

**ATTENTION: PUBLIC SAFETY COMMITTEE MEMBERS WILL RECEIVE A UNIQUE PANELIST LINK BY EMAIL. PLEASE USE THIS LINK TO PARTICIPATE IN THIS MEETING.**



## **PUBLIC SAFETY COMMITTEE MEETING AGENDA**

**MONDAY, NOVEMBER 14, 2022  
9:00 a.m.**

*Pursuant to Assembly Bill 361 and the findings made by CVAG, this meeting will only be conducted via video/teleconferencing.*

### **INSTRUCTIONS FOR PUBLIC PARTICIPATION**

Members of the public may use the following link:

<https://us02web.zoom.us/j/84224284149?pwd=eTZyVXp1V2RmRDVzejFnWU51dFBYdz09>

**Password: 295978**

**One Tap Mobile: +16699009128,,84224284149#**

**Dial In: +1 669 900 9128**

**Webinar ID: 842 2428 4149**

**Password: 295978**

***This will provide listening access and ability to address the  
Public Safety Committee when called upon.***

**IF YOU ARE UNABLE TO CONNECT VIA DIAL IN OPTION, PLEASE CALL 760-346-1127.**

Public comment is encouraged to be emailed to the Public Safety Committee meeting prior to the meeting at [cvag@cvag.org](mailto:cvag@cvag.org) by 5:00 p.m. on the day prior to the committee meeting. Comments intended to be read aloud should be no more than 300 characters.

**THIS MEETING IS HANDICAPPED ACCESSIBLE.  
ACTION MAY RESULT ON ANY ITEMS ON THIS AGENDA.**

**UNLESS OTHERWISE STATED, ALL ACTION ITEMS WILL BE PRESENTED TO THE  
EXECUTIVE COMMITTEE FOR FINAL APPROVAL.**

1. **CALL TO ORDER** – Chair Waymond Fermon, Mayor, City of Indio

2. **ROLL CALL**

A. **Member Roster**

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3. **PLEDGE OF ALLEGIANCE**

4. **PUBLIC COMMENTS ON AGENDA ITEMS**

This is the time and place for members of the public to address the Public Safety Committee on agenda items. At the discretion of the Chair, comments may be taken at the time items are presented. Please limit comments to three (3) minutes.

5. **CHAIR /COMMITTEE MEMBER/CVAG STAFF COMMENTS**

6. **EX-OFFICIO UPDATES**

7. **CONSENT CALENDAR**

A. **Approve the September 12, 2022 Public Safety Committee Meeting Minutes**

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8. **DISCUSSION/ ACTION**

A. **Presentation: Community Education Efforts by the Coachella Valley Disaster Preparedness Network** – Board President Carla Sullivan-Dilley

P10

**Recommendation:** Information

B. **Public Safety Concerns Related to Mylar Balloons** – Erica Felci

P11

**Recommendation:** Provide direction on pursuing a model ordinance that limits the sale and/or possession of Mylar balloons in order to address power outages in the Coachella Valley

C. **Federal and State Legislative Advocacy in 2023** – Emmanuel Martinez

P16

**Recommendation:** Review the public safety section of the draft 2023 Federal and State Legislative Platform and provide feedback regarding priorities and positions outlined in the document

9. **INFORMATION**

- A. Attendance Record P31
- B. SB 535 and California Climate Investments - Tribal Designation P32
- C. Launch of Countywide “Faces of Fentanyl” Campaign P35

10. **PUBLIC COMMENTS ON NON-AGENDA ITEMS**

This is the time and place for members of the public to address the Public Safety Committee on items of general interest within the purview of this committee. Please limit comments to two (2) minutes.

11. **ANNOUNCEMENTS**

Upcoming Meetings:

The next meeting of the **Public Safety Committee** will be held on Monday, January 9, 2023, at 9:00 a.m. via Zoom webinar.

The next meeting of the **Executive Committee** will be held on Monday, December 5, 2022, at 4:30 p.m. via Zoom webinar.

12. **ADJOURNMENT**

**Item 2A**

Coachella Valley Association of Governments  
Public Safety Committee  
Member Roster  
2022-2023



Voting Members	
Agua Caliente Band of Cahuilla Indians	Councilmember John Preckwinkle III
City of Blythe	Councilmember Johnny Rodriguez
City of Cathedral City	Councilmember Raymond Gregory – <b>VICE CHAIR</b>
City of Coachella	Councilmember Megan Beaman-Jacinto
City of Desert Hot Springs	Councilmember Roger Nuñez
City of Indian Wells	Councilmember Greg Sanders
City of Indio	Mayor Waymond Fermon - <b>CHAIR</b>
City of La Quinta	Councilmember John Pena
City of Palm Desert	Councilmember Karina Quintanilla
City of Palm Springs	Mayor Pro Tem Grace Garner
City of Rancho Mirage	Councilmember Iris Smotrich
County of Riverside	Supervisor V. Manuel Perez
Ex-Officio Members	
Agua Caliente Band of Cahuilla Indians	Robert Bradbury, Emergency Services Manager
California Highway Patrol	Dennis Woodbury, Commander
Cathedral City Fire	Michael Contreras, Fire Chief
Cathedral City Police	George Crum, Chief of Police
Desert Hot Springs Police	Jim Henson, Chief of Police
District Attorney's Office	Michael Hestrin, District Attorney
Indio Police	Mike Washburn, Chief of Police
Palm Desert Sheriff Station	Dean Agnoletto, Captain
Palm Springs Fire	Vacant
Palm Springs Police	Andrew Mills, Chief of Police
Riverside County Fire Department	Robert Fish, Deputy Chief
Riverside County Probation Department	Ron Miller, Chief Probation Officer
Riverside County Sheriff's Department	Sheriff Chad Bianco
Thermal Sheriff Station	Michael Bianco, Captain
U.S. Border Patrol	David Kim

## ITEM 7A

### Public Safety Committee Meeting Minutes September 12, 2022



The audio file for this meeting can be found at: <http://www.cvag.org/audio.htm>

1. **CALL TO ORDER** - The meeting was called to order by Chair Waymond Fermon, City of Indio, at 9:01 a.m. via Zoom videoconference, pursuant to AB 361 and the guidelines for virtual meetings.
2. **ROLL CALL** - Roll call was taken and it was determined that a quorum was present.

#### **Members Present**

Aqua Caliente Band of  
Cahuilla Indians  
City of Cathedral City  
City of Indian Wells  
City of Indio  
City of La Quinta  
City of Palm Springs  
City of Rancho Mirage  
City of Palm Desert  
County of Riverside

Councilmember John Preckwinkle III  
Councilmember Raymond Gregory  
Councilmember Greg Sanders  
Mayor Waymond Fermon, *Chair*  
Councilmember John Peña  
Mayor Pro Tem Grace Garner  
Councilmember Iris Smotrich  
Councilmember Karina Quintanilla  
Supervisor V. Manuel Perez (*Arrived during Item 4*)

#### **Ex-Officio Members Present**

Agua Caliente Band of Cahuilla Indians  
California Highway Patrol  
Cathedral City Police  
Desert Hot Springs Police  
Palm Desert Sheriff's Substation  
City of Palm Springs Fire  
City of Palm Springs Police  
Riverside County Fire  
Riverside County Probation  
Riverside County Sheriff

Robert Bradbury, Emergency Services Manager  
Commander Dennis Woodbury  
Chief George Crum  
Chief Jim Henson  
Captain Dean Agnoletto  
Acting Fire Chief Jason Loya  
Chief Andrew Mills  
Deputy Chief Robert Fish  
Cristina Castro & Crystal Nieto  
Lt. David Wright & Lt. Shaun Myers

#### **Members & Ex-Officios Not Present**

City of Blythe  
City of Coachella  
City of Desert Hot Springs  
Cathedral City Fire  
District Attorney's Office  
City of Indio Police  
Thermal Sheriff Station  
U.S. Customs and Border Patrol

Councilmember Johnny Rodriguez  
Councilmember Megan Beaman-Jacinto, Vice Chair  
Councilmember Roger Nuñez  
Chief John Muhr  
Michael Hestrin  
Chief Mike Washburn  
Captain Michael Bianco  
Assistant Chief Patrol Agent David Kim

### **3. PLEDGE OF ALLEGIANCE**

#### **A. Moment of Silence**

Chair Fermon led the Public Safety Committee in the Pledge of Allegiance. He also led a moment of silence to acknowledge the 21<sup>st</sup> anniversary of the Sept. 11 terrorist attacks as well as anniversaries of the lives of Coachella Valley residents who gave the ultimate sacrifice:

- It has been one year since the August 26, 2021 evacuation in Afghanistan, where Marine Corporal Hunter Lopez was among 13 U.S. service members killed at an airport in Kabul.
- It will be six years this October since Palm Springs officers Jose Gilbert “Gil” Vega and Lesley Zerebny were killed responding to a domestic disturbance call.
- And 10 years ago, Cathedral City’s Suresh Krause, an Army Chief Warrant Officer, was killed in a Black Hawk helicopter crash in Afghanistan.

