

# Western Riverside Council of Governments

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## Regular Meeting

~ Minutes ~

Monday, March 4, 2019

2:00 PM

County Administrative Center

### 1. CALL TO ORDER

The meeting was called to order by Chair Chuck Washington at 2:03 p.m. on March 4, 2019, at the Riverside County Administrative Center, 4080 Lemon Street, Riverside

Jurisdiction	Attendee Name	Status	Arrived / Departed
City of Banning	Daniela Andrade	Present	1:55 PM
City of Beaumont	Mike Lara	Present	1:55 PM
City of Calimesa	Jim Hyatt	Present	1:55 PM
City of Canyon Lake		Absent	
City of Corona	Jason Scott	Present	1:55 PM
City of Eastvale	Brandon Plott	Present	1:55 PM
City of Hemet	Bonnie Wright	Present	1:55 PM
City of Jurupa Valley	Michael Goodland	Present	1:55 PM
City of Lake Elsinore	Brian Tisdale	Present	1:55 PM
City of Menifee	Matt Liesemeyer	Present	1:55 PM
City of Moreno Valley	Victoria Baca	Present	1:55 PM / 2:39 PM
City of Murrieta	Kelly Seyarto	Present	1:55 PM
City of Norco	Kevin Bash	Present	1:55 PM
City of Perris	Rita Rogers	Present	1:55 PM
City of Riverside	Rusty Bailey	Present	1:55 PM
City of San Jacinto	Russ Utz	Present	1:55 PM
City of Temecula	James Stewart	Present	1:55 PM
City of Wildomar	Ben Benoit	Present	1:55 PM
District 1	Kevin Jeffries	Present	1:55 PM / 2:36 PM
District 2		Absent	
District 3	Chuck Washington	Present	1:55 PM
District 5		Absent	
EMWD	David Slawson	Present	1:55 PM
WMWD	Brenda Dennstedt	Present	1:55 PM
Morongo Band of Mission Indians		Absent	
Office of Education (ex-officio)		Absent	
TAC Chair		Absent	
Executive Director	Rick Bishop	Present	1:55 PM

Note: Times above reflect when the member logged in; they may have arrived at the meeting earlier.

**2. PLEDGE OF ALLEGIANCE**

Committee member Rita Rogers led members and guests in the Pledge of Allegiance.

**3. PUBLIC COMMENTS**

There were no public comments.

**4. MINUTES**

<b>RESULT:</b>	<b>APPROVED AS RECOMMENDED</b>
<b>MOVER:</b>	Wildomar
<b>SECONDER:</b>	Murrieta
<b>AYES:</b>	Banning, Beaumont, Calimesa, Corona, Eastvale, Hemet, Jurupa Valley, Lake Elsinore, Menifee, Moreno Valley, Murrieta, Norco, Perris, Riverside, San Jacinto, Temecula, Wildomar, District 1, District 3, WMWD
<b>ABSTAIN:</b>	EMWD
<b>ABSENT:</b>	Canyon Lake, District 2, District 5, Morongo Band of Mission Indians

**A. Summary Minutes from the February 4, 2019, Executive Committee Meeting are Available for Consideration**

**Action:** 1. *Approved the Summary Minutes from the February 4, 2019, Executive Committee meeting.*

**5. CONSENT CALENDAR**

<b>RESULT:</b>	<b>APPROVED AS RECOMMENDED</b>
<b>MOVER:</b>	Moreno Valley
<b>SECONDER:</b>	Hemet
<b>AYES:</b>	Banning, Beaumont, Calimesa, Corona, Eastvale, Hemet, Jurupa Valley, Lake Elsinore, Menifee, Moreno Valley, Murrieta, Norco, Perris, Riverside, San Jacinto, Temecula, Wildomar, District 1, District 3, EMWD, WMWD
<b>ABSENT:</b>	Canyon Lake, District 2, District 5, Morongo Band of Mission Indians

**A. Transportation Uniform Mitigation Fee (TUMF) Program Activities Update: Approval of the Draft 2019 Pass Zone Transportation Improvement Program (TIP), the 2018 Southwest Zone TIP Amendment, TUMF Reimbursement Agreements, and Fee Calculation Handbook Revisions**

