

EXECUTIVE COMMITTEE  
MINUTES OF MEETING  
APRIL 29, 2013

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



**1. CALL TO ORDER**

The April 29, 2013 Executive Committee meeting was called to order at 4:30 p.m. by Chairman Joseph DeConinck, City of Blythe, at CVAG Conference Room in Palm Desert.

**2. ROLL CALL**

A roll call was taken and it was determined that a quorum was present. Those in attendance were as follows:

**MEMBERS PRESENT**

Councilmember Joseph DeConinck  
Mayor Kathleen De Rosa  
Mayor Eduardo Garcia  
Mayor Yvonne Parks  
Mayor Mary Roche  
Mayor Elaine Holmes  
Mayor Pro Tem Kristy Franklin  
Mayor Jan Harnik  
Mayor Stephen Pougnet  
Councilmember Scott Hines  
Supervisor Jeff Stone  
Supervisor John J. Benoit

**AGENCY**

City of Blythe  
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 3<sup>rd</sup> District  
County of Riverside 4<sup>th</sup> District

**MEMBERS NOT PRESENT**

Supervisor Marion Ashley  
Tribal Chair Jeff Grubbe  
Tribal Chairman David Roosevelt

**AGENCY**

County of Riverside 5<sup>th</sup> District  
Agua Caliente Band of Cahuilla Indians  
Cabazon Band of Mission Indians

**NON-VOTING MEMBERS PRESENT**

Councilmember Greg Pettis  
Councilmember Lupe Ramos Watson  
Councilmember Terry Henderson  
David Lane  
Andy Hall  
David Garcia  
Rick Daniels  
Warren Morelion  
Dan Martinez  
John Wohlmuth  
David Ready  
Randy Bynder  
Alex Gann

**AGENCY**

City of Cathedral City  
City of Indio  
City of La Quinta  
City of Blythe  
City of Cathedral City  
City of Coachella  
City of Desert Hot Springs  
City of Indian Wells  
City of Indio  
City of Palm Desert  
City of Palm Springs  
City of Rancho Mirage  
County of Riverside

**OTHERS PRESENT**

Patrick Adamson

Wesley Ahlgren

Greg Cervantes

Michael Collins

Paul Mc Creesh

Nena Mc Cullough

Crystal Crawford

Benjamin Druyon

Kim Floyd

Alexandra Galardi

Gretchen Gutierrez

K Kaufmann

Mike Lemyre

Barrett Newkirk

Mikel Oglesby

Deborah Mc Garry

Robert Manning

Ron Philips

Brian Rix

Kay Toliver

Robert Yates

Josh Zipberman

**AGENCY**

MI Windows

CVEP

56<sup>th</sup> Assembly District

Desert Contractors Association

Green Guys Construction

Southern CA Edison

Ygrene Energy Fund

Consultant

Sierra Club

Sun City Palm Desert

DVBA

The Desert Sun

Ygrene Energy Fund

The Desert Sun

SunLine Transit Agency

Southern CA Gas

Southwest Rail

Desert Contractors Association

Burke Rix Communication

CHJ Consultants

RCTC

Burke Rix Communication

**STAFF PRESENT**

Tom Kirk

Allyn Waggle

Gary Leong

Aurora Wilson

Katie Barrows

Jim Sullivan

Michael Shoberg

Aaron Espinosa

Joanna Stueckle

Toni Eggebraaten

CVAG Legal Counsel

**3. PLEDGE OF ALLEGIANCE**

Supervisor Benoit led the Executive Committee in the Pledge of Allegiance.

**4. PUBLIC COMMENTS**

None.

**5. EXECUTIVE COMMITTEE/DIRECTOR COMMENTS**

Tom Kirk reintroduced Toni Eggebraaten, CVAG Legal Counsel, to the members. Mr. Kirk announced that CVAG recently received an award from the Inland Empire APA for planning of the CV Link project. CVAG also received a SCAG Compass award for planning the CV Link project and the Green for Life project.

