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EXECUTIVE COMMITTEE

The Executive Committee, consisting of the RCA Board Chairperson, Vice Chairperson, past Chairperson, and four members of the RCA Board of Directors, who oversee RCA administrative functions, staff functions, recommend staff positions, job descriptions and salaries, and consider such other matters as delegated to it by the Board.

**September 18, 2019, at 12:00 p.m.
Western Riverside County Regional Conservation Authority
Riverside Centre, RCA Conference Room
3403 Tenth Street, Suite 320
Riverside, California 92501**

EXECUTIVE COMMITTEE MEMBERS

Jonathan Ingram, Chairperson
City of Murrieta

Natasha Johnson, Vice Chairperson
City of Lake Elsinore

Vacant
City of Canyon Lake

Lesa Sobek
City of Menifee

Crystal Ruiz
City of San Jacinto

Kevin Jeffries
County of Riverside, District 1

Jeffrey Hewitt
County of Riverside, District 5

Charles Landry, Executive Director



EXECUTIVE COMMITTEE AGENDA*

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*Action(s) may be taken on any item listed on the agenda. Non-exempt materials related to an item on this agenda submitted to the RCA Executive Committee after distribution of the agenda packet are available for public inspection at the RCA Offices, 3403 10th Street, Suite 320, Third Floor, Riverside, California, 92501, during normal business hours. Such documents are also available on the Western Riverside County Regional Conservation Authority website at www.wrc-rca.org subject to staff's ability to post the documents before the meeting. Alternative formats are available upon request by contacting the Clerk of the Board at (951) 955-9700. Notification of at least 72 hours prior to meeting time will assist staff in accommodating such requests.

Wednesday, September 18, 2019
12:00 p.m.
Riverside Centre, RCA Conference Room
3403 Tenth Street, Suite 320
Riverside, CA 92501

In compliance with the Americans with Disabilities Act and Government Code Section 54954.2, if special assistance is needed to participate in an Executive Committee meeting, please contact the Clerk of the Board at (951) 955-9700. Notification of at least 48 hours prior to meeting time will assist staff in assuring that reasonable arrangements can be made to provide accessibility at the meeting.

- 1. CALL TO ORDER**
- 2. ROLL CALL**
- 3. PUBLIC COMMENT** *At this time, members of the public can address the Executive Committee regarding any items within the subject matter jurisdiction of the RCA that are not separately listed on this agenda. Members of the public will have the opportunity to speak on agenda items at the time the item is called for discussion. No action may be taken on items not listed on the agenda unless authorized by law. Each individual speaker is limited to speak three (3) continuous minutes or less. Any person wishing to address the Executive Committee on any matter, whether or not it appears on this agenda, is requested to complete a Request to Speak Form available from the Clerk of the Board. The completed form is to be submitted to the Clerk of the Board prior to an individual being heard. Whenever possible, lengthy testimony should be presented to the Executive Committee in writing and only pertinent points presented orally. Any written documents to be distributed or presented to the Executive Committee shall be submitted to the Clerk of the Board.*
- 4. COMMITTEE MEMBER ANNOUNCEMENTS**
- 5. ADDITIONS/REVISIONS** *(The Committee may add an item to the Agenda after making a finding that there is a need to take immediate action on the item and that the item came to the attention of the Committee subsequent to the posting of the agenda. An action adding an item to the agenda requires 2/3 vote of the Committee. If there are less than 2/3 of the Committee Members present, adding an item requires a unanimous vote. Added items will be placed for discussion at the end of the agenda.)*

6. **APPROVAL OF MINUTES – August 21, 2019**

7. **WESTERN RIVERSIDE COUNTY MSHCP FEE COLLECTION REPORT FOR AUGUST 2019 - STAFF REPORT**

Overview

This item is for the RCA Executive Committee to:

- 1) Recommend that the RCA Board of Directors receive and file the Western Riverside County MSHCP Fee Collection Report for August 2019; and
- 2) Authorize staff to agendize this matter for the October 7, 2019 meeting of the RCA Board of Directors.

8. **RESOLUTION NO. 2019-013, RESOLUTION OF THE BOARD OF DIRECTORS OF THE WESTERN RIVERSIDE COUNTY REGIONAL CONSERVATION AUTHORITY ADOPTING A SOCIAL MEDIA POLICY**

Overview – **STAFF REPORT**

This item is for the RCA Executive Committee to:

- 1) Recommend that the RCA Board of Directors adopt Resolution No. 2019-013, Resolution of the Board of Directors of the Western Riverside County Regional Conservation Authority Adopting a Social Media Policy; and
- 2) Authorize staff to agendize this matter for the October 7, 2019, meeting of the RCA Board of Directors.

9. **AUTHORITY TO SIGN A TIME EXTENSION FOR THE AGREEMENT FOR THE PURCHASE OF FIFTY COLTON DUNES CONSERVATION BANK CREDITS BETWEEN THE WESTERN RIVERSIDE COUNTY REGIONAL CONSERVATION AUTHORITY AND CALMAT COMPANY**

Overview – **STAFF REPORT**

This item is for the RCA Executive Committee to:

- 1) Recommend that the RCA Board of Directors authorize the Executive Director of RCA to approve a time extension of the CalMat Agreement in the event one is necessary; and

- 2) Authorize staff to agendize this matter for the October 7, 2019, meeting of the RCA Board of Directors.

