

Executive Committee

Minutes

1. CALL TO ORDER

The meeting of the WRCOG Executive Committee was called to order by Vice-Chair Crystal Ruiz at 2:01 p.m. on June 6, 2022, on the Zoom platform.

2. PLEDGE OF ALLEGIANCE

Committee member Jeff Hewitt led the Committee members and guests in the Pledge of Allegiance.

3. ROLL CALL

- City of Banning - David Happe
- 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 - Edward Delgado
- City of Murrieta - Lori Stone
- City of Norco - Kevin Bash
- City of Perris - Rita Rogers
- City of San Jacinto - Crystal Ruiz (Vice-Chair)
- City of Temecula - James Stewart
- City of Wildomar - Ben Benoit
- County, District 1 - Kevin Jeffries
- County, District 2 - Karen Spiegel (Chair)*
- 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

*Arrived after Roll Call

4. PUBLIC COMMENTS

Chair Karen Spiegel resumed the meeting. There were no public comments.

5. CONSENT CALENDAR

RESULT: APPROVED AS RECOMMENDED

MOVER: District 3

SECONDER: Corona

AYES: Banning, Calimesa, Canyon Lake, Corona, Eastvale, Hemet, Jurupa Valley, Lake Elsinore, Menifee, Moreno Valley, Murrieta, Norco, Perris, 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 01-22, adopted on April 4, 2022, 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 May 2, 2022, Executive Committee Meeting

Action:

1. Approved the Summary Minutes from the May 2, 2022, Executive Committee meeting.

C. Finance Department Activities Update

Action:

1. Received and filed.

D. WRCOG Committees and Agency Activities Update

Action:

1. Received and filed.

E. Report out of WRCOG Representatives on Various Committees

Action:

1. Received and filed.

F. SCAG Activities update

Action:

1. Received and filed.

G. Professional Services Agreements for On-Call Planning Services

This item was pulled for discussion by Committee member Wendy Hewitt, who asked about the duplication in services for the consultants, and how much was spent over the last three years, as there is inconsistency in the amounts.

Chris Gray, WRCOG Deputy Executive Director, responded that broad categories of service has been applied to the On-Call Planning bench on consultants. For example, WSP is the lead consultant on the TUMF Nexus Study (transportation planning); however, Fehr & Peers also provides transportation planning services related to traffic modeling and a travel survey. While there may be duplications of categories for each consultant, there is no duplication of work within the Scope of Services. Details of the various categories are provided in the Staff Report. With regard to the amount paid out over the past three years and the amount of the agreements being presented today, the presented amount is based upon available funding, as well as the amount of work staff anticipates each consultant to complete.

Committee member Hewitt indicated that Rick Bishop recently contacted her City indicating that he now works with National Community Renaissance of California, and expressed a concern.

Mr. Gray responded that the proposal submitted by National Community Renaissance of California did not list Mr. Bishop as a staff person. WRCOG also has the ability to specify who works on projects.

Actions:

1. Authorized the Executive Director to execute a new On-Call Professional Services Agreement between WRCOG and WSP USA, Inc., for support wo WRCOG with transportation planning, general land use and housing planning, and staff support activities and services in an amount not-to-exceed \$600,000, for a term of the Agreement through June 6, 2025. Any changes to the attached draft must be approved subject to consultation by legal counsel.
2. Authorized the Executive Director to execute a new On-Call Professional Services Agreement between WRCOG and PlaceWorks, Inc., for support to WRCOG with general land use and housing planning support activities and services in an amount not-to-exceed \$400,000, for a term of the Agreement through June 6, 2025. Any changes to the attached draft must be approved subject to consultation by legal counsel.
3. Authorized the Executive Director to execute a new On-Call Professional Services Agreement between WRCOG and Blais & Associates, for support to WRCOG with grant writing services in an amount not-to-exceed \$400,000, for a term of the Agreement through June 6, 2025. Any changes to the attached draft must be approved subject to consultation by legal counsel.
4. Authorized the Executive Director to execute a new On-Call Professional Services Agreement between WRCOG and Fehr & Peers, for support to WRCOG with transportation planning services in an amount not-to-exceed \$400,000, for a term of the Agreement through June 6, 2025. Any changes to the attached draft must be approved subject to consultation by legal counsel.
5. Authorized the Executive Director to execute a new On-Call Professional Services Agreement between WRCOG and National Community Renaissance of California, for support to WRCOG with housing and planning-related services and support activities in an amount not-to-exceed \$350,000, for a term of the Agreement through June 6, 2025. Any changes to the attached draft must be approved subject to consultation by legal counsel.

RESULT: APPROVED AS RECOMMENDED

MOVER: Perris

SECONDER: Moreno Valley

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

H. Approval of One TUMF Reimbursement Agreement

Action:

1. Authorized the Executive Director to execute a TUMF Reimbursement Agreement with the City of Beaumont for the Planning Phase of the SR-60 / Potrero Blvd. Interchange Project in an amount not to exceed \$250,000.

