



# Western Riverside Council of Governments Technical Advisory Committee

## AGENDA

Thursday, August 18, 2022  
9:30 AM

Western Riverside Council of Governments  
3390 University Avenue, Suite 200  
Riverside, CA 92501

### [Join Zoom Meeting](#)

Meeting ID: 831 3292 2460

Password: 986357

Dial in: (669) 444-9171 U.S.

### **SPECIAL NOTICE – COVID-19 RELATED PROCEDURES IN EFFECT**

Due to the State or local recommendations for social distancing resulting from the threat of Novel Coronavirus (COVID-19), this meeting is being held via Zoom under Assembly Bill (AB) 361 (Government Code Section 54953). Pursuant to AB 361, WRCOG does not need to make a physical location available for members of the public to observe a public meeting and offer public comment. AB 361 allows WRCOG to hold Committee meetings via teleconferencing or other electronic means and allows for members of the public to observe and address the committee telephonically or electronically.

In addition to commenting at the Committee meeting, members of the public may also submit written comments before or during the meeting, prior to the close of public comment to [jleonard@wrcog.us](mailto:jleonard@wrcog.us).

Any member of the public requiring a reasonable accommodation to participate in this meeting in light of this announcement shall contact Janis Leonard 72 hours prior to the meeting at (951) 405-6702 or [jleonard@wrcog.us](mailto:jleonard@wrcog.us). Later requests will be accommodated to the extent feasible.

The Committee may take any action on any item listed on the agenda, regardless of the Requested Action.

1. CALL TO ORDER (Rob Johnson, Chair)
2. PLEDGE OF ALLEGIANCE
3. ROLL CALL

**4. PUBLIC COMMENTS**

At this time members of the public can address the Committee regarding any items within the subject matter jurisdiction of the Committee that are not separately listed on this agenda. Members of the public will have an opportunity to speak on agenda items at the time the item is called for discussion. No action may be taken on items not listed on the agenda unless authorized by law. Whenever possible, lengthy testimony should be presented to the Committee in writing and only pertinent points presented orally.

**5. CONSENT CALENDAR**

All items listed under the Consent Calendar are considered to be routine and may be enacted by one motion. Prior to the motion to consider any action by the Committee, any public comments on any of the Consent Items will be heard. There will be no separate action unless members of the Committee request specific items be removed from the Consent Calendar.

**A. Summary Minutes from the July 21, 2022, Technical Advisory Committee Meeting**

- Requested Action(s):**
1. Approve the Summary Minutes from the July 21, 2022, Technical Advisory Committee meeting.

**6. REPORTS / DISCUSSION**

**A. Cal Cities Activities Update**

- Requested Action(s):**
1. Receive and file.

**B. Request for Early TUMF Reimbursement by a Developer for the Cajalco Road Project in the City of Corona**

- Requested Action(s):**
1. Provide direction to WRCOG regarding the request for early developer reimbursement for TUMF improvements regarding the Cajalco Road Project in the amount of \$3,355,000.

**C. SB 1383 Capacity Planning Activities Update**

- Requested Action(s):**
1. Receive and file.

**7. REPORT FROM THE EXECUTIVE DIRECTOR**

Dr. Kurt Willson

**8. ITEMS FOR FUTURE AGENDAS**

Members are invited to suggest additional items to be brought forward for discussion at future Committee meetings.

**9. GENERAL ANNOUNCEMENTS**

Members are invited to announce items / activities which may be of general interest to the Committee.

**10. NEXT MEETING**

The next Technical Advisory Committee meeting is scheduled for Thursday, September 15, 2022, at 9:30 a.m., on the Zoom platform with an option for Committee members to attend in-person.

**11. ADJOURNMENT**

# Technical Advisory Committee

## Minutes

---

### 1. CALL TO ORDER

The meeting of the WRCOG Technical Advisory Committee was called to order by Chair Jeff Van Wagenen at 9:33 a.m. on July 21, 2022, on the Zoom platform.

### 2. PLEDGE OF ALLEGIANCE

Committee member Rob Johnson led members and guests in the Pledge of Allegiance.

