



Western Riverside Council of Governments Administration & Finance Committee

AGENDA

**Wednesday, September 9, 2020
12:00 p.m.**

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

**WRCOG's OFFICE IS CURRENTLY CLOSED TO THE PUBLIC DUE TO COVID-19
AND STAFF ARE WORKING REMOTELY**

**Members of the public are encouraged to participate in this meeting via Zoom
(see meeting information below)**

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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 new 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 Administration & Finance Committee meeting scheduled for Wednesday, September 9, 2020 at 12:00 p.m. will be held via video and teleconference and any members of the public can attend electronically. Members of the public may send public comments by emailing snelson@wrcog.us, or calling (951) 405-6703 before or during the meeting, prior to the close of public comment.

Any member of the public requiring a reasonable accommodation to participate in this meeting in light of this announcement shall contact Suzy Nelson prior to 12:00 p.m. on September 7, 2020, at (951) 405-6703 or at snelson@wrcog.us.

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

1. CALL TO ORDER (Kevin Bash, Chair)

2. ROLL CALL

3. PUBLIC COMMENTS

At this time members of the public can address the Administration & Finance Committee regarding any items listed on this agenda. Members of the public will have an opportunity to speak on agenda items at the time the item is called for discussion. No action may be taken on items not listed on the agenda unless authorized by law.

Whenever possible, lengthy testimony should be presented to the Committee in writing and only pertinent points presented orally.

4. 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 8, 2020, Administration & Finance Committee Meeting are Available for Consideration. P. 1

Requested Action: 1. Approve the Summary Minutes from the July 8, 2020, Administration & Finance Committee meeting.

B. Finance Department Activities Update P. 5

Requested Action: 1. Receive and file.

C. Public Service Fellowship Activities Update P. 11

Requested Action: 1. Receive and file.

5. REPORTS / DISCUSSION

A. WRCOG Policies and Procedures Related to Non-Discrimination and Contracting P. 15

Requested Action: 1. Receive and file.

B. TUMF Program Revenue and Expenditures Update P. 19

Requested Action: 1. Receive and file.

Requested Action: 1. *Recommend that the Executive Committee Adopt Resolution Number 27-20; 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.*

6. REPORT FROM THE EXECUTIVE DIRECTOR *Rick Bishop*

7. ITEMS FOR FUTURE AGENDAS *Members*

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

8. GENERAL ANNOUNCEMENTS *Members*

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

9. CLOSED SESSION

PERFORMANCE EVALUATION PURSUANT TO SECTION 54957

Title: Executive Director

10. NEXT MEETING: The next Administration & Finance Committee meeting is scheduled for Wednesday, October 14, 2020, at 12:00 p.m., on the Zoom platform.

11. ADJOURNMENT

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1. CALL TO ORDER

The meeting of the Administration & Finance Committee was called to order at 12:02 p.m. by Chair Kevin Bash on the Zoom virtual platform.

2. ROLL CALL

Members present:

Mike Lara, City of Beaumont
Brian Tisdale, City of Lake Elsinore
Kelly Seyarto, City of Murrieta
Kevin Bash, City of Norco (Chair)
Rita Rogers, City of Perris
Rusty Bailey, City of Riverside
Crystal Ruiz, City of San Jacinto
Ben Benoit, City of Wildomar
Karen Spiegel, County of Riverside, District 2
Chuck Washington, County of Riverside District 3 (12:04 p.m. arrival)
Brenda Dennstedt, Western Municipal Water District (WMWD)

Staff present:

Andrew Ruiz, Chief Financial Officer
Anthony Segura, Senior Analyst
Avie Barron, Senior Analyst
Barbara Spoonhour, Deputy Executive Director - Operations
Cameron Brown, Program Manager
Casey Dailey, Director of Energy & Environmental Programs
Chris Gray, Director of Transportation & Planning
Christopher Tzeng, Program Manager
Daniel Soltero, Staff Analyst
Diana Vaca, Quality Assurance Intern
Don Ries, Program Manager
Elisa Laurel, Program Manager
Ivana Medina, Staff Analyst
Janis Leonard, Administrative Services Manager
Jonathan Pineda, Staff Technician
Kyle Rodriguez, Staff Analyst
Lupe Lotman, Staff Analyst
Princess Hester, RCHCA Director of Administration
Rachel Singer, Staff Analyst
Rick Bishop, Executive Director
Steve DeBaun, Legal Counsel, Best Best & Krieger
Suzy Nelson, Administrative Assistant
Tyler Masters, Director of Western Community Energy

Guests present:

There were no guests.

3. PUBLIC COMMENTS

There were no public comments.

4. CONSENT CALENDAR – (Murrieta / District 2) 10 yes; 0 no; 0 abstention. Items 4.A through 4.D were approved. The County of Riverside District 3 representative was absent.

A. Summary Minutes from the May 13, 2020, Administration & Finance Committee Meeting are Available for Consideration.

Action: 1. *Approved the Summary Minutes from the May 13, 2020, Administration & Finance Committee meeting.*

B. Finance Department Activities Update

Action: 1. *Received and filed.*

C. Approval of a Professional Services Agreement for the Analyses of the Smart Climate-Resilient Transportation Planning and Investments Project

Action: 1. *Recommended that the Executive Committee approve the Professional Services Agreement between WRCOG and WSP USA, Inc., to provide technical services conducting risk assessments on vulnerable transportation assets in the Inland Empire region in an amount not to exceed \$379,175.47.*

D. Single Signature Authority Report

Action: 1. *Received and filed.*

5. REPORTS / DISCUSSION

A. Fiscal Year 2019/2020 Year in Review, and a Look Forward

Rick Bishop reported that WRCOG's programs relate back to the Economic Development & Sustainability Framework which identify six priority areas WRCOG could potentially involve itself in. WRCOG has a filter review process to ascertain whether a proposed program or initiative is a good fit for WRCOG.

There are three potential programs which member agencies have asked WRCOG to examine: 1) the formation of an Economic Development Corporation (EDC); 2) provision of GIS / Modeling services to member agencies; and 3) the formation of a subregional Housing Trust.

Elisa Laurel reported that an EDC is usually organized as a non-profit with a mission of promoting economic development within a specific geographic area. An EDC is complimentary to a Chamber of Commerce, which promotes the interest of business. EDCs focus on long-term strategic initiatives and differ from an Economic Development Agency (EDA) in that an EDA utilizes ongoing public funding and is subject to oversight and scrutiny of public agencies. An EDC would serve as a branded front door to a regional area.

Economic development continues to be a need expressed by many of WRCOG's member agencies and is a common need overall. Highlights of a recent survey concluded that there is a lack of sustained efforts and a lack of time. Interestingly, WRCOG was noted as an agency that many would like to work with regarding economic development.

