

COACHELLA VALLEY CONSERVATION COMMISSION
Meeting Minutes
March 12, 2009

1. CALL TO ORDER

The meeting of the Coachella Valley Conservation Commission ("CVCC") was called to order by Chair Richard W. Kite at 11:03 a.m. on March 12, 2009.

2. PLEDGE OF ALLEGIANCE

Larry Parrish 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
Mayor Eduardo Garcia
Councilmember Bill Powers
Councilmember Ben Godfrey
Councilmember Stanley Sniff
Councilmember Cindy Finerty
Councilmember Lee Weigel
Councilmember Richard W. Kite, Chair
Councilmember Terry Henderson
Supervisor Roy Wilson
Mayor Pro Tem Steven Hernandez
(alternate for Supervisor Marion Ashley)
Board Member Corky Larson
Board Member Anthony Sanchez

Agency

City of Cathedral City
City of Coachella
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, 2nd District
County of Riverside, 4th District
County of Riverside, 5th District

Coachella Valley Water District
Imperial Irrigation District

Others Present

Jim Foote
Bill Havert
J. W. McFadden
Carolyn Syms Luna
Brian Shomo
Joe Lim
Nancy Wright
Ken Waxlax
Lizette Romo
John Brown
Marilyn McKay

Bureau of Land Management
Coachella Valley Mountains Conservancy
Coachella Valley Water District
County of Riverside
County of Riverside
City of Indio
Mission Springs Water District
Peter Murray & Associates
YAC
Mission Springs Water District
Mission Springs Water District

CVAG Staff

Larry Parrish, Interim Executive Director
Katie Barrows, Director of Environmental Resources
Jim Sullivan, GIS Program Director
Gary Leong, Director of Administrative Services
Linda Rogers, Program Assistant II

4. **FINALIZATION OF AGENDA & ADDITIONS AND REVISIONS**

It was moved by Councilmember Sniff and seconded by Mayor De Rosa to accept finalization of the agenda.

The motion carried.

5. **PUBLIC COMMENTS**

John Brown with Mission Springs Water District (MSWD) addressed the CVCC expressing their interest in participating in the Reserve Management Oversight Committee and indicating that an application will be submitted. He noted that MSWD has a lot to bring to the RMO and is looking forward to participating.

6. **CVCC MEMBER/EXECUTIVE DIRECTOR COMMENTS**

None.

7. **CORRESPONDENCE**

Correspondence dated March 4, 2009 to CVCC from Bill Havert, Coachella Valley Mountains Conservancy.

8. **CONSIDER CONTRACT FOR LAND MANAGEMENT PROGRAM WITH THE CENTER FOR NATURAL LANDS MANAGEMENT**

Katie Barrows reported that efforts are ongoing with the Center for Natural Lands Management (CNLM) to finalize the contract for the Land Management Program and to provide for the transfer of the Fringe-toed Lizard Endowment to the CVCC. Staff indicated that the process has become rather complex and requested that this item be continued to the next meeting. Chair Kite inquired if this would be finalized in time for the next meeting and staff responded that work is underway to try to finalize this.

It was moved by Mayor De Rosa and seconded by Mayor Garcia to continue this item to the April 9, 2009 meeting.

The motion carried.

9. **CONSIDERATION OF RESOLUTION REGARDING SUPPORT FOR CALIFORNIA HABITAT CONSERVATION PLANNING COALITION AND REPORT ON TRIP TO WASHINGTON, D.C.**

Katie Barrows stated that this item is a follow-up item regarding the California Habitat Conservation Planning Coalition. At a previous meeting the CVCC authorized a letter to Senator Feinstein supporting increased funding for HCPs through the Cooperative Endangered Species Conservation Fund. Staff reported on the trip to Washington, D.C. which involved eight other representatives from the Coalition. Katie Barrows reported that the trip was very successful and reported on the meetings with Congressman Calvert and others. A briefing packet was assembled and presented at the meetings with a focus on the successful use of the conservation funds in the Coachella Valley. Currently there is a \$6,000,000 request in for Section 6 funds and that has been ranked very highly by the U.S. Fish & Wildlife Service. An update was given regarding a

meeting with Congresswoman Mary Bono Mack requesting her to be a co-lead on a letter to the House Interior Appropriations Committee. The Congresswoman agreed to sign on to this letter as co-lead with Congressman Ellen Taucher from Contra Costa County. The entire California delegation will be asked to sign on to that letter. Meetings were also held with the U.S. Fish & Wildlife Service, Department of the Interior, and the Office of Management and Budget. Staff requested that the CVCC consider approving the Resolution in the agenda packet supporting our participation in the California Habitat Conservation Planning Coalition and efforts to streamline funding for and implementation of HCPs. There was further discussion regarding renewable energy and the potential for it to be covered under an HCP process; staff noted that the HCP and NCCP process is being considered for alternative energy.