### 3. ROLL CALL

- City of Beaumont - Elizabeth Gibbs
- City of Calimesa - Bonnie Johnson
- City of Canyon Lake - Chris Mann
- City of Corona - Jacob Ellis\*
- City of Eastvale - Marc Donohue
- City of Hemet - Noah Rau
- City of Jurupa Valley - Rod Butler
- City of Lake Elsinore - Jason Simpson
- City of Moreno Valley - Mike Lee
- City of Perris - Wendell Bugtai
- City of Riverside - Michael Moore
- City of San Jacinto - Rob Johnson
- City of Temecula - Aaron Adams
- County of Riverside - Jeff Van Wagenen (Chair)
- Eastern Municipal Water District (EMWD) - Jolene Walsh
- March JPA - Dr. Grace Martin

\*Arrived after Roll Call

### 4. PUBLIC COMMENTS

Arnold San Miguel, SCAG, announced that Senate Bill 197 was enacted into law late last month and changed the housing element rezoning deadline for jurisdictions in the SCAG region. Jurisdictions which have not adopted a housing element and found to not be compliant by October 15, 2022, will have until February 2025 to complete the required rezonings. For those jurisdictions currently not in compliance must submit an adopted Housing Element to the California Department of Housing and Community Development (HCD) no later than August 15, 2022. SCAG has resources to assist jurisdictions which may be experiencing challenges in meeting these requirements and deadlines. Please contact SCAG at [housing@scag.ca.gov](mailto:housing@scag.ca.gov).

Chris Gray, WRCOG Deputy Executive Director, added that WRCOG is also willing and able to assist member jurisdictions.

## **5. SELECTION OF TECHNICAL ADVISORY COMMITTEE LEADERSHIP FOR FISCAL YEAR 2022/2023**

Outgoing Chair Van Wagenen thanked Committee members for their support over the past year.

### **Action:**

1. Selected Rob Johnson, City of San Jacinto, as Chair; Rod Butler, City of Jurupa Valley, as Vice-Chair; and Clara Miramontes, City of Perris, as 2nd Vice-Chair.

(County / Temecula) 16 yes; 0 no; 0 abstention. Item 5.A was approved.

Chair Johnson thanked the Committee members and continued the meeting.

**6. CONSENT CALENDAR** – (Jurupa Valley / Lake Elsinore) 15 yes; 0 no; 0 abstention. The County did not respond. Items 6.A and 6.B were approved.

### **A. Summary Minutes from the May 19, 2022, Technical Advisory Committee Meeting**

#### **Action:**

1. Approved the Summary Minutes from the May 19, 2022, Technical Advisory Committee meeting.

### **B. Finance Department Activities Update**

#### **Action:**

1. Received and filed.

## **7. REPORTS / DISCUSSION**

### **A. Cal Cities Activities Update**

Erin Sasse was unable to attend.

#### **Action:**

1. None.

### **B. Smart Streetlight Implementation Plan and Broadband Assessment**

Daniel Soltero, WRCOG Program Manager, reported that the Smart Streetlight Implementation Plan & Broadband Assessment is a strategy that is completely scalable, can be applied to the wide range of community contexts in WRCOG's member jurisdictions, and can be used by WRCOG or its individual member agencies to develop a smart city program.

The Smart Streetlight Implementation Plan stems from WRCOG's Regional Streetlight Program and was developed in a multi-step process, including an agency readiness survey and stakeholder engagement, peer review and smart city research, technology review, procurement strategies review, and an

implementation strategy. Member agencies recognized that owning their streetlights and converting them to LED affords them the opportunity to leverage that infrastructure for smart city uses. WRCOG recognized that there are some member agencies that opted to not participate in the Regional Streetlight Program also own infrastructure such as streetlights, traffic signals, and other infrastructure that could potentially be used for smart city uses. As such, the Smart Streetlight Implementation Plan was developed to be applicable to all WRCOG member agencies.

The implementation strategy is a three-phase process: 1) Assessment, 2) Test, and 3) Expand. In Phase 1, an agency assessment, needs assessment, and a technology assessment will need take place to inform the planning and implementation of a smart streetlight / smart city program. In Phase 2, a test / pilot project is recommended as it allows agencies to see the real-world implications of a technology at a minimal investment and allows for cost-benefit analysis prior to full scale deployment. Finally, Phase 3 activities include identifying procurement strategies and funding mechanisms and deploying the project at full-scale.

Broadband is a key requirement for smart cities. The Broadband Assessment was included in the Smart Streetlight Implementation Plan at the request of one of WRCOG's member agencies. This document summarizes the stakeholder engagement and broadband programs' research conducted on the County of Riverside's RIVCO Connect, the Inland Empire Regional Broadband Consortium (IERBC), the City of Loma Linda's Connected Communities Program (LLCCP), the City of Rancho Cucamonga's "Rancho Fiber" municipal broadband program, and the South Bay Cities COG "South Bay Fiber Network." Following the completion of the Broadband Assessment, staff have identified potential activities that WRCOG can take to support broadband development and implementation in Western Riverside County.

Arnold San Miguel, SCAG, asked if broadband is installed in the street, does it increase property value?

