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EXECUTIVE COMMITTEE

The Executive Committee, consisting of the RCA Board Chairman, Vice-Chairman, Past Chairman, and four members of the RCA Board, makes recommendations regarding personnel, administrative and financial matters, as well as provide guidance on a broad range of issues including target areas or types of habitats needed to remain in rough step. In addition, the Executive Committee may schedule Funding Coordination Committee workshops to discuss funding and acquisition strategy.

EXECUTIVE COMMITTEE MEETING

August 17, 2016, Wednesday @ 12:00 p.m.
Western Riverside County Regional Conservation Authority
Riverside Centre, RCA Conference Room
3403 Tenth Street, Suite 320
Riverside, California 92501

EXECUTIVE COMMITTEE MEMBERS

Eugene Montanez, Chairman
City of Corona

Marion Ashley, Vice Chairman
County of Riverside, District 5

John Tavaglione, Past Chairman
County of Riverside, District 2

Ben Benoit
City of Wildomar

Maryann Edwards
City of Temecula

Jonathan Ingram
City of Murrieta

Natasha Johnson
City of Lake Elsinore

Charles Landry, Executive Director



EXECUTIVE COMMITTEE AGENDA *

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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 at the RCA Offices, 3403 10th Street, Suite 320, Third Floor, Riverside, California, 92501, 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.

**Wednesday, August 17, 2016
12:00 P.M.
Riverside Centre, RCA Conference Room
3403 Tenth Street, Suite 320
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 an Executive Committee 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. ROLL CALL

3. PUBLIC COMMENT

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 complete a Request to Speak form available 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 Executive Committee in writing and only pertinent points presented orally. Any written documents to be distributed or presented to the Executive Committee shall be submitted to the Clerk of the Board.

4. COMMITTEE MEMBER ANNOUNCEMENTS

5. 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.)

6. APPROVAL OF MINUTES

◆ RCA Executive Committee Meeting - [June 15, 2016](#)

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

[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 LDMF Collection and Civic/Infrastructure Contribution Report for June and July 2016; and

- 2) Authorize staff to agendize this matter for the September 12, 2016 meeting of the RCA Board of Directors.

8. FISCAL YEAR 2016 PRELIMINARY FOURTH QUARTER FINANCIAL REPORT (UNAUDITED)

Overview - [Staff Report](#)

This item is for the RCA Executive Committee to:

- 1) Recommend that the RCA Board of Directors receive and file the Fiscal Year 2016 Preliminary Fourth Quarter Financial Report (Unaudited); and
- 2) Authorize staff to agendize this matter for the September 12, 2016 meeting of the RCA Board of Directors.

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

Overview - [Staff Report](#)

This item is for the RCA Executive Committee to:

- 1) Recommend that the Board of Directors adopt Resolution No. 2016-XXX, Resolution of the Board of Directors of the Western Riverside County Regional Conservation Authority Adopting an Updated Records Retention Policy and Schedule and Repealing Resolution No. 08-012; and
- 2) Authorize staff to agendize this matter for the September 12, 2016 meeting of the RCA Board of Directors.

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

Overview - [Staff Report](#)

This item is for the RCA Executive Committee to:

- 1) Recommend that the Board of Directors adopt Resolution No. 2016-XXX, Resolution of the Board of Directors of the Western Riverside County Regional Conservation Authority Amending the Conflict of Interest Code Pursuant to the Political Reform Act of 1974; and
 - 2) Authorize staff to agendize this matter for the September 12, 2016 meeting of the RCA Board of Directors.
- Direct staff to submit said amendment to the Riverside County Board of Supervisors as the Authority's code-reviewing body (Gov. Code § 82011) to request approval of the amendment, as required under Government Code section 87303.
- 3)

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

Overview - [Staff Report](#)

This item is for the RCA Executive Committee to:

- 1) Recommend that the Board of Directors adopt Resolution No. 2016-003, Resolution of the Board of Directors of the Western Riverside County Regional Conservation Authority Revising Its Fee Credit and Waiver Policy Superseding and Replacing Resolution No. 05-05
- 2) Authorize staff to agendize this matter for the September 12, 2016 meeting of the RCA Board of Directors.

12. **DISCUSSION AND POSSIBLE EXECUTIVE COMMITTEE ACTION REGARDING AMENDING THE RCA'S BYLAWS CONCERNING ELECTION OF OFFICERS AND APPOINTMENT OF THE EXECUTIVE COMMITTEE**

Overview - [Staff Report](#)

This item is for the RCA Executive Committee to:

- 1) Provide staff direction concerning amending the RCA's Bylaws; and
- 2) Direct staff to agendize this matter for consideration at the September 12, 2016 meeting of the RCA Board of Directors.

13. FISCAL YEAR 2016 FOURTH QUARTER CONSULTANT REPORTS

Overview - [Staff Report](#)

This item is for the RCA Executive Committee to:

- 1) Recommend that the RCA Board of Directors to receive and file the Fiscal Year 2016 Fourth Quarter Consultant Reports; and
- 2) Authorize staff to agendize this matter for the September 12, 2016 meeting of the RCA Board of Directors.

14. STATUS UPDATE AND POSSIBLE EXECUTIVE COMMITTEE ACTION CONCERN TOLLING AGREEMENTS

Overview -

This item is for Legal Counsel to provide an update concerning Tolling Agreements.

15. EXECUTIVE DIRECTOR'S REPORT

- 15.1 New Digital Voting System**
- 15.2 Support for Senate Bill 1386**

16. FUTURE AGENDA ITEMS:

(Committee members are invited to suggest additional items to be brought forward for discussion.)

17. CLOSED SESSION ITEMS

- 17.1 CONFERENCE WITH REAL PROPERTY NEGOTIATOR**
Pursuant to Government Code Section 54956.8
Negotiating Parties: RCA - Executive Director or Designee

Under Negotiation: Price/Terms

Item	Assessor Parcel No.	Property Owners
1	384-270-006	Anheuser Busch

18. ADJOURNMENT

The next meeting of the Western Riverside County Regional Conservation Authority Executive Committee will be held on Wednesday, September 21, 2016, at 12:00 p.m., at the Riverside Centre, 3403 Tenth Street, Suite 320, Third Floor Conference Room, Riverside, California, 92501.

[RCA Commonly Used Acronyms](#)

AGENDA ITEM NO. 6

MINUTES

June 15, 2016



EXECUTIVE COMMITTEE MINUTES

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1. CALL TO ORDER

The meeting of the Western Riverside County Regional Conservation Authority Executive Committee was called to order by Chairman Montanez at 12:05 p.m., Wednesday, June 15, 2016, at the RCA Conference Room, 3403 Tenth Street, Suite 320, Riverside, California, 92501.

2. ROLL CALL – was taken by Rose Haro.

COMMITTEE MEMBERS PRESENT	COMMITTEE MEMBERS ABSENT
Eugene Montanez, Chairman – City of Corona	Natasha Johnson - City of Lake Elsinore
Marion Ashley, Vice Chairman – County of Riverside District V	John Tavaglione County of Riverside District II
Jonathan Ingram, City of Murrieta	
Maryann Edwards - City of Temecula	
Ben Benoit – City of Wildomar	

3. PUBLIC COMMENTS

There were no public comments.

4. COMMITTEE MEMBER ANNOUNCEMENTS

There were no Committee Member announcements.

5. ADDITIONS/REVISIONS

There were no additions or revisions to the agenda.

6. APPROVAL OF MINUTES – May 18, 2016

M/S/C (INGRAM/BENOIT) to approve the minutes of the May 18, 2016 meeting of the Executive Committee as submitted.

(5 Ayes, 0 Nays, 0 Abstain)

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

Honey Bernas, Director of Administrative Services, presented the LDMF Collection and Civic/Infrastructure Contribution Report for May 2016. The RCA received fees in the amount of \$1,058,618 for 380 residential permits and 60.4 commercial acres. There were 68 reported exemptions totaling \$132,568. There were 33, exemptions in the City of Lake Elsinore, 23 exemptions in the City of Temecula, and 12 exemptions in the County of Riverside. There were no reported Civic/Infrastructure projects.

M/S/C (INGRAM/BENOIT) to:

- 1) Recommend that that RCA Board of Directors receive and file the Western Riverside County MSHCP LDMF Collection and Civic/Infrastructure Contribution Report for May 2016; and
- 2) Authorize staff to agendize this matter for the July 11, 2016 meeting of the RCA Board of Directors.

