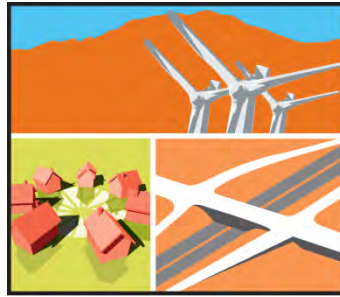


**EXECUTIVE COMMITTEE MEMBERS WILL RECEIVE A UNIQUE PANELIST LINK BY EMAIL.  
PLEASE USE THIS LINK TO PARTICIPATE IN THIS MEETING.**



**CVAG**

## EXECUTIVE COMMITTEE AGENDA

MONDAY, JUNE 28, 2021

**Closed Session: 4:00 p.m.**

**Regular Session: 4:30 p.m.**

*Pursuant to Governor Newsom's Executive Order N-29-20 (March 18, 2020), the Executive Committee meeting will only be conducted via video/teleconferencing.*

### **INSTRUCTIONS FOR PUBLIC PARTICIPATION**

Members of the public may use the following link:

<https://us02web.zoom.us/j/81525681128?pwd=ekhQWGF5Z0ZsN1o0SzRMTENTVFZvUT09>

**Password: 823150**

**One Tap Mobile: +16699009128,,81525681128#**

**Dial In: +1 669 900 9128**

**Webinar ID: 815 2568 1128**

**Password: 823150**

***This will provide listening access and ability to address the  
Executive Committee when called upon.***

**IF YOU ARE UNABLE TO CONNECT VIA DIAL IN OPTION, PLEASE CALL 760-346-1127.**

Public Comment is encouraged to be emailed to the Executive Committee prior to the Meeting at [cvag@cvag.org](mailto:cvag@cvag.org) by 5:00 p.m. on the day prior to the committee meeting. Comments intended to be read aloud should be no more than 300 characters.

**THIS MEETING IS HANDICAPPED ACCESSIBLE.  
ACTION MAY RESULT ON ANY ITEMS ON THIS AGENDA.**

1. **CALL TO ORDER – 4:00 p.m.**

2. **CLOSED SESSION**

A. **Public Comment for Closed Session Items Only:**

This is the time and place for members of the public to address closed session agenda. Please limit comments to two (2) minutes.

B. **Closed Session**

Pursuant to the provisions of Government Code Section 54956.8, the Executive Committee will adjourn to Closed Session.

**CONFERENCE WITH REAL PROPERTY NEGOTIATOR**

Property: Assessor Parcel Number 501-190-002

CVAG Negotiator: Tom Kirk, Executive Director

Negotiating Party: Palm Springs Country Club, LLC (Eric Taylor)

Under Negotiation: Price and Terms of Payment for acquisition of easements for CV Link

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

**CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION**

Initiation of litigation pursuant to Government Code Section 54956.9(d)(4) with regard to two (2) potential cases.

3. **RECONVENE TO REGULAR SESSION & ROLL CALL – 4:30 p.m.**

A. **Report on Action from Closed Session**

B. **Pledge of Allegiance**

C. **Member Roster**

P6

4. **PUBLIC COMMENTS ON AGENDA ITEMS**

This is the time and place for members of the public to address the Executive Committee on agenda items. At the discretion of the Chair, comments may be taken at the time items are presented. Please limit comments to three (3) minutes.

5. **CHAIR / EXECUTIVE DIRECTOR ANNOUNCEMENTS**

## **6. PUBLIC HEARING**

### **A. Resolutions of Necessity to Initiate Eminent Domain Proceedings on Two Properties (Assessor Parcel Numbers 677-030-023 & 610-030-016) Related to CV Link – Martin Magaña P7**

- 1) Receive the Staff Report
- 2) Open Public Hearing and Receive Testimony/Public Comments
- 3) Close Public Hearing

#### **Recommendation:** Conduct a public hearing and:

1. Adopt a Resolution of Necessity 21-001 declaring the acquisition of Right of Way easements on certain real property, more particularly described as Assessor Parcel No. 677-030-023 in the City of Palm Springs, for CV Link, a Multi-Modal Transportation Project, which comport to the CEQA certified Final Environmental Impact Report (State Clearinghouse No. 2013111050) and NEPA Environmental Assessment with Finding of No Significant Impact (FPN: ATPL 6164(022)) for said Project; and,
2. Adopt a Resolution of Necessity 21-002 declaring the acquisition of Right of Way easements on certain real property, more particularly described as Assessor Parcel No. 610-030-016 in the City of Indio, for CV Link, a Multi-Modal Transportation Project, which comport to the CEQA certified Final Environmental Impact Report (State Clearinghouse No. 2013111050) and NEPA Environmental Assessment with Finding of No Significant Impact (FPN: ATPL 6164(022)) for said Project; and,
3. Make the following findings as hereinafter described in this report:
  - a. The public interest and necessity require the proposed project;
  - b. The project is planned or located in a manner that will be most compatible with the greatest public good and the least private injury;
  - c. The real property to be acquired is necessary for the project; and
  - d. The offers of just compensation have been made to the property owners.

## **7. CONSENT CALENDAR**

- A. Approve the June 7, 2021 Executive Committee Meeting Minutes P34**
- B. Authorize the Chairman to sign a letter of support for AB 43, outlining the need for more local discretion in setting speed limits P41**
- C. Approve Amendment No. One to the Reimbursement Agreement with the City of Coachella for Grapefruit Boulevard between Leoco Lane and 9<sup>th</sup> Street, providing for an additional, not-to-exceed \$77,338.83 regional funds for transportation improvements P45**
- D. Adopt a 2.1 percent increase in CVAG's Transportation Uniform Mitigation Fee (TUMF) rates, effective September 1, 2021, to account for inflation P49**
- E. Authorize the Executive Director to execute a no-cost lease extension with the City of Palm Springs for the Palm Springs Boxing Club for use by the CV Housing First program P51**

- F. **Authorize the Executive Director to negotiate and execute Memorandums of Understanding with member jurisdictions to secure multi-year funding commitments for the CV Housing First program** **P53**
- G. **Authorize the Executive Director to create an East Valley Electricity Task Force, have meetings to review Imperial Irrigation District's Coachella Valley Energy Commission recommendations and report back to the CVAG Energy and Environmental Resources Committee with notes and information on the commission, with the understanding that IID is favorable to the CVAG task force involvement** **P55**
- H. **Authorize the Chair and/or the Executive Director to advocate for funding from the State's budget to be invested in a locally-controlled program that funds the development of additional affordable housing units in the Coachella Valley** **P59**

7.1 **ITEM(S) HELD OVER FROM CONSENT CALENDAR**

8. **DISCUSSION / ACTION**

- A. **CVAG Officer Rotation for FY 2021/2022 – Joanna Stueckle** **P64**

**Recommendation:** Nominate the representative from the City of Palm Springs to serve as FY 2021/2022 Chair and the representative from the City of Coachella to serve as FY 2021/2022 Vice Chair

- B. **CVAG Fiscal Year 2021/2022 Budget – Claude Kilgore** **P65**

**Recommendation:** Approve Resolution No. 21-003 adopting CVAG's 2021/2022 Fiscal Year Annual Budget, Salary Schedule, and Allocated Positions

- C. **Interim Employment Agreement with Katie Barrows as a retired annuitant – Tom Kirk** **P67**

**Recommendation:** Approve Resolution 21-004 and the employment agreement with Katie Barrows on the terms described below as Interim Deputy Director of Desert Community Energy

- D. **Additional Funding for Improvement of Avenue 50 between Calhoun Street and Cesar Chavez in the City of Coachella – Jonathan Hoy** **P77**

**Recommendation:** Approve Amendment No. One to the Reimbursement Agreement between CVAG and the City of Coachella for Improvement of Avenue 50 between Calhoun Street and Cesar Chavez (formerly Harrison Street), increasing the total regional funding to a not-to-exceed amount of \$6,937,500

- E. **Contract Amendment with Alta Planning & Design for CV Link – Jonathan Hoy** **P84**

**Recommendation:** Authorize the Executive Director to execute Amendment No. 9 to the agreement with Alta Planning & Design for a total not-to-exceed amount of

\$578,211, including 10 percent contingency; and authorize the Executive Director and/or Legal Counsel to make clarifying changes/revisions before execution

**9. INFORMATION**

- a) Executive Committee Attendance Roster **P91**
- b) CVAG FY 2021/2022 Schedule of Meetings **P92**
- c) Report on CivicSpark Fellowship Program activities for CVAG **P93**
- d) CV Sync update **P94**
- e) Next steps for the Coachella Valley-San Gorgonio Pass Rail Corridor **P96**

**10. LEGISLATIVE ITEMS**

**11. PUBLIC COMMENTS ON NON-AGENDA ITEMS**

This is the time and place for members of the public to address the Executive Committee on items of general interest within the purview of this committee. Please limit comments to two (2) minutes.

**12. ANNOUNCEMENTS**

**Executive Committee** – Monday, September 27, 2021, 4:30 p.m. in CVAG Suite 119, pending State’s guidance and finalization of logistics.

**13. ADJOURNMENT**

**ITEM 3C****EXECUTIVE COMMITTEE  
ROSTER**

Jurisdiction	Members
City of Blythe	Joseph De Coninck Vice Mayor
City of Cathedral City	Raymond Gregory Mayor
City of Coachella	Steven Hernandez Mayor
City of Desert Hot Springs	Scott Matas Mayor
City of Indian Wells	Richard Balocco Mayor
City of Indio, Chair	Glenn Miller Councilmember
City of La Quinta	Linda Evans Mayor
City of Palm Desert	Kathleen Kelly Mayor
City of Palm Springs, Vice Chair	Christy Holstege Mayor
City of Rancho Mirage	Ted Weill Mayor
County of Riverside	Kevin Jeffries, 1st District Supervisor Karen Spiegel, 2 <sup>nd</sup> District Supervisor Chuck Washington, 3 <sup>rd</sup> Dist. Supervisor V. Manuel Perez, 4 <sup>th</sup> District Supervisor Jeff Hewitt, 5 <sup>th</sup> District Supervisor
Agua Caliente Band of Cahuilla Indians	Jeff Grubbe Tribal Chair
Cabazon Band of Mission Indians	Brenda Soulliere Tribal Member
Torres Martinez Desert Cahuilla Indians	Joseph Mirelez Tribal Vice Chair
Twenty-Nine Palms Band of Mission Indians*	Darrell Mike Tribal Chair

\*Membership is pending approvals of Amendment to CVAG's JPA

## **ITEM 6A**

**Coachella Valley Association of Governments  
Executive Committee  
June 28, 2021**



### **Staff Report**

**Subject:** Resolution of Necessity Related to CV Link

**Contact:** Martin Magaña, Consultant ([mmagana@cvag.org](mailto:mmagana@cvag.org))

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**Recommendation:** Conduct a public hearing and:

1. Adopt a Resolution of Necessity 21-001 declaring the acquisition of Right of Way easements on certain real property, more particularly described as Assessor Parcel No. 677-030-023 in the City of Palm Springs, for CV Link, a Multi-Modal Transportation Project, which comport to the CEQA certified Final Environmental Impact Report (State Clearinghouse No. 2013111050) and NEPA Environmental Assessment with Finding of No Significant Impact (FPN: ATPL 6164(022)) for said Project; and,
2. Adopt a Resolution of Necessity 21-002 declaring the acquisition of Right of Way easements on certain real property, more particularly described as Assessor Parcel No. 610-030-016 in the City of Indio, for CV Link, a Multi-Modal Transportation Project, which comport to the CEQA certified Final Environmental Impact Report (State Clearinghouse No. 2013111050) and NEPA Environmental Assessment with Finding of No Significant Impact (FPN: ATPL 6164(022)) for said Project; and,
3. Make the following findings as hereinafter described in this report:
  - a. The public interest and necessity require the proposed project;
  - b. The project is planned or located in a manner that will be most compatible with the greatest public good and the least private injury;
  - c. The real property to be acquired is necessary for the project; and
  - d. The offers of just compensation have been made to the property owners.

**Background:** Since 2011, the Coachella Valley Association of Governments (CVAG) has planned for the construction of CV Link, a multi-modal transportation project, generally along the top of the levees of the major storm water channels and local roadways in the Coachella Valley.

On June 24, 2019, the CVAG Executive Committee approved a Resolutions of Necessity to condemn several private and allottee properties related to CV Link. The purpose of the recommended action was to acquire real property for the construction and operation of CV Link that will provide an alternative mode of transportation for use by pedestrians, bicycles, and low speed electric vehicles (LSEV). Since the condemnation process started, those efforts have been successful and CVAG has acquired much of the right of way needed for CV Link. There are a few properties where CVAG is still

negotiating compensation for the property easements but, overall, has obtained legal prejudgment possession to move forward and construct CV Link.

CV Link is well under construction on 13.47 miles in the cities of Palm Springs, La Quinta, Indio, and Coachella. In addition, the City of Palm Desert is taking the lead in constructing another 3.3 miles of CV Link in their city, mainly on the street.

However, CVAG staff is once again recommending approval of Resolutions of Necessity to acquire real property for the construction and operation of CV Link. There are two properties needed: one held in trust by the United States for an Allottee and another owned by the Union Pacific Railroad (UPRR).

An appraisal was done for the Allotted property and an offer was made to the property owners. CVAG staff and consultant have been working with the property owners in good faith negotiations to acquire an easement, which includes a modification and reduction in the easement area to be acquired. CVAG is concerned that if the easement is not acquired, CV Link will not have independent utility, lack connectivity, and have inadequate safety measures necessary for the users. The property owners recently agreed to the terms of negotiations, but no formal agreement has yet been reached. Moreover, CVAG still necessitates a recorded grant of right of way from the Bureau of Indian Affairs (BIA). This recorded grant of right of way is required in order to obtain a right of way certification from Caltrans prior to starting construction.

The UPRR property relates to having CV Link go underneath the railroad just north of Indio Boulevard in the City of Indio. CVAG staff has been working with UPRR to acquire the right of way for CV Link for almost three years but has not been successful. CVAG has an engineering agreement with UPRR where CVAG is paying for their staff time to review the plans for CV Link, but UPRR continues to request additional information. While CVAG staff has responded with the additional information they have requested, it takes months for them to respond. Also, CVAG appraised the property and sent UPRR an offer package back in March 2021. UPRR has acknowledged receipt of the offer. However, their representatives stated they cannot negotiate with CVAG until the engineering department approves the plans for the undercrossing. While CVAG continues to respond to UPRR's requests for additional information, CVAG is concerned that if the easement is not acquired, CV Link will lack connectivity and have inadequate safety measures necessary for the users. This will jeopardize the project and cause major delays in construction, resulting in more time and money.

Because railroad property is involved, CVAG staff and consultants have also been conferring with staff at the California Public Utilities Commission, which has jurisdiction over railroads. CPUC staff have indicated they do not anticipate any problems or issues with CV Link. CVAG and its consultants will be filing an application with the CPUC regarding the proposed use of the property for the project.

Both properties are along the route that was approved by the Executive Committee in May 2017. The respective parts of the properties to be acquired (i.e. where the easements will be located) are vacant and no relocation will be required. CV Link has undergone extensive environmental review, including an Environmental Impact Report (EIR) pursuant to the California Environmental Quality Act (CEQA) and an Environmental Assessment (EA) pursuant to the National Environmental Policy Act (NEPA).

The Project is consistent with the project objectives, pursuant to CEQA, as follows:

- A. Create a regional multi-modal transportation facility that interconnects the highest intensity land use corridor in the Coachella Valley with neighborhoods, schools, parks, tourist



destinations, retail centers, high density residential development, and employment centers, to enhance community livability and cohesiveness.

- B. Help the Coachella Valley comply with the Global Warming Solutions Act (AB 32) and the Sustainable Communities and Climate Protection Act (SB 375) by encouraging zero-emission transportation technologies, transit, and active transportation.
- C. Promote healthy lifestyles through the provision of infrastructure where people can safely travel and recreate by means of active transportation, which in turn can help address public health concerns such as childhood obesity and diabetes.
- D. Limit conflicts between motor vehicle traffic, pedestrians, and bicyclists, reduce injuries and fatalities, and create a pleasant user experience by providing grade-separated crossings (bridges and under crossings) of major roadways to the greatest extent possible.
- E. Support "safe routes to schools" efforts by providing connections to K-12 schools in three school districts and to higher education opportunities.
- F. Optimize the use of underutilized flood control rights-of-way, enhance stormwater maintenance infrastructure, and improve emergency response access.

In addition, the project is consistent with the project objectives, pursuant to the Purpose and Need of the NEPA Environmental Assessment, as follows:

- A. Create a regional multi-modal transportation facility that interconnects the highest intensity land use corridor in the Coachella Valley with neighborhoods, schools, parks, tourist destinations, retail centers, high density residential development, and employment centers, to enhance community livability and cohesiveness.
- B. Limit conflicts between motor vehicle traffic, pedestrians, and bicyclists, reduce injuries and fatalities, and create a pleasant user experience by providing grade-separated crossings (bridges and undercrossings) of major roadways to the greatest extent possible.
- C. Support "safe routes to schools" efforts by providing connections to K-12 schools in three school districts and to higher education opportunities.

CVAG retained Riverside County Economic Development Agency (EDA) to assist with the acquisition of right of way related to CV Link. CVAG authorized EDA to obtain appraisals from Anderson & Brabant, Inc. (William B. Anderson & David C. Ottley) for the Allottee property, dated July 12, 2018, and updated October 16, 2019, and Capital Realty Analysts (Mike Scarcella) for the UPRR property, dated March 19, 2021, and made offers of just compensation to the property owners for the acquisition of real property pursuant to California Government Code Section 7267.2.

