

Executive Committee

Minutes

1. CALL TO ORDER

The meeting of the WRCOG Executive Committee was called to order by Chair Karen Spiegel at 2:00 p.m. on March 7, 2022, on the Zoom platform.

2. PLEDGE OF ALLEGIANCE

Committee member Chuck Washington led the Committee members and guests in the Pledge of Allegiance.

3. ROLL CALL

- City of Banning - David Happe
- City of Beaumont - Mike Lara
- City of Calimesa - Wendy Hewitt
- City of Canyon Lake - Dale Welty
- City of Corona - Jacque Casillas
- City of Eastvale - Christian Dinco
- City of Hemet - Russ Brown
- City of Jurupa Valley - Chris Barajas
- City of Lake Elsinore - Brian Tisdale
- City of Menifee - Matt Liesemeyer
- City of Moreno Valley - Yxstian Gutierrez
- City of Murrieta - Lori Stone
- City of Norco - Kevin Bash
- City of Perris - Rita Rogers
- City of Riverside - Ronaldo Fierro
- City of San Jacinto - Crystal Ruiz
- City of Temecula - James Stewart
- City of Wildomar - Ben Benoit
- County, District 1 - Kevin Jeffries
- County, District 2 - Karen Spiegel
- County, District 3 - Chuck Washington
- County, District 5 - Jeff Hewitt
- Eastern Municipal Water District (EMWD) - Phil Paule
- Western Municipal Water District (WMWD) - Brenda Dennstedt
- WRCOG Executive Director - Dr. Kurt Wilson

4. PUBLIC COMMENTS

Arnold San Miguel, SCAG, announced that registration is open for SCAG's 57th Regional Conference General Assembly, scheduled for May 5 - 6, 2022. Applications are available for SCAG's Scholarship Program.

Dr. Chandra Richards, Agricultural Land Acquisition Academic Coordinator at the University of California, Riverside (UCR), spoke on UCR's Sustainable Agricultural Land Conservation Grants Program.

5. CONSENT CALENDAR

RESULT: APPROVED AS RECOMMENDED

MOVER: Menifee

SECONDER: Perris

AYES: Banning, Beaumont, Calimesa, Canyon Lake, Corona, Eastvale, Hemet, Jurupa Valley, Lake Elsinore, Menifee, Moreno Valley, Murrieta, Norco, Perris, Riverside, San Jacinto, Temecula, Wildomar, District 1, District 2, District 3, District 5, EMWD, WMWD

A. Assembly Bill 361 Findings

Action:

1. Affirmed the findings of the Executive Committee in Resolution Number 26-21, adopted on November 1, 2021, which are:
 - a. The Governor proclaimed a State of Emergency on March 4, 2020, related to the COVID-19 pandemic, which State of Emergency continues to exist today; and
 - b. State or local officials have recommended measures to promote social distancing.

B. Summary Minutes from the February 7, 2022, Executive Committee Meeting

Action:

1. Approved the Summary Minutes from the February 7, 2022, Executive Committee meeting.

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. Finance Department Activities Update

Action:

1. Received and filed.

F. Fiscal Year 2020/2021 Agency Audit

Action:

1. Received and filed.

G. TUMF Program Activities Update - Results of On-Call Engineering Services under RFP No. 22-01

This item was pulled for discussion by Committee member Wendy Hewitt, who asked if there were any other bids and how the RFP was announced.

Chris Gray, WRCOG Deputy Executive Director, responded that the RFP was distributed through PlanetBids. Seven firms responded to the RFP and downloaded the RFP; however, only two firms provided a bid. These two firms are currently working for WRCOG and have substantial amounts of experience working with the TUMF Program.

Actions:

1. Authorized the Executive Director to enter into an On-Call Engineering Services Professional Services Agreement between WRCOG and Transportation Engineering & Planning, Inc., for an amount not to exceed \$100,000.
2. Authorized the Executive Director to enter into an On-Call Engineering Services Professional Services Agreement between WRCOG and W.G. Zimmerman Engineering, Inc., for an amount not to exceed \$100,000.

RESULT: APPROVED AS RECOMMENDED

MOVER: Perris

SECONDER: Hemet

AYES: Banning, Beaumont, Calimesa, Canyon Lake, Corona, Eastvale, Hemet, Jurupa Valley, Lake Elsinore, Menifee, Moreno Valley, Murrieta, Norco, Perris, Riverside, San Jacinto, Temecula, Wildomar, District 1, District 2, District 3, District 5, EMWD, WMWD

H. TUMF Nexus Study Activities Update

Action:

1. Received and filed.

I. Update from the California State Association of Counties

Action:

1. Received and filed.

6. REPORTS / DISCUSSION

A. Cal Cities Activities Update

Erin Sasse, Cal Cities, reported that the Cal Cities Board recently took action to support AB 1599 (Kylie). This Bill would repeal Proposition 47 with the exception of those crimes for possession of concentrated cannabis. A sample support letter has been distributed.

