

**ITEM 6A****EXECUTIVE COMMITTEE  
MINUTES OF MEETING  
JUNE 25, 2018**

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

**1. CALL TO ORDER**

The June 25, 2018 Executive Committee meeting was called to order at 4:30 p.m. by Chair Marion Ashley, County of Riverside, at the Agua Caliente Resort & Spa, 32-250 Bob Hope Drive, Rancho Mirage.

**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**

Vice Mayor Eric Egan	<u>AGENCY</u>
Councilmember Mark Carnevale	City of Blythe
Mayor Steven Hernandez	City of Cathedral City
Mayor Scott Matas	City of Coachella
Councilmember Richard Balocco	City of Desert Hot Springs
Mayor Michael Wilson	City of Indian Wells
Mayor Linda Evans	City of Indio
Mayor Sabby Jonathan	City of La Quinta
Mayor Robert Moon	City of Palm Desert
Councilmember Dana Hobart	City of Palm Springs
Supervisor V. Manuel Perez	City of Rancho Mirage
Supervisor Marion Ashley	County of Riverside 4 <sup>th</sup> District
Tribal Chair Jeff Grubbe	County of Riverside 5 <sup>th</sup> District
	Agua Caliente Band of Cahuilla Indians

**MEMBERS NOT PRESENT**

Supervisor Kevin Jeffries	<u>AGENCY</u>
Supervisor John Tavaglione	County of Riverside 1 <sup>st</sup> District
Supervisor Chuck Washington	County of Riverside 2 <sup>nd</sup> District
Tribal Chair Douglas Welmas	County of Riverside 3 <sup>rd</sup> District
	Cabazon Band of Mission Indians

**NON-VOTING MEMBERS PRESENT**

Charlie McClendon	<u>AGENCY</u>
Bill Pattison	City of Cathedral City
Chuck Maynard	City of Coachella
Anna Grandys	City of Desert Hot Springs
Mark Scott	City of Indian Wells
	City of Indio

Frank Spevacek	City of La Quinta
Lauri Aylaian	City of Palm Desert
David Ready	City of Palm Springs
Isaiah Hagerman	City of Rancho Mirage
John Purnel	Agua Caliente Band of Cahuilla Indians

**OTHERS PRESENT**

Rosario Avila	Cathedral City Resident
Ben Benoit	City of Wildomar
Barry Busch	County of Riverside
Pat Cooper	County of Riverside
Kim Floyd	Palm Desert Resident
Leo Lee	Advantec
Brian Nestande	County of Riverside
Debbie Rose	County of Riverside
David Salgado	Southern California Association of Governments
Erin Sasse	League of California Cities
Lauren Skiver	SunLine Transit Agency
Brittney Sowell	SunLine Transit Agency
Herb Schultz	Desert Healthcare District
Ted Weill	City of Rancho Mirage

**STAFF PRESENT**

Tom Kirk	
Gary Leong	
Martin Magaña	
Katie Barrows	
Jim Sullivan	
Eric Cowle	
Ben Druyon	
Erica Felci	
Joanna Stueckle	
Michael Jenkins	CVAG Legal Counsel

**3. PLEDGE OF ALLEGIANCE**

Mayor Michael Wilson led the Executive Committee in the Pledge of Allegiance.

**4. PUBLIC COMMENTS**

None.

**5. EXECUTIVE COMMITTEE / DIRECTOR COMMENTS**

Tom Kirk thanked the Tribal Council of the Agua Caliente Band of Cahuilla Indians for the use of the facility. Mr. Kirk also announced that there wasn't a need for the closed session and asked CVAG Legal Counsel Michael Jenkins to give an update on the items listed on the agenda.

Mr. Jenkins indicated that the exposure to litigation has gone away and that it appears as though the Ferguson v. CVAG et al lawsuit appeal was filed too late to be considered.

6. CONSENT CALENDAR

IT WAS MOVED BY MAYOR WILSON AND SECONDED BY MAYOR EVANS TO:

- A. APPROVE JUNE 4, 2018 EXECUTIVE COMMITTEE MINUTES
- B. AUTHORIZE UPDATING OF SIGNATURE CARDS, SUBJECT TO GENERAL ASSEMBLY APPROVING THE 2018 NOMINATION COMMITTEE'S RECOMMENDATION FOR THE 2018/2019 CHAIR
- C. APPROVE AMENDMENT #1 TO COST-SHARING AGREEMENT WITH WRCOG AND LOS ANGELES COMMUNITY CHOICE ENERGY FOR LEGAL SERVICES RELATED TO POWER COST INDIFFERENCE ADJUSTMENT, RESOURCE ADEQUACY, AND RELATED REGULATORY MATTERS, TO INCREASE BUDGET TO \$130,000, WITH CVAG (DCE) SHARE NOT TO EXCEED \$43,333; AND AMENDMENT #1 TO CONSULTING SERVICES AGREEMENT BETWEEN CVAG AND DON DAME TO PROVIDE IMPLEMENTATION AND OPERATIONS SUPPORT FOR DCE, FOR AMOUNT NOT TO EXCEED \$30,000
- D. APPROVE THE 2018 TUMF HANDBOOK
- E. APPROVE THE 2018 TUMF MODEL ORDINANCE

THE MOTION CARRIED WITH 13 AYES AND 4 MEMBERS ABSENT.