(5 Ayes, 0 Nays, 0 Abstain)

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

Honey Bernas, Director of Administrative Services, advised that the policy was revised and sent to all Member Agencies for review with comments due back by June 27, 2016. A meeting was held with the City of Hemet who was pleased with the policy as revised. The Cities of Jurupa Valley and Murrieta provided comments approving the revised policy. The City of Corona requested that Section III.A. on page 2. be revised to add “or at the cost of the property owner requesting the fee credit, waiver or reduction” this would allow Member Agencies to require the developer to pay for the cost of the appraisal.

Board Member Ingram stated that the Member Agency still has the authority to do so and recommended keeping the language as it is. This decision lies with the Member Agency, who has the final authority. He was perplexed as to why a Member Agency would want to do this if one could save the client the fee and expedite the process.

RCA EXECUTIVE COMMITTEE MINUTES

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June 15, 2016

Board Member Edwards asked if it would be redundant to add the language proposed by the City of Corona.

Board Member Ingram said that it was because they already have the authority to do that now. He offered to discuss with the City of Corona with the Chairman's permission.

Chairman Montanez concurred.

Board Member Ingram further stated that the policy is equitable for everyone involved. He would like to see this policy move forward.

Honey Bernas stated that Ed Sauls wanted the policy to read that the Member Agency would not charge the developer for the cost of the appraisal. She advised Mr. Sauls that it was not RCA's place to tell the Member Agency what they can or cannot do.

Board Member Ingram stated that this resolution was designed to protect Member Agencies' rights. There are no statements in the policy that take those rights away. In his opinion, this resolution is ready and should be moved forward to Board of Directors meeting for a vote.

Chairman Montanez asked if there were any other comments received from Member Agencies.

Honey Bernas responded that Member Agencies have until June 27 to respond. If she does not hear of any major issues from Member Agencies, she will forward this item to the Board of Directors for consideration at their July 11, meeting. Should she receive additional substantive comments, she will bring the matter back to Executive Committee on August 17.

There was no motion to vote on.

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

Honey Bernas, Director of Administrative Services, presented this item. She reported that legal counsel revised page 5 based on the RCA Board of Directors' comments on June 6, 2016. This would make the policy reciprocal for RCA and the Member Agencies tolling their statute of limitations. She said that RCTC was contacted by Steven DeBaun, Legal Counsel. Steven DeBaun reviewed the Measure A language and said his preliminary opinion did not provide the authority to withhold only a portion of Measure A. Steven DeBaun has a meeting scheduled with RCTC to discuss further and will report back to the Executive Committee. Staff and legal counsel recommend not moving this policy forward to the RCA Board of Directors at this time

RCA EXECUTIVE COMMITTEE MINUTES

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June 15, 2016

Board Member Ingram said that in regard to the tolling agreement and the whole reason he went so far out of his way to bring this item back to Executive Committee for discussion is because the policy needs to be thoroughly reviewed. After speaking to other Board Members, even if RCA had the ability to withhold a specific portion of Measure A that is due a city, it's really not a hammer with teeth. The Member Agency would only lose the amount of Measure A that they owe RCA. Regional Conservation Authority needs to figure out a different way to use that carrot and stick, which Board Member Ingram will work with staff on with the permission of the Committee. Board Member Ingram stated that it would be prudent for RCA to pursue Tolling Agreements with the five Member Agencies who have outstanding issues because those Member Agencies are willing and the clock is ticking against RCA.

Board Member Edwards agreed with Board Member Ingram's statements and commented that RCA has to get these agreements in place.

Board Member Ingram stated that it is in the best interest of RCA to get Tolling Agreements or the RCA will lose money due to the statute of limitations running out. The cities are willing to participate in those Tolling Agreements so it would be advantageous to allow legal staff to initiate the five Tolling Agreements while staff works on the actual policy.

Board Member Edwards said that cities enter into Tolling Agreements all the time even though they do not call them Tolling Agreements. There are deadlines on everything. There has to be or cities would be in open-ended contracts all the time.

Board Member Ingram agreed with Board Member Edwards and stated that he discussed this matter yesterday in his meeting with Charles Landry and Honey Bernas. The policy needs work. Timelines, parameters and mechanisms need to be established to ensure that tolling doesn't go on forever and when or when not to use the nuclear option.

Board Member Edwards asked if it's really a nuclear option if the Member Agency is agreeing to it.

Board Member Ingram answered that it is a nuclear option if RCA has to take Measure A because the problem is if you can't take a portion of it. What would transpire is that RCA would take all of Member Agency's Measure A. The Member Agency would have to go back into the queue to reapply for Measure A funding and that could be devastating.

Board Member Benoit asked if RCA really takes it or does it just stop.

Board Member Edwards answered that RCA does not take Measure A. Regional Conservation Authority just informs RCTC that the Member Agency is not in compliance with the MSHCP, which is a requirement for Measure A. It's just part of the process.

RCA EXECUTIVE COMMITTEE MINUTES

Page 5 of 8

June 15, 2016

Board Member Ingram agreed with Board Member Edwards and said that his concern is that time is of the essence, and RCA needs to move forward on the Tolling Agreements for the five.

Board Member Benoit asked if a separate item is needed to allow staff to go forward with that direction, because Steven DeBaun made it sound that legal counsel already has that authority and that it's an option in his tool chest to start a Tolling Agreement with some of these Member Agencies that wanted to.

Honey Bernas concurred with Board Member Benoit stating that is what she understood legal counsel to say from the dais. She stated if it was the Executive Committee's direction to have legal counsel enter into Tolling Agreements with the five Member Agencies, that she would inform Steven DeBaun upon his return.

Board Member Edwards said RCA needs to view Measure A in a different way. It is not RCA restricting the Measure A funds. Member Agencies are either in compliance with the MSHCP, or they are not. RCA does not impose the consequences of not being in compliance. Those consequences are already in place.

Honey Bernas stated that RCA must certify whether or not the Member Agencies are in compliance with the MSHCP. So far RCA has reported that Member Agencies are in compliance every year, but RCA's auditors have identified fee collection issues with some of the Member Agencies. Regional Conservation Authority and Member Agencies are working cooperatively to resolve these issues.

Board Member Ingram stated that affecting a Member Agencies' Measure A should be the last option and only used when all other remedies have been exhausted.

Board Member Edwards said the Member Agency is either in compliance or they are not; and if they are not, RCA does not impose the consequences. The consequences are already in place. They just come in to play.

Board Member Ingram stated his preference that the Tolling Agreement be designed to provide for: 1. X amount of days to comply with this; 2. X amount of days to do that. Each thing triggers a different response. For example, when one you get a ticket you sign for it, you go to court, or don't go to court you get a warrant. He suggested that RCA needs a process with the Tolling Agreement.

Chairman Montanez said if Steven DeBaun has the authority to move forward with the Tolling Agreements, he should continue with the process. The policy will be brought back after it's approved.

Board Member Ingram made the motion to allow/permit RCA staff and legal counsel to create Tolling Agreements with the following Member Agencies, he asked Honey Bernas to read them off.

RCA EXECUTIVE COMMITTEE MINUTES

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June 15, 2016

Board Member Edwards asked if the Committee's desire was to restrict the motion just to the five Member Agencies.

Board Member Ingram responded in the affirmative, until Tolling/Waiver Policy is finalized.

Honey Bernas stated that staff and legal counsel will initiate Tolling Agreements with the Cities of Calimesa, Lake Elsinore, Perris, and San Jacinto. She indicated that the City of Temecula and RCA staffs have come to a resolution regarding the outstanding issue and will need to bring an item to the Board of Directors for approval so she was not sure if it would be necessary for this Member Agency to sign a Tolling Agreement.

Board Member Ingram asked if there was a clock ticking.

Board Member Edwards said not to leave City of Temecula out.

Board Member Ingram said to go ahead and put City of Temecula in then.

Chairman Montanez suggested that to place Member Agencies as necessary, as Steven DeBaun is already working on them.

Board Member Ingram reiterated that the cities are now in there and that this is being done in lieu of having the statute of limitation run out.

Board Member Edwards seconded the motion.

M/S/C (INGRAM/EDWARDS) Authorizing RCA Staff and Legal Counsel to initiate tolling agreements with the following cities: City of Calimesa, City of Lake Elsinore, City of Perris, City of San Jacinto and City of Temecula and to continue working on the Tolling/Waiver Policy for approval to the Board.

(5 Ayes, 0 Nays, 0 Abstain)

10. WESTERN RIVERSIDE COUNTY REGIONAL CONSERVATION AUTHORITY SUPPORT FOR SENATE BILL 1386

Charles Landry, Executive Director, presented this item. He said that this bill is commonly referred to the Natural and Working Lands Climate Solutions Act. It's a State policy that protects and manages natural and working lands. This would be reserve lands. The reason for RCA supporting this senate bill is to help in obtaining Senator Wolk's support for Cap and Trade. This bill will allow reserve type lands to be eligible for carbon sequestration projects because they have as much value as riparian on pulling out and treating carbon. The California Habitat Conservation Plan Coalition (HCP) is trying to support this bill so that there is movement on a future bill which would then include conservation plans into the existing Cap and Trade.

