

Western Riverside Council of Governments

4.A

Regular Meeting

~ Minutes ~

Monday, June 3, 2019

2:00 PM

County Administrative Center

1. CALL TO ORDER

The meeting was called to order by Chair Chuck Washington at 2:02 p.m. on June 3, 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 / 3:11 PM
City of Beaumont	Mike Lara	Present	1:55 PM
City of Calimesa		Absent	
City of Canyon Lake	Jordan Ehrenkranz	Present	1:55 PM
City of Corona		Absent	
City of Eastvale		Absent	
City of Hemet	Bonnie Wright	Present	1:55 PM
City of Jurupa Valley	Micheal 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
City of Murrieta	Kelly Seyarto	Present	1:55 PM
City of Norco	Kevin Bash	Present	1:55 PM
City of Perris	Marisela Magaña	Present	1:55 PM
City of Riverside	Rusty Bailey	Present	1:55 PM
City of San Jacinto	Crystal Ruiz	Present	1:55 PM
City of Temecula		Absent	
City of Wildomar	Ben Benoit	Present	1:55 PM
District 1		Absent	
District 2		Absent	
District 3	Chuck Washington	Present	1:55 PM
District 5	Jeff Hewitt	Present	1:55 PM / 3:08 PM
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)	Dr. Judy White	Present	1:55 PM
TAC Chair	George Johnson	Present	1:55 PM
Executive Director		Absent	

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

2. PLEDGE OF ALLEGIANCE

Committee member Brian Tisdale led members and guests in the Pledge of Allegiance.

3. PUBLIC COMMENTS

Arnold San Miguel, Southern California Association of Governments (SCAG), announced that SCAG is now accepting input for the Connect SoCal Workshop. If you want something entered for the long-range transportation plan and Sustainable Communities Strategy, now is the time to tell SCAG staff. Workshops are scheduled for June 5 and 11, 2019.

Free for elected officials is the 30th Annual Demographic Workshop, Make it Count – The Impact of Census 2020 & Connect SoCal on our Future, taking place on Tuesday, June 11, 2019.

4. MINUTES

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

A. Summary Minutes from the May 6, 2019, Executive Committee Meeting are Available for Consideration

Action: 1. *Approved the Summary Minutes from the May 6, 2019, Executive Committee meeting.*

5. CONSENT CALENDAR

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

A. Approval of Updated Agency Personnel Policies and Procedures

Action: 1. *Approved the updated WRCOG Personnel Policies and Procedures.*

B. Approval of Professional Services Agreement for Update to WRCOG's Subregional Climate Action Plan

Action: 1. *Authorized the Executive Director to execute a Professional Services Agreement between WRCOG and Environmental Science Associates to*

update WRCOG's Subregional Climate Action Plan in an amount not to exceed \$362,423.

C. Request for Authorization to Enter into a Professional Services Agreement for Phase II Development of the Experience Subregional Innovation Center

Action: 1. *Authorized the Executive Director to enter into a Professional Services Agreement between WRCOG and Network for Global Innovation to lead Phase II development of Experience subregional innovation center in an amount not to exceed \$200,000.*

D. Approval of 3rd Quarter Draft Budget Amendment for Fiscal Year 2018/2019

Action: 1. *Approved the 3rd Quarter Draft Budget Amendment for Fiscal Year 2018/2019.*

E. Approval of Draft Fiscal Year 2019/2020 Agency Budget to be Forwarded to General Assembly for Consideration

Action: 1. *Recommended that the General Assembly approve the Fiscal Year 2019/2020 Agency Budget.*

F. Action to Decline Subregional Delegation for RHNA Preparation and Housing Legislative Priority Activities Update

Action: 1. *Directed staff to notify the Southern California Association of Governments that WRCOG will not be assuming responsibility for subregional delegation for RHNA Cycle 6.*

G. PACE Programs Activities Update: Requests to Authorize Annual Levy Assessments and to Authorize Refinancing for Commercial PACE (C-PACE) Projects

Actions:

1. *Adopted Resolution Number 08-19; A Resolution of the Executive Committee of the Western Riverside Council of Governments approving the modification of the WRCOG Program Report and the California HERO Program Report to authorize the refinancing of authorized improvements.*
2. *Adopted Resolution Number 09-19; A Resolution of the Executive Committee of the Western Riverside Council of Governments making certain representations and authorizing the placement of assessments on the tax roll in various counties.*
3. *Adopted Resolution Number 10-19; A Resolution of the Executive Committee of the Western Riverside Council of Governments making certain representations and authorizing the placement of assessments on the tax roll in Butte County and certifying to Butte County the validity of the legal process used to place direct charges on the secured tax roll.*
4. *Adopted Resolution Number 11-19; A Resolution of the Executive Committee of the Western Riverside Council of Governments certifying compliance with state law with respect to the levying of special assessments in Monterey County.*
5. *Adopted Resolution Number 12-19; A Resolution of the Executive Committee of the Western Riverside Council of Governments making*