VICE MAYOR EGAN	AYE
COUNCILMEMBER CARNEVALE	AYE
MAYOR HERNANDEZ	AYE
MAYOR MATAS	AYE
COUNCILMEMBER BALOCCO	AYE
MAYOR WILSON	AYE
MAYOR EVANS	AYE
MAYOR JONATHAN	AYE
MAYOR MOON	AYE
COUNCILMEMBER HOBART	AYE
SUPERVISOR JEFFRIES	ABSENT
SUPERVISOR TAVAGLIONE	ABSENT
SUPERVISOR WASHINGTON	ABSENT
SUPERVISOR PEREZ	AYE
SUPERVISOR ASHLEY	AYE
TRIBAL CHAIR GRUBBE	AYE
TRIBAL CHAIR WELMAS	ABSENT

6.1 ITEM(S) HELD OVER FROM CONSENT CALENDAR

None.

## 6.2 **CLOSED SESSION**

The Board finds, based on advice from the General Counsel, that discussion in open session of the following described matter will prejudice the position of the Association in existing litigation:

### **PENDING LITIGATION: Gov't Code section 54956.9(d)(1)**

*Ferguson v. Coachella Valley Association of Governments, et al., Riverside County Superior Court Case No. PSC 1705629*

Pursuant to the provisions of Government Code Section 54956.9(d)(1), the Executive Committee finds, based on advice from legal counsel, that discussion in open session will prejudice the position of CVAG in litigation.

### **CONFERENCE WITH LEGAL COUNSEL - SIGNIFICANT EXPOSURE TO LITIGATION**

*Significant exposure to litigation pursuant to Government Code Section 54956.9(d)(2) and (e)(5)*

It was deemed unnecessary to hold a closed session. Legal Counsel gave a verbal update under item 5, Executive Committee / Director Comments.

## 7. **DISCUSSION / ACTION**

### **A. 2018 Nomination Committee Recommendation – Tom Kirk**

Mr. Kirk provided the staff report.

**IT WAS MOVED BY MAYOR HERNANDEZ AND SECONDED BY MAYOR EVANS TO APPROVE NOMINATION COMMITTEE RECOMMENDATION OF MAYOR MICHAEL WILSON, CITY OF INDIAN, AS CVAG CHAIR AND TRIBAL CHAIR JEFF GRUBBE, AGUA CALIENTE BAND OF CAHUILLA INDIANS, AS CVAG VICE CHAIR.**

**THE MOTION CARRIED WITH 13 AYES AND 4 MEMBERS ABSENT.**

VICE MAYOR EGAN	AYE
COUNCILMEMBER CARNEVALE	AYE
MAYOR HERNANDEZ	AYE
MAYOR MATAS	AYE
COUNCILMEMBER BALOCCO	AYE
MAYOR WILSON	AYE
MAYOR EVANS	AYE
MAYOR JONATHAN	AYE
MAYOR MOON	AYE
COUNCILMEMBER HOBART	AYE
SUPERVISOR JEFFRIES	ABSENT
SUPERVISOR TAVAGLIONE	ABSENT
SUPERVISOR WASHINGTON	ABSENT
SUPERVISOR PEREZ	AYE
SUPERVISOR ASHLEY	AYE

TRIBAL CHAIR GRUBBE	AYE
TRIBAL CHAIR WELMAS	ABSENT

**B. Resolution No. 18-001 Adopting CVAG's 2018/2019 Fiscal Year Annual Budget, Salary Schedule, and Allocated Positions – Gary Leong**

Gary Leong provide the staff report. Mayor Evans thanked Mr. Leong for his work on the budget.