RCA EXECUTIVE COMMITTEE MINUTES

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June 15, 2016

Board Member Benoit ask if it was the Cap and Trade that just sold their bonds for \$10 million.

Charles Landry answered in the affirmative and said at the last auction, Cap and Trade hardly got anything back. Regardless of what happens with this bill, long term it would be a good thing to make national and state HCP's eligible for Cap and Trade funding, just as agricultural lands are. That is why he recommends supporting this bill.

Board Member Benoit said he fully supports it. Western Riverside County of Governments is trying to do the same with the savings they are experiencing with placing solar panels on the rooftops. His caveat to both with what was just experienced is that adding more to the Cap and Trade program is not going help any if the program is already upside down. This bill will add to that problem. He is not sure if these bills will get signed, but it would be great if they did.

Charles Landry said that conceptually Cap and Trade was really aimed for conservation programs that agencies manage.

Board Member Edwards said keep in mind that as long as the Cap and Trade money is set aside, it's an elected official's job to get in and fight for every penny.

Charles Landry clarified that this bill does not do anything with Cap and Trade right now, but it could pull from it later.

M/S/C (BENOIT/EDWARDS) to:

- 1) Recommend that the RCA Board of Directors authorize the Chairman to sign the attached letter in support of Senate Bill ; and
- 2) Authorize staff to agendize this matter for the July 11, 2016 meeting of the RCA Board of Directors.

(5 Ayes, 0 Nays, 0 Abstain)

11. EXECUTIVE DIRECTOR'S REPORT

Charles Landry reported on the following items:

11.1 Loan Program Update – Charles Landry gave an update on the Loan Program.

Board Member Edwards asked that Charles Landry send her some language regarding the Cap and Trade issue.

Charles Landry advised the Committee Members that he would be having surgery on June 27, and would be out of the office for a few weeks.

RCA EXECUTIVE COMMITTEE MINUTES

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June 15, 2016

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

There were no requests for future agenda items by the Executive Committee.

13. CLOSED SESSION ITEMS:

13.1 CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION
Significant exposure to litigation pursuant to Subdivision (d) of Government Code Section 54956.9

- A. **Case No. RIC1600058 A. T. Paulek; Friends of the Northern San Jacinto Valley v. Western Riverside County Regional Conservation Authority; Coachella Valley Conservation Commission; California Department of Fish and Wildlife**
- B. **Case No. RIC1605515 A. T. Paulek; Friends of the Northern San Jacinto Valley; Center for Biological Diversity vs. County of Riverside; County of Riverside Board of Supervisors; Castle & Cooke Commercial-CA, Inc.; Western Riverside County Regional Conservation Authority**

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

14. ADJOURNMENT

There being no other items before the Executive Committee, Chairman Montanez adjourned the meeting at 12:30 p.m. The next meeting of the Western Riverside County Regional Conservation Authority Executive Committee will be held on Wednesday, August 17, 2016, at 12:00 p.m., at the Riverside Centre, 3403 Tenth Street, Suite 320, Third Floor, RCA Conference Room, Riverside, California, 92501.

Prepared by:



Rose Haro
Administrative Manager

Respectfully submitted:



Honey Bernas
Clerk of the Board

AGENDA ITEM NO. 7

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

Regional Conservation Authority

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

Staff Contact:

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

Background:

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

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

Staff Recommendations:

That the RCA Executive Committee –

- 1) Recommend that the RCA Board of Directors receive and file the attached Western Riverside County MSHCP LDMF Collection and Civic/Infrastructure Contribution Reports for June and July 2016; and
- 2) Authorize staff to agendize this matter for the September 12, 2016 meeting of the RCA Board of Directors.

Attachments

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

AGENDA ITEM NO. 7
Attachment 1

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

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

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

CIVIC AND INFRASTRUCTURE PROJECTS	
No Activity	

TOTAL RECEIPTS - JUNE 2016 \$ 748,345

- 1) Summerly Project - Development agreement dated 8/24/04. Expiration date 9/23/14. Under review.
- 2) Castle and Cook Alberhill Ranch LLC (formerly known as Murdock Alberhill Ranch Limited Partnership) project exempt from MSHCP by Settlement Agreement between the County and Castle & Cook dated 2/24/2004.
- 3) Pardee Grossman/Cottonwood Canyon Development Agreement - Development Agreement dated 7/9/1990. Expiration date 7/9/2010. Amended January 2010 extending term to 7/1/2030. Under review.
- 4) Roripaugh Development Agreement dated 12/17/02. Project is exempt under AD161.
- 5) Starfield Sycamore Investors - Fee Credit Agreement with County of Riverside. Properly exempted at \$1,938 rate.
- 6) Rancho Bella Vista - Fee Credit Agreement with County of Riverside. Properly exempted at \$1,938 rate.

AGENDA ITEM NO. 7
Attachment 2

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

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

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

CIVIC AND INFRASTRUCTURE PROJECTS

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

- 1) Summerly Project - Development agreement dated 8/24/04. Expiration date 9/23/14. Under review.
- 2) Castle and Cook Alberhill Ranch LLC (formerly known as Murdock Alberhill Ranch Limited Partnership) project exempt from MSHCP by Settlement Agreement between the County and Castle & Cook dated 2/24/2004.
- 3) Ramsgate - Rialto Development Corporation DA dated 6/27/90 for 15 years providing extension for permitted delays. Seventh MOU effective 6/27/12 extends the term to 6/27/16. Under review.
- 4) Pardee Grossman/Cottonwood Canyon Development Agreement - Development Agreement dated 7/9/1990. Expiration date 7/9/2010. Amended January 2010 extending term to 7/1/2030. Under review.
- 5) Roripaugh Development Agreement dated 12/17/02. Project is exempt under AD161.
- 6) Harveston Development Agreement dated 8/28/01. Winchester Hills property expires 4/23/28, 15 years after the issuance of the 1st non-residential permit.
- 7) Starfield Sycamore Investors - Fee Credit Agreement with County of Riverside. Properly exempted at \$1,938 rate.
- 8) Rancho Bella Vista - Fee Credit Agreement with County of Riverside. Properly exempted at \$1,938 rate.

AGENDA ITEM NO. 8

FISCAL YEAR 2016 PRELIMINARY FOURTH QUARTER FINANCIAL REPORT (UNAUDITED)

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

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

During the year, the RCA acquired 20 properties totaling approximately 3,948 acres. Of the 20 properties, six were funded with federal and state funds of \$4.8 million and \$2.1 million, respectively. The remaining properties were acquired with development mitigation fees and Measure A funds. In addition, the RCA received three land donations and two conservation easements with a combined acreage of 262 and an estimated market value of \$2.3 million from the Riverside County Transportation Commission, Soboba Band of Luiseno Indians, and a private developer.

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

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

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

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

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

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

Staff Recommendations:

That the RCA Executive Committee –

- 1) Recommend that the RCA Board of Directors receive and file the Fiscal Year 2016 Preliminary Fourth Quarter Financial Report; and
- 2) Authorize staff to agendaize this matter for the September 12, 2016 meeting of the RCA Board of Directors.

Attachments:

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

AGENDA ITEM NO. 8
Attachment 1

EXECUTIVE SUMMARY
(CASH BALANCE SUMMARY
AND FINANCIAL STATEMENT
OVERVIEW)

Fiscal Year 2016 Preliminary Fourth Quarter Financial Report (Unaudited)

July 1, 2015 – June 30, 2016

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



Cash Balance Summary

July 1, 2015 – June 30, 2016

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

Budget to Actual

July 1, 2015 – June 30, 2016

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

Budget to Actual

July 1, 2015 – June 30, 2016

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

Budget to Actual

July 1, 2015 – June 30, 2016

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

Staff Recommendation

That the RCA Executive Committee:

- 1) Recommend that the RCA Board of Directors receive and file the Fiscal Year 2016 Preliminary Fourth Quarter Financial Report; and
- 2) Authorize staff to agendize this matter for the September 12, 2016 meeting of the RCA Board of Directors.

