

**SUBMITTAL TO THE BOARD OF SUPERVISORS  
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA**



**FROM:** Executive Office

**SUBMITTAL DATE:**  
June 6, 2006

**SUBJECT:** Report on the County/City Arroyo-Watershed Committee (CCAC)

**RECOMMENDED MOTION:** That the Board of Supervisors:

1. Direct the County Planning Department, working with the City of Riverside Community Development Department, to co-chair and provide staff support to the CCAC. In 90 days, the Planning Department shall report back to the Board on CCAC recommendations on arroyo mapping and policies and the future role of the CCAC.
2. Direct the Planning Department to review the City of Riverside Request for Proposals (RFP) for the delineation of natural arroyo boundaries and report to the Board in 90 days with a recommendation regarding retaining a consultant to provide similar services for arroyos in the unincorporated area.
3. Receive and file the attached Report on County/City Arroyo-Watershed Committee.

**BACKGROUND:**

The attached Report on County/City Arroyo-Watershed Committee (CCAC) is in response to a March 14, 2006 (M.O. 3.37) direction from the Board of Supervisors to the Executive Office to review the goals, tasks and composition of the CCAC. The Board established the CCAC on July 21, 2004 to "coordinate issues

(Cont. next page)

  
 Katherine Gifford  
 Principal Management Analyst

<b>FINANCIAL DATA</b>	Current F.Y. Total Cost:	\$ N/A	In Current Year Budget:	N/A
	Current F.Y. Net County Cost:	\$ N/A	Budget Adjustment:	N/A
	Annual Net County Cost:	\$ N/A	For Fiscal Year:	N/A
<b>SOURCE OF FUNDS:</b> N/A				<b>Positions To Be Deleted Per A-30</b> <input type="checkbox"/>
				<b>Requires 4/5 Vote</b> <input type="checkbox"/>

**C.E.O. RECOMMENDATION: APPROVE**

**County Executive Office Signature** 

Policy  
 Policy  
 Consent  
 Consent  
 Dep't Recomm.:  
 Per Exec. Ofc.:

Pre. Agn. Ref.: 3/14/06 (3.37) | District: All | Agenda Number:

## Report of County/City Arroyo-Watershed Committee

### Page 2

regarding arroyo-watersheds that traverse both the unincorporated County area as well as through the City of Riverside." The City of Riverside endorsed the formation of the CCAC on December 14, 2004 (item no. 18) and directed that the City Council appoint City representatives from applicable wards. As shown in Attachment 1 of the report, the CCAC is composed of representatives from the First, Second, Fourth and Fifth Supervisorial Districts and five of the seven city wards.

The CCAC has worked diligently to address the many issues affecting city and county arroyos, but after two years of effort, the CCAC has not completed arroyo policies and maps that could assist the County and City in reviewing land development. To assist the CCAC in completing these activities, it is recommended that the County Planning Department and City Community Development Department share chairmanship of the CCAC and serve as support staff to assist the CCAC in finalizing its policy and mapping recommendations.

Within 90 days, it is further recommended that the Planning Department return to the Board with a report on the CCAC arroyo map and policies and an update regarding the future role of the CCAC. The City of Riverside recently issued a RFP to delineate the natural arroyo boundaries in the city. It is recommended that the Planning Department review the City's RFP and report back to the Board on its recommendation regarding retaining a consultant to provide similar services for arroyos in the unincorporated area.

# REPORT ON COUNTY/CITY ARROYO-WATERSHED COMMITTEE

JUNE, 2006

## **Purpose**

On March 14, 2006 (M.O. 3.37), the Board of Supervisors directed the Executive Office to review the goals, tasks and composition of the County/City Arroyo-Watershed Committee (CCAC) and report back to the Board with recommendations. This report includes the following:

- Formation and Goals of the CCAC
- Composition of the CCAC
- CCAC Accomplishments
- Issues Affecting CCAC Completion of Goals
- Recommendations

This report and its recommendations were developed with the assistance of the Community Development Director with the City of Riverside. The results of this study and its recommendations will be shared with City representatives.

