

MINUTES

TEAMRCD

Temecula-Elsinore-Anza-Murrieta Resource Conservation District

Regular Board Meeting

Thursday, November 10, 2016 4:00 PM

**Truax Building
41923 Second Street, Fourth 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:

Note - Roll call was performed after discussion regarding approval of agenda, immediately before introduction of speakers:

Directors Present: Rose Corona (President); David Kulhman (Vice President); Carol Lee Brady (Secretary/Treasurer)

Directors Absent: Michael Newcomb, Viki Long

Associate Directors Present: Dave McElroy; Randy Feeney; Rick Neugebauer

Associate Directors Absent: None

District Counsel Present: Tawny Lieu

USDA NCRS Present: Bob Hewitt

Public/Guest Speakers: Jason Keller, Mission Pacific; Karl Omundsen, Helix Environmental; John Abel, Mission Pacific

APPROVAL OF AGENDA

President Corona requested a change/amendment to the agenda, with the addition of one item under financials, for approval of an \$85 fee for a website "rewrite" to rank the current Temecula-Elsinore-Anza-Murrieta Resource Conservation District (TEAMRCD) domain name in place of the old Elsinore Murrieta Anza Resource Conservation District (EMARCD) name. With this fix, someone doing an online search would see the current TEAMRCD information

rather than the old EMARCD format. After brief discussion between President Corona and District Counsel Tawny Lieu regarding the requirement for 2/3 vote to add the item to the agenda, President Corona moved to add the estimated \$85 fee and authorization to make payment for the bill dated October 18, 2016. Director Brady seconded. No further discussion, and President Corona called for a vote. **Motion passed 3-0.**

President Corona called for a motion to approve the agenda as amended, and Director Kuhlman moved for approval. President Corona seconded. **Motion passed 3-0.**

II. CONSENT CALENDAR & CORRESPONDENCE & III. GENERAL INFORMATION

President Corona then asked if there was any discussion or questions regarding the consent calendar, and there were none so she requested a motion for approval to include correspondence and general information. Director Brady made the motion and President Corona seconded. **Motion passed 3-0.**

IV. PRESENTATION FOR BENTON CHANNEL – MISSION PACIFIC DEVELOPMENT (15 minutes)

President Corona noted that Mission Pacific guest speakers were stuck in traffic and the Board would move on to the next item, to return to the presentation once the guests arrived.

V. ACTION ITEMS/ DISCUSSION CALENDAR

1. Discussion and potential approval of new logo for TEAM RCD

President Corona reported that approval of the new logo needed to be expedited especially since there were documents (to include the revised TEAM RCD logo) that need to go onto the website for the new Crop/Swap program, as to be discussed in item 3 below. She passed around the version she had tentatively used as a prototype as Rancho California Water District (RCWD) develops the tab on their website. TEAM RCD and RCWD sites will be linked together online for future prospective participants as they research the program. After brief discussion, President Corona called for a motion to adopt the new logo. Director Brady made the motion and Director Kuhlman seconded. **Motion passed 3-0.**

2. Notice of re-appointment by Board of Supervisors of Carol Lee Brady and Dave Kuhlman to new terms until November 30, 2020

President Corona turned the floor over to District Counsel Tawny Lieu, who reported that the County Board of Supervisors had reappointed Directors Dave Kuhlman and Carol Lee Brady on 10/25/16 for new terms ending 11/30/20. President Corona welcomed the Directors to their new terms.

3. Discussion, update and potential approval of CropSwap Program with Rancho California Water District (RCWD)

a. Discussion and potential approval of CropSwap Program with RCWD; President Corona began the discussion by recapping that she, Director Brady and Associate Director McElroy had a meeting with RCWD regarding the CropSwap program and that President Corona had asked District Counsel to draw up an extension of the existing (water audit) agreement. This would be very similar to the water audit program already in place with Mission, and President Corona indicated that she had spoken with "Judy at Mission" to confirm that she was open to continuing and extending this partnership; and she said that she was.

The CropSwap program is for agricultural customers, and its purpose is to provide technical and/or financial assistance for increasing water use efficiency within customer class.

She noted that the former President of EMARCD (now TEAM RCD), Danny Martin – now on the Board of Directors for RCWD - came up with this idea to save customers water by converting from a high-water usage crop (such as avocados) to something that doesn't consume as much water, such as grape vines.

There would be a requirement for potential participants to qualify through an initial application, and then a water auditor would inspect their property and explain the program details. The potential reimbursement to customers through this program would be up to \$15,000/acre, subject to terms and controls of the program. Further terms and other details can be found in the meeting transcript or on the RCWD website.

