

Joint Meeting of the WRCOG Executive Committee and Supporting Foundation

Minutes

1. CALL TO ORDER

The meeting of the WRCOG Executive Committee was called to order by Chair Crystal Ruiz at 2:06 p.m. on May 1, 2023, at the Riverside County Administrative Center, 4080 Lemon Street, 1st Floor Board Chambers, Riverside.

2. PLEDGE OF ALLEGIANCE

Vice-Chair Chris Barajas led the Committee members and guests in the Pledge of Allegiance.

3. ROLL CALL

Members present:

- City of Beaumont - Mike Lara
- City of Calimesa - Wendy Hewitt
- City of Canyon Lake - Mark Terry
- City of Corona - Jacque Casillas
- City of Eastvale - Christian Dinco
- City of Hemet - Jackie Peterson
- City of Jurupa Valley - Chris Barajas
- City of Lake Elsinore - Brian Tisdale
- City of Menifee - Bob Karwin
- City of Moreno Valley - Elena Baca-Santa Cruz
- City of Murrieta - Ron Holliday
- City of Norco - Kevin Bash
- City of Perris - Rita Rogers
- City of San Jacinto - Crystal Ruiz
- City of Wildomar - Joseph Morabito
- County, District 1 - Kevin Jeffries
- County, District 2 - Karen Spiegel
- County, District 3 - Chuck Washington
- Eastern Municipal Water District (EMWD) - Phil Paule
- Western Water - Brenda Dennstedt

Members absent:

- City of Banning

- City of Riverside
- City of Temecula
- County, District 5
- Riverside County Superintendent of Schools

4. PUBLIC COMMENTS

Arnold San Miguel from SCAG announced that SCAG is currently taking public input on the Regional Transportation Plan / Sustainable Community Strategies. There will be a pop-up public workshop event on Friday, May 5, 2023, from 5 p.m. - 8 p.m., at the Temecula Rod Run event located at 41000 Main St., Temecula, CA.

Mr. San Miguel is retiring from SCAG after almost 35 years, and this is his last Executive Committee meeting.

5. CONSENT CALENDAR

RESULT:	APPROVED AS RECOMMENDED
MOVER:	Jurupa Valley
SECONDER:	Perris
AYES:	Beaumont, Calimesa, Canyon Lake, Corona, Eastvale, Hemet, Jurupa Valley, Lake Elsinore, Menifee, Moreno Valley, Murrieta, Norco, Perris, San Jacinto, Wildomar, District 1, District 2, District 3, EMWD, Western Water

A. Summary Minutes from the April 3, 2023, Executive Committee Meeting

Action:

1. Approved the Summary Minutes from the April 3, 2023, Executive Committee meeting.

B. Finance Department Activities Update

Action:

1. Received and filed.

C. WRCOG Committees and Agency Activities Update

Action:

1. Received and filed.

D. Report out of WRCOG Representatives on Various Committees

Action:

1. Received and filed.

E. 2022 Fee Comparison Analysis Update - Final Report

Action:

1. Received and filed.

F. Approval of Third Amendment to the Professional Services Agreement with PFM Financial Advisors

Action:

1. Authorized the Executive Director to enter into a Third Amendment to the Professional Services Agreement between WRCOG and PFM Financial Advisors, LLC, to extend the term of the Agreement to June 30, 2024.

G. Letter Recommending that the State of California Reconsider the Closure of Chuckawalla Valley State Prison in Blythe

This item was pulled for discussion by Committee member Kevin Bash, who thanked Committee members who have already sent in a letter of support to keep the prison in Blythe open, and closing the Norco prison instead. The buildings at the Norco prison have asbestos issues; many of the buildings were only built to last 25 years, and it has now been over 80 years. There are water and structural problems, which will lead to further deterioration and the eventual closing of the prison. Committee member Bash would like it closed sooner rather than later.

Furthermore, the entire economy in Blythe is based around the prison, and its closure would be devastating to the residents. This is a much newer facility than the one in Norco, and the Norco prison was never designed to be a prison, but a rehabilitation center.

Committee member Karen Spiegel added that the residents of Blythe support keeping the prison open. It brings jobs and sustainability to the area.

Committee member Christian Dinco asked what member agencies can do to help support Norco.

Committee member Kevin Bash introduced Norco City Manager, Lori Sassoon, who said that sending support letters to the Governor would be very helpful. The Governor is committed to prison closure and offered having the Norco prison close instead of Chuckawalla Valley State Prison.

Committee member Bob Karwin asked if letters should list the Norco prison as an alternative option to closing Chuckawalla Valley State Prison.

Committee member Spiegel asked Ms. Sassoon to send a sample letter so the message is consistent.

WRCOG Deputy Executive Director Chris Gray added that a sample letter was attached to the agenda, which focuses on the economic impacts of closing Chuckawalla Valley State Prison, and suggests that closing the Norco prison is a more cost-effective alternative.

