

ITEM 6A**EXECUTIVE COMMITTEE
MINUTES OF MEETING
DECEMBER 1, 2014**

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

**1. CALL TO ORDER**

The December 1, 2014 Executive Committee meeting was called to order at 4:31 p.m. by Chairwoman Jan Harnik, City of Palm Desert, at the CVAG Conference Room #119 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 De Coninck
Mayor Kathleen De Rosa
Mayor Adam Sanchez
Mayor Ted Mertens
Mayor Michael Wilson
Mayor Don Adolph
Councilmember Jan Harnik
Councilmember Chris Mills
Mayor Iris Smotrich
Supervisor John Benoit

AGENCY

City of Blythe
City of Cathedral City
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 4th District

MEMBERS NOT PRESENT

Mayor Pro Tem Steven Hernandez
Supervisor Marion Ashley
Tribal Chair Jeff Grubbe
Tribal Chair Douglas Welmas

AGENCY

City of Coachella
County of Riverside 5th District
Agua Caliente Band of Cahuilla Indians
Cabazon Band of Mission Indians

NON-VOTING MEMBERS PRESENT

Councilmember Greg Pettis
Councilmember Stan Henry
Councilmember Elect Betty Sanchez
Charlie McClendon
David Garcia
Martin Magana
Dan Martinez
Frank Spevacek
David Ready
Randy Bynder
Alex Gann

AGENCY

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

OTHERS PRESENT

Kathleen Barra
Steve Finger
Caroline Krause
Robert Manning
Steve Nelson
Tomas Oliva
Chuck Parker
Lorraine Salas
Judy Shea
Lew Stewart
Bob Terry
Rosemary Terry

AGENCY

People Over Pollution
People Over Pollution
People Over Pollution
Southwest Rail

SCAG
ABC

Desert Hot Springs Community Task Force
People Over Pollution
People Over Pollution
ABC

STAFF PRESENT

Tom Kirk
Allyn Waggle
Gary Leong
Katie Barrows
Jim Sullivan
Michael Shoberg
LeGrand Velez
Cheryll Dahlin
Ben Druyon
Cindy Rhoton
Joanna Stueckle

3. PLEDGE OF ALLEGIANCE

Mayor Adolph led the Executive Committee in the Pledge of Allegiance.

4. PUBLIC COMMENTS

Bob Terry, People Over Pollution, commented on the CV Link project indicating that he was not in support of the project's funding.

Rosemary Terry, People Over Pollution, also commented on the CV Link project and the project's funding.

Chuck Parker, Desert Hot Springs resident, read a letter to the Executive Committee and requested that the CV Link project connect to Desert Hot Springs.

Lew Stewart, People Over Pollution, commented on the CV Link Project, indicating that Desert Hot Springs should have received more of the Sentinel funding.

Judy Shea, Desert Hot Springs Community Task Force, commented on a pool project for the youth of Desert Hot Springs.

Gabrielle Jackson, spoke in favor of the CV Link project and the benefit of the project to Desert Hot Springs as well as the East Valley.

Lorraine Salas discussed the CV Link project and its location in Coachella and Indio.

Caroline Krause commented on how the Sentinel plant should be closed.

Rosario Avila, discussed her experience at one of the CV Link workshops.

Robert Manning, Southwest Rail, discussed the upcoming rail summit in April 2015.

Tomas Oliva, SCAG, announced the SCAG Economic Summit, inviting members to attend.

5. EXECUTIVE COMMITTEE/DIRECTOR COMMENTS

Supervisor Benoit and Mayor Sanchez both discussed the CV Link project and the City of Desert Hot Springs. Both suggested that staff set a meeting to further discuss CV Link.

Tom Kirk discussed the progress of the Jefferson Street Interchange.

6. CONSENT CALENDAR

Greg Pettis requested that item H.1 be pulled from the Consent Calendar in order to be discussed.