It was moved by Board Member Larson and seconded by Mayor Pro Tem Hernandez, representing Supervisor Ashley, that the CVCC approve the resolution supporting the goals of regional habitat conservation planning and the California Habitat Conservation Planning Coalition.

The motion carried.

10. IMPLEMENTATION UPDATE

Katie Barrows stated that the first meeting of the Reserve Management Oversight Committee (RMOC) will be held on March 17th at CVAG. Applications have gone out to other entities that are eligible to be appointed and are due on March 20th. Potential recommendations may be brought back to the CVCC in April. The Trails Management Subcommittee will meet on March 18 at CVAG. One of the issues for that subcommittee is talking about working with each city and bringing forth the information about the Trails Plan as far as dogs, signage, coordination with the National Monument and getting their input and help in doing that. Chair Kite requested a list of current acronyms.

11. CONSENT CALENDAR

Approval

11A Approve Minutes of the February 12, 2008 Coachella Valley Conservation Commission.

It was moved by Councilmember Sniff and seconded by Mayor Garcia to approve the Minutes of February 12, 2008.

The motion carried.

Information

11B CVCC 2009 Attendance Roster

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

12. CLOSED SESSION

The CVCC went into Closed Session began at 11:18 a.m.

12A CONFERENCE WITH REAL PROPERTY NEGOTIATORS (Government Code § 54956.8)

Property: Assessors Parcel Number 660380011
Agency negotiator: Bill Havert
Negotiating parties: Sunny Young
Under negotiation: Instruction to negotiator regarding price and terms

Property: Assessors Parcel Number 727260014
Agency negotiator: Bill Havert
Negotiating parties: Ensemble Ocean Inv
Under negotiation: Instruction to negotiator regarding Instruction to negotiator regarding price and terms

Property: Assessors Parcel Number 651130015
Agency negotiator: Bill Havert
Negotiating parties: Peter Weng
Under negotiation: Instruction to negotiator regarding price and terms

Property: Assessors Parcel Number 660101003
Agency negotiator: Bill Havert
Negotiating parties: John Siegand
Under negotiation: Instruction to negotiator regarding price and terms

Property: Assessors Parcel Number 651130049
Agency negotiator: Bill Havert
Negotiating parties: Maria Betancourt
Under negotiation: Instruction to negotiator regarding price and terms

Property: Assessors Parcel Number 660020007
Agency negotiator: Bill Havert
Negotiating parties: Wilson Lucom
Under negotiation: Instruction to negotiator regarding price and terms

Property: Assessors Parcel Number 660020008
Agency negotiator: Bill Havert
Negotiating parties: Wilson Lucom
Under negotiation: Instruction to negotiator regarding price and terms

Property: Assessors Parcel Number 648180006
Agency negotiator: Bill Havert
Negotiating parties: Joseph Larsen
Under negotiation: Instruction to negotiator regarding price and terms

Property: Assessors Parcel Number 671180004
Agency negotiator: Bill Havert
Negotiating parties: Lori Leboy
Under negotiation: Instruction to negotiator regarding price and terms

Property: Assessors Parcel Number 648030011
Agency negotiator: Bill Havert
Negotiating parties: Janice Southworth
Under negotiation: Instruction to negotiator regarding price and terms

Property: Assessors Parcel Number 660020004

Agency negotiator: Bill Havert
Negotiating parties: Wilson Lucom
Under negotiation: Instruction to negotiator regarding price and terms

Property: Assessors Parcel Number 648220020
Agency negotiator: Bill Havert
Negotiating parties: Norman Sowards
Under negotiation: Instruction to negotiator regarding price and terms

Property: Assessors Parcel Number 665020004
Agency negotiator: Bill Havert
Negotiating parties: DHS Development
Under negotiation: Instruction to negotiator regarding price and terms

Property: Assessors Parcel Number 660290020
Agency negotiator: Bill Havert
Negotiating parties: Patricia Houdyshell
Under negotiation: Instruction to negotiator regarding price and terms

Property: Assessors Parcel Number 664130002
Agency negotiator: Bill Havert
Negotiating parties: Rena Frabony
Under negotiation: Instruction to negotiator regarding price and terms

Property: Assessors Parcel Number 665090004
Agency negotiator: Bill Havert
Negotiating parties: North American Drilling Co
Under negotiation: Instruction to negotiator regarding price and terms