10. DISCUSSION CONCERNING WILDFIRE ISSUES AND POSSIBLE RETENTION OF A STATE LOBBYING FIRM

Overview

This item is for the RCA Executive Committee to discuss wildfire issues and possibly retaining a state lobbying firm to obtain additional funding.

11. EXECUTIVE DIRECTOR'S REPORT

11.1 UPDATE CONCERNING WILDLIFE REFUGE

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

13. CLOSED SESSION

13.1 CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION

Pursuant to paragraph 1 of subdivision (d) of Government Code Section 54956.9

EHOFF II LAKESIDE, LLC, vs. Riverside County Transportation Commission; County of Riverside; and Western Riverside County Regional Conservation Authority, (Case No. 5:19-cv-01693)

13.2 CONFERENCE WITH LEGAL COUNSEL – INITIATION OF LITIGATION

Significant exposure to litigation pursuant to paragraph 4 of subdivision (d) of Government Code Section 54956.9

Number of Cases: One potential case

14. ADJOURNMENT

The next meeting of the Western Riverside County Regional Conservation Authority Executive Committee will be held on Wednesday, October 16, 2019, at 12:00 p.m., at the Riverside Centre, 3403 Tenth Street, Suite 320, Third Floor, RCA Conference Room, Riverside, California, 92501.

ACRONYMS

AGENDA ITEM NO. 6

MINUTES

August 21, 2019



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 Ingram at 12:13 p.m., Wednesday, August 21, 2019, at the RCA Conference Room, 3403 Tenth Street, Suite 320, Riverside, California, 92501.

2. ROLL CALL – was taken by April Boydd

COMMITTEE MEMBERS PRESENT	COMMITTEE MEMBERS ABSENT
Jonathan Ingram, Chairman – City of Murrieta Natasha Johnson, Vice Chair – City of Lake Elsinore Lesa Sobek – City of Menifee Crystal Ruiz – City of San Jacinto	Larry Greene – City of Canyon Lake Kevin Jeffries – County of Riverside, District 1 Jeff Hewitt – County of Riverside, District 5

**Arrived after start of meeting ** Departed before meeting adjourned*

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 – May 15, 2019

M/S/C (City of Lake Elsinore/City of San Jacinto) to approve the minutes of the May 15, 2019, meeting of the Executive Committee as submitted.

(4 Ayes, 0 Nays, 0 Abstain)

7. WESTERN RIVERSIDE COUNTY MSHCP FEE COLLECTION REPORTS FOR MAY, JUNE AND JULY 2019

Honey Bernas, Deputy Executive Director, reported that for the months of May, June and July 2019, the total of fee collection receipts was \$5,138,495.

M/S/C (City of San Jacinto/ City of Menifee) to approve this item as recommended:

Overview

This item is for the RCA Executive Committee to:

- 1) Recommend that the RCA Board of Directors receive and file the Western Riverside County MSHCP Fee Collection Reports for May, June and July 2019; and
- 2) Authorize staff to agendize this matter for the September 9, 2019, meeting of the RCA Board of Directors.

(4 Ayes, 0 Nays, 0 Abstain)

8. FISCAL YEAR 2019 PRELIMINARY FOURTH QUARTER FINANCIAL REPORT (UNAUDITED)

Honey Bernas, Deputy Executive Director, presented the Fiscal Year 2019 Fourth Quarter Financial Report, which included an Executive Summary (cash balance summary and financial statement overview), detailed financial statements, and MSHCP Fee Collections Report. She reported that as of June 30, 2019, the cash balance was \$42.1 million, which represents an \$813 thousand increase from the prior fiscal year ending cash balance. Cash receipts totaled approximately \$38.4 million, and cash disbursements totaled approximately \$37.6 million. The cash balance as of August 16, 2019, was \$42.1 million, and an additional \$6.4 million is set aside as restricted for the endowment for a total of \$48.5 million. In the Operations Program, revenue of \$717 thousand exceeded expenditures of \$345 thousand by \$372 thousand. The excess revenue is primarily attributable to interest earnings being higher than projected. Additionally, the Operations Program met its budget for flood, civic and infrastructure projects for the year. The RCA also had savings in legal services for the Operations Program. In the Land Management and Monitoring Program, revenues of \$4.3 million exceeded expenditures of \$2.9 million by \$1.4 million. For Fiscal Year 2019, Tipping

RCA EXECUTIVE COMMITTEE MINUTES

Page 3 of 8

August 21, 2019

tonnage of 2.5 tons of out-of-county waste was approximately 2.5% higher than the prior year's tonnage. She further stated that with the excess in Tipping Fees, RCA was able to set aside \$500 thousand into RCA's Endowment Fund for the year. This increases the balance in the Endowment Fund to \$6.4 million. RCA also had savings in contract costs of \$175 thousand for County Parks, \$137 thousand for SAWA, and \$30 thousand for other miscellaneous contracts. In the Land Acquisition Program, expenditures of \$38.2 million exceeded revenues of \$32.6 million by \$5.6 million due to the acceleration of the Anheuser Bush acquisition. Total Developer Mitigation fees for the year of \$17.8 million exceeded the budget of \$16.7 million by \$1.1 million. This represents an increase of \$3.1 million, or 21%, over the prior year mitigation fees. The highest contributors were the County of Riverside, City of Beaumont, and the City of Menifee. During the 2019 Fiscal Year, RCA acquired 26 properties totaling approximately 1,767 acres, including four land donations. In addition to the mitigation fees, funding for the properties was received from Measure A, Federal, State, TUMF, and Land Conservation funds.