### **4. PUBLIC COMMENTS ON AGENDA ITEMS**

Brad Anderson, a local resident, requested that he provide input on Agenda Items 8B and 9B after the staff presentations. The Chair said he would receive public comments at that time.

### **5. CHAIR / COMMITTEE MEMBER/CVAG STAFF COMMENTS**

Councilmember Karina Quintanilla discussed a City-level program being researched to reimburse for security system investments, and efforts to improve safety by evaluating stop signs from pedestrians’ perspectives.

Councilmember John Peña highlighted ShotSpotter, a company that helps law enforcement monitor gun shots and helps investigate and deter crime.

Councilmember Peña and Chair Fermon noted the Coachella Valley’s engagement at the recent League of California Cities’ conference.

Supervisor V. Manuel Perez expressed appreciation to firefighters and emergency medical crews for their service, particularly during the recent wildfires and high wind events. He also expressed concern for those injured when a firefighting helicopter went down over the weekend in Banning.

Chair Fermon provided updates on the nearby wildfires. He also asked staff to follow up at an upcoming meeting with information on street racing and the related public safety concerns. He also noted the public safety impacts of overgrown tamarisk, and suggested a joint meeting be held with the Homelessness Committee to discuss overlapping concerns.

### **6. EX-OFFICIO COMMENTS**

The Chair introduced Palm Springs’ new Acting Fire Chief Jason Loya, who made introductory comments.

### **7. CONSENT CALENDAR**

#### **A. Approve the June 13, 2022 Public Safety Committee Meeting Minutes**

## **B. Approve the August 8, 2022 Public Safety Committee Special Meeting Minutes**

Prior to the vote, Councilmember Quintanilla stated the August minutes (Item 7B) did not fully reflect the direction provided at the special meeting. Assistant Executive Director Erica Felci noted they could be amended based on the Committee's direction.

**IT WAS MOVED BY COUNCILMEMBER QUINTANILLA AND SECONDED BY COUNCILMEMBER SANDERS TO APPROVE THE CONSENT CALENDAR WITH ADDITIONAL CLARITY AND DATA POINTS ADDED TO ITEM 7B TO REFLECT DIRECTION TO STAFF.**

**THE MOTION CARRIED WITH 8 AYES, 3 MEMBERS ABSENT AND ONE ABSTENTION.**

Councilmember John Preckwinkle	AYE
Councilmember Johnny Rodriquez	ABSENT
Councilmember Raymond Gregory	AYE
Councilmember Megan Beaman Jacinto	ABSENT
Councilmember Roger Nuñez	ABSENT
Councilmember Greg Sanders	AYE
Mayor Waymond Fermon	AYE
Councilmember John Peña	AYE
Councilmember Karina Quintanilla	AYE
Mayor Pro Tem Grace Garner	ABSTAIN
Councilmember Iris Smotrich	AYE
Supervisor V. Manuel Perez	AYE

## **8. DISCUSSION / ACTION**

### **A. Presentation: Research-based Community Policing in Palm Springs – Palm Springs Police Chief Andrew Mills**

Palm Springs Police Chief Andrew Mills provided the presentation and detailed the City's neighborhood-level strategies. Member discussion ensued. Several members praised the presentation and discussed regional impacts.

During the discussion, Supervisor Perez suggested additional information about gang injunctions be addressed on a future agenda and highlighted an upcoming forum the County was planning with Probation. Chair Fermon also stated that the Public Safety Committee, perhaps with the Homelessness Committee, look at the impacts of the Martin v. Boise court case.

No action was taken as this was an information item.

### **B. Public Safety Concerns Related to Mylar Balloons – Erica Felci**

Due to the time, Chair Fermon suggested this item be continued to the next meeting.

**IT WAS MOVED BY COUNCILMEMBER GREGORY AND SECONDED BY COUNCILMEMBER SMOTRICH TO CONTINUE ITEM 8B – PUBLIC SAFETY CONCERNS RELATED TO MYLAR BALLOONS TO THE NEXT MEETING.**

**THE MOTION CARRIED WITH 9 AYES AND 3 MEMBERS ABSENT**

Councilmember John Preckwinkle	AYE
Councilmember Johnny Rodriquez	ABSENT
Councilmember Raymond Gregory	AYE
Councilmember Megan Beaman Jacinto	ABSENT
Councilmember Roger Nuñez	ABSENT
Councilmember Greg Sanders	AYE
Mayor Waymond Fermon	AYE
Councilmember John Peña	AYE
Councilmember Karina Quintanilla	AYE
Mayor Pro Tem Grace Garner	AYE
Councilmember Iris Smotrich	AYE
Supervisor V. Manuel Perez	AYE

**C. Election of Public Safety Committee Officers – Erica Felci**

Ms. Felci opened up the floor for officer nominations. It was noted that Vice Chair Megan Beaman-Jacinto was not running for re-election to City Council.

A nomination was made by the Councilmember Quintanilla and seconded by Supervisor Perez to re-elect Chair Fermon as Chair

**IT WAS MOVED BY COUNCILMEMBER QUINTANILLA AND SECONDED BY SUPERVISOR PEREZ TO ELECT INDIO MAYOR WAYMOND FERMON AS CHAIR OF THE PUBLIC SAFETY COMMITTEE FOR FISCAL YEAR 2022/2023.**

**THE MOTION CARRIED WITH 9 AYES AND 3 MEMBERS ABSENT**

Councilmember John Preckwinkle	AYE
Councilmember Johnny Rodriquez	ABSENT
Councilmember Raymond Gregory	AYE
Councilmember Megan Beaman Jacinto	ABSENT
Councilmember Roger Nuñez	ABSENT
Councilmember Greg Sanders	AYE
Mayor Waymond Fermon	AYE
Councilmember John Peña	AYE
Councilmember Karina Quintanilla	AYE
Mayor Pro Tem Grace Garner	AYE
Councilmember Iris Smotrich	AYE
Supervisor V. Manuel Perez	AYE

Councilmember Raymond Gregory noted his willingness to serve as Vice Chair. No other nominations were made.



IT WAS MOVED BY COUNCILMEMBER GREGORY AND SECONDED BY SUPERVISOR PEREZ TO ELECT CATHEDRAL CITY COUNCILMEMBER RAYMOND GREGORY AS VICE CHAIR OF THE PUBLIC SAFETY COMMITTEE FOR FISCAL YEAR 2022/2023.

**THE MOTION CARRIED WITH 9 AYES AND 3 MEMBERS ABSENT**

Councilmember John Preckwinkle	AYE
Councilmember Johnny Rodriquez	ABSENT
Councilmember Raymond Gregory	AYE
Councilmember Megan Beaman Jacinto	ABSENT
Councilmember Roger Nuñez	ABSENT
Councilmember Greg Sanders	AYE
Mayor Waymond Fermon	AYE
Councilmember John Peña	AYE
Councilmember Karina Quintanilla	AYE
Mayor Pro Tem Grace Garner	AYE
Councilmember Iris Smotrich	AYE
Supervisor V. Manuel Perez	AYE

**9. INFORMATION** – The following items were provided for information only:

- A. Attendance Record**
- B. Feedback from Members on the Continued Use of Virtual Meetings**
- C. Additional Information on Coachella Valley's Response and Readiness to Active Shooter Situations**

**10. PUBLIC COMMENTS ON NON-AGENDA ITEMS**

None. Ms. Felci noted that Mr. Anderson had left the meeting prior to the agenda items he had mentioned earlier in the meeting.

**11. ANNOUNCEMENTS**

Upcoming Meetings:

The next meeting of the **Public Safety Committee** will be held on Monday, November 14, 2022, at 9:00 a.m. via Zoom webinar.

The next meeting of the **Executive Committee** will be held on Monday, September 26, 2022, at 4:30 p.m. via Zoom webinar.

**12. ADJOURN**

Chair Fermon acknowledged that National Night Out would be held on October 4<sup>th</sup>, with events in the City of Indio and other communities. He adjourned the meeting at 10:06 a.m.

