



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 Tavaglione at 12:15 p.m., Wednesday, November 18, 2015, at the RCA Conference Room, 3403 Tenth Street, Suite 320, Riverside, California, 92501.

2. ROLL CALL

COMMITTEE MEMBERS PRESENT	COMMITTEE MEMBERS ABSENT
John Tavaglione, Chairman – County of Riverside District II	Eugene Montanez, Vice Chairman – City of Corona
Maryann Edwards - City of Temecula	Scott Miller – City of San Jacinto
Ben Benoit – City of Wildomar	Natasha Johnson - City of Lake Elsinore
Ella Zanowic – County of Riverside District IV	

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 – October 21, 2015

M/S/C (BENOIT/EDWARDS) to approve the minutes of the October 21, 2015 meeting of the Executive Committee as submitted.

(4 Ayes, 0 Nays, Abstain 0)

7. WESTERN RIVERSIDE COUNTY MULTIPLE SPECIES HABITAT CONSERVATION PLAN (MSHCP) LOCAL DEVELOPMENT MITIGATION FEE (LDMF) COLLECTION AND CIVIC/INFRASTRUCTURE CONTRIBUTION REPORT FOR OCTOBER 2015

Honey Bernas, Director of Administrative Services presented the LDMF Collection and Civic/Infrastructure Contribution Report for October 2015. The RCA received fees in the amount of \$952,202 for 248 residential units and 45.83 commercial acres. There were 37 reported exemptions totaling \$72,224. Thirty-five were in the City of Lake Elsinore and two in the City of Temecula.

M/S/C (EDWARDS/ZANOWIC) that the RCA Executive Committee:

- 1) Recommend that that RCA Board of Directors receive and file the Western Riverside County MSHCP LDMF Collection and Civic/Infrastructure Contribution Report for October 2015; and**
- 2) Authorized staff to agendize this matter for the December 7, 2015 meeting of the RCA Board of Directors.**

(4 Ayes, 0 Nays, Abstain 0)

8. FISCAL YEAR 2015 AUDITED FINANCIAL STATEMENTS

Honey Bernas, Director of Administrative Services, reported that Vavrinek, Trine, Day & Company has audited the RCA for the past four years. It was reported that the 2015 audit has been completed. The auditors spent approximately two weeks at the RCA. The audit went smoothly, and no problems were encountered. The Independent Auditor's Report indicates that the financial statements present fairly in all material respects the financial position of the authority as of June 30, 2015.

She gave an overview of the audit reporting that revenue exceeded expenditures in all programs. The RCA's ending fund balance was \$33.9 million for all funds, which is an increase of \$3.9 million from last year. Capital assets increased by \$13.3 million. The RCA acquired 20 properties and two conservation easements, adding 1,110 acres to the reserve.

During FY 2015 RCA was required to undergo a single audit, which is a requirement for entities that expend over \$500 thousand in federal funds. The RCA expended about \$1.8 million in federal funds during the year for the acquisition of eight properties. Honey Bernas stated that she was pleased to report that there were no internal control deficiencies or findings related to federal expenditures. She commended staff for their efforts and great work throughout the year.

There were no questions on the audit from the Executive Committee.

M/S/C (EDWARDS/BENOIT) that the RCA Executive Committee:

- 1) Recommend that RCA Board of Directors receive and file the following reports:
 - A) Basic Financial Statements and Independent Auditors' Report for the Year Ended June 30, 2015;
 - B) Single Audit Report for the year ended June 30, 2015; and
 - C) SAS 114 Report – The Auditors' Communication with Those Charged with Governance; and
- 2) Authorize staff to agendize this matter for the December 7, 2015 meeting of the RCA Board of Directors.

(4 Ayes, 0 Nays, Abstain 0)

9. FISCAL YEAR 2016 FIRST QUARTER FINANCIAL REPORT

Honey Bernas, Director of Administrative Services, presented an overview of the First Quarter Financial Report. As of September 30, 2015, the RCA's Cash balance was \$35.1 million, which is a \$5 million increase from last year's ending cash balance. Cash receipts totaled approximately \$8.4 million, and cash disbursements totaled approximately \$3.7 million. She noted that the cash balance as of November 17, 2015 was \$34.8 million, and there is an additional \$3.8 million set aside for the endowment.