**Actions:**

1. *Approved the 2019 Pass Zone TIP.*
2. *Approved the amended 2018 Southwest Zone TIP.*
3. *Authorized the Executive Director to execute a TUMF Reimbursement Agreement with the Cities of Eastvale and Norco for the Planning and Engineering Phases of the Hamner Avenue Widening Project in an amount not to exceed \$1,313,000.*
4. *Authorized the Executive Director to execute a TUMF Reimbursement Agreement with the County of Riverside for the Planning, Right-of-Way, and Construction Phases of the Sunset Avenue Grade Separation Project in an amount not to exceed \$777,283.*

5. *Approved the proposed revisions to the TUMF Fee Calculation Handbook to include language for the 3,000 square foot reduction policy and credit for existing uses.*

**B. 2nd Quarter Draft Budget Amendment for Fiscal Year 2018/2019**

- Action:** 1. *Approved the 2nd Quarter Draft Budget Amendment for Fiscal Year 2018/2019.*

**C. Amendment to Professional Services Agreement for On-Call Planning Professional Services for Member Jurisdictions**

- Action:** 1. *Approved the Second Amendment to the Professional Services Agreement between WRCOG and Alta Planning + Design, Inc., to provide WRCOG planning support and advisory services in an amount not to exceed \$100,000, and \$200,000 in total, and to extend the term of the Agreement through June 30, 2021.*

**D. Appointment of a WRCOG Representative to a SCAG Policy Committee**

- Action:** 1. *Appointed Joseph Tessari, City of Eastvale, to the SCAG Community, Economic & Human Development Policy Committee for a term commencing March 1, 2019, ending December 31, 2020.*

**E. Finance Department Activities Update**

- Action:** 1. *Received and Filed.*

**F. WRCOG Committees and Agency Activities Update**

- Action:** 1. *Received and Filed.*

**G. Western Community Energy Activities Update**

- Action:** 1. *Received and Filed.*

**H. Regional Streetlight Program Activities Update**

- Action:** 1. *Received and Filed.*

**I. Fiscal Year 2017/2018 Comprehensive Annual Financial Report (CAFR)**

- Action:** 1. *Received and Filed.*

**J. Environmental Department Activities Update**

- Action:** 1. *Received and Filed.*
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## 6. REPORTS / DISCUSSION

### A. PACE Programs Activities Update: General Activities Update and Addition of New Providers

Casey Dailey, WRCOG Director of Energy & Environmental Programs, reported that on the residential side of PACE Programs 90k projects have been completed to date, valued at just over \$2B. The Commercial PACE Program has completed 7 projects since February 2018, with a total value of \$7.1M. These projects were completed through Greenworks Financial.

The PACE Program began experiencing a decline in volume in the middle of 2017 due in part to more competition and legislation changes over time. Staff has taken several actions to address this issue, such as decreasing the number of staff and consulting services.

Staff recently toured the offices of Lever Energy Capital, a commercial PACE Provider based out of Colorado. Lever expects to complete \$25M in projects in 2019, and \$375M over the next five years. Should Lever be approved to participate in the Program, this will bring the total number of commercial PACE providers to four which operate in the statewide footprint. Adding commercial providers increase the volume and activity, and subsequently, revenues.

Today's public hearing is to bring the Cities of Alameda and Santa Barbara into the California HERO Program.

Committee member James Stewart asked if there are a set of rules each PACE provider must follow regarding the cost of projects.

Mr. Dailey responded that WRCOG has an internal compliance team which reviews assessments as they are coming through the system to ensure that the project amount is consistent with what the homeowner is eligible for. Through 90k+ assessments, a wide range has been identified in which an item should cost. Staff reviews of the entire assessment before it is processed to ensure that costs are not in excess of established tolerances.

Chairman Washington opened the public hearing; there were no comments and the public hearing was closed.

- Actions:**
1. *Adopted WRCOG Resolution Number 03-19; A Resolution of the Executive Committee of the Western Riverside Council of Governments Confirming Modification of the California HERO Program Report so as to Expand the Program Area within Which Contractual Assessments May be Offered.*
  2. *Directed and authorized the Executive Director to enter into contract negotiations and execute any necessary documents to include Lever Energy Capital under WRCOG's statewide PACE umbrella.*

<b>RESULT:</b>	<b>APPROVED AS RECOMMENDED</b>
<b>MOVER:</b>	Wildomar
<b>SECONDER:</b>	Norco
<b>AYES:</b>	Banning, Beaumont, Calimesa, Corona, Eastvale, Hemet, Jurupa Valley, Lake Elsinore, Menifee, Moreno Valley, Murrieta, Norco, Perris, Riverside, San Jacinto, Temecula, Wildomar, District 1, District 3, EMWD, WMWD
<b>ABSENT:</b>	Canyon Lake, District 2, District 5, Morongo Band of Mission Indians

### B. Report from the League of California Cities

Erin Sasse, League of California Cities Representative, reported that the CalFire decision was released today indicating that the purchase of air time is not a vested right and not considered a deferred compensation. The State can cancel that air time.