Property: Assessors Parcel Number 648030019
Agency negotiator: Bill Havert
Negotiating parties: Yosef Wang
Under negotiation: Instruction to negotiator regarding price and terms

Property: Assessors Parcel Number 727260020
Agency negotiator: Bill Havert
Negotiating parties: Desert Diamond Partners
Under negotiation: Instruction to negotiator regarding price and terms

Property: Assessors Parcel Number 665090001
Agency negotiator: Bill Havert
Negotiating parties: Philip Kerr
Under negotiation: Instruction to negotiator regarding price and terms

Property: Assessors Parcel Number 664130012
Agency negotiator: Bill Havert
Negotiating parties: Rabia Khan
Under negotiation: Instruction to negotiator regarding price and terms

Property: Assessors Parcel Number 660093005
Agency negotiator: Bill Havert
Negotiating parties: Rhett Ferrell

Under negotiation: Instruction to negotiator regarding price and terms

Property: Assessors Parcel Number 648030015

Agency negotiator: Bill Havert

Negotiating parties: Yosef Wang

Under negotiation: Instruction to negotiator regarding price and terms

Property: Assessors Parcel Number 671170022

Agency negotiator: Bill Havert

Negotiating parties: Kieu Pham

Under negotiation: Instruction to negotiator regarding price and terms

Property: Assessors Parcel Number 661020008

Agency negotiator: Bill Havert

Negotiating parties: Consolidated Inv Fund Vi

Under negotiation: Instruction to negotiator regarding price and terms

Property: Assessors Parcel Number 660101004

Agency negotiator: Bill Havert

Negotiating parties: Robert Nard

Under negotiation: Instruction to negotiator regarding price and terms

Property: Assessors Parcel Number 648160007

Agency negotiator: Bill Havert

Negotiating parties: Richard Milanovich

Under negotiation: Instruction to negotiator regarding price and terms

Property: Assessors Parcel Number 660220003

Agency negotiator: Bill Havert

Negotiating parties: Victor Franco

Under negotiation: Instruction to negotiator regarding price and terms

Property: Assessors Parcel Number 647270002

Agency negotiator: Bill Havert

Negotiating parties: Carole Iliff

Under negotiation: Instruction to negotiator regarding price and terms

Property: Assessors Parcel Number 657060001

Agency negotiator: Bill Havert

Negotiating parties: Hyun Shinn

Under negotiation: Instruction to negotiator regarding price and terms

Property: Assessors Parcel Number 660020005

Agency negotiator: Bill Havert

Negotiating parties: Wilson Lucom

Under negotiation: Instruction to negotiator regarding price and terms

Property: Assessors Parcel Number 648030010

Agency negotiator: Bill Havert

Negotiating parties: Caroline Seitz Caroline Marie Revocable Trust

Under negotiation: Instruction to negotiator regarding price and terms

Property: Assessors Parcel Number 664050024
Agency negotiator: Bill Havert
Negotiating parties: Land Inv Inc
Under negotiation: Instruction to negotiator regarding price and terms

Property: Assessors Parcel Number 647270005
Agency negotiator: Bill Havert
Negotiating parties: Mark Warila
Under negotiation: Instruction to negotiator regarding price and terms

Property: Assessors Parcel Number 664090002
Agency negotiator: Bill Havert
Negotiating parties: Tyrone Yu
Under negotiation: Instruction to negotiator regarding price and terms

Property: Assessors Parcel Number 660060032
Agency negotiator: Bill Havert
Negotiating parties: Gary Kading
Under negotiation: Instruction to negotiator regarding price and terms

Property: Assessors Parcel Number 665090008
Agency negotiator: Bill Havert
Negotiating parties: Shaoul Gluck
Under negotiation: Instruction to negotiator regarding price and terms

Property: Assessors Parcel Number 648170001
Agency negotiator: Bill Havert
Negotiating parties: Marcel Micallef
Under negotiation: Instruction to negotiator regarding price and terms

Property: Assessors Parcel Number 665020002
Agency negotiator: Bill Havert
Negotiating parties: Tone Yee Inv Dev
Under negotiation: Instruction to negotiator regarding price and terms

Property: Assessors Parcel Number 648190004
Agency negotiator: Bill Havert
Negotiating parties: Richard Milanovich
Under negotiation: Instruction to negotiator regarding price and terms

Property: Assessors Parcel Number 660091010
Agency negotiator: Bill Havert
Negotiating parties: Ronald Marcione
Under negotiation: Instruction to negotiator regarding price and terms