Mr. Soltero responded that it could. With the potential of automated vehicles and smart cities, broadband and wi-fi infrastructure could be used to communicate with vehicles to mitigate traffic and congestion issues.

**Actions:**

1. Recommended that the Executive Committee accept the Smart Streetlight Implementation Plan and Broadband Assessment.
2. Recommended that the Executive Committee direct staff to implement Phase 1 of the Smart Streetlight Implementation Plan.
3. Recommended that the Executive Committee direct staff to provide bi-monthly updates on broadband funding opportunities and convene meetings as needed to disseminate information on broadband-related funding opportunities.

(San Jacinto / Lake Elsinore) 15 yes; 0 no; 0 abstention. The County did not respond. Item 7.B was approved.

**C. Fiscal Year 2021/2022 TUMF Collection Update**

Chris Gray, WRCOG Deputy Executive Director, reported that the TUMF Program is in its third best year in the history of the Program. While revenues were anticipated to be approximately \$60M, staff now anticipates a fiscal year collection of between \$70M and \$75M once all pending payments are

processed.

There is significant development activity in the unincorporated area of the County, and in the Cities of Beaumont and Hemet, at levels not experienced before. The City of Norco recently submitted its largest payment to WRCOG in the history of the Program. In general, there has been a huge uptick in Industrial revenue collected by the Program; however, single-family revenue is still the main contributor.

If a member agency would like WRCOG staff to come and present on any particular project(s) and/or development, please contact staff.

**Action:**

1. Received and filed.

**8. REPORT FROM THE EXECUTIVE DIRECTOR**

Dr. Kurt Wilson was having technical difficulties connecting and was unable to provide a report.

**9. ITEMS FOR FUTURE AGENDAS**

There were no items for future agendas.

**9. GENERAL ANNOUNCEMENTS**

There were no general announcements.

**10. NEXT MEETING**

The next Technical Advisory Committee meeting is scheduled for Thursday, August 18, 2022, at 9:30 a.m., on the Zoom platform with an option for Committee members to attend in-person.

**11. ADJOURNMENT**

The meeting of the Technical Advisory Committee adjourned at 10:24 a.m.



# Western Riverside Council of Governments Technical Advisory Committee

## Staff Report

**Subject:** Cal Cities Activities Update  
**Contact:** Erin Sasse, Regional Public Affairs Manager, Cal Cities, [esasse@cacities.org](mailto:esasse@cacities.org), (951) 321-0771  
**Date:** August 18, 2022

---

**Requested Action(s):**

1. Receive and file.
- 

**Purpose:**

The purpose of this item is to provide an update of activities undertaken by Cal Cities.

**WRCOG 2022-2027 Strategic Plan Goal:**

Goal #1 - Serve as an advocate at the regional, state, and federal level for the Western Riverside subregion.

**Background:**

This item is reserved for a presentation by Erin Sasse, Regional Public Affairs Manager for Cal Cities.

**Prior Action(s):**

**August 1, 2022:** The Executive Committee received and filed.

**Fiscal Impact:**

This item is for informational purposes only; therefore, there is no fiscal impact.

**Attachment(s):**

[Attachment 1 - Cal Cities Update July](#)



## League of California Cities - Hot Bill List

### Policing

#### **SB 1000 (Becker) Law Enforcement Agencies: Radio Communications.**

This measure would require law enforcement agencies to, by no later than January 1, 2024, ensure public access to the radio communications of that agency.

**Cal Cities Position:** *Oppose*

### Cannabis

#### **AB 1014 (McCarty) Cannabis: Retailers: Delivery: Vehicles.**

This measure would increase the value of cannabis goods to be carried during delivery up to a maximum value of \$10,000, allowing for a delivery vehicle to become a medium size roaming dispensary.

**Cal Cities Position:** *Oppose*

#### **SB 1186 (Wiener) Medicinal Cannabis Patients' Right of Access Act.**

This measure would require local jurisdictions to change their ordinances to allow for the delivery of medicinal cannabis.

**Cal Cities Position:** *Oppose*

### Catalytic converter theft

#### **AB 1740 (Muratsuchi) Catalytic Converters.**

This measure would require a core recycler who accepts a catalytic converter to maintain a written record of the vehicle from which the catalytic converter was removed and would prohibit a core recycler from purchasing or receiving a catalytic converter from a person that is not a commercial enterprise or owner of the vehicle from which the catalytic converter was removed.

**Cal Cities Position:** *Support*

#### **AB 2407 (O'Donnell) Vehicle Tampering: Theft of Catalytic Converters.**

This measure would require a core recycler to report specified information about the purchase and sale of catalytic converters to the chief of police or the sheriff, to obtain and preserve a seller's thumbprint and to request to receive theft alert notifications regarding the theft of catalytic converters.