Offers of just compensation were made to the owners for the full fair market value as determined by appraisals. Staff has attempted to negotiate amicable compensation in good faith with the property owners, and while the property owners have agreed to the terms of the negotiations, it is not final until the other one agrees as well and then a recorded grant of right of way is obtained. As for the UPRR property, UPRR will not negotiate until we get approval from their engineering department. Therefore, the power of eminent domain will be used by CVAG only as a last resort to obtain interests necessary for the project after:

- 1. Negotiations have stalled; or,
- 2. The property owner has requested that the CVAG proceed directly to eminent domain for tax or other advantages; or,
- 3. The eminent domain process is necessary to clear title to the property.

CVAG and its consultant will continue to amicably seek a mutual agreement on compensation throughout the condemnation process. In the event that compensation can be agreed to with property owners, the property owners will be removed from the condemnation process.

#### *Description of Properties to be Acquired*

The properties affected by the proposed acquisition are located in the cities of Palm Springs and Indio, and more particularly described as property owners and related Assessor Parcel Number in the table below.

<b>Ownership</b>	<b>APN(s)</b>	<b>Jurisdiction</b>	<b>Address</b>
Sean Milanovich Travis Milanovich	677-030-023	Palm Springs	Vacant land at northeast corner of North Gene Autry Trail and East Via Escuela
Union Pacific Railroad	610-030-016	Indio	Vacant land within the Whitewater Stormwater Channel

#### *Hearing and Required Findings*

California eminent domain law provides that a public entity may not commence an eminent domain proceeding until its governing body has adopted a Resolution of Necessity, which resolution may only be adopted after the governing body has given each party with an interest in the affected property or their representatives a reasonable opportunity to appear and be heard on the following findings:

1. The public interest and necessity require the proposed project.
2. The project is planned or located in the manner that will be most compatible with the greatest public good and the least private injury.
3. The real property to be acquired is necessary for the project.
4. The offer of just compensation has been made to the property owner.

All notices of hearing were mailed on or before June 11, 2021, by first class mail to the property owners in accordance with Section 1245.235 of the California Code of Civil Procedure.

The four above required findings are addressed as follows:

#### **1. The Public Interest and Necessity Require the Proposed Project**

The public interest and necessity criteria are met by the Project. The Project will support the region's transportation goals and objectives and implement a transformative project for use by the general public. The Project is intended to contribute to reductions in vehicle miles traveled, vehicle congestion along local roadways and pollutant emissions, thus resulting in improved air quality and at the same time encouraging individuals to use an alternative mode of transportation.

The Project also addresses absentee property owner issues and will allow for the removal of blighted property in the area and improve underutilized properties. The properties to be acquired are along the bank of a storm water levee. They are best suited for the Project since they will likely never be developed with large structures that would be exposed to potential flooding. The Project fits into the existing transportation system by correcting existing multi-modal deficiencies and enhancing the multi-

modal connectivity in the Coachella Valley. The Project supports mobility and increases user safety by limiting conflicts between automobiles and alternative modes of transportation.

The project accomplishes many public purposes, including, but not limited to:

- a. Addressing the lack of integrated multi-modal transportation facilities within the Coachella Valley;
- b. Enhancing connectivity between major employment, residential, recreational, and institutional centers throughout the valley, while facilitating and promoting the use of alternative modes of transportation, including walking, bicycles, mobility assistance devices, and low-speed electric vehicles;
- c. Implementing important federal transportation plans such as ‘complete streets,’ which serves to enhance roadway access to all multi-modal transportation, systems;
- d. Promoting health and wellness by enhancing the Coachella Valley’s active transportation network for pathway users.
- e. Increasing tourism by providing an amenity for tourists not offered elsewhere;
- f. Creating a local public amenity for residents and business; and
- g. Eliminating blighted conditions that has become a source of public nuisances in the valley.

## **2. The Project is Planned or Located in a Manner That Will be Most Compatible With The Greatest Public Good and the Least Private Injury**

The CV Link EIR evaluated four alignment variations. The original project included routes except the ones through the City of Rancho Mirage. EIR Alternative 1 evaluated all CV Link alignment variations excepting those in the cities of Rancho Mirage and Indian Wells. Alternative 2 evaluated the CV Link project with no gaps. Alternative 3 evaluated the “no build” scenario, where no path would be built.

After consideration of the project and alternatives, Alternative 1, with slight modifications, was determined to be the best project because it would have the fewest significant impacts on the environment. Alternative 1 also maximizes the project goals and objectives while minimizing overall impacts on property owners and the environment to the greatest extent possible. It was approved by the Executive Committee on May 15, 2017.

The Project is intended to contribute to reductions in vehicle miles traveled, vehicle congestion along local roadways and pollutant emissions, thus resulting in improved air quality and at the same time, encouraging individuals to use an alternative mode of transportation.

CV Link will allow for the removal of blight in the area and improve the underutilized property. The property to be acquired is best suited for the project since it is currently vacant and has not been developed with any structures.

CV Link will cause the least private injury to users because it fits into the existing transportation system by correcting existing multi-modal deficiencies and enhancing the multi-modal connectivity in the Coachella Valley. The project supports mobility and increases user safety by creating an interface between automobiles and alternative modes of transportation.

## **3. The Real Property to be Acquired is Necessary for the Project**

As previously mentioned under Finding Number 2, the CV Link EIR evaluated four alignment variations. The original project included routes except the ones through the City of Rancho Mirage.

EIR Alternative 1 evaluated all CV Link alignment variations excepting those in the cities of Rancho Mirage and Indian Wells. Alternative 2 evaluated the CV Link project with no gaps. Alternative 3 evaluated the “no build” scenario, where no path would be built.

After consideration of the project and alternatives, Alternative 1, with slight modifications, was determined to be the best project because it would have the fewest significant impacts on the environment. Alternative 1 also maximizes the project goals and objectives while minimizing overall impacts on property owners and the environment to the greatest extent possible.

The real property described in the exhibit attached to the Resolutions of Necessity as an easement on the parcel in the table above, is needed for the multi-modal transportation project and is necessary for the Project. To move a project of this magnitude elsewhere in the valley would require significant land use policy changes and cause a greater impact to property owners, cities and would effectively be cost prohibitive.

CV Link is a reasonable expenditure of public funds because it has been developed within the framework of local and regional transportation planning and policy that supports alternative modes of transportation and safety. It will provide necessary upgrades to the currently deficient multi-modal connectivity in the valley which supports diversified modes of transportation.

CV Link is necessary as it will serve as a backbone multi-modal facility that can be used as the core for both local and regional access and it has been assessed in CVAG’s Active Transportation Plan. CV Link is both achievable and essential if alternative modes of transportation are to gain greater use in the Coachella Valley.

#### **4. Offers of Just Compensation Have Been Made**

Appraisals were prepared by Capital Realty Analysts (Michael A. Scarcella) and Anderson & Brabant, Inc. (James Brabant & David C. Ottley), to establish the fair market value of the easements that CVAG is seeking to acquire. Offers of just compensation were made to the property owners of record to purchase the easements as established by the approved appraisals and as required by Section 7267.2 of the California Government Code. Although negotiated settlements may still be possible for these easements cited above, it would be appropriate to commence the procedures to acquire the easements through eminent domain, to ensure that CVAG has possession of the properties for the uninterrupted continuation of construction.

#### *Environmental Analysis*

As previously mentioned, the Project has undergone extensive environmental review including, an Environmental Impact Report (EIR) and an Environmental Assessment (EA). An EIR has been developed and previously certified in accordance with the requirements and guidelines of the California Environmental Quality Act (CEQA). On May 15, 2017, the CVAG Executive Committee adopted Resolution 17-003 certifying the Final EIR (SCH #2013111050) for the CV Link Project; adopted Environmental Findings pursuant to the CEQA; adopted a Mitigation Monitoring and Reporting Program; adopted Resolution 17-004 approving CV Link, Alternative 1, as modified; and adopted a Statement of Overriding Considerations.

The certified EIR is still adequate. Pursuant to State CEQA Guidelines 15162, when an EIR has been certified or a negative declaration adopted for a project, no subsequent EIR shall be prepared for that project unless the lead agency determines, on the basis of substantial evidence in the light of the

whole record, that substantial changes that would require major revisions of the previous EIR or, new information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous EIR was certified as complete.

To date, there is no new information that would show that the environmental impacts evaluated would be worse than those already analyzed in the certified EIR. All of the mitigation measures adopted as part of the certified EIR are still valid and apply to the Project.

In addition, the environmental review, consultation, and any other actions required by applicable Federal environmental laws for this Project have been carried out by California Department of Transportation (Caltrans), pursuant to 23 USC 327 and the Memorandum of Understanding dated December 23, 2016 and executed by FHWA and Caltrans. On July 26, 2018, Caltrans approved an Environmental Assessment for the purposes of NEPA and determined that the Preferred Alternative (Alternative 1) for the Project will have no significant impact on the human environment and approved a Finding of No Significant Impact (FONSI) for the Project.

**Fiscal Analysis:** The costs related to right of way for CV Link is covered under the project's funding, and there is funding available to cover these acquisitions.

**Attachments:**

1. Approved route for CV Link
2. Resolution of Necessity No. 21-001
3. Resolution of Necessity No. 21-002
4. Resolution 17-003 for CV Link EIR and Mitigation Monitoring and Reporting Program:  
[https://www.cvaq.org/library/pdf\\_files/Resolution%2017-003.pdf](https://www.cvaq.org/library/pdf_files/Resolution%2017-003.pdf)
5. Resolution 17-004 for CV Link for Statement of Overriding Considerations:  
[https://www.cvaq.org/library/pdf\\_files/Resolution%2017-004.pdf](https://www.cvaq.org/library/pdf_files/Resolution%2017-004.pdf)
6. California Department of Transportation (Caltrans) Finding of No Significant Impact (FONSI) for the Environmental Assessment for the Project



Attachment 1: CV Link Map



## **RESOLUTION NO. 21- 001**

### **RESOLUTION OF NECESSITY FOR THE ACQUISITION BY EMINENT DOMAIN OF AN EASEMENT INTEREST IN ASSESSOR PARCEL NO. 677-030-023, ALLOTTEE 1023, FOR THE CV LINK MULTI-MODAL TRANSPORTATION PROJECT**

#### **(ALLOTTED PARCEL)**

**WHEREAS**, the Coachella Valley Association of Governments (“CVAG”) is a joint powers authority and public entity established pursuant to Government Code Section 6500 et seq.;

**WHEREAS**, members of CVAG qualify as a “public agency,” as that term is defined in Government Code Section 6500, established by law with full powers of government in legislative, administrative, financial, and other matters;

**WHEREAS**, Section 1240.140 of the Code of Civil Procedure provides that by agreement members of a joint powers authority created under Government Code 6500 et seq. may jointly exercise their respective powers of eminent domain;

**WHEREAS**, members of CVAG have the power of eminent domain under Government Code Sections 25330.5 and 37350.5 as applicable and 25 U.S.C. Section 357 authorizes the exercise of eminent domain with respect to allotted property;

**WHEREAS**, the Joint Powers Agreement of CVAG authorizes CVAG to acquire and hold property by eminent domain;

**WHEREAS**, the Joint Powers Agreement of CVAG authorizes its Executive Committee to exercise powers of the Agreement between sessions of the General Assembly;

**WHEREAS**, CVAG previously prepared and certified an Environmental Impact Report (“EIR”) which fully analyzed the potential environmental impacts associated with the construction, operation and maintenance of the CV Link Multi-Modal Transportation Project pursuant to the California Environmental Quality Act (“CEQA”);

**WHEREAS**, on May 15, 2017, CVAG certified the EIR and took other actions pursuant to CEQA via Resolution No. 19-003, and approved the Project via Resolution No. 17-004;

**WHEREAS**, CVAG now proposes to acquire by eminent domain an easement with respect to certain real property for the construction, operation and maintenance of the CV Link Multi-Modal Transportation Project as that

project is defined in Resolution No. 17-004 adopted by CVAG on May 15, 2017; and

**WHEREAS**, pursuant to Section 1245.235 of the Code of Civil Procedure, CVAG scheduled a public hearing for Monday, June 28, 2021, at 4:30 p.m., via Zoom, in compliance with California Executive Order N-29-20 (March 18, 2020), and gave to each person whose property is to be acquired including those whose name and address appeared on the most recent Bureau of Indian Affairs' Title Status Report, notice and a reasonable opportunity to appear at said hearing and be heard on the matters referred to in Section 1240.030 of the Code of Civil Procedure; and

**WHEREAS**, said hearing has been held by CVAG, and the affected property owners were afforded an opportunity to be heard on said matters; and

**WHEREAS**, CVAG may now adopt a Resolution of Necessity pursuant to Section 1240.040 of the California Code of Civil Procedure;

**NOW, THEREFORE, CVAG DOES HEREBY RESOLVE AND DECLARE AS FOLLOWS:**

**Section 1. Compliance with California Code of Civil Procedure.** CVAG has complied with the requirements of Section 1245.235 of the Code of Civil Procedure regarding notice and hearing.

**Section 2. Public Use.** The public use for the easements to be acquired is for multi-modal transportation by members of the public per the CV Link Multi-Modal Transportation Project as defined herein. Code of Civil Procedure Section 1240.140 and Government Code Sections 25330.5 and 37350.5 and 25 U.S.C. Section 357 authorize CVAG to acquire by eminent domain property necessary for such purposes.

**Section 3. Description of Property.** Attached and incorporated hereto as Exhibit A are the legal definition, description and depiction of the interests to be acquired by CVAG, which describe the general location and extent of the property with sufficient detail for reasonable identification.

**Section 4. Findings.** CVAG hereby finds and determines each of the following:

- (a) The public interest and necessity require the proposed project;
- (b) The proposed project is planned or located in the manner that will be most compatible with the greatest public good and least private injury;
- (c) The property defined and described in Exhibit A is necessary for the proposed project; and
- (d) The offer required by Section 7267.2 of the Government Code was made.



**Section 5. Use Not Unreasonably Interfering with Existing Public Use.** Some of the real property affected by the easement and right of way interests to be acquired may be appropriated to existing public uses. The acquisitions and use or uses described herein will not unreasonably interfere with or impair the continuance of the public use as it now exists or may reasonably be expected to exist, and such uses and acquisitions are authorized pursuant to Section 1240.510 of the Code of Civil Procedure.

**Section 6. CEQA.** Based on substantial evidence in the record, including but not limited to the previously certified EIR and the staff report accompanying this Resolution, CVAG finds that no further environmental review of the CV Link Multi-Modal Project is required under CEQA because none of the conditions identified in Public Resources Code Section 21166 and State CEQA Guidelines Section 15162 exist. Specifically:

(a) This Resolution does not approve any substantial change in the CV Link Multi-Modal Project that would require major revisions of the EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects.

(b) There is not a substantial change with respect to the circumstances under which the CV Link Multi-Modal Project will be undertaken that would require major revisions of the EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of the previously identified significant effects.

(c) New information of substantial importance has not been presented that was not known and could not have been known with the exercise of reasonable diligence at the time the EIR was certified or adopted, showing any of the following: (i) that one or more significant effects not discussed in the EIR now exist; (ii) that significant effects previously examined would be substantially more severe than shown in the EIR; (iii) that previously infeasible mitigation measures or alternatives would now be feasible and would substantially reduce one or more significant effects, but are not being adopted; or (iv) that mitigation measures or alternatives considerably different from those analyzed previously would substantially reduce one or more significant environmental effects, but are not being adopted.

**Section 7. Further Activities.** Counsel for CVAG is hereby authorized to acquire the hereinabove described property in the name of and on behalf of CVAG by eminent domain, and counsel is authorized to institute and prosecute such legal proceedings as may be required in connection therewith. Legal counsel is further authorized to take such steps as may be authorized and required by law, and to make such security deposits as may be required by order of court, to permit CVAG to take possession of and use said property at the earliest possible time. Counsel is further authorized to correct any errors or to make or agree to non-material changes in the legal description of the property that are deemed necessary for the conduct of the condemnation action, or other proceedings or transactions required to acquire the subject property.

**Section 8. Effective Date.** This Resolution shall take effect upon adoption.

**Section 9. Custodian of Record.** The documents and materials that constitute the record of proceedings upon which these findings are based are on file and available for public review at CVAG's office, 73-710 Fred Waring Drive, Suite 200, Palm Desert CA 92260. The custodian of record is Martin Magana, or his designee.

**APPROVED AND ADOPTED** this 28th day of June, 2021.

---

Glenn A Miller, Chair

ATTEST:

APPROVED AS TO FORM:

---

## **Exhibit A**

### **Legal Description and Map (Allotted Parcel 1023)**

## **Legal Definition**

### **EASEMENT**

**(Applicable To Each Parcel Described In Attachment A & B)**

#### **CV Link Multi-Model Transportation Corridor Project**

It is hereby condemned to the COACHELLA VALLEY ASSOCIATION OF GOVERNMENTS, a joint powers authority created under the laws of the State of California (hereinafter referred to as "CVAG"), it successors and assigns, a perpetual exclusive easement and right of way for a multipurpose public path ("Project"), including riding, walking, jogging, running, biking, electric vehicles and similar uses in, on, over and across that portion of property that is legally described in Attachment "A", which is attached hereto and by this reference incorporated herein, and graphically depicted on Attachment "B", which is attached hereto and by this reference incorporated herein (collectively, the "Easement"). The purpose of the Project and the Easement is to (i) foster mobility within the Coachella Valley, (ii) promote public health and wellness through exercise and the use of different modes of transportation, (iii) ensure public safety by providing a dedicated path for such modes of transportation, (iv) enhance mobility and accessibility for disadvantaged individuals, and (v) provide environmental benefits such as improved air quality and reduced carbon emissions from the use of different modes of transportation. The Easement will include the right of CVAG to access, construct and maintain a paved path within the area described on Attachment B, as well as utility installations, lighting, rest areas, exercise stations and such other facilities as are reasonable or desirable for the public use of the Project. CVAG shall be solely responsible for the construction, operation, maintenance and use of the Project facilities within the area described on Attachment B. CVAG will have the right to grant a non-exclusive easement to Desert Healthcare District for the use of the Easement for the purpose of using the Easement for public access related to public health and wellness. In addition to any rights that CVAG may have at law or equity to enforce the terms of this Easement, in the event that CVAG fails to enforce the terms of this Easement as necessary for public benefit and use of the Project, then the public agencies and entities that have provided funding for the Project as of the date of this Easement shall have the right, individually or collectively, to enforce the provisions of this Easement for the benefit of the public.