**IT WAS MOVED BY SUPERVISOR PEREZ AND SECONDED BY MAYOR WILSON TO APPROVE RESOLUTION NO. 18-001 ADOPTING CVAG'S 2018/2019 FISCAL YEAR ANNUAL BUDGET, SALARY SCHEDULE, AND ALLOCATED POSITIONS.**

**THE MOTION CARRIED WITH 13 AYES AND 4 MEMBERS ABSENT.**

VICE MAYOR EGAN	AYE
COUNCILMEMBER CARNEVALE	AYE
MAYOR HERNANDEZ	AYE
MAYOR MATAS	AYE
COUNCILMEMBER BALOCCO	AYE
MAYOR WILSON	AYE
MAYOR EVANS	AYE
MAYOR JONATHAN	AYE
MAYOR MOON	AYE
COUNCILMEMBER HOBART	AYE
SUPERVISOR JEFFRIES	ABSENT
SUPERVISOR TAVAGLIONE	ABSENT
SUPERVISOR WASHINGTON	ABSENT
SUPERVISOR PEREZ	AYE
SUPERVISOR ASHLEY	AYE
TRIBAL CHAIR GRUBBE	AYE
TRIBAL CHAIR WELMAS	ABSENT

**C. Funding Match for ATP Cycle 4 Projects – Erica Felci**

Erica Felci provided the staff report. Councilmember Hobart read a statement opposing local funding and member discussion ensued.

**IT WAS MOVED BY MAYOR MATAS AND SECONDED BY MAYOR WILSON TO AUTHORIZE THAT PREVIOUSLY APPROVED CVAG TRANSPORTATION FUNDS BE USED AS A FUNDING MATCH FOR ATP CYCLE 4 GRANT APPLICATIONS FOR AVENUE 48/ ARTS & MUSIC LINE AND THE CV LINK CONNECTOR IN DESERT HOT SPRINGS AND THAT ADDITIONAL FUNDING BE AUTHORIZED TO MAXIMIZE LEVERAGING POINTS.**

**THE MOTION CARRIED WITH 10 AYES, 1 NAY, 2 ABSTAINATIONS AND 4 MEMBERS ABSENT.**

VICE MAYOR EGAN	ABSTAIN
COUNCILMEMBER CARNEVALE	AYE
MAYOR HERNANDEZ	AYE

<b>MAYOR MATAS</b>	<b>AYE</b>
<b>COUNCILMEMBER BALOCCO</b>	<b>ABSTAIN</b>
<b>MAYOR WILSON</b>	<b>AYE</b>
<b>MAYOR EVANS</b>	<b>AYE</b>
<b>MAYOR JONATHAN</b>	<b>AYE</b>
<b>MAYOR MOON</b>	<b>AYE</b>
<b>COUNCILMEMBER HOBART</b>	<b>NAY</b>
<b>SUPERVISOR JEFFRIES</b>	<b>ABSENT</b>
<b>SUPERVISOR TAVAGLIONE</b>	<b>ABSENT</b>
<b>SUPERVISOR WASHINGTON</b>	<b>ABSENT</b>
<b>SUPERVISOR PEREZ</b>	<b>AYE</b>
<b>SUPERVISOR ASHLEY</b>	<b>AYE</b>
<b>TRIBAL CHAIR GRUBBE</b>	<b>AYE</b>
<b>TRIBAL CHAIR WELMAS</b>	<b>ABSENT</b>

**D. Madison Street Improvement Project – Eric Cowle**

Eric Cowle provided the staff report.

**IT WAS MOVED BY MAYOR HERNANDEZ AND SECONDED BY MAYOR EVANS TO APPROVE AMENDMENT #3 TO THE REIMBURSEMENT AGREEMENT WITH THE CITY OF INDIO FOR THE MADISON STREET IMPROVEMENT PROJECT, ADDING AN ADDITIONAL NOT-TO-EXCEED AMOUNT OF \$5,527,294 AND BRINGING CVAG'S TOTAL REGIONAL SHARE TO \$24,204,794.**

**THE MOTION CARRIED WITH 13 AYES AND 4 MEMBERS ABSENT.**

<b>VICE MAYOR EGAN</b>	<b>AYE</b>
<b>COUNCILMEMBER CARNEVALE</b>	<b>AYE</b>
<b>MAYOR HERNANDEZ</b>	<b>AYE</b>
<b>MAYOR MATAS</b>	<b>AYE</b>
<b>COUNCILMEMBER BALOCCO</b>	<b>AYE</b>
<b>MAYOR WILSON</b>	<b>AYE</b>
<b>MAYOR EVANS</b>	<b>AYE</b>
<b>MAYOR JONATHAN</b>	<b>AYE</b>
<b>MAYOR MOON</b>	<b>AYE</b>
<b>COUNCILMEMBER HOBART</b>	<b>AYE</b>
<b>SUPERVISOR JEFFRIES</b>	<b>ABSENT</b>
<b>SUPERVISOR TAVAGLIONE</b>	<b>ABSENT</b>
<b>SUPERVISOR WASHINGTON</b>	<b>ABSENT</b>
<b>SUPERVISOR PEREZ</b>	<b>AYE</b>
<b>SUPERVISOR ASHLEY</b>	<b>AYE</b>
<b>TRIBAL CHAIR GRUBBE</b>	<b>AYE</b>
<b>TRIBAL CHAIR WELMAS</b>	<b>ABSENT</b>

**E. Resolution of Legislative Intent Related to the Multi-Agency Participation Agreement for the Traffic Signal Synchronization Project – Eric Cowle**

Mr. Cowle provided the staff report. Member discussion ensued.