Action:

1. Authorized the Executive Director to submit a letter to the State of California advocating for a reconsideration of the closure of Chuckawalla Valley State Prison in Blythe.

H. Affirm the Recommendation of the Administration & Finance Committee to Appoint Wes Speake to SAWPA OWOW Steering Committee, and Malcolm Lilienthal to SCAG's Transportation Policy Committee

Actions:

1. Appointed Wes Speake (City of Corona) as the WRCOG representative to the Santa Ana Watershed Project Authority's One Water One Watershed Steering Committee for a term commencing May 1, 2023, and ending December 31, 2024.
2. Appointed Malcom Lilienthal (City of Hemet) to SCAG's Transportation Policy Committee for a term commencing on May 1, 2023, and ending December 31, 2024.

6. REPORTS / DISCUSSION

A. Good Neighbor Guidelines for Siting New and/or Modified Warehouse / Distribution Facilities

Chris Gray, WRCOG Deputy Executive Director, reported that the WRCOG Regional Air Quality Task Force developed the Good Neighbor Guidelines in 2003, which were endorsed by this Committee in 2005. Since then, there have been no updates even though many things have changed with regard to State regulations. Additionally, many member agencies have developed their own Good Neighbor Guidelines.

Warehouse siting is a very contentious issue, especially concerning the setback standards which can range from 300 feet or less, or up to 1,000 feet or more, with each agency evaluating criteria differently. This item was presented to both the WRCOG Planning Directors Committee and the WRCOG Technical Advisory Committee (TAC). Both were concerned that the updated Guidelines would conflict with local guidelines. Instead, it was suggested that WRCOG offer a toolkit which member agencies can use as a resource when creating their own guidelines. The WRCOG TAC recommended to withdraw the guidelines.

Under public comment, Bill Blankenship stated his objection to updating the WRCOG Good Neighbor Guidelines. Many member agencies have their own guidelines or policies in place that address the issue of warehouse siting. The Attorney General made two recommendations: the Fontana Settlement Agreement, and a decision in Stockton. There is pending legislation, AB 1748, reflecting the Fontana ordinance, which passed last month. Mr. Blankenship asked the Committee to rescind the Good Neighbor Guidelines, and allow the member agencies most affected by this issue to create their own Guidelines.

Committee member Wendy Hewitt asked if the State has any guidelines. Leaving it up to the cities would be the best, as each city is unique.

Mr. Gray stated this is an issue of local land use control. There are requirements through CEQA; however, the State does not have any formal guidelines. The setback requirements are what vary per jurisdiction. The pending legislation, AB 1748, has a smaller setback distance.

Committee member Jacque Casillas asked what the vote breakdown was from the TAC.

Mr. Gray stated that the vote was unanimous. Although there were other viewpoints, all TAC members voted for rescinding the Guidelines. The TAC was assured that the issue would be put on a future agenda for member agencies that wanted to further address the issue.

Committee member Casillas asked if rescinding the Guidelines would actually remove it from circulation. She agreed that different member agencies have different interests, so it is not the Committee's place to make those decisions.

Mr. Gray replied that it would help, as staff could write to the Attorney General stating that the document is no longer endorsed by the Committee.

Committee member Kevin Jeffries agreed that those decisions are best left to local control. Riverside County's guidelines are optional for each Supervisor to adhere to. Truck traffic on the I-215 / I-60 corridor is estimated to add approximately 2,000 more trucks over the next couple of years with all of the new and anticipated warehouses. There was a settlement with the Riverside County Transportation Commission and homeowners paralleling the I-215, which stated that all goods would be moved through the freeways as opposed to using railways. If no solution is found for warehouse regulations and protecting private property rights, the State will step in and make it tougher for individual cities to act.

Committee member Mike Lara asked Mr. Gray to keep an eye on AB 1748, as the State seems to be overreaching on zoning control.

Committee member Bob Karwin stated that the City of Menifee recently adopted its own Good Neighbor Policies, and agreed that not only are the needs of the cities are unique, but the needs of the developers are also unique. There is no binding affect to the Guidelines, and the document would merely serve as a reference, which is not universally applicable to all member agencies.

Committee member Chuck Washington is also concerned with the impact of truck traffic. Developers are trying to build a logistics center in French Valley, and District 3 staff have been negotiating with those developers to instead build smaller units, which would produce less traffic and less air pollution, and provide an opportunity for small-business growth. Although the member agencies are different communities, they are all part of one region, and the Committee should consider the kind of legacy it will leave for the next generation.

Committee member Kevin Bash agreed with the points brought up about local control; however, there should be some sort of advisory about good policies to protect not only the immediate homes in the area, but to also consider how developments will affect the neighboring cities.