- certain representations and authorizing the placement of assessments on the tax roll in the Sutter County and certifying to the Sutter County the validity of the legal process used to place direct charges on the secured tax roll.*
6. *Adopted Resolution Number 13-19; A Resolution of the Executive Committee of the Western Riverside Council of Governments making certain representations and authorizing the placement of assessments on the tax roll in Amador County.*
 7. *Adopted Resolution Number 14-19; A Resolution of the Executive Committee of the Western Riverside Council of Governments making certain representations and authorizing the placement of assessments on the tax roll in the Glenn County.*
 8. *Adopted Resolution Number 15-19; A Resolution of the Executive Committee of the Western Riverside Council of Governments making certain representations and authorizing the placement of assessments on the tax roll in Humboldt County.*
 9. *Adopted Resolution Number 16-19; A Resolution of the Executive Committee of the Western Riverside Council of Governments making certain representations and authorizing the placement of assessments on the tax roll in Kern County.*
 10. *Adopted Resolution Number 17-19; A Resolution of the Executive Committee of the Western Riverside Council of Governments making certain representations and authorizing the placement of assessments on the tax roll in Madera County.*
 11. *Adopted Resolution Number 18-19; A Resolution of the Executive Committee of the Western Riverside Council of Governments making certain representations and authorizing the placement of assessments on the tax roll in Mendocino County.*
 12. *Adopted Resolution Number 19-19; A Resolution of the Executive Committee of the Western Riverside Council of Governments certain representations and authorizing the placement of assessments on the tax roll in Merced County.*
 13. *Adopted Resolution Number 20-19; A Resolution of the Executive Committee of the Western Riverside Council of Governments making certain representations and authorizing the placement of assessments on the tax roll in Nevada County.*
 14. *Adopted Resolution Number 21-19; A Resolution of the Executive Committee of the Western Riverside Council of Governments making certain representations and authorizing the placement of assessments on the tax roll in San Mateo County.*
 15. *Adopted Resolution Number 22-19; A Resolution of the Executive Committee of the Western Riverside Council of Governments making certain representations and authorizing the placement of assessments on the tax roll in Yolo County.*
 16. *Adopted Resolution Number 23-19; A Resolution of the Executive Committee of the Western Riverside Council of Governments making certain representations and authorizing the placement of assessments on the tax roll in Yuba County.*

H. Finance Department Activities Update

- Action:** 1. *Received and filed.*
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I. WRCOG Committees and Agency Activities Update

Action: 1. *Received and filed.*

J. Regional Streetlight Program Activities Update

Action: 1. *Received and filed.*

K. Western Riverside Energy Partnership Program Activities Update

Action: 1. *Received and filed.*

L. Report out of WRCOG Representatives on Various Committees

Action: 1. *Received and filed.*

6. REPORTS / DISCUSSION**A. Report from the League of California Cities**

Erin Sasse, League of California Cities, reported that last week was the deadline for bills to be heard in their house of origin. At its June meeting, CalPERS pulled an agenda item regarding the ability for cities to contract for employees, and the League does not think this item will return.

The Governor's Budget still includes the trailer bill which ties housing production to transportation. The League believes this will be removed.

SB 50 (Wiener) was killed; unfortunately, there is an Assembly Bill (AB 1279, as introduced, (Bloom) Planning and zoning: housing development: high-resource areas) that has a lot of similar components and did make it out of Assembly. The one difference is that it would likely apply to all cities. Jurisdictions should be watching this bill.

SB 330 (Skinner) made it out of the Senate and will place a moratorium for five years for imposing parking requirements and freezes fees and charges. The League does not support this bill and jurisdictions are encouraged to send in letters of opposition.

AB 849 (Bonta) made it out of the Assembly. While amended, it still requires four different public hearings, one to be held either on a weekend or after 6:00 p.m. and requires live translation services for all applicable languages when going through a redistricting process. The League does not support this bill and jurisdictions are encouraged to send in letters of opposition.

AB 516 (Chiu) made it out of the Assembly. This bill eliminates jurisdictions' ability to enforce vehicle violations. The League does not support this bill and is asking jurisdictions to make phone calls to their respective Senators; there is a tight timeline. This item will likely be heard next week.

