Western Riverside Council of Governments
Administration & Finance Committee

AGENDA

Wednesday, September 1, 2021
12:00 PM

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

SPECIAL MEETING

WRCOG'S OFFICE IS CURRENTLY CLOSED TO THE PUBLIC DUE TO COVID-19

BECAUSE OF THE CDC MANDATE, MEMBERS OF THE PUBLIC WILL ONLY BE ABLE TO ATTEND THIS MEETING VIRTUALLY VIA ZOOM

Join Zoom Meeting
Meeting ID: 857 0294 0622
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SPECIAL NOTICE – COVID-19 RELATED PROCEDURES IN EFFECT

Due to the state and local State of Emergency resulting from the threat of Novel Coronavirus (COVID-19), Governor Newsom has issued Executive Order N-29-20 (issued March 17, 2020) in which Section 3 supersedes Paragraph 11 of Executive Order N-25-20 (issued on March 12, 2020). This order states that WRCOG does not need to make a physical location available for members of the public to observe a public meeting and offer public comment. The Order allows WRCOG to hold Committee meetings via teleconferencing and allows for members of the public to observe and address the meeting telephonically or electronically.

To follow the Order issued by the Governor, the Committee Special meeting scheduled for Wednesday, September 1, 2021, at 12:00 p.m., will be held in-person at the location listed on the agenda and virtually, on the Zoom platform. Members of the public may submit public comments before or during the meeting, prior to the close of public comment to snelson@wrcog.us.

Any member of the public requiring a reasonable accommodation to participate in this meeting in light of this announcement shall contact Suzy Nelson 72 hours prior to the meeting at (951) 405-6703 or at snelson@wrcog.us. Later requests 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 (Karen Spiegel, 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 agendized 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 14, 2021, Administration & Finance Committee Meeting

<u>Requested Action(s):</u>   1. Approve the Summary Minutes from the July 14, 2021, Administration & Finance Committee meeting.

B. Single Signature Authority Report

<u>Requested Action(s):</u>   1. Receive and file.

C. Energy Department Activities Update

<u>Requested Action(s):</u>   1. Receive and file.

6. REPORTS / DISCUSSION

Members of the public will have an opportunity to speak on agendized items at the time the item is called for discussion.

A. WRCOG Sponsorship / Membership Policy

<u>Requested Action(s):</u>   1. Provide direction regarding a sponsorship request from the Inland Center for Sustainable Development at the University of California, Riverside.

B. TUMF Program Nexus Study Update

<u>Requested Action(s):</u>   1. Direct staff to begin work on a TUMF Nexus Study update.
2. Direct staff to update the TUMF Administrative Plan to expand the TUMF-eligible project list to include Intelligent Transportation Systems (ITS) projects.
3. Direct staff to work with the Riverside County Transportation Commission and Riverside Transit Agency to evaluate options to mitigate VMT impacts from new development outside of the TUMF Nexus Study update.
4. Direct staff to begin work on an update of the Analysis of Development Impact Fees in Western Riverside County.

C. PACE Programs Activities Update: Deferral of Judicial Foreclosures on Delinquent PACE Properties

Requested Action(s):	1.	Recommend that the Executive Committee Adopt Resolution Number 23-21; A Resolution of the Executive Committee of the Western Riverside Council of Governments waiving judicial foreclosure proceeding requirements for delinquent payments of assessments of the Energy Efficiency and Water Conservation Program for Western Riverside County and the California HERO Program.

7. **REPORT FROM THE EXECUTIVE DIRECTOR**
Dr. Kurt Wilson

8. **ITEMS FOR FUTURE AGENDAS ~ Members**
Members are invited to suggest additional items to be brought forward for discussion at future Committee meetings.

9. **GENERAL ANNOUNCEMENTS ~ Members**
Members are invited to announce items / activities which may be of general interest to the Committee.

10. **NEXT MEETING**
The next Administration & Finance Committee meeting is scheduled for Wednesday, October 13, 2021, at 12:00 p.m., in the WRCOG's office located at 3390 University Avenue, Suite 200, Riverside, for Committee members. Members of the public are encouraged to attend this meeting virtually on the Zoom platform.

11. **ADJOURNMENT**

Administration & Finance Committee

Minimutes

Minutes

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1. CALL TO ORDER

The meeting of the Administration & Finance Committee was called to order by Chair Karen Spiegel at 12:00 p.m., on July 14, 2021, in WRCOG's office, Citrus Conference Room.

2. PLEDGE OF ALLEGIANCE

Committee member Kevin Bash led members and guests in the Pledge of Allegiance.

3. ROLL CALL
- City of Beaumont - Mike Lara
- City of Jurupa Valley - Chris Barajas
- City of Lake Elsinore - Brian Tisdale
- City of Moreno Valley - Victoria Baca
- City of Norco - Kevin Bash
- City of Perris - Rita Rogers
- City of San Jacinto - Crystal Ruiz
- City of Wildomar - Ben Benoit
- County of Riverside, District 2 - Karen Spiegel (Chair)
- Western Municipal Water District (WMWD) - Brenda Dennstedt*

*Arrived after roll call

4. PUBLIC COMMENTS

There were no public comments.

5. CONSENT CALENDAR – (Lake Elsinore / Beaumont) 9 yes; 0 no; 0 abstention. Items 5.A through 5.D were approved.

A. Summary Minutes from the June 2, 2021, Administration & Finance Committee Special Meeting

__Action__:
1. Approved the Summary Minutes from the June 2, 2021, Administration & Finance Committee Special meeting.

B. Summary Minutes from the June 9, 2021, Administration & Finance Committee Meeting

__Action__:
1. Approved the Summary Minutes from the June 9, 2021, Administration & Finance Committee

meeting.

C. Finance Department Activities Update

Action:
1. Received and filed.

D. First Amendment to PSA for GIS Assistance for Housing Element Updates

Action:
1. Recommended that the Executive Committee authorize the Executive Director to execute a First Amendment to the PSA with Houseal Lavigne Associates for GIS technical and advisory support for Housing Element updates to WRCOG member agencies, and to increase the total not to exceed amount from $480,000 to $624,000.

6. REPORTS / DISCUSSION

A. Energy Department Activities Update

Daniel Soltero, WRCOG Program Manager, reported that WRCOG, through its Regional Streetlight Program, has disbursed $3.6M in LED rebates to 10 member agencies.

WRCOG is commencing a Smart Streetlights Plan, available to all Streetlight Program participants, will provide a framework for each member agency to leverage streetlights as smart city assets, and will also include a broadband assessment. A community assessment has been completed and peer agency reviews are currently in progress.

In April 2020, the Bay Area Council awarded WRCOG a $200,000 grant to develop the Western Riverside County Energy Resiliency Plan. This Plan will assess critical facilities and identify the feasibility of implementing energy resilience solutions and/or microgrids to help maintain power supply during outage events. Staff are coordinating with member agencies to gather lists of proposed critical facilities; to date, eight member agencies have responded.

Staff held two workshops for members to discuss findings of the literature review, identify community resilience issues, and to finalize goals and objectives of the Plan. Member agencies want to focus on public safety and water facilities.

Committee member Mike Lara asked what the next steps are in determining critical facilities.

Mr. Soltero responded that factors include social vulnerabilities, populations, climate hazards, etc. A technical feasibility study will be conducted at three different facilities across the subregion, which will help to develop a master strategies list.

Committee member Brian Tisdale asked if sites will be focused on solar.

Casey Dailey, WRCOG Director of Energy & Environmental Programs, responded that it would depend on the location.

Committee member Chris Barajas asked about data security and IT software / plans.

Mr. Soltero responded that staff can look into guidelines which can be developed regarding data privacy. Staff are hosting a workshop on July 20, 2021, to discuss member preferences on smart streetlight technologies and smart city solutions.

Chair Spiegel asked if this Plan will be consistent with SCAG's identified communities of concern.

Chris Gray, WRCOG Deputy Executive Director, responded that SCAG's effort is in its early phases and WRCOG staff are in regular contact with SCAG staff. At this point, the broadband study is only a high-level overview and staff will follow-up with SCAG and the IE Broadband Consortium to ensure there are no duplication of effort.

Action:
1. Received and filed.

B. Updated Agency Policies and Procedures

Princess Hester, WRCOG Administrative Services Director, reported that staff is presenting updates to WRCOG's Personnel Policies and Procedures, the Procurement Policy, the Request for Proposal Issuance Policy, and a newly created Device Management Agreement.

The Personnel Policies and Procedures include many recent Family Medical Leave Act and California Family Rights Act updates, general updates to employment policies and practices, updates to paid leave practices, and the inclusion of the new Federal holiday, Juneteenth (June 19).

The Procurement Policy is being updated to outline purchasing limits, establish standard methods and procedures for purchasing services, let contract limits to three years with no more than two amendment options and a maximum duration of five years in general, and indicates that WRCOG does not need to conduct new procurement on existing contracts.

The Request for Proposal (RFP) Issuance Policy update will standardize the RFP and Request for Quote process, develop more focused and intention-based proposals, dictate regular review of service agreements, align with WRCOG' Bylaws, indicate dollar trigger amounts for Executive Director / Committee approval, and ensures a competitive and transparent process.

The newly created Device Management Agreement came about as a result to staff working from home due to the pandemic. A process is necessary to protect WRCOG's investment and safeguard the devices and equipment. The Policy mandates that employees must surrender all devices and passwords upon request. Employees can no longer use their WRCOG-issued cell phone for personal use. This Policy creates accountability and efficiencies for internal controls.

Committee member Bash asked how the RFP Policy aligns with the Bylaws, which are in the process of being updated.

Mr. Gray responded that in current Bylaws there is no mention of contract limits.

Kurt Wilson, WRCOG Executive Director, indicated that there is no language in the RFP that will affect

the current review and future update of the Bylaws.

Committee member Bash asked about a salary structure and benefits for all employees he introduced for conversation last year.

Mr. Gray responded that Mrs. Hester is currently preparing an RFP for salaries and benefits.

Committee member Barajas indicated that regarding device passwords, the Policy should be adjusted to reflect that passwords will be provided to specific IT staff only and asked staff to work with legal counsel on redefining the language in that section.

Action:
1. Recommended that the Executive Committee approve the various updated Agency Policies and Procedures.

(Norco / Jurupa Valley) 10 yes; 0 no; 0 abstention. Item 6.B was approved.

C. Housing Legislation Update

Bill Blankenship, WRCOG on-call legislative consultant, reported on various pieces of legislation.

SB 6, Local planning: housing: commercial zones: The Bill would make housing developments an "authorized use" in commercial zones. A development project in a commercial zone could be streamlined in the development review process, if 50% or more of the site has been vacant for a period of at least three years. This Bill shares many of the same goals that were part of AB 3107 from the 2020 session.

SB 12, as amended, McGuire. Planning and zoning: wildfires: The Bill will require cities and counties to make specified findings on fire standards, prior to permitting a development in very high hazard fire severity zones and incorporates fire hazard planning into RHNA allocation objectives and methodology.

Assembly Constitutional Amendment 7, all local land-use controls and zoning regulations to remain within the communities: voter approval. ACA 7 would ensure all decisions regarding local land use control and zoning regulations are made within the affected communities, in accordance with local law. Because ACA 7 is not likely to pass this year, a coalition of various Mayors has developed and circulated a proposed resolution which advocates for local control of land use decisions.

Additional bills were addressed and can be found in the agenda packet.

Action:
1. Directed staff to submit a Letter of Opposition unless amended to SB 12.

(Wildomar / Jurupa Valley) 10 yes; 0 no; 0 abstention. Item 6.C was approved.

D. Appointment of one WRCOG Representative to a SCAG Policy Committee

Chris Gray reported that due the the passing of Canyon Lake City Council member Jordan Ehrenkranz,

there is an opening of one appointment to a SCAG Policy Committee.

The Committee discussed the various individuals who expressed interest.

Action:
1. Recommended that the Executive Committee appoint Jonathan Ingram, City of Murrieta, to the SCAG Energy & Environment Policy Committee for a term commencing August 2, 2021, through December 31, 2022.

(Norco / Wildomar) 10 yes; 0 no; 0 abstention. Item 6.D was approved.

7. REPORT FROM THE INTERIM EXECUTIVE DIRECTOR

Dr. Kurt Wilson reported that if any Committee member has back-to-back meetings against this meeting and requires meeting space in order to attend this meeting in person, please notify staff and we will make office accommodations available in WRCOG's office.

8. ITEMS FOR FUTURE AGENDAS

There were no items for future agendas.

9. GENERAL ANNOUNCEMENTS

Committee member Ben Benoit announced that a cake has been provided to Chris Gray for his leadership of the Agency during the transition of the new Executive Director.

10. NEXT MEETING

The Administration & Finance Committee is DARK during the month of August. The next Administration & Finance Committee meeting is scheduled for Wednesday, September 8, 2021, at 12:00 p.m., virtually via Zoom and in-person at the WRCOG's office.

11. ADJOURNMENT

The meeting of the Administration & Finance Committee adjourned at 1:38 p.m.

Western Riverside Council of Governments
Administration & Finance Committee

Staff Report

Subject:	**Single Signature Authority Report**
Contact:	**Princess Hester, Administrative Services Director, phester@wrcog.us, (951) 405-6704**
Date:	**September 1, 2021**

Requested Action(s):

1. Receive and file.

Purpose:

The purpose of this item is to notify the Committee of contracts recently signed under the Single Signature Authority of the Executive Director.