**6. CONSENT CALENDAR**

**IT WAS MOVED BY MAYOR DE ROSA AND SECONDED BY SUPERVISOR BENOIT TO:**

- A. APPROVE THE FEBRUARY 25, 2013 EXECUTIVE COMMITTEE MINUTES**
- B. APPROVE HOLDING THE 2013 CVAG GENERAL ASSEMBLY MEETING AT THE CLASSIC CLUB, NORTH OF PALM DESERT, AND THAT THE PRICE BE SET AT \$50.00 PER PERSON**
- C. APPROVE LETTERS OF SUPPORT AS RECOMMENDED BY THE PUBLIC SAFETY COMMITTEE FOR THE FOLLOWING PUBLIC SAFETY RELATED LEGISLATION: SB 199 (DE LEON) PROBATION: COMMUNITY CORRECTIONS; AB 810 (MURATSUCHI) LAW ENFORCEMENT: DATA SHARING; AB 20 (WALDRON) OBSCENE MATTER – MINORS; AND AB 810 (MURATSUCHI) LAW ENFORCEMENT: DATA SHARING**
- D. APPROVE RESOLUTION NO. 13-001 IN SUPPORT OF ASSEMBLY BILL 225 (NESTANDE AND MEDINA)**
- E. SUPPORT ASSEMBLY BILL 1097 (NESTANDE)**
- F. SUPPORT ASSEMBLY BILL 71 (PEREZ)**
- G. SUPPORT ASSEMBLY BILL 1257 (BOCANEGRA) AND AUTHORIZE THE CHAIR TO SIGN SUPPORT LETTER**
- G1. AUTHORIZE THE PUBLIC SAFETY COMMITTEE, AT ITS MAY 13<sup>TH</sup> MEETING, TO IDENTIFY MAJOR LOCAL PRIORITIES RELATED TO REALIGNMENT ISSUES SURROUNDING AB 109; WHICH MAY BE USED FOR POTENTIAL LEGISLATION BY ASSEMBLYMAN PEREZ AND/OR OTHER LOCAL OR STATE LEGISLATORS**
- G2. SUPPORT ASSEMBLY BILL 709 (NESTANDE) CONDITIONAL ON SUPPORT FROM THE SALTON SEA AUTHORITY.**

**THE MOTION CARRIED WITH MAYOR POUINET ABSTAINING FROM ITEM 6A.**

**H. Receive and File**

- 1) Status of I-10 Interchange Projects
- 2) CVAG Regional Arterial Program – Project Status Report
- 3) CVAG Regional Arterial Program – Contract Status Report
- 4) Parkway 1e11 Update
- 5) Executive Committee and Technical Advisory Committee Attendance Roster
- 6) Comment Letter on California State Rail Plan

- 7) CVAG Approved Future Reimbursements
- 8) Consider Potential, Interim Use of CVAG Property as Energy Park
- 9) Green 4 Life Update
- 10) CVAG Investment Report

**THESE ITEMS WERE RECEIVED AND FILE.**

**7. DISCUSSION / ACTION**

**A. Initiate Development, Administration and Financing of a Regional Property Assessed Clean Energy Program - Katie Barrows**

Staff gave a report on the item. Mr. Kirk sought public comment so that if there were any questions, either Ms. Barrows or Mr. Kirk could address them.

Ron Phillips, Executive Director of the Desert Contractors Association, spoke in support of creation of a PACE District in the Coachella Valley and entering into the agreement with Ygrene.

Michael Collins, Desert Contractors Association, spoke in support of Ygrene and encouraging community consciousness.

Gretchen Gutierrez, CEO of Desert Valley Building Association, spoke in favor of Ygrene partnering with CVAG on the PACE program.

Wesley Ahlgren, CEO of Coachella Valley Economic Partnership, spoke in favor of the PACE program.

Patrick Adamson, M.I. Windows and Doors, spoke in support of the Ygrene program.

Paul McCreesh, Green Guys Construction, spoke in favor of the PACE program and Ygrene implementing the program, indicating that he has been in favor of green programs for years.

Nate Otto, Hot Purple Energy, spoke in favor of Ygrene and the PACE program.

Mike Lemyre, Ygrene Energy Fund, responded to questions raised by members.