IT WAS MOVED BY SUPERVISOR PEREZ AND SECONDED BY COUNCILMEMBER BALOCCHI TO AS REQUESTED BY THE CITY OF INDIAN WELLS, APPROVE A RESOLUTION OF LEGISLATIVE INTENT RELATED TO THE MULTI-AGENCY PARTICIPATION AGREEMENT FOR THE TRAFFIC SIGNAL SYNCHRONIZATION PROJECT.

THE MOTION CARRIED WITH 13 AYES AND 4 MEMBERS ABSENT.

VICE MAYOR EGAN	AYE
COUNCILMEMBER CARNEVALE	AYE
MAYOR HERNANDEZ	AYE
MAYOR MATAS	AYE
COUNCILMEMBER BALOCCHI	AYE
MAYOR WILSON	AYE
MAYOR EVANS	AYE
MAYOR JONATHAN	AYE
MAYOR MOON	AYE
COUNCILMEMBER HOBART	AYE
SUPERVISOR JEFFRIES	ABSENT
SUPERVISOR TAVAGLIONE	ABSENT
SUPERVISOR WASHINGTON	ABSENT
SUPERVISOR PEREZ	AYE
SUPERVISOR ASHLEY	AYE
TRIBAL CHAIR GRUBBE	AYE
TRIBAL CHAIR WELMAS	ABSENT

**F. TUMF Shopping Centers Recommendation – Eric Cowle**

Mr. Cowle presented the staff report. Member discussion ensued.

IT WAS MOVED BY MAYOR WILSON AND SECONDED BY SUPERVISOR PEREZ TO

- 1) ELIMINATE THE TUMF SHOPPING CENTER, CONVENIENCE MARKET, AND FAST FOOD RESTAURANT LAND USES AS OF 6/25/18.
- 2) APPROVE A REFUND PROCEDURE FOR DEVELOPERS THAT STARTED A SHOPPING CENTER BUT DID NOT YET MEET THE MINIMUM THRESHOLD FOR BEING CONSIDERED A SHOPPING CENTER UNDER THE TUMF PROGRAM AS OF 6/25/2018.

THE MOTION CARRIED WITH 13 AYES AND 4 MEMBERS ABSENT.

VICE MAYOR EGAN	AYE
COUNCILMEMBER CARNEVALE	AYE
MAYOR HERNANDEZ	AYE
MAYOR MATAS	AYE
COUNCILMEMBER BALOCCHI	AYE
MAYOR WILSON	AYE
MAYOR EVANS	AYE
MAYOR JONATHAN	AYE
MAYOR MOON	AYE

<b>COUNCILMEMBER HOBART</b>	<b>AYE</b>
<b>SUPERVISOR JEFFRIES</b>	<b>ABSENT</b>
<b>SUPERVISOR TAVAGLIONE</b>	<b>ABSENT</b>
<b>SUPERVISOR WASHINGTON</b>	<b>ABSENT</b>
<b>SUPERVISOR PEREZ</b>	<b>AYE</b>
<b>SUPERVISOR ASHLEY</b>	<b>AYE</b>
<b>TRIBAL CHAIR GRUBBE</b>	<b>AYE</b>
<b>TRIBAL CHAIR WELMAS</b>	<b>ABSENT</b>

## **8. INFORMATION**

- a) Status of I-10 Interchange Projects
- b) CVAG Regional Arterial Program - Project Status Report
- c) CVAG Regional Bike/Pedestrian Safety Program Update
- d) Executive Committee/Technical Advisory Committee Attendance Roster
- e) RFP for Transformative Climate Communities Planning Grant
- f) FY 2018/2019 CVAG Meeting Schedule
- g) Letter outlining the Planned Scope and Timing of the Audit for Fiscal Year Ended June 30, 2018, pursuant to Statements on Auditing Standards No. 114 (SAS 114)

These items are placed in the agenda for member information.

## **9. ANNOUNCEMENTS**

Upcoming Meeting at Agua Caliente Casino Resort, 32-250 Bob Hope Drive, Rancho Mirage:

**General Assembly – Monday, June 25, 2018 at 6:00 p.m.**

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

**Executive Committee – Monday, September 24, 2018 at 4:30 p.m.**

## **10. ADJOURNMENT**

There being no further business, Chair Ashley adjourned the meeting at 5:04 p.m.

Respectfully submitted,

*Joanna Stueckle*

Joanna Stueckle  
Executive Assistant