## **I. Formation and Goals of the CCAC**

On July 21, 2004, the Board of Supervisors established the CCAC to "coordinate issues regarding arroyo-watersheds that traverse both the unincorporated County area as well as through the City of Riverside." The purpose of the committee was to "gather information and make recommendations to the relevant planning authorities and present strategies for the conservation and preservation of arroyos-watersheds in Riverside County." The CCAC was an outgrowth of the Riverside County/City Committee for Arroyo Preservation (RAP) that was formed in 2003.

The Board directed the CCAC to "develop a comprehensive model/master plan that promotes preservation and naturalization of arroyo-watershed for benefit of wildlife, to promote open space and trails, to sustain water recharge, and to encourage compatible development." To meet these goals, the Board emphasized the importance of consistency between agencies, most particularly the City of Riverside and County, on issues related to grading permits, arroyo maintenance, trail continuity, drainage, code enforcement and property owner education.

As requested by the County, the City of Riverside endorsed the formation of the CCAC on December 14, 2004 (item no. 18) and directed that the City Council appoint City representatives from applicable wards.

## **II. Composition of the CCAC**

Attachment 1 shows a listing of the current CCAC membership. According to the Bylaws, each supervisorial district and City ward may appoint up to two members, although the committee membership shall not exceed twenty-two (22). The Committee is composed of representatives from each of the City's seven wards and appointed representatives from the First, Second, Fourth and Fifth Supervisorial Districts. Ad hoc members have no voting authority.

The CCAC has formed a number of ad hoc subcommittees, chaired by various CCAC members. Specifically, these subcommittees are:

- Mapping Subcommittee: Dr. Cindy Nance, Chair
- Trails Subcommittee: Wendy Eads, Chair
- Arroyo Watch Subcommittee: David Wahlquist, Chair
- Project Review Subcommittee: Lee Cussins and Dick Frick, Co-Chair
- Conservation Easement Subcommittee: Frank Heyming, Chair

In past meetings, discussion at CCAC meetings was often directed to current development cases or other matters such as trails, resulting in delay in finalizing the policies and arroyo map. The CCAC has recently refocused its efforts towards finalizing arroyo policies and maps. To address problems in finalizing its actions, the CCAC recently set new timelines requiring subcommittees to submit their reports to the CCAC Secretary so that they can be agendaized and circulated to CCAC members in a timely manner.

## **III. CCAC Accomplishments**

In a letter dated April 4, 2006, the CCAC Chairman, Frank Heyming, identified the following CCAC accomplishments:

- With the assistance of the Riverside Corona Resource Conservation District, the CCAC has developed draft "conservation easement" language. This language has been forwarded to the County and City for review and comment.
- The CCAC has monitored new projects that might affect arroyos and have forwarded to the City and County written project recommendations in regard to trails, setbacks, septic percolation and vegetation.
- The CCAC has reviewed the City's and County's policies on illegal grading as it relates to arroyos. Recommendations will be finalized in the near future.
- The CCAC has forwarded comments to the respective jurisdiction on the City and County general plans and the City zoning code as it relates to arroyos.

In addition to these activities, the CCAC has prepared a "List of Priority Recommendation Topics" including development near arroyos, educational programs, environmental considerations, potential design guidelines and mechanisms for improved coordination between the City and County.

The CCAC Chairman wrote that the current major CCAC project is assisting the County in developing a comprehensive map of the arroyos that flow into the City of Riverside and recommended procedures for dealing with these arroyos. At the May 2006 meeting, the CCAC distributed draft Arroyo/Watercourse Policy Development Recommendations, Proposed Stream Ranking Criteria, GIS Mapping Project: Watercourse Layer Metadata and recommended language for the draft County Land Use Ordinance. CCAC representatives are meeting with County Planning to discuss the draft material prior to further consideration at the June, 2006 CCAC meeting. These materials should lead to a committee-recommended arroyo map and policies.

The CCAC members have demonstrated their ongoing commitment to the preservation of arroyos. However, there are actions that can be taken to better ensure that the work of the committee is translated into City and County programs.