Respectfully submitted,

*Erica Felci*, Assistant Executive Director

**ITEM 8A**

Coachella Valley Association of Governments  
Public Safety Committee  
November 14, 2022

**STAFF REPORT**

**Subject:** Presentation: Community Education Efforts by the Coachella Valley Disaster Preparedness Network

**Contact:** Erica Felci, Assistant Executive Director ([efelci@cvag.org](mailto:efelci@cvag.org))

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**Recommendation: Information**

**Background:** Given the geographic proximity to the San Andreas fault line, earthquake preparedness is of upmost importance for the Coachella Valley. The CVAG Public Safety Committee has, over the years, been at the forefront of conversations and regional efforts to make sure communities are aware of the tools and resources that alert Californians in advance of an earthquake, and provide time to take protective actions such as dropping, covering, and holding on. Those few seconds of warning can help the public, first responders, utilities, transportation, healthcare, and other key industrial and business sectors avoid injury and take action to save lives.

At its November meeting, the CVAG Public Safety Committee will receive an update on the Coachella Valley Disaster Preparedness Network (CVDPN). The organization, which formed as a non-profit about five years ago, provides educational forums, attends community events and works with businesses and homeowners' associations to provide emergency preparedness education and programs. The Public Safety Committee was provided a preview of the CVDPN's mission during its January 2019 meeting. A video overview of the organization is provided as an attachment, and Board President Carla Sullivan-Dilley will attend the November 2022 meeting to update members on the progress made and outline the CVDPN's next steps.

**Fiscal Analysis:** There is no cost to CVAG for this informational update.

**Attachment:** <https://cvag.org/downloads/comres/psc/cvdpn.mov>

**ITEM 8B**

**Coachella Valley Association of Governments  
Public Safety Committee  
November 14, 2022**



**STAFF REPORT**

**Subject:**       **Public Safety Concerns Related to Mylar Balloons**

**Contact:**       Erica Felci, Assistant Executive Director ([efelci@cvag.org](mailto:efelci@cvag.org))

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**Recommendation:** Provide direction on pursuing a model ordinance that limits the sale and/or possession of Mylar balloons in order to address power outages in the Coachella Valley

**Background:** At its June 2022 meeting, the Public Safety Committee was provided an update on the increasing public safety concerns as it relates to Mylar balloons and power outages. The issue, which has drawn attention from both Southern California Edison (SCE) and Imperial Irrigation District (IID), involves conversations around limiting the sale or possession of Mylar balloons. A written update was also provided at the September 2022 meeting, but the item was continued for discussion until the November meeting due to time constraints.

Mylar balloons are made with Mylar nylon, a non-biodegradable material, and are typically coated with a metallic finish that conducts electricity. These balloons are a common feature at celebratory events such as birthdays or graduations, and they stay inflated for two weeks or longer. When they are not sufficiently weighted and are released into the air, Mylar balloons have the potential to contact power lines, which can result in power outages and fires. In the first couple months of 2022 alone, IID reported five outages caused by these balloons, impacting 1,672 customers. IID notes that the outages also result in a loss of power to customer medical devices and equipment, can cause damage to IID's and customers' equipment, and cause fire risks.

Since 1990, California has prohibited the release of Mylar balloons into the air in an effort to help reduce power outages. Additional legislative efforts have sought to limit the manufacture or sale of celebratory foil balloons. In June 2022, based on the direction and recommendation of the Public Safety Committee, the CVAG Executive Committee issued support for Assembly Bill 847, authored by Assemblymember Bill Quirk (D-Hayward). AB 847 aims to impose additional regulations to govern the manufacture or sale of celebratory foil balloons, including requiring the manufacturer to permanently mark each balloon with a statement warning the consumer of either the dangers balloons can cause overhead powerlines or requirements for proper disposal. The bill also requires balloons to pass a standard by the Institute of Electrical and Electronics Engineers, which is testing balloons at electric distribution voltages without causing an electrical fault.

AB 847 passed out of the Legislature before the legislative session ended in August, and was signed by the Governor. However, the bill was amended since CVAG's committees endorsed it. Whereas the bill initially aimed to ban the sale of Mylar balloons in 2026 if they cannot pass the standards and requirements, the final version has a much longer phase-out that will start no sooner than January 2027 and could extend past 2031.

Given this, CVAG staff is seeking feedback on whether to pursue a model ordinance that would follow the lead of other California municipalities that have enacted bans to limit the use of Mylar balloons, including limits on the sale or prohibiting them in public parks. As noted in June 2022, IID staff has drafted a conceptual model ordinance that provides options for bans on limits and possession. Based on the committee's interest, staff would work with IID and SCE representatives to finalize the language and return with proposed language.

**Fiscal Analysis:** There is no cost to CVAG for this informational update. The development of a model ordinance can be covered under existing staff time, should the Public Safety Committee endorse a regional approach to addressing Mylar balloons.

**Attachment:** IID's conceptual model ordinance to limit the use of Mylar balloons

## **SUGGESTED DRAFT ORDINANCE**

**AN ORDINANCE OF THE BOARD OF SUPERVISORS OF THE COUNTY OF \_\_\_\_\_, CALIFORNIA  
AMENDING TITLE \_\_\_\_ OF THE COUNTY CODE, BY ADDING CHAPTER \_\_\_\_ TO  
PROHIBIT THE SALE OF MYLAR BALLOONS AND POSSESSION OF SUCH ON PUBLIC PROPERTY**

**WHEREAS**, metallic balloons, also known as Mylar Balloons, have been acknowledged by the State of California as a health and safety hazard when they come in contact with, or come close to, high voltage power lines; and

**WHEREAS**, the Imperial Irrigation District ("IID"), the electric utility serving Imperial County and parts of Riverside County, owns and operates high-voltage power lines; and

**WHEREAS**, it is common knowledge that electricity between two lines can arc when conductive material from Mylar Balloons become entangled or come in contact with or come close to such transmission lines, causing power outages, explosions, downed power lines, and damaged infrastructure; and

**WHEREAS**, IID Regulation Number 23 makes it unlawful for a person to cause interference with or pose a threat to the reliability of IID's transmission or distribution lines or create a safety hazard to the public by encroaching upon the District's rights-of-way; and

**WHEREAS**, Mylar Balloon related outages has caused the ratepayers and taxpayers to incur costly repairs and suffer many hours of potentially dangerous outages affecting residents; and

**WHEREAS**, California state law prohibits the release of Mylar Balloons into the air and requires an object of sufficient weight to be affixed to each balloon at the time of sale or distribution to counter the lift capacity of the balloon, as well as requiring permanent warning notices regarding the conductivity and danger of Mylar Balloons along with the manufacturer's name to be placed on said balloons (See California Penal Code Section 653.1 and California Business and Professions Code Section 22942); and

**WHEREAS**, while state law implements prohibitions and requirements to mitigate Mylar Balloons from coming into contact with power lines, it is the desire of this County Board of Supervisors to implement additional measures to minimize the existence of threats to the health and safety of residents of the County caused by Mylar Balloons.

**NOW THEREFORE, BE IT ORDAINED BY THE BOARD OF SUPERVISORS OF THE COUNTY OF \_\_\_\_:**

**SECTION 1.** The above Recitals are true and correct.

**SECTION 2.** Chapter \_\_\_\_ is hereby added to Title \_\_\_\_ of the Imperial County Code, to read as follows:

**CHAPTER \_\_\_\_**

**MYLAR BALLOONS**

Sections:

- \_\_\_\_\_ Purpose and Findings
- \_\_\_\_\_ Definitions
- \_\_\_\_\_ Mylar Balloons-Sale Prohibition
- \_\_\_\_\_ Mylar Balloons-Prohibition of Possession on County Property
- \_\_\_\_\_ Violation and Penalties
- \_\_\_\_\_ Severability
- \_\_\_\_\_ Effective Date

\_\_\_\_\_ **Purpose and Findings.** In enacting this Chapter, it is the purpose and intent of the Board of Supervisors to further the current state law prohibitions and local regulations relating to the sale and possession of Mylar Balloons and to protect the County's residents and local electric infrastructure from damages caused by Mylar Balloons coming into contact with or close to high voltage power lines.

\_\_\_\_\_ **Definitions.** The following definitions shall apply to the provisions of this Chapter;

"County" shall mean the County of \_\_\_\_\_.

"Mylar Balloon" shall mean metallic balloons made of electrically conductive materials filled with helium or a gas which is lighter than air.

"Sell" shall mean to transfer ownership, offer for sale, expose or display for sale, solicit offers to sell or trade for the exchange of money or valuables.

\_\_\_\_\_ **Mylar Balloons - Sale Prohibited.**

A. The sale of Mylar Balloons, with the exception of the provisions of Subsection C of this Section, whether or not inflated with helium or a gas lighter than air is prohibited.