AGENDA ITEM NO. 8
Attachment 2

DETAILED
FINANCIAL STATEMENTS

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

REVENUE

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

EXPENDITURES

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

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

REVENUE

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

EXPENDITURES

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

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

REVENUE

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

EXPENDITURES

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

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

	Operations	Land Management & Monitoring	Land Acquisition	Total RCA
REVENUES:				
1) Interest from Riverside County Treasurer Pool Investment Fund:				
1st quarter interest at 0.46%	\$8,025	\$8,099	\$15,526	\$31,650
2nd quarter interest at 0.55%	8,252	8,328	17,949	34,529
3rd quarter interest 0.64%	11,769	11,878	25,765	49,411
4th quarter interest at 0.67%	20,148	6,887	29,083	56,118
Total Interest	\$48,194	\$35,192	\$88,323	\$171,708
2) Rent revenues from the following sources:				
Goodhart		\$5,058		
KCAA Radio, Cordova		6,000		
Archery Club		3,000		
T-Mobile cell tower lease		52,417		
Lockheed lease		1,000		
Beekeepers		5,840		
Total Rent		\$73,316		
3) State revenues were received for the following purposes:				
NCCP Local Assistance Grant -Tricolor Blackbird Grant		\$54,763		\$54,763
Kaelin #2 - State 35% Match			873,675	873,675
Lloyd, James - State 35% Match			113,750	113,750
McCormick - State 30% Match			63,000	63,000
Dyer/Wynn - State 30% Match			121,200	121,200
Bautista - State 22% Match			841,200	841,200
TNC Caramello -State 30% Match			45,000	45,000
Total State		\$54,763	\$2,057,825	\$2,112,588
4) Federal funds were received for the following property acquisitions:				
Kaelin #2 - Federal 65%			\$1,601,325	
Lloyd, James Federal 65%			211,250	
McCormick - Federal 70%			147,000	
Dyer/Wynn -Federal 70%			282,800	
Bautista - Federal 65%			2,490,800	
TNC Caramello -Federal 70%			105,000	
Total Federal			\$4,838,175	
5) Infrastructure contributions from Member Agencies:				
City of Moreno Valley-Veteran's Way Widening	\$5,680			
City of Beaumont-Brookside Bridge	6,961			
City of Norco -Hamner Storm Drain Imprv	23,760			
City of San Jacinto - Ramona Expressway	18,573			
Total Infrastructure	\$54,973			
6) Civic contributions from Member Agencies:				
City of Lake Elsinore-Whiskers Beach Parking Lot	\$1,728			
City of Temecula -Park & Ride Facility	20,799			
Riverside Co. EDA -Southwest Justice Center	15,682			
Total Civic	\$38,209			

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

	Operations	Land Management & Monitoring	Land Acquisition	Total RCA
REVENUES (Continued):				
7) Contributions from Riverside County Flood Control:				
Hemet MDP Line C, Stage 4	\$145,152			\$145,152
Homeland MDP Line 1, Stage 1	139,903		290,430	430,333
Santa Ana Canyon-Prado Inland Empire Brine Line		189,238		189,238
Total Flood Control	<u>\$285,056</u>	<u>\$189,238</u>	<u>\$290,430</u>	<u>\$764,724</u>
8) Mitigation fees through 06/30/16 are as follows:				
City of Banning			\$0	
City of Beaumont			651,511	
City of Calimesa			173,266	
City of Canyon Lake			19,520	
City of Corona			530,182	
City of Eastvale			2,019,108	
City of Hemet			111,264	
City of Jurupa Valley			1,163,396	
City of Lake Elsinore			66,450	
City of Menifee			953,267	
City of Moreno Valley			430,841	
City of Murrieta			802,800	
City of Norco			22,739	
City of Perris			1,633,652	
City of Riverside			608,888	
City of San Jacinto			172,989	
City of Temecula			285,133	
City of Wildomar			168,007	
County of Riverside			1,334,113	
Total Mitigation			<u>\$11,147,125</u>	
9) Miscellaneous Revenues were received as follows:				
Deposit Agreements			\$70,702	\$70,702
Burrowing Owl Donations		7,544		7,544
EMWD Land Management		3,987		3,987
Other	1,053	6,563		7,617
Total Miscellaneous Revenues	<u>\$1,053</u>	<u>\$18,094</u>	<u>\$70,702</u>	<u>\$89,849</u>
10) RCA receives \$1.50 per ton for the out-of-county tonnage. In addition, RCA receives a maximum of \$400,000 annually for the in-county tonnage.				
	Out-of-County Tonnage	Revenue at \$1.50 per ton		
July 2015	151,281	\$226,921		
August 2015	148,312	222,468		
September 2015	143,153	214,729		
October 2015	147,404	221,106		
November 2015	133,720	200,580		
December 2015	161,894	242,841		
January 2016	144,389	216,583		
February 2016	136,085	204,128		
March 2016	164,097	246,145		
April 2016	157,088	235,633		
May 2016	153,011	229,516		
June 2016 (Estimated)	153,012	229,518		
Prior Year Estimate Adjusted	12,802	19,202		
In-County Contribution		400,000		
	<u>1,806,247</u>	<u>\$3,109,370</u>		

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

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

* Contracts approved under Executive Director Authority.

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

Operations	Land Management & Monitoring	Land Acquisition	Total RCA
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EXPENDITURES (Continued):

21)	Interest to Riverside County on Loan	
	Interest rate at average 2015 Treasurer Pool Investment rate of 0.46%	\$23,000
22)	Land acquisition costs are as follows:	
	Land and Conservation Easements donated to the Authority:	
	RCTC Donation	\$675,000
	Soboba Donation Ph 3 Conservation Easement	120,000
	Temecula Escarpment Donation	665,000
	Flood Control - Temecula Creek Conservation Easement	170,000
	Soboba Donation -Ph 2	686,000
	Subtotal Donated Properties	\$2,316,000
	Properties Acquired:	
	Kaelin #2 Property	\$2,482,673
	Costanzo Property	33,188
	Tax Sale Parcels 2013	288,832
	Tax Sale Parcels 2014	30,316
	Inland Premier Phase II	455,530
	Sheffield Property	158,536
	McCormick property	211,754
	Stearns/Estudillo Property	131,789
	Dyer/Wynn Project	408,616
	Lloyd Property	327,052
	Parry Property	51,000
	O'Connor Ph V Property	300,754
	Anheuser Busch Ph V	3,019,009
	Bautista Canyon Property	3,839,664
	TNC/Caramello Property	151,425
	Shoppe Property	231,784
	Martin Property	301,969
	Calvary Chapel Property	3,258,368
	Southwest Mesa Property	319,060
	Hong Property	678,647
	Consultants Costs:	
	Facilities Management	464,639
	Parks & Open-Space Dist.	9,636.6
	Hess/EEI*	13,700
	BBK	232,260
	Escrow Costs	20,668
	Total Land Acquisition Costs	\$19,736,869

* Contracts approved under Executive Director Authority.