#### **IV. Issues Affecting CCAC Completion of Goals**

**Role of the CCAC:** The CCAC Bylaws state that the committee is to "provide guidance, information, and recommendations to the County of Riverside Board of Supervisors (BOS) and the City of Riverside City Council (CC) on matters related to the Committee's mission, goals, and objectives." As shown in Attachment 2, the By-laws list an extensive list of goals and objectives, such as "record the biological, historical, and anthropological assets of arroyo system in the project area." These goals are daunting without significant ongoing support from City and County staffs.

Focusing and prioritizing the committee's activities with additional staff direction may facilitate completion of the arroyo map and policies and facilitate communication to the Board of Supervisors and City Council. The committee's Bylaws state that an annual report shall be filed with the Board of Supervisors and City Council. To date, no report has been filed.

In order to complete the policy development and mapping effort, it may be beneficial to reduce or eliminate the number of subcommittees and allow all committee members to fully focus on the core mission of policy development and mapping, laying the foundation for future land development, trails, and other CCAC efforts.

**Staff Support:** The 2004 Board action that formed the CCAC indicated that County and City staff would provide joint support to the committee. It appears

that departmental staff support has been inconsistent and has lacked direction. CCAC members have met with various County and City staffs on an informal basis but have not received consistent City-County feedback on draft documents, such as the conservation easement language. The net result has been that while the CCAC has made significant progress in mapping arroyos, County departments such as Planning and Flood Control, who potentially would implement any arroyo mapping and policy related to land development, have not had the opportunity to review these maps.

The City of Riverside recently issued a Request for Proposals (RFP) to precisely delineate the boundaries of the officially designated natural arroyos and tributaries. The City proposes to study the Mockingbird Canyon, Prenda, Woodcrest, Alessandro, Springbrook and Tequesquite Arroyos. The CCAC are also focusing on mapping these arroyos. With Board approval, there is an opportunity to work with the City in expanding the consultant's work to include arroyos located in the unincorporated area. The CCAC's work on mapping arroyos and developing policies could assist the consultant and result in a more in-depth study.

**Bylaws:** The CCAC Bylaws include certain language that should be reviewed by County Counsel. For example, Article V, Section 2 allows for actions to be taken if "all members of the committee, individually or collectively, consent in writing to that action." The committee has been advised that this type of action fails to comply with Brown Act requirements, as it does not allow for public participation. A thorough review of the Bylaws is necessary and staff support is needed to ensure compliance with County and City policies as well as legal requirements.

## **V. Recommendations**

The following recommendations have been developed based on this report:

1. The Board of Supervisors and City Council direct the County Planning Department and City Community Development Department to share chairmanship of the CCAC and serve as support staff to finalize CCAC recommendations on arroyo mapping and policy. These documents could be considered by the Board and Council within 90 days.
2. The County Planning Department and City Community Development Department report to the Board and Council within 90 days on the future role of the CCAC and ongoing support needs. Based on its future role, the CCAC Bylaws should be updated to reflect the role of County and City staff and incorporate County Resolution 2005-248 and related City policies.
3. It is further recommended that the Planning Department review the draft City RFP for delineation of natural arroyo boundaries within the

City of Riverside and, in 90 days, report back the Board with a recommendation regarding retaining a consultant to provide similar services for arroyos in the unincorporated area.

**County/City Arroyo Watershed Committee Contact information:** (updated 6/6/06)

**City Citizen Representatives:**

W1 – vacant

W2 - Wendy Eads  
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W3 - Frank Heyming  
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Work: 951-784-2770 x201  
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W5 – vacant

W6 - Richard Puckett  
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Riverside, CA 92503  
951-688-0850  
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W7 - Don E. Coon  
11231 Sweetwater Drive  
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**City Clerk's Office**

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Riverside, CA 92522  
(951) 826-5557  
Colleen Nicol  
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**Clerk: Riverside County Board of Supervisors**

Mechele Allison  
[mmallison@rcbos.org](mailto:mmallison@rcbos.org)

**City of Riverside Liaison**

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**Riverside County Executive Office**

Kathy Gifford  
County Executive Office  
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**County Citizen Representatives:**

ATTACHMENT 1

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**Ad hoc Members:**

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**BYLAWS**  
**OF THE**  
**COUNTY/CITY ARROYO-WATERSHED COMMITTEE**

Should any provision of these bylaws conflict with County or City rules, policies, statutes, ordinances or resolutions regarding the establishment or governance of standing committees, the conflicting issue in question shall be resolved to the satisfaction of the Riverside County Board of Supervisors and the City of Riverside City Council.