**Cal Cities Position:** *Support*

**SB 1087 (Gonzalez) Vehicles: Catalytic Converters.**

This measure would limit who can legally sell and purchase a detached catalytic converter and would make a violation of this law an infraction punishable with a fine between \$1,000 to 5,000.

**Cal Cities Position:** *Support*

**Fire/Emergency medical services**

**AB 662 (Rodriguez) Mental Health: State Fire Marshal: Training Standards: Peer-to-Peer Suicide Prevention.**

This measure would provide resources for suicide prevention programming that would establish an evidence-based, comprehensive, and tiered approach to suicide safety for first responders across the state.

**Cal Cities Position:** *Co-Sponsor*

**CARE Court/ Behavioral Health**

**SB 1338 (Umberg) Community Assistance, Recovery, and Empowerment (CARE) Court Program.**

This measure would establish a civil court process that would connect individuals experiencing acute mental illnesses to a court-ordered care plan managed by a care team in the community. These care plans would include clinically prescribed, individualized interventions, along with supportive services, medication, and a housing plan.

**Cal Cities Position:** *Support if Amended*

**SB 929 (Eggman) Community Mental Health Services: Data Collection.**

This measure would increase the amount of data reported to the Legislature by the Department of Health Care Services regarding the various holds provided under the Lanterman-Petris-Short Act.

**SB 970 (Eggman) Mental Health Services Act.**

This measure would require the California Health and Human Services Agency to establish the California Mental Health Services Act Outcomes and Accountability Review to assist county mental health programs in improving programs funded by the Act.

**Cal Cities Position:** *Support*

**SB 1238 (Eggman) Behavioral Health Services: Existing and Projected Needs.**

This measure would require the Department of Health Care Services to review current and projected behavioral health care infrastructure and service needs in each region of the state.

**SB 1154 (Eggman) Facilities for Mental Health or Substance Use Disorder Crisis: Database.**

This measure would establish a real-time database to display information about available beds to treat those experiencing mental health or substance use disorders.

**Cal Cities Position:** *Support*

**\*SB 965 (Eggman) Conservatorships: Medical Record: Hearsay Rule.**

This measure would allow courts to consider relevant history and testimony from medical experts during a conservatorship proceeding.

**SB 1035 (Eggman) Mental Health Services: Assisted Outpatient Treatment.**

This measure would allow the court to conduct status hearings with a person subject to an assisted outpatient treatment order to evaluate progress and medication adherence.

**Cal Cities Position:** *Support*

**SB 1227 (Eggman) Involuntary Commitment: Intensive Treatment.**

This measure would permit a second intensive treatment period under the Lanterman-Petris-Short Act for a person who is still in need of intensive services, according to their mental health care provider.

**\*SB 1416 (Eggman) Mental Health Services: Gravely Disabled Persons.**

This measure would modernize the definition of "gravely disabled" within the Lanterman-Petris-Short Act.

**Cal Cities Position:** *Support*

**AB 2281 (Lackey) Early Childhood Mental Health Services Act.**

This measure would establish the Early Childhood Mental Health Services Act (ECMSA), to be administered by the Mental Health Services Oversight and Accountability Commission.

**Cal Cities Position:** *Support*

**AB 1985 (Robert Rivas) Organic Waste: Recovered Organic Waste Product Procurement Targets: List of Available Products.**

This measure would assist local governments implementing the state's organic waste diversion targets by: 1) phasing in over two years the SB 1383 procurement requirements, 2) adding clarity to what projects and products count towards the procurement requirements, and 3) allow local jurisdictions to use organic waste processed out of state for the purposes of meeting procurement targets.

**Cal Cities Position:** *Support/Co-Sponsor*

**Solid waste and recycling**

**SB 54 (Allen) Solid Waste: Reporting, Packaging, and Plastic Food Service Ware.**

This measure would require manufacturers of plastic single-use, disposable packaging and food service ware to ensure that products sold into the state are either recyclable or compostable by 2032.

This measure would also require a product responsibility organization, created by the manufacturers, to pay additional local government costs to recycle covered plastic products and packaging.

**Cal Cities Position:** *Support*

**AB 2440 (Irwin) Responsible Battery Recycling Act of 2022.**

This measure would require producers of batteries and battery-embedded products to establish a stewardship program for the collection, transportation, recycling, and the safe and proper management of batteries or battery-embedded products in California.

**Cal Cities Position:** *Support*

**Water and water conservation**

**AB 2142 (Gabriel) Income Taxes: Exclusion: Turf Replacement Water Conservation Program.**

This measure would exclude from taxable income any rebate, voucher, or other financial incentive received in connection with a turf replacement water conservation program.