Background:

The Executive Director has Single Signature Authority for contracts up to $100,000. For the months of April through July 2021 one contract was signed by the Executive Director as summarized below:

1. In June 2021, an Agreement was executed with Environmental Science Associates in the amount of $18,630. The purpose of this Agreement is to conduct due diligence for member agencies to participate in the Climate Action Plan (CAP) and conduct research on the nexus of a CAP and expediting housing development.

Prior Action(s):

April 14, 2021: The Administration & Finance Committee received and filed.

Fiscal Impact:

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

Attachment(s):

None.

Western Riverside Council of Governments
Administration & Finance Committee

Staff Report

Subject:	**Energy Department Activities Update**
Contact:	**Daniel Soltero, Program Manager, dsoltero@wrcog.us, (951) 405-6738**
Date:	**September 1, 2021**

Requested Action(s):

1. Receive and file.

Purpose:

The purpose of this item is to provide updates from the Regional Streetlight Program and Smart Streetlights Implementation Plan.

Background:

At the direction of the Executive Committee, WRCOG developed a Regional Streetlight Program that assisted 10 member agencies and a Community Service District to purchase streetlights within its jurisdictional boundaries which were previously owned and operated by Southern California Edison (SCE). Once the streetlights were purchased by the member agency, the lamps were retrofitted to light-emitting diode (LED) technology to provide more economical operations (i.e., lower maintenance costs and reduced energy use). Local control of the streetlight system provides agencies with opportunities for future revenue generation such as digital-ready networks and telecommunications and information technology strategies. In order to identify and elaborate on these new opportunities, WRCOG entered into an agreement with Michael Baker International (MBI) in February 2021 to develop a Smart Streetlights Implementation Plan and Broadband Assessment that will include participants of the Regional Streetlight Program and all WRCOG member agencies.

Smart Streetlights Implementation Plan

By fall 2020, the Regional Streetlight Program entered the maintenance phase whereby all participating agencies had completed streetlight acquisitions and LED conversion projects. Taking local control of the streetlight system provides participating agencies with opportunities for future revenue generation such as digital-ready networks and telecommunications, as well as opportunities to improve public services by utilizing streetlights as smart city assets. In order to identify and elaborate on these new opportunities, WRCOG entered into an agreement with MBI in February 2021 to develop a Smart Streetlights Implementation Plan and Broadband Assessment that will include participants of the Regional Streetlight Program and all WRCOG member agencies.

Between February and May 2021, MBI and WRCOG staff completed a community assessment and coordinated interviews with peer agencies to learn of their smart streetlight and smart city programs. The

community assessment is complete and has been used to support identification of readiness in agencies to utilize streetlights as smart city assets - see Attachment 1. Staff submitted a survey to each agency to gather information on a variety of smart city prerequisites such as number of streetlights and traffic signals, types of networking / IT assets maintained by the agency, and if there are any existing policies or plans related to data collection, data privacy, or smart city technologies. At the conclusion of the community assessment a total of 12 agencies responded to the survey, including the Cities of Banning, Calimesa, Eastvale, Lake Elsinore, Menifee, Murrieta, Perris, Riverside, San Jacinto, Temecula, and Wildomar, and the Jurupa Community Services District.

Rather than starting off with a solution in mind, implementing smart streetlight solutions should solve identified problems in public agencies. A review of how other locations, "peer agencies," have deployed smart streetlight solutions can provide context for WRCOG member agencies to assess the possibilities of smart city technologies addressing their individual needs. Staff and MBI conducted online research on seven peer agency implementations of smart streetlight technologies, including the Cities of Atlanta, Columbus, Detroit, Kansas City, Las Vegas, Los Angeles and San Diego. Additionally, four interviews were completed with staff from the Cities of Kansas City, Las Vegas, Los Angeles, and San Diego. Key findings from the peer agency review include identifying program parameters and metrics and establishing a business model so the technologies pay for themselves or recognize the expense to solve an identified need or issue. Another key finding is that agencies should consider the capabilities and responsibilities of traffic signal and IT staff in regards to maintaining a smart city system. See Attachment 2 for a detailed draft summary of the peer agency reviews.

Staff and MBI held a Smart Streetlights Workshop on July 20, 2021, to provide an update on the Plan and to seek member input on preferred smart streetlight or smart city technologies, including technologies that fall into one of the five pillars: public safety, economic, environmental, mobility, and connectivity. Ahead of the Workshop, WRCOG distributed a pre-workshop survey to ask members a series of questions. A total of eight responses were received from the Cities of Corona, Hemet, Jurupa Valley, Menifee, San Jacinto, Temecula, and Wildomar, as well as the Moreno Valley Electric Utility. Staff and MBI noted that many agencies have an interest in smart city infrastructure, and many have already begun converting to LED streetlights. The Cities of Corona and Temecula in particular noted that they already have a wireless dimming and asset management control system. The City of Menifee also noted that it is planning to release a Request for Proposal that will cover smart city infrastructure generally, though City staff are interested in smart streetlights and 5G applications. Finally, the Cities of Eastvale, Hemet, Lake Elsinore, and San Jacinto have implemented license plate reader cameras to assist with theft / burglary response.

Also presented at the Workshop was an overview of findings from the review of peer agencies with smart streetlight programs, including the importance of public outreach and engagement regarding what data is being collected to address privacy concerns, and the importance of defining who will own the data collected by sensors. An online poll was used to ask workshop participants how their agencies envisioned smart streetlight technology benefiting their communities. Feedback varied and included preventing illegal activities, improving traffic operations and emergency response times, and saving money. A detailed list of responses is as follows:

- Reduce vandalism
- Traffic calming
- Improve connectivity
- Extend water meter coverage

- Potentially resolve illegal dumping issues in right-of-way
- Signal synchronization
- Save money by dimming streetlights - less energy use
- Improve operational efficiencies

Staff and MBI then provided an overview of potential technologies that could be deployed with smart streetlights. Following the presentation of potential technologies, Public Safety was still the most highly rated category, followed by mobility / transportation, economic, and connectivity, while environmental was still the lowest rated category. Participants also identified that several mobility issues could be solved with technology applications, including speeding, peak hour traffic, and bike and pedestrian count collection. In summary, the major takeaways from the Workshop included member agencies' concern with public safety, crime prevention, and emergency response. Mobility for traffic management was also a key interest, with potential revenue sources also incurring interest.

Regional Streetlight Program - Refinancing Opportunities

By way of background, the Regional Streetlight Program developed and provided a financing structure for interested agencies to acquire streetlights from SCE and complete the LED retrofit project. In September 2016, the Executive Committee recommended that agencies interested in financing the acquisition and retrofit of streetlights utilize Bank of America Public Capital Corporation (Bank of America), as Bank of America provided the most competitive financing for the Regional Streetlight Program. By June 2019, the eight participating agencies listed below had completed a financing transaction with Bank of America:

1. City of Eastvale
2. City of Lake Elsinore
3. City of Menifee
4. City of Moreno Valley
5. City of Murrieta
6. City of Perris
7. City of San Jacinto
8. City of Wildomar

In July 2021, staff received several inquiries regarding possible refinancing options for streetlight lease agreements due to historically low interest rates. In October 2020, the City of Murrieta became the first participating agency to refinance its streetlight lease agreement with Bank of America for a lower interest rate and an estimated $1.5M reduction in interest paid over the payback period. In August 2021, the City of Lake Elsinore became the second city to refinance its streetlight lease agreement with Bank of America for a lower interest rate thereby reducing its interest over the payback period by nearly $500,000. Attachment 3 - compares the interest rates from the initial financing and the current interest rate environment. Given that two participating agencies have successfully refinanced its streetlight lease agreements with Bank of America, staff will be exploring refinancing options with Bank of America for the remaining six agencies.

Prior Action(s):
August 12, 2021: The Public Works Committee received and filed.

July 15, 2021: The Technical Advisory Committee received and filed.

July 14, 2021: The Administration & Finance Committee received and filed.

Fiscal Impact:

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

Attachment(s):

Attachment 1 - WRCOG Smart Streetlights - Agency Readiness Survey Results

Attachment 2 - WRCOG Smart Streetlights - Draft Peer Agency Review Summary

Attachment 3 - Regional Streetlight Program Interest Rate Comparison

Attachment 1
WRCOG Smart Streetlights - Agency Readiness Survey Results

WRCOG Smart Streetlights - Agency Readiness Survey Results

Date Received:	Email Response		4/22/21	4/9/21	4/6/21	4/5/21	4/5/21	4/5/21	4/2/21	3/25/21	3/25/21	3/25/21
What jurisdiction or municipality do you work for?	**City of Eastvale**	**City of Wildomar**	**City of Lake Elsinore**	**City of Perris**	**City of Calimesa**	**City of Banning**	**City of San Jacinto**	**City of Riverside**	**City of Menifee**	**Jurupa Community Services District**	**Temecula**	**City of Murrieta**
How many streetlights are currently within your jurisdiction/municipality?	4201	1405 (soon to be 1411) City-owned streetlights; 73 signal safety lights; approx. 100-200 other non-City streetlights (SCE owned).	3500	4,943	340		3052	Approximately 30,000	Refer to Daniel	approx 2000	approx 7,400	6500
Who owns the streetlights in your jurisdiction?	Combination of City of Eastvale and SCE	See above	City	City of Perris	SCE	City of Banning	City	Riverside Public Utilities	City of Menifee	Mostly us; some SCE	City	City. SCE owns lights in certain HOA areas.
How many streetlights have been converted to LED?	Most	Most	All	Most	Most	Most	Most	Some	Most	Most	All	Most
Are additional streetlights planned for LED conversion?	Yes	Yes	Yes	Yes	No	Yes	Yes	Yes	Yes	No	No	No
Does your jurisdiction/municipality provide public wi-fi in any capacity?	No	Yes	No	No	Yes	No	Yes	Yes	Yes	No	Yes	Yes
Where does your jurisdiction/municipality provide public wi-fi?	My jurisdiction does not provide public wi-fi	City/County/Municiple Buildings	City/County/Municipal buildings	My jurisdiction/municipality does not provide public wi-fi	City/County/Municipal buildings	City/County/Municipal buildings	City/County/Municipal buildings	Library	City/County/Municipal buildings	My jurisdiction/municipality does not provide public wi-fi	City/County/Municipal buildings	City/County/Municipal buildings

How many traffic signals are within your jurisdiction/municipality?	58	17 City owned/maintained signals; two additional signals are currently under construction and are expected to be complete by end of 2021/beginning of 2022, bringing the total to 19; One signal is on the City border with the City of Murrieta but is maintained by Wildomar; 8 County/Lake Elsinore maintained signals: these signals are on the City border with either the County or Lake Elsinore and serve more than one jurisdiction; 4 Caltrans owned/maintained signals.	60	94	5 intersections, approximately 125 signal heads	18	172	Approximately 400	More than 80, but I do not have the exact count - see Daniel Soltero	N/A	127	We have 100 signalized intersections
Who owns and maintains the traffic signals in your jurisdiction/municipality?	City owns the traffic signals, and they are maintained through contract with Econolite Systems.	See above	City	City, County, Shared Municipalities	City owned	Banning, Beaumont and Caltrans	Riverside County Transportation	The Public Works Department	City of Menifee	N/A	City	City
Are there communications systems tying the signals together?	Yes	No	No	I'm not sure	No	No	No	Yes	Yes	I'm not sure	Yes	Yes

What kind of "Hard" IT/networking assets does your jurisdiction/municipality own and maintain (e.g., Fiber optics backbone, server or cloud processing, etc.)?	Some fiber, some copper, some wireless. No central server	No response	Server or cloud processing	Server or cloud processing		Server or cloud processing	Server or cloud processing	Fiber optics backbone	Server or cloud processing, Wireless (Microwave) and limited Fiber backbone	N/A	Fiber optics backbone	Fiber optics backbone
How does your city maintain (within your jurisdictional limits; please include staff numbers committed to) streetlights?	Maintained through an umbrella contract with WRCOG, Siemens provided maintenance services for streetlights.	Contract with Siemens/WRCOG for maintenance. Public Works Inspector may coordinate with Siemens staff during reinstallations of knocked-down streetlights.	Out source	The maintenance and repair of City owned streetlights is contracted out to a third party.	SCE maintained	City of Banning Electric Department. There isn't a set amount of linemen that are dedicated to street light maintenance.	Contractor	15	City Staff for Streetlight administrative duties: • Office Specialist • PW Analyst • PW Supervisor • PW Manager Streetlight Maintenance and Repairs: City has a maintenance contract with WRCOG and SIEMENS. SIEMENS is the contractor assigned to maintenance and repairs.	Contract with external vendor	City maintains with 2 Traffic Signal Technicians, contractors on-call for major maintenance requirements	We contract with Siemens for maintenance services
How does your city maintain (within your jurisdictional limits; please include staff numbers committed to) traffic signals?	Maintained through contract with Econolite Systems.	Contract with Siemens for maintenance.Public Works Inspector may coordinate specific signal issues with Siemens staff, as necessary.	Out Source	The maintenance and repair of City owned traffic signals is contracted out to a third party.	Contract with Siemens	Contractor	Riverside County Transportation	5	City contracts with the County of Riverside TLMA	N/A	same as above	We contract with County of Riverside for most maintenance. However, we also have one staff member responsible for coordinating maintenance, programming traffic signals, troubleshooting issues at intersection cabinets.