**ARTICLE I**  
**NAME**

The name of the jointly appointed County of Riverside/City of Riverside advisory committee shall be County/City Arroyo-Watershed Committee. Also referred to as "CCAC" and "the committee," herein.

**ARTICLE II**  
**PURPOSE, MISSION, GOALS, AND OBJECTIVES**

SECTION 1: Purpose The purpose of the County/City Arroyo-Watershed Committee is to provide guidance, information and recommendations to the County of Riverside Board of Supervisors (BOS) and the City of Riverside City Council (CC) on matters related to the committee's mission, goals and objectives.

SECTION 2: Mission To promote cooperation between the County and City of Riverside for the conservation and preservation of the arroyos in the project area. Develop a comprehensive model that promotes preservation of arroyos, quality of life, and compatible development that can serve as a template for this and other areas.

SECTION 3: Goals/Objectives

1. To record the biological, historical, and anthropological assets of arroyo system in project area.
2. To document and promote wildlife and recreational trail connectivity among arroyo systems and open space areas.
3. Review laws, regulations, and ordinances pertaining to arroyo protection and use, and recommend modifications as necessary.
4. Provide suggestions regarding the development review processes that are consistent with regulations that afford arroyo protection and accommodate compatible development.
5. Offer suggestions to County and City staff, commissions, councils, and boards on projects presently in process or proposed adjacent to arroyos to promote arroyo protection.
6. Highlight undeveloped arroyo areas for future review.
7. Coordinate with the Economic Development representatives from City and County.

8. In cooperation with the local Resource Conservation District, educate the public and government agencies on the value of arroyo conservation, connectivity, and personal stewardship.

### **ARTICLE III SCOPE OF INTEREST**

The Primary Project Area described below will be emphasized by the committee. The following arroyo systems and their tributary arroyos, within the County Districts (D) and City Wards (W) shown, include but are not limited to:

Alessandro Arroyo (D1; W4), Springbrook Wash (D1, 2, 5; W1), Prenda Arroyo (D1; W4), Woodcrest Arroyo (D1, W4), Golden Starr/Washington Arroyos (D1), Mockingbird Canyon Arroyo (D1, W5), Tequesquite Arroyo (D1, 2; W1, 2), Box Springs Canyon/Sycamore Canyon Arroyos (D1, 5; W2), Harrison Creek (D1; W5) and Big Springs Arroyo (D5, W2).

These arroyos, and their respective watersheds and headwaters, are the primary responsibility of this committee. Should the BOS, CC and/or CCAC request involvement of CCAC in arroyo-watershed issues for arroyos located outside of the primary project area, such involvement may be granted by a majority vote of the committee.

### **ARTICLE IV MEMBERSHIP**

#### SECTION 1: Responsibilities

The members will formulate the policies and procedures of the committee and will direct activities through the chairperson, provided that all activities and affairs of the committee shall be managed and powers exercised by or under the direction of the majority of the committee. The members are responsible for attending all meetings of the committee unless the secretary has been properly notified of an expected absence.

#### SECTION 2: Number and Qualifications of CCAC Members

The authorized number of members shall be no more than twenty-two (22), with each BOS and CC allowed to appoint up to two (2) members based on their residence within the Primary Project Area or based on their expertise with respect to the mission and goals of the committee. Each member shall be at least eighteen years of age and resident of the County of Riverside.

#### SECTION 3: Appointment and Term of Office of CCAC Members

The authorized membership shall include members appointed by and who serve at the pleasure of the BOS and CC. Each County Supervisor whose districts include the above referenced Primary Project Area (see Section III) may appoint up to two (2) members to the committee. Each City Council Member shall appoint one (1) and may appoint up to two (2) members to the committee. Each member shall serve a term of two (2) years from the last preceding July 1, and may be appointed for one additional term, except that a simple majority of the first appointees shall be appointed for a three (3) year term to create staggered appointment schedules. After serving two

consecutive terms or an initial three-year term, a member may be re-appointed after a one (1) year hiatus from the committee.