**Cal Cities Position:** *Support*

**AB 2247 (Bloom) Perfluoroalkyl and Polyfluoroalkyl Substances (PFAS) and PFAS Products and Product Components: Publicly Accessible Reporting Platform.**

This measure would require, on or before July 1, 2025, a manufacturer of per- and polyfluoroalkyl substances (PFAS) or a product containing intentionally added PFAS that is sold into the state to register the PFAS or the product containing intentionally added PFAS on the publicly accessible reporting platform created by the Department of Toxic Substances Control and the Interstate Chemicals Clearinghouse.

**Cal Cities Position:** *Support*

**Energy and utilities**

**AB 205 (Ting)/SB 122 (Skinner) Energy.**

This measure would allow for a shift of local authority for siting of solar, wind, and certain battery backup projects to the California Energy Commission (CEC) and would, under the auspices of a Strategic Energy Reserve, delegate to the Department of Water Resources (DWR) blanket authority to bypass local permitting, including through the Coastal Act.

**Cal Cities Position:** *Oppose*

- Energy and utilities

**SB 833 (Dodd) Community Energy Resilience Act of 2022.**

This measure would require the California Energy Commission to develop and implement a grant program for local governments to develop community energy resilience plans to address power outages. The community energy resilience plans would also require local governments identify critical facilities, facilities where the construction of microgrids or other distributed energy sources could meet local resilience needs, and potential funding sources for implementing projects in the plan.

**Cal Cities Position:** *Support*

**SB 932 (Portantino) Circulation Element.**

This measure would require cities to adopt significant bicycle, pedestrian, and traffic calming elements when they develop and revise their general plans.

**Cal Cities Position:** *Oppose Unless Amended*

**Parking violations**

**AB 1685 (Bryan) Vehicles: Parking Violations.**

This measure would require cities to forgive at least \$1,500 in parking fines and fees annually for a homeless person.

**Cal Cities Position:** *Oppose Unless Amended*

**Broadband**

**AB 2748 (Holden): Telecommunications: Digital Equity in Video Franchising Act of 2022.**

This measure would refocus efforts to prioritizing the right to equal access to cable and broadband for all Californians and strengthening anti-discrimination statutes to be consistent with Federal standards

**Cal Cities Position:** *Support*

**SB 6 (Caballero) Local Planning: Housing Commercial Zones.**

This measure would create a new process allowing residential development on certain commercial and industrial sites, including allowing qualifying projects to use the streamlined application procedures of Senate Bill 35 (Wiener, 2017).

**Cal Cities Position:** *Oppose Unless Amended*

**Planning and zoning**

**AB 2011 (Wicks) Affordable Housing and High Road Jobs Act of 2022.**

This measure would require nearly all cities to ministerially approve, without condition or discretion, certain affordable and mixed-use housing developments in areas of a city where office, retail, or parking are principally allowed regardless of any inconsistency with a local government's general plan, specific plan, zoning ordinance, or regulation.

**Cal Cities Position:** *Oppose*

**AB 2053 (Lee) Social Housing.**

This measure would create the California Housing Authority with a mission to produce and acquire social housing developments for the purpose of eliminating the gap between housing production and regional housing needs assessment targets and to preserve affordable housing.

**Cal Cities Position:** *Oppose Unless Amended*

**AB 2295 (Bloom) Local Education Agencies: Housing Development.**

This measure would declare that notwithstanding any law, a housing development project shall be deemed an allowable use on any real property owned by a local educational agency if the housing development satisfies specific requirements.

**Cal Cities Position:** *Support if Amended*

**Accessory dwelling units (ADU)**

**SB 897 (Wieckowski) Accessory Dwelling Units.**

This measure would require cities to allow ADUs to be constructed with a height of up to 25 feet, within one half mile of a major transit stop or high-quality bus corridor, and permit constructed ADUs that are in violation of state building standards and in violation of local zoning requirements.

**Cal Cities Position:** *Oppose*

**AB 916 (Salas) Accessory Dwelling Units.**

This measure would require cities increase the height maximum of ADU's from 16 to 18 feet on all parcels and to 25 feet for multifamily or single family parcel located within a half mile of transit. AB 916 also would add a provision which sets a minimum height requirement of 25 feet for ADUs that are attached to a primary single family residence.

**Cal Cities Position:** *Oppose Unless Amended*

**Parking requirements**

**AB 2097 (Friedman) Residential and Commercial Development: Parking Requirements.**

This measure would prohibit a local government from imposing or enforcing a minimum automobile parking requirement on specified residential, commercial, or other developments, if the development is located on a parcel within one-half mile of public transit.