President Corona asked if Director Brady or Associate Director McElroy had further comments, and Director Brady added that she had raised some questions during initial meetings, all of which had been addressed and answered. She said that the boilerplate attached and incorporated into the agreement covered issues such as the future sale of a participating property and how recovery of funds could be ensured.

Associate Director McElroy added that it comes down to rates and conversions, and as he oversees the program he intends to advise people they need to save their bills to make sure that the District doesn't pay them back more than it actually cost them to convert. So there's a safety measure that will be built in.

Director Kulhman asked if there's a maximum, and Associate Director McElroy said that it's a payment determined ahead of time. President Corona added that there's a sliding scale; for example, converting from avocados to grapes would be \$15,000/acre; avocados to citrus would be \$10,000/acre. Additional crops could be proposed and considered, as long as there's a demonstrated water savings.

Associate Director McElroy clarified that there are currently three approved conversions: avocados to grapes, avocados to citrus, and citrus to grapes.

President Corona mentioned that Bureau of Reclamation and Department of Natural Resources are involved with this grant, and their main concern is saving water so they may be open to additional crops if approached with ideas.

Director Kulhman asked about timing for participants to execute the agreement. President Corona indicated that RCWD would be the contact to answer that question, and that TEAM RCD's portion to consider for vote is pre- and post-conversion. She requested a motion for approval of the Crop Swap program in partnership with RCWD.

Director Brady made the motion; President Corona seconded and called for the vote. **Motion passed 3-0.**

- b. Approval of Amendment to the Agricultural Irrigation system Auditor Contract with RCWD to include services for the Crop/Swap Program;

Based on foregoing discussion, President Corona requested a motion for item b; Director Kulhman made the motion; and Director Brady seconded. Call for vote. **Motion passed 3-0.**

- c. Approval of Amendment to Memorandum of Understanding with Mission Resource Conservation District to include services for the crop/Swap Program;

Continuing the item, President Corona made the motion for item c; Director Brady seconded; call for vote. **Motion passed 3-0.**

- d. Authorize President Corona to Sign the Amendments subject to any Minor Changes

President Corona requested a motion for item d; Director Brady made the motion; Director Kulhman seconded. President Corona added a brief discussion that on these amendments are minor changes and if passed she would be able to send the agreement to Mission in time for their next meeting to approve. She then called for vote. **Motion passed 3-0.**

President Corona observed that Mission Pacific speakers had arrived at this point in the meeting, returned to Agenda Item IV, and turned the floor over to Jason Keller, Karl Omundsen and John Abel.

Mr. Keller began the presentation with handouts and said that he wanted to revisit their proposal for connection of the storm drain facilities to Benton Creek channel. He recapped by saying that the response from TEAMRCD regarding the proposed price had a "pretty hard disconnect on what the one-time payment would be for our connection point." As a result, they met with Rick (Neugebauer, TEAMRCD Associate Director) and Mandy Parkes of Inland Empire RCD on October 5, 2016 to compare assumptions used for their proposal with the calculations performed for TEAMRCD's estimate.

He continued by summarizing work that began the permitting process with regulatory agencies, and noted that one issue mentioned in TEAMRCD's responding letter to Mission Pacific's proposal was increased flows that would impact the channel. After some technical explanation he stated that there was a slight increase in flows but only by a negligible different in velocities that, in their opinion, are significantly reduced in the post project condition. He also noted that basic species of invasives introduced to the channel would be mitigated on their site by the implementation of 15 water quality basins. He said that part of the one-time payment proposed in their initial offer included

mitigation of the “very potential of introduction of invasives”; and that he hoped TEAMRCD would reconsider the larger figure they had calculated for this item.

Mr. Keller then turned the presentation over to Mr. Omundsen for an overview of the regulatory process in the agencies and how they had responded to Mission Pacific’s proposal.

Mr. Omundsen stated that the key issues were hydrology in the Benton channel and non-invasive plant species. He said that they (Mission Pacific) had been in the permit process for almost 2 years and have had discussions with US Army Corps of Engineers, Regional Water Quality Control Board and California Department of Fish & Wildlife. They also had looked at flows further upstream to the east regarding outfall.

Associate Director Neugebauer asked if Mr. Omundsen would explain a little further in layman’s terms, and a brief discussion regarding flow direction between Mission Pacific, Associate Director Neugebauer and Associated Director McElroy ensued.

President Corona asked that Mr. Omundsen continue the presentation regarding the permitting, and he proceeded to discuss lifting the functions and services of the Benton channel. He said that there would be better hydrology regime upstream when the project comes in, and that they would promote some existing riparian habitat and wetlands – functions and values that are positive from a biology standpoint and non-invasive basis. He also noted that the project has gone through sequel review. There are MSHCP (Multiple Species Habitat Conservation Plan) and County standards that restrict certain non-natives.