**IT WAS MOVED BY MAYOR GARCIA AND SECONDED BY COUNCILMEMBER HINES TO APPROVE THE DEVELOPMENT OF REGIONAL PROPERTY ASSESSED CLEAN ENERGY PROGRAM AND:**

- 1) APPROVE CIRCULATION OF A PROPOSED DRAFT IMPLEMENTATION AGREEMENT, SUBJECT TO FURTHER REVISION BY GENERAL COUNSEL, TO ALL MEMBER JURISDICTIONS THAT, UPON ADOPTION, WOULD AUTHORIZE CVAG TO IMPLEMENT A REGIONAL PACE PROGRAM AND ESTABLISH A COMMUNITY FACILITIES DISTRICT;**

- 2) AUTHORIZE THE EXECUTIVE DIRECTOR TO NEGOTIATE AN AGREEMENT WITH YGREENE ENERGY FUND FOR DEVELOPMENT, ADMINISTRATION AND FINANCING OF A REGIONAL PROPERTY ASSESSED CLEAN ENERGY PROGRAM, OBTAIN FINAL REVIEW BY CVAG GENERAL COUNSEL AND BRING BACK THE AGREEMENT FOR FINAL APPROVAL BY THE EXECUTIVE COMMITTEE;
- 3) APPROVE THE ATTACHED JOINT REPRESENTATION AGREEMENT BETWEEN CVAG AND YGREENE ENERGY FUND;
- 4) APPROVE THE ATTACHED COST RECOVERY AGREEMENT BETWEEN CVAG AND YGREENE ENERGY FUND; AND
- 5) AUTHORIZE STAFF TO PREPARE ALL DOCUMENTS REQUIRED TO FORM A CLEAN ENERGY FINANCE DISTRICT UNDER SB 555 AND NECESSARY TO LAUNCH A REGIONAL COACHELLA VALLEY PACE PROGRAM, AND BRING THESE DOCUMENTS BACK FOR FINAL APPROVAL BY THE EXECUTIVE COMMITTEE.
- 6) REQUEST STAFF PROVIDE MONTHLY OR BI-MONTHLY UPDATES TO THE ENERGY AND ENVIRONMENTAL RESOURCES COMMITTEE AND EXECUTIVE COMMITTEE.

THE MOTION CARRIED WITH SUPERVISOR STONE VOTING NAY.

B. Consider RCTC Proposition 1b Funds for Seed Funding a Coachella Valley Rail Fund and the set-aside of 10% of Coachella Valley Transit Development Act Funds for a Future Passenger Rail Program – Allyn Waggle

IT WAS MOVED BY MAYOR HARNIK AND SECONDED BY MAYOR POUNGET TO:

- 1) DEVELOP AN MOU WITH RCTC TO ESTABLISH AN INITIAL COACHELLA VALLEY RAIL FUND TO BE ADMINISTERED BY RCTC PURSUANT TO POLICY DIRECTION FROM CVAG'S TRANSPORTATION COMMITTEE AND EXECUTIVE COMMITTEE;
- 2) WORK WITH RCTC TO ESTABLISH THE COACHELLA VALLEY RAIL FUND THAT WOULD UTILIZE \$4.2 MILLION IN PROPOSITION 1B FUNDS AS START UP/ SEED FUNDING;
- 3) ESTABLISH A 90% BUS TRANSIT/10% PASSENGER RAIL SERVICES SPLIT POLICY FOR COACHELLA VALLEY TDA FUNDS WHICH WOULD BE PROGRESSIVELY PHASED IN OVER A PERIOD OF 3-4 YEARS;
- 4) ESTABLISH THAT THE COACHELLA VALLEY RAIL FUND WOULD INITIALLY BE USED TO CONDUCT STATION DEVELOPMENT STUDIES, PROVIDE SOME STAFF (RCTC) SUPPORT, AND PROVIDE INITIAL CAPITAL FUNDING FOR APPROVED STATIONS;
- 5) BEGIN SEEKING MINOR AMENDMENTS TO THE COACHELLA VALLEY INTERMODAL TRANSPORTATION AUTHORITY TO ALLOW THE AUTHORITY

TO RECEIVE TDA FUNDS AND TO TIGHTEN, AS NECESSARY, THE LANGUAGE TO CLARIFY THAT THE AUTHORITY IS NOT ESTABLISHED TO OPERATE BUSES.

- 6) DIRECT STAFF TO WORK WITH RCTC STAFF TO PROVIDE THE EXECUTIVE COMMITTEE, WITHIN 6 MONTHS, A MULTI-YEAR PROJECTION OF THE FINANCIAL IMPACT TO SUNLINE TRANSIT OF THE RAIL/BUS POLICY SPLIT.

THE MOTION CARRIED.