The formation of an EDC would include the creation of a steering committee consisting of internal and external stakeholders. An organizational model and ongoing funding would be identified.

Examples of benefits that a subregional EDC would include could be branding, policy coordination, and the creation of programs and incentives. A subregional EDC would stand as a separate non-profit entity, inclusive of public and private partnerships. The focus would be near-term economic recovery while aiming to build a resilient economy for the future.

A subregional EDC would benefit all WRCOG member agencies and is a key element of the Sustainability Framework. It could provide high-level benefits to improve the subregional economy. A regional approach would be cost effective. State funding, such as Assembly Bill 3205, would be sought to implement an EDC.

Committee members expressed interest in a subregional EDC and recommended that WRCOG work with existing economic development efforts located throughout the subregion and examine the potential for formation of a Western Riverside County EDC

Chris Gray reported that another potential initiative is the creation of a subregional Housing Trust, a public-private partnership, focused on housing and homelessness services. These types of organizations have existed nationally since the 1970s; there are three notable Trusts in California.

The region faces a significant housing supply shortage and affordable housing. Most agencies lack sufficient funding to implement programs. WRCOG could form a regional Housing Trust through a new or amended Joint Powers Agreement and a non-profit arm would be created. A Board of Directors would oversee the allocation of funds. The Board of Directors would be made of jurisdictional representatives, elected officials, and other stakeholders.

Housing Trust funding is often very flexible, and there are state and federal programs that can only be applied for through a Housing Trust. Various revenue-generating programs can be created so funding is supplied on an on-going basis.

There is no Housing Trust in Western Riverside County. Both public and private entities are dealing with homelessness, yet no partnership between the two exists.

WRCOG would need to secure funding to proceed with this initiative. The State is making funds available for programs such as this through its Regional Early Action Planning Grant Program. This initiative through WRCOG would not replace what other entities are doing regarding homelessness but rather supplement those other programs throughout the subregion.

Committee members expressed support of this initiative and drawing in members of the private sector.

Cameron Brown reported on a Geographic Information System (GIS) / Modeling Service Bureau initiative for member jurisdictions, notably for the smaller jurisdictions which do not have staffing and/or resources for these types of programs, assisting with General Plan amendments, traffic volume maps, traffic modeling, and project mapping, to name a few. Several member jurisdictions have requested GIS support.

This initiative would be supported through a small subscription fee and/or a case-by-case basis and could also include support to non-member agencies.

Committee members expressed support of this initiative.

Action: 1. *Received and filed.*

6. REPORT FROM THE EXECUTIVE DIRECTOR

Rick Bishop reported that Barbara Spoonhour is retiring at the end of this month.

7. ITEMS FOR FUTURE AGENDAS

There were no items for future agendas.

8. GENERAL ANNOUNCEMENTS

There were no general announcements.

9. NEXT MEETING: The Administration & Finance Committee is DARK in the month of August. The next Administration & Finance Committee meeting is scheduled for Wednesday, September 9, 2020, at 12:00 p.m., on the Zoom platform.

10. ADJOURNMENT: The meeting of the Administration & Finance Committee adjourned at 12:58 p.m. in honor of Bob Stockton.



Western Riverside Council of Governments

Administration & Finance Committee

Staff Report

Subject: Finance Department Activities Update

Contact: Andrew Ruiz, Chief Financial Officer, aruiz@wrcog.us, (951) 405-6740

Date: September 9, 2020

The purpose of this item is to provide an update on the Agency financials through June 2020.

Requested Action:

1. Receive and file.

Fiscal Year 2019/2020 Agency Audit

WRCOG's annual Agency Interim Audit was completed on June 19, 2020. WRCOG utilizes the services of the audit firm Rogers, Anderson, Malody, and Scott (RAMS) to conduct its financial audit. The first visit is known as the "interim" audit, which involves preliminary audit work that is conducted prior to fiscal year end. The interim audit tasks are conducted in order to compress the period needed to complete the final audit after fiscal year end. In September, RAMS will return to finish its second round, which is known as "fieldwork." It is anticipated that the final Audit will be presented to this Committee in December 2020.

Financial Report Summary Through June 2020

The Agency Financial Report summary through June 2020, a monthly overview of WRCOG's financial statements in the form of combined Agency revenues and costs, is provided as Attachment 1.

Prior Action:

August 20, 2020: The Technical Advisory Committee received and filed.

Fiscal Impact:

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

Attachment:

1. Financial Report summary through June 2020.

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Item 4.B

Finance Department Activities Update

Attachment 1

Financial Report summary through June 2020

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Western Riverside Council of Governments
Monthly Budget to Actuals
For the Month Ending June 30, 2020

Description	Thru Actual 6/30/2020	Approved Budget 6/30/2020	Remaining Budget 6/30/2020
Member Dues	311,410	311,410	-
PACE Residential Revenue	1,030,557	782,500	(248,057)
Statewide HERO Revenue	435,896	570,000	134,104
Gas Co. Prtnrshp Revenue	50,941	108,400	57,459
SCE WRELP Revenue	48,361	54,219	5,858
PACE Commercial Sponsor Revenue	259,425	299,425	40,000
Commercial Recording Revenue	62,478	117,500	55,022
PACE Recording Revenue	81,430	111,800	30,370
CA HERO Recording fee Revenue	263,017	421,200	158,183
Regional Streetlights Revenue	425,209	187,511	(237,698)
Solid Waste	112,970	107,313	(5,657)
Used Oil Grants	377,654	377,654	-
Air Quality	272,770	210,500	(62,270)
Adaptation Grant Revenue	85,394	125,000	39,606
CAP Grant Revenue	430,530	125,000	(305,530)
LTF Revenue	800,250	800,250	-
RIVTAM	137,500	140,000	2,500
Other Misc Revenue	75,000	-	(75,000)
General Assembly Revenue	3,000	300,000	297,000
Commerical/Service - Admin	68,311	47,284	(21,027)
Commercial/Svcs	1,639,464	1,134,806	(504,658)
Retail - Admin	164,883	109,687	(55,196)
Retail	3,957,192	2,632,497	(1,324,695)
Industrial - Admin	281,111	502,285	221,174
Industrial	6,746,664	12,054,852	5,308,188
Residential/Multi/Single - Admin	928,259	1,121,669	193,411
Residential/Multi/Single	22,278,211	26,920,065	4,641,854
Multi-Family - Admin	287,295	199,074	(88,221)
Multi Family	6,895,080	4,777,779	(2,117,301)
Interest Revenue - Other	127,758	25,000	(102,758)
Fund Balance Carryover	870,000	870,000	-
Total Revenues	\$ 49,542,173	\$ 55,639,682	\$ 6,097,509