**EXHIBIT "A"**  
**LEGAL DESCRIPTION**  
**CV LINK EASEMENT**  
**ACBCI ALLOTTEE 1023**  
**APN 677-030-023**

IN THE CITY OF PALM SPRINGS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, BEING A PORTION OF THAT PROPERTY DESCRIBED BY CORRECTIVE DEED RECORDED MAY 9, 1995 AS INSTRUMENT NO. 145541, OFFICIAL RECORDS OF SAID COUNTY, LOCATED IN SECTION 6, TOWNSHIP 4 SOUTH, RANGE 5 EAST, SAN BERNARDINO MERIDIAN, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

**COMMENCING** AT THE SOUTHWEST CORNER OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 6;

THENCE SOUTH 89°38'26" EAST, ALONG THE SOUTHERLY LINE OF SAID NORTHEAST QUARTER OF THE SOUTHWEST QUARTER, A DISTANCE OF 142.00 FEET TO THE EASTERLY RIGHT-OF-WAY LINE OF GENE AUTRY TRAIL;

THENCE NORTH 00°24'38" EAST, ALONG SAID EASTERLY RIGHT-OF-WAY LINE, A DISTANCE OF 20.58 FEET TO THE **TRUE POINT OF BEGINNING**;

THENCE CONTINUING ALONG SAID EASTERLY RIGHT-OF-WAY LINE, NORTH 00°24'38" EAST, A DISTANCE OF 18.00 FEET;

THENCE LEAVING SAID EASTERLY RIGHT-OF-WAY LINE, SOUTH 89°50'10" EAST, A DISTANCE OF 261.44 FEET TO THE SOUTHWESTERLY LINE OF THE WHITEWATER CHANNEL AS DESCRIBED BY EASEMENT RECORDED OCTOBER 01, 1971 AS INSTRUMENT NO. 111572, OF OFFICIAL RECORDS OF SAID COUNTY;

THENCE ALONG THE SOUTHWESTERLY LINE OF SAID WHITEWATER CHANNEL SOUTH 40°49'59" EAST, A DISTANCE OF 52.46 FEET TO THE SOUTHEAST CORNER OF SAID INSTRUMENT NO. 145541, ALSO BEING A POINT ON SAID SOUTHERLY LINE OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 6;

THENCE ALONG SAID SOUTHERLY LINE, NORTH 89°38'26" WEST, A DISTANCE OF 11.48 FEET;

THENCE NORTH 40°49'59" WEST, A DISTANCE OF 21.93 FEET;

THENCE NORTH 00°21'34" EAST, A DISTANCE OF 5.00 FEET;

THENCE NORTH 89°50'10" WEST, A DISTANCE OF 270.08 FEET, TO THE **TRUE POINT OF BEGINNING**;

**SUBJECT** TO EXISTING EASEMENTS, COVENANTS, RIGHTS AND RIGHTS-OF-WAY OF RECORD.

**EXHIBIT "A"**  
**LEGAL DESCRIPTION**  
**CV LINK EASEMENT**  
**ACBCI ALLOTTEE 1023**  
**APN 677-030-023**

**CONTAINING** 5,084 SQUARE FEET OR 0.117 ACRES MORE OR LESS.

AS DEPICTED ON **EXHIBIT "B"** ATTACHED HERETO AND MADE A PART HEREOF.

PREPARED BY OR UNDER THE DIRECTION OF:

Charles R. Harris

CHARLES R. HARRIS

P.L.S. 4989



DATED: 10/20/2020

# EXHIBIT "B"

## CV LINK EASEMENT

APN 677-030-023 ACBCI ALLOTTEE 1023

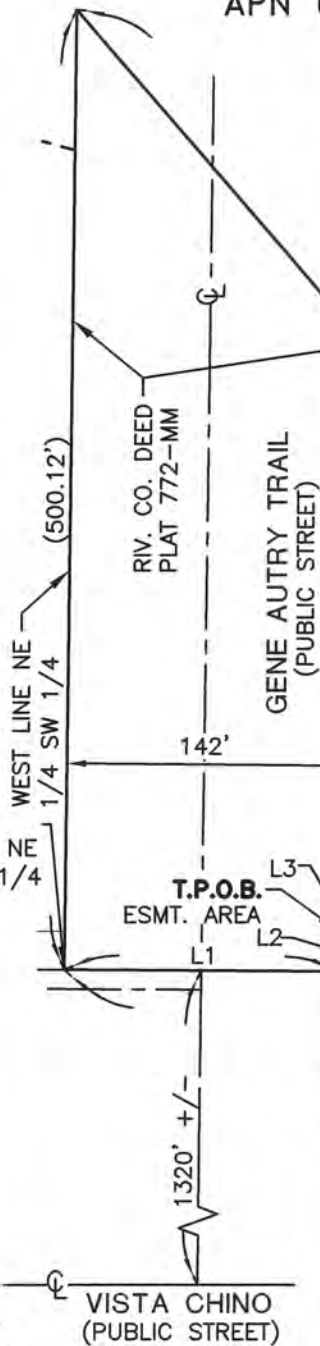
SEC. 6, T.4S., R.5E., SBM

CITY OF PALM SPRINGS

S'LY LINE  
NE 1/4 SW 1/4  
AND ALLOTTEE 1023



**DETAIL**  
NOT TO SCALE



N 1/2 LOT 1  
OF SW 1/4

RS 96/43-48

200' RCFC ESMT. PER  
INST. NO. 457971  
REC. 12/19/1990

INDIAN ALLOTTEE 1023,  
HELD IN TRUST BY BIA  
PER INST. NO. 113126 REC.  
10/05/1971, O.R. CORRECTED  
BY INST. NO. 145541 REC.  
05/09/1995, O.R.  
APN: 677-030-023

APN: 677-030-024  
CVWD INST. NO.  
111572, REC.  
10/01/1971, O.R.

**ESMT. AREA**  
5,084 SQ. FT.  
0.117 AC.

**SEE DETAIL  
ABOVE**

PM 12/49

### LINE DATA

NO.	BEARING	LENGTH
L1	S 89°38'26" E	142.00'
L2	N 00°24'38" E	20.58'
L3	N 00°24'38" E	18.00'
L4	S 40°49'59" E	52.46'
L5	N 89°38'26" W	11.48'
L6	N 40°49'59" W	21.93'
L7	N 00°21'34" E	5.00'



DATED: 10/20/2020

(-) INDICATES RECORD DATA PER INST.  
NO. 145541 REC. 05/09/1995, O.R.

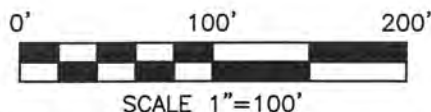
**MSA CONSULTING, INC.**  
PLANNING ■ CIVIL ENGINEERING  
LAND SURVEYING



J.N. 2131

BK1 CP133

SHEET 1 OF 1



"THIS PLAT IS AN AID IN LOCATING THE PARCEL(S)  
DESCRIBED IN THE PRECEDING DOCUMENT. ALL PRIMARY  
CALLS ARE LOCATED IN THE WRITTEN DESCRIPTION".



**RESOLUTION NO. 21- 002**

**RESOLUTION OF NECESSITY FOR THE ACQUISITION BY EMINENT DOMAIN OF AN EASEMENT INTEREST IN ASSESSOR PARCEL NO. 610-030-016 FOR THE CV LINK MULTI-MODAL TRANSPORTATION PROJECT**

**(NON-ALLOTTED PARCEL)**

**WHEREAS**, the Coachella Valley Association of Governments (“CVAG”) is a joint powers authority and public entity established pursuant to Government Code Section 6500 et seq.;

**WHEREAS**, members of CVAG qualify as a “public agency,” as that term is defined in Government Code Section 6500, established by law with full powers of government in legislative, administrative, financial, and other matters;

**WHEREAS**, Section 1240.140 of the Code of Civil Procedure provides that by agreement members of a joint powers authority created under Government Code 6500 et seq. may jointly exercise their respective powers of eminent domain;

**WHEREAS**, members of CVAG have the power of eminent domain under Government Code Sections 25330.5 and 37350.5 as applicable;

**WHEREAS**, the Joint Powers Agreement of CVAG authorizes CVAG to acquire and hold property by eminent domain;

**WHEREAS**, the Joint Powers Agreement of CVAG authorizes its Executive Committee to exercise powers of the Agreement between sessions of the General Assembly;

**WHEREAS**, CVAG previously prepared and certified an Environmental Impact Report (“EIR”) which fully analyzed the potential environmental impacts associated with the construction, operation and maintenance of the CV Link Multi-Modal Transportation Project pursuant to the California Environmental Quality Act (“CEQA”);

**WHEREAS**, on May 15, 2017, CVAG certified the EIR and took other actions pursuant to CEQA via Resolution No. 19-003, and approved the Project via Resolution No. 17-004;

**WHEREAS**, CVAG now proposes to acquire by eminent domain an easement with respect to certain real property for the construction, operation and maintenance of the CV Link Multi-Modal Transportation Project as that



project is defined in Resolution No. 17-004 adopted by CVAG on May 15, 2017.

**WHEREAS**, pursuant to Section 1245.235 of the Code of Civil Procedure, CVAG scheduled a public hearing for Monday, June 28, 2021, at 4:30 p.m., via Zoom, in compliance with California Executive Order N-29-20 (March 18, 2020), and gave to Union Pacific Rail Road Company, the owner of the railway to be affected, notice and a reasonable opportunity to appear at said hearing and be heard on the matters referred to in Section 1240.030 of the Code of Civil Procedure; and

**WHEREAS**, said hearing has been held by CVAG, and the affected property owners were afforded an opportunity to be heard on said matters; and

**WHEREAS**, CVAG may now adopt a Resolution of Necessity pursuant to Section 1240.040 of the California Code of Civil Procedure;

**NOW, THEREFORE, CVAG DOES HEREBY RESOLVE AND DECLARE AS FOLLOWS:**

**Section 1. Compliance with California Code of Civil Procedure.** CVAG has complied with the requirements of Section 1245.235 of the Code of Civil Procedure regarding notice and hearing.

**Section 2. Public Use.** The public use for the easements to be acquired is for multi-modal transportation by members of the public per the CV Link Multi-Modal Transportation Project as defined herein. Code of Civil Procedure Section 1240.140 and Government Code Sections 25330.5 and 37350.5 authorize CVAG to acquire by eminent domain property necessary for such purposes.

**Section 3. Description of Property.** Attached and incorporated hereto as Exhibit A are the legal definition, description and depiction of the interest to be acquired by CVAG, which describe the general location and extent of the property with sufficient detail for reasonable identification.

**Section 4. Findings.** CVAG hereby finds and determines each of the following:

- (a) The public interest and necessity require the proposed project;
- (b) The proposed project is planned or located in the manner that will be most compatible with the greatest public good and least private injury;
- (c) The property defined and described in Exhibit A is necessary for the proposed project; and
- (d) The offer required by Section 7267.2 of the Government Code was made.

**Section 5. Use Not Unreasonably Interfering with Existing Public Use.** Some of the real property affected by the easement and right of way interests to be acquired may be appropriated to existing public uses. The acquisitions and use or uses described herein will not unreasonably interfere with or impair the continuance of the public use as it now exists or may reasonably be expected to exist, and such uses and acquisitions are authorized pursuant to Section 1240.510 of the Code of Civil Procedure.

**Section 6. CEQA.** Based on substantial evidence in the record, including but not limited to the previously certified EIR and the staff report accompanying this Resolution, CVAG finds that no further environmental review of the CV Link Multi-Modal Project is required under CEQA because none of the conditions identified in Public Resources Code Section 21166 and State CEQA Guidelines Section 15162 exist. Specifically:

(a) This Resolution does not approve any substantial change in the CV Link Multi-Modal Project that would require major revisions of the EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects.

(b) There is not a substantial change with respect to the circumstances under which the CV Link Multi-Modal Project will be undertaken that would require major revisions of the EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of the previously identified significant effects.

(c) New information of substantial importance has not been presented that was not known and could not have been known with the exercise of reasonable diligence at the time the EIR was certified or adopted, showing any of the following: (i) that one or more significant effects not discussed in the EIR now exist; (ii) that significant effects previously examined would be substantially more severe than shown in the EIR; (iii) that previously infeasible mitigation measures or alternatives would now be feasible and would substantially reduce one or more significant effects, but are not being adopted; or (iv) that mitigation measures or alternatives considerably different from those analyzed previously would substantially reduce one or more significant environmental effects, but are not being adopted.

**Section 7. Further Activities.** Counsel for CVAG is hereby authorized to acquire the hereinabove described property in the name of and on behalf of CVAG by eminent domain, and counsel is authorized to institute and prosecute such legal proceedings as may be required in connection therewith. Legal counsel is further authorized to take such steps as may be authorized and required by law, and to make such security deposits as may be required by order of court, to permit CVAG to take possession of and use said property at the earliest possible time. Counsel is further authorized to correct any errors

or to make or agree to non-material changes in the legal description of the property that are deemed necessary for the conduct of the condemnation action, or other proceedings or transactions required to acquire the subject property.

**Section 8. Effective Date.** This Resolution shall take effect upon adoption.

**Section 9. Custodian of Record.** The documents and materials that constitute the record of proceedings upon which these findings are based are on file and available for public review at CVAG's office, 73-710 Fred Waring Drive, Suite 200, Palm Desert CA 92260. The custodian of record is Martin Magana, or his designee.

**APPROVED AND ADOPTED** this 28th day of June, 2021.

---

Glenn A. Miller, Chair

ATTEST:

APPROVED AS TO FORM:

---

Exhibit A  
Legal Description and Map

## **Legal Definition**

### **EASEMENT**

**(Applicable To Each Parcel Described In Attachment A & B)**

#### **CV Link Multi-Model Transportation Corridor Project**

It is hereby condemned to the COACHELLA VALLEY ASSOCIATION OF GOVERNMENTS, a joint powers authority created under the laws of the State of California (hereinafter referred to as "CVAG"), it successors and assigns, a perpetual exclusive easement and right of way for a multipurpose public path ("Project"), including riding, walking, jogging, running, biking, electric vehicles and similar uses in, on, over and across that portion of property that is legally described in Attachment "A", which is attached hereto and by this reference incorporated herein, and graphically depicted on Attachment "B", which is attached hereto and by this reference incorporated herein (collectively, the "Easement"). The purpose of the Project and the Easement is to (i) foster mobility within the Coachella Valley, (ii) promote public health and wellness through exercise and the use of different modes of transportation, (iii) ensure public safety by providing a dedicated path for such modes of transportation, (iv) enhance mobility and accessibility for disadvantaged individuals, and (v) provide environmental benefits such as improved air quality and reduced carbon emissions from the use of different modes of transportation. The Easement will include the right of CVAG to access, construct and maintain a paved path within the area described on Attachment B, as well as utility installations, lighting, rest areas, exercise stations and such other facilities as are reasonable or desirable for the public use of the Project. CVAG shall be solely responsible for the construction, operation, maintenance and use of the Project facilities within the area described on Attachment B. CVAG will have the right to grant a non-exclusive easement to Desert Healthcare District for the use of the Easement for the purpose of using the Easement for public access related to public health and wellness. In addition to any rights that CVAG may have at law or equity to enforce the terms of this Easement, in the event that CVAG fails to enforce the terms of this Easement as necessary for public benefit and use of the Project, then the public agencies and entities that have provided funding for the Project as of the date of this Easement shall have the right, individually or collectively, to enforce the provisions of this Easement for the benefit of the public.