B. It shall be unlawful for any person, firm, corporation or entity to sell or offer to sell any Mylar Balloon whether or not inflated with helium or a gas which is lighter than air.

C. Balloons made of electrically conductive materials that are affixed or mounted to a post or other decorative structure at the point of sale and are filled with air only are exempt from the provisions of this Chapter.

\_\_\_\_\_ **Mylar Balloons – Possession on County Property Prohibited.** It shall be unlawful to hold, possess, carry, or transport Mylar Balloons, as defined herein, while on property owned or administered by the County of Imperial. This Section shall not apply to hot air balloons or balloons used by governmental entities or for proven scientific or education sanctioned projects

\_\_\_\_\_ **Violation and Penalties.** Violations of the provisions of this Chapter shall be subject to civil penalties as set forth herein.

Civil Enforcement. The provisions of this Chapter may be enforced through the issuance of administrative citations and the imposition fines in an amount not to exceed FIVE HUNDRED DOLLARS (\$500) per violation.

\_\_\_\_\_ **Severability.** If any section, subsection, clause or phrase of this Ordinance is declared invalid or otherwise void by a court of competent jurisdiction, it shall not affect the remaining provisions thereof. In this regard, the Board of Supervisors finds and declares that it would have adopted this measure notwithstanding any partial validity thereof.

\_\_\_\_\_ **Effective Date.** This Ordinance shall take effect and shall be in full force THIRTY (30) Days from the date of its adoption.

Passed by the Board of Supervisors of the County of Imperial on the \_\_\_\_ day of \_\_\_\_, 2021.

\_\_\_\_\_  
Chairman of the Board

ATTEST:

\_\_\_\_\_  
County Clerk

## **ITEM 8C**

# **Coachella Valley Association of Governments Public Safety Committee November 14, 2022**



## **STAFF REPORT**

**Subject:** Federal and State Legislative Advocacy in 2023

**Contact:** Emmanuel Martinez, Senior Programs Manager ([emartinez@cvag.org](mailto:emartinez@cvag.org))

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**Recommendation:** Review the public safety section of the draft 2023 Federal and State Legislative Platform and provide feedback regarding priorities and positions outlined in the document

**Background:** In February 2022, CVAG's Executive Committee adopted its first Federal and State Legislative Platform to help guide CVAG's legislative advocacy work in Washington and Sacramento. As part of a legislative strategy, the legislative platform is integral to engaging and advocating on key issues as it provides direction on issue areas of importance to CVAG. Because this document outlines key positions on issue areas both at the state and federal level, staff and advocacy teams are able to monitor and track priority issues for CVAG and expedite engagement. As such, this allows staff and lobbyist to advance work on issues with adopted positions without having to wait for the next committee meeting to seek approval or guidance. This is an important benefit of adopting a legislative platform, as it allows CVAG to efficiently and effectively engage even when priority issues move rapidly through the legislative process.

The legislative platform is divided into various issues areas, including transportation, energy and environment, homeless and affordable housing and public safety. For the Public Safety Committee, staff is seeking comments and feedback pertaining to the public safety section. The platform will be presented to all of CVAG's committees so that each may provide input on the section pertinent to their jurisdiction. Ultimately, this process will help ensure the platform is comprehensive and well vetted before it is considered by the Executive Committee for adoption.

Although changes were made to the various sections of the platform, there were no substantive or technical changes made to the public safety section of the platform. However, staff did include updates to the transportation section related to advocacy in support of providing public agencies the flexibility to continue to hold public meetings electronically via Zoom Teleconferencing, which impacts the Public Safety committee. As a regional agency that requires participation from various local jurisdictions and the county, public meetings held electronically help to increase access and participation by its members.

CVAG staff and lobbyists have vetted the draft platform and anticipate the majority of issues in 2022 to carryover to 2023, especially during a biennial state legislative session. To ensure adequate coverage and informed engagement, CVAG's advocacy strategy will be to continue to coordinate with all of CVAG's member jurisdictions, Riverside County Transportation Commission, Southern California Association of Governments and the County of Riverside. To ensure the platform reflects priorities of the committee, staff seeks comments and feedback



regarding the public safety section. After review by all committees, staff will present the platform to the Executive Committee for final consideration for adoption.

**Fiscal Analysis:** There are no additional costs to CVAG for updating the 2023 Federal and State Legislative Platform. Advocacy efforts are covered under existing contracts with the Ferguson Group in Washington and the Politico Group in Sacramento, California

**Attachment:** Draft 2023 Federal and State Legislative Platform

# COACHELLA VALLEY ASSOCIATION OF GOVERNMENTS

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## 2023 Federal and State Legislative Platform

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Adopted:



# Coachella Valley Association of Governments

**The Coachella Valley Association of Governments (CVAG)** is a council of governments in the Coachella Valley and eastern Riverside County that funds and delivers transportation projects, operates regional programs and coordinates government services in order to improve and address issues of regional significance. CVAG's activities include, but are not limited to, improving the regional transportation system, providing services to the chronically homeless and promoting the use of green energy and sustainability. CVAG's membership includes 10 cities, the County of Riverside and four Indian tribes. As an organization committed to addressing issues of common interest and concern of its member agencies, CVAG strives to implement regional programs and policies that advance a better quality of life and balanced growth for residents, businesses and tourists of Central and Eastern Riverside County.

The legislative platform will guide the tracking and analysis of priority legislative, budget, regulatory, and administrative issues at the federal and state levels. It will assist in providing staff and lobbyists guidance on policy-related matters that may impact the operation and implementation of the various programs and services offered by CVAG. This document will facilitate the development of a federal and state strategy and focused action plan to address the needs and priorities of CVAG and its member jurisdictions.

**Agua Caliente Band of Cahuilla  
Indians**

**City of Blythe**

**Cabazon Band of Mission Indians**

**City of Cathedral City**

**City of Coachella**

**City of Desert Hot Springs**

**City of Indian Wells**

**City of Indio**

**City of La Quinta**

**City of Palm Desert**

**City of Palm Springs**

**City of Rancho Mirage**

**County of Riverside**

**Torres Martinez Desert Cahuilla  
Indians**

**Twenty-Nine Palms Band of  
Mission Indians**

**CVAG**

**73-710 Fred Waring Drive  
Suite 200**

**Palm Desert, CA 92260**

**Tel: 760-346-1127**

**[www.cvag.org](http://www.cvag.org)**



# Key Categories



## TRANSPORTATION

Reliable, sustainable and safe multimodal transportation infrastructure is a top priority for the Coachella Valley Association of Governments as it strives to support the transportation needs of current and future residents and visitors.



## ENERGY

Supporting and securing funding for clean energy and energy efficiency initiatives that reduce our carbon footprint, improve air quality, and increase climate resiliency for our member agencies and our residents.



## ENVIRONMENTAL

Conservation of the Coachella Valley's natural resources and maintaining and growing our rich and abundant wildlife is a focus of CVAG and our members.



## BROADBAND

Deployment of middle-mile infrastructure that can facilitate a high-speed last-mile broadband network for beneficial use among CVAG's residents, businesses, and members is key to the success and vitality of CVAG and the communities it serves.



## HOMELESS AND AFFORDABLE HOUSING

Addressing the dual challenges of homelessness and development of affordable housing through regional solutions is critical to ensuring a high quality of life in the Coachella Valley.



## PUBLIC SAFETY

Maintaining a safe and secure community, free of crime, while ensuring clean and engaging public spaces, is essential to maintaining vibrant and growing business and residential communities.

# FEDERAL

## Transportation

### *Bridges, Regional Arterials and Improved Access*

- Support regional efforts for the Coachella Valley-San Geronio Pass Rail Corridor Service (CV Rail), including funding opportunities to advance the preferred alternative, to support alternate transportation modes and better connect desert communities and attractions with Los Angeles, Orange County and the Inland Empire.
- Support actions by the Riverside County Transportation Commission, the Federal Railroad Administration and the California Department of Transportation that advance CV Rail.
- Support advocacy efforts by the Facilitate Equitable Deals Task Force to improve coordination and collaboration with Union Pacific Railroad (FED-UP).
- Support outside funding for CVAG's priority projects as outlined in the Transportation Project Prioritization Study (TPPS), including interchanges along the Interstate 10 corridor and State Highway Route 86, in order to reduce the burden on regional and local funds.
- Support legislative and regulatory efforts that increase funding for the expansion and improvement of regional arterial projects that improve public safety, encourage economic development, ease traffic congestion, and reduce air quality and environmental impacts.
- Support efforts by Riverside County Transportation Commission, San Diego Association of Governments and the San Bernardino Association of Governments, to reduce congestion and increase mobility to and from the CVAG region, including increased funding for bypass roads, bridges and transportation improvements in the pass area.
- Support Congressionally directed spending requests for transportation projects in the Coachella Valley and in eastern Riverside County.
- Support increased funding for Tribal nations in the Coachella Valley for implementation of regional transportation projects.
- Support efforts that expand public transportation opportunities in the City of Blythe, including increased transit.
- Support National Environmental Policy Act (NEPA) reform to expedite and streamline environmental review and project delivery for transportation projects.
- Support efforts that dedicate funding for goods movements projects, including grade separation projects, in eastern Riverside County.
- Oppose efforts that decrease local control and decision-making regarding local revenue sources, including, but not limited to, Measure A sales tax revenue and the Transportation Uniform Mitigation Fee (TUMF).
- Oppose efforts that would divert revenue derived from transportation sources to non-transportation related projects or activities.
- Oppose efforts to eliminate or decrease use of state and local transportation funds for capacity enhancement projects and monitor one-size-fits-all approaches regarding their use.