Expenses	Thru Actual 6/30/2020	Approved Budget 6/30/2020	Remaining Budget 6/30/2020
Salaries	1,903,495	1,956,067	52,572
Benefits	926,927	927,089	162
Overhead Allocation	1,933,224	1,893,320	(39,904)
General Legal Services	292,257	399,430	107,173
Audit Services	23,300	30,500	7,200
Bank Fees	2,820	40,150	37,330
Commissioners Per Diem	37,850	62,550	24,700
Office Lease	346,365	465,000	118,635
WRCOG Auto Fuels Expenses	858	1,500	642
Parking Validations	14,784	16,446	1,662
Staff Recognition	79	800	721
Coffee and Supplies	2,569	2,500	(69)
Event Support	144,385	183,798	39,413

Program/Office Supplies	18,474	22,263	3,789
Computer Supplies	4,811	5,381	570
Computer Software	63,028	26,500	(36,528)
Rent/Lease Equipment	17,060	30,000	12,940
Membership Dues	6,094	32,715	26,621
Subscriptions/Publications	2,439	3,225	786
Meeting Support Services	185	10,644	10,459
Postage	2,959	5,664	2,705
Other Expenses	2,701	1,250	(1,451)
COG HERO Share Expenses	2,701	10,000	7,299
Storage	4,528	10,000	5,472
Printing Services	7,869	7,500	(369)
Computer/Hardware	8,558	9,500	942
Communications - Regular Phone	19,711	16,000	(3,711)
Communications - Cellular Phones	9,922	17,500	7,578
Communications - Computer Services	38,670	57,500	18,830
Communications - Web Site	5,650	8,000	2,350
Equipment Maintenance - General	4,822	10,000	5,178
Equipment Maintenance-Computer	13,212	21,250	8,038
Insurance - Gen/Busi Liab/Auto	91,240	104,000	12,760
Recording Fee	120,847	260,741	139,894
Seminars/Conferences	2,906	11,905	8,999
General Assembly Expenses	67,207	300,000	232,793
Travel - Mileage Reimbursement	8,782	20,078	11,296
Travel - Ground Transportation	1,880	5,168	3,288
Travel - Airfare	5,556	12,250	6,694
Lodging	6,303	8,123	1,820
Meals	6,534	8,370	1,836
Other Incidentals	1,674	6,537	4,863
Training	4,895	9,250	4,355
OPEB Repayment	110,526	110,526	-
Supplies/Materials	65,725	21,800	(43,925)
Advertising Media	1,020	10,000	8,980
Advertisement Radio & TV Ads	33,250	72,000	38,750
Consulting Labor	1,843,119	2,305,445	462,326
Office Equipment Purchased	164,878	200,000	35,122
TUMF Project Reimb	27,303,365	45,000,000	17,696,635
	\$35,702,015	54,994,235	\$19,292,220



Western Riverside Council of Governments

Administration and Finance Committee

Staff Report

Subject: Public Service Fellowship Activities Update

Contact: Rachel Singer, Staff Analyst, rsinger@wrcog.us, (951) 405-6754

Date: September 9, 2020

The purpose of this item is to provide an update on the WRCOG Public Service Fellowship Program.

Requested Action:

1. Receive and file.

In partnership with higher education institutions and member agencies, WRCOG developed and launched a Public Service Fellowship Program in 2016. The Program provides current college students and recent graduates with career opportunities in local governments in a way that is mutually beneficial to both the Fellow and the host agency.

Background

WRCOG's Public Service Fellowship Program was established in 2016. The goal of the Fellowship Program is to retain local students to fulfill the subregion's needs for a robust public-sector workforce and to combat the problem of "brain drain," which occurs when local students graduate and then leave the region to seek full-time employment outside of the region. The Fellowship Program aims to engage local students and alumni in career opportunities with local governments and agencies in a way that is mutually beneficial to both the Fellows and the host agency.

WRCOG is responsible for general Program administration and oversight including maintaining employment of the Fellows, soliciting interest from local government agencies, serving as the liaison between member agencies and the universities, providing Program funding, reviewing applications, conducting interviews, recommending Fellow placements, and coordinating payment of Fellowship stipends. In addition, WRCOG provides ongoing training to Fellows on career readiness and relevant topics during monthly program workshops to support their hands-on work experience.

Since inception, 60 Fellows have been placed in member agencies over four rounds of the Program, contributing over 57,000 hours of service to member agencies.

Programmatic Changes

In February 2020, the Executive Committee, advised by the Technical Advisory Committee and Fellowship Ad Hoc Committee, enacted some changes to the Fellowship Program to sustain the longevity of the Program and enhance the host agency and Fellow experience. The changes to the Program included the following:

- Host Agencies will contribute 50% towards the cost of its Fellow
- Host agencies applying for a Fellow will provide a specific description of the anticipated tasks
- Fellows will have a limit of 30 work hours per week

- WRCOG will implement an Exit Interview for Fellows and host agency supervisors

Among these changes, the Executive Committee also required the continuation of WRCOG's practice to alternate Fellow placement in host agencies to ensure that each member can have the opportunity to receive a Fellow in alternating years.

Round V Status Update

In light of various challenges associated with the impacts of COVID-19, the fifth round of the Fellowship Program was postponed from its original start date of July 2020 to a start date of September 2020. This postponement was done in the best interest of WRCOG's host agencies and prospective Fellows. The updated schedule is currently as follows:

- July 31, 2020 – All Fellowship applications were due from interested participants and host agencies
- August 2020 – Fellowship candidates were interviewed, selected, and placed in host agencies
- September 2020 – Fellowship Program begins
- May 2021 – Fellowship Program concludes

WRCOG received a total of 60 Fellow applications and 17 host agency applications from the Cities of Banning, Canyon Lake, Corona, Jurupa Valley, Lake Elsinore, Menifee, Moreno Valley, Murrieta, San Jacinto and Temecula, in addition to the County of Riverside Districts 2 and 5, the Eastern Municipal Water District, Western Community Energy, and Western Municipal Water District.

Fellowship placement in host agencies is based on a member's needs and anticipated projects, and a Fellows interest and abilities. WRCOG strives to match Fellows and host agencies so that it is mutually beneficial. To accomplish this, staff coordinated three rounds of interviews and evaluated that there were potential Fellow matches at 14 host agencies. The remaining three host agencies that did not receive a prospective Fellow match had anticipated projects in areas that were not represented in the Fellow applicant pool.

Looking forward, staff will finalize onboarding at respective host agencies. As with prior years, WRCOG will continue to host monthly Professional Development Sessions to supplement and train the Fellows; however, due to circumstances related to COVID-19, the Sessions will be held virtually for the time being. Staff will also reconvene the Fellowship Ad Hoc Committee on a bimonthly basis. The next meeting will take place in October 2020. Currently, the Fellowship Ad Hoc Committee is comprised of representatives from the Cities of Banning, Canyon Lake, Lake Elsinore, and San Jacinto, and the Eastern Municipal Water District.

