

EXECUTIVE COMMITTEE
MINUTES OF MEETING
JUNE 29, 2015



THE AUDIO FILE FOR THIS COMMITTEE MEETING CAN BE
FOUND AT:
<http://www.cvag.org/audio.htm>

1. **CALL TO ORDER**

The June 29, 2015 Executive Committee meeting was called to order at 5:15 p.m. by Chairwoman Jan Harnik, City of Palm Desert, at Desert Willow Golf Resort, 38995 Desert Willow Drive, 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 Stan Henry
Mayor Steven Hernandez
Mayor Adam Sanchez
Mayor Ty Peabody
Councilmember Mike Wilson
Mayor Linda Evans
Councilmember Jan Harnik
Councilmember Chris Mills
Mayor Dana Hobart
Supervisor Chuck Washington
Supervisor John Benoit
Supervisor Marion Ashley

AGENCY

City of Blythe (Arrived during Item 6.1)
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 3rd District
County of Riverside 4th District (Arrived during Item 7A)
County of Riverside 5th District

MEMBERS NOT PRESENT

Supervisor Kevin Jeffries
Supervisor John Tavaglione
Tribal Chair Jeff Grubbe
Tribal Chair Douglas Welmas

AGENCY

County of Riverside 1st District
County of Riverside 2nd District
Agua Caliente Band of Cahuilla Indians
Cabazon Band of Mission Indians

NON-VOTING MEMBERS PRESENT

Councilmember Russell Betts
Councilmember Doug Hanson
Councilmember Ted Mertens
Councilmember Robert Radi
Councilmember Ginny Foat
Councilmember Iris Smotrich
Councilmember Richard Kite
Councilmember Charles Townsend
Mayor Pro Tem Ted Weill

AGENCY

City of Desert Hot Springs
City of Indian Wells
City of Indian Wells
City of La Quinta
City of Palm Springs
City of Rancho Mirage
City of Rancho Mirage
City of Rancho Mirage
City of Rancho Mirage

Pat Milos
David Garcia
Martin Magana
Wade McKinney
Dan Martinez
Frank Spevacek
John Wohlmuth
David Ready
Randy Bynder
Alex Gann

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

OTHERS PRESENT

Barry Busch
Crystal Crawford
Michele Hasson
Vicki Hobart
George Johnson
John Lieswyn
Terry Manley
Anna Martinez
Jesse Marx
Anne Mayer
Brian Nestande
Tomas Oliva
Cynthia Orozco
Juan Perez
Murray Quance
Rob Rockaway
Paul Rodriguez
Arnold San Miguel
Erin Sasse
Daniel Trevino
Jenny Weill
Linda Yodek
Josh Zipperman

AGENCY

County of Riverside
Ygrene
Leadership Counsel
Rancho Mirage Resident
County of Riverside
Alta Planning
New West Communities
County of Riverside
The Desert Sun
Riverside County Transportation Commission
County of Riverside
Southern California Association of Governments
Burke Rix Communications
County of Riverside
CVAG Volunteer
City of Indio
Rodriguez Consulting Group
Southern California Association of Governments
League of California Cities
City of Rancho Mirage
City of Palm Desert
Rancho Mirage Resident
Burke Rix Communications

STAFF PRESENT

Tom Kirk
Allyn Waggle
Gary Leong
Katie Barrows
Jim Sullivan
LeGrand Velez
Mark Chappell
Lance Albrecht
Cheryll Dahlin
Ben Druyon
Erica Felci
Cindy Rhoton
Joanna Stueckle
Toni Eggebraaten

CVAG Legal Counsel

3. **PLEDGE OF ALLEGIANCE**

Mayor Steven Hernandez, City of Coachella, led the Executive Committee in the Pledge of Allegiance.

4. **PUBLIC COMMENTS**

Councilmember Russell Betts addressed the Executive Committee asking members to speak louder so that the audience can adequately hear committee discussion.

5. **EXECUTIVE COMMITTEE/DIRECTOR COMMENTS**

The wireless password for the facility at Desert Willow was announced.

