

2008.01.281

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

FROM: Department of Facilities Management

SUBMITTAL DATE:
January 29, 2008

SUBJECT: Memorandum of Understanding, Conservation Easement Deed and Assignment and Assumption Agreement by and Between the County of Riverside and the Western Riverside County Regional Conservation Authority

RECOMMENDED MOTION: That the Board of Supervisors:

1. Approve the Memorandum of Understanding, Conservation Easement Deed and Assignment and Assumption Agreement and authorize the Chairman of the Board to execute this agreement on behalf of the County; and
2. Authorize the Director of the Department of Facilities Management or his designee to execute any other documents and administer all actions to complete this transaction.

BACKGROUND: (Commences on Page 2)

Robert Field, Director
Department of Facilities Management

RF:CS:cm
11.379

FINANCIAL DATA	Current F.Y. Total Cost:	\$ -0-	In Current Year Budget:	No
	Current F.Y. Net County Cost:	\$ -0-	Budget Adjustment:	No
	Annual Net County Cost:	\$ -0-	For Fiscal Year:	07/08

SOURCE OF FUNDS: Not Applicable	Positions To Be Deleted Per A-30	<input type="checkbox"/>
	Requires 4/5 Vote	<input type="checkbox"/>

C.E.O. RECOMMENDATION:

APPROVE

BY: Jennifer L. Sargent

County Executive Office Signature

FORM APPROVED COUNTY COUNSEL
BY: *Synthia M. Gunzel* 2-6-08
DATE
SYNTHIA M. GUNZEL

Consent
 Policy

 Consent
 Policy

 Dept't Recomm.:
 Per Exec. Ofc.:

Prev. Agn. Ref.: 10/17/06, Item 3.60 | District: 5 | Agenda Number:

ATTACHMENTS FILED
WITH THE CLERK OF THE BOARD

3.29

Department of Facilities Management

Memorandum of Understanding, Conservation Easement Deed and Assignment and Assumption Agreement by and Between the County of Riverside and the Western Riverside County Regional Conservation Authority

January 29, 2008

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BACKGROUND: Grant funding was made available through the State of California Parks Department for the purpose of securing conservation lands. The terms of the State of California Parks grant requires that only a County or City may apply for the grant. Joint power agencies, such as the RCA, may not apply for the grant. Furthermore, the grant requires that the County take fee title to the property.

As authorized by the Board of Supervisors on October 17, 2006, (Agenda Item 3.60), the County of Riverside Executive Office submitted an application for Grant Funding to the State of California Parks Department for fifty percent (50%) of the cost to acquire land for habitat conservation. On June 1, 2007, the State approved the requested Grant Funding.

At the request of the Western Riverside County Regional Conservation Authority (RCA), the County of Riverside proposes to acquire Assessor's Parcel Number 915-320-009, which is approximately 20.33 acres in size for the purpose of habitat conservation. This acquisition is pursuant to a Habitat Acquisition Negotiation Strategy (HANS) and Joint Project Review (JPR) analysis completed by the County and RCA in accordance with the Western Riverside County Multiple Species Habitat Conservation Plan (MSHCP).

Thus, the County and RCA are entering into the Memorandum of Understanding to provide a process for the County and RCA to complete the receipt of the State Parks Department grant funding in support of the purchase of Assessor's Parcel Number 915-320-009 as needed for the MSHCP. RCA will provide the match funds for the grant by contributing the remaining fifty percent (50%) of the funding to complete the purchase of the property.

In addition, the County and RCA will enter into an Assignment and Assumption Agreement whereby RCA shall assign the Purchase and Sale Agreement for the subject property to the County, so that title to the property will be vested in the County. In addition, a Conservation Easement will be executed whereby the County agrees to grant a Conservation Easement in favor of RCA. The Conservation Easement establishes that RCA will be responsible for all management, maintenance and conditions on the property at RCA's sole expense.

The proposed purchase of habitat lands is a Class 7 and Class 13 categorically exempt action under the California Environmental Quality Act and an Exemption Notice has been filed.

The above referenced documents have been reviewed and approved by County Counsel as to legal form.

FINANCIAL DATA: None applicable