RCA social media posts contemplated by this Policy.

4.3.1) Any electronic content maintained in a social media format that is related to RCA business, including a list of subscribers and RCA or public posted communication, may be a public record.

4.3.2) Posts deemed technically harmful or inappropriate shall be promptly documented, saved and removed.

Policy 5: Social Media Guidelines

5.1) RCA shall follow the following guidelines for approval and vetting of postings on its social media pages. RCA reserves the right to remove content posted to its social media pages that violates its guidelines and this Policy, but must retain a record of any such removed content.

5.2) Suitable postings shall include a variety of potential topics and formats regarding RCA business, subject to the approval of the Executive Director or his/her designee, including, but not limited to:

5.1.1) approved RCA news releases;

- 5.1.2) acquisitions, species news and updates, policy statements, special events, community events, news related to partners agencies or other County departments involved in shared or collaborative activities;
- 5.1.3) photos and video approved for release to the media or social media posting; and
- 5.1.4) External links as deemed appropriate to Internet or social media postings by partner agencies, other federal or state government, media coverage, social media postings, conservation groups, community organizations or other County departments involved in shared or collaborative activities.

Policy 6: Best Practices

- 6.1) RCA shall follow Best Practices in its social media usage, including:
 - 6.1.1) **Be respectful:** All postings should be respectful and RCA representatives should take care not to engage in social media conduct that would be unacceptable in a workplace.
 - 6.1.2) **Be accurate:** Ensure that accurate information is being posted. If errors occur, correct them quickly, and ensure the original posting is retained in accordance with the procedure described in this Policy.
 - 6.1.3) **Best judgment:** Remember that there are consequences to all posts so careful consideration must be given to all content beforehand. All postings should be vetted and approved by RCA's Executive Director or his/her designee.
 - 6.1.4) **Delete personal information:** Personal information should not be posted on social media sites, including but not limited to: personnel information, email or personal addresses or phone numbers.
- 6.2) **Public Comments:** RCA may choose not to reply to public comments posted on RCA social media sites, especially those that are off-topic,

violate any term or condition of this Policy, or are objectionable. Objectionable messages include, but are not limited to, messages that are a personal attack, cultural or racial slurs, lewd or obscene comments, or comments that are otherwise offensive.

- 6.3)** Photos and videos posted on social media pages should be screened and carefully reviewed to ensure they are appropriate before posting. Photos should not depict alcohol, nudity, or graphic scenes involving species that may prove distressing to viewers.
- 6.4)** Media Inquiries: Postings may generate media interest and coverage. Any media inquiries generated by a posting should be directed to the Executive Director or his/her designee.
- 6.5)** Public Inquiries: Postings may generate direct messages from the public interested in the posted subject. Any postings that involve inquiries should be directed to the Executive Director or his/her designee for review and potential response.

VI. APPLICABILITY TO RCA BOARD OF DIRECTORS

- 1. RCA Board of Directors members (“Board members”) shall comply with the guidelines included in this Policy. RCA is not responsible for the contents or accuracy of material posted on Board members’ personal social media sites, or for any comments made by Board members’ on RCA’s social media sites posted independently and without RCA’s consent or approval. Publication of such content does not constitute an endorsement by RCA.
- 2. RCA social media sites will be managed consistent with the Brown Act. Board members shall only comment, like, share, retweet, etc. any published RCA social media posting when doing so encourages public participation or otherwise disseminates information in a manner consistent with this Policy.

3. Board members shall not use electronic communication to respond to, blog or engage in serial meetings, or otherwise discuss, deliberate, or express opinions on any issue within the subject matter jurisdiction of that legislative body. Under no circumstances shall any such Board members share his or her thoughts on any item or discussion that may come before that legislative body, nor may any such Board member engage in any electronic communication with any other member when the topic of the social media posting may be subject to deliberation by the RCA Board.
4. Board members will include the following language on their personal social media sites to prevent confusion and false public expectations that their sites are affiliated with RCA: “This page is not operated by the Western Riverside County Regional Conservation Authority (RCA) and is not a reflection of the RCA’s policies or opinions.”
5. Board members must keep their social media presence separate from that of RCA, and other Board Members’ social media sites. Posts from RCA’s social media sites not pertaining to the subject matter jurisdiction of the Board may be shared on those members’ personal social media sites.

AGENDA ITEM NO. 10

STAFF REPORT

**AUTHORITY TO SIGN A TIME EXTENSION
FOR THE AGREEMENT FOR THE
PURCHASE OF FIFTY COLTON DUNES
CONSERVATION BANK CREDITS
BETWEEN THE WESTERN RIVERSIDE
COUNTY
REGIONAL CONSERVATION AUTHORITY
AND CALMAT COMPANY**

Regional Conservation Authority

**AUTHORITY TO SIGN A TIME EXTENSION FOR THE AGREEMENT
FOR THE PURCHASE OF FIFTY COLTON DUNES CONSERVATION
BANK CREDITS BETWEEN THE WESTERN RIVERSIDE COUNTY
REGIONAL CONSERVATION AUTHORITY AND CALMAT COMPANY**

Staff Contact:

**John Field
Director Land of Acquisition
(951) 955-9700**

Background:

On September 10, 2018, the RCA Board of Directors approved a funding agreement with Crestmore Redevelopment, LLC, (Crestmore) which is planning to remediate and repurpose the former Riverside Cement Plant in the City of Jurupa Valley. On April 1, 2019 the Board approved an agreement with CalMat Company (CalMat) to purchase 50 conservation credits in the Colton Dunes Conservation Bank utilizing the funds from the Crestmore agreement, in order to satisfy conservation requirements for the Delhi Sands flower-loving fly (*Rhaphiomidas terminatus abdominalis*) for the Agua Mansa area in the City of Jurupa Valley.

Also on April 1, 2019, an amendment to the Crestmore agreement was approved by the RCA Board in order to address some minor changes to the provisions in the agreement. At that time the RCA Board also authorized the Executive Director of the RCA to approve an extension of time should one become necessary, however such a provision was not included in the recommended motion for the agreement with CalMat Company.

As entitlements for Crestmore Redevelopment, LLC's, project may take a few months longer than originally anticipated, an extension of time may be needed for both agreements. Therefore, the purpose of this agenda item is to give the Executive Director the authority to sign an extension of time for the CalMat agreement should one become necessary, provided no other material provisions in the agreement are being changed.

Executive Committee and Staff Recommendation:

That the RCA Board of Directors authorize the Executive Director of RCA to approve a time extension of the CalMat Agreement in the event one is necessary.

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