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

- A. APPROVE THE SEPTEMBER 29, 2014 EXECUTIVE COMMITTEE MINUTES**
- B. AUTHORIZE CHAIR TO SIGN A LETTER TO SENATOR DIANNE FEINSTEIN SUPPORTING LEGISLATION, THE CALIFORNIA DESERT CONSERVATION AND RECREATION ACT OF 2014, INCLUDING PROPOSAL TO CREATE THE SAND TO SNOW NATIONAL MONUMENT**
- C. APPROVE A SECOND AMENDMENT TO THE AGREEMENT WITH SOUTHERN CALIFORNIA EDISON AND SOUTHERN CALIFORNIA GAS COMPANY TO EXTEND THE DESERT CITIES ENERGY PARTNERSHIP THROUGH DECEMBER 2015**
- D. APPROVE CONTRACT WITH NEWPORT TRAFFIC STUDIES FOR 2015 TRAFFIC COUNTS IN NOT TO EXCEED AMOUNT OF \$52,650**
- E. APPROVE A REIMBURSEMENT AGREEMENT BETWEEN CVAG AND THE CITY OF COACHELLA FOR IMPROVEMENT OF AVENUE 48 BETWEEN JACKSON STREET AND VAN BUREN STREET IN THE AMOUNT OF \$991,500, BEING 75% OF QUALIFIED COSTS**
- F. APPROVE AMENDMENT NUMBER TWO TO THE REIMBURSEMENT AGREEMENT BETWEEN CVAG AND THE CITY OF COACHELLA FOR IMPROVEMENT OF THE INTERCHANGE AT INTERSTATE 10 AND AVENUE 50 TO: 1) CHANGE THE FUNDING RATIO TO 75% CVAG REGIONAL SHARE (\$1,875,000)/ 25% CITY OF COACHELLA LOCAL SHARE (\$625,000); AND 2) EXTEND THE DEADLINE TO ENTER A DESIGN CONTRACT TO JUNE 1, 2015**

G. APPROVE THE PURCHASE OF SERVERS AND SOFTWARE WITHIN A 10% VARIANCE IN COST.

THE MOTION CARRIED WITH MEMBERS DE CONINCK, DE ROSA, SANCHEZ, MERTENS, WILSON, ADOLPH, HARNIK, MILLS, SMOTRICH, AND BENOIT VOTING AYE AND MEMBERS HERNANDEZ, ASHLEY AND GRUBBE ABSENT.

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) CV Link Status Report
- 5) Technical Advisory Committee Attendance Roster
- 6) Green For Life: Update on Energy Summit, Green Building Bus Tour, and Green Building Outreach Campaign
- 7) Update on Statewide Plastic Bag Legislation
- 8) Committee Members Taxation Status
- 9) CVAG Investment Report for September 30, 2014

THESE ITEMS WERE RECEIVED AND FILED.

7. ITEM(S) HELD OVER FROM CONSENT CALENDAR

Councilmember Pettis requested a staff update on item H.1. Michael Shoberg gave updated information on the Date Palm project.

8. DISCUSSION / ACTION

A. Nomination Committee – Tom Kirk

IT WAS MOVED BY MAYOR WILSON AND SECONDED BY MAYOR DE ROSA TO RECONVENE THE NOMINATION COMMITTEE TO PREPARE A RECOMMENDATION FOR EXECUTIVE COMMITTEE VICE CHAIR. THE MOTION CARRIED WITH MEMBERS DE CONINCK, DE ROSA, SANCHEZ, MERTENS, WILSON, ADOLPH, HARNIK, MILLS, SMOTRICH, AND BENOIT VOTING AYE.

B. Reduction of Multiple Species Fee Due to Addition of City of Desert Hot Springs – Jim Sullivan

Jim Sullivan gave members an update. No action was taken.

C. Consider Agreement with Renovate America to Provide HERO Program in the Coachella Valley – Katie Barrows

IT WAS MOVED BY MAYOR DE ROSA AND SECONDED BY MAYOR ADOLPH TO:

- 1) APPROVE AND AUTHORIZE THE CHAIR OR EXECUTIVE DIRECTOR TO SIGN AN AGREEMENT, INCORPORATING CHANGES IDENTIFIED IN THE ATTACHED DECEMBER 1, 2014 ERRATA, WITH RENOVATE AMERICA AND WESTERN RIVERSIDE COUNCIL OF GOVERNMENTS TO PROVIDE A HERO PROPERTY ASSESSED CLEAN ENERGY PROGRAM IN THE COACHELLA VALLEY.
- 2) AUTHORIZE STAFF TO WORK WITH MEMBER AGENCIES AND PREPARE ALL DOCUMENTS NECESSARY TO PROVIDE THE CALIFORNIA HERO PROGRAM FOR CVAG MEMBER AGENCIES.

THE MOTION CARRIED WITH MEMBERS DE CONINCK, DE ROSA, SANCHEZ, MERTENS, WILSON, ADOLPH, HARNIK, MILLS, SMOTRICH, AND BENOIT VOTING AYE.