Cal Cities is supporting AB 1985 (Robert Rivas), which would create a statewide database, to be

maintained by CalRecycle, to connect jurisdictions with companies that may need organic waste.

Cal Cities is seeking feedback regarding AB 2179 (Grayson), which requires non-compliant agencies from imposing fees or charges in terms of impact fee collections until 20 years from the date of the final inspection, or a certificate of occupancy is issued, whichever occurs first.

Cal Cities is monitoring SB 897 (Wieckowski), which would increase the maximum height for Accessory Dwelling Units to 25 feet (originally 16 feet). Cal Cities will likely oppose this Bill.

Cal Cities is supporting SB 1466 (Stern) would bring back a community development investment program that would help jurisdictions with their affordable housing needs.

Cal Cities will likely sponsor AB 662 (Rodriguez), which would create suicide prevention resources for fire fighters and Emergency Medical Technicians.

A Division meeting is scheduled for Monday, March 14, 2022, and will likely be the last virtual meeting.

Action:

1. Received and filed.

B. I-REN Status and Activities Update

Casey Dailey, WRCOG Director of Energy & Environmental Programs, reported that in November 2021, I-REN's Business Plan and budget was approved by the CPUC for \$65 million for years 2022 – 2027 for three sectors – Public, Codes and Standards, and Workforce Education and Training.

Direct benefits to each participating member agency includes up to \$25,000 each year for technical services, access to Building Upgrade Concierge, and access to energy modeling services, benchmarking, and quarterly Title 24 training. It is also anticipated that an Intern Program will be created.

Staff is working on a Memorandum of Agreement (MOA) with the Coachella Valley Association of Governments (CVAG) and the San Bernardino Council of Governments (also known as SANBAG), a Governance & Operations Charter, and a Program Agreement (PA) with SoCal Gas. The MOA, Governance Charter, and PA will be presented to committees in the future once completed.

A Professional Services Agreement between WRCOG and Frontier Energy for I-REN implementation is being presented for approval.

Action:

1. Authorized the Executive Director to execute a Professional Services Agreement between WRCOG and Frontier Energy, Inc., for Inland Regional Energy Network Implementation Plan Development and Programs Launch for a not to exceed amount of \$793,701.

RESULT: APPROVED AS RECOMMENDED

MOVER: Jurupa Valley

SECONDER: San Jacinto

AYES: Banning, Beaumont, Calimesa, Canyon Lake, Corona, Eastvale, Hemet, Jurupa Valley, Lake Elsinore, Menifee, Moreno Valley, Murrieta, Norco, Perris, Riverside, San Jacinto, Temecula,

Wildomar, District 1, District 2, District 3, District 5, EMWD, WMWD

C. 2nd Quarter Draft Budget Amendment for Fiscal Year 2021/2022

Andrew Ruiz, WRCOG Chief Financial Officer, reported that in December 2021, Renovate America, WRCOG's partner in the HERO Program, filed bankruptcy, effectively ending the Program. This Committee then took action to terminate the two remaining residential PACE Administration Agreements.

Under the terms of the contract with Renovate America, WRCOG was indemnified from a number of legal issues; however, when Renovate America filed bankruptcy, it stopped honoring that indemnification, which caused WRCOG to take on previous and new litigation responsibilities and expenses. Due to this, WRCOG has incurred significantly more legal costs.

The original PACE Program budget for Fiscal Year 2021/2022 was \$750k, but due to actual expenses through December 2021, the expenses are at nearly \$930k, and anticipated legal expenses for the remainder of the fiscal year is anticipated to average approximately \$100k per month. With an increase in revenues from early payoffs of assessments, there will be a total net increase in revenues of \$30k for the Program.

Committee member Christian Dinco indicated that the requested increase in expenditures seems high and asked why staff anticipates the need for that amount.

Mr. Ruiz responded that claims discussions occur during Closed Session.

Chair Spiegel asked what the projected increase to the budget is, where is it coming from, and does staff have any idea on how much more will be necessary.

Steve DeBaun, WRCOG legal counsel, indicated that this conversation would be more productive in Closed Session.