- Monitor implementation of programs in the federal Infrastructure Investment and Jobs Act (2021 Infrastructure Bill) and the Inflation Reduction Act of 2022 (IRA 2022), such as the Bridge Investment Program, and support funding for existing programs such as the Highway Bridge Program and the Transportation Infrastructure Financing Innovation Act (TIFIA) Program.
- Monitor regulatory and legislative changes to the Federal Highway Administration's Congestion Mitigation and Air Quality (CMAQ) Improvement Program and oppose efforts that impose additional requirements on, or decrease funding for, CVAG or its member agencies.
- Monitor efforts that would make changes to the Clean Air Act and associated transportation programs to meet nonattainment or maintenance requirements.
- Monitor potential replacement mechanisms for the federal gasoline excise tax.

#### *Active Transportation*

- Support policies and programs that provide funds for regional projects identified in CVAG's Active Transportation Plan.
- Advocate for increased federal funding to the state's Active Transportation Program, including opportunities to augment the program through the Reconnecting Communities and the Neighborhood Access and Equity grant programs.
- Monitor legislative and regulatory activity related to new mobility devices, such as scooters and automated vehicles, to ensure adequate safety compatibility with active transportation systems.

#### *Intelligent Transportation Systems*

- Identify and pursue funding opportunities that support, expand or leverage intelligent transportation systems, including CVAG's synchronization (CV Sync) traffic signal program.
- Monitor legislative and regulatory changes to funding sources for intelligent transportation systems, including the Congestion Mitigation and Air Quality program, and oppose efforts to decrease funding for non-attainment areas.

#### **Energy and Environment**

- Support legislation and programs that invest in projects that achieve environmental benefits, including improved air and water quality, water and energy conservation, and urban greening and heat mitigation initiatives in the region.
- Support programs that fund implementation of the Coachella Valley Multiple Species Habitat Conservation Plan and that support habitat restoration in the Coachella Valley.
- Support Salton Sea Authority efforts related to Salton Sea projects and legislation that provides funding for the restoration and revitalization of the Salton Sea, including the Phase One: 10 Year Plan.
- Support legislation that facilitates environmentally sensitive renewable energy development at the Salton Sea Known Geothermal Resource Area, including lithium extraction.

- Support legislation that provides funding for electric vehicle infrastructure and incentives for early adoption of electric vehicles.
- Monitor federal legislative, regulatory, and administrative activities that may impact the Coachella Valley Multiple Species Habitat Conservation Plan and the Desert Renewable Energy Conservation Plan.
- Monitor legislative and regulatory actions that may impact Property Assessed Clean Energy programs.
- Identify programs and support legislation that provides funding for clean energy, energy efficiency, decarbonization and green building programs.
- Monitor and support funding opportunities for wildlife crossing structures to increase habitat connectivity and decrease wildlife-vehicle collisions in areas where populations are fragmented by highways and interstates.
- Support policies and funding that expand access for rooftop solar to households of all incomes. Monitor issues related to Net Energy Metering and initiatives that impact availability and affordability of rooftop solar.

### **Broadband**

- Support and advocate for funding for open access middle-mile infrastructure to facilitate last-mile connections and leverage existing networks and construction projects to build networks, when possible.
- Support efforts and funding that prioritize connectivity to unserved and underserved communities and community anchor institutions.
- Support and identify programs that support middle-mile and last-mile broadband infrastructure and that leverage dig-once opportunities such as CVAG's CV Sync project.
- Monitor actions by the Federal Communications Commission related to broadband and implementation of the broadband investments as authorized in the 2021 infrastructure Bill.

### **Homeless and Affordable Housing**

- Identify and advocate for opportunities for CVAG's member agencies to secure funding that assists in building affordable housing and increasing housing opportunities for low-, moderate-, and workforce housing.
- Monitor and support programs and funding for CVAG's CV Housing First program and regional solutions to addressing homelessness.

### **Public Safety**

- Identify, monitor and support legislation that provides funding for operations, maintenance, and updates to early earthquake warning systems.
- Identify funding opportunities for member jurisdictions to mitigate and reduce the incidents of green waste fires.

- Monitor legislation and administrative actions related to race, diversity and inclusion policies as it pertains to law enforcement.
- Monitor and support funding opportunities that will assist in the reduction of the spread of COVID-19 and other public health and safety concerns, to assist public entities in their response.



# STATE

## Fighting for Fairness and Funding

- Support legislative efforts that improve funding opportunities for the Coachella Valley in the state's Cap-and-Trade program and oppose policies that disproportionately disadvantage the CVAG region to compete for funding.
- Support policies that allow for a diverse set of social equity metric measuring tools to qualify and compete for Cap-and-Trade funded programs including, but not limited to, household income and the AB 1550 low-income definition and oppose efforts that would limit use to, or increase reliance on, the CalEnviroScreen in grant programs.
- Support legislative efforts, regulation and guidance that allows for virtual public meetings to continue for regional agencies, such as AB 361, to facilitate access to meetings and allow for increased efficiencies and effectiveness in conducting public meetings while also reducing vehicle miles traveled.
- Support legislative and regulatory changes to the Transformative Climate Communities program to allow eligible and qualifying planning grant recipients to also be eligible and qualify to apply for implementation grants.
- Support policy changes to funding programs that use the CalEnviroScreen tool that would broaden eligible competitive areas and that better reflect the diversity in the Coachella Valley.
- Oppose legislative and regulatory actions that utilize CalEnviroScreen and high-housing density criteria, which favor large urban centers, to determine allocation of state grant funds and would decrease funding competitiveness for areas such as the Coachella Valley.
- Oppose program guidelines that use transit-oriented development standards, such as the Affordable Housing and Sustainable Communities program, that disproportionately favor large urban centers and do not reflect the reality of growth and development in the Coachella Valley, therefore decreasing funding opportunities for the CVAG region.
- Advocate for policy changes that allow for regional variances related to transit quality, transit frequency and density related to housing-oriented development, to allow the CVAG region better compete for funding in the state's Cap-and-Trade program.

## Transportation

### *Bridges, Regional Arterials and Improved Access*

- Support regional efforts to increase passenger rail service between Los Angeles and the Coachella Valley, including funding opportunities and actions by the Facilitate Equitable Deals task force to improve coordination and collaboration with Union Pacific Railroad (FED-UP).
- Support legislation that increases funding opportunities for bridges, interchanges and regional arterials in the Coachella Valley.
- Support efforts by the California Department of Transportation, Riverside County Transportation Commission, San Diego Association of Governments and the San Bernardino Association of Governments, to implement congestion projects identified in the Inland Empire Multimodal Corridor

Plan that increase mobility to and from the CVAG region, including increased funding for bypass roads, bridges and transportation improvements in the pass area.

- Support California Environmental Quality Act (CEQA) reform to expedite and streamline project delivery for transportation projects.
- Support and advocate for actions that increase transportation resources in the City of Blythe and local Tribal Nations, to address historic underinvestment and improve mobility, economic development opportunities and quality of life.
- Monitor the state's road charge pilot program and other potential replacement mechanisms for the state gasoline excise tax.
- Monitor legislative changes to Senate Bill 1 (Statutes 2017); oppose efforts to divert funding to non-transportation related uses, such as housing, or otherwise qualifying eligibility of SB 1 funds on non-transportation related goals and objectives.
- Monitor implementation of the California Action Plan for Transportation Infrastructure (CAPTI) and opposed policies that decrease funding opportunities for the Coachella Valley.
- Oppose legislative changes that create or strengthen a nexus between the availability of transportation funding and local jurisdictions' ability to meet their requirements under the Regional Housing Needs Assessment (RHNA) numbers.
- Oppose legislative or regulatory policies that decrease local decision-making authority regarding use of local funds for priority transportation projects.
- Monitor legislation that would increase voter approval thresholds for the creation, extension, or increase of local transportation tax measures and support regional efforts by RCTC to clarify their authorities and establish diversified and flexible funding sources such as those created in other counties via AB 1413 that allow sub-regional funding mechanisms to advance local priority projects.