Prior Actions:

February 3, 2020: The Executive Committee, 1) require agencies applying for a WRCOG Fellow to contribute 50% towards the cost of that Fellow; 2) required agencies applying for a WRCOG Fellow to provide a specific description of the tasks the Fellow is expected to work; 3) limited future Fellows to working no more than 30 hours per week; 4) maintained the continuation of WRCOG's policy of alternating Fellow placement to give priority to ensure that each agency can receive a Fellow in alternating years; 5) directed staff to reach out to UCR, CBU, and Cal State San Bernardino to further inquire if financial contribution is feasible; and 6) implemented an Exit Interview for Fellows and host agency supervisors.

January 16, 2020: The Technical Advisory Committee recommended that the Executive Committee 1) require agencies applying for a WRCOG Fellow to contribute 50% towards the cost of that Fellow; 2) require agencies applying for a WRCOG Fellow to provide a specific description of the tasks the Fellow is expected to work when applying for that Fellow; 3) limit future Fellows to working no more than 30 hours per week; 4) maintain WRCOG's policy of alternating Fellow placement to give priority to ensure that each agency can receive a Fellow in alternating years; 5) direct staff to reach out to UCR, CBU, and Cal

State San Bernardino to further inquire if financial contribution is feasible; and 6) directed staff to implement an Exit Interview for Fellows and host agency supervisors.

January 8, 2020: The Administration & Finance Committee recommended that the Executive Committee 1) require agencies applying for a WRCOG Fellow to contribute 50% towards the cost of that Fellow; 2) require agencies applying for a WRCOG Fellow to provide a specific description of the tasks the Fellow is expected to work when applying for that Fellow; 3) limit future Fellows to working no more than 30 hours per week; 4) maintain WRCOG's policy of alternating Fellow placement to give priority to ensure that each agency can receive a Fellow in alternating years; 5) direct staff to reach out to UCR, CBU, and Cal State San Bernardino to further inquire if financial contribution is feasible; and 6) direct staff to implement an Exit Interview for Fellows and host agency supervisors.

September 19, 2019: The Technical Advisory Committee designated five-member agency representatives to sit on the Fellowship Ad Hoc Committee for the fifth round of the Program. Representatives are from the Cities of Banning, Canyon Lake, Lake Elsinore, and San Jacinto, as well as Eastern Municipal Water District.

Fiscal Impact:

Activities for the Fellowship Program are included in the Agency's adopted Fiscal Year 2020/2021 Budget under the Transportation and Planning Department.

Attachment:

None.

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Western Riverside Council of Governments

Administration & Finance Committee

Staff Report

Subject: WRCOG Policies and Procedures Related to Non-Discrimination and Contracting

Contact: Chris Gray, Director of Transportation & Planning, cgray@wrcog.us, (951) 405-6710
 Andrew Ruiz, Chief Financial Officer, aruiz@wrcog.us, (951) 405-6740

Date: September 9, 2020

The purpose of this item is to provide an update on WRCOG's Policies and Procedures related to social equity, specifically touching on non-discrimination and contracting. This discussion focusses particularly on methods WRCOG can use to promote local businesses and minority-owned businesses within the WRCOG subregion.

Requested Action:

1. Receive and file.

As a public-agency, WRCOG has a responsibility to comply with all legal requirements related to non-discrimination in terms of both employment and contracting policies. However, many agencies choose to go beyond the legal requirements to implement policies that promote social equity.

Legal Compliance

WRCOG has adopted personnel policies that specifically prohibit racial or other types of discrimination. WRCOG Equal Employment Opportunity policies prohibit WRCOG employees, including staff and supervisors, from discriminating against employees based on any statutory and/or constitutionally protected classes, including race, color, religion and gender. In addition, WRCOG has adopted policies that prohibit workplace harassment based on a variety of bases, including race, color, gender and religion. WRCOG also has policies that prohibit retaliation against those making such complaints as well as a dispute resolution process.

WRCOG's Consultant contracts specifically prohibit discrimination against employees and potential employees based on the following language:

Consultant represents that it is an equal opportunity employer and it shall not discriminate against any subcontractor, employee or applicant for employment because of race, religion, color, national origin, handicap, ancestry, sex or age. Such non-discrimination shall include, but not be limited to, all activities related to initial employment, upgrading, demotion, transfer, recruitment or recruitment advertising, layoff or termination. Consultant shall also comply with all relevant provisions of any WRCOG's Minority Business Enterprise program, Affirmative Action Plan or other related programs or guidelines currently in effect or hereinafter enacted.

Because of this language, WRCOG policies comply with applicable federal and state law.

What Other Actions Could WRCOG Take?

Under current law, WRCOG is permitted to implement policies that may *indirectly* benefit minority business enterprises (MBE) which bid or propose on WRCOG contracts. For example, Section 2002 of the Public Contract Code authorizes local agencies to adopt small business preferences in contracting for construction, the procurement of goods, or the delivery of services. Specifically, the Section allows local agencies to provide up to a seven percent preference for small businesses, provided the value of the preference does not exceed \$150,000. Additionally, local agencies may establish a subcontracting participation goal for small businesses on contracts and grant a similar preference to those bidders who meet the goal. Lastly, local agencies can require bidders to make good faith efforts to meet a subcontracting participation goal for small business contracts and provide evidence thereof. Any of these approaches are likely to positively influence the number of MBEs participating in or benefited by WRCOG contracts because many MBEs are small businesses.

A second option for WRCOG is to consider enacting a local business preference either alone or along with a small business preference. However, the authority for imposing such preference is less defined in state law than small business preferences, and WRCOG would need to draft a carefully tailored policy to implement such a requirement.

Many agencies attempt to increase MBE participating in contracting through robust outreach efforts to raise awareness among these types of businesses about contracting opportunities with WRCOG. WRCOG could host outreach events with small local businesses to help them become more familiar and more comfortable bidding or proposing on WRCOG contracts. With the contacts made at the outreach events, WRCOG could establish a vendor database or mailing list to ensure that small local businesses are aware of current and upcoming solicitations. WRCOG could also name a single point of contact (i.e., liaison) for small local businesses to contact with questions about procurements or complaints about its difficulty working under prime contractors on current WRCOG contracts.

