

WESTERN RIVERSIDE COUNTY REGIONAL CONSERVATION AUTHORITY

BOARD OF DIRECTORS MEETING MINUTES

Monday, March 1, 2021

1. CALL TO ORDER

The Western Riverside County Regional Conservation Authority Board of Directors Meeting was called to order by Chair Natasha Johnson at 12:33 p.m., via Zoom Meeting ID 871 0049 3609, pursuant to Governor Newsom’s Executive Order N-29-20.

2. ROLL CALL

Board of Directors/Alternates Present

Kevin Jeffries
Karen Spiegel
Jeff Hewitt
Colleen Wallace
Julio Martinez
Jeff Cervantez
Larry Greene
Tony Daddario
Jocelyn Yow
Linda Krupa
Lorena Barajas

Natasha Johnson
Lesa Sobek
David Marquez
Jonathan Ingram
Kevin Bash
David Starr Rabb
Crystal Ruiz
Maryann Edwards

Board of Directors Absent

Chuck Washington
V. Manuel Perez
Erin Edwards
Ben J. Benoit

3. PLEDGE OF ALLEGIANCE

Chair Natasha Johnson led the Pledge of Allegiance.

4. PUBLIC COMMENTS

There were no requests to speak from the public.

5. ADDITIONS / REVISIONS

There were no additions or revisions to the agenda.

6. **CONSENT CALENDAR** - *All matters on the Consent Calendar will be approved in a single motion unless a Board Member(s) requests separate action on specific item(s).*

M/S/C (Edwards/Ingram) to approve the following Consent Calendar items.

6A. APPROVAL OF MINUTES – FEBRUARY 1, 2021

6B. WESTERN RIVERSIDE COUNTY MULTIPLE SPECIES HABITAT CONSERVATION PLAN FEE COLLECTION REPORT

This item is for the Board of Directors to receive and file the Western Riverside County Multiple Species Habitat Conservation Plan (MSHCP) Fee Collection Report for January 2021.

6C. FISCAL YEAR 2020/21 SECOND QUARTER FINANCIAL REPORT

- 1) Receive and file the FY 2020/21 Second Quarter Financial Report;
- 2) Approve the budget adjustment to increase expenditures \$74,539 for consultant services; and
- 3) Authorize the Chair to direct the Auditor-Controller to make the budget adjustment in the amount of \$74,539.

6D. CONSULTANT REPORTS -FISCAL YEAR 2021 SECOND QUARTER

This item is for the Board of Directors to receive and file the consultant reports for Fiscal Year 2021 Second Quarter.

6E. ADOPTION OF ORDINANCE NO. 21-01 RELATED TO PROCUREMENT POLICY MANUAL

- 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; and
- 2) Adopt Ordinance No. 21-01, "*Ordinance of the Western Riverside County Regional Conservation Agency Regarding the Revised Procurement Policy Manual*".

6F. ADOPTION OF RESOLUTION NO. 2021-006 TO AMEND BYLAWS WITH REGARD TO THE EXECUTIVE DIRECTOR'S PURCHASING AUTHORITY AND OTHER ADMINISTRATIVE CHANGES

- 1) Following the completion of the four-week noticing period required in Article XIII(B) of the Western Riverside County Regional Conservation Authority (RCA) Bylaws, approve the proposed amendments to the RCA Bylaws; and

- 2) Adopt 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”.

7. CLOSED SESSION

At this time, Steve DeBaun, legal counsel, announced the Board will be going in to Closed Session to discuss the two property items on the agenda.

