

WESTERN RIVERSIDE COUNTY REGIONAL CONSERVATION AUTHORITY

EXECUTIVE COMMITTEE MINUTES

Wednesday, October 20, 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: 832 2162 1242, in accordance with AB 361 due to state or local officials recommending measures to promote social distancing.

2. ROLL CALL

Members/Alternates Present

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

Members Absent

Kevin Bash

3. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Board Member Ingram.

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).*

Board Member Sobek requested Agenda Item 6C be pulled from the Consent Calendar for further discussion.

M/S/C (Sobek/Hewitt) to approve the following Consent Calendar items.

6A. APPROVAL OF MINUTES – SEPTEMBER 15, 2021

6B. WESTERN RIVERSIDE COUNTY MULTIPLE SPECIES HABITAT CONSERVATION PLAN FEE COLLECTION REPORT FOR SEPTEMBER 2021

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

6C. FISCAL YEAR 2020/21 PRELIMINARY FOURTH QUARTER FINANCIAL REPORT

Board Member Sobek wanted to know more details regarding the \$2 million decrease to the general fund and the two professional contracts that were terminated. Jennifer Fuller, Financial Administration Manager, noted that the general operations fund was negative at the end of the year, but it was expected, and a budget adjustment was completed when the managing agency was changed to RCTC. The negative balance was due to accrued leave balances for terminated employees, as well as the RCA share of pensions and other post-employment benefits that needed to be paid to the County due to the termination of the contract. The two professional services contracts that were terminated were for IT Services, which is now received through RCTC's contract, and Public Outreach, which is now handled by RCTC's public outreach staff.

Board Member Sobek recalled there was a three-year projection of costs that was done and wondered how the RCA was doing in comparison to the projections. Ms. Fuller noted those figures could be put together and brought back to a future meeting. Board Member Sobek asked that the information come back to the Executive Committee at the one-year mark.

Board Member Ingram added that the RCA knew at the end of 2020, during the transition, there would be a negative balance due to attrition, people who had stepped down, and the pension obligations. The RCA was also aware of a transition period with IT and other contracts because of overlapping contracts with RCTC.

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

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

6D. ACQUISITION STATUS REPORT

- 1) Receive and file the acquisitions status report as of September 30, 2021; and
- 2) Forward to the Board of Directors for final action.

6E. SINGLE SIGNATURE AUTHORITY REPORT

- 1) Receive and file the Single Signature Authority report for the first quarter ended September 30, 2021; and
- 2) Forward to the Board of Directors for final action.

7. LEGISLATIVE UPDATE

Tyler Madary, Senior Management Analyst, Legislative Affairs, provided an update on state and federal legislative actions. Governor Newsom had until October 10th to sign or veto bills passed by the legislature. By the close of the session, 836 bills were sent to the Governor, making 770 new California laws, while 66 were vetoed. Now that the first year of the legislative session has concluded, the Legislative Affairs team will begin reviewing the Board adopted Legislative Platform, taking into consideration emerging policies at the state and federal levels. The draft 2022 State and Federal Legislative Platform will be brought forward for review in preparation of the next legislative session. The Legislative Affairs team will continue to monitor the development of the state agency guidelines that may impact the mission of Habitat Conservation Plans (HCP) or could facilitate further discussion the need for additional state investment.

The California Natural Resources Agency (CNRA) continues to draft their pathways to 30 by 30 document and the California Air Resources Board is drafting the 2022 AB 32 Scoping Plan Update of Natural and Working Lands, based on comments previously provided by the Legislative Affairs team and other stakeholders across the state. CNRA has also recently released their draft Natural and Working Lands Climate Strategy for public input through November 9th. The Legislative Affairs team will work with the California HCP Coalition to review the draft document and provide comments that promote HCPs as shelf-ready tools to implement the state's climate goals.

On the Federal side, Congress continues to simultaneously negotiate and consider the Build Back Better budget reconciliation package, a corresponding debt limit increase, the bi-partisan Infrastructure Investment and Jobs Acts, and the Fiscal Year 2022 Appropriations Bill. This week, the Senate Appropriations Committee released their draft appropriation bills for each of the sub-committees, including the Department of the Interior (DOI). While the Senate's DOI appropriations bill matched the \$13 million in grant funding that was in the House Appropriation Bill, the Senate bill proposed to fund HCP land acquisitions at \$19.6 million, \$10 million lower than the House bill. If the Senate's lower amount prevails, it means less funding available for HCPs, increasing the level of competition for funding. The Legislative Affairs team will advocate for the House to maintain the higher level of funding when it goes to conference to settle on a single appropriations bill.

Unfortunately, neither Senators Feinstein nor Padilla's RCA community project requests to fund the Wolfskill Acquisition Project were included in the Senate DOI Appropriations Bill. Moving forward, the Legislative Affairs team will evaluate opportunities to improve chances of securing funding in the Fiscal Year 2023 Appropriations Bill.

Lastly, the Legislative Affairs team will continue to monitor the progress of Representative Calvert's bill HR 972 to establish the Western Riverside County Wildlife Refuge, as well as Senator Feinstein's draft language.