### *Active Transportation*

- Support increased funding for the Active Transportation Program (ATP) to address the backlog of applications and increase the program's funding capacity.
- Support increased investment in active transportation infrastructure as a component of other state-funded transportation programs that increase access and opportunities for walking, biking, and complete streets that connect the multimodal transportation system.
- Support policies and programs that promote increased use of active transportation infrastructure and systems.
- Support efforts that streamline project delivery, build local capacity such as additional technical assistance, and provide increased flexibility to innovate and strategically invest funds to meet local needs.
- Oppose legislative, regulatory, and administrative efforts to score ATP applications on non-transportation related criteria, such as housing-related policies, CalEnviroScreen and policies which would hinder low density areas like the Coachella Valley and the City of Blythe.
- Oppose changes to the ATP that would decrease CVAG's competitiveness, such as the elimination of leveraged funding and other categories that are advantageous to CVAG and its members jurisdictions.

### *Intelligent Transportation Systems*

- Support programs that leverage technology to improve mobility, increase goods movement efficiency, reduce emissions and help to mitigate environmental impacts.
- Identify state programs and funding that supplement CVAG's CV Sync project.
- Monitor legislation that incorporates innovative technologies into the state transportation system, such as zero or near-zero emission vehicles, autonomous vehicles, and small electric mobility devices that improve transportation accessibility, efficiency and reduce environmental impacts.

### **Energy and Environment**

- Support legislative and regulatory efforts to increase the flexibility of funding programs from the California Air Resources Board's Cap-and-Trade Program to ensure the Coachella and Palo Verde Valleys get their fair share, including taking into account regional variances related to growth, housing, and greenhouse gas (GHG) reduction strategies.
- Support increased investments of the state GHG reduction funds toward transportation projects to reduce transportation related GHG emissions.
- Support investments in Cap-and-Trade funded programs, such as the Clean Vehicle Rebate Program, Single-Family Energy Efficiency, and Low-income Weatherization programs.
- Advocate for changes in the CalEnviroscreen mapping tool that reflect the socio-economic realities of the diverse communities in the Coachella Valley and Palo Verde Valleys, or the use of alternative tools such as household income per the AB 1550 designation.
- Support policies that ensure criteria for defining disadvantaged communities and environmental justice areas accurately represent eastern Riverside County, including those that mirror AB 1550 community mapping, in order to ensure the region can compete for funding opportunities.
- Support policies, programs, and funding for electric vehicle charging infrastructure and increased use of electric vehicles in the region.
- Support efforts that provide necessary resources for implementation of the Coachella Valley Multiple Species Habitat Conservation Plan as well as resources for desert communities to prepare and adapt to changing climate and natural disasters, such as the Climate Resiliency programs.
- Support funding for programs that support local planning and response measures to extreme heat events, including nature-based solutions, to protect critical infrastructure, habitat and public health and safety.
- Support legislation that provides funding for the restoration and revitalization of the Salton Sea to limit regional impacts to air quality, wildlife habitat, and health of communities, including the Phase One: 10 Year Plan.
- Support efforts at the Salton Sea that facilitate economic development, such as lithium extraction.

- Monitor actions related to the 1934 Agreement of Compromise between Imperial Irrigation District and the Coachella Valley Water District and support Coachella Valley Energy Commission efforts to achieve a permanent service option and governance structure between Coachella Valley stakeholders and IID post-2033.
- Identify programs and support legislation that provides funding for clean energy, energy efficiency, decarbonization, and green building programs.
- Monitor legislative and regulatory efforts related to vehicle electrification and building decarbonization that would add new requirements to local governments, including Title 24 building standards.
- Monitor implementation of the state's climate resiliency efforts and efforts related to environmental justice communities and AB 617 (Statutes of 2017) emission reduction funding programs.
- Support policies and funding that expand access for rooftop solar to households of all incomes. Monitor issues related to Net Energy Metering and initiatives that impact availability and affordability of rooftop solar.

### **Broadband**

- Support funding and implementation of the Coachella Valley's middle-mile broadband project and the programs to assist with last-mile connections that bridge the digital divide in the Coachella Valley.
- Monitor legislative and regulatory actions related to SB 156 (Statutes of 2021) and related actions by the California Department of Technology and the Office of Broadband and Digital Literacy.
- Monitor the California Middle-Mile Advisory Committee and its recommendations regarding implementation of middle-mile infrastructure.
- Monitor the California Public Utilities Commissions proceedings related to broadband infrastructure implementation, such as Rulemaking (R.) 20-09-001 and Rulemaking proceeding, R.20-08-021.

### **Homelessness and Affordable Housing**

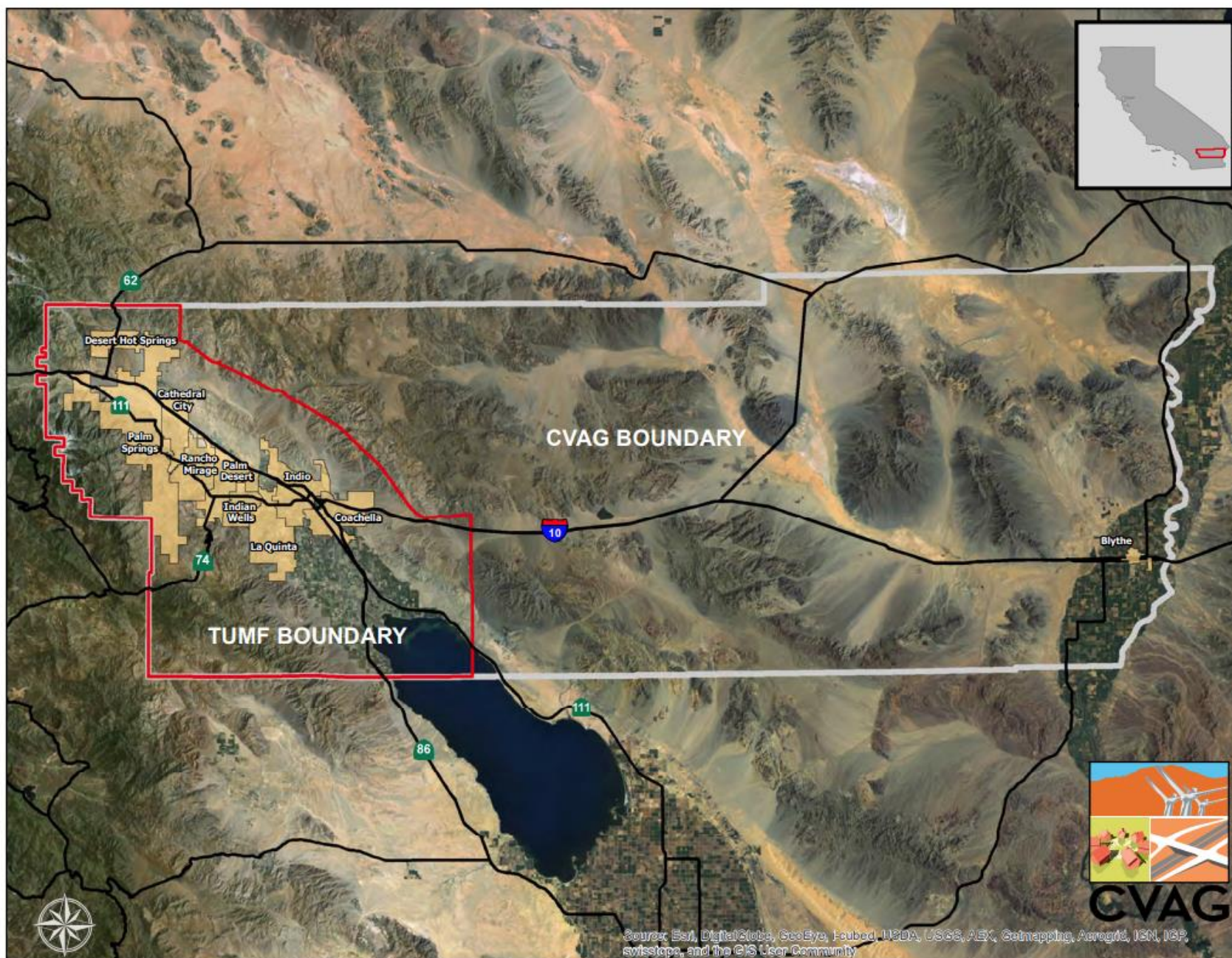
- Support increased investment in, and creation of, programs that assist local governments, counties and regional collaborations to address the challenges associated with homelessness.
- Support legislative efforts that allow for sustainable financing options, as outlined in CVAG's Regional Early Action Plan (REAP) and member jurisdictions' Local Early Action Plans (LEAP), in order to address housing shortages and provide affordable housing options.
- Support efforts by Lift to Rise to establish the Coachella Valley Housing Catalyst Fund to increase housing production in the Coachella Valley and create homeownership opportunities for low- and very low-income families, permanent supportive housing for the homeless and address unpermitted mobilehome park issues.
- Support CEQA reform to streamline the delivery of housing projects.
- Monitor the Affordable Housing and Sustainable Communities Program and advocate for increased flexibility and changes that ensure a greater share of funding is available to areas that don't have Transit Oriented Developments (TOD) and thereby more accurately account for unique community characteristics and growth patterns in the Coachella Valley.