M/S/C (City of San Jacinto/ City of Lake Elsinore) to approve this item as recommended:

Overview

This item is for the RCA Executive Committee to:

- 1) Recommend that the RCA Board of Directors receive and file the Fiscal Year 2019 Preliminary Fourth Quarter Financial Report; and
- 2) Authorize staff to agendize this matter for the September 9, 2019, meeting of the RCA Board of Directors.

(4 Ayes, 0 Nays, 0 Abstain)

9. RESOLUTION NO. 2019-00X, RESOLUTION OF THE BOARD OF DIRECTORS OF THE WESTERN RIVERSIDE COUNTY REGIONAL CONSERVATION AUTHORITY AMENDING AND ADOPTING THE TICKET DISTRIBUTION POLICY TO CONFORM WITH SECTION 18944.1 OF TITLE 2, CALIFORNIA CODE OF REGULATIONS

Steve DeBaun, General Counsel, presented the Ticket Distribution Policy which conforms with Section 18944.1 of Title 2, California Code of Regulations. He gave a brief overview of the Ticket Distribution Policy.

Chairman Ingram requested that General Counsel explain what tickets are being referred to in the policy.

Steve DeBaun, General Counsel, explained that tickets could be for sporting events and recreational events related or not related to agency business. He stated that the FPPC has rules on how Board Members acquire tickets to events. The Executive Director is required to implement the Ticket Policy. The policy allows for the Executive Director to

RCA EXECUTIVE COMMITTEE MINUTES

Page 4 of 8

August 21, 2019

buy tickets for his/herself and states that the Executive Director is prohibited from providing tickets to upper management such as Board Members. He further stated that the recommendation is for the Executive Committee to recommend that the Board adopt the revised Ticket Policy.

M/S/C (City of San Jacinto/City of Lake Elsinore) to approve this item as recommended:

Overview

This item is for the RCA Executive Committee to:

- 1) Recommend that the RCA Board of Directors adopt Resolution No. 2019-00X, Resolution of the Board of Directors of the Western Riverside County Regional Conservation Authority Amending and Adopting the Ticket Distribution Policy to Conform with Section 18944.1 of Title 2, California Code of Regulations; and
- 2) Authorize staff to agendize this matter for the September 9, 2019, meeting of the RCA Board of Directors.

(4 Ayes, 0 Nays, 0 Abstain)

10. FISCAL YEAR 2019 FOURTH QUARTER CONSULTANT REPORTS

Charlie Landry, Executive Director, reported on the activities and services provided by Dudek, Geographics, Kadesh & Associates, LLP, Riverside County Regional Parks and Open-Space District, the Santa Ana Watershed Association and Douglas P. Wheeler, Hogan Lovells, US LLP, during the Fourth Quarter of Fiscal Year 2019.

M/S/C (City of Lake Elsinore/City of Menifee) to approve this item as recommended:

Overview

This item is for the RCA Executive Committee to:

- 1) Recommend that the RCA Board of Directors to receive and file the Fiscal Year 2019 Fourth Quarter Consultant Reports; and
- 2) Authorize staff to agendize this matter for the September 9, 2019, meeting of the RCA Board of Directors.

(4 Ayes, 0 Nays, 0 Abstain)

11. EXECUTIVE DIRECTOR'S REPORT

11.1 Upcoming Election of Officers

Charlie Landry, Executive Director, reminded the Executive Committee that the Election of Officers for Chair and Vice Chair will take place in December.

11.2 Status of Response to Grand Jury Report

Charlie Landry, Executive Director, reported that RCA is in the process of completing the responses to the Grand Jury Report and will provide the responses to the Board on September 9, 2019. He stated that there are no findings of malfeasance or budget irregularities. The findings are mostly about long-term funding and management of the reserve. He further stated that the Grand Jury believes that duplicated efforts are taking place and recommended that RCA be consolidated under another agency. He disagrees with the recommendation and stated that consolidating RCA would create another layer of bureaucracy.

Chairman Ingram stated that he disagrees with several of the findings in the Grand Jury report. He explained the function of the Grand Jury and stated that much of the information in the report is incorrect.

Vice Chair Johnson stated that she agreed with the Chairman. She suggested that the RCA concur with and act upon the recommendations in areas that need improvement, such as education. She disagreed with the findings on RCA spending too much money on outsourcing contracts, stating that it would cost much more to hire staff in-house to perform the work that is contracted out.

Chairman Ingram stated that he agreed with Vice Chair Johnson. RCA deals with multiple disciplines that require multiple engineers and biologists. RCA would have to hire multiple staff to accomplish the work it outsources. Using contractors eliminates PERS liability and all the peripheral expenses associated with in-house employees. There are years that development fee revenue that RCA receives is low and other sources of revenue would need to be used to fund positions rather than implementing the Plan. He also stated that all of the projects have different facets.

Vice Chair Johnson stated that the Board that is committed to the Plan. She stated that she is not in favor of RCA being put under another level of bureaucracy. She recommended that the Board thank the Grand Jury for their feedback and recommendations, that RCA implement suggestions such as education, and advise that the RCA looks forward to providing more information in the future. She further stated that she did inform the Grand Jury that all Board Members are offered orientation when being appointed to the RCA Board.

