
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, May 19, 2005 - 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. Eugene Montanez, City of Corona
Mr. Steve Brown, City of Temecula
Mr. Kelly Seyarto, City of Murrieta

ABSENT: None

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

1. ROLL CALL

Robin Lowe called the meeting to order at 9:05 a.m. Roll call of the RCHCA Board of Directors showed all member agencies present.

2. PUBLIC COMMENT

The following individuals offered comments regarding Agenda Item 4.3:

Joe Vanderhorst
Scott Dawson
Mark Pavelka
Cathy Bechtel

The following individuals offered comments regarding Agenda item 4.4:

Lisa Merritt
Eve Miller
Gail Wanczuk-Barton

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 November 18, 2004, meeting

The minutes from the November 18, 2004, meeting were presented for approval.

3.2 Status of Mitigation Fee Transfers from Member Agencies

The Stephens' Kangaroo Rat Mitigation Fee Collection report for FY 2004/2005 was presented for review.

3.3 RCHCA Financial Report through March 2005

Ms. Luna reviewed the financial report for the month of March 2005. The current balance within the RCHCA is approximately \$8.6 million.

3.4 Conceptual approval of a draft RFP that solicits consultant bids for developing a SKR Management and Monitoring Plan on RCHCA SKR Reserve land

Copies of the draft RFP was presented for review and approval.

MOTION for approval of items 3.1, 3.2, 3.3, and 3.4: Bob Buster

SECOND: Kelly Seyarto

Motion Approved

Ayes-9

None Opposed

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

4.1 Presentation by Ranger Randy Solis, City of Riverside Parks and Recreation Department – Update on the Sycamore Canyon Reserve Joint Restoration Project

In the absence of Randy Solis, Ms. Lovelady presented information regarding the Sycamore Canyon Reserve Joint Restoration project. She thanked the RCHCA Board for providing the funding for this project.

Supervisor Buster stated that he was very impressed with the support this project received from the various agencies involved.

4.2 RCHCA FY 2005/06 Budget

Ms. Luna and Ms. Lovelady discussed the proposed RCHCA budget for FY 2005/06.

Ms. Luna stated that it is a roll-over budget from FY 2004/05.

Ms. Lovelady stated that the \$800,000 budgeted last year for land acquisition has been reduced to \$0 for FY 2005/06 since the RCHCA has completed its core reserve acquisition program. She stated that we will be investing more time and energy in the BLM Land Exchange Agreement to ensure that this is completed as soon as possible. In the Administration section, we are contemplating replacing several staff computers that are aging. We have budgeted appropriately for this. In addition to this, we will be sharing the expense of acquiring a color copier/printer. In the category of Management Services and Staff, much of our staff resources have been diverted toward the completion of the MSHCP. Now that this is complete, RCHCA staff resources can refocus on the appropriate activities for our agency that are covered in the HCP. With that, you will see an increase in the Management Services Agreement from the previous year, and also the line item for salaries, benefits, and reimbursements. The budgeted monies for litter and weed abatement have been increased. Revenues continue to exceed expenses; therefore, we have a safety net of approximately \$896,000. This will go into our unreserved fund balance.

Ms. Lovelady asked the Board to approve the budget as presented.

Chairperson Lowe suggested that Ms. Luna or Ms. Lovelady contact Ray Smith of the Executive Office and ask that he develop an informational article regarding RCHCA monies so that the public is made aware of how monies are being spent, as well as understand the balance the RCHCA maintains.

Mr. Seyarto questioned whether it is wise to take the monies for Land Acquisition all the way down to zero for FY 2005/06 from the \$800,000 that was budgeted for FY 2004/05.

Ms. Luna stated that the RCHCA has in its budget a residual of over \$800,000 for FY 2005/06 and stated that the \$800,000 can be returned to the Land Acquisition account for possible land acquisition expenditures, etc.

MOTION for approval of items 4.1 and 4.2 with \$800,000 being added back to the Land Acquisition Account of the RCHCA budget for FY 2005/06: Kelly Seyarto

SECOND: Eugene Montanez

Motion Approved

Ayes-9

None Opposed

4.3 Status report concerning acceptance of Lake Mathews Conservation Easement

Ms. Luna discussed this item of business. She stated that the RCHCA paid Metropolitan Water District (MWD) \$2.5 million in order to get SKR credit for the lands under the SKR HCP. This money was paid to MWD several years ago and to date, the RCHCA still has not received its easement. Several meetings have been scheduled between the RCHCA, RCA, RCTC and MWD, but due to scheduling conflicts, those meetings were cancelled.

Ms. Luna suggested that one of the following take place with MWD:

1. Accept the easement language with minor revisions and authorize the RCHCA chair to execute it on behalf of the RCHCA, or
2. Direct staff to continue to pursue a meeting with MWD regarding easement language that would allow more flexibility with respect to the potential long-term objectives of such agencies as the RCA and RCTC.

Joe Vanderhorst, attorney for MWD, spoke and requested that the RCHCA Board approve recording of the easement to complete the process that has been ongoing for approximately 10 years. He stated he understands the concerns that have been raised by the staff. With regard to the issue of whether or not this will affect third parties, who are not part of our permits that have been issued to MWD, as well as the County, the settlement agreement that was executed by MWD and the County's representatives with the Autobon Society, specifically provides no credits in the mitigation bank will be utilized by third parties, DFG or RCHCA; only MWD may utilize credits in the mitigation bank. He stated the language is in the document in order to comply with MWD's settlement with the Autobon Society. From MWD's perspective, they have done what they are legally required to do and ask that the County complete the process.