AGENDA ITEM NO. 8
Attachment 3

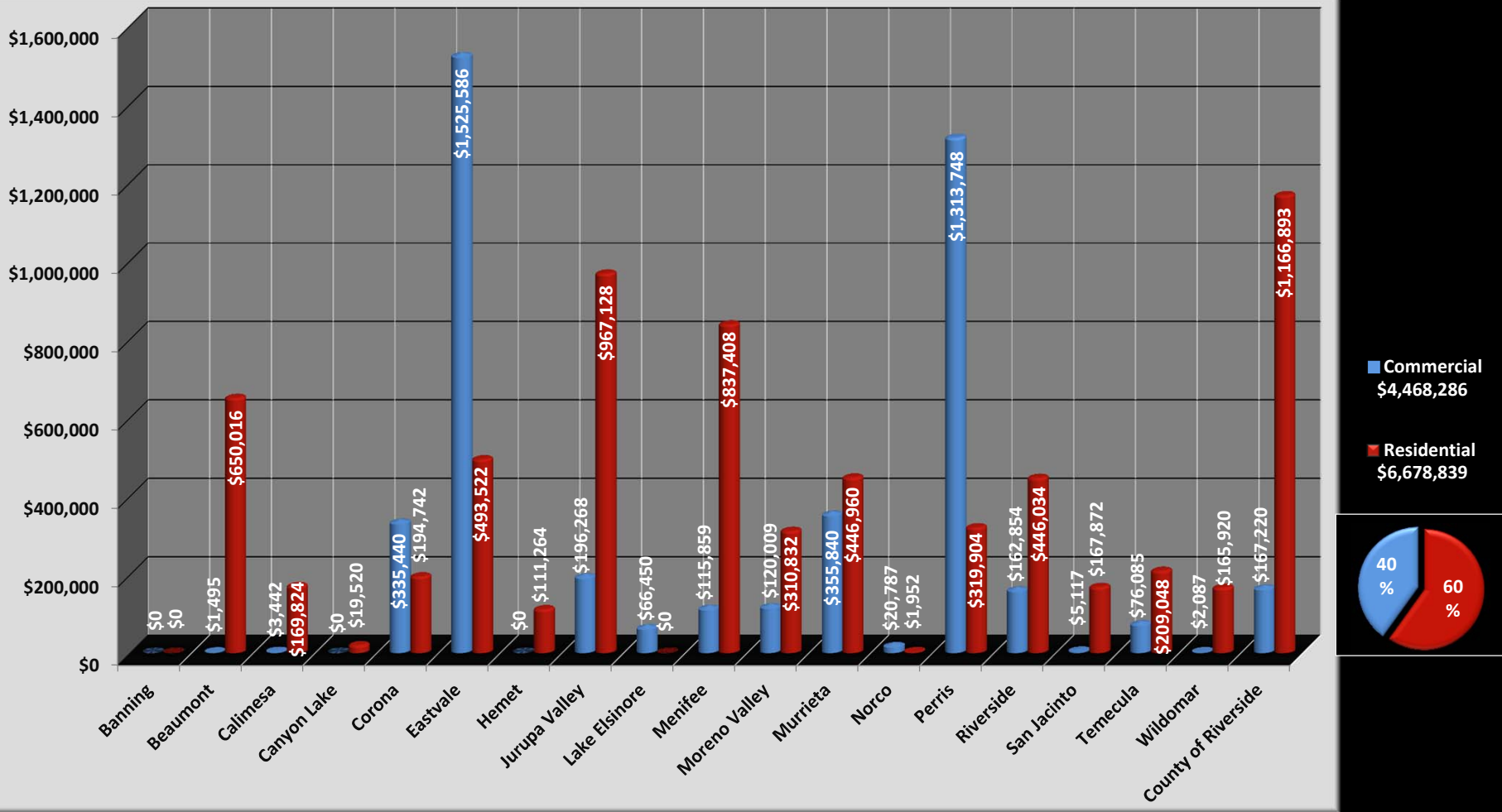
MSHCP FEE
COLLECTIONS REPORT

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

BASED ON ACCRUAL BASIS (Month reported by City)

COUNTY AND CITIES:	JUL 2015	AUG 2015	SEP 2015	OCT 2015	NOV 2015	DEC 2015	JAN 2016	FEB 2016	MAR 2016	APR 2016	MAY 2016	JUN 2016	TOTALS FY 2016	PERCENT OF TOTAL
CITY OF BANNING	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	0.0%
CITY OF BEAUMONT	19,520	40,992	60,512	81,984	98,929	39,040	37,088	27,328	76,294	46,848	109,312	13,664	651,511	5.8%
CITY OF CALIMESA	-	31,232	-	-	-	74,176	-	39,040	3,442	25,376	-	-	173,266	1.6%
CITY OF CANYON LAKE	-	3,904	1,952	-	-	-	1,938	3,904	5,870	-	-	1,952	19,520	0.2%
CITY OF CORONA	185,357	-	165,926	3,904	5,856	-	19,736	-	-	-	-	149,403	530,182	4.8%
CITY OF EASTVALE	1,250,967	23,033	77,013	25,376	38,935	29,280	15,616	67,148	48,800	366,032	30,060	46,848	2,019,108	18.1%
CITY OF HEMET	19,520	-	23,424	7,808	15,616	-	19,520	15,616	1,952	7,808	-	-	111,264	1.0%
CITY OF JURUPA VALLEY	150,784	154,015	70,272	31,856	39,040	37,088	101,504	28,308	169,824	107,360	108,688	164,657	1,163,396	10.4%
CITY OF LAKE ELSINORE	-	-	-	-	-	-	23,258	-	32,428	-	4,718	6,047	66,450	0.6%
CITY OF MENIFEE	101,454	54,656	124,928	47,172	17,568	42,944	148,352	19,520	19,520	87,840	40,992	248,321	953,267	8.6%
CITY OF MORENO VALLEY	-	-	1,952	18,972	95,315	-	113,680	14,146	57,945	74,176	-	54,656	430,841	3.9%
CITY OF MURRIETA	1,938	-	25,888	1,952	333,450	-	249,188	-	32,228	154,252	-	3,904	802,800	7.2%
CITY OF NORCO	-	-	10,753	-	-	-	10,034	1,952	-	-	-	-	22,739	0.2%
CITY OF PERRIS	27,132	74,453	52,172	201,153	422,209	25,376	27,328	269,530	58,560	8,654	13,664	453,422	1,633,652	14.7%
CITY OF RIVERSIDE	8,374	142,043	8,840	12,092	207,512	31,858	5,856	57,774	9,452	14,058	63,809	47,220	608,888	5.5%
CITY OF SAN JACINTO	-	-	33,184	4,851	11,712	17,568	-	-	15,882	35,136	-	54,656	172,989	1.6%
CITY OF TEMECULA	-	15,504	9,564	19,603	42,595	17,900	1,952	18,750	13,750	57,436	69,810	18,270	285,133	2.6%
CITY OF WILDOMAR	24,949	9,760	-	-	23,424	15,616	-	-	1,952	-	1,952	90,353	168,007	1.5%
COUNTY OF RIVERSIDE (LMS)	169,810	95,803	124,341	145,527	100,105	62,372	27,254	77,542	93,057	111,353	150,472	176,478	1,334,113	12.0%
TOTAL COUNTY AND CITIES	\$ 1,959,806	\$ 645,394	\$ 790,721	\$ 602,248	\$ 1,452,265	\$ 393,218	\$ 802,303	\$ 640,557	\$ 640,955	\$ 1,096,329	\$ 593,477	\$ 1,529,852	\$ 11,147,125	100.0%
OTHER														
FLOOD CONTROL	\$ -	\$ 145,152	\$ 189,238	\$ -	\$ -	\$ 430,333	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 764,724	89.1%
OTHER GOV MSHCP INFRASTRUCTURE	-	-	5,680	-	-	-	30,721	-	-	-	-	18,573	54,973	6.4%
OTHER GOV MSHCP CIVIC PROJECTS	-	-	-	-	-	1,728	-	20,799	-	15,682	-	-	38,209	4.5%
TOTAL OTHER	\$ -	\$ 145,152	\$ 194,918	\$ -	\$ -	\$ 432,061	\$ 30,721	\$ 20,799	\$ -	\$ 15,682	\$ -	\$ 18,573	\$ 857,906	100.0%
GRAND TOTAL	\$ 1,959,806	\$ 790,547	\$ 985,639	\$ 602,248	\$ 1,452,265	\$ 825,279	\$ 833,023	\$ 661,356	\$ 640,955	\$ 1,112,011	\$ 593,477	\$ 1,548,425	\$ 12,005,031	

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



AGENDA ITEM NO. 9

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

Regional Conservation Authority

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

Staff Contact:

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

Background:

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

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

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

Staff Recommendation:

That the Executive Committee:

- 1) Recommend that the Board of Directors adopt Resolution No. 2016-XXX, *Resolution of the Board of Directors of the Western Riverside County Regional Conservation Authority Adopting an Updated Records Retention Policy and Schedule and Repealing Resolution No. 08-012*; and
- 2) Authorize staff to agendize this matter for the September 12, 2016 meeting of the RCA Board of Directors.

Attachment:

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

AGENDA ITEM NO. 9

RESOLUTION NO. 2016-XXX with Exhibit A

RESOLUTION NO. 2016-XXX

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

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

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

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

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

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

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

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

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

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

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

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

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

PASSED, APPROVED AND ADOPTED at the regular meeting of the Board of Directors of the Western Riverside County Regional Conservation Authority held this 12th day of September, 2016.