**EXHIBIT "A"**  
**LEGAL DESCRIPTION**  
**CV LINK EASEMENT**  
**UNION PACIFIC RAILROAD**  
**APN 610-030-016**

IN THE CITY OF INDIO, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, LOCATED IN THE NORTH HALF OF THE SOUTHWEST QUARTER OF SECTION 15, TOWNSHIP 5 SOUTH, RANGE 7 EAST, SAN BERNARDINO MERIDIAN, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

**COMMENCING AT** THE NORTHWEST CORNER OF PARCEL 1 OF PARCEL MAP 20850, AS SHOWN BY MAP ON FILE IN BOOK 135, AT PAGES 64 AND 65 OF PARCEL MAPS, RECORDS OF SAID RIVERSIDE COUNTY, BEING A POINT ON A NON-TANGENT CURVE, CONCAVE SOUTHEASTERLY, HAVING A RADIUS OF 2369.58 FEET, SAID POINT ALSO BEING ON THE SOUTHEASTERLY RIGHT-OF-WAY OF THE WHITEWATER CHANNEL PER SAID PARCEL MAP, A RADIAL LINE TO SAID POINT BEARS NORTH 45°26'18" WEST;

THENCE NORTHEASTERLY ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 03°00'24", AN ARC DISTANCE OF 124.35 FEET, TO A POINT ON THE SOUTHWESTERLY RIGHT-OF-WAY LINE 100.00 FEET IN WIDTH GRANTED TO THE UNION PACIFIC RAILROAD PER DEED RECORDED MAY 7, 1892 IN BOOK 198 PAGE 197 OF DEEDS OFFICIAL RECORDS OF SAN DIEGO COUNTY, A RADIAL LINE TO SAID POINT BEARS NORTH 42°25'54" WEST;

THENCE NON-TANGENT TO SAID CURVE NORTH 59°06'52" WEST ALONG SAID SOUTHWESTERLY RIGHT-OF-WAY LINE, A DISTANCE OF 93.18 FEET TO THE **TRUE POINT OF BEGINNING**;

THENCE CONTINUING ALONG SAID SOUTHWESTERLY RIGHT-OF-WAY LINE NORTH 59°06'52" WEST, A DISTANCE OF 68.58 TO THE BEGINNING OF A NON-TANGENT CURVE, CONCAVE SOUTHEASTERLY, HAVING A RADIUS OF 275.50 FEET, A RADIAL LINE TO SAID POINT BEARS NORTH 56° 39'33" WEST;

THENCE LEAVING SAID SOUTHWESTERLY RIGHT-OF-WAY LINE AND NORTHEASTERLY ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 33°30'38", AN ARC DISTANCE OF 161.13 FEET TO A POINT ON THE NORTHEASTERLY LINE OF A 200 FEET WIDE RIGHT-OF-WAY RESERVED IN FAVOR OF THE UNION PACIFIC RAILROAD PER DEED RECORDED JUNE 22, 1930 IN BOOK 169, PAGE 251 OF DEEDS OFFICIAL RECORDS OF SAID SAN DIEGO COUNTY, A RADIAL LINE TO SAID POINT BEARS NORTH 23°08'55" WEST;

**EXHIBIT "A"**  
**LEGAL DESCRIPTION**  
**CV LINK EASEMENT**  
**UNION PACIFIC RAILROAD**  
**APN 610-030-016**

THENCE ALONG SAID NORTHEASTERLY RIGHT-OF-WAY LINE AND NON-TANGENT TO SAID CURVE SOUTH 59°06'52" EAST, A DISTANCE OF 83.65 FEET;

THENCE SOUTH 65°57'04" WEST, A DISTANCE OF 52.39 FEET TO THE BEGINNING OF A TANGENT CURVE, CONCAVE SOUTHEASTERLY, HAVING A RADIUS OF 207.00 FEET;

THENCE SOUTHWESTERLY ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 31°47'49", AN ARC DISTANCE OF 114.88 FEET TO THE **TRUE POINT OF BEGINNING**;

**SUBJECT** TO EXISTING EASEMENTS, COVENANTS, RIGHTS AND RIGHTS-OF-WAY OF RECORD.

**CONTAINING** 11,247 SQUARE FEET OR 0.258 ACRES MORE OR LESS.

AS DEPICTED ON **EXHIBIT "B"** ATTACHED HERETO AND MADE A PART HEREOF.

PREPARED BY OR UNDER THE DIRECTION OF:

*Charles R. Harris*

CHARLES R. HARRIS

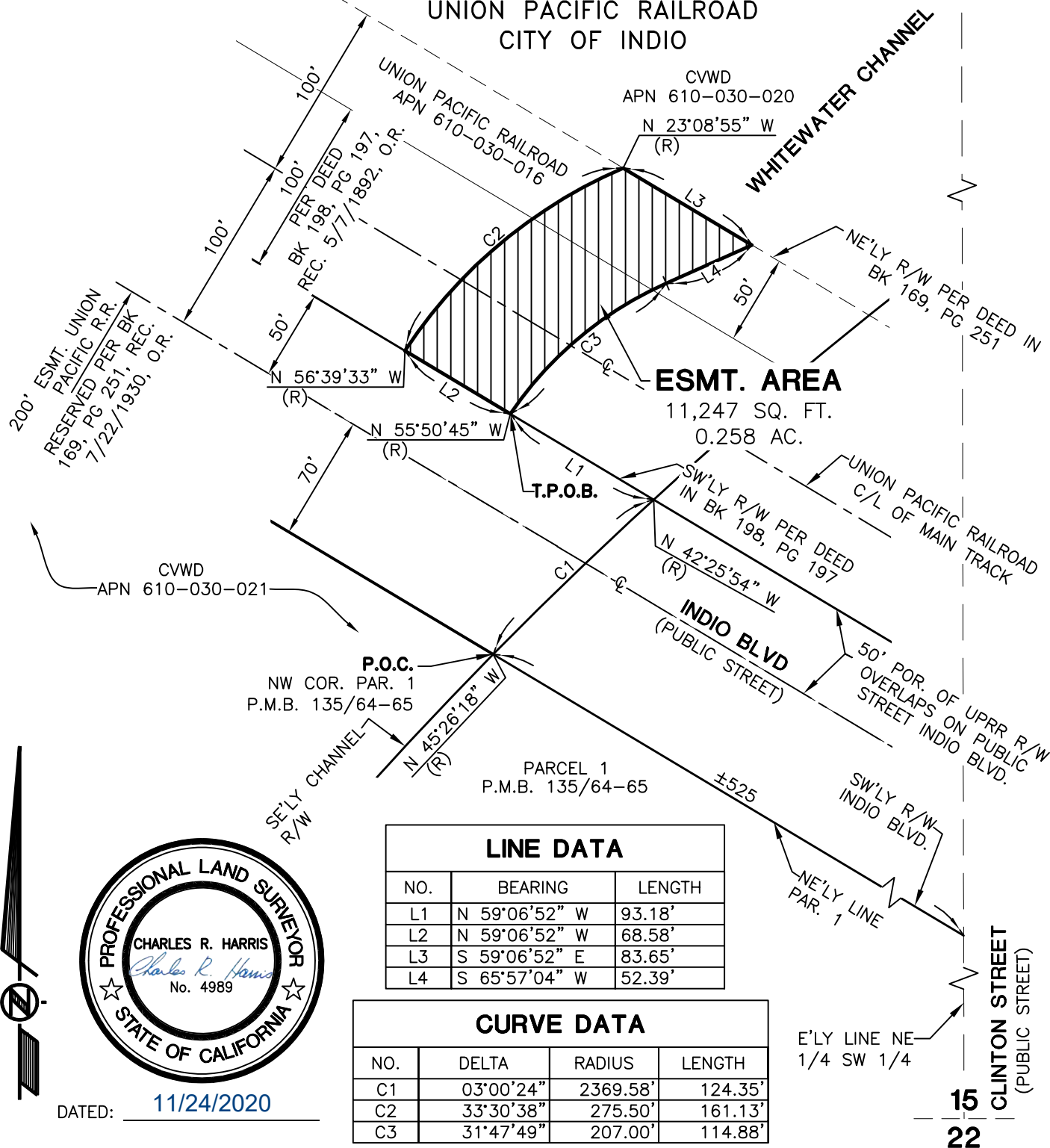
P.L.S. 4989



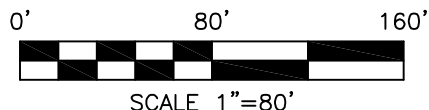
DATED: 11/24/2020

APN 610-030-016  
UNION PACIFIC RAILROAD  
CITY OF INDIO

AVE 42  $\frac{10}{15}$



DATED: 11/24/2020



"THIS PLAT IS AN AID IN LOCATING THE PARCEL(S) DESCRIBED IN THE PRECEDING DOCUMENT. ALL PRIMARY CALLS ARE LOCATED IN THE WRITTEN DESCRIPTION".



**MSA CONSULTING, INC.**  
**PLANNING ■ CIVIL ENGINEERING**  
**LAND SURVEYING**

J.N. 2131

SHEET 1 OF 1



**CALIFORNIA DEPARTMENT OF TRANSPORTATION  
FINDING OF NO SIGNIFICANT IMPACT (FONSI)**

*CV Link Project*

**FOR**

The California Department of Transportation (Caltrans) and the Coachella Valley Association of Governments (CVAG) have determined that the Preferred Alternative (Alternative 1) will have no significant impact on the human environment. This FONSI is based on the attached Environmental Assessment (EA), which has been independently evaluated by Caltrans and determined to adequately and accurately discuss the need, environmental issues, and impacts of the proposed project and appropriate mitigation measures. It provides sufficient evidence and analysis for determining that an Environmental Impact Statement is not required. Caltrans takes full responsibility for the accuracy, scope, and content of the attached EA.

The environmental review, consultation, and any other actions required by applicable Federal environmental laws for this project are being, or have been, carried out by Caltrans pursuant to 23 USC 327 and the Memorandum of Understanding dated December 23, 2016 and executed by FHWA and Caltrans.

7/26/18  
Date

  
David Bricker  
Deputy District Director, District 8  
Division of Environmental Planning  
California Department of Transportation  
NEPA Lead Agency

## **ITEM 7A**

### **EXECUTIVE COMMITTEE MINUTES OF MEETING JUNE 7, 2021**



The audio file for this committee meeting can be found at: <http://www.cvag.org/audio.htm>  
Any handouts distributed during the meeting will be placed in the meeting file.

#### **1. CALL TO ORDER**

The Executive Committee meeting was called to order by CVAG Chair Glenn Miller, Councilmember, City of Indio at 4:30 p.m. via a Zoom webinar, which was pursuant to Gov. Newsom's executive order governing how meetings are held during the COVID-19 pandemic.

#### **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 Joseph DeConinck  
Mayor Raymond Gregory  
Mayor Steven Hernandez  
Mayor Scott Matas  
Mayor Richard Balocco  
Councilmember Glenn Miller  
Mayor Linda Evans  
Mayor Kathleen Kelly  
Mayor Christy Holstege  
Mayor Ted Weill  
Supervisor V. Manuel Perez  
Supervisor Jeff Hewitt  
Tribal Chair Jeff Grubbe  
Tribal Member Brenda Soulliere  
Tribal Vice Chair Joseph Mirelez

##### **MEMBERS NOT PRESENT**

Supervisor Karen Spiegel  
Supervisor Kevin Jeffries  
Supervisor Chuck Washington

##### **OTHERS PRESENT**

Pat Cooper  
J. Ray Kennedy

##### **AGENCY**

City of Blythe  
City of Cathedral City  
City of Coachella *(Arrived during Item 4)*  
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 4<sup>th</sup> District  
County of Riverside 5<sup>th</sup> District *(Arrived during Item 7A)*  
Agua Caliente Band of Cahuilla Indians *(Arrived during Item 4)*  
Cabazon Band of Mission Indians  
Torres Martinez Desert Cahuilla Indians

##### **AGENCY**

County of Riverside 2<sup>nd</sup>  
County of Riverside 1<sup>st</sup> District  
County of Riverside 3<sup>rd</sup> District

##### **AGENCY**

County of Riverside  
2020 California Citizens Redistricting Commission

Chris Freeland  
Isaiah Hagerman  
Martin Magaña  
Charlie McClendon  
Jon McMillen  
Bryan Montgomery  
Luke Rainey  
Greg Rodriguez  
David Salgado  
Erin Sasse  
Paul Slama

City of Indian Wells  
City of Rancho Mirage  
CVAG consultant  
City of Cathedral City  
City of La Quinta  
City of Indio  
City of Desert Hot Springs  
County of Riverside  
Southern California Association of Governments  
League of California Cities  
Cabazon Band of Mission Indians

### **STAFF PRESENT**

Tom Kirk  
Jonathan Hoy  
Katie Barrows  
Claude Kilgore  
Erica Felci  
Eric Cowle  
Peter Satin  
Val Galeana  
Joanna Stueckle  
Trisha Stull  
Beverly Newton  
Michael Jenkins

CVAG Legal Counsel

### **PLEDGE OF ALLEGIANCE**

Mayor Scott Matas led the Executive Committee in the Pledge of Allegiance.

### **3. PUBLIC COMMENTS ON AGENDA ITEMS**

None.

### **4. EXECUTIVE COMMITTEE / DIRECTOR COMMENTS**

Tom Kirk gave an update on the construction of CV Link, which included information on the Bump and Grind access point and Promontory Point. Mr. Kirk also gave an update on potential funding from the Cycle 5 Active Transportation Program (ATP) as well as from federal earmarks. Mr. Kirk concluded by announcing the June 28 virtual General Assembly and encouraged all of CVAG's elected membership to attend.

Mr. Kirk also informed the Committee about the State's ongoing budget negotiations as it pertains to the potential for funding affordable housing in the Coachella Valley. Lift to Rise has been working with the Coachella Valley two Assembly to include a \$25 million allocation of these additional funds to the Coachella Valley, and the budget negotiations have included directing the funding to CVAG, which would then be responsible for making it available for the intended purposes, particularly the Housing Catalyst fund. Mr. Kirk told the Committee that, if approved in Sacramento, additional details and request for CVAG's authorizations would be presented for consideration at future meetings.

**5. CONSENT CALENDAR**

**IT WAS MOVED BY MAYOR EVANS AND SECONDED BY TRIBAL VICE CHAIR MIRELEZ:**

- A. APPROVE THE APRIL 26, 2021 EXECUTIVE COMMITTEE MEETING MINUTES**
- B. REAPPOINT INDIO COUNCILMEMBER OSCAR ORTIZ TO SCAG'S ENERGY AND ENVIRONMENT COMMITTEE AND APPOINT INDIO MAYOR PRO TEM WAYMOND FERMON TO SCAG'S COMMUNITY, ECONOMIC, AND HUMAN DEVELOPMENT COMMITTEE, NAMING CATHEDRAL CITY COUNCILMEMBER MARK CARNEVALE AS THE ALTERNATE MEMBER**
- C. APPROVE AMENDMENTS TO THE CVAG'S BY-LAWS TO UPDATE THE ROTATION OF THE CVAG CHAIRMANSHIP AND REFLECT CURRENT MEMBERSHIP**
- D. APPOINT CATHEDRAL CITY MAYOR RAYMOND GREGORY AND TORRES MARTINEZ DESERT CAHUILLA INDIANS' TRIBAL ADMINISTRATOR SHAWN ISAAC TO SERVE ON THE FINANCE COMMITTEE**
- E. APPOINT INDIO CITY MANAGER BRYAN MONTGOMERY TO SERVE AS CVAG'S REPRESENTATIVE ON RIVERSIDE COUNTY'S EMERGENCY MEDICAL CARE COMMITTEE FOR THE REMAINDER OF THE TERM, WHICH ENDS ON JUNE 30, 2022**
- F. AUTHORIZE THE EXECUTIVE DIRECTOR TO NEGOTIATE AND EXECUTE AMENDMENT #2 TO THE AGREEMENT BETWEEN CVAG AND RIVERSIDE COUNTY FOR STRATEGIC PLANNING AND IMPLEMENTATION OF REGIONAL HOMELESSNESS SERVICES, EXTENDING THE TERM OF THE CONTRACT FOR GOVERNMENT AFFAIRS AND PUBLIC POLICY ADVISOR GREG RODRIGUEZ THROUGH JUNE 30, 2022, WITH AN OPTIONAL SECOND YEAR, FOR AN ADDITIONAL \$30,000 ANNUALLY**
- G. AUTHORIZE THE EXECUTIVE DIRECTOR TO NEGOTIATE AND EXECUTE A SERVICES AGREEMENT WITH EBIZUNIVERSE, INC. TO COMPLETE WEBSITE REDESIGN FOR CVAG AND THE COACHELLA VALLEY CONSERVATION COMMISSION (CVCC), AT A COST TO CVAG OF \$6,425 AND A COST TO CVCC OF \$4,825, FOR A TOTAL PROJECT COST NOT TO EXCEED \$11,250**
- H. AUTHORIZE THE EXECUTIVE DIRECTOR TO NEGOTIATE AND EXECUTE NO-COST MEMORANDUMS OF UNDERSTANDING WITH CALIFORNIA STATE UNIVERSITY, SAN BERNARDINO; INLAND COUNTIES LEGAL SERVICES INC.; INLAND EMPIRE HEALTH PLAN; JEWISH FAMILY SERVICES OF THE DESERT; AS WELL AS OTHER PROVIDERS WHO CAN EXPAND THE SERVICES TO ASSIST THE CV HOUSING FIRST PROGRAM**
- I. AUTHORIZE THE CHAIR TO EXECUTE AMENDMENT #3 TO THE CVAG/CVCC AGREEMENT FOR ADMINISTRATION OF THE COACHELLA VALLEY MULTIPLE SPECIES HABITAT CONSERVATION PLAN, INCREASING THE ANNUAL MAXIMUM AMOUNT TO \$850,000**

**THE MOTION TO CARRIED WITH 15 AYES AND 3 MEMBERS ABSENT.**

VICE MAYOR DECONINCK	AYE
MAYOR GREGORY	AYE
MAYOR HERNANDEZ	AYE
MAYOR MATAS	AYE
MAYOR BALOCCO	AYE
COUNCILMEMBER MILLER	AYE
MAYOR EVANS	AYE
MAYOR KELLY	AYE
MAYOR HOLSTEGE	AYE
MAYOR WEILL	AYE
SUPERVISOR JEFFRIES	ABSENT
SUPERVISOR SPIEGEL	ABSENT
SUPERVISOR WASHINGTON	ABSENT
SUPERVISOR PEREZ	AYE
SUPERVISOR HEWITT	AYE
TRIBAL CHAIR GRUBBE	AYE
TRIBAL MEMBER SOULLIERE	AYE
TRIBAL VICE CHAIR MIRELEZ	AYE

**5.1 ITEM(S) HELD OVER FROM CONSENT CALENDAR**

None

**6. DISCUSSION / ACTION**

**A. Presentation: California's Redistricting Process and the Redrawing of Legislative Districts**

J. Ray Kennedy, 2020 California Citizens Redistricting Commission, presented an education session to the members regarding the process of redistricting in California. Mr. Kennedy encouraged public input, scheduled to begin the following week.

This was an informational item. No action was taken.