How does your city maintain (within your jurisdictional limits; please include staff numbers committed to) City/Public IT/networking?	Maintained through contract with Econolite Systems.	Contract with Interwest Consulting Group for City IT Services. Two City employees coordinate with IT Services as necessary.	City Staff	5		In house staff (3) and contractors.	City (2)	5	Maintenance/support duties are shared among five different people.	N/A	same as above	Internal IT staff. 3
How does your city maintain (within your jurisdictional limits; please include staff numbers committed to) wi-fi?	City does not have public wi-fi	Contract with Interwest Consulting Group for City IT Services, including wi-fi support at City Hall. Two City employees coordinate with IT Services as necessary.	City staff	N/A		In house staff (3)	0	1	Maintenance/support duties are shared among five different people.	N/A	City IT Department	Internal IT staff. 3
Do you have any policies or ordinances related to collection of data from pubicly owned IT/networking assets?	No	No - I don't believe so, but not 100% sure	No	Yes		No	No	No	Yes		Yes	unknown

Attachment 2
WRCOG Smart Streetlights – Draft Peer Agency Review Summary

Daniel Soltero, Program Manager
Western Riverside Council of Governments
3390 University Ave, Suite 200
Riverside, CA 92501

Subject: WRCOG Smart Streetlights: Peer Agency Review

Michael Baker is assisting the Western Riverside Council of Governments (WRCOG) in developing a Smart Streetlight Implementation Strategy. As part of this effort, Michael Baker has reviewed five peer agencies that have applied smart streetlight technologies to learn from their successes and problems, which will inform WRCOG's implementation of their program. The review included a combination of online research, interviews with key staff, and first-hand knowledge from staff involvement on Smart City plans, where applicable. This technical memorandum summarizes the peer agency review and resulting key takeaways.

Introduction

Between 2019 and 2020, WRCOG converted over 50,000 streetlights across 11 local jurisdictions to LED bulbs. The Regional Streetlight Program included purchasing nearly all of the streetlights from the local utility, Edison. The LED bulbs use substantially less power, resulting in a 70% reduction in energy consumption. The upgrade also substantially reduced light pollution, benefiting the community as well as the Palomar Observatory in San Diego County. The cost savings and reduced power draw present an opportunity to add smart city architecture to the streetlights. The Smart Streetlight Implementation Strategy will assess which technologies would provide the most value to the WRCOG communities. The first step of this evaluation was to learn from the successes and problems experienced by other agencies implementing smart streetlights.

Approach

Michael Baker conducted a review of peer agencies that have established programs or partnered with vendors resulting in smart streetlight implementation. The reviews first consisted of literature reviews and online research. The research covered the type of communications equipment installed on existing or new streetlight poles, additional in-ground infrastructure required for implementation (i.e., fiber or communications), agreements or contracting arrangements with service providers, types of data collected or reported, and what successes or problems have been reported.

After performing online research, Michael Baker conducted one-on-one interviews with key staff from each of the peer agencies to get further insight into program implementation. Questions were developed to identify lessons learned, business models, contract solicitation approaches, and technology prioritization for each peer agency's program. The selected peer agencies and interview questions were developed in consultation with WRCOG staff.

Peer Agency Reviews

Los Angeles, CA

Los Angeles had the widest variety of Smart Streetlight uses of the peer agencies reviewed, including solar streetlights, smart gas meters, electric vehicle charging stations, smart poles (poles with built-in small cell technology), 5G co-location, air quality sensors, safety cameras (at select locations), pedestrian counters, motion sensors, seismic sensors, USB charging, and digital banners. While Wi-Fi was a community priority, the tested technology did not meet the requirements. The city has implemented Smart Nodes (RMU) technology and uses third-party vendor-proprietary platforms such that each technology has a different control platform. Most technology is being applied at small scale as a beta-test. The systems that generate revenue have not been found to cover the cost of the program. While 5G co-location is the most lucrative, it requires substantial coordination effort between the vendors and service providers. Finally, the community has expressed concerns about invasion of privacy related to the pedestrian counters and cameras.

Lessons Learned

- Business model is uncertain. How can the program be implemented so the system pays for itself?
- Identify program parameters ahead of time. What problem are you trying to solve? What is your existing inventory? What new skills will your maintenance workforce need for these systems?

San Diego, CA

San Diego has implemented smart sensors that collect data such as available parking spaces, vehicle counts, pedestrian counts, bicycle counts, temperature, humidity, and atmospheric pressure. The city uses the CityIQ online database, which allows the public to download the information collected by the sensors. In implementation, the city has not realized the cost savings that were anticipated prior to deployment. Finally, the community has expressed concerns related to privacy.

Lessons Learned

- Beta test ahead of large-scale installation
- Get public buy-in if features might be controversial

Las Vegas, NV

Las Vegas has implemented separate pilot programs with Ubicquia and with Philips. The systems include remote control, power usage reporting, and light scheduling. Rather than fiber, the Las Vegas systems use AT&T's LTE cellular network. The city has reported that it intends to continue to work with AT&T and Ubicquia to install more sensors to collect temperature, ozone and particulate levels, traffic and construction, air quality, etc. The city also reported that it plans to expand the 5G WiFi network especially around the new NFL stadium. The streetlight upgrades have resulted in cost savings for the city.

Lessons Learned

- Streetlights are only on at night, meaning all associated technologies can only function at night
- A user-needs assessment would identify the most important systems to prioritize

Michael Baker
INTERNATIONAL

Chicago, IL

Chicago is converting streetlights to LED fixtures that allow for remote monitoring and notifications of light failures. The city has reported cost savings in operations, and it also benefitted from ComEd energy-efficiency incentive rebates. Chicago city staff were not available for an interview, and therefore the review was limited to information that was available online.

Lessons Learned

- Successful public engagement program. Regular community meetings to gauge feedback, and no concerns have been reported. Upgrades are mapped on a publicly available website to allow the community to track installations.

Kansas City, MO

Kansas City has implemented Sensity technology for streetlights along the streetcar line and has implemented separate pilot programs with Ubicquia and with Philips. The systems include alerts of streetcar track blockages, cameras, smart lighting, Wi-Fi, electric vehicle charging stations, and sensors that record data pertaining to traffic, parking, noise, crowds, air quality, and weather. The data collected by the streetlights are accessible to the public via an online portal. The city has reported reduced energy and maintenance costs from the streetlight upgrades.

Lessons Learned

- Incorporated smart technologies on a larger infrastructure project (streetcars), which made the perceived cost smaller in comparison to the overall higher-dollar construction project
- A city-needs analysis would have improved project usefulness and outcomes.

Key Takeaways

Although these agencies differ from WRCOG, their experiences will help inform how WRCOG can successfully implement its Smart Streetlights program. Key takeaways that WRCOG staff should address in its Smart Streetlight Implementation Strategy are as follows:

- Identify program parameters ahead of time. Agencies need to know what problem they are trying to solve as well as their system capabilities.
- Consider the agencies' current traffic signal and IT staff capabilities as well as the responsibilities for the systems. Agencies should consider what new skills maintenance workforce will need for these systems.
- Start with a pilot for testing the technology and data quality. As part of the pilot program consider different vendors and technologies to understand the limits and capabilities of different systems.
- Understand that the current business model is uncertain. For most cities, the smart applications have been an expense with little or no return revenue for the City. Agencies should consider how programs can be implemented so they pay for themselves or recognize the expense to solve an identified need.
- Understand who owns the data for the implemented systems. When developing contracting documents, specify who owns the data and what data will be sent and maintained by the agency.

Michael Baker
INTERNATIONAL

It is also beneficial to determine if the agency can handle the raw data for analysis or if dashboards are the preferred method of monitoring system performance.

- Public transparency in the process is essential. Agencies should understand there is a potential for community concerns about privacy. Outreach should clearly outline what technology is being implemented, what data are being collected and what data will be maintained. Decision maker and community buy-in is highly recommended if features may be controversial.

Supplemental Agency Review

Columbus, OH

The City of Columbus recently solicited proposals for the implementation of a Columbus Smart Street Lighting System (CSSLS). This system will include features such as centralized remote monitoring and control (two-way communication) of individual streetlights for outages, remote changes in time of operation, and dimming of fixtures by time of day or sensors. The CSSLS will leverage the existing fiber optic communication network for the backhaul system. The City intends to operate the CSSLS in an existing management center and the system may accommodate the incorporation of other applications, such as traffic counters, gunshot detection, environmental sensors, etc. This procurement will convert about 58,000 luminaires to LED and follows a pilot project that will convert 2,559 luminaires.

Detroit, MI

[Matt/Jeff to provide]

Summary & Conclusions

The review of peer agencies identified several lessons learned that will benefit WRCOG's Smart Streetlight program implementation. WRCOG staff will need to first identify the priorities of the program to select the best technology to implement. A pilot program will ensure that the technology will meet staff needs and will validate the cost estimates provided by technology vendors to inform the actual cost of full roll-out. WRCOG should also consult with its members to determine if deployed systems will be managed by individual members or centrally through WRCOG, as a central management approach with a dedicated staff could provide the attention and monitoring needed to fully realize the benefits from the program. Finally, WRCOG should also prepare a public outreach plan to help the affected communities understand what technology is being implemented and how their privacy will be protected. These measures will ensure a successful Smart Streetlight Implementation Strategy.

If you have any questions pertaining to the findings summarized in this memo, please call Dawn at (760) 603-6266.

Sincerely,

Dawn Wilson,
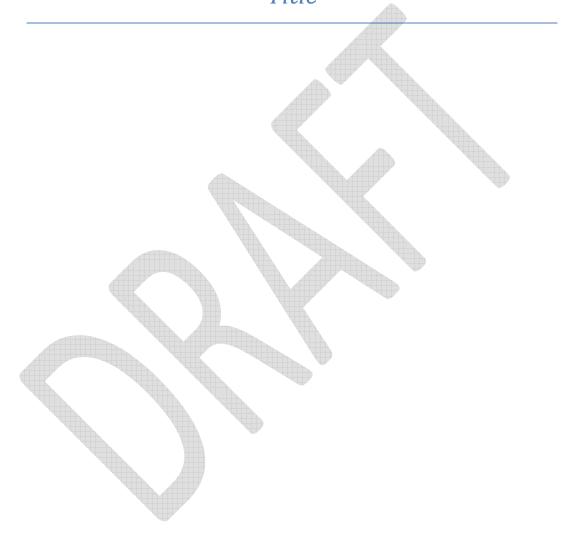Department Manager
Transportation Planning

Cecily Taylor,
Senior Transportation Planner
Transportation Planning

Michael Baker
INTERNATIONAL

Attachment A
Title

Attachment 3
Regional Streetlight Program
Interest Rate Comparison

	At Closing					Current Estimate			At Refinancing					Difference between Original Interest Rate and Current Estimate
	Closing Dates	Total Payment (Principal + Interest)	Index	Spread	Interest Rate	10-Year U.S. Treasury Rate**	Spread***	Estimate for Interest Rate	Closing Date	Total Payment (Principal + Interest)	Spread	Interest Rate	Savings	
Eastvale	9/27/2018	$ 6,796,141.79	2.96%	2.50%	5.46%	1.29%	2.50%	3.79%	-		-	-	-	1.67%
Lake Elsinore	11/1/2018	$ 5,252,317.20	3.08%	2.50%	5.58%	Already Refinanced			8/17/2021	$4,783,522.31	Unknown	3.07%	$ 468,794.89	2.51%
Menifee	6/27/2019	$ 9,030,488.93	1.80%	2.50%	4.30%	1.29%	2.50%	3.79%	-		-	-	-	0.51%
Moreno Valley	7/27/2018	$ 12,479,571.60	2.92%	2.50%	5.42%	1.29%	2.50%	3.79%	-		-	-	-	1.63%
Murrieta	4/10/2018	$ 10,384,978.19	2.85%	2.50%	5.35%	Already Refinanced			10/14/2020	$8,833,991.52	2.65%	3.25%	$ 1,550,986.67	2.10%
Perris	10/11/2018	$ 7,562,980.69	3.02%	2.50%	5.52%	1.29%	2.50%	3.79%	-		-	-	-	1.73%
San Jacinto	9/11/2018	$ 3,322,328.74	3.09%	2.50%	5.59%	1.29%	2.50%	3.79%	-		-	-	-	1.80%
Wildomar	3/22/2019	$ 2,266,217.76	2.69%	2.50%	5.19%	1.29%	2.50%	3.79%	-		-	-	-	1.40%

* Average life U.S. Treasury Rate Swap Index
**Proxy for index rate, as of 8/13/2021
***Assumes same spread from closing

Source:

https://www.treasury.gov/resource-center/data-chart-center/interest-rates/Pages/TextView.aspx?data=yield

Western Riverside Council of Governments
Administration & Finance Committee

Staff Report

Subject: **WRCOG Sponsorship / Membership Policy**

Contact: **Rachel Singer, Program Manager, rsinger@wrcog.us, (951) 405-6754**

Date: **September 1, 2021**

Requested Action(s):

1. Provide direction regarding a sponsorship request from the Inland Center for Sustainable Development at the University of California, Riverside.

Purpose:

The purpose of this item is to provide an overview of current Agency sponsorship activity and receive direction regarding a new sponsorship opportunity with UCR.

Background:

As a part of WRCOG's broader external affairs efforts, the Agency retains membership and provides sponsorship for several organizations. The goal of these efforts is to support member agencies and network with other organizations that align in mission. WRCOG staff actively participates in these organizations to further support of local control efforts and provide a regional perspective to various groups.

Current Approach

WRCOG is regularly asked to sponsor events and join organizations throughout the region. Generally, these are handled as routine matters that do not require specific action from the Committee. Some requests have a heightened sensitivity or a more complex background to consider in evaluating the request. While the new Executive Director is new to the role, he may not always have the full view to adequately evaluate some requests. In those instances, guidance will be sought from the Committee.

