

WESTERN RIVERSIDE COUNTY REGIONAL CONSERVATION AUTHORITY

EXECUTIVE COMMITTEE

Wednesday, January 20, 2021

MINUTES

1. CALL TO ORDER

The meeting of the Executive Committee was called to order by Chair Natasha Johnson at 12:03 p.m. via Zoom Meeting ID: 885 4430 3606, pursuant to Governor Newsom's Executive Order N-29-20.

2. ROLL CALL/PLEDGE OF ALLEGIANCE

Members/Alternates Present

Jeff Hewitt
Larry Greene
Natasha Johnson
Lesa Sobek
Jonathan Ingram
Crystal Ruiz

Members Absent

Kevin Jeffries

The Pledge of Allegiance was led by Board Member Ingram.

3. PUBLIC COMMENTS

There were no requests to speak from the public.

4. ADDITIONS/REVISIONS

There were no additions or revisions to the agenda.

5. CONSENT CALENDAR - *All matters on the Consent Calendar will be approved in a single motion unless a Commissioner(s) requests separate action on specific item(s). Items pulled from the Consent Calendar will be placed for discussion at the end of the agenda.*

M/S/C (Ingram/Sobek) to approve the following Consent Calendar item(s):

5A. APPROVAL OF MINUTES – NOVEMBER 18, 2020

5B. WESTERN RIVERSIDE COUNTY MULTIPLE SPECIES HABITAT CONSERVATION PLAN FEE COLLECTION REPORTS

- 1) Receive and file the Western Riverside County Multiple Species Habitat Conservation Plan (MSHCP) Fee Collection Reports for November and December 2020;
- 2) Direct staff to provide fee collection updates to the Board on a quarterly basis; and
- 3) Forward to the Board of Directors for final action.

5C. ADOPTION OF RESOLUTION 2021-001 RELATED TO REVISED INVESTMENT POLICY

- 1) Approve the revised investment policy for the Western Riverside County Regional Conservation Authority (RCA);
- 2) Adopt Resolution No. 2021-001, *“Resolution of the Board of the Western Riverside County Regional Conservation Authority Adopting a Statement of Investment Policy”*; and
- 3) Forward to the Board of Directors for final action.

5D. ADOPTION OF RESOLUTION 2021-002 RELATED TO DELEGATION OF AUTHORITY TO SIGN INSTRUMENTS ON BEHALF OF THE EXECUTIVE DIRECTOR IN THE EXECUTIVE DIRECTOR’S ABSENCE

- 1) Approve the delegation of authority to sign instruments on behalf of the Executive Director in the Executive Director’s absence;
- 2) Adopt Resolution No. 2021-002, *“Resolution of the Board of Directors of the Western Riverside County Regional Conservation Authority Delegating Authority to Sign Instruments on Behalf of the Executive Director in the Executive Director’s Absence”*; and
- 3) Forward to the Board of Directors for final action.

5E. ADOPTION OF RESOLUTION 2021-003 AUTHORIZING THE ACCEPTANCE OF CREDIT CARDS, DEBIT CARDS, AND ELECTRONIC FUNDS TRANSFER AS ADDITIONAL METHODS OF PAYMENT AND COLLECTION OF PAYMENT PROCESSING FEES

- 1) Approve the acceptance of credit cards, debit cards, and electronic funds transfer as additional methods of payment and collection of payment processing fees;
- 2) Adopt Resolution No. 2021-003, *“Resolution of the Board of Directors of the Western Riverside County Regional Conservation Authority Authorizing the Acceptance of Credit Cards, Debit Cards, and Electronic Funds Transfer as Additional Methods of Payment and Collection of Payment Processing Fees”*; and

- 3) Forward to the Board of Directors for final action.

6. ADOPTION OF ORDINANCE NO. 21-01 RELATED TO PROCUREMENT POLICY MANUAL AND RESOLUTION NO. 2021-005 RELATED TO ELECTRONIC SIGNATURE USE POLICY

Matt Wallace, Deputy Director of Financial Administration, presented items 6 and 7 concurrently as they were related. His presentation highlighted proposed amendments to the Bylaws, the adoption of the Procurement Policy Manual, and a proposed Electronic Signature Use Policy.

