
Riverside County Habitat Conservation Agency

City of Corona ◇ *City of Hemet* ◇ *City of Lake Elsinore* ◇ *City of Moreno Valley*
City of Murrieta ◇ *City of Perris* ◇ *City of Riverside* ◇ *City of Temecula* ◇ *County of Riverside*

MINUTES

Thursday, February 16, 2006 - 9:00 a.m.

Riverside County Administrative Center
4080 Lemon Street
Board Hearing Room – 1st Floor
Riverside, CA 92501

PRESENT: Ms. Robin Lowe, Chairperson – City of Hemet
Mr. Mark Yarbrough, Vice-Chair – City of Perris
Mr. Bill Batey, City of Moreno Valley
Supervisor Bob Buster, County of Riverside
Mr. Dom Betro, City of Riverside
Mr. Bob Schiffner, City of Lake Elsinore
Mr. Steve Brown, City of Temecula

ABSENT: Mr. Eugene Montanez, City of Corona
Mr. Kelly Seyarto, City of Murrieta

STAFF: Carolyn Syms Luna, RCHCA
Kristi Lovelady, RCHCA
Karin Watts-Bazan, County Counsel

1. ROLL CALL

Robin Lowe called the meeting to order at 9:10 a.m. Roll call of the RCHCA Board of Directors showed seven member agencies present with the Cities of Corona and Murrieta absent.

2. PUBLIC COMMENT

No comments were offered.

3. CONSENT CALENDAR: Presented for Block Approval. Board Members have the option of excluding discussion items from a master motion.

3.1 Minutes from the September 29, 2005, Meeting

The minutes from the September 29, 2005, meeting was presented for approval.

3.2 Status of Mitigation Fee Transfers from Member Agencies

The Stephens' Kangaroo Rat Mitigation Fee Collection report for FY 2005/2006 was presented for review.

3.3 RCHCA Financial Report through January 2006

Ms. Luna reviewed the financial report for the month of December 2005. The fund balance as of December 31, 2005, is \$10,700,772.36.

MOTION for approval of items 3.1, 3.2, and 3.3: Bob Buster
SECOND: Bob Schiffner

Motion Approved
Ayes-7
None Opposed

4. POLICY CALENDAR: Presented for Block Approval. Board Members have the option of excluding discussion items from a master motion.

4.1 Report on Status of Coachella Valley Multiple Species Habitat Conservation Plan (CVMSHCP)

Ms. Luna reported that the CVMSHCP is in its 10th year and has finally been presented to the City Council for review and approval. She stated that the City Council has voted to move forward with the plan. One city (Indio) voted to oppose the habitat plan.

Ms. Luna stated that Supervisors Ashley and Wilson will be meeting with the Coachella Valley Association of Governments (CVAG) staff regarding the CVMSHCP. She stated there will be considerable press in the Desert Sun and some press in the Press Enterprise regarding the plan.

Chairman Lowe stated that she spoke with some of the council members from Desert Hot Springs on February 13th, and they reported to her that there are many issues that need to be worked through in regards to the plan.

Chairman Lowe suggested that we hold a workshop for interested individuals in order to educate them on the CVMSHCP.

4.2 Consider Request from Lakeshore Equities Concerning an Asset Recovery Program

Kristi Lovelady reported that last fall, the RCHCA was approached by Lakeshore Equities, an asset recovery firm, indicating that they had found unrecovered assets belonging to the RCHCA.

When queried further, Lakeshore Equities was unable to give us any more information, other than it was money and that they would provide us with additional information once we signed the contract that they had forwarded to us.

Ms. Lovelady stated that we are bringing this to the Board's attention as it would give Lakeshore Equities full legal power of attorney; therefore, they would retain one-third of any recovered funds.

Ms. Lovelady reported that RCHCA staff has some concern regarding providing another organization, one that we have very little knowledge of, with full power of attorney. We would, however, like to find out more about where these funds are located and possibly design a method to retrieve them, if it's feasible.

Staff's recommendation is to be authorized to negotiate a different contract with Lakeshore Equities so that we can get the location of the funds disclosed and pay Lakeshore a reasonable finders fee. We would like to wait on moving forward with this step until we actually have the RCHCA audit in hand. Once we have the audit in hand, perhaps it would shed more light on where these funds might be located or give us a better idea of how to approach this issue.

Supervisor Buster stated he felt this was not a good precedent for Lakeshore Equities to set because we are dealing with public funds.

Bill Batey concurred with Supervisor Buster. He stated he would like to meet the individuals from Lakeshore Equities prior to his being able to give the authority to contract with them.

Chairman Lowe also concurred with the above concerns by Supervisor Buster and Bill Batey. She stated she would question the legality of what they are attempting to do since it is public funds that we're dealing with.

Mark Yarbrough stated that there are many companies such as Lakeshore Equities. They conduct records searches in order to locate circumstances such as this. When they do, they approach the appropriate individuals in an attempt to contract with them for recovery of the funds.

Mr. Yarbrough felt it would be best for the RCHCA to look over its accounting to ensure that everything is in order, with no loose ends. He felt it best to look over everything before we sign over one-third of what is owed to us.

Carolyn Syms Luna stated that this came as a surprise to RCHCA staff as our books are very tightly managed. The amount Lakeshore Equities is saying we are owed is \$65,000. Ms. Luna also stated she has instructed the auditor to diligently look at this in the hopes of being able to determine where the problem lies. Possibly it's a piece of property that is unaccounted for or not properly recorded, etc.

MOTION not to approve item 4.2 or execute a contract until the audit is complete and return to the RCHCA Board with additional information.