AB 1356 (Ting) is dead for the year but may come back next year.

AB 392 (Weber) made it out of the Assembly. The League does not support this bill and is asking jurisdictions to make phone calls and/or write letters of opposition.

SB 5 (Wiener) made it out of the Senate. The League is requesting support of this bill.

AB 1112 (Friedman) made it out of the Assembly and would eliminate the ability of jurisdictions to regulate motorized scooters. The League does not support this bill and is asking jurisdictions to make phone calls and/or write letters of opposition.

Action: 1. *Received and filed.*

B. TUMF Program Activities Update

Daniel Ramirez-Cornejo, WRCOG Program Manager, reported that approximately \$45M in TUMF has been collected through March 2019. Staff anticipates that Fiscal Year (FY) 2018/2019 revenues will exceed those of FY 2017/2018. Single-family residential continues to be the largest contributor, followed by industrial land use. Multi-family collections have more than doubled from collections in FY 2017/2018.

The Northwest, Southwest, and Central Zones are the major revenue contributors at approximately 90% of the total TUMF collected.

In October 2018, this Committee approved a revision to the TUMF Calculation / Collection Policy to allow WRCOG to calculate and collect TUMF on behalf of those agencies that wish to do so; 16 member agencies have shifted TUMF collections responsibility to WRCOG.

Since WRCOG began collecting TUMF on behalf of 16 member agencies, approximately \$4M in TUMF has been collected on more than 80 new development projects. Staff turnaround on calculation requests have occurred within an hour of receiving worksheets. Most fee payments by developers have been made electronically.

WRCOG is working with Viewpoint Government solutions to create an online fee collection portal for member jurisdictions to submit worksheets and for developers to submit payment. It is anticipated that the portal will be completed by August 2019.

A TUMF Reimbursement Agreement with the City of Eastvale is being presented for approval for the Planning and Engineering Phases of the Limonite Avenue Extension Project.

A TUMF Reimbursement Agreement with the City of Menifee is being presented for approval for the Planning and Engineering Phases of the Scott Road Widening Project.

Committee member Matt Liesemeyer asked if developers are able to contact WRCOG for fee calculations.

Mr. Ramirez-Cornejo responded that developers can contact WRCOG directly. Last fall a fee calculation tool was developed which is accessible on WROG's website. When contacted, staff directs developers to that tool.

Actions:

1. *Authorized the Executive Director to execute a TUMF Reimbursement Agreement with the City of Eastvale for the Planning and Engineering Phases of the Limonite Avenue Extension Project in an amount not to exceed \$1,540,000.*
2. *Authorized the Executive Director to execute a TUMF Reimbursement Agreement with the City of Menifee for the Planning and Engineering Phases of the Scott Road Widening in an amount not to exceed \$2,370,000.*

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

C. TUMF Fee Calculation Handbook Updates: High-Cube Warehouse Fee Calculation Adjustment and Administrative Updates

Christopher Gray, WRCOG Director of Transportation & Planning, reported that the TUMF Program originally had one industrial use category. In the mid-2000s, High-Cube warehouses were created. High-Cube warehouses have very low employment and are basically used for loading and unloading trucks. Staff conducted a study and determined that high cube warehouses need its own fee calculation.

Within the past 10 years or so, another type of industrial use has come about – fulfillment and distribution centers, such as Amazon facilities. These types of facilities have minimal passenger parking and a large amount of truck storage and loading areas. Staff was asked to look into a different type of fee calculation is necessary for this type of use.

WRCOG received a request from the County of Riverside District 1 to research and address the impacts of industrial land uses in the region. Additionally, several stakeholders asked if WRCOG is addressing industrial uses in an equitable fashion.

WRCOG's consultant conducted data counts at 16 separate locations in a 72-hour weekday period near distribution / fulfillment centers and parcel hubs.

Surprisingly, these types of facilities do not generate more truck trips than typical use; however, they do generate a lot more activity in terms of passenger cars. These facilities have a high number of employees, and the employees are asked to make deliveries.

This justifies a change in how the calculation is done; however, there is not enough separation to require a new category.

Jurisdictions do not always know the type of warehouse being built. Sometimes, the use changes over time. Therefore, it is better to adjust how the calculation is done.

The fiscal impact on a High-Cube warehouse from start to finish is approximately \$136 per square foot for construction, entitlement, land purchase, and other costs. A 1 million square foot building would have a total cost of \$136M.