Mr. Abel noted that the presentation being given by Mr. Omundsen was also provided to Mr. Neugebauer and Ms. Parkes, since Mission Pacific believed that they didn’t initially have all the background information when performing their calculations for TEAMRCD’s responding letter. He said that they were trying to give TEAMRCD the most up-to-date, accurate and fair numbers possible and hoped that Ms. Parkes could take a look at the information and reach the same conclusion regarding their numbers.

Associate Director Neugebauer noted that the company that submitted their numbers is a conservative and well-respected WQMP (Water Quality Management Plan) Civil Engineering firm; and Mr. Omundsen offered to make any of their consultants available to TEAMRCD.

Mr. Keller continued his presentation including a map and further detail regarding the proposed work, noting some technical aspects (available in the transcript for further detail.) He then wrapped up and thanked the Board.

President Corona noted that she had a meeting tentatively scheduled with Jeff Brandt of Flood Control on 12/14/16 to discuss a maintenance agreement that currently exists with Benton channel. She thanked Mission Pacific for their time and presentation and moved on to Agenda Item #4.

4. Discussion, update and potential approval of the Memorandum of Understanding with Western Riverside County Regional Conservation Authority (RCA) any documentation and partnership with TEAM RCD

President Corona reported that she had a long discussion with Laurie Correa of her concerns with the Memorandums of Understanding (MOUs). Ms. Correa wanted to make it more targeted just to address the Greer Ranch and Adeline Farms, and preferred to stay within the critical cell sections. She asked Associate Director Neugebauer if he would summarize what critical cell sections are and turned to floor over.

Mr. Neugebauer explained that the County has a broad map that identifies potential habitat that is in corridors of the region from the coast up through the mountains. The County has been in the process of purchasing land and identifying properties that they could use for conservation in this process. Over the years they have acquired 300,000 acres of a half a million acres that are in conservation as part of the MSHC plan.

President Corona said that they (Ms. Correa) wanted to start with Greer Ranch and Adeline Farms. The Morgan Heights project may also be discussed further, hopefully in conjunction with Fish and Wildlife since they issued the original permit and this is also related to TEAMRCD's due diligence.

She has received the MOU back but would like to give the Board time to read through in the next meeting's agenda packet.

5. Information, update and discussion of California Association of Resource Conservation Districts (CARCD) meeting in November in regards to any confirmed dates and times for Board Members to attend

President Corona asked if any of the Directors or Associated Directors had confirmed dates for the meetings and there was discussion regarding availability and attendance. She then moved to the next item.

6. Discussion and update of Conservation Easement monitoring contract with Santa Ana Watershed Association (SAWA) and dates specific for reporting to be done and reviewed.

President Corona asked if Associate Director Neugebauer had the information and he responded in the affirmative; and that they would be doing that inspection on Tuesday. He and Associate Director McElroy briefly discussed the downstream area and spillway along with details regarding their on-site meeting.

VI. OLD BUSINESS

1. Discussion and Update on Obtaining Unanimous Approval of Riverside County Board of supervisors to Replace TEAM RCD's Annual Audit Requirement Pursuant to Government Code 26909 with an Audit Conducted Every third Year and Other Special Financial Reporting

President Corona turned the floor over to District Counsel Tawny Lieu, who reported that her office is working toward placing this matter on the County

Board of Supervisors' agenda for 12/6/16; and that they would be presenting the County Board with the TEAMRCD's unsigned resolution 2016-03 was well. President Corona commented "the sooner the better" and said that she wanted to warn the TEAMRCD Board that one of the requirements is that TEAMRCD has a certified CPA that meets all of their management requirements to at least do a compilation of books. If the County Board gives the ok, then it would be a savings from the \$6,400 that it was going to cost based on the low bidder's proposal. She reminded the Board that TEAMRCD is asking for only an annual audit on the third year to be performed as opposed to a compilation audit for three year.

Mr. Hewitt asked if that would cover just TEAMRCD or all RCDs in Riverside County, and President Corona clarified that it would only be for TEAMRCD. She briefly explained the background behind the legislation that had been passed allowing RCDs to do a compilation.

There was no further discussion or additional questions, and she moved to the next item.

2. Discussion and update on Biological Monitoring progress on Adeline Farms and Greer Ranch

President Corona and Associate Director Neugebauer agreed that this item had been covered during previous agenda items.

3. Water Audit Updates

Associate Director McElroy reported that there are about nine or ten participants in various stages of the program, with three more in the pipeline.

President Corona thanked Mr. McElroy for his support and participation as part of TEAMRCD and for doing a "yeoman's job" on the water audits.