Chairman Ingram stated that RCA has allocated funding for education and sends out information. Some of what RCA is being held accountable for is out of its sphere of

influence. He further stated that it is important to understand what the Plan has achieved. He requested Charles Landry give a brief review of RCA's accomplishments over the last four years.

Charles Landry gave a brief review of RCA's accomplishments over the last four years.

Board Member Ruiz stated that she concurs with the Chairman and asked Charles Landry to read the Grand Jury responses.

Charles Landry gave a brief overview of the Grand Jury responses.

Chairman Ingram stated that the RCA has already been implementing most of the Grand Jury recommendations over the last two years.

11.3 Status of Member Agency Agreed-upon Procedures

Honey Bernas, Deputy Executive Director, reported back on the status of Agreed-upon Procedures for the following Member Agencies:

City of Calimesa

The RCA and the City of Calimesa have been working cooperatively and diligently to resolve outstanding fees for the JB Ranch project since 2012. Initially, the RCA was going to accept property in lieu of fees. However, after several meetings, it was decided that it was not in the best interest of RCA to assume the liability and management costs associated with the property.

Tricia Campbell, Director of Reserve Management and Monitoring, advised that all of the land is in a wildlife corridor that was involved in a lawsuit which would result in RCA having overlapping management issues. The city does not want to pay another entity to manage the land and RCA would not be able to manage the lands as ordered in the settlement agreement which are over and above what is required by the MSHCP. Managing the lands would cost RCA more than the fees owed. The City of Calimesa is working to collect the fees from the developer.

Chairman Ingram asked if RCA will be acquiring the wildlife corridor or if the city will get the property.

Tricia Campbell stated that per the settlement agreement, the land is to be natural open space managed by a special district.

City of Riverside

Honey Bernas reported that the RCA and the City of Riverside have been working to resolve outstanding issues for several years, but have been unable to reach agreement. A meeting with the City is scheduled for September, and Chair Ingram and Board Member Melendrez will be in attendance.

Michelle Ouellette, Legal Counsel, explained that the reason for the meeting has to do with two issues. The first issue having to do with the way the City of Riverside assesses fees. The second issue is regarding outstanding fees for a city projects that staff negotiated to accept property in lieu of fees.

11.4 Status of State Listing of San Bernardino Kangaroo Rat

Charlie Landry, Executive Director, reported that the State Fish and Wildlife Commission held a hearing to start the one year process to emergency list the San Bernardino Kangaroo Rat. The San Bernardino Kangaroo Rat is a Federally Listed species and covered under the MSHCP. The State is moving forward with the listing. The RCA has one of the two major populations. The other population is near the confluence of the I-15/I-215 area. There is a major development project in that area, which is what generated the emergency listing. The MSHCP provides take for the San Bernardino Kangaroo Rat so the listing has no impact on RCA on RCA or its Member Agencies, which is a benefit of the Plan. The listing will impact San Bernardino. The RCA was not consulted by the State regarding the action, which concerned the RCA due to the fact one of the major populations is within our Plan Area. Therefore, the RCA wrote a letter to the State expressing concern that RCA was not consulted and requested the opportunity to coordinate. RCA coordinated its response with the BIA who requested RCA's input.

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

Chairman Ingram instructed the Executive Director and staff to give an update on the conversations with the State Lobbyist to discuss peripheral funding for wildfire risk. He also requested a discussion regarding subcontracting private non-entity agencies and funding options for wildfire management programs from a State level.

13. CLOSED SESSION ITEMS:

13.1 CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION

Initiation of litigation pursuant to paragraph (4) of subdivision (d) of Section 54956.9

Number of Cases: 1

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

Case No. RIC1720190 *Jorge Godinez vs. Western Riverside County Regional Conservation Authority; Robert Holmes; Holmes Investments, L.P.; United Pacific Rail Road; Mills Road Holdings*

After closed session, the meeting was reconvened. There were no announcements from General Counsel on closed session.

14. ADJOURNMENT

There being no other items before the Executive Committee, Chairman Ingram 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, September 18, 2019, at 12:00 p.m., at the Riverside Centre, 3403 Tenth Street, Suite 320, Third Floor, RCA Conference Room, Riverside, California, 92501.

Prepared by:



April Boydd
Administrative Manager

Respectfully submitted:



Honey Bernas
Clerk of the Board

AGENDA ITEM NO. 7

**WESTERN RIVERSIDE COUNTY
MSHCP FEE COLLECTION
REPORTS FOR
AUGUST 2019**

Regional Conservation Authority

**WESTERN RIVERSIDE COUNTY
MSHCP FEE COLLECTION REPORT FOR
AUGUST 2019**

Staff Contact:

**Honey Bernas
Deputy Executive Director
(951) 955-9700**

Background:

The RCA Executive Committee directed staff to report on Western Riverside County Multiple Species Habitat Conservation Plan (MSHCP) Local Development Mitigation Fee (LDMF) Collection and Civic/Infrastructure Contribution on a monthly basis.

Attached is the report for August 2019. The report was prepared on a cash basis and, therefore, reflects the cash received by RCA during that month.

