

COACHELLA VALLEY CONSERVATION COMMISSION
Meeting Minutes
January 14, 2010

The audio file for this committee can be found at: <http://www.cvag.org/minutes.htm>

1. CALL TO ORDER

The meeting of the Coachella Valley Conservation Commission (“CVCC”) was called to order by Chair Richard W. Kite at 11:04 a.m. on January 14, 2010.

Call for a moment of silence in observance of the passing of Alan Seman, Mayor Pro Tem, City of Rancho Mirage.

2. PLEDGE OF ALLEGIANCE

Chair Richard W. Kite led in the Pledge of Allegiance.

3. ROLL CALL

Roll call was taken and it was determined that a quorum was present.

Members Present

Mayor Kathy De Rosa, Vice-Chair
Councilmember Bill Powers
Mayor Pro Tem Ben Godfrey
Councilmember Stanley Sniff
Mayor Cindy Finerty
Councilmember Chris Mills
Councilmember Richard W. Kite, Chair
Larry Ward, Assessor-County Clerk-
Recorder (Representative for Supervisor Stone)
Supervisor John J. Benoit
Steven Hernandez
(Representative for Supervisor Ashley)
Board Member Corky Larson
Board Member Anthony Sanchez

Agency {Completed per log 1-14-10}

City of Cathedral City
City of Indian Wells
City of Indio
City of La Quinta
City of Palm Desert
City of Palm Springs
City of Rancho Mirage
County of Riverside, 3rd District
County of Riverside, 4th District
County of Riverside, 5th District
Coachella Valley Water District
Imperial Irrigation District

Members Absent

Mayor Eduardo Garcia
Councilmember Terry Henderson

City of Coachella
County of Riverside, 2nd District

Others Present

James Brownyard
Carolyn Syms Luna
Rick Daniels
Bill Havert
Vikki Dee Bradshaw
Russell Betts

BIA Desert Chapter
County of Riverside
City of Desert Hot Springs
Coachella Valley Mountains Conservancy
IID
Resident, City of Desert Hot Springs

Jeff Schroeder
John Brown
Ken Waxlax

Ponderosa Homes
Mission Springs Water District
Peter Murray and Associates

CVAG Staff

Tom Kirk, Executive Director
Katie Barrows, Director of Environmental Resources
Gary Leong, Director of Administrative Services
Jim Sullivan, GIS Program Director
Linda Rogers, Program Assistant II
Nick Peihl, GIS Analyst

4. FINALIZATION OF AGENDA & ADDITIONS AND REVISIONS

IT WAS MOVED AND SECONDED TO PULL ITEM 12 FROM THE AGENDA. THE MOTION CARRIED.

5. PUBLIC COMMENTS

Public comments were made under Item 8.

6. CVCC MEMBER/EXECUTIVE DIRECTOR COMMENTS

None.

7. CORRESPONDENCE

Correspondence submitted for the record is referenced under Item 8.

8. CONSIDER AMENDED POLICY 08-03 FOR INITIAL IMPLEMENTATION OF THE LOCAL DEVELOPMENT MITIGATION FEE AND INITIATION OF A NEW NEXUS STUDY

Russell Betts, resident of Desert Hot Springs; James Brownyard, BIA Desert Chapter; and Jeffrey Schroeder, Ponderosa Homes, addressed this item. Mr. Schroeder submitted a letter addressed to Tom Kirk for the record. Joan Taylor, Sierra Club, submitted a letter via email which at her request was read into the record by the recording clerk.

Councilman Mills, as a member of the CVCC Subcommittee, summarized the recommendation: if a project does not have a building permit by September of 2010, the project is no longer exempt. He indicated that the date should not be extended, assuming the Nexus study is done, noting that the recommendation would not place unreasonable hardship on "pipeline" projects which should have their building permits by September 2010.

IT WAS MOVED BY MAYOR DE ROSA AND SECONDED BY COUNCILMEMBER MILLS THAT THE CVCC:

- 1) APPROVE AMENDED CVCC POLICY 08-03: POLICY FOR INITIAL IMPLEMENTATION OF THE LOCAL DEVELOPMENT MITIGATION FEE TO MAKE THE CHANGES RECOMMENDED BY THE CVCC SUBCOMMITTEE AND**

CONTINUE THE POLICY UNTIL SEPTEMBER 30, 2010 OR UNTIL A NEW NEXUS STUDY IS COMPLETED, WHICHEVER OCCURS FIRST.

- 2) AUTHORIZE STAFF TO RELEASE A REQUEST FOR PROPOSALS (RFP) AND INITIATE A NEW NEXUS STUDY.

A ROLL CALL VOTE WAS TAKEN WITH ALL MEMBERS VOTING AYE.

THE MOTION CARRIED.

9. AUTHORIZATION FOR CONTINUED ENGAGEMENT OF BEST, BEST AND KRIEGER FOR WORK ON THE COACHELLA VALLEY MULTIPLE SPECIES HABITAT CONSERVATION PLAN (MSHCP)

IT WAS MOVED BY COUNCILMEMBER SNIFF AND SECONDED BY BOARD MEMBER LARSON THAT THE CVCC AUTHORIZE CONTINUED ENGAGEMENT WITH BEST, BEST AND KRIEGER TO:

- 1) PROVIDE LEGAL SERVICES FOR MSHCP IMPLEMENTATION FOR AN AMOUNT NOT TO EXCEED \$50,000; AND,
- 2) DIRECTED STAFF TO TRY AND NEGOTIATE A BETTER RATE WITH A NOT TO EXCEED AMOUNT.