**Cal Cities Position:** *Oppose*

**Workers' compensation**

**SB 1127 (Atkins) Workers' Compensation: Liability Presumptions.**

This measure would fundamentally alter longstanding rules and timeframes for determining eligibility for workers' compensation claims and would increase systemic friction and litigation. This measure would also impose massive new penalties on employers.

**Cal Cities Position:** *Oppose*

**AB 1751 (Daly) Workers' Compensation: COVID-19: Critical Workers.**

This measure would extend the sunset date on the existing workers' compensation presumption for COVID-19 by two years to January 1, 2025. We would remove our opposition if AB 1751 were amended to extend the presumption for only one year to January 1, 2024.

**Cal Cities Position:** *Oppose Unless Amended*

**Labor relations**

**SB 931 (Leyva) Deterring Union Membership: Violations.**

This measure would authorize an employee organization, or applicants to be public employees, to file a claim with the Public Employment Relations Board alleging a violation of Government Code section 3550, related to employer actions that may "deter or discourage" union membership.

**Cal Cities Position:** *Oppose Unless Amended*

**Tax exemptions**

**AB 1951 (Grayson) Sales and Use Tax: Manufacturing Exemptions.**

This measure would expand, for a five-year period, the existing partial sales and use tax exemption for manufacturing and research and development tangible personal property by making it a full exemption, including any local voter-approved transaction and use taxes.

The annual local government revenue loss is estimated at \$533 million.

**Cal Cities Position:** *Oppose Unless Amended*

**AB 2887 (E. Garcia) Sales and Use Tax: Alternative Manufacturing Exemptions.**

This measure would increase the annual sales and use tax exclusion limit by \$50 million (\$150,000,000) for eligible alternative energy and advance manufacturing.

The annual local government revenue loss exceeds \$25 million annually for 3 years.

**Cal Cities Position:** *Oppose Unless Amended*

**AB 2622 (Mullin) Sales and Use Tax: Zero Emission Bus Exemption.**

This measure would extend until 2026 the sales and use tax exemption provided to cities, counties, and transit agencies for zero emission transit buses

**Cal Cities Position:** *Support*

### **Tax credits**

#### **SB 843 (Glazer) Renters' Tax Credit.**

This measure would increase the amount of the renter's credit to \$1,000 for spouses filing joint returns, head of household, and surviving spouse filers, and to \$500 for all other tax filers.

**Cal Cities Position:** *Support*

### **Annexations**

#### **SB 1449 (Caballero) Unincorporated Areas: Grant Program.**

This measure would authorize grants to cities for infrastructure projects in proposed or completed annexations of a substantially surrounded unincorporated area. This measure is focused on supporting Disadvantaged Unincorporated Communities.

**Cal Cities Position:** *Support*



# Western Riverside Council of Governments Technical Advisory Committee

## Staff Report

**Subject:** Request for Early TUMF Reimbursement by a Developer for the Cajalco Road Project in the City of Corona

**Contact:** Chris Gray, Deputy Executive Director, [cgray@wrcog.us](mailto:cgray@wrcog.us), (951) 405-6710

**Date:** August 18, 2022

### **Requested Action(s):**

1. Provide direction to WRCOG regarding the request for early developer reimbursement for TUMF improvements regarding the Cajalco Road Project in the amount of \$3,355,000.

### **Purpose:**

The purpose of this item is to receive direction regarding a request for early reimbursement for TUMF improvements.

### **WRCOG 2022-2027 Strategic Plan Goal:**

Goal #5 - Develop projects and programs that improve infrastructure and sustainable development in our subregion.

### **Background:**

*WRCOG's TUMF Program is a regional fee program designed to provide transportation and transit infrastructure that mitigates the impact of new growth in Western Riverside County. Funds from TUMF are distributed based on an allocation codified in various MOU's between WRCOG, the Riverside County Transportation Commission (RCTC), the Riverside Conservation Agency (RCA), and the Riverside Transportation Agency (RTA). 46% of TUMF collections are retained by WRCOG and allocated to the five TUMF Zones based on the collections within that Zone. Another 46% of TUMF funds are provided to RCTC on a monthly basis for their use in funding regional TUMF projects per the TUMF Administrative Plan. 1.47% of all TUMF funds are allocated to RCA for the purchase of land in support of the Multi-Species Habitat Conservation Plan (MSHCP). 3% of TUMF funds are allocated to RTA for regional transit projects. The remaining 4% of TUMF funds collected go towards WRCOG for Program Administrative Expenses.*

The TUMF Administrative Plan allows for three options for new development projects in the WRCOG subregion in order to meet TUMF obligations. The first option is the payment of TUMF fees. The second option is participation in a funding or financing district which directly constructs TUMF improvements. The final option is the construction by the developer of a TUMF improvement for which the developer is entitled to receive credit against its TUMF obligation. In some instances, a developer constructs an improvement which provides credit in excess of its TUMF obligation, which then entitles the developer to receive a reimbursement from the TUMF Program.