**B. Executive Director Employment Contract – Michael Jenkins**

Michael Jenkins presented the proposed updates to the Executive Director contract as was discussed by the Executive Committee in a previous Closed Session. The updates included an extended 5-year term to June 30, 2026; a salary increase from \$229,412 to \$290,000; a deferred compensation increase from \$2,936 to the maximum amount allowed annually by the IRS (\$26,000 in 2021); and cost of living adjustments (COLA) provided to CVAG staff as recommended by the Administrative/Personnel Committee and approved by the Executive Committee as part of the annual fiscal year budget. Mr. Jenkins indicated that all other provisions of the Executive Director contract would remain the same.

Brief member comments were made.

IT WAS MOVED BY SUPERVISOR PEREZ AND SECONDED BY MAYOR EVANS TO APPROVE THE PROPOSED UPDATED EXECUTIVE DIRECTOR CONTRACT, EXTENDING THE 5-YEAR CONTRACT TO JUNE 30, 2026; INCREASING THE SALARY FROM \$229,412 TO \$290,000; INCREASING THE DEFERRED COMPENSATION FROM \$2,936 TO THE MAXIMUM ALLOWABLE BY THE IRS (\$26,000 in 2021); AND INCLUDING COST OF LIVING (COLA) ADJUSTMENTS PROVIDED TO STAFF AS RECOMMENDED BY THE ADMINISTRATIVE/PERSONNEL COMMITTEE AND APPROVED AS PART OF THE FISCAL YEAR BUDGET BY THE EXECUTIVE COMMITTEE.

THE MOTION TO CARRIED WITH 15 AYES AND 3 MEMBERS ABSENT.

VICE MAYOR DECONINCK	AYE
MAYOR GREGORY	AYE
MAYOR HERNANDEZ	AYE
MAYOR MATAS	AYE
MAYOR BALOCCO	AYE
COUNCILMEMBER MILLER	AYE
MAYOR EVANS	AYE
MAYOR KELLY	AYE
MAYOR HOLSTEGE	AYE
MAYOR WEILL	AYE
SUPERVISOR JEFFRIES	ABSENT
SUPERVISOR SPIEGEL	ABSENT
SUPERVISOR WASHINGTON	ABSENT
SUPERVISOR PEREZ	AYE
SUPERVISOR HEWITT	AYE
TRIBAL CHAIR GRUBBE	AYE
TRIBAL MEMBER SOULLIERE	AYE
TRIBAL VICE CHAIR MIRELEZ	AYE

**C. Proposed CVAG FY 2021/2022 Budget – Claude Kilgore**

Claude Kilgore presented the proposed 2021/2022 fiscal year budget. Mr. Kilgore's overview of the budget included information on revenue, expenditures, staffing and the CalPERS unfunded liability. Mr. Kilgore indicated that action will be sought at the June 28, 2021 meeting of the Executive Committee. Member discussion ensued.

This was an informational item. No action was taken.

**D. Selection of CVAG/CVCC/DCE Independent Auditor – Claude Kilgore**

Mr. Kilgore presented the staff report. Brief member discussion ensued.

IT WAS MOVED BY MAYOR EVANS AND SECONDED BY TRIBAL VICE CHAIR MIRELEZ TO AUTHORIZE THE EXECUTIVE DIRECTOR TO NEGOTIATE AND EXECUTE A CONTRACT TO HIRE DAVIS FARR LLP TO SERVE AS CVAG'S INDEPENDENT AUDITOR.

THE MOTION TO CARRIED WITH 15 AYES AND 3 MEMBERS ABSENT.

VICE MAYOR DECONINCK	AYE
MAYOR GREGORY	AYE
MAYOR HERNANDEZ	AYE
MAYOR MATAS	AYE
MAYOR BALOCCO	AYE
COUNCILMEMBER MILLER	AYE
MAYOR EVANS	AYE
MAYOR KELLY	AYE
MAYOR HOLSTEGE	AYE
MAYOR WEILL	AYE
SUPERVISOR JEFFRIES	ABSENT
SUPERVISOR SPIEGEL	ABSENT
SUPERVISOR WASHINGTON	ABSENT
SUPERVISOR PEREZ	AYE
SUPERVISOR HEWITT	AYE
TRIBAL CHAIR GRUBBE	AYE
TRIBAL MEMBER SOULLIERE	AYE
TRIBAL VICE CHAIR MIRELEZ	AYE

## 8. **INFORMATION**

- a) Status of I-10 Interchange Projects
- b) CVAG Regional Arterial Program - Project Status Report
- c) Bicycle/Pedestrian Safety Program - Project Status Report
- d) Executive Committee Attendance Roster
- e) CV Housing First's Use of the Palm Springs Boxing Club
- f) Update on the Alan Seman Bus Pass Program
- g) Desert Cities Energy Partnership Final Report
- h) CVAG's Participation in the Institute for Local Government's BOOST Program
- i) Member Survey on CVAG Meetings in Post-COVID Environment
- j) Update on Congressional Earmarks
- k) CV Link Endowment for Management of Mitigation Sites for Casey's June Beetle

These items were place in the agenda for member information.

## 9. **LEGISLATIVE ITEMS**

Erin Sasse, League of California Cities, gave members an update on legislative issues.

## 10. **PUBLIC COMMENTS ON NON-AGENDA ITEMS**

None.

**11. ANNOUNCEMENTS**

The next meeting of the **Executive Committee** will be held on Monday, June 28, 2021, with closed session at 4 p.m. and regular session at 4:30 p.m. via Zoom webinar.

The next meeting of the **General Assembly** will be held on Monday, June 28, 2021, at 6:00 p.m. via Zoom webinar.

**12. ADJOURNMENT**

There being no further business, Chair Miller adjourned the meeting at 5:37 p.m.

Respectfully submitted,

*Joanna Stueckle*

Joanna Stueckle  
Executive Assistant/Clerk



## **ITEM 7B**

# **Coachella Valley Association of Governments Executive Committee June 28, 2021**



### **Staff Report**

**Subject:** Legislation based on recommendations from the Zero Traffic Fatalities Task Force

**Contact:** Erica Felci, Assistant to the Executive Director ([efelci@cvaq.org](mailto:efelci@cvaq.org))

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**Recommendation:** Authorize the Chairman to sign a letter of support for AB 43, outlining the need for more local discretion in setting speed limits

**Transportation Committee:** CONCURS (Meeting of June 7<sup>th</sup>)

**Background:** Speed limits in California have, since 1959, generally been set using the 85th percentile methodology. A traffic survey determines the limit that 85 percent of drivers will drive at or below under free-flowing condition. Traffic surveyors have little flexibility in setting the speed limit, which usually restricts them to being able to round up or down to the nearest 5 mph limit. The exceptions would include areas where the limit is set in state law, such as a school zone.

At the February 11, 2019 meeting of the CVAG Transportation Committee, Palm Springs Mayor Pro Tem Lisa Middleton led a discussion about speed limits and new legislation that was requiring the State to review how speed limits are established, particularly as it pertains to the traffic fatalities and injuries involving cyclists and pedestrians. In April 2019, the CVAG Transportation and Executive Committees supported the efforts of the state's Zero Traffic Fatalities Task Force, and supported the appointment of Mayor Pro Tem Middleton to the task force.

The Zero Traffic Fatalities Task Force, which was created in 2018 through Assembly Bill 2363, included representatives from the California Highway Patrol, the Department of Transportation, Department of Public Health, academic institutions such as the University of California, local governments, labor organizations, as well as groups focused on bicycle and road safety. The Task Force was directed to create a detailed analysis of how speed limits are determined and, in January 2020, it released a report that included 27 policy recommendations, and 16 recommendations that covered how speed limits are established, engineering, enforcement and education.

This year, Assemblymember Laura Friedman, who is Chair of the Assembly Committee on Transportation, has authored AB 43. The legislation grants Caltrans and local authorities greater flexibility in setting speed limits based on recommendations the Zero Traffic Fatality Task Force. The legislation includes a number of provisions, including authorizing a local authority, by resolution or ordinance, to lower speed limits by five miles per hour (mph) below a traffic engineer's recommendation after a traffic survey if the roadway had been designated as a high-injury street, or if it was adjacent to land or a facility that generates a high concentration of bicycles or pedestrians. Currently, if a street's speed limit is 45 mph, using the 85th percentile standard, a local authority, may establish a lower speed limit of 40 mph. AB 43 would allow local authorities to further reduce speed limit to 35 mph if it determines it is a high injury street.

AB 43 also would extend the period of time that an engineering and traffic survey justifies a speed from 10 to 14 years if a traffic engineer determines that no significant changes in roadway or traffic conditions have occurred. AB 43 would expand the streets are eligible for school zone speed limits, and presume that business activity district have speed limits of 20-25 mph. Additionally, local authorities could retain an existing speed limit, or revert to a previously established speed limit, if a registered engineer evaluates a section of highway and determines that no significant design changes have increased the safe operating speed.

The bill passed the Assembly in May, and is now making its way through the State Senate. Assemblymembers Eduardo Garcia and Chad Mayes, who represent the Coachella Valley, had both voted for the legislation in the Assembly. The full bill text can be found here: [https://leginfo.legislature.ca.gov/faces/billTextClient.xhtml?bill\\_id=202120220AB43](https://leginfo.legislature.ca.gov/faces/billTextClient.xhtml?bill_id=202120220AB43)

In prior discussions, the CVAG Transportation Committee members expressed frustration that local jurisdictions don't have greater discretion over how speed limits are set. Staff is recommending that CVAG support AB 43 with the attached letter. The City of Palm Springs and the Southern California Association of Governments (SCAG) are among those who are supporting the legislation.

**Fiscal Analysis:** There is no cost to CVAG for supporting this bill.

**Attachments:** Letter of support for AB 43

June 28, 2021

The Honorable Laura Friedman, Chair  
Assembly Committee on Transportation  
State Capitol Building  
Sacramento, CA 95814

RE: AB 43 (Friedman): Traffic safety – SUPPORT

Dear Assemblymember Friedman,

On behalf of the Coachella Valley Association of Governments (CVAG), I am writing to provide support for Assembly Bill 43. This legislation is an important step to enacting the recommendations made by the Zero Traffic Fatalities Task Force, and it will improve safety on the roadways by giving local and regional agencies more flexibility.

CVAG is the joint powers authority that coordinates government services in the Coachella Valley and eastern Riverside County. Its membership includes 10 cities, four tribal nations and the County of Riverside. Through Riverside County's Measure A, CVAG has been given the voter-approved authority to oversee the regional arterial network and regularly ranks high-priority projects in the Transportation Project Prioritization Study (TPPS). CVAG considers four key criteria to rank its projects, including accident rates. CVAG also reviews regionally significant bike and pedestrian projects for the Active Transportation Plan (ATP).

Like many areas of California, the Coachella Valley is seeing a mode-shift in the way residents and visitors travel to work, school and places of employment. This has resulted in an increasing number of people are cycling or walking along traditional traffic on the valley's fast-moving regional arterials. In 2016, 29 pedestrians died in the Coachella Valley after being hit by vehicles – earning it the unfortunate distinction as the deadliest year of the decade. It's a concerning trend that continues today. CVAG and its member jurisdictions have made it a priority to address this deadly trend. Our region has been successful in funding projects through the State's Active Transportation Program, and CVAG in 2017 invested \$10 million to address some of the valley's accident hot-spots. However, research has shown a direct correlation between speed and the severity of pedestrian injury in vehicle-pedestrian crashes.

According to the National Transportation Safety Board, speeding accounts for nearly a third of all traffic fatalities. AB 43 implements policy recommendations from the California Transportation Agency as outlined in the Zero Traffic Fatalities Task Force by providing for more flexibility on setting speed limits based on safety. This bill requires traffic surveyors to take into account the presence of vulnerable groups, including children, seniors, the unhoused and persons with disabilities when setting speed limits. It permits cities to lower speed limits beyond the 85th percentile on streets with high injuries and fatalities, and ensures they don't have to raise a speed limit on any road. It also limits the need for updated traffic surveys on certain streets while providing greater flexibility in setting school speed limits to protect children.

According to the University of California Institute of Traffic Studies, research has shown reducing speed limits on limited access roads by 5 miles per hour can reduce injuries between 8% and 15%, with some studies finding reductions as great as 28% and 39%. A range of research also

suggests lowering speed limits may result in the number of fatalities dropping by 10% to 30%, with one outlier study showing an 80% reduction in fatalities.

AB 43 provides is an impactful legislative fix for a decades old methodology in setting speed limits. We encourage the Legislature to support this bill. Please do not hesitate to contact CVAG Executive Director Tom Kirk at (760) 346-1127 or at [tkirk@cvag.org](mailto:tkirk@cvag.org) if we can provide additional information.

Sincerely,

Glenn A. Miller  
Chairman, CVAG Executive Committee

CC: Senator Melissa Melendez, 28<sup>th</sup> Senate District  
Assemblyman Chad Mayes, 42<sup>nd</sup> Assembly District  
Assemblyman Eduardo Garcia, 56<sup>th</sup> Assembly District

## **ITEM 7C**

**Coachella Valley Association of Governments  
Executive Committee  
June 28, 2021**



### **Staff Report**

**Subject:**       **Amendment to the Reimbursement Agreement with the City of Coachella for Grapefruit Boulevard between Leoco Lane and 9<sup>th</sup> Street**

**Contact:**       Jonathan Hoy, Director of Transportation ([jhoy@cvag.org](mailto:jhoy@cvag.org))

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**Recommendation:** Approve Amendment No. One to the Reimbursement Agreement with the City of Coachella for Grapefruit Boulevard between Leoco Lane and 9<sup>th</sup> Street, providing for an additional, not-to-exceed \$77,338.83 regional funds for transportation improvements

**Transportation Committee:** CONCURS (Meeting of June 7<sup>th</sup>)

**Background:** On December 7, 2020, the CVAG Executive Committee approved a Reimbursement Agreement with the City of Coachella in an amount not-to-exceed \$1,376,482 for transportation improvements to Grapefruit Boulevard between Leoco Lane and 9<sup>th</sup> Street. The City had received grant funding from the California Natural Resource Agency's Urban Greening program and from the California Department of Housing and Community Development. To maximize the benefit of these funding opportunities, the City had sought CVAG's support for funding transportation improvements to Grapefruit Boulevard between Leoco Lane and 9<sup>th</sup> Street.

The project includes significant transportation improvements including widening Grapefruit Boulevard from two lanes to four lanes, installing raised center medians to reduce left hand turn movements, providing stormwater management bio-swales. It also will provide a Class I bike lane and associated street signage and striping. These improvements included enhanced functional safety for bicyclists and pedestrian access to the Pueblo Viejo Historic Downtown area of Coachella.

The grant funds from the California Department of Housing and Community Development provided \$250,000 for traffic signal improvements at the intersection of Grapefruit Boulevard and 6<sup>th</sup> Street. The city has completed their design and has received a bid from the contractor to install the traffic signal at the proposed location. The total cost to install the traffic signal is \$353,118.44. Subtracting the \$250,000 grant secured by the City leaves a remaining balance of \$103,118.44. The City is requesting an amendment to the reimbursement agreement to cover the remaining cost, and has provided CVAG with an engineer's cost breakdown for the traffic signal.

**Fiscal Impact:** The remaining balance of the traffic signal is \$103,118.44. Under CVAG's 75 percent/ 25 percent cost-sharing policy, it would result in an additional \$77,338.83 for CVAG and \$25,779.61 for the City.

CVAG's total not-to-exceed amount with this increase would be \$1,453,820.83. There are sufficient transportation funds available to cover this amount. CVAG staff will ensure that only transportation corridor elements are funded with regional funds.

**Attachments:**

1. Amendment Number One
2. Letter of request from City of Coachella

**AMENDMENT NUMBER ONE  
TO THE  
AGENCY REIMBURSEMENT AGREEMENT BY AND BETWEEN  
CVAG AND THE CITY OF COACHELLA  
FOR THE  
GRAPEFRUIT BOULEVARD STREET IMPROVEMENTS BETWEEN  
LEOCO LANE AND 9TH STREET**

This **AMENDMENT NUMBER ONE** is made and entered into this **28<sup>th</sup> day of June, 2021**, by and between the **Coachella Valley Association of Governments**, a California joint powers agency (**CVAG**) and the **City of Coachella (City)**, and is made with reference to the following background facts and circumstances. All other terms and conditions shall remain the same as stated in the original Agreement for the Grapefruit Boulevard Street Improvements between Leoco Lane and 9th Street.

This Amendment Number One shall authorize the addition of traffic signal improvements at the intersection of Grapefruit Boulevard and 6th Street. The total cost to install the traffic signal is \$353,118.44. Subtracting the \$250,000 grant secured by the city leaves a remaining balance of \$103,118.44. Under CVAG's 75 percent/ 25 percent cost-sharing policy, it would result in an additional \$77,338.83 for CVAG and \$25,779.61 for the City.

CVAG's total not-to-exceed amount with this increase would be \$1,453,820.83.

**IN WITNESS WHEREOF**, the parties hereto have caused this **Amendment Number One** to be executed by their duly authorized representatives on this date:

**ATTEST**

**CITY OF COACHELLA**

By: \_\_\_\_\_  
Gabriel Martin  
City Manager

By: \_\_\_\_\_  
Steven Hernandez  
Mayor

**ATTEST**

**CVAG**

By: \_\_\_\_\_  
Tom Kirk,  
Executive Director

By: \_\_\_\_\_  
Glenn A. Miller,  
CVAG Chair

June 1, 2021

Tom Kirk, Executive Director  
Coachella Valley Association of Governments  
73-710 Fred Waring Drive, Ste. 200  
Palm Desert, CA 92260

Subject: Request for Amended Reimbursement Agreement Between CVAG and the City of Coachella to Improve Grapefruit Boulevard between Leoco Lane and 9<sup>th</sup> Street to include signalized intersection at 6<sup>th</sup> Street and Grapefruit Boulevard.