- Support the extension of state-funded solutions, including Project RoomKey and Project HomeKey, with an emphasis on ensuring those investments are used in the Coachella Valley.
- Support legislative efforts that would allow local jurisdictions to implement, if they choose, programs and ordinances that require unsheltered individuals to accept housing solutions and treatment solutions.
- Support efforts to establish homeless courts that can help local jurisdictions provide additional solutions and services for homeless individuals.
- Support legislative efforts that would allow local jurisdictions to implement, if they choose, programs and ordinances that increase the available housing units and/or require unsheltered individuals to accept housing solutions and treatment solutions so long as there are adequate housing units available.

### **Public Safety**

- Support programs and policies that provide funding for the CVAG region to obtain, enhance, operate, maintain and update early earthquake warning systems.
- Monitor legislation and executive orders related to the COVID-19 pandemic and other public health and safety emergencies and support programs that provide assistance to negatively impacted communities in the Coachella Valley.
- Monitor legislation impacting race, diversity, and inclusion policies as it pertains to local law enforcement.






**Item 9A**

COACHELLA VALLEY ASSOCIATION OF GOVERNMENTS  
PUBLIC SAFETY COMMITTEE  
ATTENDANCE RECORD  
FY2022-2023

Voting Members	JUL	AUG	SEP	OCT	NOV	DEC	JAN	FEB	MAR	APR	MAY	JUN	ATTENDED		
Aqua Caliente		●	●										2	out of	2
City of Blythe		○	○										0	out of	2
City of Cathedral City		●	●										2	out of	2
City of Coachella		○	○										0	out of	2
City of Desert Hot Springs		●	○										1	out of	2
City of Indian Wells		●	●										2	out of	2
City of Indio		●	●										2	out of	2
City of La Quinta		●	●										2	out of	2
City of Palm Desert		●	●										2	out of	2
City of Palm Springs		○	●										1	out of	2
City of Rancho Mirage		●	●										2	out of	2
Riverside County		●	●										2	out of	2
Total Attendance Per Meeting		9	9												

Ex Officio / Non-Voting Members	JUL	AUG	SEP	OCT	NOV	DEC	JAN	FEB	MAR	APR	MAY	JUN	ATTENDED		
Agua Caliente		●	●										2	out of	2
California Highway Patrol		●	●										2	out of	2
Cathedral City Fire		●	○										1	out of	2
Cathedral City Police		●	●										2	out of	2
County Probation Department		●	●										2	out of	2
Desert Hot Springs Police		○	●										1	out of	2
District Attorney's Office		○	○										0	out of	2
Indio Police		●	○										1	out of	2
Palm Desert Sheriff Station		●	●										2	out of	2
Palm Springs Fire		●	●										2	out of	2
Palm Springs Police		●	●										2	out of	2
Riverside County Fire		○	●										1	out of	2
Riverside County Sheriff		●	●										2	out of	2
Thermal Sheriff Station		○	○										0	out of	2
U.S. Border Patrol		○	○										0	out of	2
Total Attendance Per Meeting		10	10												

No Meeting   
 Vacant \*

Present ●

Absent ○

## **ITEM 9B**

**Coachella Valley Association of Governments  
Public Safety Committee  
November 14, 2022**



### **STAFF REPORT**

**Subject:** SB 535 and California Climate Investments - Tribal Designation

**Contact:** Emmanuel Martinez, Senior Programs Manager ([emartinez@cvag.org](mailto:emartinez@cvag.org))

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#### **Recommendation: Information**

**Background:** The State of California has increasingly relied on mapping tools such as CalEnviroScreen to make determinations on what qualifies as a “disadvantaged community,” which in turn has an impact on how competitive projects are for various funding types. California’s climate investments funded through proceeds from the state’s Cap-and-Trade program are required to provide benefit to disadvantaged communities (most commonly called DACs) throughout the state. The climate investments are authorized by Assembly Bill 32, the California Global Warming Solutions Act of 2006, and Senate Bill 535 and Assembly Bill 1550 are among the ways that help identify and direct funding to DACs. However, it has been CVAG’s position that these maps don’t always reflect the socioeconomic diversity of the region. Since April 2015, the CVAG Executive Committee has authorized its chairman and the CVAG Executive Director to seek administrative or legislative changes in programs that make projects in the Coachella Valley more competitive, particularly as it pertains to the Affordable Housing and Sustainable Communities (AHSC) program.

The California Environmental Protection Agency has recently provided an update to one of those qualifications – SB 535 disadvantaged communities – and the result is that the disadvantaged communities criteria now includes lands under the control of federally recognized tribes. CVAG staff is monitoring the impact of this change, but anticipates it has the positive impact of increasing funding opportunities for Tribal Nations from the State’s climate investments portfolio. Given the number of local tribes and the land under their control in the Coachella Valley, the region should be in a better position to compete for climate investment dollars.

Specifically, SB 535 (statutes of 2012) requires that 25 percent of the cap-and-trade dollars go to projects that provide benefits to DACs, and that a minimum of 10 percent of said funds go to projects directly within DACs. It also states that DACs shall be identified based on geographic, socioeconomic, public health, and environmental hazard criteria. In 2016, AB 1550 increased the percentage of funds that must go to projects within DACs to 25 percent. Additionally, this bill required that an additional 5 percent of fund must go to projects in low-income communities anywhere in the state and that an additional 5 percent go to low-income communities withing half-mile of a DAC as designated by the California Environmental Protection Agency.

SB 535 does not define DACs but rather tells CalEPA how to identify them. To help identify DACs based on the criteria set forth in SB 535, the CalEPA and the Office of Environmental Health Hazard Assessment use the CalEnviroScreen tool. The CalEnviroScreen is a mapping tool that analyzes data on environmental, public health and socioeconomic conditions and helps to identify communities



disproportionately impacted by said criteria, which is in line with SB 535 DAC designation requirements. The CalEnviroScreen uses environmental, health, and socioeconomic information to produce scores for every census tract in the state. However, as it relates to the Coachella Valley, utilizing the CalEnviroScreen tool to determine climate investments has proven unfavorable largely because the majority of census tracts in the Coachella Valley do not fall within the top 25% highest scoring census tracts in the state most affected by various sources of pollution. Only eight census tracts in the CVAG region – located generally in the eastern Coachella Valley and Blythe – qualify in this top 25 percent. The result is that every other census tract either loses points or can't even qualify for large funding opportunities, making them. For that reason, programs that use the AB 1550 low-income designation have generally been more favorable to the Coachella Valley than those that solely rely on the SB 535 designation. CVAG has strongly advocated for increased use of AB 1550 and will continue to do so given the increased funding opportunities it provides.

During late 2021, the CalEPA, the Office of Environmental Health Hazard and Assessment and the California Air Resources Board held a couple of virtual workshops to receive input regarding SB 535 and CalEnviroScreen 4.0. The purpose of the workshops was to ensure the agencies gathered input to update the SB 535 designation to ensure communities that meet the criteria are captured in any new designation.

After workshops were conducted and public input was received, CalEPA released its SB 535 DAC designation update, which went into effect July 1, 2022. Communities qualifying as a DAC include the 25 percent highest scoring census tracts per CalEnviroScreen, including those from the CalEnviroScreen 3.0 version; areas with high amounts of pollution and low-population; and federally recognized tribes, which is the first time in the CalEnviroScreen and SB 535 updates that tribes are included as part of the DAC designation. The CalEPA has reported that data gaps related to Tribal nations has made it difficult to assess pollution burden and population characteristics in the CalEnviroScreen. As a result, Tribal nations have been effectively excluded from Cap-and-Trade related funding despite high levels of poverty, health and environmental burdens. Therefore, because Tribal lands have data gaps and face geographic, socioeconomic, public health and environmental hazards, CalEPA has determined that these factors warrant their DAC designation.