In the Operations Program, revenues of \$185 thousand exceeded expenditures of approximately \$109 thousand by \$76 thousand. The excess revenue was primarily attributable to the Riverside County Flood Control's contribution of \$145 thousand for the Hemet Master Drainage Plan Line C, Stage 4. During the first quarter, the number of Joint Project Reviews received was higher than anticipated in the budget. The increase generated higher than expected revenue and an increase in contractual costs associated with review. Should the trend continue, revenue and expenses may exceed the budget and a budget adjustment will be necessary.

In the Management and Monitoring Program, total revenues of \$938 thousand exceeded expenditures of approximately \$563 thousand by \$375 thousand. It was reported that tipping tonnage was higher in the first quarter of 2016 than in first quarter of 2015. The Riverside County Flood Control District contributed \$189 thousand for the Santa Ana Canyon-Below Prado Inland Empire Brine Line Protection, which was \$26 thousand more than the budgeted amount of \$163 thousand. Honey Bernas advised the Committee that staff projects that legal services will exceed budgeted appropriations as a result of two unanticipated projects which required legal representation. Should the need for representation continue, budget adjustments may be necessary in the Management and Monitoring Program. Staff does not anticipate legal services will exceed the overall budget.

Honey Bernas further reported that in the Land Acquisition Program, revenues of \$5.8 million exceeded expenditures of \$3.2 million by \$2.6 million. Development mitigation fees of \$3.3 million were positively higher than anticipated during the first quarter. Staff is projecting mitigation fees of \$9.7 million by year end. The highest contributors were the City of Eastvale at \$1.4 million, the County of Riverside at \$389 thousand, the City of Jurupa Valley at \$375 thousand, and the City of Corona at \$354 thousand. The RCA acquired two properties; one with state and federal funds for \$2.5 million and the other with RCA funds.

There were no questions on the First Quarter Financial Report from the Executive Committee.

M/S/C (BENOIT/ZANOWIC) that the RCA Executive Committee:

- 1) Recommend that the RCA Board of Directors receive and file the Fiscal Year 2016 First Quarter Financial Report, and**
- 2) Authorize staff to agendize this matter for the December 7, 2015 meeting of the RCA Board of Directors.**

(4 Ayes, 0 Nays, Abstain 0)

10. FISCAL YEAR 2016 FIRST QUARTER CONSULTANT REPORTS

Charlie Landry, Executive Director, gave an overview of the services provided by the following consultants:

Dudek completed several Joint Project Reviews, which are on the increase as the reflected in the budget with the influx of JPRs for future projects. Dudek continues to prepare the Burrowing Owl Relocation Standards for the MSHCP. The standard would be used for all future burrowing owl relocations that occur in the MSHCP Area.

Geographics continues to assist in RCA's new website design and operation which has been transformed. The website is up and running.

Riverside County Parks and Open-Space District (Parks) have done everything from illegal grading to restricting vehicle access to RCA land. Parks continues to receive a lot of OHV trespassing on RCA land. It was further reported that Parks assisted in the KB Homes mosquito complaints in the City of Perris. In the area of Fire Management/Weed Abatement Parks continues to abate the weeds on several reserve lands throughout the MSHCP Area. They have been kept very busy.

SAWA they conduct the biological monitoring surveys. They have been busy with carnivore surveying; San Bernardino kangaroo trapping grids within Core Areas; Burrowing Owl spotting in Core Areas; Pond turtle live-capture traps; Delhi sands flower-loving fly visual encounter surveys. SAWA also documented the first pair of

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breeding Burrowing Owls in the San Jacinto Wildlife area. Chairman Tavaglione asked why would that be the case. Laurie Dobson Correa, Director of Reserve Management and Monitoring answered to say that it's really not known. She further stated that the San Jacinto Wildlife area used to have the highest number of owls anywhere in the county. They had up to a dozen pairs up until 2006-07. In 2008 they dropped off, biologist do not know why. Yet it could be related to the drought or the fact that the wildlife's area lack of feed crops and vegetation management in the area. This is the end of breeding season.

David Kennett who covers RCA's governmental relations continues to pursue loan legislation in the Senate and House Transportation Reauthorization bills that would allow HCPs to secure large loans for habitat acquisition through the TIFIA program. A letter was sent from RCA's Chairman (copies distributed to Executive Committee). This letter is critical because the TIFIA language in the Senate bill has the amended language that shows HCPs support for infrastructure, particularity, transportation. The House Bill has the older TIFIA language. The House bill was passed several weeks ago and that was the reason for sending the letter. Congressman Calvert has been talking with his colleagues in the conference committee.