Board Member Ingram recalled a conversation in D.C. a few years ago regarding the HCPs that were more productive. The conversation with Senator Feinstein and Representative Calvert focused on how the grant money was viewed and how it was being productive. With the possibility of the funding being far shorter than it has in the past, Board Member Ingram wanted to know if there had been any talks about basing those funds on productive HCPs. Mr. Madary noted that there hasn't been anything specific on how the MSHCP is viewed in relation to other plans across the Country. Though there has been a perception, in some corners of appropriations, that HCPs have not been able to deliver on grant funds in general. This is an idea that needs to be overcome, as it is not a reflection of performance issues on behalf of HCPs but rather how the guidelines are set and how challenging the grants can be.

Board Member Ingram added that he had reached out to Assemblymember Seyarto and others in Sacramento last week. As the RCA is going through the assembly process of the cells and cell criteria, a concern becomes the large areas of growth with no way to defend them because the resources for fire suppression aren't there. When complying with state and federal mandates, but not have developers building in those areas, the resource to obligate them to install the infrastructure isn't there. Assemblymember Seyarto will be reaching out the RCA to see what would be available in the budget for this year and next year. If RCA or RCTC were to start receiving carbon credits, the funds could be used for this purpose and maintenance.

Anne Mayer, Executive Director, noted that many of the process improvement and streamlining recommendations that have been made regarding grant and additional funding for HCPs have been met with thank you for your input, but no changes. The RCA is running up against that in every direction, and the processes are very administratively burdened and bureaucratic. An effort is being made to continue to make suggestions without irritating those who oversee dispersing the funds. RCA is walking the line between pushing for improvements versus maintaining relationships. The biggest thing RCA can do is to perform on grants, and only offering up proposals with properties we know can be delivered, that way the successes can speak for themselves.

Board Member Ingram acknowledged the challenges to processes and asked that the Board be informed where they can help politically removing RCA from the politics. Once the MSHCP land acquisition has been completed, the problem will then become managing the land for perpetuity.

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

8. STAKEHOLDERS COMMITTEE MEMBERSHIP OUTREACH UPDATE

Chair Johnson reminded the Committee, that as a Board it was made a priority during the transition to RCTC management to see that the RCA is expanding, communicating with, and educating the stakeholders in the communities we serve. One thing that must be done is the relaunching of the Stakeholders Committee.

The Stakeholders Committee application period opened September 27th and will close on October 25th. If Board Members are aware of any candidates that could be involved and meet the membership criteria, they are encouraged to share with them.

Philip Kang, Technical Information Program Manager, shared the Stakeholders Committee promo video.

An email was sent to Board Members with the Stakeholders Committee announcement, application materials, and resources. The online application can be found on the RCA website, under About RCA>Committees>Stakeholders Committee.

The role of the Stakeholders Committee is intended to bring together and unify the diverse constituents who represent not only a huge geographic space but also a large population. The committee would make sure the MSHCP is successfully carried out as much as possible. Everyone involved in the committee should be committed to the plan and seeing it through completion. The committee also has an advisory role to the Board when issues are identified by RCA. The Stakeholders Committee, while being a wonderful resource to defer to, does not replace the role of the Board or any staff members.

The RCA Bylaws state the eligibility and criteria for this committee, and members must represent one of three categories: property owners, environmental advocates, or builders affected by the MSHCP. Staff has been given direction to reach out to previously identified stakeholders making sure they are aware of the application process.

David Knudsen, Interim External Affairs Manager, provided an update on the outreach efforts for the relaunch of the Stakeholders Committee. The members of the Stakeholders Committee are appointed by the Chair and ratified by the Board. The bylaws state that reasonable efforts should be made for the Stakeholders Committee to meet at least twice a year. Reestablishing the Stakeholders Committee is an important element to the success of the MSHCP and is part of the educational and outreach efforts by the External Affairs team.

The recruitment process the External Affairs team has worked to deliver is in alignment with the RCA Bylaws. Bringing together people with varying perspectives who share a common interest in the MSHCP's success assisting RCA in a process of continuous improvement and increase awareness of the MSHCP and its' benefits to Western Riverside County. After receiving instruction and guidance from the Chair and listening to input from the Executive Committee, staff developed an outreach plan to relaunch the Stakeholders Committee. With leadership from the Public Affairs team, RCA developed and launched, in a matter of weeks: a new

Stakeholders Committee website with an online application; produced a hard copy application with informational flyer; circulated a news release; published articles in *The Vista* and RCTC's *The Point*; sent out email notifications to every city in Western Riverside County and stakeholder groups; produced the recruitment video; and launched a social media ad campaign on Facebook and LinkedIn to help spread the word of RCA's recruitment efforts.

The number one goal has been to get the word out in a transparent way that RCA is looking for eligible applicants for the Stakeholders Committee, in alignment with the RCA Bylaws. The outreach efforts have been geared towards stakeholder groups, while also educating the general public about the committee and its' efforts. Applications are being accepted until October 25th, at which time RCA will work with the Chair to finalize the next steps in the recruitment effort. While RCA has worked to notify and publicize the recruitment effort for this important committee, Board Members' excitement can inspire stakeholders to apply, and they are encouraged to do so.