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

ATTEST:

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

APPROVED:

By: _____
Best Best & Krieger LLP
General Counsel

EXHIBIT "A"

RECORDS RETENTION SCHEDULE

[ATTACHED]

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

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

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

Legal Authority Abbreviations

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

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

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

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

Legal Authority Abbreviations

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

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

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

Legal Authority Abbreviations

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

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

Category of Record	Description or Example of Record	Legal Authority	Legal / Recommended Retention Period
Agreements (See also Contracts)	Original contracts and agreements and back-up materials, including leases, license agreements, service/maintenance contracts, etc.	CCP 337 CCP 337.2 CCP 343	4 years after termination/completion
	Original contracts/agreements regarding the development of real property, design, specifications, surveying, planning, supervision, testing, or observation of construction or improvement to real property; may include records of retention releases, retention withheld, change orders, etc.	CCP 337.15	10 years after termination/completion
Annual Financial Report	May include independent auditor analysis	GC 34090	Until audited + 2 years Sec. of State Guidelines recommends while current + 7 years
Applications for Committees (Not selected)	Not selected	GC 34090	2 years
Applications for Committees (Selected)	Selected	GC 34090 Sec. of State Guidelines	Current + 5 years
Appraisals	For real property negotiations – Not a public record until real estate transaction is complete	GC 34090 GC 6254(h)	2 years

Legal Authority Abbreviations

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

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

Category of Record	Description or Example of Record	Legal Authority	Legal / Recommended Retention Period
Audit Hearing or Review	Documentation created and or received in connection with an audit hearing or review	GC 34090	2 years
Audit Reports	Financial services; internal and/or external reports	GC 34090 CCP 337 CCP 343	Current + 4 years Sec. of State Guidelines recommends permanent retention
Bank Account Reconciliations	Bank statements, receipts, certificates of deposit, etc.	26 CFR 31.6001-1(e)(2)	4 years Sec. of State Guidelines – recommended retention: until audited + 5 years
Behested Payment Report (FPPC Form 803)	Shows payments made by persons or entities at the behest of elected RCA officials for legislative, governmental or charitable purposes	GC 81009(e)	7 years
Bids, Successful	Includes plan and specifications; notices/affidavits	GC 34090 CCP 337, 337.1	4 years
Bids, Unsuccessful	Unsuccessful bid packages only	GC 34090	2 years
Biological Data from Monitoring Program			75 years (electronic or paper format)
Bonds	Authorization/public hearing records/prospectus/proposals/certificates/notices (transcripts)/registers/statements	CCP 336a, 337.5	Upon cancellation, redemption or maturity + 10 years

Legal Authority Abbreviations

CCP	Code of Civil Procedure (California)	GC	Government Code (California)	PC	Penal Code (California)
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**WESTERN RIVERSIDE COUNTY REGIONAL CONSERVATION AUTHORITY
RECORDS RETENTION SCHEDULE FOR CITIES**

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

Category of Record	Description or Example of Record	Legal Authority	Legal / Recommended Retention Period
Bonds, Employee (Fidelity Bonds)	Form of insurance that covers employer (RCA) for losses resulting from fraudulent acts of specified employees	GC 34090	Length of employment + 2 years
Bonds - Final	Final bond documentation; monthly statement of transactions; supporting documents	GC 34090 CCP 337.5	Upon cancellation, redemption or maturity +10 years
Bonds – Paid/Cancelled	Paid or cancelled bonds; warrant certificates; interest coupons	GC 34090 GC 53921	2 years
Bonds – Unsold/Unused	Unsold/unused bonds	GC 34090 GC 43900 et seq.	2 years (specific requirements for disposal of unused bonds)
Brochures/ Publications	Informational/promotional documents created for or by the agency	GC 34090	2 years
Budget, Annual	Annual operating budget approved by the Board of Directors	GC 34090	Current + 2 years Sec. of State Local Gov't. Records Mgmt. Guidelines recommends permanent retention.
Cal-OSHA	Personnel-Logs, Supplementary Record, Annual Summary (Federal & State-Cal OSHA)	LC 6410; 8 CCR 14307	5 years
California State Tax Records	Forms filed annually; quarterly and year-end reports	R&TC 19530 R&TC 19704	6 years

Legal Authority Abbreviations

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

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

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

Legal Authority Abbreviations

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CFR	Code of Federal Regulations	USC	United States Code		
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**WESTERN RIVERSIDE COUNTY REGIONAL CONSERVATION AUTHORITY
RECORDS RETENTION SCHEDULE FOR CITIES**

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

Category of Record	Description or Example of Record	Legal Authority	Legal / Recommended Retention Period
Contracts, RCA (see also Agreements)	Original contracts and agreements and back-up materials, including leases, license agreements, service/maintenance contracts, etc.	CCP 337 CCP 337.2 CCP 343	4 years after termination/completion
	Original contracts/agreements regarding the development of real property, design, specifications, surveying, planning, supervision, testing, or observation of construction or improvement to real property; may include records of retention releases, retention withheld, change orders, etc.	CCP 337.15	10 years after termination/completion
Correspondence	General correspondence, including letters and e-mail; Various files, not related to specific cases and not otherwise specifically covered by the retention schedule.	GC 34090	2 years
Credit Cards, RCA-owned	Credit card bills or statements and related receipts.	26 CFR 31.6001-1(e)(2)	Until audited + 4 years
	Other records related to use of RCA-owned credit cards (policies, correspondence, etc.)	GC 34090	Current + 2 years
Deeds, Real Property (Grant Deeds)	File with recorded documents; originals may not be destroyed.	GC 34090	Permanent
Deferred Compensation Reports	Finance - pension/retirement funds	29 CFR 516.5 29 CFR 1627.3	3 years

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**WESTERN RIVERSIDE COUNTY REGIONAL CONSERVATION AUTHORITY
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Adopted by Resolution No. 2016-XXX - RCA Board of Directors

Category of Record	Description or Example of Record	Legal Authority	Legal / Recommended Retention Period
Demographic/ Statistical Data		GC 34090	Current + 2 years
DMV Drivers' Records Reports (DMV Pull-Notice System)	Motor Vehicle Pulls; Personnel record – not a public record	GC 34090 GC 6254(c) VC 1808.1(c)	Until superseded (should receive new report every 12 months)
Easements, Real Property	File with recorded documents; originals may not be destroyed.	GC 34090	Permanent
Economic Development Projects	Administrative records/Staff reports/Project files	GC 34090	2 years
EEOC Records (Equal Employment Opportunity Commission)	Records, reports showing compliance with federal equal employment requirements (EEO-4 Reports, etc.)	29 CFR 1602.30	3 years
Employee Benefits	Benefit plans (including “cafeteria” and other plans); health insurance programs; records regarding COBRA – extension of benefits for separated employees, insurance policies (health, vision, dental, deferred compensation, etc.)	29 USC 1027 28 CCR 1300.85.1 11 CCR 560 29 CFR 1627.3(b)(2)	For life of plan/policy + 6 years
Employee Bonds (Fidelity)	Form of insurance that covers employer (RCA) for losses resulting from fraudulent acts of specified employees	GC 34090	While current + 2 years

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

Category of Record	Description or Example of Record	Legal Authority	Legal / Recommended Retention Period
Employee Files	Personnel files --Not a public record.	GC 12946 GC 6254(c) 29 CFR 1627.3	While current + 3 years
Employee Information, General	Name, address, date of birth, occupation, rate of pay and weekly compensation earned	GC 12946 29 CFR 1627.3 LC 1174	3 years
Employee Information - Applicant Identification Records	Personnel--Data regarding race, gender, national origin of applicants	2 CCR 11013 (c)(2)	Received + 2 years

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

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

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

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

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

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

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

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

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

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

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Category of Record	Description or Example of Record	Legal Authority	Legal / Recommended Retention Period
Legal Notices / Affidavits of Publication or Posting	Examples: Notices of public hearings, notices of liens, etc. Also proof of publication of notice, or proof of posting of notice	GC 34090	Current + 2 years, unless part of a project or matter that requires longer retention (i.e., CEQA documents)
Legal Opinions	Confidential – not for public disclosure (attorney-client privilege)	GC 34090	Until superseded + 2 years
Litigation	Case files	GC 34090	Until settled + 2 years
Maintenance Manuals	Equipment service/maintenance	GC 34090	Until superseded
Maintenance/Repair Records	Equipment	GC 34090	2 years
Minutes	Board of Directors meetings	GC 34090(e) GC 34090.5	Permanent; documents are to be imaged immediately
Newsletter, RCA	Newsletter issued periodically throughout the year	GC 34090	2 years May wish to retain permanently for historic reference
Notices – Public Meetings	Special Meetings; Adjourned Meetings	GC 34090	2 years
Oaths of Office	Public officials	GC 34090 29 USC 1113 Sec. of State Guidelines	Current plus 6 years
OSHA	OSHA Log 200, Supplementary Record, Annual Summary (Federal & State-Cal-OSHA); OSHA 300 Log, privacy case list, annual summary, OSHA 301 incident report forms	LC 6410; 8 CCR 14300.33 29 CFR 1904.2 - 1904.6, 1904.33	5 years

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OSHA (Accident/Illness Reports)	Personnel - Employee Exposure Records & Employee Medical Records regarding exposure to toxic substances Not a public record	LC 6410; 8 CCR 14300.33; 8 CCR. 3204; GC 6254(c)	Duration of employment plus 30 years
Payroll - Federal/State Reports	Annual W-2's, W-4's, Form 1099s, etc.; quarterly and year-end reports	29 USC 436 26 CFR 31.6001-4 R&TC 19530 R&TC 19704 26 USC 6001 26 CFR 301.6501(a)-1 26 CFR 31.6001-1(e) 29 CFR 516.5 – 516.6	6 years
Payroll Deduction/ Authorizations	Finance	29 CFR 516.6(c)	While current + 2 years
Payroll records (employee information)	Records showing employee information/data – names, addresses, etc.; hours worked; regular and overtime wages, etc.	29 CFR 516.5 LC 1174(d), 1197.5	Length of employment + 3 years

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

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

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

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

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

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

AGENDA ITEM NO. 10

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

Regional Conservation Authority

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

Staff Contact:

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

Background:

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

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

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

Staff Recommendations:

That the Executive Committee:

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

Agenda Item No. 10 Staff Report

Page 2

August 17, 2016

- 2) Authorize staff to agendaize this matter for the September 12, 2016 meeting of the RCA Board of Directors; and
- 3) Direct staff to submit said amendment to the Riverside County Board of Supervisors as the Authority's code-reviewing body (Gov. Code § 82011) to request approval of the amendment, as required under Government Code section 87303.