6. **CONSENT CALENDAR**

Mayor Dana Hobart asked that item 6A, June 1, 2015 Executive Committee minutes, be pulled from the Consent Calendar for discussion.

IT WAS MOVED BY MAYOR EVANS AND SECONDED BY SUPERVISOR ASHLEY TO:

- A. JUNE 1, 2015 EXECUTIVE COMMITTEE MINUTES PULLED FROM CONSENT CALENDAR FOR DISCUSSION
- B. **APPROVE A 5-YEAR PROPOSAL FOR FINANCIAL STATEMENTS AUDITING SERVICES WITH LANCE, SOLL & LUNGHARD, LLP**
- C. **APPROVE RESOLUTION NO. 15-006 ADOPTING CVAG'S EMPLOYER PAID MEMBER CONTRIBUTIONS**
- D. **AUTHORIZE UPDATING OF SIGNATURE CARDS, SUBJECT TO GENERAL ASSEMBLY APPROVAL OF 2015 NOMINATION COMMITTEE'S RECOMMENDATION FOR 2015/2016 CHAIR**
- E. **AUTHORIZE EXECUTIVE COMMITTEE CHAIR TO SIGN AMENDMENT #7 TO CONTRACT WITH DPSS FOR AMOUNT OF \$849,711 FOR ROY'S DRC OPERATIONS FOR FISCAL YEAR 2015/16**
- F. **ADOPT RESOLUTION NO. 15-003 AND RECOMMEND CVAG MEMBER JURISDICTIONS CONSIDER ADOPTION OF ATTACHED MODEL RESOLUTION**
- G. **RATIFY CHANGE ORDER NUMBER 1 WITH NEWPORT TRAFFIC STUDIES**
- H. **RENEW CONTRACT WITH COD PARTNERSHIP AND COMMUNITY EDUCATION TO CONTINUE CVAG'S LANDSCAPE CERTIFICATION COURSE ONLINE SERVICES FISCAL YEARS 2015/16 AND 2016/17 AT A COST NOT TO EXCEED \$4,940 PER YEAR (\$9,880 TOTAL), PENDING FINAL FUNDING CONFIRMATION.**

THE MOTION CARRIED WITH THE FOLLOWING RESULT:

COUNCILMEMBER JOSEPH DECONINCK

ABSENT

MAYOR STAN HENRY	AYE
MAYOR STEVEN HERNANDEZ	AYE
MAYOR ADAM SANCHEZ	AYE
MAYOR TY PEABODY	AYE
COUNCILMEMBER MIKE WILSON	AYE
MAYOR LINDA EVANS	AYE
COUNCILMEMBER JAN HARNIK	AYE
COUNCILMEMBER CHRIS MILLS	AYE
MAYOR DANA HOBART	AYE
SUPERVISOR KEVIN JEFFRIES	ABSENT
SUPERVISOR JOHN TAVAGLIONE	ABSENT
SUPERVISOR CHUCK WASHINGTON	ABSENT
SUPERVISOR JOHN BENOIT	ABSENT
SUPERVISOR MARION ASHLEY	AYE
TRIBAL CHAIR JEFF GRUBBE	ABSENT
TRIBAL CHAIR DOUGLAS WELMAS	ABSENT

(10 AYES AND 7 MEMBERS ABSENT)

6.1 ITEM(S) HELD OVER FROM CONSENT CALENDAR

A. Approve the June 1, 2015 Executive Committee Minutes

Mayor Hobart suggested two wording changes to the minutes and distributed a handout that illustrated his impression of a motion made at the previous meeting. Mayor Hobart asked that it be attached to the minutes.

IT WAS MOVED BY MAYOR HOBART AND SECONDED BY MAYOR HENRY TO APPROVE THE JUNE 1, 2015 EXECUTIVE COMMITTEE MINUTES WITH THE REVISIONS MADE.