C. Consider Incentives/Disincentives Policy to Encourage Continuous Participation in Regional Programs – Allyn Waggle

IT WAS MOVED BY MAYOR GARCIA AND SECONDED BY MAYOR ROCHE TO APPROVE CVAG POLICY 13-03, OUTLINED AS FOLLOWS:

CVAG MEMBERS THAT FULLY PARTICIPATE IN THE TUMF AND MULTIPLE SPECIES PROGRAM PAY ONLY 25% OF THE COST OF REGIONAL TRANSPORTATION PROJECTS WHILE CVAG PAYS 75%. FOR THOSE JURISDICTIONS THAT DO NOT FULLY PARTICIPATE IN TUMF AND/OR THE MULTIPLE SPECIES PROGRAM, THEIR SHARE OF PROJECTS BECOMES 75% WHILE CVAG'S SHARE WILL BE 25%. ADDITIONALLY, FOR THOSE JURISDICTIONS THAT CAUSE ADDITIONAL ENVIRONMENTAL COMPLIANCE REQUIREMENTS AND COSTS DUE TO WITHDRAWING FROM THE MULTIPLE SPECIES PROGRAM, THEY SHALL BE RESPONSIBLE FOR 100% OF ENVIRONMENTAL COMPLIANCE COSTS.

NOTES:

- 1) THE PROPOSED POLICY DOES NOT APPLY TO THE CITY OF DESERT HOT SPRINGS AS CVAG/CVCC PROCESSES THEIR INCLUSION INTO THE MULTIPLE SPECIES PROGRAM NOR DOES IT APPLY TO THE CITY OF LA QUINTA AS THE CITY AND CVAG PROCESS THEIR INCLUSION INTO THE TUMF PROGRAM.
- 2) IT IS THE PROPOSED INTENT THAT ANY ADDITIONAL COSTS ASSOCIATED WITH THIS POLICY IMPOSED ON A JURISDICTION NOT BE RECOVERABLE IF THE JURISDICTION LATER DECIDES, AND CVAG AND/OR ALLIED AGENCIES AGREE, TO RE-ENTER THE TUMF AND/OR MULTIPLE SPECIES PROGRAMS.

THE MOTION CARRIED.

D. Consider Amendment Number One to the Reimbursement Agreement by and between CVAG and the County of Riverside for the Avenue 56 (Airport Boulevard) Grade Separation Project – Allyn Waggle

IT WAS MOVED BY MAYOR GARCIA AND SECONDED BY MAYOR POUINET TO APPROVE AMENDMENT NUMBER ONE TO THE REIMBURSEMENT AGREEMENT BY AND BETWEEN CVAG AND THE COUNTY OF RIVERSIDE FOR THE AVENUE 56 (AIRPORT BOULEVARD) GRADE SEPARATION PROJECT. THE MOTION CARRIED.

**E. Selection of Consultant for the Public Outreach Program for the Parkway 1e11 as Funded by the Caltrans Environmental Justice Grant – Michael Shoberg**

**IT WAS MOVED BY MAYOR GARCIA AND SECONDED BY MAYOR HARNIK TO APPROVE SELECTION OF WESTBOUND COMMUNICATIONS AND BURKE RIX COMMUNICATIONS AS CONSULTANTS FOR THE PUBLIC OUTREACH PROGRAM FOR THE PARKWAY 1E11 AS FUNDED BY THE CALTRANS ENVIRONMENTAL JUSTICE GRANT AND AUTHORIZE THE EXECUTIVE DIRECTOR TO COORDINATE WITH THE CITY OF PALM DESERT CITY MANAGER TO USE PART OR ALL OF THE \$22,500 DEPOSITED WITH THE CITY FOR ADDITIONAL CONSULTANT SERVICES. THE MOTION CARRIED.**

**8. ANNOUNCEMENTS**

Upcoming Meetings at 73-710 Fred Waring Drive, Suite 119, Palm Desert:

**Executive Committee – Monday, June 3, 2013, 4:30 p.m. due to the Memorial Day Holiday.**

Upcoming Meeting at the Classic Club, located off of the I-10 at Cook Street, north of Palm Desert:

**Executive Committee – Monday, June 24, 2013, 5:15 p.m.**

**General Assembly – Monday, June 24, 2013, 6:00 p.m.**

**9. ADJOURNMENT**

There being no further business, Chair De Coninck adjourned the meeting at 6:30 p.m.

Respectfully submitted,

*Joanna Stueckle*

Joanna Stueckle  
Executive Assistant