This process is governed by the Developer Credit / Reimbursement Agreement, which sets forth the amount of potential credit, the TUMF obligation, and the process by which developers receive credit and potentially reimbursement from the TUMF Program.

In 2018, the City of Corona, a developer (Arrantine Hills, LLP), and WRCOG entered into an agreement to implement the I-15 / Cajalco Interchange Project, which also included improvements to Cajalco Road adjacent to the Interchange. At the time of the agreement, the Bedford Communities Project was approved for approximately 1,600 dwelling units and 80,000 square feet of commercial / retail uses. As part of this agreement, the Developer worked with the City to complete both the Interchange (I-15 / Cajalco Road) and improvements to Cajalco Road on either side of the Interchange. The total value of the improvements are \$47.6M with the Interchange accounting for \$44.3M and the roadway improvements accounting for the remaining \$3.3M. The Interchange and roadway improvements were completed in 2021. The buildout of the project has an estimated TUMF obligation of approximately \$15M - \$20M, which means that the Developer is due a reimbursement of approximately \$25M - \$30M. The amount of reimbursement can not be definitively determined at this time as the actual TUMF obligation is based on the actual number of units and the fee due at the time of permit issuance.

What complicates this reimbursement is that a portion of the reimbursement will be made by WRCOG through Zone funds and the remainder through TUMF funds controlled by RCTC, which receives 46% of all TUMF funds collected and uses those funds to implement Regional TUMF Projects. The I-15 / Cajalco Interchange is a Regional TUMF Project, which means that RCTC is responsible for funding this Project through Regional TUMF funds. The local street improvements on Cajalco Road are considered part of the WRCOG-administered Zone Program.

Concurrent with the transportation improvements, the Developer has proceeded constructing initial phases of the Project. To date, the City has issued approximately \$3M in TUMF credits against a total obligation of \$47.6M, which means that over \$44M of TUMF credit remains.

Earlier in 2022, the Developer requested that the City provide an early reimbursement of a portion of the total amount it is due. City staff brought this item to City Council at its March 2, 2022, meeting. The Corona City Council provided direction to staff to request that WRCOG provide a reimbursement of \$3,355,000 to the Developer. This amount corresponds to the reimbursement amount associated with the Cajalco Street improvements. It is staff's understanding that the Developer has requested this reimbursement to assist with the financing of the project and for other related reasons.

Normally, WRCOG staff processes Developer credit and reimbursement requests in accordance with the TUMF Administrative Plan. What is unique about this reimbursement request is that it has been WRCOG's policy to only provide Developer reimbursement only after the completion of both the Development Project (TUMF obligation) and the Transportation Project (TUMF credit). This policy is memorialized in the TUMF Administrative Plan (Chapter 4 - Developer TUMF Credits).

The primary reason for this policy is that it ensures the overall fiscal stability of the TUMF Program by limiting instances in which WRCOG would reimburse a developer for its TUMF credit and then have to assess additional TUMF on a project, which then requires the payment of additional fees. Paying the reimbursement only after the completion of all project elements also simplifies the accounting of each project's TUMF obligation and ensures that there is only one reconciliation of a project's TUMF obligation.

An example of a previous denial is the case of the Sycamore Creek Development. This project is a community of approximately 2,000 homes and a neighborhood commercial center in unincorporated Riverside County between the Cities of Corona and Lake Elsinore along I-15. In 2013, the Developer completed improvements to the I-15 / Indian Truck Trail interchange at a cost of \$6.4M. In 2017, the Developer estimated that it was due a reimbursement of \$1.9M based on its anticipated project buildout.

Consistent with WRCOG's policy, WRCOG denied this reimbursement request for a variety of reasons. The primary reason was that Staff was unsure about the number of additional units the project would build out. There were 200 entitled units which had not been built at that time and the exact amount of reimbursement could not be determined at that time of the request. In this case, the developer was asking for an early payout of all funds due to them based on their anticipated development and the projected fee levels. In this particular instance, the developer's credit was finalized but their TUMF obligation was not.

In 2020, WRCOG did process a reimbursement to the developer in the amount of \$1.7M, which was the final reimbursement calculation based on the build-out of the project. It should be noted that the actual reimbursement amount is less than the amount of the initial request based on a final reconciliation of the project TUMF credits and TUMF obligation. If WRCOG had paid out the initial reimbursement request, it would have overpaid the reimbursement amount.

