

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
Councilmember Mark Carnevale
Mayor Steven Hernandez
Mayor Scott Matas
Councilmember Richard Balocco
Mayor Michael Wilson
Mayor Linda Evans
Mayor Sabby Jonathan
Mayor Robert Moon
Councilmember Dana Hobart
Supervisor V. Manuel Perez
Supervisor Marion Ashley
Tribal Chair Jeff Grubbe

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 4th District
County of Riverside 5th District
Agua Caliente Band of Cahuilla Indians

MEMBERS NOT PRESENT

Supervisor Kevin Jeffries
Supervisor John Tavaglione
Supervisor Chuck Washington
Tribal Chair Douglas Welmas

AGENCY

County of Riverside 1st District
County of Riverside 2nd District
County of Riverside 3rd District
Cabazon Band of Mission Indians

NON-VOTING MEMBERS PRESENT

Charlie McClendon
Bill Pattison
Chuck Maynard
Anna Grandys
Mark Scott

AGENCY

City of Cathedral City
City of Coachella
City of Desert Hot Springs
City of Indian Wells
City of Indio

Frank Spevacek
Lauri Aylaian
David Ready
Isaiah Hagerman
John Purnel

City of La Quinta
City of Palm Desert
City of Palm Springs
City of Rancho Mirage
Agua Caliente Band of Cahuilla Indians

OTHERS PRESENT

Rosario Avila
Ben Benoit
Barry Busch
Pat Cooper
Kim Floyd
Leo Lee
Brian Nestande
Debbie Rose
David Salgado
Erin Sasse
Lauren Skiver
Brittney Sowell
Herb Schultz
Ted Weill

AGENCY

Cathedral City Resident
City of Wildomar
County of Riverside
County of Riverside
Palm Desert Resident
Advantec
County of Riverside
County of Riverside
Southern California Association of Governments
League of California Cities
SunLine Transit Agency
SunLine Transit Agency
Desert Healthcare District
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 INDIO, 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 ABSTAINMENTS AND 4 MEMBERS ABSENT.

VICE MAYOR EGAN ABSTAIN
COUNCILMEMBER CARNEVALE AYE
MAYOR HERNANDEZ AYE

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

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.

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

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 BALOCCO 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 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

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 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

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