Chairperson Lowe recommended that a meeting be scheduled with MWD within the next few weeks in order to finalize language within the easement.

Scott Dawson, from Department of Fish & Game, requested that the RCHCA Board finalize the easement as soon as possible.

Mark Pavelka, from U.S. Fish and Wildlife Service requested that the Board finalize this easement in the very near future as well.

Cathy Bechtel, from RCTC spoke and thanked the Board for their willingness to schedule a meeting with MWD within the next few weeks. She stated RCTC would like to be part of the meeting with MWD as there is concern that some prohibitions may be placed on putting the mid-county parkway through MWD land. This causes much concern for RCTC as they do not want to be prohibited from going through there.

Chairperson Lowe stated that once the meeting with MWD is held, she will call a special meeting of the RCHCA Board to discuss the outcome of the meeting with MWD.

MOTION for approval of item 4.3 to continue to pursue a meeting with MWD:

Bob Schniffner

SECOND: Eugene Montanez

Motion Approved

Ayes—9

None Opposed

4.4 Request for secondary access through RCHCA owned lands at the Lake Mathews SKR Reserve

Ms. Luna discussed a request by Southland Engineering regarding a secondary

access easement across RCHCA owned lands in the Lake Mathews Reserve. This request is made on behalf of their client, Ms. Eve Miller, who is contemplating a tract map with five homes on a 25-acre parcel.

Southland Engineering is requesting that this Board grant an easement over RCHCA lands that would allow for access east and north through SKR reserve lands through Cajalco Road (approximately 1¼ miles). The final 1,000 linear feet that connects the access road through to Cajalco Road belongs to MWD. The applicant would have to pursue a separate access request with MWD for this portion of the road.

The road must be constructed as a 24-foot wide, all weather, base and grade road within a large right-of-way that allows for a maintained shoulder. Approximately 4.5 acres of the access road would directly impact SKR reserve lands.

Ms. Luna stated that the staff recommends denial of the request by Southland Engineering.

Lisa Merritt, of Southland Engineering, spoke on behalf of Eve Miller, the land owner, regarding allowing a secondary access road that runs through a reserve area.

Eve Miller discussed her land, along with the request by Southland Engineering.

Supervisor Buster suggested to Ms. Miller that she work with the County to establish an appropriate location for the secondary access road rather than trying to go through a reserve area for the secondary access.

Gail Barton spoke and stated she agreed with the County regarding not allowing a secondary access road through a reserve area.

MOTION for denial of item 4.4 to allow a secondary access road to run through a SKR reserve area: Bob Buster

SECOND: Kelly Seyarto

**Motion Denied
Ayes—0
Nine Opposed**

4.5 Update concerning fencing, debris removal, and weed abatement at the Steele Peak Reserve

Ms. Lovelady gave an update regarding the clean-up of the Steele Peak Reserve. She stated that over the past several months the main gate and several hundred feet of the chain link fence was removed; one fence corner was demolished; many of the “No Trespassing” signs were removed; and, without a gate, the main access from Forest Road was frequently used by those who dumped trash, debris, and used tires.

Earlier this year, Inland Empire Property Services was hired in order to do debris removal and weed abatement at Steele Peak. This work was completed in March 2005. Moore Fencing replaced the chain-link fence and constructed a modified gate structure. The RCHCA is currently working with a sign manufacturer to post new signs in the area.

4.6 Update concerning RCHCA Website – live session presentation

Ms. Lovelady reviewed the RCHCA Website with the Board. David Hexem, of Riverside County TLMA Information Technology, was on hand to discuss, as well as answer any questions the Board members may have.

4.7 Consideration of a potential Board policy regarding distribution of SKR reserve management endowments

Ms. Luna discussed the RCHCA's financial obligations with respect to ongoing core reserve management activities. She stated that she would like to develop a formal policy concerning distribution of SKR reserve management endowments and bring that policy back to the August 25, 2005, RCHCA Board meeting for final review and approval.

MOTION for Carolyn Syms Luna to develop a formal policy regarding distribution of SKR reserve management endowments: Kelly Seyarto

SECOND: Bob Buster

**Motion Approved
Ayes–9
None Opposed**

4.8 Consideration of Potential Amendment to the RCHCA Joint Powers Agreement

Ms. Luna stated that she met with the various City Finance Directors in 2003 regarding SKR fees. She stated the fees are coming in sporadically. She asked the Board to authorize her to develop an amendment to the JPA regarding SKR fees and bring it back to the August 25, 2005, meeting for review and approval.

Chairperson Lowe suggested that Ms. Luna contact Rick Bishop so that this can be addressed at the City PD TAC meetings as well.

MOTION for Carolyn Syms Luna to develop an amendment to the JPA regarding SKR fees: Kelly Seyarto

SECOND: Eugene Montanez

**Motion Approved
Ayes–9
None Opposed**

5. CLOSED SESSION

A. Conference with Legal Counsel – anticipated litigation. Significant exposure to litigation pursuant to Subdivision (b) of Government Code Section 54956.9

1. One potential case

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

6. ADJOURNMENT

There being no further business to discuss, the meeting was adjourned at 11:17 a.m. The next meeting will be held on August 25, 2005.