#### SECTION 4: Conflict of Interest

A voting member of the committee may not be an elected official of the County or City of Riverside, or an employee of either jurisdiction whose employment directly impacts the work of the Committee. In the event an elected official is appointed to the committee and he or she accepts such and appointment, he/she shall forthwith resign the elected position. Likewise, if a member of the committee stands for election or is appointed to an elective office, he/she shall resign from the committee, and her/his positions shall be deemed vacant. These same conditions shall apply to employment with the County or City of Riverside.

#### SECTION 5: Vacancies

A vacancy or vacancies in the committee shall exist upon the expiration of a term, in the event of death, resignation, or if a member has three (3) or more unexcused absences from meetings annually. A vacancy is created due to absence if a member has failed to attend three consecutive meetings of the committee, such absence has not been excused by the committee, those facts have been reported by or on behalf of the committee to the BOS or CC, and the agency responsible for the appointee has declared position vacant. A vacancy is normally filled in accordance with the Maddy Local Appointive List Act of 1975, and with the longest unexpired term being filled first.

#### SECTION 6: Resignations

Except as provided in this paragraph, any member may resign effective upon giving written notice to the chairperson or secretary of the committee unless the notice specifies a later time for the resignation to become effective. If the resignation of the member is effective at a future time, the BOS or CC representative responsible for reappointment may appoint a successor to fill the vacancy when the resignation becomes effective.

#### SECTION 7: Non-County/City Advisory and Ad Hoc Members

Many agencies have jurisdiction and/or expertise with respect to arroyo and watershed conservation. Representatives from such organizations shall be invited to attend regular meetings of the committee including, but not limited to: Riverside-Corona Resource Conservation District, Riverside Land Conservancy, USDA Natural Resources Conservation Service, Riverside County Flood Control District, and Riverside County Park and Open Space District. Other experts and agency representatives may be invited to attend meetings and provide technical expertise as needed and requested by the committee.

## **ARTICLE V MEETINGS OF THE CCAC**

#### SECTION 1: Regular and Special

Regular meetings of the committee shall be held no less than eleven times each year at a date, time and place to be designated by the committee in a standing order. Once so designated and the standing order is kept current, no notice need be issued with regard to said regular meetings. Special meetings of the committee for any purpose may be called at any time by the chairperson,

or any two (2) members. The calling, giving notice and conducting of meetings shall be in accordance with the Ralph M. Brown Act (Section 54950 et seq. of the Government Code).

SECTION 2: Majority Action of the Membership Required to Approve a Motion

A quorum shall consist of a majority of the members of the committee not counting vacant positions. Any action of the committee shall require affirmative votes of not less than a quorum, except that less than a quorum may adjourn a meeting sine die or to a specified time and place.

Any action required or permitted to be taken by the committee may be taken at any regular or special meeting of CCAC. Action may be taken without a meeting if all members of the committee, individually or collectively, consent in writing to that action. Such action by written consent shall have the same force and effect as a unanimous vote of the committee. Such written consents shall be filed with the minutes of the proceeding meeting of the committee.

SECTION 3: Fees and Compensation of Members

Members of the committee shall serve without compensation or reimbursement of expenses.

**ARTICLE VI  
LEADERSHIP**

SECTION 1: Officers

The committee leadership shall include a chairperson, a vice chairperson and a secretary. The committee may also have, at its discretion, one or more other officers as may be appointed by the chairperson at the direction of the committee. All officers shall serve without compensation or reimbursement of expenses.

SECTION 2: Election of Officers

The officers of the committee shall be chosen by and from the duly appointed membership. All officers shall serve for a term of one year with the option to be re-elected. The election of officers shall occur at the first meeting after the appointment of new members for new terms (July).

SECTION 3: Removal of Officers

Any officer may be removed for failure to complete duties assigned or failure to carry out the will of the committee, by majority vote of the committee at any regular or special meeting of CCAC.

SECTION 4: Resignation of Officers

Any officer may resign effective upon giving written notice to the committee unless the notice specifies a later time for the resignation to become effective.