D. Amendment Two to Regional PM-10 Street Sweeping Agreement – Aurora Wilson

IT WAS MOVED BY MAYOR ADOLPH AND SECONDED BY SUPERVISOR BENOIT TO APPROVE THE AMENDMENT TWO TO THE REGIONAL PM-10 STREET SWEEPING AGREEMENT BETWEEN CVAG AND THE OPERATOR (CLEANSTREET) TO INCLUDE THE FOLLOWING:

- 1) ADDITION OF LANGUAGE AND DIAGRAM WHICH FURTHER DEFINES AND CLARIFIES POST EVENT CLEAN UP WHERE SAND BUILD UP OF 4" OR MORE ON THE CURB IS CLASSIFIED AS A "POST EVENT" ACTIVITY AND WHICH AGENCY IS RESPONSIBLE FOR POST EVENT CLEAN-UP;
- 2) ADDITION OF 51.3 CURB MILES TO THE CURRENT REGIONAL STREET SWEEPING SCHEDULE AS REQUESTED BY THE CITIES OF PALM DESERT, LA QUINTA AND THE COUNTY;
- 3) NEW CONTRACT AMOUNT OF \$494,685 FOR THE ADDITION OF CURB MILES FOR 12/1/14 – 6/30/15;
- 4) ADDITION OF AN ESTIMATE OF HOURS TO PERFORM POST EVENT CLEAN-UP FROM THE CONTRACTOR TO ACCOMPANY POST EVENT REQUESTS; AND
- 5) AN MOU WITH THE INDIVIDUAL CITIES OF PALM DESERT AND THE COUNTY TO INCREASE ROUTINE STREET SWEEPING FROM EVERY OTHER WEEK TO WEEKLY DURING THE SPRING BLOWSAND SEASON STARTING MARCH 1, 2015 THROUGH JUNE 30, 2015 (9 ADDITIONAL WEEKS).

THE MOTION CARRIED WITH MEMBERS DE CONINCK, DE ROSA, SANCHEZ, MERTENS, WILSON, ADOLPH, HARNIK, MILLS, SMOTRICH, AND BENOIT VOTING AYE.

E. Consider Amendment Number Seven to the Jefferson Street Interstate 10 Interchange Project Agreement to Obligate Additional Funds in the Amount of \$30,650,000 and to Extend the Contract End Date to December 31, 2018 – Allyn Waggle

IT WAS MOVED BY SUPERVISOR BENOIT AND SECONDED BY MAYOR WILSON TO APPROVE AMENDMENT NUMBER SEVEN TO THE JEFFERSON STREET INTERSTATE 10 INTERCHANGE PROJECT AGREEMENT TO:

- 1) OBLIGATE ADDITIONAL FUNDS IN THE AMOUNT OF \$30,650,000 AND
- 2) EXTEND THE CONTRACT END DATE TO DECEMBER 31, 2018.

THE MOTION CARRIED WITH MEMBERS DE CONINCK, DE ROSA, SANCHEZ, WILSON, ADOLPH, HARNIK, MILLS, SMOTRICH, AND BENOIT VOTING AYE AND MEMBER MERTENS NOW ABSENT.

F. Award of Right-of-Way Services Contract for the CV Link – Michael Shoberg

IT WAS MOVED BY MAYOR DE ROSA AND SECONDED BY COUNCILMEMBER MILLS TO APPROVE THE RIGHT-OF-WAY SERVICES FOR THE CV LINK TO OVERLAND, PACIFIC, AND CUTLER, INC. FOR THE RATES SPECIFIED ON AN AS-NEEDED BASIS; AUTHORIZE THE EXECUTIVE DIRECTOR TO NEGOTIATE SUBSEQUENT COSTS FOR SERVICES RENDERED; AND AUTHORIZE THE EXECUTIVE DIRECTOR TO SIGN THE CONTRACT. THE MOTION CARRIED WITH MEMBERS DE CONINCK, DE ROSA, SANCHEZ, ADOLPH, HARNIK, MILLS, SMOTRICH, AND BENOIT VOTING AYE; AND MEMBERS MERTENS AND WILSON NOW ABSENT.

G. Award of Contract to Michael Baker International in the amount of \$520,674 Plus a 10% Contingency for the 2015 Update of the Transportation Project Prioritization Study, the Regional Arterial Cost Estimate, the Transportation Uniform Mitigation Fee Nexus Study and the Active Transportation Plan and Authorize the Executive Director to Sign the Contract – Michael Shoberg

IT WAS MOVED BY MAYOR DE ROSA AND SECONDED BY MAYOR ADOLPH TO APPROVE THE AWARD OF CONTRACT TO MICHAEL BAKER INTERNATIONAL IN THE AMOUNT OF \$520,674 PLUS A 10% CONTINGENCY FOR THE 2015 UPDATE OF THE TPPS, RACE, TUMF NEXUS STUDY AND ATP AND AUTHORIZE THE EXECUTIVE DIRECTOR TO SIGN THE CONTRACT. THE MOTION CARRIED WITH MEMBERS DE CONINCK, DE ROSA, SANCHEZ, ADOLPH, HARNIK, MILLS, SMOTRICH, AND BENOIT VOTING AYE.