I. Approval of Professional Services Agreement with Public Financial Management for Investment Management and Advisory Services

This item was pulled for discussion by Committee member Hewitt, who asked for further clarification on basis points.

Andrew Ruiz, WRCOG Chief Financial Officer, responded that basis points are a certain percentage of the total portfolio being managed.

Action:

1. Approved a Professional Services Agreement with Public Financial Management to provide investment management and advisory services for WRCOG starting with Fiscal Year 2022/2023, through Fiscal Year 2024/2025, with an option for the Executive Director to extend services for an additional two fiscal years.

RESULT: APPROVED AS RECOMMENDED

MOVER: Perris

SECONDER: Moreno Valley

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

J. Legislative Activities Update

Action:

1. Received and filed.

K. Approval of Fiscal Year 2022/2023 Agency Salary Schedule

Action:

1. Adopted Resolution Number 19-22; A Resolution of the Executive Committee of the Western Riverside Council of Governments adopting the Fiscal Year 2022/2023 publicly available salary schedule effective July 1, 2022, through June 30, 2023, as required by the California Public Employee's Retirement System.

L. Annual Used Oil Payment Program Authorization - Cycle 13

Action:

1. Adopted Resolution Number 18-22; A Resolution of the Executive Committee of the Western Riverside Council of Governments to support Regional Application - Used Oil Payment Program -

13.

M. Letter of Support - Local Assistance for Organic Waste Recycling Program Development and Implementation

Action:

1. Authorized the Executive Director to sign the Letter of Support and send to Senator Nancy Skinner, Chair of Senate Budget and Fiscal Review Committee, and Assembly member Phil Ting, Chair of Assembly Budget Committee.

N. Update from the California State Association of Counties

Action:

1. Receive and file.

O. Approval of a Restated WRCOG Executive Director Contract

Action:

1. Approved the restated Executive Director Employment Contract to provide the accrual of 12 hours of annual leave per pay period.

6. REPORTS / DISCUSSION

A. Cal Cities Activities Update

Erin Sasse, Regional Public Affairs Manager, Cal Cities, reported that the State Budget surplus is now projected to be \$100 Billion. Cal Cities has formally requested \$500M for a housing and economic development program, \$933.5M for unfunded mandates, and \$180M for organic waste recycling assistance. Cal Cities encourages local jurisdictions to continue talking to their local legislative representatives on these matters.

AB 1737 (Holden) would implement a series of holding and inspection requirements by the cities for children camps.

Cal Cities is sponsoring AB 1985 (Rivas), which would create an online database of organic waste products to allow local governments to connect with local farmers and community members who are seeking product.

Cal Cities opposes AB 2011 (Wicks), which is a very big priority bill that would require all cities to ministerially approve, without conditions or discretion, certain affordable housing and mixed use development in areas that includes retail, parking, and office space, regardless of what the General Plan indicates. Cal Cities is asking local jurisdictions to send letters to the Senate.

Cal Cities also opposes AB 2237 (Friedman), which would dictate that any project funded with local tax measure dollars must align with the State's Sustainable Communities Strategies and meet the State's climate goals.

Action:

1. Received and filed.

B. Nominations for Executive Committee Chair, Vice-Chair, and 2nd Vice-Chair Positions for Fiscal Year 2022/2023

Dr. Kurt Wilson, WRCOG Executive Director, reported that the General Assembly will be asked to approve a list of recommended individuals for leadership positions on June 23, 2022. The Administration & Finance Committee has provided a slate of individuals recommended for leadership positions.

Action:

1. Recommended the approval of Crystal Ruiz, City of San Jacinto, as Chair; Chris Barajas, City of Jurupa Valley, as Vice-Chair; and Rita Rogers, City of Perris, as 2nd Vice-Chair for Fiscal Year 2022/2023.

RESULT: APPROVED AS RECOMMENDED

MOVER: Wildomar

SECONDER: Menifee

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

C. Request to Authorize Annual Levy Assessments related to PACE Programs

Casey Dailey, WRCOG Director of Energy & Environmental Programs, reported that while there are no new assessments being issued, there are still active assessments that continue to be serviced by WRCOG. On an annual basis, WRCOG is required to adopt resolutions authorizing the placement of assessments on a tax roll for the upcoming year.

Actions:

1. Adopted Resolution Number 02-22; 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.
2. Adopted Resolution Number 03-22; 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.
3. Adopted Resolution Number 04-22; 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 05-22; 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 Glenn County.
5. Adopted Resolution Number 06-22; 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.
6. Adopted Resolution Number 07-22; 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.

7. Adopted Resolution Number 08-22; 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.
8. Adopted Resolution Number 09-22; 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.
9. Adopted Resolution Number 10-22; 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 Merced County.
10. Adopted Resolution Number 11-22; 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 Monterey County.
11. Adopted Resolution Number 12-22; 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.
12. Adopted Resolution Number 13-22; 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.
13. Adopted Resolution Number 14-22; 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 Sutter County and certifying to Sutter County the validity of the legal process used to place direct charges on the secured tax roll.
14. Adopted Resolution Number 15-22; 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 Ventura County.
15. Adopted Resolution Number 16-22; 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 17-22; 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.

