

MINUTES

Temecula-Elsinore-Anza-Murrieta Resource Conservation District Regular Board Meeting Thursday, May 11, 2023, at 4:00 PM

Truax Building
41923 Second Street, 4th Floor
Temecula, CA 92590

I. PRELIMINARY FUNCTIONS

Call to Order, 4:00 p.m., meeting recorded by Rose Corona
Flag Salute
Roll Call/Establish a Quorum

Directors Present: Rose Corona (President), Newt Parkes (Secretary/Treasurer), Jeff McClenahan (Director), Pablo Bryant (Director), Teri Biancardi (Director)

Directors Absent: None

Associate Directors Present: Rick Neugebauer

Associate Directors Absent: None

Office Manager: Rae Shirer - Present

District Counsel: Aaron Gettis

Guest Speakers: None

Public Guests: Randy Feeney, Brad Greenman (Tyler Law)

II. CONSENT CALENDAR

III. CORRESPONDENCE/GENERAL

IV. GENERAL INFORMATION –CORRESPONDENCE GENERAL

Approval of Agenda, Correspondence, Financial and General information

President Corona called for a motion to approve the agenda. Director Parkes then requested to pull item 7.1, the election, from the agenda. Director Biancardi then moved to approve the rest of the agenda (not including 7.1) and Director Parkes seconded. President Corona noted that the motion included approval of the April 2023 minutes, the correspondence and the general information. The motion carried by unanimous voice vote. Director Biancardi then moved to approve the consent calendar, Director Parkes seconded. The motion carried by unanimous voice vote.

Public Comments

None.

The board then returned to discussion of the agenda and Director Parkes request to remove the election. Upon discussion, Director Biancardi moved to remove the item from the agenda, Director Parkes seconded. The motion carried upon unanimous voice vote.

V. ACTION ITEMS/ DISCUSSION CALENDAR

1. **Discussion and Approval of March 2023 Minutes:** President Corona began a review of the changes submitted by Director Biancardi to the last draft of the minutes of the March 2023, meeting, noting some variances from the recorded transcript. During the course of this review, Counsel Gettis spoke to address the issue of sending minutes out to all directors for review outside of a meeting. He noted that this could be a violation of the Brown Act, as a serial meeting, or as a “collective” document that was drafted, revised and approved outside of the public view. Upon further discussion, Director Parkes moved to have the office manager make the final edits to March minutes for approval at the June meeting. Director Biancardi seconded and the motion carried unanimously by voice vote.

Ms. Shirer then provided an update on the ability to post transcripts and audio to the District website, stating that she had seen a proposed solution from Streamline and would try to implement it soon.

2. **Discussion and Vote on Associate Directors Policy:** The board then turned to the three alternative proposals regarding the Associate Directors Policy, including a proposal to eliminate the Associate Directors altogether. Director Biancardi spoke in favor eliminating the Associate Directors, noting that other RCDs do not have associate directors and stating that the needed to consolidate as a group and team. Director Parkes disagreed, noting that the input and knowledge of the Associate Directors has helped the District become more well-functioning over the years. President Corona then discussed the role of Associate Directors under the Public Resource Code and in the District’s own policy—to expand the collective knowledge of the members and, by extension, the district’s activities and programs. She noted that associate directors receive information to be considered in general meetings and are encouraged to participate in the meetings, although they cannot vote. Legal responsibility remains with the board’s voting directors.

President Corona then noted her concerns with removing or eliminating associate directors in the absence of good cause, stating her belief that the proposal to eliminate associate directors was specifically directed at Associate Director Neugebauer in retaliation for his comments before the Riverside County Board of Supervisors. President Corona stated that the proposal to eliminate Mr. Neugebauer’s associate directorship may be a violation of Mr. Neugebauer’s First Amendment rights and this may cause potential legal liability for the District and for the board members voting for the proposal to eliminate the Associate Director position.

Counsel Gettis then stated that the board had a right to amend its own policies, but that he would not opine on whether eliminating the associate director position would be a First Amendment issue.

Director Biancardi then confirmed that the District has errors and omissions insurance and President Corona stated that the insurance would not cover the type of potential risk she was discussing. Director Biancardi asked Counsel Gettis for his opinion regarding whether it would be an error omission to revise the policy. Counsel Gettis stated that he didn’t know and reiterated that the board had a right to revise its own policies.

Associate Director Neugebauer then spoke, noting his years of service and his belief that eliminating the position was to abridge his rights.

Director McClenahan then asked if there were other avenues available to collect information if the associate director position was eliminated, such as by inviting guests, public comment, etc. President Corona agreed that was possible, but also noted that associate directors also take on

responsibilities that we don't have staff to undertake. Director Biancardi noted that volunteers could still fulfill those responsibilities.

Director Biancardi then moved to eliminate the associate director position, effective immediately. Director Bryant seconded the motion. President Corona made a substitute motion to not eliminate the position but to consider the other two proposals amending the associate director policy. Director Parkes seconded. President Corona called for a vote on the substitute motion. Upon a roll call vote, the substitute motion failed 2-3:

Corona: Aye
Parkes: Aye
McClenahan: Nay
Biancardi: Nay
Bryant: Nay

There was then additional discussion of the proposal to eliminate the position, with Director Parkes again stating that the program had been beneficial.

President Corona then called for the vote on the proposal to eliminate the Associate Director position. Upon a roll call vote, the motion passed, 3-2:

Corona: Nay
Parkes: Nay
McClenahan: Aye
Biancardi: Aye
Bryant: Aye

3. **Update and Discussion of Contracts with RCWD for Crop Swap, AIEP and Root Stock Programs:** President Corona stated the programs are on hold while James Law at SAWA learns more about these programs as a backup to Mission Resource Conservation District.

VI. NEW BUSINESS

1. **Discussion and Approval of Application for CDFA Water Efficiency Technical Assistance Program:** President Corona reported that she has been working on the application with Darcy Cook of Mission. The new program is similar to the water efficiency programs TEAM RCD already has in place. There was further discussion as to whether the application should include a pump efficiency component, with TEAM RCD currently does not support. Upon discussion of resources, it was decided not to include pump efficiency in the current application.
2. **Review of 2022-2023 Flood Control Spreadsheet:** Rae Shirer presented an on-screen view of the flood control project management database, including how the annual budget is construct an how costs are tracked during the fiscal year.

VII. OLD BUSINESS

1. **Item Removed from Agenda.**
2. **Update on Urban AG Grant:** President Corona reported that a decision is expected in July.
3. **Homeless Monitoring Report:** Director Parkes reported there was some activity related to Santa Gertrudes and Temecula AD 159 and reports are sent to the City of Temecula. Lake Elsinore is less active, but continues community outreach to assist the homeless population.

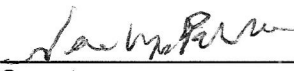
4. **Anza/Aguanga Reports:** Director Biancardi stated she would discuss pump efficiency programs with Meryl Johson.
5. **Long Range Strategic Plan:** Director McClenahan stated that the planning was on hold until we knew if CARCD money was available to hire a consultant to work with TEAM RCD>
6. **Flood Control and Crop/Swap Reports:** President Corona reported that activity was wrapping up for the fiscal year and nesting season.

VIII. FUTURE AGENDA ITEMS

IX. ADJOURNMENT

There being no further business to come before the board, upon motion moved, seconded and unanimously approved, the meeting was adjourned at 4:36 p.m.

Dated: 6/21/2023



Secretary