THE MOTION CARRIED.

10. CONSIDERATION OF PROPOSAL FOR CITY OF DESERT HOT SPRINGS TO ADDRESS REIMBURSEMENT OF COSTS ASSOCIATED WITH THE 2007 CVMSHCP RECIRCULATION

IT WAS MOVED BY BOARD MEMBER LARSON AND SECONDED BY MAYOR DEROSA THAT THE COACHELLA VALLEY CONSERVATION COMMISSION CONCUR WITH A PROPOSAL TO THE CVAG EXECUTIVE COMMITTEE TO:

- A. APPROVE A REIMBURSEMENT AGREEMENT BETWEEN CVAG, RIVERSIDE COUNTY, AND THE CITY OF DESERT HOT SPRINGS IN WHICH CVAG WILL WAIVE ANY RIGHT OF REIMBURSEMENT FROM THE CITY AND THE COUNTY WILL WAIVE ANY RIGHT OF REIMBURSEMENT FROM CVAG FOR COSTS ASSOCIATED WITH THE 2007 CVMSHCP RECIRCULATION, CONDITIONED UPON THE CITY'S APPROVAL OF THE CVMSHCP; AND
- B. APPROVE THE TERMINATION, WITH COUNTY CONCURRENCE, OF THE \$800,000 LOAN FROM RIVERSIDE COUNTY TO ASSIST IN RECIRCULATION OF THE MULTIPLE SPECIES HABITAT CONSERVATION PLAN; AND
- C. APPROVE UTILIZATION OF APPROXIMATELY \$450,000 OF TRANSPORTATION FUNDS TO ACQUIRE INTERCHANGE MITIGATION LANDS IDENTIFIED AND APPROVED BY THE CVCC, AND;
- D. APPROVE THE ALLOCATION OF SAFETEA-LU DEMONSTRATION FUNDS FOR THE PALM DRIVE/ GENE AUTRY TRAIL INTERCHANGE PROJECT.

THE MOTION CARRIED WITH ONE ABSTENTION FROM THE CITY OF PALM SPRINGS.

11. **CONSIDER APPROVAL OF RESOLUTION 10-001: ACQUISITION OF PARCEL FROM VICTOR FRANCO**

IT WAS MOVED BY COUNCILMEMBER SNIFF AND SECONDED BY BOARD MEMBER LARSON THAT THE COACHELLA VALLEY CONSERVATION COMMISSION (CVCC) APPROVE RESOLUTION 10-001 AUTHORIZING ACQUISITION OF APN 660-220-003, FOR A PURCHASE PRICE OF \$404,900, PLUS TRANSACTION COSTS NOT EXPECTED TO EXCEED \$2,500, AND APPROVING A SUBGRANT AGREEMENT WITH THE WILDLIFE CONSERVATION BOARD (WCB) FOR RECEIPT BY CVCC OF FEDERAL SECTION 6 COOPERATIVE ENDANGERED SPECIES CONSERVATION FUND MONEY TO BE USED IN THE ACQUISITION.

THE MOTION CARRIED.

12. **PRESENTATION ON GABRYCH PIT LIKE EXCHANGE**

Tom Kirk stated that this item would be pulled from the Agenda at the request of Riverside County staff.

13. **CONSIDER LETTERS OF SUPPORT TO SENATORS FEINSTEIN AND BOXER AND CONGRESSWOMAN PELOSI SUPPORTING INCREASED FUNDING LEVEL TO \$125 MILLION FOR THE COOPERATIVE ENDANGERED SPECIES CONSERVATION FUND (SECTION 6) IN THE FISCAL YEAR 2011**

IT WAS MOVED BY MAYOR DEROSA AND SECONDED BY COUNCILMEMBER SNIFF THAT THE COACHELLA VALLEY CONSERVATION COMMISSION (CVCC) APPROVE A LETTER TO SENATORS DIANNE FEINSTEIN AND BARBARA BOXER AND CONGRESSWOMAN NANCY PELOSI SUPPORTING \$125 MILLION FOR THE COOPERATIVE ENDANGERED SPECIES HABITAT CONSERVATION FUND AND AUTHORIZE THE CHAIR TO SIGN THE LETTERS AND THAT CONGRESSMAN JERRY LEWIS AND CONGRESSWOMAN MARY BONO MACK BE COPIED ON THE LETTERS.

THE MOTION CARRIED.

14. **CONSENT CALENDAR**

Approval

14A Approve Minutes of the November 12, 2009 Coachella Valley Conservation Commission.

IT WAS MOVED BY COUNCILMEMBER SNIFF AND SECONDED BY BOARD MEMBER LARSON THAT THE CVCC APPROVE THE MINUTES OF THE NOVEMBER 12, 2009 MEETING.

THE MOTION CARRIED.

Receive and File

14B Report on Contracts Under \$25,000

Information

14C CVCC 2009 Attendance Roster

This item was received by the CVCC as an information item.

15. ANNOUNCEMENTS

- The next meeting of the **Coachella Valley Conservation Commission** is scheduled for February 11, 2010, 11:00 a.m. at CVAG, conference room 119.

16. ADJOURNMENT

There being no further business, the meeting adjourned at 12:08 p.m.

Submitted by,

Linda Rogers
Program Assistant II