4. Update and discussion on letter to Flood control regarding current maintenance at Adeline Farms

President Corona reported that she had a meeting tentatively scheduled on 12/15/16 to discuss the Maintenance Agreement that Riverside Flood Control has with Valley Wide; and that Fish & Wildlife wants to see more of a conservation-focused group such as TEAMRCD included for additional maintenance as other developments (such as a new project called Morning Star) progress.

Associate Director Neugebauer asked if President Corona had a copy of the contract agreement between Valley Wide and Flood Control yet. Yes responded that she did not, but that she would forward it to him once she received it.

5. Update on TEAM RCD and Santa Ana Watershed Association (SAWA) Memorandum of Understanding- Signed by President awaiting approval and signature of Board of SAWA.

Associate Director Neugebauer asked for a little time to review the details and return to this item.

6. **Reminder-Form 700's due for next year, Recommendation of filing all Form 700's early**

President Corona reminded the Board of the deadline for submittal in April and suggested filling out the form early.

Associate Neugebauer then asked to return to Item 5, as he had found the information and was able to update that the TEAMRCD and SAWA MOU had been approved at the SAWA board meeting.

VII. NEW BUSINESS-NONE

VIII. ORAL/WRITTEN REPORTS

1. District Counsel Gregory P. Priamos/Tawny Lieu: None
2. TEAMRCD Director Reports Open

Rose Corona:

President Corona reported that she had a discussion with the Counsel at California Special District Association regarding policy and procedure when a Board member has not attended more than three meetings or notified of absence. He advised President Corona of the rule regarding abandonment of obligations, and said that nothing had to be passed at the board level. Once the abandonment has occurred (as established by the rules) TEAM RCD Board simply needs to notify District Counsel that there is now an open seat. She asked District counsel Lieu to go through the procedures needed to notice an empty seat, and Ms. Lieu said she'd look for clarification if that meant an agenda meeting.

Dave Kuhlman: None

Carol Lee Brady: None

Vicki Long: Absent

Michael Newcomb: Absent

3. Associate Director Reports Open

Rick Neugebauer: None

Dave McElroy: None

Randy Feeney: Nothing in addition to web search already discussed

4. SAWA/Fire Safe Reports Rick Neugebauer, Representative: None

5. Bob Hewitt-NRCS:

Mr. Hewitt reported that this year's program for cost sharing is ongoing and NCRS takes applications all year although there are three funding times; one in December, one in March or April, and one in June.

He briefly recapped the equip cost sharing program and explained that NCRS assists in paying for improvements such as irrigation systems or fire prevention – things having to do with natural resources.

President Corona asked if there was a way to ensure that people don't "double dip" such as getting rebates from both NCRS as well as Rancho California Water District (RCWD)'s program. There were some specifics discussed, and Mr. Hewitt noted that NCRS is federal money whereas other programs may not be.

Associate Director Neugebauer asked the funding source for the RCWD CropSwap program, and President Corona responded that the Bureau of Reclamation.

Mr. Hewitt continued his report with an update about the HOA (Homeowners' Association) interview and said that NCRS was having a meeting with their engineers to finalize designs.

There was some general discussion regarding technical aspects; then President Corona thanked and dismissed Mr. Hewitt and asked for a motion to move to closed session.

Director Kuhlman made the motion to go to closed session with legal counsel regarding potential initial litigation pursuant to Government Code Section 54956.9.

President Corona seconded, and called for a vote. **Motion passed 3-0.**

VIII. CLOSED SESSION

1. Conference with legal counsel-anticipated litigation. Potential initiation of litigation pursuant to subdivision (d)(4) of Government Code Section 54956.9:one potential case

IX. FUTURE AGENDA ITEMS

1. Update and discussion regarding ad hoc committee for additional content for website and potential approval for process in presentation of content to the Board for approval and approval of content by Counsel.-Mike Newcomb/Dave Kuhlman/Randy Feeney
2. Discussion and possible approval of creating policy for e-mail use-Carol Lee Brady
3. Discussion and possible approval of creation of ad-hoc committee to create more specific board procedures and policies-All
4. Discussion and potential approval to begin scanning and digitizing files-All
5. Discussion and update of Country Roads Maintenance Agreement-Rose Corona
6. Discussion and update on Morningstar discussions and Benton Channel-Rick Neugebauer/Rose Corona

X. ADJOURNMENT

No items had been anticipated to be reported out of closed session.

ADA COMPLIANCE STATEMENT:

Upon request, this agenda will be made available in appropriate alternative formats to persons with disabilities, as required by §202 of the Americans with Disabilities Act of 1990. Any person with a disability who requires a modification or accommodation on order to participate in a meeting should direct such request to the District at least 48 hours before the meeting, if possible.

Next Meeting: December 8, 2016 (canceled)

Carol Lee Brady

1/19/17

Carol Lee Brady -Secretary/Treasurer

Date