Origin / destination data was collected, and it was determined that trips leaving an Amazon facility are travelling throughout the region. These types of facilities really are regional facilities.

In many cases, these facilities are being built on TUMF facilities and/or major regional arterials, further justifying a higher fee level.

Committee member Victoria Baca asked when the increase would go into effect.

Mr. Gray responded that it would become effective upon approval of this Committee.

Committee member Baca indicated that it should be effective in the future so that for projects currently underway, there would be no surprises for the developer.

Mr. Gray responded that an alternative motion to the requested action could be made.

Committee member Mike Lara asked if this adjustment will require any adjustment to local ordinances.

Mr. Gray responded that the language in the ordinances indicate that the fee is calculated based upon the Fee Calculation Handbook. Any changes to the Handbook are effective upon action from this Committee.

Committee member Lara asked if staff will be reviewing fast food restaurants that utilize services such as Grubhub.

Mr. Gray responded that if one or more member jurisdictions request WRCOG to look into it, staff will do so.

Committee member Daniela Andrade asked for clarifications purposes if a project has already been approved, will it fall under the new fee adjustment?

Mr. Gray responded that if a developer has already paid its fees, no additional fee would be imposed. Having said that, most developers pay their fee at the absolute last minute.

Committee member Andrade clarified that if a city has already provided an amount due, and that amount has not yet been paid, they will now have to pay the additional amount.

Mr. Gray responded that that is correct. Most cities, when providing a fee amount, inform the developer that it is an estimate, and the final fee will be determined at the time permits are being issued.

Committee member Jeff Hewitt indicated that he has a problem approving this for projects that are already under way, unless the action is revised to add not changing the fee for any projects that have already been issued permits or know what the costs are ahead of time.

Chair Chuck Washington asked for a point of clarification in that if the developer has not yet paid the fees prior to pulling permits, then they would pay the new fee when they do pull their permits.

Mr. Gray responded that there are different types of permits. What most developers will do is pull a building permit, which allows them to do grading and construction, and pay some of their fees at that point. They will hold off on paying any other fees until they are issued their Certificate of Occupancy; this is usually part of the leasing process with their tenant(s). This is the point in which the developer usually pays all the remaining fees, which are calculated for what fees are due at that point. Sometimes city fees or other fees will change during this process. This is why all developers are initially told that the provided fee is an estimate. Large complex projects are usually calculated at multiple points during the processes.

Committee member Rusty Bailey asked how long it would take staff to notify the developers of the new fee so that they have they opportunity to pay their fees at the current rate.

Mr. Gray responded that it could take affect on the fiscal year, or the first of any given month. There are always developers with projects in the pipeline at any given point.

Committee member Kevin Bash indicated that this is a way to mitigate impacts and addresses something happening right now. The developers already know that fees may increase.

Committee member Crystal Ruiz asked if fees have been raised mid-stream before, and why this has not been an issue before.

Mr. Gray responded that fees have been adjusted mid-stream. Analyses show that given the magnitude of the overall cost of a project, the change to a fee is relatively nominal, and that he was unsure if it has ever been an issue.

Chair Washington indicated that the purpose of the fee is to mitigate development impacts. Changes to the TUMF Program cannot be made arbitrarily, they must be supported by a study. When the study determines a need for an increase to the fee, and this Committee does not implement an increase, it is a political decision of this Committee to not do so. As a result, projects on the list to be funded take longer to get funded. Chair Washington asked the percentage of projects are funded.

Mr. Gray responded that since development of the Program, certain developers have been exempted from certain projects, and that has cost the Program approximately \$100M. At one point, jurisdictions were allowed to decrease their fees by 50%; this cost the Program approximately \$20M or \$30M. If the fee is delayed, it will have a nominal effect on the Program, but there is not a current single TUMF project that does not need more money.

Committee member Hewitt made an amended motion that for any developer who has already pulled permits or is in the process of doing so, they will be provided the option to pay their full fees within 60 days in order to save money.

Committee member Lara indicated that in the past there has always been a timeframe to provide various notices that the fee will be increasing. There is a concern that the Program does not allow for pre-payments. For jurisdictions that utilize software to provide fee estimates, the software would need to be updated with the new fee; jurisdictions need time to do this.

Committee member Kelly Seyarto indicated that it all comes down to whether or not WRCOG will collect the fee to mitigate the project or absorb the cost.

Committee member Micheal Goodland suggested a 90-day versus 60-day delay in a fee increase.