Several years ago, staff developed a formalized approach to deal with various sponsorship and membership requests to ensure that WRCOG was prioritizing opportunities that provide the most benefit for its members and the Agency. For purposes of this report, the term membership and sponsorship are used interchangeably since there are some circumstances which payments of memberships are coincidental with sponsorships.

As a matter of policy, WRCOG is a member of Chambers of Commerce throughout the subregion. Membership in Chambers allow WRCOG staff to participate in Chamber events, often at no charge or at a discounted rate. On several occasions, WRCOG has requested that one or more Chamber provide letters of support for WRCOG activities or partner with WRCOG on our various promotional efforts.

WRCOG's annual Chamber memberships total approximately $5,500.

In addition to Chambers of Commerce, WRCOG also prioritizes member agencies' annual events such as the State of the City or State of the County. Often, these events are hosted by the local agencies' Chamber of Commerce, so WRCOG pays both for a Chamber membership and to sponsor the event. We sponsor these events both to gain exposure for WRCOG and also to provide a benefit to our members. Annual payments to sponsor these events are approximately $10,500.

The last group of sponsorships / memberships are regional and statewide agencies which WRCOG is a member of and/or affiliated with in some manner. These groups include the Inland Empire Economic Partnership (IEEP), California Association of Councils of Government (CALCOG), and the Southern California Association of Governments (SCAG). These membership / sponsorship payments provide WRCOG with opportunities to network with regional and statewide stakeholders, participate in important state and region-wide conversations, gain access to industry training and educational opportunities, advocacy support, and much more. The approximate value of these membership / sponsorships is $15,000 for the 2021/2022 Fiscal Year. While the membership cost of IEEP has been $15,000 in previous years, WRCOG will be lowering that cost in the current fiscal year.

All of the sponsorships / memberships listed above are currently budgeted in the adopted 2021/2022 Fiscal Year Budget and WRCOG has been paying as it is invoiced. Additionally, WRCOG generally budgets additional funds for events as they occur throughout the year to ensure support of its members as needed.

Recently, WRCOG has been ask to sponsor the Inland Center for Sustainable Development (ICSD) at the University of California, Riverside (UCR). The request is for $15,000. ICSD is a research center housed within the School of Public Policy at UCR that coordinates sustainability efforts, serves as a convening body to promote collaboration, and facilitates the exchange of information among policy makers in the region. Much of ICSD's recent work relates to the housing industry in the Inland Empire. Prominent persons associated with the Center include Ron Loveridge and Rick Bishop. Part of the analysis for funding decisions includes whether or not a particular expense is consistent with the WRCOG mission and whether adequate funding is available. In this case, both of those criteria are met, however, the association with a prominent previous employee of WRCOG raises additional questions. The Executive Director is currently new to the role and doesn't yet have the full background required to evaluate the request. Consequently, the Administration & Finance Committee is being asked to provide direction regarding this sponsorship request.

Prior Action(s):
None.

Fiscal Impact:
Funding for sponsorships and memberships are included in the Agency's adopted Fiscal Year 2021/2022 Budget.

Attachment(s):
None.

Western Riverside Council of Governments
Administration & Finance Committee

Staff Report

Subject:	**TUMF Program Nexus Study Update**
Contact:	**Chris Gray, Deputy Executive Director, cgray@wrcog.us, 951-405-6710**
Date:	**September 1, 2021**

Requested Action(s):

1. Direct staff to begin work on a TUMF Nexus Study update.
2. Direct staff to update the TUMF Administrative Plan to expand the TUMF-eligible project list to include Intelligent Transportation Systems (ITS) projects.
3. Direct staff to work with the Riverside County Transportation Commission and Riverside Transit Agency to evaluate options to mitigate VMT impacts from new development outside of the TUMF Nexus Study update.
4. Direct staff to begin work on an update of the Analysis of Development Impact Fees in Western Riverside County.

Purpose:

The purpose of this item is to request permission from the Executive Committee to begin the Nexus Study update process.

Background:

WRCOG's Transportation Uniform Mitigation Fee (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. TUMF Program participants, which includes all 19 jurisdictions in the subregion and March JPA, partakes in the Program through an adopted ordinance, collects fees from new development, and remits the fees to WRCOG. WRCOG, as administrator of the TUMF Program, allocates TUMF to the Riverside County Transportation Commission (RCTC), groupings of jurisdictions – referred to as TUMF Zones – based on the amounts of fees collected in these groups, the Western Riverside County Regional Conservation Authority (RCA), and the Riverside Transit Agency (RTA).

The TUMF Program relies on a Nexus Study to draw a connection between the needs of the Program and the TUMF Program fee schedule. The Nexus Study identifies projects requiring mitigation from new development, determines what the cost of those projects will be, and what fees need to be assessed to fund these projects. Throughout the life of the TUMF Program, there has been a need to update this Nexus Study on a regular basis. WRCOG conducted the Nexus Study in 2002 and subsequent updates in 2005, 2009, 2011, 2015, and 2017.

Reasons for a Nexus Study Update

1) Best Practice: It is considered a best practice to update the Nexus Study on a regular basis. Regular updates of Nexus studies ensure that the underlying data and assumptions that determine the fee are the most up to date. Nexus Studies which are regularly updated are also more legally defensible if challenged. Recognizing the benefits of regular updates to the Nexus Study, WRCOG's Executive Committee directed staff to prepare regular updates. This direction was memorialized in the TUMF Administrative Plan which states "WRCOG shall review the TUMF Program no less than every four (4) years after the effective date of the 2016 TUMF Program Ordinance."

2) Underlying Growth Forecasts Have Changed: Regular updates of the Nexus Study ensures that the TUMF Program reflects the best available information in terms of socioeconomic forecasts (population, households, and employees). The currently adopted Nexus Study uses forecasts which date back to 2016. In the fall of 2020, the Southern California Association of Governments (SCAG) released updated forecasts. The socioeconomic growth forecasts for the WRCOG subregion are a key input into the Nexus Study because the level of anticipated development has a direct impact on the fee calculation process.

Attached to this Staff Report (Attachment 1) is a table that displays the latest growth forecasts in terms of population, employment, and households within the WRCOG subreqion. The latest projections estimate that the WRCOG subreqion will continue to add population, similar to previous projections (37% for the adopted Nexus Study vs. 33% for the most recent growth forecasts). One significant difference is that SCAG is now projecting less employment growth (87% for the adopted Nexus Study vs. 46% for the most recent growth forecasts). Therefore, staff can conclude that there is a significant difference in the underlying growth forecasts which supports the idea of updating the Nexus Study.

3) Travel Behavior has Changed: When the previous Nexus Study was adopted in 2017, no one could have foreseen the changes a global pandemic would have on our daily lives. One significant area of change has been transportation. COVID-19 has impacted how people travel, when they travel, and where they travel to on a regular basis.

In some instances, COVID-19 accelerated trends which were already occurring. Many traditional retail centers were struggling as internet shopping and deliveries became increasingly routine. Prior to COVID-19's emergence, home deliveries per person doubled between 2009 and 2017. These deliveries are anticipated to double again within the next several years. The pandemic changed travel behavior even further because some residents of Western Riverside County were provided the opportunity to telecommute. For other commuters, COVID-19 caused a diversion from transit to personal vehicles. Given all of the above, staff can conclude that the assumptions regarding travel behavior which were incorporated into the 2017 Nexus Study have changed significantly.

4) Updates to the Project List: Since the adoption of the 2017 Nexus Study, WRCOG member agencies have completed a number of significant projects including but not limited to the I-15 / Cajalco Road Interchange, the I-215 / Scott Road Interchange, the extension of Clinton Keith Road, and the Foothill Parkway extension. Approximately 25 TUMF projects were completed since the completion of the previous Nexus Study. Updating the TUMF Nexus Study will allow for the removal of these projects and also provide an opportunity for a comprehensive update of the Roadway Network, which is a key element of the Nexus Study.

5) Opportunity to Add New Projects Types: In the past several months, WRCOG has been discussing the possibility of adding new project types to the TUMF Program. This idea has been brought to the

Public Works Committee for discussion and has received some positive feedback. Currently, the only allowable TUMF project types are roadway widening, new roadways, interchanges, and grade separations / bridges.

It is important to note that WRCOG does not identify which facilities are included in the TUMF Nexus Study but instead relies on Program participants to recommend projects for inclusion in the TUMF Network. The TUMF Administrative Plan defines what is considered an eligible improvement, so any expansion or revision to eligible project types requires an update to the TUMF Administrative Plan. Additionally, any revision to the eligible project types would only take effect within an updated Nexus Study.

One reason for adding to the list of projects is that each WRCOG member agency has different transportation needs, particularly as we look to the next 20 years. For some member agencies, there is a significant need for new infrastructure as these agencies face large increases in population and employment. For these jurisdictions, there is a need for new roadways and for existing roadways to be widened to accommodate this growth. Other jurisdictions are likely to experience more gradual increases in population and employment with much of this growth occurring in in-fill locations. These more mature agencies may not require the same level of new roadway infrastructure. WRCOG has also received several requests from member agencies to consider additional categories of TUMF projects.

WRCOG is therefore proposing to add one type of project to the current list of eligible projects. This project type is the Smart Corridor, which reflects the implementation of Intelligent Transportation Systems (ITS) technology within an existing corridor.

1. ITS projects make use of improvements of electronics and communication to improve efficiency or safety of a roadway. Some common examples of ITS projects include signal synchronization, ramp metering, and changeable message signs. If approved, ITS projects would be identified in the Nexus Study at the request of a Program participant with funding allocated on a corridor of the TUMF network. To maintain the focus of the TUMF Program on new infrastructure, WRCOG would require any participating member to identify a future improvement as a "swap" to limit impacts on the overall Network cost.

6) Vehicle Miles Traveled (VMT) Mitigation: With the implementation of SB 743, as of July 1, 2020, development projects are now required to mitigate impacts to VMT in-lieu of providing additional roadway capacity to mitigate impacts under the California Environmental Quality Act (CEQA). This change means that payment of TUMF could no longer be used to mitigate project-related traffic impacts under CEQA. WRCOG conducted initial research on possible VMT Mitigation Program or Bank strategies for development projects in order for its VMT impacts to be mitigated. WRCOG assisted its member agencies in preparation of the implementation of SB 743 with guidance on meeting the requirements of the Bill. During this work, the issue of VMT mitigation was noted to be problematic. The main reason is that most land-use projects cannot implement transportation system improvements or directly influence the travel of their occupants. VMT is a function of the intensity of use, type of use, and location, so the main challenge is that VMT is ultimately a regional, not local, concern. WRCOG evaluated potential mitigation approaches and presented the research to the Public Works Committee (PWC) at its May 2021 meeting. Members of the PWC expressed interest for WRCOG to further pursue potential mitigation approaches that each member agency may opt-in when available.

At this time, staff are not requesting to establish a program but looking for direction to work with partners at RCTC and RTA to evaluate potential opportunities of developing a regional or County-wide VMT mitigation program.

Coordination with Partner Agencies

Prior to bringing a proposed Nexus Study update to WRCOG's committees, staff engaged partner agencies, primarily RCTC and RTA, regarding this update. Neither of these agencies expressed significant reservations regarding a Nexus Study update, though they would defer to WRCOG's committees. RCTC staff did express that it is considered best practice to update Nexus studies for any fee program on a regular basis. RTA staff expressed comfort in continuing the existing process of identifying transit improvements and coordinating with WRCOG.

If WRCOG's Executive Committee authorizes staff to update the TUMF Nexus Study, staff will work closely with each of the participating agencies during the preparation of a Nexus Study. It should be noted that WRCOG maintains Memorandums of Understanding (MOU) with RCTC, RTA, and RCA regarding the administration of the TUMF Program, and no changes are anticipated to those MOUs with a Nexus Study update.

Update the Analysis of Development Impact Fees in Western Riverside County

WRCOG has conducted an analysis of development impact fees in Western Riverside County in the past to increase regional understanding of development impact fees on new development in Western Riverside County. The first analyses was conducted in 2017, in conjunction with the last TUMF Nexus Study Update, and a subsequent analyses was conducted in 2019. WRCOG is proposing to conduct an analysis in conjunction with this proposed TUMF Nexus Study. The purpose of the analyses is to: (1) indicate the types and relative scale of the development impact fees placed on different land uses and (2) indicate the scale of fees relative to overall development costs. The analyses also provides helpful background information on the impact of the Transportation Uniform Mitigation Fee (TUMF) by placing TUMF in the context of the broader development impact fee structure, overall development costs, and other regional dynamics.

Prior Action(s):
None.

Fiscal Impact:
Transportation Department activities are included in the Agency's adopted Fiscal Year 2021/2022 Budget under the Transportation Department.