He further stated that RCA is submitting a new proposal for next year's Section 6 funding. USFWS did not issue any Critical Habitat Designations (CHDs) related to the MSHCP for over a year and continues to adhere to is commitment to exclude MSHCP land from CHDs. The USFWS has introduced a draft policy, generated by RCA, that policy specifies if you have a HCP, no CHDs will be put on the HCP Areas. Regional Conservation Authority supports this.

M/S/C (BENOIT/ZANOWIC) that the RCA Executive Committee:

- 1) Recommend that the RCA Board of Directors receive and file the Fiscal Year 2016 First Quarter Financial Report, and**
- 2) Authorize staff to agendize this matter for the December 7, 2015 meeting of the RCA Board of Directors.**

(4 Ayes, 0 Nays, Abstain 0)

- 11. SECOND DRAFT RESOLUTION NO. 2015-007, RESOLUTION OF THE BOARD OF DIRECTORS OF THE WESTERN RIVERSIDE COUNTY REGIONAL CONSERVATION AUTHORITY REVISING IT'S FEE CREDIT AND WAIVER POLICY SUPERSEDING AND REPLACING RESOLUTION NO. 05-05.**

Honey Bernas, Director of Administrative Services, reported that a second draft was sent to the member agencies that commented and that staff met with the County of Riverside. The Executive Committee and staff reviewed and discussed changed proposed by member agencies. The Committee agreed to minor wording changes the City of Moreno Valley requested in Sections I.A and B. However, the Executive

Committee did not agree to the City's request for RCA to cover half of the cost of appraisals or the requested changes to Section III.

Steve DeBaun, General Counsel for RCA, said that the meeting with the County of Riverside went very well; however, the County is interpreting the language of the policy as limiting their ability to enter into fee credit agreements. The Executive Committee reviewed the revisions proposed by the County and RCA proposed language.

Chairman Tavaglione said that he would discuss the proposed policy with the County and facilitate another meeting if necessary.

The Executive Committee directed staff to agendize this item for further discussion at the December 16, 2015 Executive Committee meeting.

12. PROPOSED 2016 RCA BOARD OF DIRECTORS AND EXECUTIVE COMMITTEE MEETINGS SCHEDULE

Rose Esparza, Administrative Manager, presented the 2016 meeting schedule with no changes to the traditional schedule as outline in years past.

Chairman Tavaglione asked if the RCA Board meetings are being videotaped. Rose Esparza answered in the affirmative that videotaping began on October 5, 2015.

M/S/C (EDWARDS/BENOIT) that the RCA Executive Committee:

- 1) Recommend that the RCA Board of Directors adopt the proposed 2016 meeting schedule of the RCA Board of Directors and Executive Committee; and**
- 3) Authorize staff to agendize this matter for the December 7, 2015 meeting of the RCA Board of Directors.**

(4 Ayes, 0 Nays, Abstain 0)

13. RESOLUTION NO. 2015-010 RESOLUTION OF THE BOARD OF DIRECTORS OF THE WESTERN RIVERSIDE COUNTY REGIONAL CONSERVATION AUTHORITY AUTHORIZING THE APPLICATION AND ACCEPTANCE OF GRANT FUNDS FOR AESSING DISPERSAL AND MORTALITY OF BURROWING OWLS FOLLOWING PASSIVE AND ACTIVE RELOCATION.

Laurie Dobson-Correa, Director of Reserve Management and Monitoring reported that the technology for satellite tracking has improved. There are satellite tracking devices that are light enough to use. The State of California is conducting a large tracking in Northern California using radio frequency technology that works, because their owls are stationary and do not move around a lot. In this area it is not a useful technology because owls migrate and move. Airplanes are needed to track them which is a huge

expense. Satellite transmitters are much more efficient and you can do this from your desk once you affix the transmitters. Transmitters are solar powered and will transmit for two days then shut off to recharge. Transmitters can have long lives if they continue to recharge and function. The grant is for two years and twelve owls and if we split it between RCA and Coachella Valley we could potentially under fund other areas and only have satellite time expense. You can band birds but re-sighting banded birds is not reliable. When you use satellite transmitters there is no question where the owl is located. Board Member Benoit asked if we monitoring the pair in San Jacinto can we find out where they migrate. Laurie answered that monitoring had a control group of owls that dropped out because the grant amount was getting to big, we would have done control owls at El Sol/Johnson Ranch where most are located. If we are not able to catch twelve owls that are being relocated we attach transmitters on control owls or supplement with another grant. Board Member Benoit asked how long does the tracking go on with the current grant. Laurie answered the grant is two years, but does not officially start until March and the agreements are not signed until April or May, which is the end of breeding season. So the start will be this time next year, which will be the fall/winter of 2016-17. The effectively short time period for the grant is why we'd ask for an additional grant.