The League's Board of Directors recently authorized the League to financially assist in the legal battle regarding The Bureau of Cannabis Control and the regulations it has implemented for deliveries.

When the Governor released his budget, he tied transportation dollars to meeting housing goals via AB 1568 (McCarty). If housing goals are not met, that local jurisdictions' funds will be withheld. There has been a lot of push back in the legislature on this proposal. The League is opposing this matter and will provide a sample letter which cities can use.

AB 847 (Grayson) deals with grant funding related to SB 1 (Beall). If production goals are being met at certain levels, then the local jurisdiction will receive preferential treatment when applying for grant funding through SB 1.

The League is supporting AB 147 (as amended, Burke), which fixes some of the glitches with implementing the Wayfair decision and would allow the State to collect sale and use taxes.

The Bureau of Cannabis Control has \$10M available in grants for cities and counties.

The League is in support of AB 213 (Reyes), which would restore funding to cities that had inhabited annexations and impacts many cities, including Beaumont, Lake Elsinore, Riverside, San Jacinto, and Temecula. The League is encouraging letters of support.

The Federal Communications Commission (FCC) released regulations which reduces local authority with regard to regulating where 5G deployments will occur. HR 530 (Eshoo) was created to repeal the FCC regulations. The League is encouraging local governments to reach out to Legislators encouraging support of HR 530.

The City of Desert Hot Springs is hosting the next Division meeting on March 11, 2019. There are optional tours for a cannabis cultivation site and requires RSVPs.

Committee member James Steward ask if anything has gone through the legislative process regarding the Dynamex ruling on independent contractors.

Ms. Sasse responded that she was unsure and needs to obtain additional information on that from the League's lobbyists.

***Action:*** 1. *Received and filed.*

**C. Options for Potential WRCOG Assistance for Regional Housing Needs Assessment Update**

Christopher Gray, WRCOG Director of Transportation & Planning, reported that the State is making a stronger push for local jurisdictions to build housing. The WRCOG subregion continues to build fewer houses than population growth. Additionally, there is a shortage of affordable housing.

Since 1980 the State has a mandated process called the Regional Housing Needs Assessment (RHNA). The Southern California Association of Governments (SCAG) assigns housing goals to each of the local jurisdictions to designate sufficient space for housing tailored to various

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household income levels.

The RHNA update cycle will commence in late 2019. SCAG will release preliminary numbers in the fall of 2019 or in the spring of 2020. Several of WRCOG's member agencies have asked WRCOG to investigate how WRCOG could assist in an informational capacity, or provide assistance in reviewing SCAG's data, or as a subregional delegate.

Delegation can be between to geographically contiguous agencies or at the subregional level via a COG. During the last RHNA cycle, it appears that no COGs assumed the responsibility.

If WRCOG were to be a subregional delegate, WRCOG would have to submit to SCAG and the California Department of Housing and Community Development the formula and process which WRCOG would use. SCAG would assign the types and number of housing it has determined is necessary to meet RHNA requirements.

The cost for WRCOG to perform this task for its subregion is unknown. SCAG has allocated approximately \$2k per jurisdiction; staff anticipates it could cost WRCOG upwards of \$250k. WRCOG could also be subject to legal action from local agencies or third parties. There is also the possibility that WRCOG's numbers would not differ from SCAG's.

Staff has had this conversation with the Planning Directors Committee. Many of those Committee members have indicated that they do not want WRCOG taking this matter on. Staff will continue presenting this matter through WRCOG's Committee structure for further conversations and return to this Committee with a final recommendation in May or June.

If there are any significant concerns, staff is happy to meet with jurisdictional staff to discuss further.

Committee member Rusty Bailey indicated that he is the RHNA representative for the County of Riverside. At a RHNA Subcommittee meeting this morning, some of the discussion items included the RHNA subregional delegation guidelines and funding, local planning factors which go into the methodology for the output of the numbers, SCAG's regional determination consultation package, and overarching principals for equitable distribution. Committee member Bailey indicated that he is happy to meet and discuss this further. If anyone would like to attend a RHNA Subcommittee meeting, they are held on the first Monday of each month in the SCAG Riverside office.