Attachment(s):
Attachment 1 - RTP SED Percent Growth 2016-2045
Attachment 2 - VMT Mitigation White Paper

Attachment 1
Population, Employment and Household Percent Growth by Jurisdiction

Population, Employment and Household Percent Growth by Jurisdiction[1]

Jurisdiction	Population			Employment			Household		
	2016	2045	Percent Growth	2016	2045	Percent Growth	2016	2045	Percent Growth
Banning	31,000	41,500	33.87%	10,900	16,100	47.71%	7,300	11,400	56.16%
Beaumont	45,500	80,200	76.26%	14,200	25,100	76.76%	9,300	15,900	70.97%
Calimesa	8,500	20,600	142.35%	3,400	10,400	205.88%	1,600	4,100	156.25%
Canyon Lake	10,800	11,400	5.56%	3,900	4,200	7.69%	1,800	2,600	44.44%
Corona	165,800	185,100	11.64%	46,900	52,400	11.73%	79,200	92,800	17.17%
Eastvale	63,900	72,700	13.77%	16,300	18,500	13.50%	7,400	21,600	191.89%
Hemet	81,500	124,000	52.15%	29,900	53,500	78.93%	21,700	40,200	85.25%
Jurupa Valley	100,100	117,800	17.68%	25,300	31,800	25.69%	27,100	31,300	15.50%
Lake Elsinore	61,500	111,600	81.46%	16,900	37,800	123.67%	14,000	24,900	77.86%
Menifee	89,600	129,800	44.87%	30,500	51,200	67.87%	13,800	29,200	111.59%
Moreno Valley	205,700	266,800	29.70%	52,700	76,200	44.59%	35,500	64,900	82.82%
Murrieta	113,600	127,700	12.41%	34,500	42,300	22.61%	31,300	52,200	66.77%
Norco	27,100	27,300	0.74%	7,100	7,100	0.00%	15,200	22,100	45.39%
Perris	74,900	121,000	61.55%	17,200	33,800	96.51%	16,100	26,400	63.98%
Riverside	325,300	395,800	21.67%	94,500	115,100	21.80%	145,400	188,700	29.78%
San Jacinto	44,800	69,900	56.03%	14,000	25,000	78.57%	6,900	13,100	89.86%
Temecula	110,300	138,400	25.48%	33,600	46,400	38.10%	56,400	71,600	26.95%
Wildomar	35,400	55,200	55.93%	10,600	19,600	84.91%	6,500	11,200	72.31%
Unincorporated County (Western Riverside County)	277,875	394,200	41.86%	85,200	135,675	59.24%	57,075	104,700	83.44%

[1] Data is from the SCAG Connect SoCal Plan (2045 Regional Transportation Plan/Sustainable Communities Strategy).
[2] Western Riverside County is 75% of total Unincorporated County projections.

Attachment 2
VMT Mitigation White Paper

APRIL 2020 | FINAL

VMT Mitigation Through Fees, Banks, & Exchanges

UNDERSTANDING NEW MITIGATION APPROACHES

A WHITE PAPER PREPARED BY

FEHR✦PEERS

VMT MITIGATION THROUGH FEES, BANKS, AND EXCHANGES

Understanding New Mitigation Approaches

BACKGROUND

On September 27, 2013, Governor Jerry Brown signed SB 743 into law and started a process intended to fundamentally change transportation impact analysis as part of CEQA compliance. These changes include elimination of *auto delay, level of service (LOS), and other similar measures of vehicular capacity or traffic congestion* as a basis for determining significant impacts. Instead, transportation impacts will be determined based on changes to vehicle miles of travel (VMT). ***This change essentially shifts the focus of analysis from impacts to drivers through higher delays to the impact of driving itself***.

Lead agencies making the transition to VMT are realizing the challenges of using the new metric especially when it comes to mitigating significant VMT impacts. Reducing VMT from land use projects and land use plans has traditionally been accomplished through transportation demand management (TDM) strategies. These strategies include modifying a project's land use characteristics (i.e., density) and incorporating vehicle trip reduction programs at the site to change travel behavior of tenants and visitors. TDM is most effective in urban areas where the site is accessible by multiple travel modes (i.e., walking, bicycling, transit, and vehicle) offering similar travel times and convenience. Conversely, TDM strategies are less effective in lower density suburban and rural areas where modes are limited to personal vehicles. In both areas though, a program-based approach to mitigation can be more effective than project-site strategies. Programs can pool development mitigation contributions to pay for larger and more effective VMT reduction strategies that are not be feasible for individual projects. This paper outlines and compares multiple program types and then explains the implementation steps and key governance issues.

PROGRAM CONCEPTS

The concept of a 'program' approach to impact mitigation is not new and has been used for a variety of technical subjects including transportation, air quality, greenhouse gases, and habitat. Transportation impact fee programs have been used to help mitigate cumulative level of service (LOS) impacts. What is new are how to use impact fee programs for VMT impacts and alternative programs called mitigation exchanges and banks. Absent new program-level mitigation options, suburban and rural lead agencies will have limited feasible mitigation options for project sites.

> For CEQA purposes, feasible means "capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, legal, social, and technological factors."
>
> - *CEQA Guidelines Section 15364*

Without feasible mitigation, significant VMT impacts would be significant and unavoidable (SAU). Under these circumstances a project must prepare an environmental impact report (EIR) adding extra time and cost to environmental review compared to a negative declaration (ND). Program-based approaches may be able to overcome the limitation of project-site only mitigation. Three specific concepts as described below have been identified for the purposes of this white paper.

- **VMT-based Transportation Impact Fee program (VMT-TIF)** – The first program concept is a traditional impact fee program in compliance with the mitigation fee act. The nexus for the fee program would be a VMT reduction goal consistent with the CEQA threshold established by a lead agency for SB 743 purposes. The City of LA is the first in California to complete a nexus study for this type of program. The main difference from a fee program based on a metric such as vehicle level of service (LOS) is that the VMT reduction nexus results in a capital improvement program (CIP) consisting largely of transit, bicycle, and pedestrian projects. These types of fee programs are time consuming to develop, monitor, and maintain but are recognized as an acceptable form of CEQA mitigation if they can demonstrate that the CIP projects will be fully funded and implemented.

- **VMT Mitigation Exchange** – In simple terms, the exchange concept relies on a developer agreeing to implement a predetermined VMT reducing project or proposing a new one. The project may be located in the vicinity of the project or elsewhere in the community, and possibly outside the community. The exchange needs to have a facilitating entity that can match the VMT generator (the development project) with a VMT reducing project or action. The facilitating entity could be the lead agency or another entity that has the ability to provide the match and to ensure through substantial evidence that the VMT reduction is valid. A key unknown with this approach is the time period for VMT reduction. For example, how many years of VMT reduction are required to declare a VMT impact less than significant?

- **VMT Mitigation Bank** – A mitigation bank attempts to create a monetary value for VMT reduction such that a developer could purchase VMT reduction credits. The money exchanged for credits could be applied to local, regional, or state level VMT reduction projects or actions. Like all VMT mitigation, substantial evidence would be necessary that the projects covered by the bank would achieve expected VMT reductions and some form of monitoring may be required. This is more complicated than a simple exchange and would require more time and effort to set up and implement. The verification of how much VMT reduction is associated with each dollar or credit would be one of the more difficult parts of the program.

With both exchanges and banks, another important test is that the VMT reduction would not have occurred otherwise such that mitigation program creates 'additionality'. This means that additional VMT reduction will occur above and beyond what would have occurred without the program. A commonly accepted definition of 'additionality' has not yet been developed. One possible test of additionality is that the mitigation project is not included in the regional transportation plan (RTP). The RTP is a financially constrained plan so projects not included in the plan would not likely have been implemented within the typical cumulative timeframe.

For any program to qualify as a CEQA mitigation program, the discretionary action to adopt the program may require CEQA review. This conclusion is based on the *California Native Plant Society v. County of El Dorado* where the court found that payment of fee does not presumptively establish full mitigation of a discretionary project. A separate CEQA review of the program is necessary to satisfy the 'duty to mitigate' imposed by CEQA. Decision makers should also realize that absent a VMT reduction program, developers would likely be limited to only project site mitigation. While this may be less effective, it also lowers their mitigation costs because the available and feasible mitigation would be more limited.

https://www.law.berkeley.edu/research/clee/research/climate/transportation/vehicle-miles-traveled/

More details about exchanges and banks are explained in the framework document shown above and available at the cited web link. This white paper expands on the framework to accomplish two objectives. The first objective is to compare the pros and cons of exchanges and banks to a traditional impact fee program. Since impact fee programs have already been established as feasible CEQA mitigation, they serve as a benchmark against which to compare other program concepts. The second objective is to outline the implementation steps associated with creating an exchange or bank to help identify key implementation questions or issues that could affect their feasibility.

PROGRAM ASSESSMENT (Pros/Cons)

Table 1 below outlines the pros and cons of approach VMT mitigation through an impact fee program, exchange, or bank. This assessment is intended to highlight some of the key differences between each program concept.

Table 1 – VMT Mitigation Program Type Comparison		
Program Type	**Pros**	**Cons**
Impact Fee Program	• Common and accepted practice • Accepted for CEQA mitigation • Adds certainty to development costs • Allows for regional scale mitigation projects • Increases potential VMT reduction compared to project site mitigation only	• Time consuming and expensive to develop and maintain • Requires strong nexus • Increases mitigation costs for developers because it increases feasible mitigation options • Limited to jurisdictional boundary unless a regional authority is created • Uncertainty about feasibility and strength of nexus relationship between VMT and pedestrian, bicycle, and transit projects (especially in suburban/rural jurisdictions)
Mitigation Exchange	• Limited complexity • Reduced nexus obligation • Expands mitigation to include costs for programs, operations, and maintenance • Allows for regional scale mitigation projects • Allows for mitigation projects to be in other jurisdictions • Increases potential VMT reduction compared to project site mitigation only	• Requires 'additionality' • Potential for mismatch between mitigation need and mitigation projects • Increases mitigation costs for developers because it increases feasible mitigation options • Unknown timeframe for mitigation life • Effectiveness depends on scale of the program
Mitigation Bank	• Adds certainty to development costs • Allows for regional scale projects • Allows for mitigation projects to be in other jurisdictions • Allows regional or state transfers	• Requires 'additionality' • Time consuming and expensive to develop and maintain • Requires strong nexus • Political difficulty distributing mitigation dollars/projects

Table 1 – VMT Mitigation Program Type Comparison		
Program Type	**Pros**	**Cons**
	• Expands mitigation options to include costs for programs, operations, and maintenance • Increases potential VMT reduction compared to project site mitigation only	• Increases mitigation costs for developers because it increases feasible mitigation options • Unknown timeframe for mitigation life • Effectiveness depends on scale of the program

To better understand potential program differences, Table 2 contains a comparison of the VMT mitigation projects or actions that each program type could fund or implement. The information for an impact fee program is more certain than for exchanges or banks. Fee programs have been used in practice for decades and have been vetted through court decisions. While banks and exchanges do exist for other environmental mitigation purposes such as wetlands preservation and habitat conservation, these applications have largely focused on protecting fixed land amounts versus reducing a metric that fluctuates over time and may vary in value depending on economic conditions.

Table 2 –VMT Mitigation Projects and Actions Comparison	
Program Structure	**Project Types that Reduce VMT**
Impact Fee Program	• Pedestrian network expansion • Bicycle/Scooter network expansion (includes bike/scooter share stations) • Transit vehicles or facilities associated with service expansion • Roadway gap closures that reduce trip lengths (bridges)
Mitigation Exchange	• All impact fee program project types • Private or institutional projects that reduce VMT • Transit service improvements and transit pass subsidies
Mitigation Bank	• All impact fee program project types • All mitigation exchange project types • VMT reduction strategies associated with travel behavior changes

IMPLEMENTATION STEPS

This section addresses the second objective noted above to outline the implementation steps associated with creating an exchange or bank to help identify key implementation questions or issues that could affect their feasibility. The starting point for these steps begins with identifying the potential statutory or legal requirements that could govern or influence program creation. These are highlighted in Table 3 and build on the research previously done by U.C. Berkeley in the document referenced above. Since specific statutes do not exist specific to VMT exchanges and banks, U.C. Berkeley used a proxy based on conservation programs established under the California Fish & Game code. This is a reasonable proxy given that the intent behind VMT exchanges and banks is a form of conservation. Instead of habitat, VMT exchanges and banks are trying to conserve vehicle trip making and the VMT generated through this activity. VMT mitigation banks or exchanges do not appear to require new legislative authority but as noted in the U.C. Berkeley document, having state-wide templates for their development could help establish clear standards and expectations for program designs.