THE MOTION CARRIED WITH THE FOLLOWING RESULT:

COUNCILMEMBER JOSEPH DECONINCK	ABSTAINED
MAYOR STAN HENRY	AYE
MAYOR STEVEN HERNANDEZ	AYE
MAYOR ADAM SANCHEZ	AYE
MAYOR TY PEABODY	AYE
COUNCILMEMBER MIKE WILSON	AYE
MAYOR LINDA EVANS	AYE
COUNCILMEMBER JAN HARNIK	AYE
COUNCILMEMBER CHRIS MILLS	AYE
MAYOR DANA HOBART	AYE
SUPERVISOR KEVIN JEFFRIES	ABSENT
SUPERVISOR JOHN TAVAGLIONE	ABSENT
SUPERVISOR CHUCK WASHINGTON	ABSENT
SUPERVISOR JOHN BENOIT	ABSENT
SUPERVISOR MARION ASHLEY	AYE
TRIBAL CHAIR JEFF GRUBBE	ABSENT
TRIBAL CHAIR DOUGLAS WELMAS	ABSENT

(10 AYES, 6 MEMBERS ABSENT, AND 1 MEMBER ABSTAINING)

7. DISCUSSION / ACTION

- A. Resolution No. 15-005 adopting CVAG's 2015/2016 Fiscal Year Annual Budget, Salary Schedule, and Allocated Positions – Gary Leong

IT WAS MOVED BY MAYOR HENRY AND SECONDED BY MAYOR PEABODY TO APPROVE RESOLUTION NO. 15-005 ADOPTING CVAG'S 2015/2016 FISCAL YEAR ANNUAL BUDGET, SALARY SCHEDULE, AND ALLOCATED POSITIONS.

THE MOTION CARRIED WITH THE FOLLOWING RESULT:

COUNCILMEMBER JOSEPH DECONINCK	AYE
MAYOR STAN HENRY	AYE
MAYOR STEVEN HERNANDEZ	AYE
MAYOR ADAM SANCHEZ	AYE
MAYOR TY PEABODY	AYE
COUNCILMEMBER MIKE WILSON	AYE
MAYOR LINDA EVANS	AYE
COUNCILMEMBER JAN HARNIK	AYE
COUNCILMEMBER CHRIS MILLS	AYE
MAYOR DANA HOBART	AYE
SUPERVISOR KEVIN JEFFRIES	ABSENT
SUPERVISOR JOHN TAVAGLIONE	ABSENT
SUPERVISOR CHUCK WASHINGTON	ABSENT
SUPERVISOR JOHN BENOIT	AYE
SUPERVISOR MARION ASHLEY	AYE
TRIBAL CHAIR JEFF GRUBBE	ABSENT
TRIBAL CHAIR DOUGLAS WELMAS	ABSENT

(12 AYES AND 5 MEMBERS ABSENT)

- B. 2015 Nomination Committee Recommendation – Tom Kirk

IT WAS MOVED BY COUNCILMEMBER HARNIK AND SECONDED BY SUPERVISOR BENOIT TO ELECT MAYOR STAN HENRY, CITY OF CATHEDRAL CITY AS FY 2015/2016 CVAG CHAIR AND THE EXECUTIVE COMMITTEE REPRESENTATIVE FROM THE CITY OF INDIAN WELLS AS THE FY 2015/2016 CVAG VICE CHAIR.

THE MOTION CARRIED WITH THE FOLLOWING RESULT:

COUNCILMEMBER JOSEPH DECONINCK	AYE
MAYOR STAN HENRY	AYE
MAYOR STEVEN HERNANDEZ	AYE
MAYOR ADAM SANCHEZ	AYE
MAYOR TY PEABODY	AYE
COUNCILMEMBER MIKE WILSON	AYE
MAYOR LINDA EVANS	AYE
COUNCILMEMBER JAN HARNIK	AYE
COUNCILMEMBER CHRIS MILLS	AYE

MAYOR DANA HOBART	AYE
SUPERVISOR KEVIN JEFFRIES	ABSENT
SUPERVISOR JOHN TAVAGLIONE	ABSENT
SUPERVISOR CHUCK WASHINGTON	ABSENT
SUPERVISOR JOHN BENOIT	AYE
SUPERVISOR MARION ASHLEY	AYE
TRIBAL CHAIR JEFF GRUBBE	ABSENT
TRIBAL CHAIR DOUGLAS WELMAS	ABSENT

(12 AYES AND 5 MEMBERS ABSENT)

C. Consider Second Request by the City of Rancho Mirage to Obtain an Independent Legal Opinion RE Use of Measure A Funds for Operations or Maintenance of CV Link – Allyn Waggle

Anne Mayer, Riverside County Transportation Commission (RCTC) Executive Director, gave members a presentation on the use of Measure A funds which included the findings of RCTC legal counsel regarding that use.

