

WESTERN RIVERSIDE COUNTY REGIONAL CONSERVATION AUTHORITY

EXECUTIVE COMMITTEE MINUTES

Wednesday, May 19, 2021

1. CALL TO ORDER

The meeting of the Executive Committee was called to order by Chair Natasha Johnson at 12:00 p.m., via Zoom Meeting ID: 833 2546 0771, pursuant to Governor Newsom’s Executive Order N-29-20.

2. ROLL CALL

Members/Alternates Present

Kevin Jeffries
Jeff Hewitt
Natasha Johnson
Lesa Sobek
Jonathan Ingram
Crystal Ruiz*

Members Absent

Kevin Bash

*Arrived after the meeting was called to order.

3. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Board Member Jeffries.

4. PUBLIC COMMENTS

Lisa Mobley, Administrative Services Manager/Clerk of the Board, noted that written public comment was received from Ed Sauls and Michele Staples that was forwarded to all Board Members.

Michele Staples, a representative for the Olsen Canyon property, asked the Board for help, as the property in question has been in the MSHCP process for 6 years, and in the appraisal process for 14 months. The MSHCP process isn’t working for this property. The appraisal that was received from the RCA was full of errors and therefore unusable. The owner has now been directed to the conflict resolution process which will require significant court intervention and additional appraisals, from which neither party will benefit.

Ed Sauls, a representative for the Olsen Canyon property, wanted to bring three recommendations forward to the Board for consideration. The first recommendation is to direct the RCA staff to work to negotiate with property owners prior to triggering the conflict resolution process. The second is to consider the offer presented from Olsen Canyon, as this

type of offer has been used in the past successfully. The third recommendation, which would be a long-term goal, would be to put together a task force or a sub-committee to review the process and see if there is way to develop a legal, fair, and efficient way to proceed.

Garret Sauls, a representative for the Olsen Canyon property, complimented right of way staff at RCA for their work. Even with their successful work, they still need more tools to be able to negotiate further without pursuing the conflict resolution process.

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 (Ingram/Sobek) to approve the following Consent Calendar items.

6A. APPROVAL OF MINUTES – APRIL 21, 2021

6B. FISCAL YEAR 2021/21 THIRD QUARTER FINANCIAL REPORT

- 1) Receive and file the FY 2020/21 Third Quarter Financial Report; and
- 2) Forward to the Board of Directors for final action.

6C. WESTERN RIVERSIDE COUNTY MULTIPLE SPECIES HABITAT CONSERVATION PLAN FEE COLLECTION REPORT FOR APRIL 2021

- 1) Receive and file the Western Riverside County Multiple Species Habitat Conservation Plan (MSHCP) Fee Collection Report for April 2021; and
- 2) Forward to the Board of Directors for final action.

7. RECURRING CONTRACTS FOR FISCAL YEAR 2021/22

Jose Mendoza, Procurement Manager, explained the recurring contract process which coincides with the yearly budget process. As part of the annual budget process, staff evaluated contracts that are set to expire within the next year, those contracts are then placed on the calendar for a new solicitation, allowed to expire if they are no longer required, or included as part of the annual recurring contracts list. Consultants and agencies that appear on the recurring contracts list provide unique or specialized services, and/or they are working closely with staff on long-term projects.

Board Member Ingram thanked staff for finding savings on the annual recurring contracts.

Board Member Sobek asked for clarification on the second recommendation. Mr. Mendoza explained that the Dudek contract is for a five-year term and each year of the contract is estimating a value of \$250,000.

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

- 1) Approve the single-year recurring contracts in an amount not to exceed \$3,334,393, for FY 2021/22;**
- 2) Approve the recurring contract for specialized services in and amount not to exceed \$250,000, in FY 2021/22 and \$1,000,000, in FYs 2022/23 - 2025/26;**
- 3) Authorize the Chair or Executive Director, pursuant to legal counsel review, to execute the agreements on behalf of RCA; and**
- 4) Forward to the Board of Directors for final action.**

8. ADOPTION OF FISCAL YEAR 2021/22 BUDGET AND APPROVAL OF THE BIOLOGICAL MONITORING PROGRAM WORKPLANS

Jennifer Fuller, Financial Administration Manager, provided a presentation on the Fiscal Year 2021/22 Budget. In accordance with past practice, 10% of participating special entities revenues will be allocated to the endowment for future preservation. The 2020 Nexus Study recommends that 15% of Local Development Mitigation Fee (LDMF) revenue also be allocated to the endowment. The MSHCP allows property owners who do not intend to file a development application to submit their properties for evaluation and possible acquisition under the Habitat Evaluation and Acquisition Negotiation Strategy (HANS). Consistent with the current budget, staff recommends allocating 5% of LDMF collections to the acquisition of non-development HANS properties. The economic stability policy requires a minimum cash level of \$9 million, to be able to continue operations for at least 18 months.