SECTION 5: Vacancies in Offices

A vacancy in office for any cause shall be filled by special election or as prescribed in these bylaws for regular election to that office.

SECTION 6: Responsibilities of Officers

(a) Chairperson. The chairperson shall set the agenda pursuant to committee input, preside at meetings of the committee and exercise and perform such other powers and duties as may be

from time to time assigned to the office by the committee or prescribed by the bylaws. The chairperson shall, subject to the control of the committee, generally supervise, direct and control the business and the officers of the committee.

- (b) Vice Chairperson. In the absence or disability of the chairperson, the vice president shall perform all the duties of the president, and shall be subject to all the restrictions and requirements of the chairperson. The vice chairperson shall have such powers and perform such duties as from time to time may be prescribed for the office by the committee or the chairperson.
- (c) Secretary. The secretary shall cause to be kept and maintained a book of minutes and such other records appropriate to the orderly conduct of the business of the committee. The minutes, including recommendations of the committee, shall be forwarded to the Clerk of the Board and the City Clerk for the City Council promptly after the minutes are prepared and signed by the secretary. It shall not be necessary to await approval of the minutes by the committee. The reports or copies thereof, shall be kept at the County of Riverside Administrative Center, office of the BOS. The secretary shall have such powers and perform such duties as from time to time may be prescribed for the office by the committee.

#### SECTION 7: Sub Committees

The chairperson may appoint and dissolve such standing or special sub committees of CCAC as may be necessary or appropriate to conduct the responsibilities of the committee.

## **ARTICLE VII RECORDS AND REPORTS**

#### SECTION 1: Inspection of Committee Records

The BOS and CC shall be duly authorized to review the internal records of the committee and to evaluate the benefits occurring to the County and/or City of Riverside from its cooperation and consideration of the committee.

#### SECTION 2: Annual Report

The committee shall file with the BOS and CC an annual report of its activities, may file a special report whenever the committee deems it desirable to do so, and shall file a report when requested to do so by the BOS or CC.

#### SECTION 3: Committee Recommendations to the BOS and CC

The recommendations of the committee shall be submitted to the Clerk of the Board to be placed on the BOS agenda and to the City Clerk for placement on the CC agenda. The recommendation shall be the motion approved by the committee. County and City departments/agencies retain the right to include an alternate recommendation for BOS/CC consideration. In instances where the staff recommendation differs from the committee's, the committee will be notified by assigned staff of the alternate recommendation and the time/date that the matter will be considered by the BOS and/or CC.

**ARTICLE VIII**  
**RELATIONSHIP WITH THE COUNTY AND THE CITY OF RIVERSIDE**

SECTION 1: Board of Supervisors and City Council Authority

The committee's operations and continued recommendation authority are dependent upon adoption of a formal motion by both the BOS and CC for that purpose.

SECTION 2: Staff Assistance

The CCAC's purpose and areas of interest overlap various County and City departments. Therefore, the County Executive Office and the City Manager's office shall appoint staff to be responsible for/to the committee. Duties of such agency staff include attendance at regular meetings of the committee, coordination of committee activities and needed support from all agency departments, and placing committee recommendations on the agendas of the BOS and CC, respectively.

**ARTICLE IX**  
**LIMITATION ON AUTHORITY**

Pursuant to County BOS Resolution No. 95- 290 and City Council approval on December 14, 2004, the function of the committee shall be to study and make recommendations within the scope of the subject matter specified in Articles II and III of these bylaws.

**ARTICLE X**  
**AMENDMENTS**

These bylaws may be adopted, amended, or repealed by written assent of a majority of the committee. Such written assent may be constituted by majority vote at a regular or special meeting of the committee and as described in Article V, Section 2, herein.

**ARTICLE XI**  
**PARLIAMENTARY AUTHORITY**

The rules contained in the current edition of "Roberts Rules of Order", newly revised, shall govern the association in all cases to which they are not inconsistent with these bylaws and special rules of order the committee may adopt.

APPROVED BY THE COUNTY/CITY ARROYO-WATERSHED COMMITTEE

Adopted: February 9, 2005

Amended: June 8, 2005

Attest:

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Arlee Montalvo, Secretary