7A. CONFERENCE WITH REAL PROPERTY NEGOTIATORS

Pursuant to Government Code Section 54956.8

Agency Negotiator: Executive Director or Designee

Item	Property Description	Property Owner	Buyer(s)
1	470-070-022	Eddy Konno	RCA
2	569-100-001	Girdhari S. Purohit	RCA

7B. REPORT OUT FROM CLOSED SESSION

Mr. DeBaun announced the Board considered and approved the following closed session items:

Item 1: acquisition of the property was approved for \$110,000

Item 2: acquisition of the property was approved for \$970,000

8. 2021 STATE AND FEDERAL LEGISLATIVE PLATFORM AND LEGISLATIVE UPDATE

Lisa Mobley, Administrative Services Manager/Clerk of the Board, noted correspondence had been received in support of this item from Mr. Dan Silver, Executive Director of the Endangered Habitats League. The correspondence was forwarded to Board Members.

David Knudsen, Legislative Affairs Manager, provided a presentation with an overview of the Legislative Affairs program, a summary of the activities taking place at the state and federal level, and the draft 2021 State and Federal Legislative Platform.

Board Member Sobek thanked Mr. Knudsen for the presentation, and the plan that was laid out as we move forward.

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

- 1) Receive a presentation summarizing the RCTC Legislative Affairs program;
- 2) Receive and file an update on state and federal legislation; and
- 3) Adopt the 2021 State and Federal Legislative Platform for Western Riverside County Regional Conservation Authority (RCA).

9. PROPOSAL FOR CREATION OF AN RCA LEGACY HOME REBATE PILOT PROGRAM

Aaron Hake, Interim Regional Conservation Deputy Executive Director, provided a presentation on the RCA Legacy Home Rebate Program, detailing the partial rebate pilot program for property owners building a new home on land that was owned prior to the inception of the MSHCP. The pilot rebate program would be administered by the RCA and would start in Fiscal Year 2023, with a budget cap and a sunset date.

Ms. Mobley noted correspondence was received in opposition of this item from Mr. Dan Silver, Executive Director of the Endangered Habitats League.

Board Member Jeffries commended staff on their efforts on assembling all the different ideas and concepts, while also minimizing the financial impact, as well as helping original landowners.

Board Member Martinez thanked staff for listing out the pros and cons for this proposal. While Mr. Martinez thought this was a good compromise from what Board Member Jeffries asked for, this program would be creating loopholes, which would compromise and circumvent the Nexus Study.

Board Member Ingram believes this will be an equitable solution. This program would be beneficial for landowners who have been waiting to build on their properties, and with the checks and balances put in place, the RCA should not see abuse of the program.

Chair Johnson echoed Board Member Ingram's comment, noting this was a great collaboration of many different ideas and opinions on how the RCA could formulate a successful program.

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

No: Martinez

- 1) **Approve an RCA Legacy Home Rebate Pilot Program; and**
- 2) **Adopt Resolution No. 2021-007, "Resolution of the Board of Directors of the Western Riverside County Regional Conservation Authority Adopting an RCA Home Legacy Rebate Pilot Program".**

10. PRESENTATION – GETTING TO KNOW THE MSHCP

Tricia Campbell, Reserve Management and Monitoring Manager, presented an overview of the Public/Quasi-Public (PQP) Lands and Additional Reserve Lands (ARL). PQP are the 347,000 acres that were included in the MSHCP at inception in 2004. ARL still needs 153,000 acres, once those acres are acquired, no further reserve assembly will be required. When the plan is complete, the total acreage of the PQP and ARL are 500,000.

Board Member Sobek inquired if the list of 146 species is ever reviewed to see if any additional species should be added. Ms. Campbell noted that adding a species to the MSHCP would be a

major amendment. When the plan was being formed, the RCA looked ahead at species that were not listed by the State or Federal Government, in hopes of not having to ever make a major amendment to the plan.

Board Member Bash mentioned when he first joined the RCA Board, he was able to take a tour of the conservation lands in the County, a similar tour would be helpful for the newer Board Members.