Staff Recommendations:

That the RCA Executive Committee –

- 1) Recommend that the RCA Board of Directors receive and file the Western Riverside County MSHCP Fee Collection Report for August 2019; and
- 2) Authorize staff to agendize this matter for the October 7, 2019 meeting of the RCA Board of Directors.

Attachment

Western Riverside County MSHCP LDMF Collection and Civic/Infrastructure Contribution Report for August 2019

AGENDA ITEM NO. 7
Attachment 1

**Western Riverside County
MSHCP LDMF Collection and
Civic/Infrastructure Contribution
Report for August 2019**

**WESTERN RIVERSIDE COUNTY MSHCP LDMF COLLECTION AND
CIVIC/INFRASTRUCTURE CONTRIBUTION REPORT FOR AUGUST 2019
CASH BASIS**

LOCAL DEVELOPMENT MITIGATION FEE COLLECTIONS						
		REMITTED			EXEMPTIONS & FEE CREDITS	
		Residential Permits	Commercial/Industrial Acres	Amount Remitted	Residential Permits	Amount
City/County	Month					
City of Banning	July received in Sept.					
City of Beaumont	July	8	2.7	\$37,054		
City of Calimesa	July	30		\$65,040		
City of Canyon Lake	July	1		\$2,168		
City of Corona	July received in Sept.					
City of Eastvale	July	37	2.1	\$65,230		
City of Hemet	July - No Activity					
City of Jurupa Valley	July	13	16.7	\$161,114		
City of Lake Elsinore	July - No Activity					
City of Menifee	July	37		\$72,416		
City of Moreno Valley	July	35	5.6	\$118,041		
City of Murrieta	July - Pending					
City of Norco	June	1		\$2,104		
	July - No Activity					
City of Perris	July	3		\$5,430		
City of Riverside	July - Pending					
City of San Jacinto	July	17		\$36,856		
City of Temecula	July	9		\$19,512		
City of Wildomar	July	8	5.9	\$60,529		
County of Riverside	August	178		\$388,664		
	Starfield Sycamore Investors*				12	\$23,256
Total LDMF Collections		377	32.9	\$1,034,159	12	\$ 23,256

CIVIC AND INFRASTRUCTURE CONTRIBUTIONS		
Riverside County Flood Control and Water Conservation Dist.	Lake Elsinore-3rd Street Channel	\$21,900
	South Norco Channel, Stage 6, Norco MDP Line S	\$232,333
Total Civic/Infrastructure Contributions		\$254,233

TOTAL AUGUST 2019 \$1,288,392

* Starfield Sycamore Investors - Fee Credit Agreement with County of Riverside. Properly exempted at \$1,938 rate.

AGENDA ITEM NO. 8

STAFF REPORT SOCIAL MEDIA POLICY

Regional Conservation Authority

**RESOLUTION NO. 2019-013, RESOLUTION OF THE BOARD OF DIRECTORS
OF THE WESTERN RIVERSIDE COUNTY REGIONAL CONSERVATION
AUTHORITY ADOPTING A SOCIAL MEDIA POLICY**

Staff Contact:

**John Field
Director of Land Acquisition
(951) 955-9700**

Background:

On September 10, 2018, the RCA Board of Directors approved an agreement between the RCA and OPR Communications, Inc., for a public outreach campaign and on-call media services. Part of the outreach campaign includes the establishment and maintenance of our social media presence on several platforms. Most public agencies that utilize social media establish policies to set content guidelines and establish how frequently the sites will be monitored and updated. The attached policy will guide staff and consultants in the development of the RCA's social media sites and establish update and maintenance procedures.

Staff Recommendations:

That the RCA Executive Committee –

- 1) Recommend that the RCA Board of Directors adopt Resolution No. 2019-013, Resolution of the Board of Directors of the Western Riverside County Regional Conservation Authority Adopting a Social Media Policy; and
- 2) Authorize staff to agendize this matter for the October 7, 2019, meeting of the RCA Board of Directors.

Attachment

- 1) Resolution No. 2019-013

AGENDA ITEM NO. 8
Attachment 1

Resolution 2019-013

RESOLUTION NO. 2019-013

**RESOLUTION OF THE BOARD OF DIRECTORS OF THE
WESTERN RIVERSIDE COUNTY REGIONAL CONSERVATION AUTHORITY
ADOPTING A SOCIAL MEDIA POLICY**

WHEREAS, Board of Directors approved an agreement to hire a public relations firm to begin a public outreach campaign on September 10, 2018; and

WHEREAS, Social media platforms are a very common means of providing information to the public as well as board members and employees; and

WHEREAS, Most public entities that have a presence on social media have a stated policy regarding the use, maintenance, and updating of said social media; and

WHEREAS, The intent of establishing a social media campaign is to increase public awareness of the Western Riverside County Multiple Species Habitat Conservation Plan (MSHCP) and the RCA, as well as provide updates, meeting notices, news releases, and other up-to-date information on the RCA and MSHCP; and

WHEREAS, the Board of Directors of the Western Riverside County Regional Conservation Authority has been presented with a Social Media Policy, attached hereto as Exhibit A and incorporated by reference; and

WHEREAS, the Board of Directors, has reviewed the Social Media Policy and wishes to approve the same;

NOW, THEREFORE, BE IT RESOLVED that the Board of Directors of the Western Riverside County Regional Conservation Authority hereby approves and adopts the Social Media Policy attached hereto as Exhibit A. Furthermore, staff shall be directed to maintain a copy of the Social Media Policy on file at the offices of the RCA and is available for inspection by the public.