In addition, in order to fully capture all lands under the control of a federally recognized Tribe, CalEPA has established a process by which lands not reflected in the American Indian Areas Related National Geodatabase but under their control can be included in the DAC designation. A Tribe may establish that a particular area of land is under its control by submitting evidence that would provide a reasonable basis for CalEPA to make the determination. A Tribe interested in this process should contact the CalEPA Deputy Secretary for Environmental Justice, Tribal Affairs and Border Relations.

The California Air Resources Board is responsible for providing guidance to agencies administering California Climate Investment programs. Ultimately, the goal of the Climate Investment Programs is to reduce greenhouse gas emissions at least 40 percent below 1990 levels by 2030. The adopted FY 22-23 State Budget approved \$1.069 billion from the Greenhouse Gas Reduction Fund, which funds California's Climate Investment Programs. With the new adopted designation, Tribal nations are eligible to apply to 25 programs funded by cap-and-trade dollars (see full list here: <https://www.caclimateinvestments.ca.gov/funding-for-tribal-governments>). For example, some of the programs that may be of interest include the Affordable Housing and Sustainable Communities (AHSC), Technical Assistance, Training and Workforce Development, Transformative Climate Communities, and the Community Air Grants program to name a few. There are also other programs that are not funded by Cap-and-Trade dollars but that use the SB 535 designation, such as the Clean California Program that is administered by Caltrans and the Wildlife Corridor and Fish Passage Program, administered by the Wildlife Conservation Board.

CVAG staff and state lobbying team will monitor future efforts to modify the SB 535 designation and track funding programs that use SB 535 for determining eligibility. Also, it is important to note that although this new SB 535 designation is a positive change for the Tribes, this change does not help improve the competitiveness for the majority of Coachella Valley jurisdictions. As aforementioned, currently, only parts of the cities of Indio and Coachella are designated as a DAC under SB 535. To help improve the ability for the Coachella Valley as whole to compete for state dollars, the AB 1550 low-income designation is more favorable as that designation is income-based and, as a result, covers additional eligible areas of the Coachella Valley in comparison to SB 535.

**Fiscal Analysis:** There are no additional costs to CVAG for this report.

**ITEM 9C**

Coachella Valley Association of Governments  
Public Safety Committee  
November 14, 2022

**STAFF REPORT**

**Subject:** Launch of Countywide “Faces of Fentanyl” Campaign

**Contact:** Erica Felci, Assistant Executive Director ([efelci@cvag.org](mailto:efelci@cvag.org))

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**Recommendation: Information**

**Background:** In October 2022, Riverside County officials from across various departments, including law enforcement and public health, came together to launch a “Faces of Fentanyl” informational campaign. The goal is to raise public awareness of the drug and underscore how fentanyl deaths affect all races, ethnicities and socioeconomic groups.

Riverside County’s news release is attached. The report is attached. The Public Safety Committee was previously briefed on the emerging fentanyl epidemic when Riverside County District Attorney Michael Hestrin attended its May 2022 meeting. Fentanyl is a synthetic, manmade opiate that can easily be produced in a lab or on the streets. Fentanyl is less expensive than other opiates and is highly addictive. Fentanyl is 50 times stronger than heroin and 100 times stronger than morphine. Officials have noted that deadly amounts of fentanyl are also being used in manufacturing and packaging of other drugs, with these counterfeit pills being misrepresented as Xanax and/or Oxycodone. Previous public education efforts have included an initiative led by the District Attorney’s Office to highlight the dangers of fentanyl through public service announcements, social media and school presentations in the Inland Empire.

**Fiscal Analysis:** There is no cost to CVAG for this informational update.

**Attachment:** News release to launch “Faces of Fentanyl” campaign, October 28, 2022



## **Faces of Fentanyl Campaign Launches, County leaders come together to fight Fentanyl on multiple fronts**

**October 28, 2022**

### NEWS RELEASE

Riverside County resident Ernie Gutierrez lost his life to fentanyl on Aug. 24, 2021. Gutierrez struggled with mental illness, and prior to his death had just started his recovery journey.

“Growing up, Ernie loved sports and played different musical instruments throughout his school years,” shared his mother, Christina Rodriguez. “He graduated from Temecula Valley High School in 2012. He couldn’t wait to join the Marine corps to continue his family tradition of serving his country.”

Rodriguez publicly shared her son’s story, including his struggle with mental illness and finding renewed hope with a joint team of deputies and therapists from the Riverside County Sheriff’s Department and Riverside University Health System-Behavioral Health, respectively. Tragically, Gutierrez’s recovery was cut short when one illicit pill laced with fentanyl took his life.

“We need to talk to our kids of all ages about the dangers and lethality fentanyl is causing,” continued Rodriguez. “We are in a crisis situation. We all, as a community, need to be part of the solution.”

The County of Riverside this month launched a public awareness campaign, known as *Faces of Fentanyl*, to inform the community about the deadly drug and underscore how fentanyl deaths affect all races, ethnicities and socioeconomic groups.

“This is a very dangerous drug,” said Second District Supervisor Karen Spiegel. “Our goal is to bring all the different disciplines together to share information, data, and resources, with the mission to prevent poisonings.”



During a recent *Faces of Fentanyl* launch event, county leaders shared facts and information on the alarming rise of fentanyl deaths in Riverside County, which increased from 28 deaths in 2017 to 406 deaths in 2021. This year, fentanyl deaths are expected to top last year's highest number.

"Fentanyl has killed hundreds of people and yet many in the community know little about the drug until it impacts their families," said Dr. Geoffrey Leung, Riverside County Public Health Officer.

At the launch event, Sheriff Chad Bianco put into perspective how much fentanyl is found in the community. "Our agency alone seized more than 3.7 million fentanyl pills and nearly 400 pounds of fentanyl powder since January 1," said Bianco. "That amount of fentanyl is enough to kill nearly 94 million people or enough to kill the entire population of California twice."

In addition, District Attorney Hestrin expressed the need for a strong stance on those who deal and supply the drug to Riverside County residents. "Our office is dedicated to taking a tough stance on prosecuting fentanyl drug dealers," said Hestrin. "We must prosecute these cases because it just might save someone's life and bring justice to a family who has seen a family member lose theirs."

Led by Supervisor Spiegel and Third District Supervisor Chuck Washington, a multi-disciplinary ad-hoc committee meets regularly to combine resources to address this epidemic. The committee brings together the Executive Office, Riverside University Health (RUHS)-Behavioral Health, RUHS-Public Health, RUHS-Medical Center, Department of Public Social Services, District Attorney, Emergency Management Department, Probation Department and Sheriff's Department.

One example of department collaboration was shared during the launch event by both Ernie Gutierrez's mother, Christina Rodriguez, as well as Supervisor Washington.

"Pairing skilled behavioral health therapists with law enforcement is a crucial part of our field response," said Washington. "Often times, deputies are the first to encounter someone who is in a mental health emergency or who is overdosing. Having a behavioral health therapist with law enforcement provides immediate therapeutic



to many people on some of the worst days of their lives. This service helps people get into treatment.”

The *Faces of Fentanyl* campaign is centered around the statement “You are not the exception. Don’t be another Face of Fentanyl.” The slogan will appear in public service announcements, animated graphics, static posts, and billboards in both English and Spanish. The advertisements can be seen across Riverside County and social media channels through January 2023. Earlier this year, the Board of Supervisors approved \$300,000 for the advertising placements. All creative assets were made by county employees, and a local marketing agency was hired to place the advertisements.

Residents who want to learn more about fentanyl can visit the campaign website at [www.FacesofFentanyl.net](http://www.FacesofFentanyl.net), which provides information on the drug, treatment resources and overdose data for Riverside County.

*Cutline: County leaders and members of the media gather in front of the County Administrative Center for the Faces of Fentanyl Awareness Campaign launch.*





Cutline: *Top row from left: Chris Rosselli (DPSS), DA Mike Hestrin, Jeff Van Wagenen. Bottom row from left: Sheriff Bianco and Supervisor Spiegel.*



Cutline: *Christina Rodriguez, mother of Ernie Gutierrez, speaks about her son who lost his life to fentanyl poisoning.*







Cutline: *From left: Dr.Geoffrey Leung, Michelle DeArmond, Tim Kirkconnell, Dr.Matthew Chang, Jen Cruikshank, Jeff Van Wagenen.*





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