9. **ANNOUNCEMENTS**

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

Technical Advisory Committee – Monday, January, 12, 2015, 11:00 a.m.

Executive Committee - Monday, January 26, 2015, 4:30 p.m.

10. ADJOURNMENT

There being no further business, Chair Harnik adjourned the meeting at 5:41 p.m.

Respectfully submitted,

Joanna Stueckle

Joanna Stueckle
Executive Assistant

Attachment: Errata referred to as part of action taken on Item 8C.

ERRATA (DECEMBER 1, 2014)

ADMINISTRATION AGREEMENT BY AND AMONG COACHELLA VALLEY ASSOCIATION OF GOVERNMENTS, WESTERN RIVERSIDE COUNCIL OF GOVERNMENTS AND RENOVATE AMERICA, INC.

Page 3, Section 4.2.3

4.2.3 CVAG Responsibilities. In order to facilitate Renovate America's performance of Program Administration Services, CVAG shall respond to Renovate America's requests and submittals in a timely manner including reviewing and approving projects as set forth in the Schedule of Responsibilities attached as Exhibit A. Bonds issued to finance improvements pursuant to this Program shall be issued through the California HERO Program. In order for bonds to be issued through the California HERO Program, member agencies of CVAG must adopt the resolution as set forth in Exhibit B. CVAG represents that it has the professional personnel and financial resources required to perform the CVAG Responsibilities in conformance hereto. CVAG has also contracted with Ygrene Energy Fund California, LLC to provide a PACE program pursuant to Senate Bill 555 (Statutes of 2011, chapter 493) within its member jurisdictions, and reserves the right to implement similar and any other programs with other contractors.

Page 4, Section 4.2.4 (b) and (c) (under Compensation):

(b) At the time of the issuance of a bond to fund Eligible Products for a residential property located within a CVAG Jurisdiction participating in the California HERO Program, CVAG will receive from Renovate America 1.0% of the principal amount of such bond representing the assessment levied against such property.

(c) The Parties agree that all program fees for the California HERO Program charged to the property owner and/or the contractor shall be designed to minimize up-front costs for property owners. In furtherance of this objective, WRCOG shall consult with CVAG prior to increasing any such program fee. Fees charged to property owners in the CVAG region shall be no more than comparable fees charged to property owners in other cities and counties participating in the California HERO Program.

Page 4, Section 4.2.5:

1.1.5 Conformance to Applicable Requirements. Prior to launch and no less frequently than once a quarter, Renovate America shall meet with the CVAG Representative and other CVAG representatives to review and approve Renovate America's marketing and customer service plans for the California HERO Program in the Coachella Valley. To the extent there are material changes to the marketing and customer service plans, Renovate America shall meet with the CVAG Representative and other CVAG representatives to review and approve the revised marketing and customer service plans for the Coachella Valley. Renovate America and CVAG shall schedule quarterly meetings at Renovate America offices or CVAG's offices for an update on the California HERO Program.

EXHIBIT “A”

CVAG SCHEDULE OF RESPONSIBILITIES

CVAG will be responsible for coordination with Renovate America, WRCOG and California HERO program, and the CVAG member agencies to implement the California HERO program in the Coachella and Palo Verde Valleys. Consequently, CVAG shall timely take the following actions:

- a. Assist CVAG member agencies with the process of adoption of resolutions and/or other actions necessary to participate in the California HERO program.
- b. Adopt resolutions and approve documents authorizing the California HERO program;
- c. Review, at CVAG’s discretion, projects submitted by property owners participating in the California HERO Program within the CVAG Jurisdictions. Within two (2) business days following projects submittal by Renovate America to CVAG, CVAG reserves the right to deny a project to the extent CVAG deems there is insufficient consumer protection. A “business day” is defined as any day in which Renovate America’s call center is open. Renovate America’s call center is open seven days a week, but closed on some national holidays. All projects in the CVAG Jurisdictions will have deemed to be approved on the 3rd business day if Renovate America has not received communication from CVAG.
- d. The CVAG Representative may, from time to time, recommend to the WRCOG Representative and the Renovate America Representatives revisions to the Program Criteria and the CVAG Representative, the WRCOG Representative and the Renovate America Representative shall meet and consult, either in person or by conference call, regarding such recommendations. CVAG acknowledges that revisions to the Program Criteria are subject to the approval of WRCOG as required pursuant to Chapter 29.
- e. Coordinate with Renovate America on program marketing and outreach, to ensure that such marketing and outreach is compatible with existing PACE programs offered in the CVAG region and property owners in the CVAG region are aware of the options for PACE programs, including the Ygrene Energy Fund program and the California HERO program.
- f. Provide Renovate America with a “local presence” at the CVAG offices. This can be accomplished with Renovate American employees or representatives or by training CVAG staff.