Finally, Proposition 209 prohibits public agencies from implementing contract policies that *directly* provide MBEs preference in contracting policies. Proposition 209 was passed in 1996 and prohibits the state and local public agencies from considering race, sex, color, ethnicity, or national origin in the operation of public employment, public education, or public contracting. This prohibition includes any affirmative action program or policy that the state or local agency might wish to pursue in public employment, education or contracting. Proposition 209 states: “The state shall not discriminate against, or *grant preferential treatment to* (emphasis added), any individual or group on the basis of race, sex, color, ethnicity, or national origin in the operation of public employment, public education, or public contracting.” This language is generally interpreted to prohibit public agencies in California from enacting policies that gives preference to MBEs bidding or proposing on public contracts.

However, the state Senate recently voted to place Assembly Constitution Amendment No. 5 (“ACA 5”) on the November ballot to repeal Proposition 209. If successful, WRCOG could implement affirmative action policies in its public contracting, such as mandating MBE subcontracting goals. However, to do so will be more involved than simply updating a procurement policy or passing a resolution. Even if Proposition 209 is repealed, there are still federal and state constitutional and statutory limitations and procedures that would need to be followed before any race-based measures could be enacted; however, WRCOG would have much more flexibility to do so.

Prior Action:

None.

Fiscal Impact:

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

Attachment:

None.

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Western Riverside Council of Governments

Administration & Finance Committee

Staff Report

Subject: TUMF Program Revenue & Expenditure Update

Contact: Chris Gray, Director of Transportation & Planning, cgray@wrcog.us, (951) 405-6710

Date: September 9, 2020

The purpose of this item is to provide an update on TUMF Revenue since inception, Fiscal Year (FY) 2019/2020 revenues, TUMF project cost expenditures and committed funding, TUMF credit agreement allocations, and a summary of Measure A receipts.

Requested Action:

1. Receive and file.

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. Each of WRCOG's member jurisdictions and the March JPA participate 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, 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 and the Riverside Transit Agency.

TUMF Collections

The amount of revenue collected during the March - April 2020 time period has trended upwards. In May 2020, \$4.7 million was collected and \$5.7 million was collected in June. FY 2019/2020 fee collections totaled \$49.8 million. Before the COVID-19 pandemic emerged, revenues were projected at \$50 million for FY 2019/2020. Attachment 1 provides a summary of the most recent revenues by jurisdiction for FY 2019/2020.

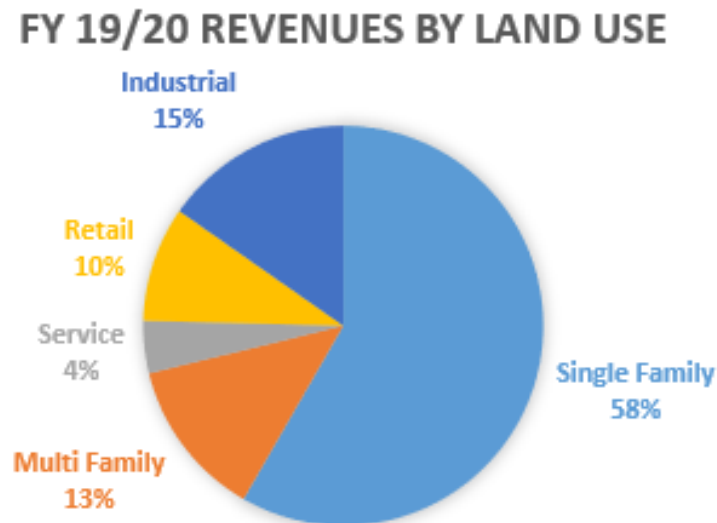
FY 2019/2020 Revenues by Zone

Revenues by Zone are shown in the table below. Approximately half of all revenue was collected in the Northwest Zone with the Central Zone and Southwest Zone each contributing 20% of the total revenue.

FY 2019/2020 Revenues by Zone	
Pass	\$2,349,573
Southwest	\$10,202,459
Central	\$11,336,669
Northwest	\$21,724,378
Hemet / San Jacinto	\$4,189,407
Total:	\$49,802,486

FY 2019/2020 Revenues by Land Use

Single-family residential continues to comprise the largest portion of TUMF revenue out of all the land use categories. For FY 2019/2020, industrial revenue made up 15%, multi-family residential at 13%, followed by retail at 10%, and service at 4%. Below is a graph that summarizes the information.



TUMF Revenue and Project Updates

The TUMF Program commenced and began to collect fees from new residential and non-residential projects in 2003. Since then, revenue from the Program has reached \$900 million. Revenue since inception by each jurisdiction and zone is included in Attachment 2. Details of the amount of TUMF funding spent on completed TUMF projects and the amount that is currently programmed for projects by each jurisdiction is included in Attachment 3. An individual summary of each project by jurisdiction will be provided to each member agency following this meeting.

Attachment 4 lists the total amount of TUMF credit received and committed for each city. Credit agreements are executed when a developer pays for improvements on a TUMF facility in lieu of the fee obligation. Attachment 5 indicates the amount of Measure A Local Streets and Road Program (LSR) funds each jurisdiction received in 2019. For cities in the WRCOG subregion, a jurisdiction must be a participant in the WRCOG TUMF Program to be eligible to receive Measure A LSR funds. Credit agreements amount to approximately \$181 million in TUMF Program improvements, in addition to the \$900 million in revenues.

Prior Action:

August 13, 2010: The Public Works Committee received and filed.

Fiscal Impact:

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

Attachments:

1. TUMF Program Revenues for FY 2019/2020.
2. TUMF Revenue Since Inception.
3. TUMF Committed and Spent Project Dollars Since Inception.
4. TUMF Credit Agreement Allocations.
5. Measure A Receipts by Jurisdiction.

Item 5.B

TUMF Program Revenue &
Expenditure Update

Attachment 1

TUMF Program Revenues for FY
2019/2020

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TUMF Program Revenue FY 2019/2020