M/S/C (BENOIT/EDWARDS) that the RCA Executive Committee:

- 1) **Recommend that the RCA Board of Directors adopt Resolution No. 2015-010 RESOLUTION OF THE BOARD OF DIRECTORS OF THE WESTERN RIVERSIDE COUNTY REGIONAL CONSERVATION AUTHORITY AUTHORIZING THE APPLICATION AND ACCEPTANCE OF GRANT FUNDS FOR ASESING DISPERSAL AND MORTALITY OF BURROWING OWLS FOLLOWING PASSIVE AND ACTIVE RELOCATION; and**
- 2) **Authorize staff to agendize this matter for the December 7, 2015 meeting of the RCA Board of Directors.**

(4 Ayes, 0 Nays, Abstain 0)

14. EXECUTIVE DIRECTOR'S REPORT

Charlie Landry reported on the following items:

14.1 County of Riverside

Board of Supervisors' met with Human Resources and they rescinded the policy to require background checks of RCA Board Members.

14.2 Election of Officers

Reminder that at the next Board Meeting of December 7, election of Chairman and Vice-Chairman. Charlie explained the Bylaws pertaining to the election.

14.3 Report National HCP Coalition Meeting – November 9 and 10, 2015

Charlie Landry reported that he is part of the working group to form a national coalition of HCPs. Currently there is only the California HCP group. He explained why that the coalition is important on the national level, to influence Congress. He attended this meeting in West Virginia and reported on the other agencies involved in the working group. The outcome of this meeting was an agreement to form the coalition. Board Member Edwards asked who is the leading HCP in this coalition. Charlie answered that RCA brings more to the table than anyone else, as an example Doug Wheeler was the keynote speaker. He further stated that RCA has initiated and pushed back on the critical habitat issues and other problems that RCA is recognized as a big part of this coalition. Chairman Tavaglione asked if RCA's HCP is the largest. Charlie Landry answered RCA is the largest in a species but not in acreage though we are close

14.4 Valle Vista Property

Laurie Dobson Correa reported that an environmental engineer/mitigation consultant was brought in to assess the situation after the notice to abate was received from County of Riverside Environmental Health. The finding was that this property was a clean closure before RCA obtained the property. There is no trash left on the property. Consultant will provide a write-up and Environmental Health will be requested to rescind their abatement order. There is no obligation or liability for RCA. The eroded slopes are not an environmental issue. The area has been signed and fenced off to keep the public away. The Transportation Department will clean out the storm drain that pointed water at the slope which contributed to the erosion. As soon as RCA gives Transportation clearance, the outlet will be cleaned from the main storm drain.

14.5 Discussion Concerning Public Comments Regarding Constrained Linkage 16

Charlie Landry reminded the Executive Committee that Mr. Spresney attended the October 5, 2015 Board meeting and spoke during public comment regarding Linkage 16.

Laurie Dobson Correa made reference to the letter that Mr. Spresney distributed at said Board meeting. She further explained Linkage 16's purpose and the species it's meant to accommodate. She explained that RCA is working with the City of Murrieta to assemble this corridor. She showed a map of the area, locating Mr. Spresney's property and areas around said property. She gave historic information to Executive Committee on this property, surrounding properties and the goals of the linkage.

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

Charlie Landry stated that he will provide an update to the full Board at the next meeting on December 7 with regard to the mosquito issue in the City of Perris. He provided a brief update. Laurie Dobson Correa gave an update on the large ponded area water. She mentioned that vector control will be monitoring in the future, will fog as necessary and RCA will treat for breeding.

- 16. CLOSED SESSION ITEMS:**

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

- **Case Number RIC1203353 Albert Thomas Paulek vs. RCA**

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

- 16. ADJOURNMENT**

There being no more items before the Executive Committee, Chairman Tavaglione adjourned the meeting at 1:20 p.m. The next meeting of the Western Riverside County Regional Conservation Authority Executive Committee will be held on Wednesday, December 16, 2015, 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 Esparza
Administrative Manager

Respectfully submitted:



Honey Bernas
Clerk of the Board