Attachments:

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

AGENDA ITEM NO. 10
Attachment 1

RESOLUTION NO. 2016-XXX
with Amended
Conflict of Interest Code

RESOLUTION NO. 2016-XXX

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

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

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

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

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

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

WHEREAS, a public meeting was held upon the proposed amended Conflict of Interest Code at a regular meeting of the Board of Directors of RCA on August 17, 2016, at which all present were given an opportunity to be heard on the proposed amended Code.

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

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

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

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

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

EUGENE MONTANEZ, Chairman
Western Riverside County
Regional Conservation Authority

ATTEST:

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

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

(Amended September 12, 2016)

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

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

BBK – July 2016

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

PART “A”

OFFICIALS WHO MANAGE PUBLIC INVESTMENTS

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

It has been determined that the positions listed below are officials who manage public investments¹ :

Members of the Board of Directors and their Alternates

Executive Director

Treasurer²

Financial Consultant

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

² This is the County Treasurer, no duplicate filing is required under this Code.

DESIGNATED POSITIONS

GOVERNED BY THE CONFLICT OF INTEREST CODE

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

DESIGNATED POSITIONS'
TITLE OR FUNCTION

DISCLOSURE CATEGORIES
ASSIGNED

MEMBERS OF BOARDS,
COMMITTEES & COMMISSIONS

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

Consultant and New Positions³

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

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

PART “B”

DISCLOSURE CATEGORIES

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

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

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

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

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

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

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

AGENDA ITEM NO. 10
Attachment 2

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

LEGISLATIVE VERSION REDLINED COPY

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

(Amended ~~June 1, 2015~~September 12, 2016)

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

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

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

(Amended ~~June 1, 2015~~ September 12, 2016)

PART "A"

OFFICIALS WHO MANAGE PUBLIC INVESTMENTS

Authority Officials who manage public investments, as defined by 2 California Code of Regs. § ~~18701(b)~~ 18700.3(b), are NOT subject to the Authority's Code, but must file disclosure statements under Government Code section 87200 et seq. [Regs. § 18730(b)(3)] These positions are listed here for informational purposes only.

It has been determined that the positions listed below are officials who manage public investments¹ :

Members of the Board of Directors and their Alternates

Executive Director

Treasurer²

Financial Consultant

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

² This is the County Treasurer, no duplicate filing is required under this Code.

DESIGNATED POSITIONS

GOVERNED BY THE CONFLICT OF INTEREST CODE

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

DESIGNATED POSITIONS'
TITLE OR FUNCTION

DISCLOSURE CATEGORIES
ASSIGNED

MEMBERS OF BOARDS,
COMMITTEES & COMMISSIONS

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

Consultant and New Positions³

³ Individuals serving as a consultant as defined in FPPC Reg ~~18704-18700.3(a)~~ or in a new position created since this Code was later amended that makes or participates in making decisions must file under the broadest disclosure requirements set forth in this Code subject to the following limitation:

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

PART "B"

DISCLOSURE CATEGORIES

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

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

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

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

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

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

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

AGENDA ITEM NO. 10
Attachment 3

Notice of Intention

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

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

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

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

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

AGENDA ITEM NO. 11

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

Regional Conservation Authority

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

Staff Contact:

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

Background:

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

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

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

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

The policy was revised by staff and considered by the RCA Executive Committee on May 18, 2016. The Executive Committee approved the policy revisions and directed staff to send the policy to Member Agencies for review. The draft policy was sent to all Member Agencies for review and comment by June 27, 2016.

Agenda Item No. 11 Staff Report

Page 2

August 17, 2016

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

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

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

Staff recommends that the RCA Executive Committee approve recommend that the Board of Directors adopt Resolution No. 2016-003.

Staff Recommendation:

That the RCA Executive Committee:

- 1) Recommend that the RCA Board of Directors adopt Resolution No. 2016-003, *Resolution of the Board of Directors of the Western Riverside County Regional Conservation Authority Revising its fee Credit and Waiver Policy Superseding and Replacing Resolution No. 05-05*; and
- 2) Authorize staff to agendize this matter for the September 12, 2016 meeting of the RCA Board of Directors.

Attachment

Resolution No. 2016-003

AGENDA ITEM NO. 11
Attachment

RESOLUTION NO. 2016-003

RESOLUTION NO. 2016-003

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

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

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

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

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

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

WHEREAS, the RCA desires to ensure a consistent and adequate flow of fee revenues to support its operations, consistent with the intent of the MSHCP, the MSHCP IA, and the JPA; and

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

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

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

I. FEE CREDIT, WAIVER OR REDUCTION NOTIFICATION

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

documentation related to the project, including project description, map, criteria cells, and designation of land proposed for conservation.

II. STANDARDS. Fee credits, waivers, or reductions shall meet the following standards:

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

Definitions:

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

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

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

III. APPRAISAL

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

IV. DECISION.

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

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

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

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

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

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

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

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

PASSED AND ADOPTED at the regular meeting of the Board of Directors of the Western Riverside County Regional Conservation Authority held this 12th day of September, 2016.

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

ATTEST:

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

AGENDA ITEM NO. 12

**DISCUSSION AND POSSIBLE
EXECUTIVE COMMITTEE
ACTION REGARDING
AMENDING THE RCA'S
BYLAWS CONCERNING
ELECTION OF OFFICERS
AND APPOINTMENT OF
THE EXECUTIVE COMMITTEE**

Regional Conservation Authority

**DISCUSSION AND POSSIBLE EXECUTIVE COMMITTEE ACTION
REGARDING AMENDING THE RCA'S BYLAWS
CONCERNING ELECTION OF OFFICERS AND APPOINTMENT OF THE
EXECUTIVE COMMITTEE**

Staff Contact:

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

Background:

Staff was directed to place an item on the agenda to allow the RCA Board of Directors to discuss amending the RCA Bylaws with regard to election of officers and appointment of the RCA Executive Committee. It was further suggested that staff research the manner in which the Riverside County Transportation Commission (RCTC) and Western Riverside Council of Governments (WRCOG) Executive Committee or equivalent is appointed.

The RCA Board of Directors is composed of the five members of the Riverside County Board of Supervisors and one elected official representing each of the 18 western Riverside County cities. Article VI.A. of the RCA's Bylaws requires that the Chairperson and Vice Chairperson annually alternate between a member representing a City and member of the Board of Supervisors. The Executive Committee recommended that the RCA Board of Directors consider amending the bylaws to modify or remove this requirement to afford city representatives the opportunity to serve more often.

Article IX.A.3. of the RCA Bylaws states that Executive Committee shall be appointed by the Chairperson and ratified by the Board. It was suggested that the bylaws be amended to allow the RCA Board of Directors to appoint the Executive Committee.

Attached for discussion and consideration is a chart reflecting the manner in which RCA, RCTC and WRCOG handle election of officers and committee appointments.

Staff Recommendation:

That the RCA Executive Committee:

1. Provide staff direction concerning amending the RCA's Bylaws; and
2. Direct staff to agendize this matter for consideration at the September 12, 2016 meeting of the RCA Board of Directors.

