

MINUTES

Temecula-Elsinore-Anza-Murrieta Resource Conservation District Regular Board Meeting Thursday, April 13, 2023 – 4:00 p.m.

Truax Building
41923 Second Street, Fourth Floor
Temecula, CA 92590

I. PRELIMINARY FUNCTIONS

Call to Order – Pledge of Allegiance
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, Sebastian Valente

Associate Directors Absent: None

Office Manager: Rae Shirer - Present

District Counsel: Aaron Gettis

Guest Speakers: None

Public Guests: Randy Feeney, Bradley Greenman (attorney with Tyler & Bursch), Bernie Traux

Public Comment

Bernie Traux, Traux Development, addressed the board on the topic of his February 2023 letter to the board. He noted his support for the work of TEAM RCD and that the Traux meeting room would remain available so long as the TEAM RCD meetings are not loud and/or disruptive to him or to tenants in the building. President Corona thanked him for his comments and Mr. Traux then left the meeting.

Approval of Agenda

President Corona called for a motion to approve the consent calendar, correspondence and general information. Director Biancardi objected to the minutes and requested to pull them. Director Bryant moved to pull the minutes, but to approve the financials and consent calendar. Director Biancardi seconded. Upon a unanimous roll call vote, the motion passed.

The board next discussed the draft minutes of the March 2023 meeting. Director Biancardi again noted to her objection to extensive narrative minutes and that the minutes contained errors. Director Bryant concurred. President Corona commented that a narrative format is used because, historically, the minutes were not properly maintained and there were board decisions and transactions that were not properly documented. The board continued to discuss the format of the minutes and possible alternatives of posting written transcripts of the audio along with shortened minutes, and/or the audio itself. Following this discussion President Corona moved to table further action on the minutes until the next meeting, allowing each director to review and make corrections, additions, and revisions. Director Parkes seconded. Upon a unanimous roll call vote, the motion passed.

II. CONSENT CALENDAR

III. CORRESPONDENCE

IV. GENERAL INFORMATION

V. ACTION ITEMS/ DISCUSSION CALENDAR

1. **Update on City of Menifee Wildlife Appreciation Day** – Directors Biancardi and McClenahan discussed the event, describing the TEAM RCD presentation as popular, drawing families and other presenters with a display of stuffed owls and information regarding the importance of raptors to our environment. The event attracted coverage by the Valley News. The TEAM RCD representatives also had positive talks with San Jacinto RCD and NRCS regarding coordinating and improving presentations for future environmental/wildlife events. The board then discussed printed materials and other items for future use, as well as sending out thank you cards to participants and sponsors after an event.

2. **Update on partnership for Murrieta Public Library on Earth Day, April 22, 2023 for community Outreach in collaboration with Mission RCD** – President Corona reported that our participation was no longer needed as Lisa Dibble, our intended representative, was already attending as a representative of Xerces.

3. **Update and discussion regarding Contract with RCWD Crop Swap, AEIP and Root Stock swap programs** – President Corona reported that James Law of Santa Ana Watershed Association was working with Mission RCD to familiarize himself as a “back up” to Mission in the event that Mission is short-staffed again this summer. She also reported that the new contract with Rancho California Water District is still in negotiations and has not yet been signed, due the RCWD’s own funding reviews and delays. There is also discussion of extending these programs further south into San Diego County.

4. **Discussion of request for closed session in order to discuss the letter sent to TEAM RCD related to a litigation, ethical screening of District Counsel and potential impacts on the District** – District Counsel Gettis explained the criteria for meeting in closed session: while pending litigation against the District can and should be discussed in closed session, litigation that is against other parties and not the District cannot be discussed in closed session. He noted that the litigation hold letter received by the District pertained to potential litigation against the County of Riverside and not against TEAM RCD and therefore could not be discussed in closed session.

Counsel Gettis then discussed his ethical obligations and the obligations of the Office of County Counsel generally regarding this matter. He stated that the office has established an “ethical screen” and that he has no access to information regarding the litigation and no interaction with attorneys handling that matter.