WRCOG's I-REN has received budget approval by the California Public Utilities Commission (CPUC) for a six-year, \$65 million budget. The budget amendment for the remainder of FY 2021/2022 is approximately \$5 million, but the full annual budget for the I-REN is over \$10 million. Funding from the CPUC comes from rate payers, in which a portion of their utility bill is set aside for these types of programs, known as the Public Goods Charge.

While WRCOG has partnered with the Coachella Valley Association of Governments (CVAG) and the San Bernardino Council of Governments (also known as SANBAG) for this Program, WRCOG will act as the administrative lead. There will be pass-through expenses incurred by the partners that will flow through WRCOG.

Each partner has an approved budget for one Program Manager, two Staff Analysis, one Regulatory / Legislative Program Manager, executive support, and administrative support.

Actions:

1. Approved the 2nd Quarter Draft Budget Amendment in the amount of \$5,051,019 in revenues and expenditures for Fiscal Year 2021/2022 for the I-REN.
2. Moved the HERO budget amendment item to the next Executive Committee meeting of April 4,

2022, for further discussion under Closed Session, prior to Open Session, and place this item on the Open Session portion of the Agenda.

RESULT: APPROVED AS RECOMMENDED

MOVER: Lake Elsinore

SECONDER: WMWD

AYES: Banning, Beaumont, Calimesa, Canyon Lake, Corona, Eastvale, Hemet, Jurupa Valley, Lake Elsinore, Menifee, Moreno Valley, Murrieta, Norco, Perris, Riverside, San Jacinto, Temecula, Wildomar, District 2, District 3, District 5, EMWD, WMWD

NO: District 1

D. WRCOG In-Person Committee Meetings

Dr. Kurt Wilson, WRCOG Executive Director, reported that some Committee members have expressed an interest in returning to in-person meetings. AB 361 requirements surround public health concerns rather than convenience.

Committee members expressed interest in continuing to have the option for hybrid meetings.

Action:

1. Received and filed.

7. REPORT FROM THE TECHNICAL ADVISORY COMMITTEE CHAIR

Technical Advisory Committee (TAC) Chair Jeff Van Wagenen reported that the TAC received presentations on trip origin destination assessment and broadband.

8. REPORT FROM COMMITTEE REPRESENTATIVES

Committee member Crystal Ruiz, SANDAG Borders Committee representative, reported that this year the SANDAG Borders Committee is celebrating 20 years of existence. Meeting discussions included the southern border, as well as the border between Riverside and San Diego Counties and the tribal nations.

Committee member Ted Hoffman, SAWPA OWOW Steering Committee representative, reported that applications for Proposition 1 funds are due March 25, 2022.

9. REPORT FROM THE EXECUTIVE COMMITTEE CHAIR

Chair Spiegel had no report.

10. REPORT FROM THE EXECUTIVE DIRECTOR

Dr. Kurt Wilson had no report.

11. ITEMS FOR FUTURE AGENDAS

There were no requests for items for future agendas.

12. GENERAL ANNOUNCEMENTS

There were no general announcements.

13. CLOSED SESSION

- CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION PUSUANT TO SECTION 54956.9(d)(1):
 - Joseph Baxter, et al., v. Max Energy Solar, Inc., et al., Case No. RIV2004271 (Riverside County Superior Court)
 - Martha Cordova, et al., v. Elite Solar Group, LLC, et al., Case No. 37-2021-00000765-CU-BT-CTL (San Diego County Superior Court)
 - Loreto Molina-Duarte, et al., v. Western Riverside Council of Governments, et al., Case No. 27-2021-00014856-CU-MC-NC (San Diego Superior Court)
- CONFERENCE WITH REAL PROPERTY NEGOTIATOR
 - Property: 3390 University Avenue, Suite 200, Riverside, CA
 - Agency negotiator: Executive Director
 - Negotiating parties: Citrus Tower, Inc.
- PUBLIC EMPLOYEE PERFORMANCE EVALUATION
 - Title: Executive Director
- CONFERENCE WITH LABOR NEGOTIATORS pursuant to Section 54957.6
 - Agency designated representatives: Chair and General Counsel
 - Unrepresented employee: Executive Director

There were no reportable actions.

14. NEXT MEETING

The next Executive Committee meeting is scheduled for Monday, April 4, 2022, at 2:00 p.m., on the Zoom platform with an option to attend in person at the WRCOG office.

15. ADJOURNMENT

The meeting was adjourned from Closed Session at 4:00 p.m.