Mr. Gray added that the process is very complex and SCAG staff have also offered to meet with local jurisdictions to discuss further.

**Action:**        1.        *Received and filed.*

#### **D.    2019/2020 Legislative Platform**

Cynthia Mejia, WRCOG Staff Analyst, reported that the Legislative Platform is updated every two years at the beginning of the legislative session. New this year, staff has added a Housing Priority item, recognizing the acute impact the state-wide housing crisis has on the WRCOG subregion.

Over the past decade, housing development has not kept up with demand due to various reasons including the rising cost of construction and the loss of redevelopment dollars. In the past few years, several bills have also been passed at the state level in an effort to increase both affordable and market-rate housing; however, that legislation is seen as unsuitable for this subregion.

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Staff sent the draft platform to various regionals partners for review and requested that any comments on the Platform be submitted by Friday, March 1, 2019. Two comments were received; one from the Riverside Transit agency and another by the Riverside County Transportation Commission.

While WRCOG does not hire lobbyists nor does it have an inhouse legislative analyst, staff will be monitoring legislation within the scope of the Platform.

**Action:** 1. *Approved the 2019/2020 Legislative Platform.*

<b>RESULT:</b>	<b>APPROVED AS RECOMMENDED</b>
<b>MOVER:</b>	Norco
<b>SECONDER:</b>	San Jacinto
<b>AYES:</b>	Banning, Beaumont, Calimesa, Corona, Eastvale, Hemet, Jurupa Valley, Lake Elsinore, Menifee, Murrieta, Norco, Perris, Riverside, San Jacinto, Temecula, Wildomar, District 1, District 3, EMWD, WMWD
<b>ABSENT:</b>	Canyon Lake, Moreno Valley, District 2, District 5, Morongo Band of Mission Indians

#### 7. REPORT FROM THE TECHNICAL ADVISORY COMMITTEE CHAIR

The Technical Advisory Committee Chair was not present.

#### 8. REPORT FROM COMMITTEE REPRESENTATIVES

Bonnie Wright, Southern California Association of Governments Energy & Environment Policy Committee representative, reported that the theme for the last meeting was “Who are we Planning for?” in which a presentation was provided by Healthy Communities Institute with the emphasis of planning for mixed use environment improvements as well as social service family amenities to create a complete community. Interestingly, the population of children are expected to decline. Multi-generational housing needs was also addressed.

Ben Benoit, South Coast Air Quality Management District (AQMD) representative for cities in Riverside County, reported that the Indirect Sorce Rule for warehouses was discussed at the last Board meeting. Most people who testify at the Board meetings are in support of the Rule. The Rule ensures that the fleet operations are as clean as can be.

Jim Hyatt reported that he sits on Southern California Association of Governments (SCAG) District Evaluation Subcommittee, and that there is a process to establish a new Regional Council District. The Subcommittee is studying what the size of a District should be; currently a city must have 245k+ residents to be an individual District. For a District consisting of more than one city, the total combined population has been increased to 245k+ as well. SCAG has capped its number of Regional Council seats at 70. SCAG will now hold its own Regional Council elections; odd-numbered District elections will be held in odd-numbered years. Phone-in elections will no longer be allowed.

#### 9. REPORT FROM THE EXECUTIVE DIRECTOR

Rick Bishop, WRCOG Executive Director, reported that WRCOG is accumulating a library of COGcast podcasts. This year’s General Assembly, scheduled for the evening of June 20, 2019, will include a Future of Cities Symposium, to be held either during that same day or the day after; details have not yet been confirmed. The Symposium will include three sessions: 1) State of the region (with a

presentation of indicators); 2) panel sessions; and 3) a keynote speaker. This year's General Assembly keynote speaker is Jos Earnest, White House Press Secretary for President Obama (2014-2017). Mr. Earnest is currently the Senior Vice President and Chief Communications Officer for United Airlines.

**10. ITEMS FOR FUTURE AGENDAS**

There were no items for future agendas.

**11. GENERAL ANNOUNCEMENTS**

There were no general announcements.

**12. CLOSED SESSION**

There were no reportable actions.

**13. NEXT MEETING**

The next Executive Committee meeting is scheduled for Monday, April 1, 2019, at 2:00 p.m., at the County of Riverside Administrative Center, 1st Floor Board Chambers.

**14. ADJOURNMENT**

The meeting adjourned at 3:02 p.m.

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