Property: Assessors Parcel Number 663280016
Agency negotiator: Bill Havert
Negotiating parties: Palm Inv Group
Under negotiation: Instruction to negotiator regarding price and terms

Property: Assessors Parcel Number 664100026
Agency negotiator: Bill Havert

Negotiating parties: Deutsche Bank Natl Trust
Under negotiation: Instruction to negotiator regarding price and terms

Property: Assessors Parcel Number 648180020
Agency negotiator: Bill Havert
Negotiating parties: Sofia Valdez
Under negotiation: Instruction to negotiator regarding price and terms

Property: Assessors Parcel Number 660030002
Agency negotiator: Bill Havert
Negotiating parties: Lewis Taliaferro
Under negotiation: Instruction to negotiator regarding price and terms

Property: Assessors Parcel Number 660040001
Agency negotiator: Bill Havert
Negotiating parties: Boyd Willat
Under negotiation: Instruction to negotiator regarding price and terms

Property: Assessors Parcel Number 664100022
Agency negotiator: Bill Havert
Negotiating parties: Deutsche Bank Natl Trust
Under negotiation: Instruction to negotiator regarding price and terms

Property: Assessors Parcel Number 665100008
Agency negotiator: Bill Havert
Negotiating parties: Martin Snytsheuvel
Under negotiation: Instruction to negotiator regarding price and terms

Property: Assessors Parcel Number 651130018
Agency negotiator: Bill Havert
Negotiating parties: Standard Pacific Homes
Under negotiation: Instruction to negotiator regarding price and terms

Property: Assessors Parcel Number 648130008
Agency negotiator: Bill Havert
Negotiating parties: Ricardo Castro
Under negotiation: Instruction to negotiator regarding price and terms

Property: Assessors Parcel Number 660020003
Agency negotiator: Bill Havert
Negotiating parties: Wilson Lucom
Under negotiation: Instruction to negotiator regarding price and terms

Property: Assessors Parcel Number 750090027
Agency negotiator: Bill Havert
Negotiating parties: Robert Barckley
Under negotiation: Instruction to negotiator regarding price and terms

Property: Assessors Parcel Number 648020007
Agency negotiator: Bill Havert
Negotiating parties: Terrence Rios

Under negotiation: Instruction to negotiator regarding price and terms

Property: Assessors Parcel Number 660101005

Agency negotiator: Bill Havert

Negotiating parties: Robert Nard

Under negotiation: Instruction to negotiator regarding price and terms

Property: Assessors Parcel Number 660110032

Agency negotiator: Bill Havert

Negotiating parties: Frederick Stills

Under negotiation: Instruction to negotiator regarding price and terms

Property: Assessors Parcel Number 664050007

Agency negotiator: Bill Havert

Negotiating parties: Julie Brookler

Under negotiation: Instruction to negotiator regarding price and terms

Property: Assessors Parcel Number 660030003

Agency negotiator: Bill Havert

Negotiating parties: Lewis Taliaferro

Under negotiation: Instruction to negotiator regarding price and terms

Property: Assessors Parcel Number 664130011

Agency negotiator: Bill Havert

Negotiating parties: Nayara Umar

Under negotiation: Instruction to negotiator regarding price and terms

Property: Assessors Parcel Number 660030004

Agency negotiator: Bill Havert

Negotiating parties: Lewis Taliaferro

Under negotiation: Instruction to negotiator regarding price and terms

Property: Assessors Parcel Number 660280005

Agency negotiator: Bill Havert

Negotiating parties: Hrant Krikorian

Under negotiation: Instruction to negotiator regarding price and terms

Property: Assessors Parcel Number 651230010

Agency negotiator: Bill Havert

Negotiating parties: Beverly Hills Prop

Under negotiation: Instruction to negotiator regarding price and terms

Property: Assessors Parcel Number 660091005

Agency negotiator: Bill Havert

Negotiating parties: Phi Fang

Under negotiation: Instruction to negotiator regarding price and terms

Property: Assessors Parcel Number 671180008

Agency negotiator: Bill Havert

Negotiating parties: Lori Leboy

Under negotiation: Instruction to negotiator regarding price and terms

Property: Assessors Parcel Number 648200001
Agency negotiator: Bill Havert
Negotiating parties: Stephen Lyon
Under negotiation: Instruction to negotiator regarding price and terms

Property: Assessors Parcel Number 664120002
Agency negotiator: Bill Havert
Negotiating parties: Rabia Khan
Under negotiation: Instruction to negotiator regarding price and terms