Jurisdiction	2019 July	August	September	October	November	December	2020 January	February	March	April	May	June	Fiscal Year 19-20
Banning	\$18,292	\$0	\$0	\$0	\$9,146	\$0	\$0	\$0	\$0	\$0	\$0	\$9,146	\$36,584
Beaumont	\$118,898	\$219,504	\$407,170	\$0	\$182,920	\$54,876	\$8,878	\$108,540	\$64,022	\$0	\$0	\$283,526	\$1,448,335
Calimesa	\$0	\$273,809	\$0	\$0	\$0	\$9,146	\$9,146	\$389,594	\$67,133	\$6,075	\$18,292	\$9,146	\$782,341
Canyon Lake	\$27,438	\$18,292	\$9,146	\$0	\$0	\$9,146	\$0	\$0	\$0	\$0	\$0	\$9,478	\$73,500
Corona	\$337,370	\$156,640	\$83,190	\$0	\$38,129	\$79,742	\$73,168	\$92,010	\$0	\$97,814	\$137,899	\$0	\$1,095,962
Eastvale	\$245,360	\$0	\$153,350	\$73,168	\$251,494	\$104,278	\$85,876	\$381,003	\$79,742	\$0	\$308,512	\$110,880	\$1,793,663
Hemet	\$109,752	\$128,044	\$118,898	\$0	\$0	\$27,231	\$54,876	\$0	\$0	\$0	\$0	\$0	\$438,801
Jurupa Valley	\$1,015,950	\$220,164	\$259,176	\$329,256	\$287,189	\$183,580	\$0	\$246,942	\$220,164	\$213,920	\$649,366	\$109,752	\$3,735,458
Lake Elsinore	\$9,146	\$143,879	\$84,771	\$180,648	\$304,528	\$0	\$1,380,272	\$467,832	\$0	\$246,942	\$237,906	\$420,716	\$3,476,639
March JPA	\$0	\$678,386	\$1,106,945	\$0	\$664,431	\$0	\$0	\$103,842	\$0	\$0	\$730,495	\$6,562	\$3,290,662
Menifee	\$415,437	\$270,568	\$479,153	\$228,650	\$333,594	\$1,217,416	\$149,788	\$362,980	\$192,066	\$253,406	\$577,078	\$850,578	\$5,330,713
Moreno Valley	\$581,300	\$655,625	\$169,346	\$126,126	\$274,380	\$459,022	\$27,438	\$146,336	\$228,650	\$171,283	\$484,677	\$677,225	\$4,001,407
Murrieta	\$104,278	\$691,834	\$31,735	\$220,226	\$73,608	\$73,168	\$0	\$0	\$0	\$0	\$171,910	\$2,213	\$1,368,972
Norco	\$103,845	\$0	\$0	\$0	\$72,499	\$0	\$0	\$0	\$112,500	\$9,146	\$0	\$0	\$297,990
Perris	\$111,757	\$236,869	\$182,920	\$0	\$0	\$546,965	\$0	\$64,132	\$0	\$0	\$173,774	\$274,380	\$1,590,797
Riverside	\$626,829	\$62,438	\$122,985	\$194,336	\$9,146	\$1,676,729	\$549,494	\$0	\$117,260	\$186,891	\$278,709	\$600,868	\$4,425,684
San Jacinto	\$155,482	\$170,048	\$143,945	\$173,774	\$155,482	\$73,168	\$137,190	\$250,174	\$109,752	\$27,438	\$219,504	\$64,022	\$1,679,978
Temecula	\$0	\$0	\$981,440	\$45,950	\$91,900	\$104,278	\$233,092	\$9,146	\$4,549	\$0	\$0	\$9,146	\$1,479,501
Wildomar	\$89,727	\$27,438	\$18,292	\$18,292	\$18,292	\$147,773	\$0	\$45,730	\$0	\$45,730	\$172,408	\$109,752	\$693,434
County Central	\$9,146	\$0	\$36,584	\$210,358	\$18,292	\$0	\$27,438	\$47,912	\$18,292	\$9,146	\$36,584	\$0	\$413,752
County Hemet/S.J.	\$0	\$348,212	\$71,770	\$169,893	\$313,132	\$69,889	\$204,448	\$103,194	\$178,679	\$154,791	\$93,666	\$362,954	\$2,070,628
County Northwest	\$326,574	\$532,838	\$360,036	\$182,920	\$631,247	\$415,022	\$1,360,085	\$676,899	\$187,105	\$889,440	\$180,238	\$1,342,555	\$7,084,959
County Pass	\$0	\$9,146	\$0	\$18,292	\$18,292	\$0	\$18,292	\$18,292	\$0	\$0	\$0	\$0	\$82,314
County Southwest	\$263,995	\$172,508	\$289,850	\$223,476	\$124,361	\$113,045	\$150,095	\$246,653	\$386,797	\$340,521	\$314,805	\$484,308	\$3,110,412
Total	\$ 4,670,576	\$5,016,241	\$ 5,110,701	\$ 2,395,365	\$3,872,062	\$ 5,364,474	\$ 4,469,576	\$3,761,211	\$1,966,710	\$2,652,542	\$ 4,785,822	\$ 5,737,207	\$49,802,486

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TUMF Program Revenue &
Expenditure Update

Attachment 2

TUMF Revenue Since Inception

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Northwest Zone since Inception	
Agency	Total Thru Program History
County	\$ 131,529,296.70
Riverside	\$ 89,614,126.04
Corona	\$ 40,138,257.93
Norco	\$ 6,229,801.91
March JPA	\$ 14,863,377.38
Eastvale	\$ 26,146,388.58
Jurupa Valley	\$ 28,360,844.14
Total	\$ 336,882,092.68

Southwest Zone since Inception	
Agency	Total Thru Program History
County	\$ 138,033,390.39
Temecula	\$ 40,886,567.90
Murrieta	\$ 55,649,250.95
Lake Elsinore	\$ 32,331,513.11
Canyon Lake	\$ 1,061,285.00
Wildomar	\$ 8,729,217.43
Total	\$ 276,691,224.78

Central Zone since Inception	
Agency	Total Thru Program History
County	\$ 49,875,045.44
Moreno Valley	\$ 90,315,279.84
Perris	\$ 33,405,856.28
Menifee	\$ 34,186,529.67
Total	\$ 207,782,711.23

Pass Zone since Inception	
Agency	Total Thru Program History
County	\$ 4,226,392.50
Calimesa	\$ 2,721,756.58
Banning	\$ 5,196,820.45
Beaumont	\$ 9,158,477.82
Total	\$ 21,303,447.35

Hemet/San Jacinto Zone since Inception	
Agency	Total Thru Program History
County	\$ 13,646,581.18
Hemet	\$ 19,334,550.53
San Jacinto	\$ 34,245,258.00
Total	\$ 67,226,389.71

Total Revenue thru FY 19/20	\$ 909,885,865.75
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TUMF Program Revenue &
Expenditure Update