Board Member Ingram congratulated the Chair and RCA staff on moving forward with these efforts, as it's been a long time coming. There is a concern with the committee, but they are not intended to create policy, rather the Board creates the policies that are executed by staff, and we should remain acute to that. The MSHCP is a convoluted and difficult plan, this creates a need for some of the members of the Stakeholders Committee to have had long term experience with the plan. Outreach efforts should also include the equestrian and bicycle communities as there have been issues with them in the past. The most important component of the committee should be the Tribes, it's important the committee has Tribal representation.

Board Member Sobek wanted clarification on the representation requirement of the Stakeholders Committee and with the suggestion from Board Member Ingram how the Tribes could be included. Chair Johnson clarified that to be a member of the committee you must fall under one of the three categories: property owners, environmental advocates, or builders affected by the MSHCP.

Anne Mayer, Executive Director, noted the bylaws were very specific about the Stakeholders Committee and who its' participants will be. It is clear there would be many more stakeholders than just those three groups. Our current goal is to implement the Stakeholders Committee per the bylaws with required membership, while also increasing outreach efforts to other stakeholder groups. Even though there will be a Stakeholders Committee that aligns with the bylaws, RCA is also ramping up communication efforts with others too. A new position at RCTC that was just established is for a Community Engagement Manager, with the specific intent to branch out outreach efforts to the more traditional stakeholders.

Board Member Sobek further clarified that unless a person represented one of the three categories, they would not be eligible for the Stakeholders Committee due to the bylaws. Ms. Mayer confirmed that was correct. While a person may not be able to be a part of the Stakeholders Committee, they are still welcome to provide comments and feedback. The bylaws also state the meetings be at least twice a year, and there are many stakeholders that would require much more frequent conversations. Anyone who is interested is encouraged

to submit an application, RCA will review them for eligibility. Board Member Sobek intends to share the information and video with the City Council this evening.

Chair Johnson added that another conversation could take place if the appetite is to update the bylaws to provide more flexibility for membership. In the interest of time, getting the Stakeholders Committee relaunched and revitalized is more important. Once the committee is up and running, the Executive Committee can discuss the bylaws and any desired changes.

Board Member Ingram concurred with Chair Johnson in having a later discussion regarding the bylaws. The conservation lands belong to the residents of Riverside County and their input is essential.

Mr. Knudsen added the Tribes in Western Riverside County were contacted and encouraged to apply, as RCA believes their membership could fall under property owner category. A more personal effort will be made to ensure they are aware they are welcome to join.

Chair Johnson reiterated the role of the Stakeholders Committee is not to make policy direction, the committee is intended for perspective and issues that require their input or feedback.

- 1) **Receive and file an update on the Stakeholders Committee membership outreach efforts; and**
- 2) **Forward to the Board of Directors for final action.**

9. **BOARD OF DIRECTORS / EXECUTIVE DIRECTOR REPORTS**

Board Member Sobek announced the Meniffee State of the City will be October 21st.

Anne Mayer, Executive Director, noted that as part of the implementation of the updated Nexus Study, there is a fee implementation manual. There is a committee that has been set up to work through any questions, comments, or concerns that member agency staff has regarding the manual. RCA reached out to all member agencies in August requesting that any comments or input on the manual be provided by October 11th. The deadline was extended to October 22nd, with emails being sent out to City Managers and County Executives. There have already been a number of member agencies that have submitted comments.

In line with keeping track of budgeted versus actual costs, over the next year or more, RCA will also start tracking the workload associated with the costs. Including how many parcels have been acquired and how many are still in the system. Essentially keeping track of the metrics of what RCA is doing in addition to being more efficient, having more outreach, investing more time in legislative activities, and what outcomes are being achieved.

On Friday, November 5th, Ms. Mayer will be at the Murrieta Temecula Group to provide an update on all things transportation and conservation.

Chair Johnson brought up the issue of whether the meetings should continue to be virtual and what the trigger or metric would be for wanting to go back to in-person meetings.

Steve DeBaun, general counsel, stated that since this isn't on the agenda and is a matter of public policy it shouldn't be discussed. The question should be posed differently and ask the Board Members to provide comments to staff.

Chair Johnson clarified that if any of the Executive Committee members have an opinion to how the meetings are conducted, they should reach out to staff. That way RCA can start to work out a plan to either continue virtual meetings or move to in-person.

Mr. DeBaun added that there will be an item on the next agenda where the Board will be required to make certain findings under the new legislation, AB 361 regarding virtual meetings. This will also provide an opportunity to have a further discussion on the topic.

Board Member Ingram asked that the item be agenzized for the next Executive Committee to make sure there can be a discussion.

10. ADJOURNMENT

There being no further business for consideration by the Executive Committee, Chair Johnson adjourned the meeting at 12:51 p.m. The next meeting of the Executive Committee is scheduled to be held on **Wednesday, November 17, 2021**.

Respectfully submitted,



Lisa Mobley
Administrative Services Manager/
Clerk of the Board