Attachment

**AGENDA ITEM NO. 12
ATTACHMENT**

**DISCUSSION AND POSSIBLE
EXECUTIVE COMMITTEE
ACTION REGARDING
AMENDING THE RCA'S
BYLAWS CONCERNING
ELECTION OF OFFICERS
AND APPOINTMENT OF
THE EXECUTIVE COMMITTEE**

	RCA	RCTC	WRCOG
# of Members	23	33 + 1 non-voting member	24 Voting + 1 ex officio
Officers	Chair Vice Chair	Chair Vice Chair Second Vice Chair	Chair Vice Chair Second Vice Chair
Elections	Conducted annually in December	Conducted annually at first meeting in December	Conducted annually no later than July
Rotation	Chair and Vice Chair must alternate annually between a city and county representative	Rotate regularly. At all times, at least one of the officer positions must be held by a County Supervisor	None

	EXECUTIVE COMMITTEE	EXECUTIVE COMMITTEE	ADMINISTRATION & FINANCE
# of Members	7	11	11
Term	1 year	2 years - other than Chair, Vice Chair and Past Chair	1 year
Selection	Appointed by Chair and ratified by Board	Appointed by Chair	Appointed by Chair
Membership	Chair Vice Chair Past Chair 2-3 County Supervisors (at least 2, but no more than 3)	Chair Vice Chair Second Vice Chair Past Chair 2 - Corona, Moreno Valley, Murrieta, Riverside, and Temecula 1 - Banning, Beaumont, Calimesa, Canyon Lake, Hemet, Lake Elsinore, Menifee, Norco, Perris, San Jacinto, and Wildomar 1 - Blythe, Cathedral City, Coachella, Desert Hot Springs, Indian Wells, Indio, La Quinta, Palm Desert, Palm Springs, and Rancho Mirage 3 - County Supervisors (appointed by BOS)	Chair Vice Chair Second Vice Chair Past Chair 7 - additional members selected by Chair. Chair is encouraged to consider geographic balance. Of the seven, 2 - County Supervisors (minimum) 1 - Water District representative

AGENDA ITEM NO. 13

FISCAL YEAR 2016 FOURTH QUARTER CONSULTANT REPORTS

Regional Conservation Authority

**FISCAL YEAR 2016 FOURTH QUARTER
CONSULTANT REPORTS**

Staff Contact:

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

Background:

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

Staff Recommendations:

That the RCA Executive Committee –

- 1) Recommend that the RCA Board of Directors receive and file the Fiscal Year 2016 Fourth Quarter Consultant Reports; and
- 2) Authorize staff to agendize this matter for the September 12, 2016 meeting of the RCA Board of Directors.

Attachments:

Fiscal Year 2016 Fourth Quarter Consultant Reports

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

AGENDA ITEM NO. 13
Attachment 1

DUDEK

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

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

Services Provided During Current Work Period:

Joint Project Reviews

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

Permittee Trainings and Support

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

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

Monthly meetings with the County Environmental Planning Department (EPD) have resumed as of January 2016. These meetings are a forum to discuss upcoming or ongoing County HANS/JPRs, conservation criteria, and other Permittee requirements to facilitate MSHCP consistency. Meetings with EPD this quarter were held on April 6, May 5, and June 2, 2016.

Wildlife Agency Coordination and Meetings

Dudek attended three monthly meetings with U.S. Fish and Wildlife Service (USFWS) and California Department of Fish and Wildlife (CDFW) staff hosted by the RCA. Duties included coordinating with attendees and review of materials ahead of the meeting. Meetings with the Wildlife Agencies this quarter were held on April 21, May 19, and June 16, 2016.

Dudek also participated in three Pre-Application Meetings with the U.S. Army Corps of Engineers, Regional Water Quality Control Board, CDFW, and FWS staff. Projects represented by Permittees and/or the project representatives are presented for consideration. The various regulatory

agencies and RCA discuss, review, and seek solutions to issues related to permitting and MSHCP compliance. The review and analysis presented in these meetings is often subject to MSHCP Consistency review which is part of Dudek's role with the RCA. Meetings with the regulated waters Permitting Agencies this quarter were held on April 13, May 11, and June 8, 2016.

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

RCA Support

Dudek staff provided various forms of analysis and provided staff support by attending meetings, conference calls and conducting research via email related to ongoing and past projects. During this reporting period, Dudek was involved in discussions regarding the following projects, including but not limited to: Norco Line, Hubbard Storm Drain, World Logistics, Salt Creek Trail, Corona Quarry, Corona 720 Criteria Refinement, Murrieta 196, U.S. Army Corps of Engineers (Santa Margarita Watershed) In-Lieu Fee Program, Rancho Diamante, Skyline Heights, Rancho San Geronio, Water Canyon Pipeline Replacement, Mid-County Parkway, Cajalco Road Widening, and the San Jacinto Wildlife Area.

RCA requested a scope of work to complete a historic evaluation on several structures that need to be removed from newly acquired conservation land in the Bautista Canyon area, southeast of the City of Hemet in unincorporated Riverside County. The historic evaluation report was provided to RCA on April 10, 2016.

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

Work on the Burrowing Owl Relocation Standards for the MSHCP has been on hold during this reporting Quarter. Subsequent revisions to the Standards and conference calls with the RCA and Wildlife Agencies may resume following initiation of field activities of burrowing owl management support scheduled for fall 2016 (see below). These activities will provide valuable information for revisions to the draft Standards.

Participating Special Entities

Dudek staff provided support and coordination related to pending and existing Participating Special Entities (PSE). Issues related to several ongoing Southern California Edison (SCE) projects and the MSHCP are ongoing and require support related to MSHCP implementation. An informal PSE review was submitted on January 4, 2016 for the SCE Valley South System Project. Comments on the Burrowing Owl Determination of Biologically Equivalent or Superior Preservation were sent to SCE on March 20, 2016 and comments on the Biological Technical Report were sent to SCE on May 23, 2016. A formal PSE application was submitted for the SCE Valley-Ivyglen Subtransmission Line Phase 2 (VIG2) on March 29, 2016 although GIS files were not provided until April 6. Coordination regarding VIG2 data needs was ongoing and revised reports (Riparian/Riverine Determination of Biologically Equivalent or Superior Preservation, and Additional Reserve Lands and Public/Quasi-Public Equivalency Analysis) were submitted June 6, 2016. Findings on the VIG2 PSE are anticipated to be issued July 2016. Other PSE application submittals anticipated in 2016 include the SCE West of Devers Upgrade Project (July 2016) and the Alberhill System Project (September 2016).

AGENDA ITEM NO. 13
Attachment 2

Geographics

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

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

Services Provided During Current Work Period:

Public Information and Branding Services
Website Updating and Hosting

Branding Services:

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

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

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

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

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

Website Hosting:

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

Website Updates:

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

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

AGENDA ITEM NO. 13
Attachment 3

Riverside County
Regional Park &
Open-Space District

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

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

Services Provided During Current Work Period:

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

Patrol/Access Control/Maintenance

General

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

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

Meniffee HMU

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

San Jacinto HMU

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

San Tim HMU:

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

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

Sage HMU

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

Cactus Valley HMU

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

Habitat/Species Management

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

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

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

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

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

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

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

Fire Management/Weed Abatement

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

Acquisitions

Initial Site Inspections:

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

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

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

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

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

Jurupa Donation- Conducted 2nd preacquisition review. Witness markers have now been installed.

AGENDA ITEM NO. 13
Attachment 4

Santa Ana
Watershed Association

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

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

Services provided during current work period:

Conducted biological monitoring surveys for:

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

Collaborated with:

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

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

Accomplishments:

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

AGENDA ITEM NO. 13
Attachment 5

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



8 Oak Tree Drive
Newport Beach, CA 92660

MEMORANDUM

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

RCA's government affairs agenda from April to June 2016 included these continuing efforts:

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

Congress Shows Strong Support for Habitat Acquisition Grants

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

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

Loan Legislation Update

We continue to seek re-introduction of a stand-alone bill to create a loan program for HCPs that facilitate infrastructure development. Rep. Ken Calvert has agreed to re-introduce his measure from prior Congresses, but continues to wait for Senator Dianne Feinstein to author her bill so that the measures can be introduced simultaneously.

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

Critical Habitat Designations

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

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

National Habitat Conservation Plan Coalition Effort's Grow

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

- Suggest specific changes to the USFWS structure to ensure Regional and Area offices are working in good faith with their HCP partners;
- Quantify the nation-wide funding need for HCP land acquisition;
- Seek a MOU with federal agencies to achieve greater integration between ESA and Clean Water Act Section 404 permitting;
- Develop materials on HCPs for the Presidential Transition Team to educate the new Administration;
- Provide input for the Western Governor's Association ESA reform initiative with an eye towards specific HCP policy changes for which they could advocate.

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

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

AGENDA ITEM NO. 13
Attachment 6

Douglas P. Wheeler
Hogan Lovells US LLP

Quarterly Contract Report

WESTERN RIVERSIDE COUNTY REGIONAL CONSERVATION AUTHORITY

April through June, 2016

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

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

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

Other Matters of Current Interest:

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

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

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

2016 RCA
Commonly Used Acronyms

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