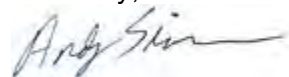
Dear Mr. Kirk:

The City of Coachella would like to respectfully request that the Coachella Valley Association of Governments (CVAG) prepare an Amended Reimbursement Agreement between CVAG and the City of Coachella to include the additional costs of a traffic signal installation at the intersection of 6<sup>th</sup> Street and Grapefruit Boulevard to complete the proposed improvements underway on Grapefruit Boulevard between Leoco Lane and 9<sup>th</sup> Street.

A full project description can be found on the original Request for Reimbursement dated October 21, 2020, attached herein. The total cost for the traffic signal installation including design and construction is **\$353,118**, which is partially funded with a State Affordable Housing and Sustainable Communities (AHSC) Grant in the amount of **\$250,000**. The remaining unfunded balance for the proposed traffic signal is **\$103,118** which would be split 75% towards CVAG (**\$77,338**) and 25% towards the City (**\$25,780**)

Total project Cost = \$5,377,580					
		CNRA	AHSC	CVAG (75%)	CITY (25%)
Urban Greening Elements	\$2,881,793	\$2,881,793			
Trans. Corridor Elements	\$2,142,669	\$307,360		\$1,376,482	\$458,827
6 <sup>th</sup> Street Traffic Signal	\$353,118		\$250,000	\$77,338	\$25,780
Totals:	\$5,377,580	\$3,189,153	\$250,000	\$1,453,820	\$484,607

Sincerely,



Andrew Simmons, P.E.  
City Engineer

Attachments: October Request Letter, Executed Reimbursement Agreement and Change Order Results



## **ITEM 7D**

# **Coachella Valley Association of Governments Executive Committee June 28, 2021**



### **Staff Report**

**Subject:** TUMF Inflation Adjustment for Fiscal Year 2021/2022

**Contact:** Peter Satin, Regional Planner ([psatin@cvag.org](mailto:psatin@cvag.org))

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**Recommendation:** Adopt a 2.1 percent increase in CVAG's Transportation Uniform Mitigation Fee (TUMF) rates, effective September 1, 2021, to account for inflation

**Transportation Committee:** CONCURS (meeting of June 7, 2021)

**Background:** The Transportation Uniform Mitigation Fee (TUMF) was established in 1989 as a one-time impact fee charged on all new development occurring within the CVAG region. Monies collected through the TUMF program are applied to transportation-related capital facilities and infrastructure required to address new growth within the Coachella Valley and are intended to compliment revenue generated through Riverside County's Measure A sales tax. To date, TUMF has provided less than the intended share of match toward Measure A funding.

The current TUMF rates were adopted in 2018 upon the completion of a revised Nexus Study, Transportation Project Prioritization Study, Regional Arterial Cost Estimate, and Active Transportation Plan. Prior to the adoption, the fee had remained unchanged at \$192/trip for over a decade. The 2018 Nexus Study originally proposed a revised fee of \$751/trip; however, this fee was reduced to the current \$245/trip after re-evaluating which regional transportation projects would likely be built in the near-term. This rate equates to \$2,313 for a single-family dwelling, as compared to the \$9,418 currently charged by Western Riverside Council of Governments (WRCOG) for similar development.

The 2018 TUMF Handbook allows for the consideration of an annual inflation adjustment:

*The inflation factor shall be the same one utilized by the Coachella Valley Local Development Mitigation Fee, based on the Riverside-San Bernardino-Ontario Consumer Price Index (CPI). Such CPI will be reviewed annually by the Executive Committee which will determine whether or not to apply the inflation factor.*

It is CVAG staff's position that applying a factor for inflation annually is a preferred approach to larger inflationary adjustments designed to catch up over longer periods of time, which was the case in 2018 when CVAG increased the fee by 27 percent in response to a revised nexus study and cost of living adjustments over the previous 12 years.

The Local Development Mitigation Fee inflation factor is calculated as the over-the-year percent change, measured as of December in the calendar year which ends in the previous fiscal year. The Riverside-San Bernardino-Ontario CPI is measured every other month, and does not include data for the month of December. To approximate a data point for an unrecorded month, the Bureau of Labor Statistics recommends taking the square root of the product of the indexes for

the preceding and subsequent months, in this case November and January. This approximated December data point can then be used to calculate the over-the-year percent change.

This inflation factor has not been applied since the current TUMF rates were adopted in 2018, during which time the Riverside-San Bernardino-Ontario CPI has increased by 5.1%. Given the projected cash flow concerns for regional transportation projects, CVAG staff is recommending that an inflation factor be applied to the TUMF rates for Fiscal Year 2021/2022. However, in light of the economic uncertainty caused by the COVID-19 pandemic, staff recommends assessing only the inflation that occurred over the course of 2020, which is an increase of 2.1%. The resulting rates for both factors are compared below.

<i>TUMF Category</i>	<i>Current rate</i>	<i>2.1% increase*</i>	<i>5.1% increase</i>
<i>Residential (per dwelling unit)</i>			
<i>Single family detached</i>	\$2,310	<b>\$2,358</b>	\$2,428
<i>Multi-family attached</i>	\$1,330	<b>\$1,358</b>	\$1,398
<i>Nursing/congregate care</i>	\$495	<b>\$505</b>	\$520
<i>Non-residential (per 1,000 sq. ft.)</i>			
<i>Retail</i>	\$6,010	<b>\$6,135</b>	\$6,316
<i>Office</i>	\$2,390	<b>\$2,440</b>	\$2,512
<i>Industrial</i>	\$1,215	<b>\$1,240</b>	\$1,277
<i>Fuel-gas (per dispensing unit)</i>	\$8,610	<b>\$8,790</b>	\$9,048
<i>Fuel-electric (per dispensing unit)</i>	\$91	<b>\$93</b>	\$96
<i>Hotel (per room)</i>	\$3,510	<b>\$3,583</b>	\$3,689.00
<i>Golf course (per acre)</i>	\$920	<b>\$939</b>	\$967

\*The bold column indicates the recommended fee adjustment.

Applying gradual increases due to inflation is a preferred approach to larger increases to catch up over time.

CVAG staff have met with the Desert Valley Builder's Association (DVBA) to discuss projections for the development industry in the near term, and notified DVBA of the proposed fee adjustment on June 3, 2021 pursuant to their request under the Mitigation Fee Act.

When CVAG staff presented this item to the Transportation Committee on June 7, staff had recommended the change start with the new fiscal year. However, CVAG later received correspondence from DVBA, noting that there needs to be a 60-day window after any adoption before fees can be implemented. Staff is now recommending the fee changes effective September 1, 2021.

**Fiscal Analysis:** Based on TUMF revenues generated in Fiscal Year 2019/2020, a 2.1% increase in rates would result in additional revenue of \$108,862. An increase of 5.1% would yield an additional \$265,595 over 2019/2020 revenues.

## **ITEM 7E**

### **Coachella Valley Association of Governments Executive Committee June 28, 2021**



#### **STAFF REPORT**

**Subject:** CV Housing First's Use of the Palm Springs Boxing Club

**Contact:** Greg Rodriguez, County Government Relations and Public Policy Advisor ([GRodrigu@rivco.org](mailto:GRodrigu@rivco.org)) and Erica Felci, Assistant to the Executive Director ([efelci@cvag.org](mailto:efelci@cvag.org))

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**Recommendation:** Authorize the Executive Director to execute a no-cost lease extension with the City of Palm Springs for the Palm Springs Boxing Club for use by the CV Housing First program

**Homelessness Committee:** CONCURS (Meeting of June 16<sup>th</sup>)

**Background:** At the May 2021 meeting, the CVAG Homelessness Committee was provided an update on the former Palm Springs Boxing Club, which the City of Palm Springs has been leasing to CVAG at no cost in order to have a base of operations for the CV Housing First program. The building, located on South El Cielo near the Palm Springs International Airport, allows for CVAG to deploy its outreach teams and is the central location for services to the CV 200. However, under the transition of the CV Housing First program to one that is operated in-house, the main contact with clients is in the field, not at the access center.

The current facilities use agreement expires on July 1, 2021.

In recent months, the City of Palm Springs City Council has provided direction to City staff that the building may be utilized for Well in the Desert, which is another service provider that is based in the City. Well operates daytime services, such as meals and showers, but has faced concerns from neighbors at its existing facility about its operations.

Due to the different logistics of both programs, CVAG staff has let the City know that CVAG would not seek to renew its facilities use agreement once the Well is relocated to the Boxing Club.

At the June 10 meeting, the Palm Springs City Council was provided an update on the City's plans to relocate Well in the Desert, which is also working with Martha's Village on possible programming opportunities. City staff have identified a number of site changes that would be necessary for such a move to occur, including the addition of modular buildings, portable bathrooms and portable showers. City staff are also incorporating steps recommended by Palm Springs Police, who have expressed concerns about the increase in the calls for service near Well in the Desert's current location.

Based on the latest update to City Council, it is apparent that it will take additional time to finalize any transition of Well in the Desert to the Boxing Club. As such, City staff have expressed a willingness to let CVAG remain in the facility under a no cost, month-to-month lease agreement. At

the same time, CVAG staff continues to work on contingency plans for new office locations and will be prepared to vacate the Boxing Club. CVAG staff is also working to deploy its new, grant-funded mobile access center to assist with program operations.

**Fiscal Analysis:** There is no cost for CVAG to lease the Boxing Club space. Administrative costs associated with operating an access center, such as office supplies and internet service, have been incorporated into the program's budget.

## **ITEM 7F**

# **Coachella Valley Association of Governments Executive Committee June 28, 2021**



## **STAFF REPORT**

**Subject:** Funding Agreements for the CV Housing First Program

**Contact:** Erica Felci, Assistant to the Executive Director ([efelci@cvag.org](mailto:efelci@cvag.org))

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**Recommendation:** Authorize the Executive Director to negotiate and execute Memorandums of Understanding with member jurisdictions to secure multi-year funding commitments for the CV Housing First program

**Homelessness Committee:** CONCURS (Meeting of June 16<sup>th</sup>)

**Background:** In May 2021, at the recommendation of the CVAG Homelessness Committee, the CVAG Executive Committee authorized the Executive Director to negotiate and enter into no-cost memorandums of understanding (MOU) that allow CVAG staff to work with other providers on client services. Some of those partners include California State University, San Bernardino; Inland Counties Legal Services Inc.; Inland Empire Health Plan; and Jewish Family Services of the Desert, who had formerly been the operator at Roy's Desert Resource Center when CVAG operated an emergency overnight shelter program.

The MOU concept was unanimously supported, but it also prompted a discussion by the Homelessness Committee about entering into MOUs with member jurisdictions.

Since 2008, CVAG has funded its regional homelessness programs – first Roy's Desert Resource Center, and then later programs that evolved into CV Housing First – by contributions from member jurisdictions. This process has involved CVAG staff sending a request to each city and tribe as well as the County of Riverside. Sometimes the jurisdictions approve the request as part of the annual budget; other times, it is done through a separate action. The current requests are for \$100,000 a year.

After the homeless services at Roy's Desert Resource Center closed in 2017, the Desert Healthcare District/Foundation became a significant funding partner. Its initial dollar-for-dollar matching program encouraged broad funding support for the program. The current agreement, which was approved in April 2021, means the District/ Foundation will be providing \$500,000 for the program for the period of April 1, 2021 through June 30, 2022. This agreement is slightly different than the previous dollar matching program that the District/ Foundation has previously done. However, it does come with a clause that CVAG needs to demonstrate a continued commitment of current funding levels from the CVAG member agencies.

Support for the CV Housing First program, and the transition to in-house operations, has been significant. The County of Riverside has been instrumental in helping CVAG secure additional funds and, for the first time, the City of Indian Wells approved a financial contribution to the

program. Cities are also indicating continued support, including a vote by the City of Desert Hot Springs City Council to include the Housing First program in its two-year budget.

Two cities – Cathedral City and La Quinta – have authorized this year's funds through MOUs that require CVAG to provide regular updates on the program's progress. CVAG staff is now recommending the Executive Director be authorized to negotiate and execute MOUs with all its member jurisdictions to secure funding of \$100,000 annually for a three-year period. This will ensure financial stability for the program, and avoid the uncertainty – and significant staff time – that comes with the traditional process of asking cities for funds each year.

Staff is recommending the MOUs have a three-year timeframe so that future Councils would have an opportunity to review the program and commitments as well. CVAG staff has consulted with Legal Counsel, who notes that there is no legal impediment to cities entering into a multi-year commitments. Additionally, the California Constitution debt limit only prohibits a multi-year contract where the funds to pay the full contract are not on hand, and that the amount of this proposed MOU does not appear large enough to create that concern.

Continuity in funding will ensure that the CV Housing First program continues to grow and evolve, making a significant impact in the community by addressing the chronically homeless individuals on the CV 200 list. While the initial data demonstrates the program's success, staff notes that the Executive Committee's authorization for the program was for 2021 and that the program will need the Executive Committee's further approval to continue. This condition would be included in the MOUs, and allow for the funding to be redirected to any modified version of the CV Housing First program.

**Fiscal Analysis:** The CV Housing First program, including the staffing and program operations, is funded by contributions from cities, Riverside County, the Desert Healthcare District/Foundation, and grants. CVAG's city and tribal member jurisdictions are each asked to contribute \$100,000 a year for the operations.

## **ITEM 7G**

### **Coachella Valley Association of Governments Executive Committee**

June 28, 2021



#### **STAFF REPORT**

**Subject:** Creation of an East Valley Electricity Task Force

**Contact:** Katie Barrows, Director of Environmental Resources ([kbarrows@cvag.org](mailto:kbarrows@cvag.org))

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**Recommendation:** Authorize the Executive Director to create an East Valley Electricity Task Force, have meetings to review Imperial Irrigation District's Coachella Valley Energy Commission recommendations and report back to the CVAG Energy and Environmental Resources Committee with notes and information on the commission, with the understanding that IID is favorable to the CVAG task force involvement

**Description:** The Energy and Environmental Resources Committee has recently received updates on the 1934 Agreement of Compromise between Imperial Irrigation District (IID) and Coachella Valley Water District (CVWD) for providing electricity service in the Coachella Valley. A presentation on the history of the agreement was made in May by IID general counsel Frank Oswalt. This agreement sunsets on January 1, 2033. Additional information was provided by John Knobel of the Office of Assemblymember Chad Mayes, whose legislation, AB 1021, relates to Riverside County representation on the IID Board of Directors. The looming end date of the Agreement of Compromise has, in recent years, led to a conversation among stakeholders about how the power rights should be determined in the future. These conversations are not about water rights, which are further complicated by other agreements. These conversations are focused on how electricity is delivered in the eastern Coachella Valley and ensuring a continuity of electric service for ratepayers.

The history of the relationship between IID and CVWD with respect to electricity service began in February 1934 when the Agreement of Compromise was signed, outlining rights to water and power on and from the Colorado River and All-American Canal. Under the agreement, IID was given first rights to water delivered through the All-American Canal and a 99-year lease on any power rights CVWD had on the canal. The deal also meant IID agreed to pay CVWD a percentage of the net proceeds from its power system and CVWD in turn authorized IID to provide power service to the Coachella Valley.

Issues related to electricity service in the eastern Coachella Valley have been the subject of conversations at CVAG off and on for years. In May 2019, the Energy and Environmental Resources Committee discussed these issues and the possibility of establishing a working group of eastern Coachella Valley stakeholders, but no action was taken. At the June 2019 Energy & Environmental Resources Committee meeting, Chair Linda Evans suggested that the lines of communication be established with stakeholders concerning the looming January 1, 2033 expiration of the 1934 Compromise Agreement between CVWD and IID. The issue was further discussed at the September 2019 Energy and Environmental Resources Committee meeting, at which point Executive Director Tom Kirk suggested that CVAG could serve as a neutral party that

brings the stakeholders together to discuss options. In a staff report, it was noted that “the potential termination of the 1934 Agreement could have snowballing impacts on service levels, investments, and other aspects of power provision in the eastern Coachella Valley.”

At the Energy and Environmental Resources Committee’s May 2021 meeting, members further commented about the need to continue this conversation. On June 10, 2021, CVAG staff recommended to the Committee that the CVAG Executive Director be authorized to establish the East Valley Electricity Task Force, which would lead the regional conversation on options with time to identify solutions before the Agreement of Compromise sunsets in 2033. CVAG staff’s recommendation on June 10<sup>th</sup> was developed in part as a follow up to the Committee’s May meeting, as well as previous Committee conversations. However, staff noted that the IID Board of Directors had just announced that they took a related action at their June 1, 2021 meeting, when the IID Board adopted a resolution that calls for the formation of a Coachella Valley Energy Commission composed of IID Directors and Coachella Valley representatives including the cities of Indio, Coachella, and La Quinta, as well as unincorporated areas of Riverside County. The Commission would be charged in the near term with addressing local energy issues and in the long term with a plan for continued energy service to the Coachella Valley after the Agreement’s sunset. The press release, which is attached, outlines the IID concept for its Commission.

At the June 10<sup>th</sup> meeting of the Energy and Environmental Resources Committee, a positive and collaborative discussion was had between the members of the committee and JB Hamby, Vice President of the IID Board of Directors. Director Hamby indicated that IID would be moving forward with the Coachella Valley Energy Commission regardless of the decision made regarding a CVAG-led task force. It was noted during the discussion that it would be helpful for IID to have a point of contact with diverse stakeholders to discuss IID’s proposals and recommendations. Director Hamby noted his efforts to reach out and receive input on how the IID Coachella Valley Energy Commission should look; he also expressed that having additional input and opinions would be helpful and he was favorable to the task force. There was a consensus that a CVAG-led East Valley Task Force would provide a voice of accountability to help shape a meaningful and effective conversation.