4.3 Virtual Reserve Tour: Motte-Rimrock Reserve

Chairman Lowe thanked Mary Ashley and Ottie Motte for attending today's Board meeting and thanked them for all they have done for this agency, but also for Riverside County and the region.

Dr. Ken Halama conducted a virtual tour that shows some of the aspects of the Motte-Rimrock Reserve. He stated the Reserve is part of the University of California's Natural Reserve System, which is a system that was started over 40 years ago by three professors, Bill Mahew, Ken Norris, and Mildred Mathias.

The Motte-Rimrock Reserve was started due to the gracious gift of Ottie & Charlie Motte. The Reserve has grown to approximately 715 acres. It is located near Perris. The primary habitat found on the Reserve is Coastal Sage Scrub. Some of the species found on the Reserve is the Stephens' Kangaroo Rat, the California Gnatcatcher, and the Red Diamond Rattlesnake, along with a great abundance of flora plants. The Reserve has biological, as well as cultural resources. The Reserve has three scientifically documented archeological rock art sites.

Dr. Halama reported that his office (Reserve Manager) is located on the Reserve, along with Joseph Messin's office (Reserve Steward), and a bunk house where researchers can stay, should they want to use the Reserve or use the environment. A small plant and animal collection is also on the Reserve.

Dr. Halama stated they have developed a fire suppression plan in conjunction with CFG. He stated that CFG respects the sensitive nature of the Reserve, but at the same time, they know where and how to access the Reserve so as not to disturb the sensitive nature of the Reserve.

Dr. Halama reported that some of the other management issues they deal with on the Reserve are biological invasive species. These are non-native plants that grow and increase the fuel load, which increases the probability of fire. There's also the "edge effect" which is having urban areas up against the Reserve. This causes degradation of the habitat next to those urban areas. Therefore, you have invasive species coming in, along with water seeping in, which causes non-native species (i.e., ants, etc.) to invade. There is also illegal dumping just inside the fence line. Dr. Halama stated that people drive by and throw things over the fence (i.e., tires). He stated that items they can't get over the fence are often left just outside the Reserve. Intruders also come onto the Reserve. Mainly they are people that are attempting to get from one side of the Reserve to the other.

Chairman Lowe asked if the RCHCA is the party responsible for caring for the Reserve.

Dr. Halama stated that UCR is the responsible party. He stated that the Reserve has an endowment that was set up by Mr. & Mrs. Motte. There is also a budget from the State, through the UC system. He also stated that it is within his power to request money from potential donors and to write grants to various agencies for additional funding to improve the facilities. He reported that sometime in the future, they would like to get a classroom building located on the Reserve and possibly upgrade the office facilities. Dr. Halama stated the Reserve is working with the development people at UCR regarding this.

Kristi Lovelady stated that the RCHCA plays a small role in assisting with the various reserves. She stated that when the SKR Reserve System was designated, a "non-wasting endowment" was set aside in the amount of just over \$300,000. The annual

interest income from the endowment is provided to the Reserves.

Dr. Halama stated that the RCHCA endowment assists the Motte-Rimrock Reserve with the upkeep of the fences and conducts SKR monitoring on the property.

Supervisor Buster expressed an interest in the RCHCA helping the Reserve with illegal trespass and dumping issues.

Bill Batey asked when the last time was that the Fire Suppression Plan was updated.

Dr. Halama stated he believed the Fire Suppression Plan was last updated approximately three years ago.

Bill Batey suggested that a meeting be held with the County Fire Chief so that he can be aware of where and how the Reserve should be accessed, so as not to disturb any more habitat/species than is absolutely necessary, in the event that there is a fire and fire crews need to get onto the Reserve to fight the fire.

Dr. Halama felt that having a meeting with the Fire Chief would be a very good idea.

4.4 Approval of the Motte-Rimrock Reserve Management Plan

Kristi Lovelady presented the Motte-Rimrock SKR Management Plan. She stated this is the first management plan to come to us since the RCHCA Board approved the policy on how we disburse endowment money. She stated that staff is pleased to say the Reserve meets all of the qualifications in the policy and the RCHCA has sufficient interest built up to accommodate the Reserve's request for \$5,375 to cover this year's management activities, as well as monitoring activities. The Reserve has set up a monitoring plan that coincides with UC San Diego's protocol and will be dovetailed in with what we are doing with Dudek on the reserve lands that the RCHCA owns throughout the county.

Ms. Lovelady stated that staff is pleased with the proposal and recommend that the Board consider approving the request and allow RCHCA staff to disburse the funds.

Chairman Lowe recommended that the RCHCA provide the Motte-Rimrock Reserve with some additional one-time monies to assist with clean-up and improvement of the facility.

Supervisor Buster also recommended that the RCHCA provide some funding to assist with the illegal trespass and dumping issues on the Reserve, and with making the Reserve a resource for educational programs.

**MOTION for approval of item 4.4: Supervisor Buster
SECOND: Bill Batey**

**Motion Approved
Ayes – 7
None Opposed**

5. CLOSED SESSION

With respect to every item of business to be discussed in closed session pursuant to Government Code §§ 54956.9:

**Conference with real property negotiator:
Property – 322-240-029
Negotiating Party – Howard Schlundt
Under Negotiation – Terms/Conditions**

The Board adjourned to private session in order to discuss the above matter.

Upon return from closed session, Ms. Watts-Bazan reported that RCHCA staff was authorized to negotiate a purchase agreement with Mr. Schlundt for the property (APN 322-240-029). We will be commencing an appraisal and hope to arrive at an agreement with Mr. Schlundt. We will report back on this matter at the next Board meeting.

6. ADJOURNMENT

There being no further business to discuss, the meeting was adjourned at 10:15 a.m. The next meeting will be held on May 18, 2006.