There are several factors which could cause this request to be viewed from a different perspective. First, the reimbursement request is for a portion of the total reimbursement. Staff estimates that the reimbursement request corresponds to less than 20% of the total future reimbursement so this reimbursement is a partial reimbursement request instead of a full reimbursement. Given the magnitude of the projected reimbursement, a partial reimbursement at this time is not likely to create a situation whereby the Developer must return some or all of the reimbursement to WRCOG. Staff estimates that if this early reimbursement request is provided, then the remaining reimbursement will be in excess of \$20M. Second, any reimbursement would be paid out of the Zone balances currently held by WRCOG. As of July 2022, the Northwest Zone Balance is \$25M and there are sufficient available funds within the Northwest Zone to provide this reimbursement. For reference, the Northwest Zone includes the Cities of Corona, Eastvale, Jurupa Valley, Norco, and Riverside, and the County of Riverside. Third, the reimbursement request is tied to one of the largest TUMF projects completed in the 20-year history of the TUMF Program. The I-15 / Cajalco Road interchange was a needed regional infrastructure project and it is likely that the Interchange would not have been built when it was but for the contribution provided by the Developer. The Project is an example of an effective public / private partnership between the City of Corona, the Developer, WRCOG, RCTC, and other parties. Finally, this reimbursement request is solely for TUMF Zone funds, which are administered by WRCOG. The remaining reimbursement amount will be the responsibility of RCTC and any reimbursement will be paid through the RCTC Regional Program.

This item will be brought to the Technical Advisory Committee, and the Administration & Finance Committee. The Public Works Committee heard this item on August 11, 2022. Once the item has been reviewed by these Committees, staff will forward their recommendation to the Executive Committee for a final determination. It is staff's intent to request that the Executive Committee, if it so desires, to make an exception to the WRCOG policy of not providing early reimbursement rather than amending the TUMF

Administrative Plan. The reason for this approach is that this request can be viewed as a unique set of circumstances requiring a one-time exception to be made rather than an amendment to the Administrative Plan.

If approved by the Executive Committee, staff would program this reimbursement through the Northwest Zone Technical Advisory Committee and the Northwest Zone Executive Committee to determine the yearly reimbursement amount.

**Prior Action(s):**

**August 11, 2022:** The Public Works Committee directed staff to perform the following actions:

1. Convene a meeting of the TUMF Northwest Zone to discuss the reimbursement request.
2. Develop a comprehensive policy relating to early reimbursements for consideration by the PWC.

**February 5, 2018:** The Executive Committee approved a Memorandum of Understanding with the City of Corona and the Riverside County Transportation Commission regarding a TUMF Improvement and Credit / Reimbursement Agreement for the Cajalco Road / I-15 Interchange Project.

**Fiscal Impact:**

Reimbursement of these funds would come from TUMF funds, specifically the Northwest Zone. The current balance of these funds is \$25M. The reimbursement request is for \$3,355,000. Any reimbursement would be paid out of the TUMF Fund 220 and would be programmed and approved by the Northwest Zone Technical Advisory Committee, the Northwest Zone Executive Committee, and the WRCOG Executive Committee.

**Attachment(s):**

None.



# Western Riverside Council of Governments Technical Advisory Committee

## Staff Report

**Subject:** SB 1383 Capacity Planning Activities Update  
**Contact:** Olivia Sanchez, Program Manager, [osanchez@wrcog.us](mailto:osanchez@wrcog.us), (951) 405-6721  
**Date:** August 18, 2022

---

**Requested Action(s):**

1. Receive and file.
- 

**Purpose:**

The purpose of this item is to provide an update on the SB 1383 Capacity Planning project and overview of the report submitted to Riverside County.

**WRCOG 2022-2027 Strategic Plan Goal:**

Goal #5 - Develop projects and programs that improve infrastructure and sustainable development in our subregion.

**Background:**

This item is reserved for a presentation by Dave Davis, MSW Consultants, regarding SB 1383 Local Assistance Grant Program related to the Western Riverside County subregion.

**Prior Action(s):**

None.

**Fiscal Impact:**

Activities related to SB 1383 implementation are included in the adopted Fiscal Year 2021/2022 and Fiscal Year 2022/2023 Budget under Fund 110 as part of the Energy & Environment Department under the Solid Waste and Recycling Program. WRCOG's activities for this effort are being reimbursed by WRCOG member agencies through SB 1383 Local Assistance Grant Program, which is administered by CalRecycle.

**Attachment(s):**

None.