- Actions:**
1. *Approved an adjustment to the High-Cube Warehouse component of the TUMF Calculation Handbook; any increase to the fee would be delayed until August 1, 2019, for any developer which has already pulled a permit to begin construction, but not yet paid the fees.*
 2. *Directed staff to conduct a review of the available data for High-Cube Warehouses in 24 months.*
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RESULT: APPROVED AS RECOMMENDED
MOVER: District 5
SECONDER: Moreno Valley
AYES: Banning, Beaumont, Canyon Lake, Hemet, Jurupa Valley, Lake Elsinore, Moreno Valley, Murrieta, Perris, Riverside, San Jacinto, Wildomar, District 3, District 5
NAYS: Norco, Menifee
ABSENT: Calimesa, Corona, Eastvale, Temecula, District 1, District 2, and the Morongo Band of Mission Indians
The Water Districts do not vote on TUMF matters

D. Nominations for Chair, Vice-Chair, and 2nd Vice-Chair Positions for Fiscal Year 2019/2020

Chair Washington called for a vote on this item.

Action: 1. *Recommended the following to the General Assembly for leadership positions for Fiscal Year 2019/2020:*

Chair: Bonnie Wright, Mayor, City of Hemet
Vice-Chair: Kevin Bash, Council member, City of Norco
2nd Vice-Chair: Kelly Seyarto, Mayor, City of Murrieta

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

7. REPORT FROM THE TECHNICAL ADVISORY COMMITTEE CHAIR

The Technical Advisory Committee Chair had no report to provide.

8. REPORT FROM COMMITTEE REPRESENTATIVES

Brian Tisdale, California Association of Councils of Governments (CALCOG) representative, reported that CALCOG lists on its website, www.calcog.org, a listing of bills it supports. The Governor is listening to southern California and has now taken an approach that the housing issue is not a one size fits all. CALCOG continues to push for local control. CALCOG's next Leadership Academy will begin soon. CALCOG's annual budget was recently approved, as was the extended contract for its Executive Director. The Executive Directors for both the California State Association of Counties and the League of California Cities are working with the CALCOG Executive Director on various matters, which is a good thing.

Rusty Bailey, Santa Ana Watershed Project Authority (SAWPA) One Water One Watershed (OWOW) Committee representative reported that \$23M from Proposition 1 bond proceeds of 2014 have been

awarded to SAWPA. Funding across the board has been awarded. The OWOW Committee is a united voice for the Santa Ana River Watershed and received \$16.7M to remain a participant. Evans Lake Tributary Restoration and Camp Evans Recreation received funding to address supply, conservation, recreation, and protection. The Santa Ana Mountains Watershed Protection Project maintains 651 acres of forest fire fuel breaks along the crest of the Santa Ana Mountains over the next seven years. The SAWPA Regional Comprehensive Landscape Rebate Program has been provided funding for accelerated leak detection and metering. A joint project between the Inland Empire Utilities Agency and the Jurupa Valley Community Services District received funding for a regional water recycling program. Enhancements to a Watershed-wide water budget decision support tool develops an urban landscape assessment tool that measures, classifies, monitors, and reports on landscape water demands for SAWPA; over 70 retail agencies will benefit from this. Lastly, funding has been awarded for the removal of excess algae growth from Lake Elsinore.

Crystal Ruiz, San Diego Association of Governments Borders Committee representative, reported that one of the main concerns is the border with Riverside County. The Committee is discussing an inter-regional park-and-ride strategy from Riverside County to San Diego County and alleviating traffic.

9. REPORT FROM THE EXECUTIVE DIRECTOR

Barbara Spoonhour, WRCOG Deputy Executive Director – Operations, reported that staff will be at the Storm Stadium on June 7, 2019, giving away items directed for individuals who change their own vehicle oil. The City of Murrieta has completed approximately 70% of its streetlights under WRCOG's Streetlight Program; the City of Moreno Valley is approximately 50% complete; the City of Eastvale is scheduled to begin retrofitting on June 4, 2019, and remaining jurisdictions are in the process of selecting and placing orders for LED fixtures. This year's General Assembly has been extended to a full day and will include a Future of Cities Symposium.

10. ITEMS FOR FUTURE AGENDAS

There were no items for future agendas.

11. GENERAL ANNOUNCEMENTS

There were no general announcements.

12. NEXT MEETING

The next Executive Committee meeting is scheduled for Friday, June 21, 2019, at 10:00 a.m., at Pechanga Resort Casino, 45000 Pechanga Parkway, Temecula, CA 92592.

13. ADJOURNMENT

The meeting was adjourned at 3:14 p.m.