The RCA staff anticipates the beginning fiscal year fund balance at \$54.9 million, just over half of this amount is restricted to how it can be spent or is reserved for non-spendable endowments. The Fiscal Year 2021/22 budget includes estimated revenue sources of \$53.3 million and estimated uses of \$50.4 million.

Board Member Ingram inquired as to whether payments from Edison would be continuing, or if all the payments had been collected based on the agreement from Fiscal Year 2018/19. Ms. Fuller noted that she would need to look at that agreement and report back.

At this time, Board Member Ruiz joined the meeting.

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

- 1) Adopt the FY 2021/22 Budget and related Resolution No. 2021-014, “Resolution of the Board of Directors of the Western Riverside County Regional Conservation Authority Adopting the Fiscal Year 2021/22 Operating and Capital Budget Including Budget Policies”;**

- 2) **Approve the Biological Monitoring Program Work Plan and Cost Estimate included as Appendix B in the FY 2021/22 Budget;**
- 3) **Approve the Clinton Keith Road Overcrossing Mitigation Monitoring Reimbursable Program Work Plan and Cost Estimate included as Appendix C in the FY 2021/22 Budget; and**
- 4) **Forward to the Board of Directors for final action.**

9. LEGISLATIVE UPDATE

David Knudsen, Legislative Affairs Manager, provided a presentation on state and federal updates. The RCA has been advocating for both state and federal funds. The federal requests have been submitted for community project funding, congressional directed spending, and programmatic funding. Requests to the state have been through the Wildlife Prevention and Climate Resiliency Bond Measures (SB45/AB1500) and individual member budget requests. Altogether, the RCA staff is currently advocating for \$229.2 million in fund requests.

Mr. Knudsen shared a clip of the senate hearing from this morning showing testimony provided by Ed Sullivan, Executive Director of the Santa Clara Valley Habitat Agency, in support of the RCA and Habitat Conservation Plans across California on the behalf of the California Habitat Conservation Plan Coalition. Mr. Sullivan's remarks are the result of a strong partnership with the coalition and the ongoing strategic communication with federal officials.

Board Member Sobek thanked staff for sharing the senate hearing clip, it speaks volumes to what we are accomplishing at the RCA.

- 1) **Receive and file an update on state and federal legislation; and**
- 2) **Forward to the Board of Directors for final action.**

10. BOARD OF DIRECTORS / EXECUTIVE DIRECTOR REPORTS

Anne Mayer, Executive Director, thanked the RCA member agencies on the tremendous job they are doing with the adoption of the Nexus Study Update. Around 75% of the jurisdictions have fully adopted the Nexus Study Update and related documents. We are on track for full adoption by all member agencies by July 1st. Ms. Mayer expressed her thanks to staff, members of this committee, and the full board on their engagement and feedback. The RCA staff will continue to be available both in city council meetings and in preparation of those meetings.

Board Member Sobek wanted to know if RCA or RCTC was eligible to receive any of the Recovery Act money from the federal government and what the affect of those funds might be. Ms. Mayer responded that we are not yet aware of whether any funds will be received, it would depend on how the funding is allocated, as much of the funding will be flowing through the states. The RCA should have more information as the state finalizes its budget in the coming weeks.

Chair Johnson asked that an agenda item be added to the next Executive Committee to discuss the right of way process, in response to today's public comments. Ms. Mayer noted that an agenda item will come forward outlining and summarizing the general process and not single out a particular parcel or property.

Board Member Sobek requested a future agenda item to discuss the COVID-19 restrictions update announcement that is expected on June 15th. Ms. Mayer agreed, and an item will be added for discussion based on the latest information available.

10. ADJOURNMENT

There being no further business for consideration by the Executive Committee, Chair Johnson adjourned the meeting at 12:53 p.m. The next meeting of the Executive Committee is scheduled to be held on **Wednesday, June 16, 2021**, via Zoom.

Respectfully submitted,



Lisa Mobley
Administrative Services Manager/
Clerk of the Board