The Committee modified the staff recommendation to authorize the Executive Director to establish the task force but narrowing the focus of the group to specifically evaluate and provide input on the proposal from IID regarding the Coachella Valley Energy Commission. This would include consideration of issues such as representation on the commission. The task force will share its recommendations with IID and CVAG’s Energy & Environmental Resources Committee. The task force would be under the authority of the Executive Director and would not be subject to the Brown Act. The task force would likely include representatives of the communities who receive electric service from IID, and membership would be at the discretion of the Executive Director in partnership with the Chairs of the Executive and Energy/Environmental Resources Committees. CVWD and other stakeholders could be consulted as needed. CVAG staff will provide support to the task force in meeting coordination and facilitation as needed.

**Fiscal Impact:** If approved, CVAG would use existing staff resources for the task force.

**Attachment:** Press release on IID’s Coachella Valley Energy Commission





## News & Resources

# IID Board Takes Action to Protect Water Rights and Address Coachella Valley Concerns

***On Tuesday, the Imperial Irrigation District Board of Directors adopted a resolution to better serve IID's Coachella Valley energy customers and better protect Imperial Valley's water rights.***

**Post Date:** 06/02/2021

On Tuesday, the Imperial Irrigation District Board of Directors adopted a resolution to better serve IID's Coachella Valley energy customers and better protect Imperial Valley's water rights.

The Board's resolution seeks to provide a local alternative to AB 1021 by Assemblyman Chad Mayes (I-Yucca Valley) that would create a number of adverse consequences for the region, if passed into law, including giving Coachella Valley energy ratepayers a say over IID's water rights and policy in Imperial Valley.

The Board's resolution calls for the formation of a Coachella Valley Energy Commission composed of IID Directors and Coachella Valley representatives to address local energy issues and plan for continued energy service to the Coachella Valley after 2033 as a locally driven alternative to AB 1021.

The resolution also provides that in the event IID's alternative fails to result in removal of the bill from the Legislature, IID management and staff are directed to immediately prepare a Coachella Valley Exit Plan and legal action as defensive measures to protect the district and Imperial Valley's water rights if enacted as law.

"The board's action is a breakthrough on a local challenge fifty years in the making," said JB Hamby, Vice President of the IID Board. "It's a milestone commitment by the IID to offer this local solution to this local issue that makes state-imposed action unnecessary — while leaving all options on the table to protect the IID and Imperial Valley's water rights."

The IID Board of Directors manages the single largest water right on the Colorado River for the benefit of IID's Imperial Valley service area. During Tuesday's presentation on the item, Hamby explained that the IID Board's most critical role is its trustee responsibility over Imperial Valley's water rights.

"Allowing a member installed from outside the water service area to play any kind of governing role over Imperial Valley's water undermines the trust obligation of the IID Board and poses serious risks to IID's water rights and

our users' right to service as affirmed multiple times by the United States Supreme Court.”

Hamby continued, “That is why this local alternative is required. The Board’s action will ensure our Coachella Valley customers are better served and Imperial Valley’s water rights are better protected.”

The Coachella Valley Energy Commission would be composed of IID Directors and a diverse array of Coachella Valley representatives appointed from the city of Coachella, city of Indio, city of La Quinta, Cove Communities Services Commission, Salton Community Services District, a Coachella Valley tribal reservation, unincorporated Riverside County, and two at-large members.

The Commission would deliberate on and represent the needs and concerns of IID’s Coachella Valley customers on local energy issues in the near-term and develop a long-term strategic plan for continued energy service to IID’s Coachella Valley energy service area after the expiration of IID’s 99-year power lease in 2033. That plan would analyze issues of separate representation by and for ratepayers and determine costs and potential impacts to residential ratepayers and low-income households.

IID Board President James C. Hanks said of the Coachella Valley Energy Commission, “This is the preferred alternative for the IID and our Coachella Valley customers. We can’t wait until the 99-year power lease expires in 2033 to plan the future. We have to come together, sit down, and find common ground.” He continued, “In doing so, we’ll develop a win-win for both areas and the region’s ratepayers overall.”

At the Capitol in Sacramento, Assemblyman Eduardo Garcia (D-Coachella) spoke of the IID Board’s resolution passed just hours earlier. Speaking from the Assembly floor, Garcia said he was optimistic that parties will come together and come up with a reasonable and amicable solution. “Locally there are preferred pathways that both the Imperial Irrigation District and local stakeholders would rather take to solve this problem,” he said.

IID will develop a set of bylaws and MOU throughout the month of June in consultation with its Coachella Valley stakeholders. The Board will consider the draft bylaws and MOU as information at its July 6 Board meeting in El Centro and for action in the Coachella Valley at its July 13 La Quinta Board meeting.

“I’m looking forward to working with our Coachella Valley stakeholders on the Commission and with Assemblymen Mayes and Garcia to ensure that the bill is promptly pulled from the Legislature,” said Hamby.

Attached: [IID Board Resolution No. 25-2021](#)

[Return to full list >>](#)

## **ITEM 7H**

### **Coachella Valley Association of Governments Executive Committee June 28, 2021**



**Subject:**       **Advocating for Statewide Investments to Address Coachella Valley's Affordable Housing Needs**

**Contact:**       Erica Felci, Assistant to the Executive Director ([efelci@cvag.org](mailto:efelci@cvag.org))

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**Recommendation:** Authorize the Chair and/or the Executive Director to advocate for funding from the State's budget to be invested in a locally-controlled program that funds the development of additional affordable housing units in the Coachella Valley

**Background:** California Gov. Gavin Newsom and California lawmakers are now working to finalize the State's Fiscal Year 2021/2022 budget, which has been approved in concept but now needs details negotiated. The Governor has dubbed this the \$100 billion California Comeback Plan. The budget negotiations, which could continue over the next few weeks, have included providing additional funding for a program that would be similar to the Regional Early Action Planning (REAP), a funding program that was included in the FY 2019/20 budget to address the housing crisis.

Lift to Rise has been working with the Coachella Valley two Assembly members – Eduardo Garcia (D-Coachella) and Chad Mayes (I-Rancho Mirage) – to include a \$25 million allocation of these additional funds to the Coachella Valley. The funds would support the Coachella Valley Housing Catalyst Fund to create an investment mechanism that allows for an increase in housing production over time by supporting the projects have already been identified and are waiting in Lift's project pipeline. Lift's plans include further capitalizing funding so that investments can be made to the Fund to help create thousands of housing units and speed up housing production, as well as establishing a loan loss reserve for the Fund. Lift and local stakeholders have met with the Governor's Office and with members of the Legislature to stress how this investment would help traditionally underserved areas like the Coachella Valley.

Lift's efforts to secure a direct allocation have been widely supported, with local jurisdictions signing on to a housing pledge. In May 2021, Lift released a joint letter (attached) that included support from the Coachella Valley's cities, as well as Riverside County Supervisor V. Manuel Perez and other stakeholders, to further this effort.

As the CVAG Executive Director explained at the Executive Committee's meeting on June 7, 2021, the budget negotiations have included directing the funding to CVAG, which would then be responsible for making it available for the intended purposes, particularly the Housing Catalyst fund. The details of this allocation would need to be finalized, and approved, by the CVAG Executive Committee. However, given the current budget negotiations, staff is recommending that the Executive Director and CVAG Chair be provided authority to advocate for a direct allocation to ensure the funds come to the Coachella Valley, and not another area of California.

CVAG has expertise in overseeing multi-million-dollar projects, as evidenced by its regional transportation program. CVAG also is administering two existing REAP programs. Through REAP, \$47 million was previously allocated to the Southern California Association of Governments (SCAG) to administer on behalf of the region. Of this, \$23 million was set aside for noncompetitive subregional partnerships. As a subregional partner, CVAG was eligible to receive approximately \$558,000 to be used toward one or more planning efforts that boost housing production and related supportive infrastructure. The Executive Committee in April 2021 authorized the Executive Director to take the steps for two concurrent projects eligible under the REAP funding guidelines established by SCAG, one of which is supporting the launch of Lift's Housing Catalyst Fund.

Should the budget allocation be approved in Sacramento, staff anticipates there would be subsequent approvals needed by the Executive Committee to launch a program here. While the details remain in limbo, CVAG staff argues that it is vital that any major allocation of funds be locally, or regionally, controlled. If the funds were provided to Metropolitan Planning Organizations such as SCAG, there may be less certainty that it resulted in new affordable units here. Additionally, staff would note that CVAG and other Councils of Governments across the region have experienced challenges in implementing the existing REAP program through SCAG. CVAG's own experience in finalizing the MOU terms with SCAG, such as indemnification clauses, has resulted in unexpected delays to launching the projects themselves. CVAG staff would argue that a direct allocation to CVAG would provide for a more streamlined approach, and direct oversight into how these funds are invested in the Coachella Valley.

**Fiscal Analysis:** The potential allocation to the Coachella Valley is for \$25 million. The details of the funding, and how it is allocated and overseen, would be the focus of a future Executive Committee action. Any advocacy efforts to secure the funding would be covered under existing staff time.

**Attachments:** Stakeholder letter of support Lift to Rise's budget request



May 23, 2021

Governor Gavin Newsom  
1303 10th Street, Suite 1173  
Sacramento, CA 95814

Re: Letter of Support for Lift to Rise – Coachella Valley Housing Catalyst Fund

Dear Governor Newsom:

You have consistently expressed the need to “build more damn housing” in the state of California. We share this sentiment and are ready to proceed boldly, with urgency — now. We ask that you work with us to make this happen.

This group of public, private, nonprofit and grassroots organizations joins together to continue expressing our strong support for the Coachella Valley Housing Catalyst Fund. We strongly support Lift to Rise’s request for the State to make a direct allocation of \$25 million towards the establishment of a loan loss reserve for the fund.

We are grateful for the administration’s proactive work to create a potential funding pathway in this year’s budget through the existing REAP program, but have multiple concerns about this approach mechanism as it is tied to regional intermediary bodies and climate goals that currently and historically make it very difficult for our inland rural region to qualify and compete for funding. In response to the current budget proposal, we have offered potential solutions directly to the California Department of Housing and Community Development and your administration, outlining how HCD could directly facilitate this allocation through REAP or another program. This would ensure the Coachella Valley’s acute housing needs are not left unaddressed in this year’s budget.

The State has communicated a commitment to breaking the patterns of disinvestment that disproportionately

impact non-coastal communities in our inland regions. We, too, believe that housing is central to solving many of our most pressing problems and ask for recognition of the unique production barriers we navigate as a region. Reconciling the disinvestment we face requires direct and intentional leadership to specifically mend these pathways and remove barriers to access. Funding tied to Vehicle Miles Traveled, infill, and preservation naturally flows to more urban, dense, and less geographically vast regions.

The direct allocation of \$25 million from the State to anchor a pool of flexible region-specific capital will create a new paradigm for housing development and generates important lessons for addressing affordability at scale. Direct allocations for our region have historically proven necessary, and a review of past budgets will show precedence for them.

We are deeply appreciative of your candor and bold leadership on this issue, and your continued interest in addressing inequity across inland regions. And we are extremely grateful for the opportunity to continue working with your administration to make this possible.

Thank you for your partnership and continued consideration of this request.

Sincerely,

Heather Vaikona, President and CEO  
**Lift to Rise**

Ted Weill, Mayor  
**City of Rancho Mirage**

Steve Hernandez, Mayor  
**City of Coachella**

Christy Holstege, Mayor  
**City of Palm Springs**

Geoff Kors, Councilmember  
**City of Palm Springs**

Lisa Middleton, Councilmember  
**City of Palm Springs**

Linda Evans, Mayor  
**City of La Quinta**

Scott Matas, Mayor  
**City of Desert Hot Springs**

Alice Salinas, Executive Director  
**Coachella Valley Housing Coalition**

Arnold Sowell Jr., Executive Director  
**NextGen Policy**

Celina Avalos, President and Co-Founder  
**ECV for Change**

Leila Ahmadifar, Vice President,  
Western Region & National Markets  
**Low Income Investment Fund**

Karen Suarez, Director  
**Uplift San Bernardino and Co-Chair of Lift to Rise  
Housing CAN and Inland SoCal Housing Collective**

Eduardo Garcia  
**Assemblymember, CA-56**

Chad Mayes  
**Assemblymember, CA-42**

V. Manuel Perez, Fourth District Supervisor  
**Riverside County Board of Supervisors**

U.S. Congressman Raul Ruiz  
**District 36**

Fiona Ma, Treasurer  
**State of California**

Elaine Holmes, Mayor  
**City of Indio**

Raymond Gregory, Mayor  
**City of Cathedral City**

Richard Balocco, Mayor  
**City of Indian Wells**

Kathleen Kelly, Mayor  
**City of Palm Desert**

Michael Walsh, Deputy Director  
**Housing Authority of the County of Riverside, Lift  
to Rise Housing CAN Co-Chair**

Claudia Castorena, Co-founder  
**Galilee Center**

Kimberly Latimer-Nelligan, President  
**Low Income Investment Fund**

Leticia De Lara, Chief Executive Officer  
**Regional Access Project Foundation**

Lara Regus, Senior Vice President of Development  
**Abode Communities**

Suzanne Anarde, Chief Executive Officer  
**Rural Community Assistance Corporation**

Micah Weinberg, CEO and President  
**California Forward**

Luz Gallegos, Executive Director  
**TODEC**

Cástulo R. Estrada, Board Vice President  
**Coachella Valley Water District**

David Brinkman, Chief Executive Officer  
**DAP Health**

Steve PonTell, President and CEO  
**National Community Renaissance and  
Hope Through Housing Foundation**

Conrado Bárzaga, Chief Executive Officer  
**Desert Healthcare District and Foundation**

Carrie Harmon, Executive Deputy Director  
**Housing Authority of the County of Riverside**

Javier Hernandez  
**Inland Coalition for Immigrant Justice**

Maribel Nunez, Executive Director  
**Inland Equity Community Land Trust**

Robin Hacke, Executive Director  
**Center for Community Investment**

Gary Painter, Director  
**USC Sol Price Center for Social Innovation**

**Inland Congregations United for Change**

Kristal Granados, Chief Executive Officer  
**United Way of the Desert**

Gretchen Gutierrez, Chief Executive Officer  
**Desert Valley Builders Association**

Rebecca Zaragoza  
Regional Policy Manager, Eastern Coachella Valley  
**Leadership Counsel for Justice and Accountability**

Alan Greenlee  
**Southern California Association of Non-Profit Housing**

Tammi Graham, Executive Director  
**First Five Riverside**

Joy Silver, Regional Director, Southern California  
**Community Housing Opportunity Corp.**

Danavon L. Horn, President  
**Palm Communities**



**ITEM 8A**

**Coachella Valley Association of Governments  
Executive Committee  
June 28, 2021**



**Staff Report**

**Subject:** CVAG Officer Rotation for FY 2021/2022

**Contact:** Joanna Stueckle, Executive Assistant/ Clerk ([lstueckle@cvag.org](mailto:lstueckle@cvag.org))

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**Recommendation:** Nominate the representative from the City of Palm Springs to serve as FY 2021/2022 Chair and the representative from the City of Coachella to serve as FY 2021/2022 Vice Chair

**Administrative/Personnel Committee:** CONCURS (Meeting of April 19<sup>th</sup>)

**Background:** The CVAG Executive Committee annually provides a nomination for the CVAG officers to the General Assembly, which meets each June. In 2019, the CVAG Executive Committee discussed the need for a more formal process of choosing the incoming officers. This led to an update to the CVAG By-Laws, which established a rotation that would elect a member jurisdiction's representative rather than a specific individual. The By-Laws also state that *"Based on a recommendation of the Administrative/Personnel Committee, the Executive Committee may in making its nominations deviate from the strict rotation set forth above if determined to be in CVAG's best interests."*

CVAG's officers are now based on jurisdiction and not individual elected officials. In June 2021, the Executive Committee amended the officer rotation to add the newest members – Torres Martinez Band of Cahuilla Indians and the Twenty-Nine Palms Band of Cahuilla Indians – to the end of the rotation. This change, which will be ratified at the 2021 General Assembly, is reflected as follows: *Agua Caliente Band of Cahuilla Indians, Indio, Cabazon Band of Mission Indians, Torres Martinez Desert Cahuilla Indians, Twenty-Nine Palms Band of Mission Indians, Palm Springs, Coachella, Desert Hot Springs, Rancho Mirage, Riverside County's Fourth Supervisorial District, Blythe, La Quinta, Palm Desert, Cathedral City, Indian Wells, Riverside County's Fifth Supervisorial District.*

CVAG's current officers are the representative from the City of Indio serving as CVAG Chair and the representative from the City of Palm Springs serving as Vice Chair.

On April 19, 2021, the Administrative/Personnel Committee reviewed the officer rotation and recommended the Executive Committee nominate the representative from the City of Palm Springs to serve as FY 2021/2022 Chair and the representative from the City of Coachella to serve as FY 2021/2022 Vice Chair. The Executive Committee's nomination for officers will be presented to the General Assembly on June 28, 2021.

**Fiscal analysis:** There is no additional fiscal impact as CVAG officers receive the same per diem as other members.



**ITEM 8B**

**Coachella Valley Association of Governments  
Executive Committee  
June 28, 2021**



**Staff Report**

**Subject:** CVAG Fiscal Year 2021/2022 Budget

**Contact:** Claude T. Kilgore, Director of Finance/Administration ([ckilgore@cvag.org](mailto:ckilgore@cvag.org))

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**Recommendation:** Approve Resolution No. 21-003 adopting CVAG's 2021/2022 Fiscal Year Annual Budget, Salary Schedule, and Allocated Positions

**Finance Committees:** Approved moving the proposed FY 2021/2022 budget forward to the Executive Committee for review and consideration, with additional feedback incorporated. (Meeting of May 25).