Table 3 – Potential VMT Mitigation Exchange/Bank Legal Requirements	
Program Type/Legal Requirements	**Statutory Reference**
Transportation Impact Fee Program	
1. Mitigation Fee Act – Intended to create a program that allows individual development projects to pay for all or portion of the cost to implement public facilities necessary to support the project. Public facilities are generally limited to capital projects. The nexus study for the program must demonstrate how there is a reasonable relationship between the following. • How there is a reasonable relationship between the fee's use and the type of development project on which the fee is imposed. • How there is a reasonable relationship between the need for the public facility and the type of development project on which the fee is imposed. • How there is a reasonable relationship between the amount of the fee and the cost of the public facility or portion of the public facility attributable to the development on which the fee is imposed. The fees may not be applied to existing deficiencies or the maintenance and operation of an improvement. As such, clear standards should exist about the physical and operational performance expectations for each model of travel included in the program.	• California Government Code §66000-66001

Table 3 – Potential VMT Mitigation Exchange/Bank Legal Requirements	
Program Type/Legal Requirements	**Statutory Reference**
2. Constitutional – Court decisions have placed limits on what level of mitigation can be expected of land use development projects. The limits largely require a nexus between the mitigation and a legitimate government interest plus a rough proportionality between the mitigation and the adverse impact caused by the project.	• Nollan v. California Coastal Commission, 483 U.S. 825 (1987) • Dolan v. City of Tigard, 512 U.S. 374 (1994)
3. CEQA – For mitigation to be imposed, a significant impact must occur. Impacts stem from changes to the baseline environment caused by the project. The significance of those impacts is determined by the lead agencies choice of thresholds. This limits mitigation to increment of VMT change that occurs above the threshold.	• CEQA Statute (CA Public Resources Code 21000-21189) • CEQA Guidelines (CA Code of Regulations, Title 14, Division 6, Chapter 3, Sections 15000-15387)
VMT Mitigation Exchange or Bank	
1. An explanation of the VMT mitigation purpose of and need for the bank or exchange.	• Fish & Game Code §1852(c)(1)
2. The geographic area covered by the bank or exchange and rationale for the selection of the area, together with a description of the existing transportation and development dynamics that provide relevant context for the development of the bank or exchange.	•§1852(c)(2)
3. The public transit and VMT reduction opportunities currently located within the bank or exchange area.	•§1852(c)(3)
4. Important residential and commercial communities and transportation resources within the bank or exchange area, and an explanation of the criteria, data, and methods used to identify those important communities and resources.	•§1852(c)(4)
5. A summary of historic, current, and projected future transportation stressors and pressures in the bank or exchange area, including economic, population growth and development trends.	•§1852(c)(5-6)
6. Provisions ensuring that the bank or exchange will comply with all applicable state and local legal and other requirements and does not preempt the authority of local agencies to implement infrastructure and urban development in local general plans.	•§1852(c)(7)
7. VMT mitigation goals and measurable objectives for regional transportation resources and important mitigation elements identified in the plan that address or respond to the identified stressors and pressures on transportation within the bank or exchange area.	•§1852(c)(8)

Table 3 – Potential VMT Mitigation Exchange/Bank Legal Requirements	
Program Type/Legal Requirements	**Statutory Reference**
8. VMT mitigation projects, including a description of specific projects that, if implemented, could achieve the mitigation goals and objectives, and a description of how the mitigation projects were prioritized and selected in relation to the mitigation goals and objectives.	•§1852(c)(9)
9. Provisions ensuring that the bank or exchange plan is consistent with and complements any local, regional or federal transportation or congestion management plan that overlaps with the bank or exchange area, a summary of any such plans, and an explanation of such consistency.	•§1852(c)(10-11)
Sources: Implementing SB 743 An Analysis of Vehicles Miles Traveled Banking and Exchange Frameworks, October 2018, Institute of Transportation Studies, U.C. Berkeley. 2019 California Environmental Quality Act (CEQA) Statute & Guidelines, Association of Environmental Professionals, 2019. http://leginfo.ca.gov/ http://ccr.oal.ca.gov/	

A review of these potential legal requirements suggests that the creation of an exchange or a bank may not be less rigorous than that of a conventional transportation impact fee program. These legal requirements combined with the need to demonstrate additionality and provide verification could create implementation costs beyond those of a conventional transportation impact fee program. To explore this issue further, annotated flow charts were developed for each program concept. These flow charts are presented on the following pages and allow a reviewer to quickly surmise the differences and similarities associated with creating, operating, and maintaining these programs.

VMT Bank

Implementation

Considerations

Procedural Flowchart

⊙ Decision ○ Analytical process or procedural outcome

Step 1
Determine
Scale/Scope

There are advantages and disadvantages to creating a Bank with a larger scale/scope. However, multiple agencies must be willing to accept the Bank's mitigation options for a state or regional Bank to be feasible. Larger regions can:

*Decrease costs associated with running the Bank
*Decrease local authority over mitigation options
*Increase efficiency and effectiveness of the program

Program Scale

STATE   LOCAL
REGIONAL

Step 2
Determine Sponsor

There are a few organizational components to consider when creating a mitigation Bank. These elements include:

*Administrative - The Bank must perform several administrative functions such as collecting fees, managing information, answering questions, and other business operations.

*Technical - There is a significant amount of technical work needed to initially and continually prove the mitigation options reduce VMT and that the reductions would not have occurred without the programs. The Bank also needs to show the fees it receives are related and proportional to new development.

*Accounting - The Bank requires a thorough accounting system to track collected fees and to ensure fees are being handled according to CEQA and other legal guidelines. This includes payments for implementing VMT reduction projects.

Agencies should consider their ability to perform these roles when deciding whether the Bank should be run internally or by a third party.

PUBLIC

Maintaining the Bank in-house could:
Increase agency control
Potentially generate revenue

PRIVATE

Allowing a third party to maintain the Bank can:
Decrease an agency's administrative costs
Decrease agency control
Decrease burden on agency staff

Step 3
Formally Establish
Bank & Review Team

The entity creating the Bank must legally formalize its creation. If the intent is for the Bank to be used by multiple agencies, this may require a joint powers authority or equivalent.

A review team should be used to verify the effectiveness of mitigation options based on substantial evidence. This team could be internal to the entity creating the bank or an independent third party.

Potential third party entities that could function as a review team include public agencies such as those listed below.

*Caltrans - local office
*ARB
*CalEPA

Complete Legal Formation of Bank

Develop Review Team

Step 4
Determine &
Prioritize Mitigation
Options

The Bank Sponsor creates a list of mitigation options. The Review Team evaluates the list to ensure it complies with relevant requirements. The Sponsor should consider the following elements when prioritizing options:
*Equity
*Timeliness of Implementation
*Cost

Mitigation options can include:
*Infrastructure projects
*Programs/incentives (Unlike infrastructure projects, programs/incentives are ongoing activities. Because programs/incentives must be continually maintained to be effective, agencies should consider if developers must pay for them indefinitely.

Determine & Select Mitigation Options

Step 5
Administer Bank

The public agency or entity sponsoring a Bank may not always be the lead agency on a project. In this situation the Sponsor should develop an agreement with the lead agency that allows the Bank's mitigation options to be considered an acceptable mitigation measure for the EIR.

Banks must continue to prove that their mitigation options reduce VMT and that the reduction would not have occurred without the projects/programs.

CEQA review of the Exchange creation may be required to be considered as a formal mitigation program.

Administer Bank and Complete Mitigation Agreements with Lead Agencies

FEHR ⚘ PEERS

VMT Exchange

Implementation

Considerations

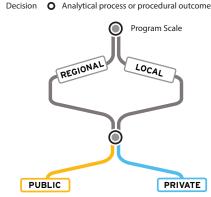### Procedural Flowchart

⬤ Decision ◯ Analytical process or procedural outcome

Step 1
Determine Scale/Scope

To create a regional program requires all participating agencies to adopt the program. Programs with larger scopes can:

*Decrease administrative costs
*Decrease local authority
*Increase efficiency and effectiveness of the program

⬤ Program Scale

REGIONAL   LOCAL

Step 2
Determine Sponsor

The organizational components of a mitigation Exchange will depend on the type of sponsor (public or private) mitigation options, and matching process between mitigation options and projects.

PUBLIC   PRIVATE

Maintaining the Exchange internally could:
Increase the agency's control over the program
Potentially generate revenue

Allowing a third party to maintain the Exchange can:
Decrease an agency's administrative costs
Decrease agency control
Decrease burden on agency staff

Step 3
Determine & Propose Mitigation Options

If the sponsor is a public agency, they will develop a list of options developers can choose from to mitigate the VMT generated by their development.

If the developer wants to propose their own mitigation Exchange, they must get it approved by the sponsor and lead agency.

⬤ Determine Mitigation Options

◯ Develop Approved Process for Sponsor and Lead Agency

Step 4
Develop Review Team

The Exchange should have a Review Team to verify mitigation effectiveness and additionality based on substantial evidence. The team could consist of third-party representatives. The team reviews the mitigation list and verifies that the options reduce VMT and that the reductions would not have occurred without the project, program, or incentive.

Because Exchanges can include programs/incentives as mitigation options, the Review Team must continually evaluate them to ensure the options are still effective and determine to what degree they reduce VMT.

⬤ Develop Review Team

⬤ Verify Effectiveness of Mitigation Options

Step 5
Administer Exchange

The public agency/entity sponsoring an Exchange may not always be the lead agency on a project. In this situation the Sponsor should develop an agreement with the lead agency that allows the Exchange's mitigation options to be considered an acceptable mitigation measure for the EIR.

Exchanges must continue to prove that their mitigation options reduce VMT and that the reduction would not have occurred without the projects/programs.

CEQA review of the Exchange creation may be required to be considered as a formal mitigation program.

⬤ Administer Exchange and Complete Mitigation Agreements with Lead Agencies

VMT Impact Fee

Implementation

Considerations

Procedural Flowchart

◉ Decision ◯ Analytical process or procedural outcome

Step 1
Determine
Scale/Scope

To create a regional program requires all participating agencies to adopt the program. Programs with larger scopes:

*Decrease administrative costs
*Decrease local authority
*Increase efficiency and effectiveness of the program

Program Scale

REGIONAL   LOCAL

Step 2
Determine Nexus
(VMT)

An agency must determine its VMT reduction goal before it can show the relationship between new development and that goal.

Determine Nexus (VMT) Approaches

Step 3
Determine & Propose
Mitigation Options

The CIP develops a list of capital improvement projects necessary to reduce VMT consistent with its desired goal. The agency should prioritize the projects so they are constructed in a logical order.

The prioritization process should consider:
*Equity
*Timeliness
*Cost
*Modal Preference (Walking/Biking/Transit)
*Stakeholder/Community Input

Determine Mitigation Options for CIP

Identify CIP Priorities

Step 4
Prepare & Approve
Nexus Study

Agencies must demonstrate that the projects in the fee program contribute to VMT reduction. The agency must also show that the fees are related and proportional to new development.

Fees should take into account the delay in the time when fees are collected and when they are used.

Prepare Nexus Study

Determine Infill & TPA Incentives
California Code 66005 allows for lower automobile trip generation rates for housing developments that meet certain characteristics. The agency should determine how to modify the fee for these developments.

Step 5
Prepare & Adopt
Fee Ordinance

For a fee to be regularly imposed, it must be adopted as an ordinance.

The ordinance must include:
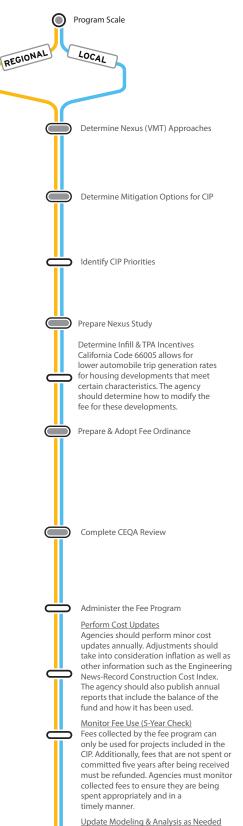*Reason for the fee
*The relationship between the fee and new development
*Methodology used in developing the fee
*Projects to be included in the CIP

Prepare & Adopt Fee Ordinance

Step 6
Complete CEQA
Review for the
Program

California courts have ruled that in order for a fee program to serve as acceptable CEQA mitigation, the program itself must first be reviewed in an EIR.

Complete CEQA Review

Step 7
Administer the
Program

For Regional Impact Fee Programs ensure that participating agencies have adopted the program such that payment of fees is considered a feasible mitigation measure.

Administer the Fee Program

Perform Cost Updates
Agencies should perform minor cost updates annually. Adjustments should take into consideration inflation as well as other information such as the Engineering News-Record Construction Cost Index. The agency should also publish annual reports that include the balance of the fund and how it has been used.

Monitor Fee Use (5-Year Check)
Fees collected by the fee program can only be used for projects included in the CIP. Additionally, fees that are not spent or committed five years after being received must be refunded. Agencies must monitor collected fees to ensure they are being spent appropriately and in a timely manner.

Update Modeling & Analysis as Needed
An agency administering a fee program must update both the program's land use assumptions and CIP at least every five years.

PROGRAM EXAMPLES

To help explain the different program types, it may be useful to consider some examples. The existing programs below range from an existing VMT-based impact fee program to programs that could be evolved into VMT mitigation banks or exchanges.

City of Los Angeles Westside Mobility Plan Transportation Impact Fee Program

(https://planning.lacity.org/eir/CoastalTrans/deir/pdfs/tiafeestudy.pdf)

The City of Los Angeles developed the first impact fee program that relies on a VMT reduction nexus. The westside previously relied on LOS-based impact fee programs but as the area matured and new laws like SB 743 emerged, the City chose to shift their nexus. This shift changed the nature of the CIP from largely roadway capacity expansion projects to more transit, bicycle, and pedestrian infrastructure projects. A key benefit of this approach as noted above is that once the fee program is in place, administration of the program is limited to construction cost updates and complying with state reviews to ensure that funding is being appropriately used to construct and implement the CIP projects. No further verification of CIP effectiveness is required.

WRCOG Transportation Uniform Mitigation Fee (TUMF) Program

(http://www.wrcog.cog.ca.us/174/TUMF)

Western Riverside County has the Transportation Uniform Mitigation Fee (TUMF) Program, implemented in 2003. While this program is tied to a vehicle LOS nexus, the foundation and structure of the program could be used to create a new VMT impact fee program similar to the Los Angeles example. The following summary describes the foundational elements of the TUMF and provides information about how to evolve the program for VMT impact mitigation purposes.

The TUMF funds critical county-wide transportation infrastructure to accommodate the traffic created by new population growth and commercial development throughout western Riverside County. It is a vital funding source that complements Federal, State, and local funding funds for improvements to roadways, interchanges, and transit facilities. The fee is uniformly assessed on new residential and non-residential development throughout the WRCOG region. Each of WRCOG's member jurisdictions and the March Joint Powers Authority (JPA) participate in the program.