Committee member Spiegel stated that guidelines are only guidelines, and member agencies should be allowed to make them more restrictive or less restrictive to fit their needs as part of local control. Rescinding the Guidelines seems like the Committee is not taking a stand for the community.

Committee member Chris Barajas stated that there should be some data analysis if WRCOG wants to update the Guidelines or make new recommendations. There are many variables to consider, such as new legislation pertaining to electrification, hydrogen and alternative fuel sources, in addition to figuring out how to plan industrial areas to divert traffic. Updating the current document would be a very lengthy process. Committee member Barajas suggested rescinding the current Guidelines, and ask the TAC to craft new guidelines or recommendations based off of data, which member agencies can incorporate if they so choose.

Mr. Gray clarified that the Executive Committee has the option to either update or withdraw the current

guidelines. The item has been added to a future TAC agenda for further discussion.

Dr. Kurt Wilson, WRCOG Executive Director, added that the TAC requested creating a toolkit as opposed to a rulebook, with items to consider when faced with a decision.

Committee member Christian Dinco asked why the Guidelines could not just be updated or replaced with a new document, if it is not a mandate.

Mr. Gray responded that the current Guidelines have been used by the public at city meetings, specifically when dealing with setbacks, and have been cited in an effort to oppose setback regulations set forth by the city. A toolkit would be written very differently, and would be meant to be used as a resource by member agencies.

Committee member Spiegel asked if WRCOG is part of that local control. There would be a conflict if WRCOG Guidelines state one thing and a member agency chooses to do another. The jurisdiction should create the policies.

Committee member Brian Tisdale stated that the City of Lake Elsinore recently adopted its Good Neighbor Guidelines, which carry no means of enforcement. Leaders of the member agencies try to do what they believe is best for their jurisdiction, but rarely consider the impact it may have on the neighboring cities.

Committee member Barajas added that having a document from 2005 is not effective, as new legislation is being passed which would further change or contradict the outdated information in the Guidelines.

Action:

1. Withdrew the WRCOG Good Neighbor Guidelines for Siting New and/or Modified Warehouse / Distribution Facilities.

RESULT:	APPROVED AS RECOMMENDED
MOVER:	Jurupa Valley
SECONDER:	Perris
AYES:	Beaumont, Canyon Lake, Corona, Eastvale, Hemet, Jurupa Valley, Lake Elsinore, Menifee, Moreno Valley, Murrieta, Perris, San Jacinto, Wildomar, District 1, District 2, EMWD, Western Water
NOES:	Calimesa, Norco, District 3

B. Approval of Fiscal Year 2023/2024 Agency Budget

Andrew Ruiz, WRCOG Chief Financial Officer, provided an update on the Fiscal Year (FY) 2023/2024 Agency Budget. Agency-wide revenues are budgeted at approximately \$19.5M against \$19.2M in expenditures. Compared to last year, excluding the TUMF revenues, this is approximately a \$2M increase, primarily due to the increase in I-REN revenues and decreased TUMF (administrative) and HERO revenues. TUMF revenues will be reclassified as an alternative revenue source based on recommendations from the WRCOG auditors.

Predicting the revenues for the PACE Commercial Program has proven to be difficult, as there is no consistency in activity. Variable costs and revenues will be adjusted based on this activity. The TUMF

collections are split five ways, based on the Nexus Study and Administrative Plan. Only 4% will now be considered revenue, per Governmental Accounting Standards Board (GASB) Statement 84, which sees these revenues as a fiduciary activity. An additional \$52k in revenues will be received as part of the Beaumont Settlement Agreement.

The HERO Program has seen a decrease in revenues, primarily due to economic changes such as low interest rates and lower home values. The I-REN Program has a \$65M budget, which is spread out over six years, and allocated funds can be rolled over into subsequent years.

Most programs are housed in the General Fund. WRCOG staff has been working to break out those revenues to give a more accurate account of the General Fund balance.

The four guiding principles being used as a part of the FY 2023/2024 budget process are:

1. Fair distribution of funds and funding requests
2. Requiring all programs to be self-sustaining
3. Focusing on the long-term health of each fund
4. Incrementally moving towards these goals when full-scale immediate changes are impractical

Dues for WRCOG general membership, Solid Waste, and Clean Cities were discussed. Changes for all three were proposed; however, only dues for Solid Waste and Clean Cities are being proposed for the FY 2023/2024 budget, with a phase-in for the Clean Cities dues. There were no proposed changes to the current year member dues, but an evaluation of the components of the dues structure and amount will begin immediately, which will then be presented to the Committee for approval.

The Solid Waste Program is an opt-in program, and increases will only apply to those member agencies that choose to participate. The Clean Cities Program is another opt-in program, and is partially funded by AB 2766 funds from the South Coast Air Quality Management District. The WRCOG energy team is actively pursuing grants, but these funds are not guaranteed. Other funding sources include the Department of Energy, a West Virginia University partnership, and the Local Transportation Fund. There is a proposed increase of 10% for participating member agencies while the Program works toward self-sufficiency. Additional changes will be addressed over the next fiscal year after further analysis.