M/S/C (Greene/Ingram) to:

- 1) **Approve the revised Riverside County Transportation Commission (RCTC) and Western Riverside County Regional Conservation Agency (RCA) Procurement Policy Manual (PPM) for the procurement and contracting activities undertaken by the agencies, pursuant to legal counsel review as to conformance to state and federal law;**
- 2) **Rescind Ordinance No. 08-02, *“An Ordinance of the Western Riverside County Regional Conservation Agency Adopting a Purchasing Policy for Supplies, Materials, or Equipment”*;**
- 3) **Recommend the introduction of Ordinance No. 21-01, *“Ordinance of the Western Riverside County Regional Conservation Agency Regarding the Revised Procurement Policy Manual”*;**
- 4) **Approve the Electronic Signature Use Policy for the use of electronic signatures in lieu of manual signatures, pursuant to legal counsel review;**
- 5) **Adopt Resolution No. 2021-005, *“Resolution of the Western Riverside County Regional Conservation Agency Regarding the Electronic Signature Use Policy”*; and**
- 6) **Forward to the Commission for final action.**

7. INTRODUCTION OF RESOLUTION NO. 2021-006 TO AMEND BYLAWS WITH REGARD TO THE EXECUTIVE DIRECTOR’S PURCHASING AUTHORITY AND OTHER ADMINISTRATIVE CHANGES

M/S/C (Sobek/Greene) to:

- 1) **Forward to the Board of Directors the staff-proposed amendments to the Western Riverside County Regional Conservation Authority (RCA) Bylaws and recommend approval thereof, subject to the four-week noticing period required in Article XIII(B) of the RCA Bylaws; and**
- 2) **Introduce Resolution No. 2021-006, *“Resolution of the Board of Directors of the Western Riverside County Regional Conservation Authority Amending Its Bylaws with Regard to the Executive Director’s Purchasing Authority and Other Administrative Changes”*.**

8. DISCUSSION AND POSSIBLE ACTION REGARDING THE MULTIPLE SPECIES HABITAT CONSERVATION PLAN LOCAL DEVELOPMENT MITIGATION FEE FOR CONSTRUCTION OF A SINGLE-FAMILY HOME

Aaron Hake, Interim Regional Conservation Deputy Executive Director, provided a presentation. He noted the Board of Directors approved the 2020 Nexus Study at its December 2020 Board meeting which increased the Local Development Mitigation Fee. As part of the motion, the Board directed staff to return to the Board in February with a recommendation for potential amendments to implementing the fee to include a legacy exclusion from the fee increase for property owners who want to build a single-family home. Mr. Hake presented the potential impacts to the MSHCP based on the averages of readily available data from the County of Riverside. After analyzing the available data, staff recommended not implementing an exclusion given the potential financial impacts on the MSHCP as the Board-approved LDMF takes the most conservative financial course analyzed during the Nexus Study. However, should the Board opt to recommend an exclusion, staff recommends consideration of some parameters for the exclusion including: homes that qualify are constructed and occupied by the property owners, parcels must have been created and owned by the applicant prior to the creation of the MSHCP, that the base fee remain indexed to the CPI as it has been in the past, Cities and County required to report to RCA on qualifying homes, and a parcel size threshold.

Chair Johnson asked if there was any public comment. Dan Silver of the Endangered Habitats League noted he had also sent in written comments in opposition of an exclusion for certain single-family homes. He stated he represents a Conservation group that has been working to implement the MSHCP since its inception and summarized his reasons for his opposition to the exclusion, noting the RCA is in a shortfall situation and is trying to raise money, therefore, to reduce finds would not be a responsible course of action. He stated the fee is reasonable and is being phased in and should apply to everyone equally. Mr. Silver's written comments were displayed on the screen in their entirety.

Chair Johnson stated Supervisor Jeffries was unable to join the meeting today, however, he provided comments on this item. Chair Johnson summarized his concerns with the data points and potential cost impacts based on the available data. Anne Mayer, Executive Director, added Supervisor Jeffries expressed concern that the Board would be unable to make decisions without data that provides a more comprehensive and detailed answer as to the implications of the proposed exclusion. Ms. Mayer stated that statement was factual, and it is the limitation of the data currently available to staff, noting the variation in the number of permits which did not indicate any pattern. This told staff that increased data will likely also be varied, therefore an accurate prediction of potential financial impacts will be difficult.

Board Member Ingram expressed his agreement with Supervisor Jeffries' comments, stating the fee has an unfair impact on the person building a single-family dwelling as the

person may have owned the property prior to the implementation of the MSHCP in 2004 and now the RCA is retroactively implementing a fee on them. He stated more data is needed to make a decision.

Board Member Sobek stated the board exists to bring success and sustainability to the MSHCP. She stated a blanket exemption has the potential of harming the plan and creating a shortfall and the Board Members have gone through a Nexus Study and have a responsibility to make sure the plan is successful. She is in favor of staff's recommendation but added the suggestion that perhaps an application could be created that could be brought to the Board for consideration of an exemption on an individual basis.