PASSED AND ADOPTED at the regular meeting of the Board of Directors of the Western Riverside County Regional Conservation Authority held this 18th day of September, 2019.

By: _____
Jonathan Ingram, Chairman
Western Riverside County Regional
Conservation Authority

ATTEST:

By: _____
Honey Bernas, Clerk of the Board
Western Riverside County Regional
Conservation Authority

AGENDA ITEM NO. 8
Attachment 2

EXHIBIT A
SOCIAL MEDIA POLICY

Western Riverside County Regional Conservation Authority Social Media Policy

I. PURPOSE

The Western Riverside County Regional Conservation Authority (RCA) makes important contributions to the community and the public on a broad range of issues related to species protection, environmental stewardship, and meaningful infrastructure and economic development. Social media is an essential channel for sharing with our constituents the exciting work being done by RCA and our partner agencies. RCA's social media usage will be limited to topics within the subject matter of RCA's jurisdiction. Social media provides our agency with a valuable means of communicating and collaborating with the communities we serve. The purpose of RCA social media sites is to disseminate information about RCA's mission, meetings, activities, and current issues to the public. RCA staff and contractors who engage in social media on behalf of the agency should do so in a manner that is thoughtful, strategic, and collaborative to help inform and educate the public about the significant value of our work and RCA's progress toward achievement of its mission.

This document establishes RCA's Social Media Policy (this "Policy"), and accompanying protocols and procedures. This Policy will be periodically reviewed and may be revised as appropriate by RCA's Executive Director. RCA reserves the right to change, modify, or amend all or part of this Policy at any time.

II. APPLICABILITY

This policy applies to all RCA employees and approved volunteers, consultants, service providers and contractors performing business on behalf of RCA. This Policy also applies to the RCA Board of Directors (See Section VI).

III. RESPONSIBILITY

RCA's Executive Director, or his/her designees, are responsible for facilitating compliance with this Policy. This includes the responsibility to audit agency use of social media and enforce policy compliance.

IV. POLICY

1. RCA's use of social media technology shall conform to the policies, protocols and procedures in this document.
2. RCA's decision to embrace social media considers the value and importance of communicating the agency's mission and goals, technical capabilities and its benefits, achievements and issues management.
3. Access to RCA's social media pages is limited to individuals performing official RCA or County business.
4. RCA is responsible for establishing and maintaining content posted to its social media sites and shall have measures in place to prevent inappropriate or harmful information and links, including by the enforcement of the Site Content guidelines under Section V, below.
5. Use of social media shall be documented and maintained in an easily accessible format that tracks account information and preserves items that may be considered a record subject to disclosure under the California Public Records Act or required to be retained pursuant to the Government Code. RCA's Executive Director, or his/her designee, shall ensure an RCA employee is regularly retaining the social media posts and associated comments contemplated by this Policy.
6. Social media sites shall be monitored regularly, and prompt corrective action shall be taken when an issue arises that places, or has potential to place, RCA at risk.

V. PROCEDURES

The following shall apply to all RCA representatives authorized to utilize RCA social media sites on behalf of RCA:

Policy 1: Social Media Technology Use

- 1.1) Comply with all applicable federal, state, and county laws, regulations and policies including, but not be limited to, copyright, records retention, privacy and employment-related laws, the California Public Records Act, and County established Workforce,

Information and Technology, e-Government and Social Media usage policies.

- 1.2) Be familiar and conduct social media activity in accordance with RCA's Social Media Guidelines.

Policy 2: Authorized Use

- 2.1) Social media network access shall be limited to those with a clear business or public outreach purpose that can be furthered by use of RCA's social media sites, as authorized by RCA's Executive Director, or his/her designee, and in compliance with the purpose of this Policy.

Policy 3: Site Content

- 3.1) RCA is responsible for the content and upkeep of its social media sites.
- 3.2) Sharing or posting content owned by others shall be performed in accordance with copyright, fair use and established laws pertaining to materials owned by others. This includes, but is not limited to, quotes, images, documents, links, etc.
- 3.3) Any electronic content maintained on an RCA social media site, may be considered a public record subject to disclosure under the California Public Record Act.
- 3.4) RCA is responsible for monitoring posts on its social media sites, and taking appropriate action when necessary to protect general site visitors from inappropriate information and links in violation of the express limitations imposed by this Policy. It is understood that social media is a 24/7 medium, however, RCA's moderation capabilities are not. RCA may not see every inappropriate comment right away, and is trusting in the maturity of the community to ignore inappropriate or harmful speech until it can be reviewed and/or removed.
- 3.5) RCA social media sites that allow public comment shall inform visitors of the intended purpose of the site by including a Policy

statement in line with Article I above or a link to RCA's social media policy, and shall provide a clear statement of the discussion topic introduced for public comment so that the public is aware of the limited nature of the discussion. The following type of posts, regardless of format, may be subject to removal for being in violation of this Policy, including but not limited to:

- 3.5.1)** comments not topically related;
- 3.5.2)** profane or obscene language or content;
- 3.5.3)** content that promotes, fosters or perpetuates discrimination on the basis of race, creed, color, age, religion, gender, marital status, status with regards to public assistance, national origin, physical or mental disability or sexual orientation;
- 3.5.4)** sexual content or links to sexual content;
- 3.5.5)** solicitations of commerce;
- 3.5.6)** conduct or encouragement of illegal activity;
- 3.5.7)** information that may tend to compromise the safety or security of the public or public systems;
- 3.5.8)** content that violates a legal ownership interest of any other party;
- 3.5.9)** content that levels personal attacks on individuals or would be considered libelous, malicious and/or would constitute slander; and
- 3.5.10)** threats of violence or injury to any person, property or organization.