Mayor Hobart distributed a handout from City of Rancho Mirage legal counsel expressing their legal opinion on the use of Measure A funds. Committee discussion ensued and one public comment was taken.

Michele Hasson addressed the Executive Committee asked that the operating costs be defined and clarified.

IT WAS MOVED BY MAYOR HOBART AND SECONDED BY MAYOR PEABODY TO AUTHORIZE AN EXPENDITURE OF FUNDS NOT TO EXCEED \$40,000 TO RETAIN A PROMINENT LOS ANGELES, ORANGE COUNTY OR SAN DIEGO LAW FIRM TO PROVIDE CVAG AND THE CITIES WITH A LEGAL OPINON CONCERNING THE LEGALITY OF USING MEASURE A FUNDS TO PAY ANY PORTION OF THE OPERATIONS AND/OR MAINTANANCE COSTS OF THE CV LINK, INCLUDING CONSTRUCTION COSTS, IF IT SHOULD PROCEED TO COMPLETION. THE CVAG ATTORNEY, TONI EGGBRAATEN, AND MAYOR HOBART ARE AUTHORIZED TO AGREE, IF THEY CAN, ON A FIRST AND SECOND CHOICE OF LAW FIRMS AND CONTINUE DISCUSSIONS THEREAFTER UNTIL THEY HAVE SELECTED THE FIRM. BOTH LEGAL OPINIONS, BB&K AND QUINTANILLA LAW OFFICES, SHALL BE PROVIDED TO SAID LAW FIRM.

A roll call was taken with the following result:

COUNCILMEMBER JOSEPH DECONINCK	NAY
MAYOR STAN HENRY	NAY
MAYOR STEVEN HERNANDEZ	NAY
MAYOR ADAM SANCHEZ	NAY
MAYOR TY PEABODY	AYE
COUNCILMEMBER MIKE WILSON	NAY
MAYOR LINDA EVANS	NAY
COUNCILMEMBER JAN HARNIK	NAY
COUNCILMEMBER CHRIS MILLS	NAY
MAYOR DANA HOBART	AYE

SUPERVISOR KEVIN JEFFRIES	ABSENT
SUPERVISOR JOHN TAVAGLIONE	ABSENT
SUPERVISOR CHUCK WASHINGTON	ABSENT
SUPERVISOR JOHN BENOIT	NAY
SUPERVISOR MARION ASHLEY	NAY
TRIBAL CHAIR JEFF GRUBBE	ABSENT
TRIBAL CHAIR DOUGLAS WELMAS	ABSENT

THE MOTION FAILED WITH 10 NAYS, 2 AYES, AND 5 MEMBERS ABSENT.

8. **INFORMATION**

- a) Status of I-10 Interchange Projects
- b) CVAG Regional Arterial Program – Project Status Report
- c) Executive Committee Attendance Roster
- d) CVAG 2015/2016 Schedule of Meetings
- e) Update on Salton Sea License Plate and Restoration Efforts
- f) Update on PACE: the CV Upgrade Program and HERO Program

9. **ANNOUNCEMENTS**

Upcoming Meetings at Desert Willow Golf Resort, 38995 Desert Willow Drive, Palm Desert:

General Assembly – Monday, June 29, 2015 at 6:00 p.m.

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

Executive Committee – Monday, September 28, 2015 at 4:30 p.m.

10. **ADJOURNMENT**

There being no further business, Chair Harnik adjourned the meeting at 5:50 p.m.

Respectfully submitted,

Joanna Stueckle

Joanna Stueckle
Executive Assistant