Attachment 3

TUMF Committed and Spent Project
Dollars Since Inception

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TUMF Expenditures and Programmed Funds since Inception			
Agency	Spent	Committed	Regional TUMF Funding
Banning	\$ 4,200,000	\$ 3,360,792	\$ 4,828
Beaumont	\$ -	\$ 6,500,000	\$ 4,868
Calimesa	\$ 1,600,000	\$ 7,250,000	\$ -
Canyon Lake	\$ 7,600,000	\$ -	\$ -
Corona	\$ 87,886,850	\$ 6,526,515	\$ 27,420,402
County	\$ 67,802,117	\$ 51,893,007	\$ 87,822,987
Eastvale	\$ 3,233,932	\$ 15,298,145	\$ 754,637
Hemet	\$ 7,316,594	\$ 3,883,390	\$ 19,722,269
Jurupa Valley	\$ 1,200,000	\$ 19,725,000	\$ 9,538,884
Lake Elsinore	\$ 14,820,913	\$ 14,909,999	\$ 7,877,219
March JPA	\$ 2,000,000	\$ 8,370,951	\$ -
Menifee	\$ 15,050,000	\$ 28,665,215	\$ 356,000
Moreno Valley	\$ 51,641,488	\$ 38,637,965	\$ 10,385,177
Murrieta	\$ 37,000,000	\$ 2,250,000	\$ -
Norco	\$ 4,800,000	\$ 1,254,000	\$ -
Perris	\$ 25,645,962	\$ 18,239,679	\$ 47,268,557
Riverside	\$ 83,939,000	\$ 20,902,000	\$ 18,389,876
San Jacinto	\$ 28,076,294	\$ 15,681,596	\$ 75,640,552
Temecula	\$ 11,400,000	\$ 30,011,060	\$ 36,786,148
Wildomar	\$ 9,325,000	\$ 23,937,517	\$ -

Note: Project funding may be applied to more than one city

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TUMF Program Revenue &
Expenditure Update

Attachment 4

TUMF Credit Agreement Allocations

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Credit Agreement Funding	
Agency	Spent/Committed
Banning	\$ 23,025,000
Beaumont	\$ 5,928,423
Calimesa	\$ 3,588,885
Canyon Lake	\$ -
Corona	\$ 49,185,000
County	\$ 28,143,639
Eastvale	\$ 15,502,528
Hemet	\$ -
Jurupa Valley	\$ 3,478,216
Lake Elsinore	\$ 1,274,845
Menifee	\$ 16,930,775
Moreno Valley	\$ 1,058,979
Murrieta	\$ 6,878,437
Norco	\$ 280,000
Perris	\$ 2,664,068
Riverside	\$ 3,332,421
San Jacinto	\$ -
Temecula	\$ 18,432,000
Wildomar	\$ 1,614,228
Total	\$ 181,317,443

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Item 5.B

TUMF Program Revenue & Expenditure Update

Attachment 5

Measure A Receipts by Jurisdiction

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Agency	Measure A 2019 Funding
Banning	\$ 651,000
Beaumont	\$ 1,038,267
Calimesa	\$ 188,686
Canyon Lake	\$ 204,962
Corona	\$ 4,658,115
County	\$ 8,718,468
Eastvale	\$ 1,491,268
Hemet	\$ 1,927,145
Jurupa Valley	\$ 2,306,472
Lake Elsinore	\$ 1,496,639
Menifee	\$ 1,918,407
Moreno Valley	\$ 4,720,198
Murrieta	\$ 2,675,678
Norco	\$ 740,527
Perris	\$ 2,079,994
Riverside	\$ 8,241,029
San Jacinto	\$ 962,807
Temecula	\$ 3,334,125
Wildomar	\$ 705,711
Total	\$ 48,059,498

* - Measure A totals for the County are for WRCOG and CVAG region for unincorporated areas

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Western Riverside Council of Governments Administration and 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 9, 2020

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

Requested Action:

1. Recommend that the Executive Committee Adopt Resolution Number 27-20; 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.

WRCOG's PACE Programs provide financing to property owners to implement energy saving, renewable energy, water conservation, and seismic strengthening improvements to their homes and businesses. Financing is paid back through a lien placed on the property tax bill. The Program was initiated in December 2011 and was expanded in 2014 to allow jurisdictions throughout the state to join WRCOG's Program and allow property owners in these jurisdictions to participate. WRCOG now offers HERO, CaliforniaFIRST, PACE Funding, and Ygrene as residential PACE providers and Greenworks, CleanFund, and Twain as commercial PACE providers.

PACE Delinquencies

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.

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 advances 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 Delinquencies: David Taussig & Associates (dta), the HERO Program Assessment Administrator, issues a preliminary report that details the delinquencies for the tax year (Attachment 1). For the 2019/2020 Tax Year, WRCOG enrolled 43,120 assessments on parcels totaling \$116,462,023.17. As of July 31, 2020, the preliminary total delinquency rate is 1.43%, or \$2,095,416.37. For context, at the same time last year, the delinquency rate for all WRCOG PACE assessments was 1.07%. The delinquency rate for all properties in Riverside County is significantly higher at 4.3%.

Deferral of judicial foreclosure for Tax Year 2019/2020 will assign WRCOG's collection rights to a third party for 822 delinquent parcels totaling \$2,019,046.08.

Deferral of Judicial Foreclosures in Future Years

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 three years, FNA California, LLC has purchased such delinquencies from WRCOG 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 of foreclosure since funds have been advanced to pay such delinquencies. Staff is requesting that the Executive Committee defer such foreclosures for delinquencies incurred during Tax Year 2019/2020 and each fiscal year in the future if a third party purchases the delinquencies.

On November 5, 2018, the Executive Committee approved deferral of judicial foreclosure on residential delinquencies and authorized the Executive Director to enter into a multi-year Purchase and Sale Agreement with First National Assets. First National Assets has offered to purchase the delinquencies from residential and commercial parcels of all PACE providers for Tax Year 2019/2020. Staff is seeking adoption of Resolution Number 27-20, the deferral of judicial foreclosures on residential delinquencies (Attachment 2).

Prior Action:

October 7, 2019: The Executive Committee, 1) deferred the judicial foreclosure proceedings on delinquent residential parcels of the 2018/2019 Tax Year and assigned WRCOG's collection rights to a third party for 630 delinquent parcels totaling \$1,790,780.64; 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.

Fiscal Impact:

At its August meeting, the Executive Committee authorized the sale of the delinquent assessments to First National Assets, which will add approximately \$46k in PACE revenues in Fiscal Year 2020/2021.

Attachments:

1. WRCOG Residential Delinquency Summary Report (FY 2019/2020).
2. Resolution Number 27-20; 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.