Policy 4: Records Management

- 4.1)** RCA is responsible for the creation, administration, and deactivation of social media accounts.
 - 4.1.1)** Account password information shall only be shared with authorized staff that has been designated by the Executive

Director, or her/his designee, to fulfill the role of site account administrator.

4.2) RCA shall maintain a record of social media sites created for RCA's internal use, including, but may not be limited to:

4.2.1) A log file containing the name of the social media network, account ID, password, registered email address, date established, authorizing representative and name of person who created account and agreed to the sites terms of use agreement and/or policy.

4.3) Electronic information posted to a social media site by RCA, or a member of the public if permitted, may be considered a record subject to disclosure under the California Public Record Act. RCA's Executive Director, or his/her designee, shall ensure an RCA employee is regularly taking screenshots, documenting and retaining all RCA social media posts contemplated by this Policy.

4.3.1) Any electronic content maintained in a social media format that is related to RCA business, including a list of subscribers and RCA or public posted communication, may be a public record.

4.3.2) Posts deemed technically harmful or inappropriate shall be promptly documented, saved and removed.

Policy 5: Social Media Guidelines

5.1) RCA shall follow the following guidelines for approval and vetting of postings on its social media pages. RCA reserves the right to remove content posted to its social media pages that violates its guidelines and this Policy, but must retain a record of any such removed content.

5.2) Suitable postings shall include a variety of potential topics and formats regarding RCA business, subject to the approval of the Executive Director or his/her designee, including, but not limited to:

5.1.1) approved RCA news releases;

- 5.1.2) acquisitions, species news and updates, policy statements, special events, community events, news related to partners agencies or other County departments involved in shared or collaborative activities;
- 5.1.3) photos and video approved for release to the media or social media posting; and
- 5.1.4) External links as deemed appropriate to Internet or social media postings by partner agencies, other federal or state government, media coverage, social media postings, conservation groups, community organizations or other County departments involved in shared or collaborative activities.

Policy 6: Best Practices

- 6.1) RCA shall follow Best Practices in its social media usage, including:
 - 6.1.1) **Be respectful:** All postings should be respectful and RCA representatives should take care not to engage in social media conduct that would be unacceptable in a workplace.
 - 6.1.2) **Be accurate:** Ensure that accurate information is being posted. If errors occur, correct them quickly, and ensure the original posting is retained in accordance with the procedure described in this Policy.
 - 6.1.3) **Best judgment:** Remember that there are consequences to all posts so careful consideration must be given to all content beforehand. All postings should be vetted and approved by RCA's Executive Director or his/her designee.
 - 6.1.4) **Delete personal information:** Personal information should not be posted on social media sites, including but not limited to: personnel information, email or personal addresses or phone numbers.
- 6.2) **Public Comments:** RCA may choose not to reply to public comments posted on RCA social media sites, especially those that are off-topic,

violate any term or condition of this Policy, or are objectionable. Objectionable messages include, but are not limited to, messages that are a personal attack, cultural or racial slurs, lewd or obscene comments, or comments that are otherwise offensive.

- 6.3)** Photos and videos posted on social media pages should be screened and carefully reviewed to ensure they are appropriate before posting. Photos should not depict alcohol, nudity, or graphic scenes involving species that may prove distressing to viewers.
- 6.4)** Media Inquiries: Postings may generate media interest and coverage. Any media inquiries generated by a posting should be directed to the Executive Director or his/her designee.
- 6.5)** Public Inquiries: Postings may generate direct messages from the public interested in the posted subject. Any postings that involve inquiries should be directed to the Executive Director or his/her designee for review and potential response.

VI. APPLICABILITY TO RCA BOARD OF DIRECTORS

- 1. RCA Board of Directors members (“Board members”) shall comply with the guidelines included in this Policy. RCA is not responsible for the contents or accuracy of material posted on Board members’ personal social media sites, or for any comments made by Board members’ on RCA’s social media sites posted independently and without RCA’s consent or approval. Publication of such content does not constitute an endorsement by RCA.
- 2. RCA social media sites will be managed consistent with the Brown Act. Board members shall only comment, like, share, retweet, etc. any published RCA social media posting when doing so encourages public participation or otherwise disseminates information in a manner consistent with this Policy.

3. Board members shall not use electronic communication to respond to, blog or engage in serial meetings, or otherwise discuss, deliberate, or express opinions on any issue within the subject matter jurisdiction of that legislative body. Under no circumstances shall any such Board members share his or her thoughts on any item or discussion that may come before that legislative body, nor may any such Board member engage in any electronic communication with any other member when the topic of the social media posting may be subject to deliberation by the RCA Board.
4. Board members will include the following language on their personal social media sites to prevent confusion and false public expectations that their sites are affiliated with RCA: “This page is not operated by the Western Riverside County Regional Conservation Authority (RCA) and is not a reflection of the RCA’s policies or opinions.”
5. Board members must keep their social media presence separate from that of RCA, and other Board Members’ social media sites. Posts from RCA’s social media sites not pertaining to the subject matter jurisdiction of the Board may be shared on those members’ personal social media sites.