WRCOG serves as the Program Administrator and has three main responsibilities. First, WRCOG leads the development of regular AB 1600 compliant Nexus Studies. These Studies identify needed the transportation facilities to be funded by the fee, identify future growth projections, and set the resulting

fee, which is then adopted by WRCOG's Executive Committee. The transportation projects included in the Nexus Study are identified through a collaborative process in which jurisdictions submit projects for consideration, which are then subject to an analysis process to verify that they meet applicable criteria. These two-step process ensures that the projects included in the Nexus Study reflect both local input and regional need. A similar process could be used to create a VMT reduction nexus and to select VMT reducing projects for either a separate VMT impact fee program or a modified TUMF that includes projects to achieve LOS and VMT reduction goals.

WRCOG's second responsibility is the collection and calculation of fees. WRCOG has developed a set of consistent fee calculation tools, which ensure that TUMF is calculated on a consistent basis for all projects, regardless of their location. Because there is a regional Nexus Study and a consistent fee calculation approach, WRCOG ensures that all projects of the same type pay the same fee, regardless of their location. In 2019, WRCOG completed work on an online fee payment system which expedites fee payments from project applicants.

The final responsibility of WRCOG is distributing funds collected from each agency and using those monies to fund transportation projects. Project identification and prioritization is led by the local agencies who meet to decide how much funding to provide to each project.   Local agencies are grouped into geographic sub areas known as TUMF Zones. Each TUMF Zone is allocated a budget of anticipated revenues, which are then distributed through a consensus-based approach. WRCOG then provides reimbursements to each agency as work occurs. WRCOG's facilitates this process and also reviews invoices to ensure that funds in a manner which is consistent with program requirements.

Miles
(https://www.sacrt.com/apps/miles-get-rewarded-for-your-commute-travel/)

The City of Sacramento, Sacramento Regional Transit, and Sacramento State partnered with Miles, a new app that will rewards users with redeemable miles for their commute and travel. The redeemable miles can be exchanged for exclusive experiences, products and services with vendors including Ray-Ban, Illy, Audible, and Rockport. Miles app users automatically earn miles for daily travel and receive bonus miles for green trips (walk, bike, carpool or transit). Sacramento residents are also eligible to complete special challenges to earn additional rewards. While this program was not set up as an VMT mitigation exchange or bank, it could evolve into one.

The purpose of rewarding green trips and the special challenges is to influence user behavior to reduce vehicle trips and VMT. With some additional accounting of user travel behavior before and after using the app, enough substantial evidence could be created to provide the VMT reduction verification described above and noted in the flow charts. The program already has administrative functions developed and

established relationships between the partner agencies. Some of the unknowns at this time are listed below.

- cost of the program on a per user basis
- amount of VMT reduction that is achieved for a typical user
- how a developer could contribute to the program to sponsor additional users
- stability or permanency of VMT reductions dependent on 'challenges'

In addition to the Miles program, other similar vendors exist such as Luum (https://luumbenefits.com/) and Metropia (https://www.metropia.com/). These types of app-based vendors could evolve to offer exchange or bank type mitigation options if they can comply with the various requirements outlined in the implementation steps and identified in the U.C. Berkeley white paper cited above.

Metro Transit Pass Subsidy

Metro is the Los Angeles County mobility provider. One of the programs they currently offer is a transit pass subsidy with a couple of unique elements that may qualify it as a VMT mitigation exchange. Metro offers student and employee transit passes under their U-pass and E-pass programs. These are transit passes for students and employees in LA County that are unique because instead of a physical transit pass card, the pass comes in the form of an RFID chip with an antenna that sticks to an existing student or employee identification badge. This type of chip allows the transit agency to charge for trips when they are made, which is more cost-effective for schools and employers. The registration form for obtaining the pass includes a survey about current travel behavior and data such as the distance between home and school or work for the applicant. By tracking how individual travel behavior changes from this baseline condition over time, LA Metro can produce aggregate statistics about the effect on transit ridership and VMT.

The second unique component of the program is that Metro allows anyone to 'sponsor' these passes for a particular school or employer. As such, they are entertaining the concept of using the program as an SB 743 VMT mitigation exchange. Developers could purchase U- or E-passes and could use the Metro performance data to estimate the VMT reduction per pass. LA Metro is working with LA DOT and SCAG on a pilot concept this year to formalize the program. As part of this white paper development, we asked Metro if developers/agencies outside Los Angeles County could participate. The reason for this request is that VMT mitigation dollars spent on Metro transit passes may be more effective than the same dollars spent in other communities. Whether local communities would be willing to allow mitigation dollars across borders will likely depend on a variety of factors but knowing that it is feasible on the Metro end is an important first feasibility question. Metro replied that their work has not progressed sufficiently to answer this question yet.

Expanded Public Agency Telecommute Bank

With increased telecommuting during the COVID-19 shelter-in-place order, public agencies may decide to permanently expand their telecommuting offerings to employees. When making that decision, these agencies could 'bank' the commute VMT savings from each employee into a mitigation program. The agency would then have the option to allocate the VMT savings to individual development or transportation projects. The allocation process could be gifted, auctioned, or offered at a fixed price. WRCOG could function as an umbrella facilitator for this type of program with responsibility for collecting and organizing the VMT savings into a single 'bank' and then disposing of the savings to individual projects as mitigation subject to all the program expectations outlined above.

IMPLEMENTATION RISKS

As explained above, VMT exchanges or banks come with unique requirements such as the 'additionality' test and ongoing verification that make them more challenging to implement than a conventional transportation impact fee program. However, exchanges and banks offer the ability to include program-type strategies directed at changing travel behavior that are not available in a conventional impact fee program. Given these tradeoffs, we assessed whether other risks could influence the choice of program.

One risk that stood out was related to current legal challenges to the use of carbon offsets that are based on similar concepts. In a recent legal case, the Sierra Club, Center for Biological Diversity, and Cleveland National Forest Foundation, Climate Action Campaign, Endangered Habitats League, Environmental Center of San Diego, and Preserve Wild Santee challenged the County of San Diego over the use of carbon offsets to achieve GHG reduction goals in the County's climate action plan. The court petition is available at the link below.

- https://www.biologicaldiversity.org/programs/urban/pdfs/San-Diego-CAP-Petition-for-Writ-of-Mandate.pdf

The California Attorney General's (AG's) office has also weighed in on this court case. According to a November 11, 2019 Los Angeles Times article, "California says San Diego County could undermine state's greenhouse gas plan", the AG's office filed an amicus brief. The article reported the following about the AG's brief.

In a strongly worded amicus brief recently submitted to the 4th District Court of Appeal in San Diego, Becerra argued that the county's offset strategy would "perpetuate current sprawling development patterns, which will impede the ability of the region and state to reach their long-term climate objectives."

"Without significant [vehicle miles traveled] reductions across the state, California simply will not be able to achieve its [greenhouse gas] reduction targets," the 33-page document said.

The state does not appear to support reducing GHG emissions from land use development without those reductions coming from fundamental local land use and transportation network changes. The risk is that lower density suburban and rural parts of the state would continue their sprawling patterns leading to more VMT and emissions. If the state maintains this position, it could also be used to argue against the creation of VMT mitigation exchanges and banks that attempt to offset VMT increases. To minimize this risk, the mitigation options offered by exchanges and banks could be applied only after project site mitigation has been exhausted and should attempt to offer additional mitigation within the same area or community.

GOVERNANCE

Governance for a VMT mitigation program is another important part of assessing program feasibility for a particular agency. The definition of governance for the purposes of this assessment includes the following three components.

1. Who makes program decisions?
2. How are decisions made?
3. Who is accountable for decisions?

These questions are answered below based on WRCOG serving as the specific agency that would implement and operate the VMT mitigation program. Since the answers will vary depending on the exact type of mitigation program, WRCOG was asked about specific program types of most interest. In response, three program options were identified.

- Modified TUMF – This option involves a modification to the existing TUMF where a new VMT reduction nexus is added. This change would allow the creation of two separate capital improvement programs (CIP) with their own separate fee schedules. A roadway capacity CIP would be retained for the LOS nexus component of the program and a new VMT mitigation CIP would be created. Some of the existing projects in the TUMF CIP are VMT reducing such as transit, bicycle, and pedestrian projects. These would be moved to the new VMT mitigation CIP presuming they are consistent with the new VMT reduction nexus requirement. If changes are limited to this new accounting and nexus approach, impact fees would remain relatively stable.

  This option also allows for new VMT reducing projects to be added to the VMT mitigation CIP. The more projects that are added, the greater the potential VMT reduction, but also the greater the impact fees. Under this option, the TUMF would continue to serve a mitigation program for land use development projects. No mitigation would be available through the program for transportation infrastructure projects that generate new VMT.

- New VMT Impact Fee Program – This option involves creating a new VMT impact fee program focused solely on achieving VMT reduction through the CIP projects. The CIP would largely consist of active transportation and transit projects where sufficient evidence exists to demonstrate a VMT reduction nexus. The program would also be targeted exclusively for land use development project mitigation.

- New VMT Mitigation Exchange – This option is the most flexible in terms of offering VMT mitigation for both land use and transportation infrastructure projects. The program would identify VMT reduction projects that could be either fully funded or directly implemented by land use project applicants or transportation project sponsors. The type of project could include capital projects similar to those mentioned above for the impact fee programs plus TDM strategies or activities that reduce VMT. TDM often involves information development and dissemination and actions that change travel behavior. Since these do not qualify as capital projects, they are typically excluded from impact fee programs. As long as these strategies or activities have a clear nexus to VMT reduction, they would qualify for the VMT mitigation exchange project list. By covering VMT mitigation for transportation projects (i.e. roadway capacity projects causing induced vehicle travel impacts), more agencies could participate in the program and more VMT reduction could be delivered.

These options do not include a mitigation bank. As explained above, banks are more complex and require more effort to create, operate, and maintain without current evidence showing that the higher investment would necessarily produce greater VMT reduction than an impact fee program or exchange.

Who makes program decisions?
The simple answer to this question is that WRCOG makes the decisions, but that is not precise enough to fully understand what individuals or groups of individuals are authorized to make different types of decisions. WRCOG was formed through a joint powers agreement (JPA) is composed of all 18 incorporated Cities, Riverside County, Eastern and Western Municipal Water Districts, the Morongo Band of Mission Indians, and the Riverside County Superintendent of Education. The main decision-making body of WRCOG is the Executive Committee which is comprised of elected officials from each of WRCOG's member agencies and meets monthly to discuss policy issues and consider recommendations from WRCOG's Technical Advisory Committee (TAC), primarily comprised of the region's City Managers.

How are decisions made?
Any decision related to the implementation of any option identified above would ultimately be made by the Executive Committee after discussions, input, and voting has occurred at the various policy committees. On-going operation of the program would occur at the Executive Director, Transportation & Planning Director, and Public Works Committee (PWC) levels. Decisions and informational items are first brought to the Public Works and or Planning Directors Committee (PDC). Recommendations are then brought forth to the TAC. Following this would be the Administration & Finance Committee (AFC) who

provide budget and finance overview, which is comprised of a smaller group of elected officials who are also members of the Executive Committee. The final decision recommendations are lastly brought to the Executive Committee who make the final determination.

Once a program is established, WRCOG staff would oversee the program with input from WRCOG's member agencies, primarily through WRCOG's existing committee structure.

Who is accountable for decisions?
The WRCOG organization described above is transparent with an emphasis on a streamlined approach to decision-making. For day-to-day decision making, responsibility and accountability lies with the Executive Director and the Transportation & Planning Director. Major decisions are reserved for the Executive Committee since it has sole authority to adopt and amend by-laws for the administration and management of the JPA.

The table below summarizes the governance expectations above.

Type of Program	Who Makes Program Decisions?	How Are Decisions Made?	Who is Accountable?
Modified TUMF Program New VMT Impact Fee Program New VMT Mitigation Exchange	Creation of the program - WRCOG Executive Committee Operation of the program - WRCOG Executive Committee, Executive Director, Transportation & Planning Director, AFC, TAC, and PWC	Decisions can originate from questions at any level of the agency, member agency, or the public. These are then resolved at the PWC, PDC, TAC, AFC or Transportation & Planning Director level for day-to-day operations and the Executive Committee for more significant decisions.	Executive Director and Transportation & Planning Director for day-to-day operations and the Executive Committee for more significant decisions.

Advancing Implementation

Advancing one of the three options above would begin with a formal proposal by WRCOG staff at the PWC where informative discussions, presentations, and options would be explored. With the recommendation of the PWC it would then advance to the other policy committees in the following order.
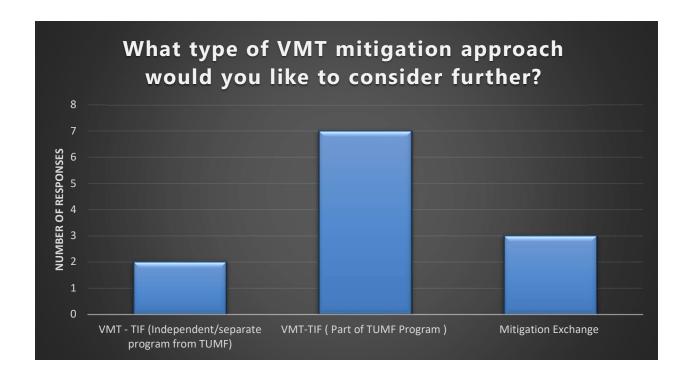
- TAC
- AFC
- Executive Committee

Prior to implementing any new Program, WRCOG would need to develop a concrete proposal for recommendation. Given WRCOG's experience, this proposal should address each item below.

- The exact structure to be implemented (bank, exchange, or fee).
- The relationship between this program and other WRCOG programs.
- Program governance, which would likely be modeled after existing WRCOG programs like TUMF.
- Supporting documentation related to this proposal such as any quantification methods related to VMT reductions and other applicable items.