Steve DeBaun, legal counsel, stated an application could be created however criteria would need to be established upon which the Board would make a determination.

Board Member Greene asked about additional buildings added to properties such as garages. Mr. Hake clarified in this analysis they only looked at single-family residences.

Board Member Ingram stated he concurs with Menifee that exemptions should be looked at on a case-by-case basis. His goal is to make sure as many people as possible participate in a great plan and not make them feel they have been disenfranchised. He is not looking to exempt anyone who cannot substantiate what they are saying.

Vice Chair Hewitt does not support making any exceptions where time spent costs more than what the exemption is worth and therefore supports staff recommended action.

Karin Cleary-Rose, United States Fish and Wildlife Service, stated single-family homeowners already have certain exemptions from the MSHCP, however those exemptions do not include fees.

Board Member Ingram stressed the importance of selling the benefits and features of the plan.

Ms. Mayer thanked the Board Members for the feedback. She discussed the outreach that is being developed to engage communities, stakeholders, and property owners in the benefits of the plan.

Chair Johnson stated outreach has been communicated to staff as the highest priority.

Board Member Ruiz expressed concern for the people who have owned their property prior to the implementation of the MSHCP and stated there should be an opportunity for them to apply for an exemption. She recommended approving the fees as-is but bringing back exemption criteria to a future meeting for discussion.

Board Member Ingram concurred with approving the fees as-is and also provide direction that criteria for an exemption be brought forward for discussion at a future meeting. Mr. DeBaun stated exemption criteria should be implemented prior to the implementation of the fee increase in July.

Ms. Mayer stated if staff is given direction today to explore exemption criteria that staff gather additional information and speak to colleagues at the cities and county to seek their input and bring that information back to February's Executive Committee.

Board Member Sobek made a motion to move forward with staff recommendation to leave the fees as-is with no exclusions.

M/S/C (Sobek/Greene) to:

- 1) Recommend to the Board of Directors to leave the fees as-is, without an exclusion for certain single-family homes from the Board-adopted increase in the Local Development Mitigation Fee (LDMF); and**
- 2) Forward to the Board of Directors for final action.**

No: Murrieta and San Jacinto

Following the vote, Chair Johnson requested staff bring back exemption parameters for further discussion.

9. ADOPTION OF RESOLUTION NO. 2021-004 RELATED TO A SUPER BLOOM POLICY

Chair Johnson discussed the purpose of the super bloom policy.

Tricia Campbell, Reserve Management/Monitoring Manager, provided a PowerPoint slide that provided detail on the policy.

M/S/C (Greene/Ingram) to:

- 1) Approve a super bloom policy;**
- 2) Adopt Resolution No. 2021-004, "*Resolution of the Board of Directors of the Western Riverside County Regional Conservation Authority Adopting a Super Bloom Policy*"; and**
- 3) Introduce Forward to the Board of Directors for final action.**

10. EXECUTIVE COMMITTEE APPOINTMENTS DISCUSSION

Chair Johnson discussed her process for appointing members to the Executive Committee, noting she reached out to the Board asking for those who wished to serve on the Executive Committee and received several responses. She expressed her wish that

the Executive Committee is representative of all of western county as in the past representation has been clustered around the southwest county. Chair Johnson stated Board Member Kevin Bash from Norco, the longest standing RCA Board Member, expressed his interest in serving on the Executive Committee and she will be recommending he be appointed. This addition will require one of the current cities to step down from the Executive Committee.

11. COMMITTEE MEMBER / EXECUTIVE DIRECTOR REPORT

Board Member Ingram requested staff ready information to be distributed to school districts throughout the incorporated cities and the county so we can begin to work on the outreach to the youth and families within these communities.

Board Member Sobek requested at a future meeting RCTC members are introduced.

Chair Johnson stated she had recommended to staff to have an educational item on future agendas similar to the recurring species of the month item.

Anne Mayer, Executive Director, provided an update on the management transition, focusing on key board objectives, immediate actions, and future plans.

Board Member Ingram expressed appreciation to Ms. Mayer and staff for their efforts. He noted he had received a delivery of a plaque from the RCA honoring his service as Chair and thanked staff and his colleagues.

12. ADJOURNMENT

There being no further business for consideration by the Executive Committee, the meeting was adjourned at 1:46 p.m.

Respectfully submitted,

A handwritten signature in blue ink, appearing to read "Lisa", with a long horizontal flourish extending to the right.

Lisa Mobley
Clerk of the Board