11. 2019 ANNUAL REPORT

Tricia Campbell, Reserve Management and Monitoring Manager, presented the Annual Report for January to December 2019. During 2019, a total of 1,481 acres were acquired, donated, or obtained by the RCA. Since plan inception, the RCA has acquired a total of 61,819 acres of ARL. During 2019, a total of 2,136 acres of new development were approved within the MSHCP area. The losses in cumulative habitat since the adoption of the MSHCP have been 81% outside the criteria cells, and 19% inside the cells.

Conservation of ARL for each jurisdiction was presented, and in early March the RCA website will also have a dashboard feature with this information. It is possible that more acreage can be lost than gained, because conservation occurs only in the criteria cells, and how the gains are calculated considers many variables. The MSHCP needs to ensure there is enough habitat protected for 146 species, and these species and the habitats they rely on do not distribute evenly across the plan area. The gains and losses need to be in step with one another geographically, by vegetation, and hydrologically among other factors.

Analysis of the gains and losses are done through the rough step analysis, and the plan area is split into nine Rough Step Units. The RCA takes the acquisition and losses data provided from the cities and county annually and runs it through the rough step formula. The analysis shows at the end of 2019, we are out of rough step in Units 3, 5, 7 and 8. Being out of rough step calls us to action in these four units. The RCA is currently engaged in acquiring the necessary land and actively pursuing willing buyers to move the units back into rough step.

Along with acquiring land for the MSHCP, the RCA is also responsible for the management of over 43,000 acres of ARL.

Board Member Ingram inquired as to the status of the rough step areas at the MSHCP inception, and whether these units falling out of rough step happened over this year or were an issue when the plan started. Ms. Campbell noted that only Rough Step Unit 8 has been out of rough step since the inception of MSHCP, though Rough Step Unit 7 has had issues over the last several years.

This item is for the Board of Directors to receive and file the Western Riverside County Multiple Species Habitat Conservation Plan 2019 Annual Report.

12. ITEM(S) PULLED FROM CONSENT CALENDAR AGENDA

There were no items pulled from the Consent Calendar.

13. BOARD OF DIRECTORS / EXECUTIVE DIRECTOR REPORT

Overview

Anne Mayer, Executive Director, provided a Nexus Study Implementation update, in which the RCA has been focusing on communication both with member agencies as well as interested stakeholders. For member agencies there have been one-on-one meetings, a series of meetings and presentations for the public works and planning directors, communications with economic development staff, and in the coming weeks there will be another presentation for the city managers to ensure staff at the cities are fully informed on the Nexus Study. There have also been technical conversations with staff at each of the jurisdictions, to address questions related to the process and feedback was received on some of the technical language in the implementation manual. As a result of those conversations, some administrative changes will be brought forward to address the concerns raised by member agencies. A Frequently Asked Questions (FAQ) sheet and templates for staff reports have been provided to member agencies.

Meetings to receive feedback have been held with stakeholders and those in the development community. Some of their concerns have been addressed, though many of the discussions are based on a deferral of the fee or an elimination of the fee increase, as well as a question of pre-payment of the fees.

The focus for now is communicating, sharing information, and providing listening sessions. Chair Natasha Johnson has sent out communication to all jurisdictions in Western Riverside County, as well as all local Chamber of Commerce offices

Chair Johnson reiterated that now is the time for communication and gathering information. An effort is being made currently to over-communicate, which is a result of the feedback received that it was lacking. Chair Johnson called on each Board Member to assist in making sure their colleagues and those that are at the table in their communities are aware of the Nexus Study update. The previously provided FAQ sheet provides great discussion points and helps guide the conversation about the update. This update is integral to the MSHCP, and it is important to receive feedback and have discussions about the changes that were made.

14. ADJOURNMENT

There being no further business for consideration by the Western Riverside County Regional Conservation Authority Board of Directors, Chair Johnson adjourned the meeting at 1:38 p.m. The next meeting of the Board of Directors is scheduled to be held on **Monday, April 5, 2021**, via Zoom.

Respectfully submitted,

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

Lisa Mobley
Administrative Services Manager/
Clerk of the Board