WRCOG Staff conducted a survey of its member agencies late in 2019 and early in 2020 to gauge their interest in either a VMT mitigation fee or exchange.   The survey results are provided below. Based on the survey responses, it appears that a majority of our local agencies prefer a fee-based approach, though there is support for an exchange as well.

Based on that positive feedback, there appears to be merit in advancing a mitigation program. The next steps would generally focus on increased socialization of this concept and conceptual program development. Specific tasks WRCOG should undertake would include but not be limited to the following items.

- Convening a meeting with the Riverside County Transportation Commission (RCTC) and Riverside Transit Agency (RTA) to discuss this concept in greater detail.
- Identify at least two options for either a fee-based approach and an exchange, which would include an evaluation of their use for mitigating development and infrastructure projects.
- A review of the latest guidance from OPR and Caltrans regarding VMT impacts and the applicability of this type of program or programs to address any issues they have raised as SB 743 is implemented.
- Coordination with the upcoming TUMF Nexus Study update to ensure that the Nexus Study scope of work provides the necessary information for this type of program.

Western Riverside Council of Governments
Administration & Finance Committee

Staff Report

Subject: **PACE Programs Activities Update: Deferral of Judicial Foreclosures on Delinquent PACE Properties**

Contact: **Casey Dailey, Director of Energy & Environmental Programs, cdailey@wrcog.us, (951) 405-6720**

Date: **September 1, 2021**

Requested Action(s):

1. Recommend that the Executive Committee Adopt Resolution Number 23-21; A Resolution of the Executive Committee of the Western Riverside Council of Governments waiving judicial foreclosure proceeding requirements for delinquent payments of assessments of the Energy Efficiency and Water Conservation Program for Western Riverside County and the California HERO Program.

Purpose:

The purpose of this item is to provide an update on delinquent parcels and to request deferral of judicial foreclosure proceedings.

Background:

On September 14, 2015, the Executive Committee adopted a policy to review, on an annual basis, the number and amount of delinquencies and determine the assignment of collection rights, or to begin the judicial foreclosure process. A delinquency means that the property owner(s) did not make timely payment of his and/or her property taxes (including the HERO Assessment installment(s)) for the past tax year and did not pay the delinquent HERO Assessment installments and any accrued penalties and interest prior to the date of the November Executive Committee meeting.

PACE Delinquencies

Under WRCOG's Master Bond Indentures, it is stated that any property owner that is delinquent in his or her tax bill on October 1 of each year will be subject to WRCOG initiating a judicial foreclosure process. However, WRCOG may elect to defer the judicial foreclosure proceedings if WRCOG has received or advanced funds to cover the delinquent amounts. Previous actions by the Executive Committee include:

2014/2015 Tax Year – deferred 44 of 9,125 parcels totaling $97,687.67
2015/2016 Tax Year – deferred 155 of 21,811 parcels totaling $401,909.87
2016/2017 Tax Year – deferred 237 of 38,367 parcels totaling $697,431.96
2017/2018 Tax Year – deferred 386 of 51,395 parcels totaling $1,126,270.20
2018/2019 Tax Year – deferred 630 of 52,844 parcels totaling $1,790,780.64

2019/2020 Tax Year – deferred 822 of 43,120 parcels totaling $2,095,416.37

2020/2021 Tax Year Delinquencies: David Taussig & Associates (dta), the PACE Program Assessment Administrator, issues a preliminary report that details the delinquencies for the tax year (Attachment 1). For the 2020/2021 Tax Year, WRCOG enrolled 39,327 assessments on parcels totaling $116,458,176.62. As of August 10, 2021, the preliminary total delinquency rate is 1.32%, or $1,542,190.69. For context, at the same time last year, the delinquency rate for all WRCOG PACE assessments was 1.43%.

Deferral of judicial foreclosure for Tax Year 2020/2021 will assign WRCOG's collection rights to a third party for 550 delinquent parcels totaling $1,460,205.69.

Deferral of Judicial Foreclosures

WRCOG has covenanted in certain provisions of its Master Indentures executed in connection with its PACE Programs that WRCOG will order, commence, and diligently prosecute an action in the Superior Court no later than December 1 to foreclose the lien of any assessment which has been billed but has not been paid as of October 1 of such year unless funds are advanced either by WRCOG or a third party to make payments to bondholders.

For the past four years, FNA California, LLC, has purchased such delinquencies from WRCOG, thereby allowing WRCOG to make payments in a timely manner to bond owners during each fiscal year. Each year, staff requests the Executive Committee to defer foreclosure since funds have been advanced to pay such delinquencies.

On August 2, 2021, the Executive Committee approved a Purchase and Sale Agreement for the Sale of Assessment Installment Receivables with FNA. Staff is seeking adoption of Resolution Number 23-21, the deferral of judicial foreclosures on residential delinquencies (Attachment 1).

Prior Action(s):

October 5, 2020: The Executive Committee, 1) deferred the judicial foreclosure proceedings on delinquent residential parcels for the 2019/2020 Tax Year and assigned WRCOG's collection rights to a third party for 822 delinquent parcels totaling $2,095,416.37; and 2) authorized the Executive Director to enter in a Purchase and Sale Agreement with the third party, First National Assets, for the purchase of the delinquent assessment receivables.

August 2, 2021: The Executive Committee authorized the sale of the delinquent assessments to First National Assets.

Fiscal Impact:
At its August 2021 meeting, the Executive Committee authorized the sale of the delinquent assessments to First National Assets, which will add approximately $36,505 in PACE revenues in Fiscal Year 2021/2022.

Attachment(s):
Attachment 1 - WRCOG Resolution Number 23-21; Deferring Judicial Foreclosure FY 2020-2021

RESOLUTION NUMBER 23-21

A RESOLUTION OF THE EXECUTIVE COMMITTEE OF THE WESTERN RIVERSIDE COUNCIL OF GOVERNMENTS WAIVING JUDICIAL FORCLOSURE PROCEEDING REQUIREMENTS FOR DELIQUENT PAYMENTS OF ASSESSMENTS OF THE ENERGY EFFICIENCY AND WATER CONSERVATION PROGRAM FOR WESTERN RIVERSIDE COUNTY AND THE CALIFORNIA HERO PROGRAM

WHEREAS, the Western Riverside Council of Governments ("WRCOG") has levied assessments under Chapter 29 of Part 3 of Division 7 of the California Streets and Highways Code (commencing with Section 5898.12 et seq.) ("Chapter 29"). Such assessments are payable in installments under the Improvement Bond Act of 1915, Division 10 of Part I (commencing with Section 8500) of the California Streets and Highways Code ("1915 Act") on residential and commercial properties participating in the Energy Efficiency and Water Conservation Program for Western Riverside County and the California HERO Program established by WRCOG pursuant to Chapter 29 and the 1915 Act (collectively, the "WRCOG Program"), which are collected on the secured property tax roll of the County of Riverside; and

WHEREAS, certain installments of such assessments are delinquent (the "Delinquent Assessments") and are attached hereto as Exhibit "A" and incorporated herein by reference; and

WHEREAS, WRCOG and FNA California, LLC entered into that certain Purchase and Sale Agreement (the "Agreement") pursuant to which WRCOG sold to FNA California, LLC certain rights WRCOG is entitled to receive arising from the collection of certain delinquent assessments for the tax years specified in Agreement; and

WHEREAS, WRCOG has determined that it is in the best interests of WRCOG at this time to defer the judicial foreclosures of the Delinquent Assessments.

NOW, THEREFORE, BE IT RESOLVED by the Executive Committee of the Western Riverside Council of Governments as follows:

Section 1.   The above recitals are true and correct.

Section 2.   The Executive Committee of the Western Riverside Council of Governments hereby approves deferring the judicial foreclosure of the Delinquent Assessments attached hereto as Exhibit "A" and incorporated herein by reference.

PASSED AND ADOPTED at a meeting of the Executive Committee of the Western Riverside Council of Governments held on _____, 2021.

_____   _____
Karen Spiegel, Chair   Kurt Wilson, Secretary
WRCOG Executive Committee   WRCOG Executive Committee

Approved as to form:

_____
Mrunal Mehta Shah,
WRCOG Legal Counsel

AYES: _____   NAYS: _____   ABSENT: _____   ABSTAIN: _____

DELINQUENT ASSESSMENTS

Program	Fiscal Year	County	Total Levy	Delinquent Amount	Parcels Levied	Parcels Delinquent	DQ Rate on $s	DQ Rate on #s
WRCOG Residential	2020-2021	Alameda	1,613,076.84	27,938.40	462	7	1.73%	1.52%
WRCOG Residential	2020-2021	Amador	77,348.64	1,961.38	29	2	2.54%	6.90%
WRCOG Residential	2020-2021	Butte	199,440.80	5,201.50	71	2	2.61%	2.82%
WRCOG Residential	2020-2021	Colusa	11,699.82	-	5	-	0.00%	0.00%
WRCOG Residential	2020-2021	Contra Costa	4,600,515.22	63,026.77	1,388	28	1.37%	2.02%
WRCOG Residential	2020-2021	Del Norte	2,732.12	-	2	-	0.00%	0.00%
WRCOG Residential	2020-2021	El Dorado	737,276.58	16,457.19	216	3	2.23%	1.39%
WRCOG Residential	2020-2021	Fresno	7,277,468.92	103,320.08	2,864	45	1.42%	1.57%
WRCOG Residential	2020-2021	Glenn	13,443.10	-	6	-	0.00%	0.00%
WRCOG Residential	2020-2021	Humboldt	19,105.72	-	6	-	0.00%	0.00%
WRCOG Residential	2020-2021	Imperial	1,112,237.82	25,013.46	565	15	2.25%	2.65%
WRCOG Residential	2020-2021	Kern	5,730,815.22	51,668.81	2,172	27	0.90%	1.24%
WRCOG Residential	2020-2021	Kings	842,057.60	24,786.57	366	16	2.94%	4.37%
WRCOG Residential	2020-2021	Los Angeles	2,441,725.95	38,749.99	797	16	1.59%	2.01%
WRCOG Residential	2020-2021	Madera	969,494.70	3,915.28	386	3	0.40%	0.78%
WRCOG Residential	2020-2021	Marin	400,089.44	-	89	-	0.00%	0.00%
WRCOG Residential	2020-2021	Mariposa	48,398.84	-	20	-	0.00%	0.00%
WRCOG Residential	2020-2021	Mendocino	11,578.48	-	5	-	0.00%	0.00%
WRCOG Residential	2020-2021	Merced	1,560,545.88	32,993.53	618	11	2.11%	1.78%
WRCOG Residential	2020-2021	Mono	8,814.66	-	4	-	0.00%	0.00%
WRCOG Residential	2020-2021	Monterey	389,541.60	-	120	-	0.00%	0.00%
WRCOG Residential	2020-2021	Napa	422,163.58	-	120	-	0.00%	0.00%
WRCOG Residential	2020-2021	Nevada	18,758.52	-	5	-	0.00%	0.00%
WRCOG Residential	2020-2021	Orange	9,838,736.65	133,689.49	2,727	34	1.36%	1.25%
WRCOG Residential	2020-2021	Riverside	31,435,628.22	441,564.14	11,362	164	1.40%	1.44%
WRCOG Residential	2020-2021	Sacramento	4,583,141.24	7,364.32	1,794	6	0.16%	0.33%
WRCOG Residential	2020-2021	San Diego	21,242,071.38	282,685.06	5,907	77	1.33%	1.30%
WRCOG Residential	2020-2021	San Francisco	302,912.02	18,316.50	63	4	6.05%	6.35%
WRCOG Residential	2020-2021	San Joaquin	5,530,839.76	86,247.35	2,040	32	1.56%	1.57%
WRCOG Residential	2020-2021	San Luis Obispo	120,986.22	-	33	-	0.00%	0.00%
WRCOG Residential	2020-2021	San Mateo	668,035.79	9,099.96	133	2	1.36%	1.50%
WRCOG Residential	2020-2021	Santa Barbara	6,381.18	-	2	-	0.00%	0.00%
WRCOG Residential	2020-2021	Santa Clara	1,721,582.46	10,479.61	487	6	0.61%	1.23%
WRCOG Residential	2020-2021	Santa Cruz	278,637.40	6,137.88	65	1	2.20%	1.54%
WRCOG Residential	2020-2021	Shasta	43,389.60	4,426.96	17	1	10.20%	5.88%
WRCOG Residential	2020-2021	Siskiyou	2,950.74	-	1	-	0.00%	0.00%
WRCOG Residential	2020-2021	Solano	2,622,305.90	23,052.18	841	7	0.88%	0.83%
WRCOG Residential	2020-2021	Sonoma	1,005,414.44	11,850.79	281	2	1.18%	0.71%
WRCOG Residential	2020-2021	Stanislaus	3,416,005.72	35,879.72	1,427	16	1.05%	1.12%
WRCOG Residential	2020-2021	Sutter	139,201.28	785.82	59	1	0.56%	1.69%
WRCOG Residential	2020-2021	Tehama	73,581.48	14,483.66	25	4	19.68%	16.00%
WRCOG Residential	2020-2021	Tulare	1,602,536.10	12,442.26	723	7	0.78%	0.97%
WRCOG Residential	2020-2021	Ventura	2,712,345.97	47,046.09	808	10	1.73%	1.24%
WRCOG Residential	2020-2021	Yolo	427,605.42	-	146	-	0.00%	0.00%
WRCOG Residential	2020-2021	Yuba	175,557.60	1,605.94	70	1	0.91%	1.43%
		Total	**$116,458,176.62**	**$1,542,190.69**	**39,327**	**550**	**1.32%**	**1.40%**