Members of the board continued to express concern regarding the litigation hold letter and their individual responsibilities. Counsel Gettis reiterated that TEAM RCD and its board are only subject to the obligation to retain all documentation and if the litigation does go forward, we may be asked to produce the documents at some later date.

5. Discussion and possible vote on whether the attorney/client privilege on the SAWA memo should be lifted – Director Biancardi had requested that the board revisit this issue. Counsel Gettis stated that, to him as an attorney, attorney-client is sacrosanct and that it would be bad policy to waive privilege. He noted that it could be an “informed waiver” but that no other client of his had ever done so. The board then questioned Counsel Gettis regarding the possible consequences of waiver and its affect on other privileged items. Counsel Gettis, in response to a question from Director Bryant, confirmed that he represents the board of directors as a whole and not any individual director. The board further discussed options to obtain opinions and information without disclosing the protected memorandum. The board then tabled the matter, with all directors to receive a copy of the protected memorandum before the next regular meeting.

6. Update on Urban Ag Grant – President Corona reported that there has been no forward movement but that she has left messages to discuss it.

VI. NEW BUSINESS

- 1. Discussion and vote to approve changing monthly meeting times from 16:00 to 15:00** – Director McClenahan withdrew the proposal.
- 2. Discussion and vote to approve moving monthly TEAM RCD meeting to the Bureau of Reclamation Conference Room located at 27226 Via Industrial, Suite A Temecula, CA 92590** -- Director McClenahan withdrew the proposal.

VII. OLD BUSINESS

- 1. Homeless Monitoring** – Director Parkes reported that Temecula Creek AD159 and Santa Gertrudis are still monitored and that some clearing has occurred at Santa Gertrudis. Lake Elsinore is “status quo”, with monitoring and reporting of homeless activity to the Lake Elsinore campaign, code enforcement, law enforcement, etc. He noted that there is new possible funding from Project Homekey for improvements at the Anchor.
- 2. Anza/Aguanga** – No report.
- 3. Flood Control and Crop Swap Reports** – President Corona reported that flood control projects were complete for the fiscal year and that budgeting was in process for next year. She also reported that Chief Engineer Amad Guirguis was retiring. Director Biancardi asked to be included in any negotiations with Riverside County Flood Control. President Corona explained the budgeting process and that there was little to no negotiation involved. Office Manager Shirer stated that she would send a link to the Airtable project management portal so that all directors could review the projects, budgets and reports.

4. Long Range Strategic Plan – President Corona reported that she had contacted CARCD regarding a facilitator for development of the plan. Bill Long at Solid Ground Consulting is still available and had previously worked with TEAM RCD on the Tier 1 accreditation. That process was paid for with a \$10,000 grant from CARCD. A new grant may be available for development of the next plan.

VIII. FUTURE AGENDA ITEMS

President Corona listed items to be added to the next regular meeting:

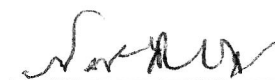
1. Election for the office of president;
2. Discussion of Associated Directors' policy;
3. Minutes of March 9, 2023.

Director Biancardi opened discussion of the process for adding items onto the Agenda, noting that she expected to see the discussion of Associate Director policy on the agenda for this meeting and that she had submitted that item and the election of president for inclusion prior to the deadline for agenda items. Counsel Gettis advised that discussion of the policy and procedure for adding agenda items was not appropriate at this time. Director Biancardi stated "It is absolutely appropriate to talk about the process by which agenda items are added to the agenda. To be shut down as I'm trying to explain how they weren't added to the agenda is completely inappropriate. I want my comments to be noted in the minutes."

IX ADJOURNMENT

There being no further business to come before the board, Director Corona called for a motion to adjourn. The motion being made, seconded and voted, the meeting adjourned at 5:32 p.m.

Dated: 6/22/2023



Secretary