AGENDA ITEM NO. 9

STAFF REPORT

**AUTHORITY TO SIGN A TIME EXTENSION
FOR THE AGREEMENT FOR THE
PURCHASE OF FIFTY COLTON DUNES
CONSERVATION BANK CREDITS
BETWEEN THE WESTERN RIVERSIDE
COUNTY
REGIONAL CONSERVATION AUTHORITY
AND CALMAT COMPANY**

Regional Conservation Authority

AUTHORITY TO SIGN A TIME EXTENSION FOR THE AGREEMENT FOR THE PURCHASE OF FIFTY COLTON DUNES CONSERVATION BANK CREDITS BETWEEN THE WESTERN RIVERSIDE COUNTY REGIONAL CONSERVATION AUTHORITY AND CALMAT COMPANY

Staff Contact:

**John Field
Director Land of Acquisition
(951) 955-9700**

Background:

On September 10, 2018, the RCA Board of Directors approved a funding agreement with Crestmore Redevelopment, LLC, (Crestmore) which is planning to remediate and repurpose the former Riverside Cement Plant in the City of Jurupa Valley. On April 1, 2019 the Board approved an agreement with CalMat Company (CalMat) to purchase 50 conservation credits in the Colton Dunes Conservation Bank utilizing the funds from the Crestmore agreement, in order to satisfy conservation requirements for the Delhi Sands flower-loving fly (*Rhaphiomidas terminatus abdominalis*) for the Agua Mansa area in the City of Jurupa Valley.

Also on April 1, 2019, an amendment to the Crestmore agreement was approved by the RCA Board in order to address some minor changes to the provisions in the agreement. At that time the RCA Board also authorized the Executive Director of the RCA to approve an extension of time should one become necessary, however such a provision was not included in the recommended motion for the agreement with CalMat Company.

As entitlements for Crestmore Redevelopment, LLC's, project may take a few months longer than originally anticipated, an extension of time may be needed for both agreements. Therefore, the purpose of this agenda item is to give the Executive Director the authority to sign an extension of time for the CalMat agreement should one become necessary, provided no other material provisions in the agreement are being changed.

Agenda Item No. 9 Staff Report

Page 2

September 18, 2019

Staff Recommendations:

That the RCA Executive Committee:

- 1) Recommend that the RCA Board of Directors authorize the Executive Director of RCA to approve a time extension of the CalMat Agreement in the event one is necessary; and
- 2) Authorize staff to agendize this matter for the October 7, 2019, meeting of the RCA Board of Directors.

2019 RCA - Commonly Used Acronyms

ARL	Additional Reserve Lands
BUOW	Burrowing Owl
CALFIRE	California Department of Forestry and Fire Protection
CALTRANS	California Department of Transportation
CD	Consistency Determination
CDFG	California Department of Fish and Game
CDFW	California Department of Fish and Wildlife (<i>formerly CDFG</i>)
CEQA	California Environmental Quality Act
CETAP	Community and Environmental Transportation Acceptability Process
CHD	Critical Habitat Designation
CIP	Capital Improvement Program
CNLM	Center for Natural Lands Management
DBESP	Determination of Biologically Equivalent or Superior Preservation
EMWD	Eastern Municipal Water District
EPD	Environmental Programs Department (<i>Riverside County</i>)
ERP	Expedited Review Process
ESA	Endangered Species Act
FAST	Fixing America's Surface Transportation
FY	Fiscal Year
HANS	Habitat Evaluation and Acquisition Negotiation Strategy
HCP	Habitat Conservation Plan
HMU	Habitat Management Unit
IC	Interchange
IMER	Initial Management Evaluation Report
JPR	Joint Project Review
LDMF	Local Development Mitigation Fee
MOU	Memorandum of Understanding
MSHCP	Multiple Species Habitat Conservation Plan
OHV	Off-Highway Vehicle
PCL	Proposed Constrained Linkage
PQP	Public/Quasi-Public
PSE	Participating Special Entities
RCA	Regional Conservation Authority
RCD	Resource Conservation Districts
RCOE	Riverside County Office of Education
RCRCD	Riverside-Corona Resource Conservation District
RCTC	Riverside County Transportation Commission
RCTD	Riverside County Transportation Department
RMOC	Reserve Management Oversight Committee
ROVE	Recreation Off-Highway Vehicle Enforcement
SAWA	Santa Ana Watershed Association
SB	San Bernardino
SR	State Route
SWG	State Wildlife Grant
TAC	Technical Advisory Committee
TIFIA	Transportation Infrastructure Finance and Innovation Act
TUMF	Transportation Uniform Mitigation Fee
USFWS	United States Fish and Wildlife Service
UTM Nad 83 Zone 11	Meter Coordinate System for Maps
WA	Wildlife Agencies (<i>USFWS & CDFW</i>)
WCB	Wildlife Conservation Board
WIFIA	Water Infrastructure Finance and Innovation Act
WIIN	Water Infrastructure Improvements for the Nation
WPT	Western Pond Turtle
WRDA	Water Resources Development Act