Property: Assessors Parcel Number 660040002
Agency negotiator: Bill Havert
Negotiating parties: Kim Weathersby
Under negotiation: Instruction to negotiator regarding price and terms

Property: Assessors Parcel Number 661020011
Agency negotiator: Bill Havert
Negotiating parties: Bochner Enterprises
Under negotiation: Instruction to negotiator regarding price and terms

Property: Assessors Parcel Number 648220028
Agency negotiator: Bill Havert
Negotiating parties: Roberto Uriostegui
Under negotiation: Instruction to negotiator regarding price and terms

Property: Assessors Parcel Number 660093001
Agency negotiator: Bill Havert
Negotiating parties: Phi Fang
Under negotiation: Instruction to negotiator regarding price and terms

Property: Assessors Parcel Number 750090025
Agency negotiator: Bill Havert
Negotiating parties: Richard Shoop
Under negotiation: Instruction to negotiator regarding price and terms

Property: Assessors Parcel Number 664120001
Agency negotiator: Bill Havert
Negotiating parties: Rena Frabony
Under negotiation: Instruction to negotiator regarding price and terms

Property: Assessors Parcel Number 647070014
Agency negotiator: Bill Havert
Negotiating parties: Iryna Scharer Filatow
Under negotiation: Instruction to negotiator regarding price and terms

Property: Assessors Parcel Number 660102001
Agency negotiator: Bill Havert
Negotiating parties: Guadalupe Romo
Under negotiation: Instruction to negotiator regarding price and terms

Property: Assessors Parcel Number 660020006
Agency negotiator: Bill Havert

Negotiating parties: Wilson Lucom
Under negotiation: Instruction to negotiator regarding price and terms

Property: Assessors Parcel Number 648130001
Agency negotiator: Bill Havert
Negotiating parties: Sheila Wagner
Under negotiation: Instruction to negotiator regarding price and terms

Property: Assessors Parcel Number 664090005
Agency negotiator: Bill Havert
Negotiating parties: Alfred Schmidt
Under negotiation: Instruction to negotiator regarding price and terms

Property: Assessors Parcel Number 660200013
Agency negotiator: Bill Havert
Negotiating parties: Ray Mayeri
Under negotiation: Instruction to negotiator regarding price and terms

Property: Assessors Parcel Number 664090014
Agency negotiator: Bill Havert
Negotiating parties: Tyrone Yu
Under negotiation: Instruction to negotiator regarding price and terms

Property: Assessors Parcel Number 663270003
Agency negotiator: Bill Havert
Negotiating parties: Monica Madan
Under negotiation: Instruction to negotiator regarding price and terms

Property: Assessors Parcel Number 648220031
Agency negotiator: Bill Havert
Negotiating parties: Santiago Rodarte
Under negotiation: Instruction to negotiator regarding price and terms

Property: Assessors Parcel Number 729050001
Agency negotiator: Bill Havert
Negotiating parties: Ming Lee
Under negotiation: Instruction to negotiator regarding price and terms

Property: Assessors Parcel Number 665090013
Agency negotiator: Bill Havert
Negotiating parties: Equity Trust Co Custodian
Under negotiation: Instruction to negotiator regarding price and terms

The CVCC re-adjourned at 11:50 p.m. with the following report:

Toni Eggebraaten reported that the Commission has unanimously authorized staff to begin negotiations for the purchase of parcels identified in the agenda for this item but spending up to a maximum of \$6,000,000 for all such parcels. The CVCC does not know how many of those parcels we can acquire with that budget, the Commission has authorized staff to initiate the first negotiation based on the priorities that have been previously set for acquisition and they will continue in that manner until they have acquired all of the parcels or they have exhausted their \$6,000,000 limit. In addition, the

Commission has authorized staff to explore the potential donation of parcels 660290020 with the Commission potentially paying all of the seller's costs.

The motion on the first item regarding spending authorization was made by CVWD seconded by the City of Palm Desert and the vote was unanimous. The second motion with respect to the donated parcel was made by CVWD and seconded by the City of Indian Wells and the vote was unanimous.

12B CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION

Pursuant to Government Code Section 54956.9(a)

Name of Case: Landmark Properties, U.S., Inc., v. Coachella Valley Association of Governments and Coachella Valley Conservation Commission

No report.

13. **ANNOUNCEMENTS**

The next meeting of the Coachella Valley Conservation Commission is scheduled for April 9, 2009 at 11:00 a.m.

14. **ADJOURNMENT**

The meeting adjourned at 11:53 a.m.

Respectfully submitted,

Linda Rogers
Program Assistant II