The Executive Committee did not have an interest to use General Fund dollars to continue the Fellowship Program. It will run until or unless funds are either depleted. Staff is seeking additional grant funding, sponsorships, or support from philanthropic entities such as the WRCOG Supporting Foundation to extend the life of the Program.

I-REN has a unique structure, which is funded by the California Public Utilities Commission over multiple years, and operates on a calendar year as opposed to WRCOG's fiscal year. The I-REN Executive Committee makes programmatic budget decisions, which are then incorporated into the WRCOG budget, with half of the budget accounted for in the current fiscal year, and the other half for the following fiscal year. Furthermore, I-REN is not a Joint Powers Authority, so all budget decisions are delegated to the WRCOG Executive Committee for approval.

Additional changes will be addressed over the next fiscal year after further analysis. Several changes were made to WRCOG's Budget Resolution, including clarification of the Executive Director's authority in making changes to the budget and budget authority surrounding the I-REN.

Action:

1. Recommended that the General Assembly approve the Fiscal Year 2023/2024 Agency Budget.

RESULT:	APPROVED AS RECOMMENDED
MOVER:	Lake Elsinore
SECONDER:	District 3
AYES:	Beaumont, Calimesa, Canyon Lake, Corona, Eastvale, Hemet, Jurupa Valley, Lake Elsinore, Menifee, Moreno Valley, Murrieta, Norco, Perris, San Jacinto, Wildomar, District 2, District 3, EMWD, Western Water

7. REPORT FROM THE TECHNICAL ADVISORY COMMITTEE CHAIR

The Technical Advisory Committee Chair was not present.

8. REPORT FROM COMMITTEE REPRESENTATIVES

Chair Ruiz, SANDAG Borders Committee representative, reported that the same regional issues here are seen at the southern border. There are funds coming in to improve the border, and things are getting better. Pollution issues, especially in the water, are horrible. SANDAG will continue to work to improve those conditions as well.

SCAG has formed a new Greenprint Technical Advisory Committee and asked for a WRCOG appointee. There was not a lot of interest from WRCOG members, so Chair Ruiz has volunteered and will have updates about their activities in the future.

9. REPORT FROM THE EXECUTIVE COMMITTEE CHAIR

Chair Ruiz invited Committee members to attend the Ramona Bowl Outdoor Play, which is the longest running play in the entire country. This weekend, family members of the author will be in attendance. Also, there is a fresco mural in the museum which was re-evaluated for a value of over \$2.5M, and is amazing to see. There will be many vendors and fun things to do.

Chair Ruiz announced that the former City of Hemet Mayor Karlee Meyer recently passed away. She was very passionate, and fought hard for her community.

10. REPORT FROM THE EXECUTIVE DIRECTOR

Dr. Kurt Wilson reported that RCHCA staff and WRCOG staff who work on the Love Your Neighborhood Program held community clean-ups over the last couple of weeks. WRCOG is seeking to partner with member agencies regarding training opportunities for staff. The WRCOG General Assembly event is 59 days away. Additional emails will be sent to outline the process for the "changing of the guards" in WRCOG leadership. Dr. Wilson also encouraged Committee members to become involved in some of the Ad-Hoc Committees. The WRCOG Handbook will be available for Committee members and alternates which outlines the duties and what WRCOG does.

Chris Gray, Deputy Executive Director, introduced Brian Piche-Cifuentes, who will be working within the TUMF Program.

Casey Dailey, Director of Energy and Environmental Programs, introduced Karina Camacho, who has been working with the I-REN Program.

11. ITEMS FOR FUTURE AGENDAS

There were no items for future agendas.

12. GENERAL ANNOUNCEMENTS

Committee member Jackie Peterson thanked member agencies who have sent their condolences on the passing of Karlee Meyer. Karlee was a fifth-generation Hemet resident, and had a great love for Hemet. She will be truly missed.

13. NEXT MEETING

The next Executive Committee meeting is scheduled for Monday, June 5, 2023, at 2:00 p.m., in the Riverside County Administrative Center, 4080 Lemon Street, 1st Floor Board Chambers, Riverside.

14. CLOSED SESSION

CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION pursuant to Section 54956.9(d)(1):
Two cases.

1. Zuniga, et al. v. Western Riverside Council of Governments, et al., San Diego County Superior Court, Case No. 37-2021-00007702-CU-MC-NC.
2. Linda M. Logan v. California Statewide Communities Development Authority, et al., San Diego Superior Court Case No. 37-2022-00003295-CU-MC-NC.

15. ADJOURNMENT

The meeting was adjourned at 3:55 p.m. in honor of Karlee Meyer