Item 5.C

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

Attachment 1

WRCOG Residential Delinquency
Summary Report (FY 2019/2020)

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Program	Fiscal Year	County	Total Levy	Delinquent Amount	Parcels Levied	Parcels Delinquent	DQ Rate on \$s	DQ Rate on #s
WRCOG Residential	2019-2020	Alameda	1,815,971.06	33,540.48	527	9	1.85%	1.71%
WRCOG Residential	2019-2020	Amador	88,101.98	-	33	-	0.00%	0.00%
WRCOG Residential	2019-2020	Butte	211,406.16	6,525.10	76	4	3.09%	5.26%
WRCOG Residential	2019-2020	Colusa	11,699.86	-	5	-	0.00%	0.00%
WRCOG Residential	2019-2020	Contra Costa	5,536,161.24	83,307.11	1,663	30	1.50%	1.80%
WRCOG Residential	2019-2020	Del Norte	2,732.12	-	2	-	0.00%	0.00%
WRCOG Residential	2019-2020	El Dorado	912,519.15	8,024.95	267	4	0.88%	1.50%
WRCOG Residential	2019-2020	Fresno	8,605,877.48	130,421.95	3,276	64	1.52%	1.95%
WRCOG Residential	2019-2020	Glenn	17,883.92	-	8	-	0.00%	0.00%
WRCOG Residential	2019-2020	Humboldt	19,105.74	-	6	-	0.00%	0.00%
WRCOG Residential	2019-2020	Imperial	1,218,908.38	35,150.43	613	19	2.88%	3.10%
WRCOG Residential	2019-2020	Kern	6,986,495.63	64,874.77	2,605	33	0.93%	1.27%
WRCOG Residential	2019-2020	Kings	911,429.70	10,148.65	390	7	1.11%	1.79%
WRCOG Residential	2019-2020	Los Angeles	3,976,982.45	45,098.16	1,147	20	1.13%	1.74%
WRCOG Residential	2019-2020	Madera	1,120,949.20	6,485.22	438	3	0.58%	0.68%
WRCOG Residential	2019-2020	Marin	491,605.28	10,457.92	111	1	2.13%	0.90%
WRCOG Residential	2019-2020	Mariposa	42,545.60	-	19	-	0.00%	0.00%
WRCOG Residential	2019-2020	Mendocino	12,719.12	-	5	-	0.00%	0.00%
WRCOG Residential	2019-2020	Merced	1,741,235.32	37,634.92	685	12	2.16%	1.75%
WRCOG Residential	2019-2020	Mono	21,347.96	-	8	-	0.00%	0.00%
WRCOG Residential	2019-2020	Monterey	467,362.74	2,527.74	135	1	0.54%	0.74%
WRCOG Residential	2019-2020	Napa	591,176.57	4,063.14	160	2	0.69%	1.25%
WRCOG Residential	2019-2020	Nevada	15,798.00	-	4	-	0.00%	0.00%
WRCOG Residential	2019-2020	Orange	13,283,082.01	205,038.01	3,646	52	1.54%	1.43%
WRCOG Residential	2019-2020	Riverside	39,503,615.50	661,272.37	13,815	257	1.67%	1.86%
WRCOG Residential	2019-2020	Sacramento	5,416,004.07	8,330.64	2,107	5	0.15%	0.24%
WRCOG Residential	2019-2020	San Diego	28,827,633.45	413,247.98	7,802	115	1.43%	1.47%
WRCOG Residential	2019-2020	San Francisco	316,515.18	9,667.23	67	3	3.05%	4.48%
WRCOG Residential	2019-2020	San Joaquin	6,410,211.68	112,936.26	2,348	48	1.76%	2.04%
WRCOG Residential	2019-2020	San Luis Obispo	114,387.50	1,460.65	32	1	1.28%	3.13%
WRCOG Residential	2019-2020	San Mateo	763,271.65	15,755.80	155	4	2.06%	2.58%
WRCOG Residential	2019-2020	Santa Barbara	6,381.18	-	2	-	0.00%	0.00%
WRCOG Residential	2019-2020	Santa Clara	2,309,504.52	16,370.04	631	6	0.71%	0.95%
WRCOG Residential	2019-2020	Santa Cruz	336,849.48	6,122.90	78	2	1.82%	2.56%
WRCOG Residential	2019-2020	Shasta	54,212.26	4,426.96	19	1	8.17%	5.26%
WRCOG Residential	2019-2020	Siskiyou	2,950.74	-	1	-	0.00%	0.00%
WRCOG Residential	2019-2020	Solano	3,093,855.50	22,801.75	986	7	0.74%	0.71%
WRCOG Residential	2019-2020	Sonoma	1,154,929.38	2,717.20	319	1	0.24%	0.31%
WRCOG Residential	2019-2020	Stanislaus	4,099,887.32	33,103.26	1,712	14	0.81%	0.82%
WRCOG Residential	2019-2020	Sutter	141,733.70	-	60	-	0.00%	0.00%
WRCOG Residential	2019-2020	Tehama	76,208.72	12,005.84	26	3	15.75%	11.54%
WRCOG Residential	2019-2020	Tulare	1,764,336.57	20,585.42	782	13	1.17%	1.66%
WRCOG Residential	2019-2020	Ventura	3,554,370.49	65,256.28	1,051	19	1.84%	1.81%
WRCOG Residential	2019-2020	Yolo	513,216.78	-	173	-	0.00%	0.00%
WRCOG Residential	2019-2020	Yuba	201,380.90	6,057.24	79	2	3.01%	2.53%
		Total	\$146,764,553.24	\$2,095,416.37	48,074	762	1.43%	1.59%

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Item 5.C

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

Attachment 2

Resolution Number 27-20; 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

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RESOLUTION NUMBER 27-20

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

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 “PACE Program”), which are collected on the secured property tax roll of the County of Riverside; and

WHEREAS, WRCOG has entered into a number of Master Indentures with The Bank of New York Mellon Trust Company, N.A., Wilmington Bank, National Association, and Deutsche Bank National Trust Company (each a “Master Indenture”) in connection with its PACE Program; and

WHEREAS, WRCOG has covenanted in certain provisions of each Master Indenture 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 (each such action, a “Foreclosure Proceeding”) 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; and

WHEREAS, WRCOG and FNA California, LLC, (“FNA”) entered into a certain Purchase and Sale Agreement dated August 3, 2020, (the “Agreement”) pursuant to which WRCOG sold to FNA certain rights to receive the collection of certain delinquent assessments for the tax years specified in the Agreement (“Delinquent Assessments”) and received from FNA funds in an amount equal to the Delinquent Assessments along with a premium; and

WHEREAS, since FNA has advanced the funds for the Delinquent Assessments, WRCOG is able to make payments to bond owners under each Indenture in a timely manner and as such staff has determined that it is in the best interests of WRCOG to waive the Foreclosure Proceeding requirements of the Master Indenture for the 2020-2021 Tax Year and for each fiscal year thereafter, provided a third party agrees to purchase 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 waives the Foreclosure Proceeding requirements of Section 5.3 of the Master Indenture for the

2020-2021 Tax Year and for each fiscal year thereafter, provided a third party agrees to purchase the Delinquent Assessments.

PASSED AND ADOPTED at a meeting of the Executive Committee of the Western Riverside Council of Governments held on September 14, 2020.

Kevin Bash, Chair
WRCOG Executive Committee

Rick Bishop, Secretary
WRCOG Executive Committee

Approved as to form:

Best Best & Krieger, LLP
Bond Counsel

AYES: _____

NAYS: _____

ABSENT: _____

ABSTAIN: _____