RESULT: APPROVED AS RECOMMENDED

MOVER: District 5

SECONDER: Norco

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

C. Fiscal Year 2022/2023 Agency Draft Budget

Dr. Kurt Wilson, WRCOG Executive Director, reported that the presented budget has been vetted through WRCOG's Committee structure. The Transportation & Planning Department notes a sizeable gap between revenues and expenditures; this is due to the difference in TUMF revenues collected over a long period of time because of the timeframe to complete projects. Currently, TUMF is collecting more

than it is paying out in projects.

Dr. Wilson shared projects underway for each department, and noted how they align with the goals of the Strategic Plan. One change in the budget document content is that staff will be budgeting by fund, versus by program. Overall, staff are presenting a balanced budget that includes closure of four program, the removal of three positions, and the addition of two new positions. The Inland Regional Energy Network is anticipated to fully launch this upcoming year, there will be no change to the Fellowship Program funding percentages, and there is an unallocated labor increase of 4.5%, which is subject to change based on the Classification and Compensation Study.

Action:

1. Recommended that the General Assembly approve the draft Fiscal Year 2022/2023 Agency Budget.

RESULT: APPROVED AS RECOMMENDED

MOVER: San Jacinto

SECONDER: Menifee

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

7. REPORT FROM THE TECHNICAL ADVISORY COMMITTEE CHAIR

Technical Advisory Committee (TAC) Chair Jeff Van Wagenen reported that the TAC recently received a presentation on the Agency Budget presented today, as well as a presentation on the Santa Ana Municipal Separate Storm Sewer System Permit Program.

8. REPORT FROM COMMITTEE REPRESENTATIVES

Committee member Ted Hoffman, SAWPA OWOW representative, reported that in May, the SAWPA Commission approved an amendment to the Middle Santa Ana River Watershed Task Force Agreement that is now extended to June 2027. Under the Agreement, bacterial indicators will be checked.

Stakeholders in this Watershed include the Counties of Riverside and San Bernardino, and the Cities of Chino, Chino Hills, Claremont, Corona, Eastvale, Fontana, Jurupa Valley, Montclair, Norco, Ontario, Pomona, Rancho Cucamonga, Rialto, Riverside, and Upland, as well as agricultural operators within the Chino Basin, the waste master agricultural, and the University of California, Riverside.

Committee member Ben Benoit, South Coast AQMD representative for cities in Riverside County, reported that the AQMD Board is threatening to sue the federal government due to its inaction on AQMD's Air Quality Mitigation Plan (AQMP) of 2016. The Board is in the process of creating a new AQMP that is scheduled for release later this year.

9. REPORT FROM THE EXECUTIVE COMMITTEE CHAIR

Chair Spiegel thanked Dr. Wilson for his work leading up to General Assembly.

10. REPORT FROM THE EXECUTIVE DIRECTOR

Dr. Wilson reported that the Commercial PACE Program is doing well. Staff will be sending out email confirmations on room and meal choices later this week. Dr. Wilson thanked members for participating in the General Assembly filming.

11. ITEMS FOR FUTURE AGENDAS

There were no items for future agendas.

12. GENERAL ANNOUNCEMENTS

There were no general announcements.

13. CLOSED SESSION

Steve DeBaun, WRCOG Legal Counsel, announced that there are four closed session matters regarding existing litigation, and one closed session matter related to a claim WRCOG received on behalf of John B. Koch.

- CONFERENCE WITH LEGAL COUNSEL - Existing initiation of litigation pursuant to Government Code Section 54956.9(d)(1).
 - Case Numbers: 6:21-12821, 6:21-12821-SY (U.S. Bankruptcy Court, Central Division)
- CONFERENCE WITH LEGAL COUNSEL - Existing initiation of litigation pursuant to Government Code Section 54956.9(d)(1).
 - Irma Lopez Aguirre v. Western Riverside Council of Governments, et al., Case No. 30-2020-01153725-CU-BT-CJC (Orange County Superior Court)
 - Maria Castillo v. Western Riverside Council of Governments, et al., Case No. 30-2020-01142779-CU-BT-CJC (Orange County Superior Court)
 - Linda Logan v. Western Riverside Council of Governments, et al., Case No. 37-2022-00003295-CU-MC-NC (San Diego County Superior Court)
- CONFERENCE WITH LEGAL COUNSEL - Anticipated litigation Significant exposure to litigation pursuant to Government Code Section 54956.9(2)(d): 1 Case

There were no reportable actions.

14. NEXT MEETING

The next Executive Committee meeting is scheduled for Monday, June 24, 2022, at 10:00 a.m., at Pechanga Resort Casino, Eagle's View Ballroom, 45000 Pechanga Parkway, Temecula, CA 92592.

15. ADJOURNMENT

The meeting was adjourned at 3:38 p.m.