**Background:** The CVAG Finance Committee met on May 25 to review CVAG's preliminary budget for the Fiscal Year 2021/22. Following this, staff incorporated relevant updates and presented an in-depth review of the budget to the Executive Committee on June 7, 2021. Staff did not receive any additional comments or updates since the meeting.

The budget is now being presented to the Executive Committee for recommendation of adoption. Upon the Executive Committee's recommendation, the budget will be presented for adoption at the General Assembly meeting on June 28, 2021.

The CVAG Fiscal Year 2021/22 Budget can be found online:  
[CVAG FY 2021 2022 Budget](#)

**Fiscal Analysis:** The fiscal analysis is included within the budget itself.

**Attachment:** CVAG Resolution No. 21-003

**RESOLUTION NO. 21-003**

**A RESOLUTION OF THE  
GENERAL ASSEMBLY OF THE  
COACHELLA VALLEY ASSOCIATION OF GOVERNMENTS  
ADOPTING THE 2021/2022 FISCAL YEAR  
ANNUAL BUDGET, SALARY SCHEDULE, AND  
ALLOCATED POSITIONS**

**WHEREAS**, the 2021/2022 fiscal year annual budget is a balanced budget; and

**WHEREAS**, the 2021/2022 fiscal year proposed operating budget is a 11.25% decrease from the 2020/2021 fiscal year operating budget; and

**WHEREAS**, CVAG is proposing staffing at 25 full time allocated positions in the 2021/2022 fiscal year, and

**WHEREAS**, the Administrative/Personnel Committee and the Executive Committee have approved modifications to the salary schedule, increasing the cost-of-living adjustments to salaries by 2.2 percent;

**WHEREAS**, the Administrative/Personnel Committee and the Executive Committee have approved a 2.2 percent increase on the base membership dues for the current fiscal year; and

**WHEREAS**, CVAG maintains a General Reserve of approximately one time operating expenditures.

**NOW THEREFORE BE IT RESOLVED** as follows:

1. The General Assembly adopts the 2021/2022 Fiscal Year Annual Budget.
2. The General Assembly adopts the CVAG Salary Schedule.
3. The General Assembly adopts the allocation of CVAG positions.

**PASSED AND ADOPTED**, by the General Assembly of the Coachella Valley Association of Governments, County of Riverside, State of California on June 28, 2021.

By: \_\_\_\_\_  
Glenn A. Miller, Chair  
CVAG

Witnessed By: \_\_\_\_\_  
Tom Kirk  
Executive Director

## **ITEM 8C**

### **Coachella Valley Association of Governments Executive Committee June 28, 2021**



#### **STAFF REPORT**

**Subject:** Interim Employment Agreement with Katie Barrows as a retired annuitant

**Contact:** Tom Kirk, Executive Director ([tkirk@cvag.org](mailto:tkirk@cvag.org))

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**Recommendation:** Approve Resolution 21-004 and the employment agreement with Katie Barrows on the terms described below as Interim Deputy Director of Desert Community Energy

**Background:** CVAG Director of Environmental Resources Katie Barrows plans to retire from CVAG effective September 1, 2021. Ms. Barrows has agreed to assist CVAG's Executive Director with management of Desert Community Energy (DCE) on an interim basis after her retirement. Under California law, a CalPERS retired annuitant may be employed on a limited basis pursuant to certain restrictions. In light of Ms. Barrows' retirement from the Director of Environmental Resources position, the Executive Committee may consider engaging her services on a temporary basis to assist with the transition. California law imposes the following restrictions and criteria on the temporary re-employment of Ms. Barrows:

- Government Code Section 7522.56 requires the Board provide CalPERS a certification resolution when hiring a retiree before 180 days has passed since her retirement date.
- The retiree shall not have received any retirement-related incentive.
- The Board must find that the appointment is necessary to perform critically needed functions related to the smooth transition of duties to the recently hired Executive Director beginning on September 2, 2021, and that the specialized skills possessed by Katie Barrows are necessary to perform these functions.
- The employment is limited to 960 hours per fiscal year.
- The compensation paid to Ms. Barrows must be on an hourly basis and cannot be less than the minimum nor exceed the maximum monthly base salary paid to other employees performing comparable duties. The base salary of the Director of Environmental Resources is between \$12,212.04 to \$15,216.90 per month, which translates into a range from \$70.46 to \$87.79 per hour.

If the Executive Committee finds that re-employment of Ms. Barrows under the above circumstances is in CVAG's interests, the Executive Committee must approve the attached Resolution 21-004 and must approve an employment agreement with Ms. Barrows. Also attached to this staff report is a proposed employment agreement that provides as follows:

- Compensation based on the above criterion would be paid on an hourly basis, at a proposed rate of \$81.57 per hour.
- The term of the agreement is subject to the Board's discretion. Based on the feedback from Ms. Barrows, the term is currently proposed for one year.
- Ms. Barrows would not be entitled to any benefits but would be covered under CVAG's compensation insurance policy.

**Fiscal Analysis:** The Agreement for Temporary Services (attached) provides for Ms. Barrows to be compensated at her current FY 2021/2022 hourly rate. CVAG's proposed FY 2021/2022 Budget includes funding for Ms. Barrows' employment as a retired annuitant. Similar to other

staffing costs, Ms. Barrows time on DCE would be reimbursed by DCE, and it has been included in the fiscal year budget that the DCE Board approved on June 21, 2021. Under CalPERS rules, Ms. Barrows is not entitled to any benefits.

**Attachments:**

1. Resolution 21-004 – K. Barrows 180-day Waiver
2. Agreement for Temporary Services – K. Barrows

## **RESOLUTION NO. 21-004**

### **A RESOLUTION OF THE EXECUTIVE COMMITTEE OF THE COACHELLA VALLEY ASSOCIATION OF GOVERNMENTS FOR EXCEPTION TO THE 180-DAY WAITING PERIOD IN ACCORDANCE WITH CALIFORNIA GOVERNMENT CODE SECTIONS 7522.56 AND 21221(h)**

**WHEREAS**, in compliance with Government Code Section 7522.56, the Executive Committee of the Coachella Valley Association of Governments must provide CalPERS this certification resolution when hiring a retiree before 180 days has passed since her retirement date; and

**WHEREAS**, Katie Barrows will retire from the Coachella Valley Association of Governments in the position of Director of Environmental Resources, effective September 1, 2021; and

**WHEREAS**, Section 7522.56 requires that post-retirement employment commence no earlier than 180 days after the retirement date, which is February 28, 2022, without this certification resolution; and

**WHEREAS**, Section 7522.56 provides that this exception to the 180-day wait period shall not apply if the retiree accepts any retirement-related incentive; and

**WHEREAS**, the Executive Committee, Coachella Valley Association of Governments and Katie Barrows, certify that Katie Barrows has not and will not receive a Golden Handshake or any other retirement-related incentive; and

**WHEREAS**, the Executive Committee hereby appoints Katie Barrows as an interim appointment retired annuitant to manage Desert Community Energy for the Coachella Valley Association of Governments under Government Code Section 21221(h), effective September 2, 2021; and

**WHEREAS**, an appointment under Government Code section 21221(h) requires a current or future active, publicly posted recruitment for a permanent replacement; and

**WHEREAS**, the current status of this recruitment is to be determined prior to Ms. Barrows completion of her appointment; the timing for a future recruitment is a transition task under this appointment in coordination with the Executive Director of the Coachella Valley Association of Governments, and

**WHEREAS**, this section 21221(h) appointment shall only be made once and therefore will end on December 31, 2022; and

**WHEREAS**, the entire employment agreement between Katie Barrows and Coachella Valley Association of Governments has been reviewed by this body and is attached herein; and

**WHEREAS**, no matters, issues, terms, and/or conditions related to this employment and appointment have been or will be placed on a consent calendar; and

**WHEREAS**, the employment shall be limited to 960 hours per fiscal year; and

**WHEREAS**, the compensation paid to retirees cannot be less than the minimum nor exceed the maximum monthly base salary paid to other employees performing comparable duties, divided by 173.333 to equal the hourly rate; and

**WHEREAS**, the minimum base monthly salary for this position is \$146,564 and the hourly equivalent is \$70.46 and the maximum base monthly salary for this position is \$182,603 and the hourly equivalent is \$87.79; and

**WHEREAS**, the hourly rate to be paid to Katie Barrows is \$81.57; and

**WHEREAS**, Katie Barrows has not and will not receive any other benefit, incentive compensation in lieu of benefit, or any other form of compensation in addition to this hourly pay rate.

**NOW THEREFORE, BE IT RESOLVED THAT**, the Executive Committee of the Coachella Valley Association of Governments hereby finds, determines and resolves as follows:

1. The Executive Committee has considered the full record before it, which may include but is not limited to such things as the staff report, testimony by staff and the public, and other materials and evidence submitted or provided to it. Furthermore, the recitals set forth above are found to be true and correct and are incorporated herein by reference.
2. The Executive Committee hereby certifies the nature of the employment of Katie Barrows as described herein and detailed in the attached employment agreement and that this appointment is necessary to perform the critically needed functions related to the management of Desert Community Energy for the Coachella Valley Association of Governments beginning on September 2, 2021, because the Executive Committee has determined that the specialized skills possessed by Katie Barrows are necessary to perform these functions.
3. The Executive Committee hereby approves the resolution to waive the 180-day wait period pursuant to Government Code Sections 7522.56 and 21221(h).
4. The employment agreement with Katie Barrows, a copy of which is attached hereto as Exhibit "A", is approved by the Executive Committee, effective June 28, 2021.
5. The Chair of the Executive Committee is authorized to execute said agreement on behalf of the Coachella Valley Association of Governments, with such technical amendments as may be deemed appropriate by the Executive Director and General Counsel.

**PASSED, APPROVED AND ADOPTED** this 28th day of June 2021.

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Glenn A. Miller  
Chair

ATTEST:

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Tom Kirk  
Secretary

**EXHIBIT “A”**  
**EMPLOYMENT AGREEMENT**



## COACHELLA VALLEY ASSOCIATION OF GOVERNMENTS

### AGREEMENT FOR TEMPORARY SERVICES

**THIS AGREEMENT FOR TEMPORARY SERVICES** (hereinafter referred to as "Agreement") is made and entered into as of the 28th day of June 2021, by and between the COACHELLA VALLEY ASSOCIATION OF GOVERNMENTS, a California joint powers authority (hereinafter referred to as "CVAG"), and KATIE BARROWS (hereinafter referred to as "Employee").

#### RECITALS

- A. Government Code Section 21221(h) permits retired annuitants under the California Public Employees' Retirement System ("CalPERS") to be employed without reinstatement from retirement upon appointment by a public agency because the retired person has specialized skills needed in performing work of limited duration.
- B. Government Code Section 7522.56 allows for the employment of a retired annuitant prior to the expiration of the usual 180-day waiting period if the employer certifies the nature of the employment and that the appointment is necessary to fill a critically needed position before 180 days have passed and the appointment has been approved by the governing body of the employer in a public meeting.
- C. CVAG desires to employ on an interim, at-will basis pursuant to California Government Code sections 21221(h) and 7522.56 the services of Employee and Employee desires to accept temporary employment as Interim Deputy Director of Desert Community Energy.
- D. The Interim Deputy Director of Desert Community Energy position is a position that requires specialized skills and expert professional or technical services. Employee is willing and fully qualified by virtue of her extensive experience to perform these services for CVAG.

**NOW, THEREFORE**, in consideration of the foregoing and the mutual covenants herein contained, the parties agree as follows:

1. Duties. CVAG hereby agrees to engage the services of Employee to serve as Interim Deputy Director of Desert Community Energy to assist CVAG's Executive Director in the management of Desert Community Energy and to perform such other legally permissible and proper duties and functions as the Executive Director may from time to time assign as needed. Employee shall perform the services required under this Agreement during normal CVAG operating hours, although the precise hours that Employee perform services is left to the discretion of the Executive Director; and further, Employee shall be available for attendance at Board of Director meetings and other meetings during other hours as may be necessary.

2. Term.

A. The term of this Agreement shall commence September 2, 2021 and conclude on December 31, 2022, unless earlier terminated by either of the parties as provided in Paragraph B of this Section.

B. Nothing in this Agreement shall prevent, limit or otherwise interfere with the right of the Employee to terminate this Agreement at any time upon submitting thirty (30) days written notice of termination to CVAG or the right of CVAG in its sole discretion to terminate this Agreement, with or without cause, at any time upon providing thirty (30) days written notice of termination to Employee. It is understood and agreed that this Agreement is one of limited duration.

3. Compensation. CVAG agrees to pay Employee for her services rendered pursuant hereto which amount is in conformance with the requirements of Government Code section 21221(h) compensation of eighty-one dollars and fifty-seven cents (\$81.57) per hour.

4. Benefits. Employee is a retiree of the Public Employees' Retirement System and will thus not be enrolled in CalPERS or have any CalPERS retirement contributions reduced from her salary or made on her behalf by CVAG. It is the understanding of the parties that Employee may not work more than 960 hours within the fiscal year, collectively for CVAG or any other CalPERS employers, occurring during the term of this Agreement without impacting her retirement benefits and having to be enrolled in CalPERS as an active employee. For that reason, Employee will be required to keep accurate time records of her hours worked to ensure that she does not exceed 960 hours within the fiscal years that occur during the term of this Agreement. Employee hereby waives all benefits provided to CVAG employees, including retirement contribution, health/medical insurance, dental insurance, life and disability insurance, sick leave, vacation, unemployment insurance and similar benefits with regard to her services under this Agreement. That notwithstanding, Employee shall be entitled to observe all CVAG holidays in the same manner as employees of CVAG.

5. General Expenses. CVAG recognizes that certain expenses of a non-personal and generally job affiliated nature may be incurred by Employee and hereby agrees to reimburse Employee said necessary and reasonable expenses as are submitted to CVAG based upon expense receipts, statements, or personal affidavits, and audit thereof in like manner as other demands against CVAG. Out-of-town travel for which expense reimbursement will be sought shall be subject to advance approval by the Executive Director.

6. Rules and Regulations. Employee is subject to the provisions of any personnel rules, regulations and other policies and procedures governing terms and conditions of employment whether now in existence or subsequently adopted by CVAG. Such rules, regulations, policies, or procedures are incorporated into this Agreement by reference and shall govern unless there is a conflict with this Agreement.

7. Service-Related Injury Income Protection. CVAG and Employee agree that Employee is covered by CVAG's worker's compensation insurance policy.

8. Insurance. Employee shall at her own cost and expense procure and maintain in effect a policy of automobile insurance for use of her private vehicle with not less than \$100,000/\$300,000 coverage. This policy shall be considered primary insurance as regards CVAG and its officers, agents and employees.

9. Liability. CVAG agrees to indemnify, hold harmless and defend at its expense Employee from any and all claims, actions, losses, damages, charges, expenses or attorney's fees to which Employee may be subject to arising out of, or resulting from, the performance of this Agreement and Employee's duties hereunder as Interim Deputy Director of Desert Community Energy. Notwithstanding the foregoing, CVAG's obligation under this Section 9 shall not apply to any punitive or exemplary damages which may be awarded by a court against Employee; nor shall this paragraph apply to liability incurred by Employee for actions outside the scope of her services or which result from wrongful or malicious conduct or gross negligence, or through the use of any personal vehicle, all as to which Employee shall indemnify and hold CVAG, its officers, agents and employees harmless.

10. Conflict of Interest. Employee affirms and warrants that she has no financial, contractual or other interest or obligation that conflicts with or is harmful to the performance of her obligations under this Agreement. Employee shall not during the term of this Agreement knowingly obtain such an interest or incur such an obligation.

11. Entire Agreement. This Agreement supersedes any and all other agreements, written or oral, between the parties, and contains all of the covenants and agreements between the parties. Each party acknowledges that no promises, representations, inducements or agreements, oral or otherwise, have been made by any party, or anyone acting on behalf of any party that are not embodied herein. No modification to this Agreement shall be effective unless reduced to writing and signed by both parties.

12. General Provisions.

A. The text herein shall constitute the entire agreement between the parties.

B. This Agreement shall be binding upon and inure to the benefit of the heirs-at-law and executors of Employee.

C. This Agreement shall be effective as of June 28, 2021.

D. If any provision or any portion hereof contained in this Agreement is held to be unconstitutional, invalid or unenforceable the remainder of this agreement or portion thereof shall be deemed severable and shall not be affected and shall remain in full force and effect.

E. CVAG is entering into this Agreement by virtue of the professional reputation, experience and competence of Employee. Hence, the obligations of Employee under this Agreement shall not be assigned or subcontracted, nor shall the rights be delegated without prior written approval of the Executive Director.

F. Employee shall comply with and adhere to all CVAG policies, rules and regulations including but not limited to its policies regarding non-discrimination and sexual harassment.

G. CVAG makes no representation on the impact, if any, this Agreement shall or may have upon Employee's CalPERS retirement benefits, status, duties, and/or obligations. Employee acknowledges that in entering into this Agreement, she has not relied upon any such representations (none of which being in existence) in assessing the CalPERS-related impact of her employment. Therefore, Employee releases CVAG from any and all CalPERS-related claims or liabilities that may arise in connection with her employment pursuant to this Agreement.

H. Employee expressly certifies and warrants to CVAG that she has not received any unemployment insurance payments for retired annuitant work for any public employer within the 12 months prior to her appointment date.

I. Employee certifies and warrants to CVAG that her anticipated work schedule will not cause her to exceed the 960 hours per fiscal year limit pursuant to Government Code Section 21221(h), including work for any other CalPERS employer during the current fiscal year.

Executed as of the day and year first above-written.

EMPLOYEE

\_\_\_\_\_  
KATIE BARROWS

COACHELLA VALLEY ASSOCIATION OF  
GOVERNMENTS

By \_\_\_\_\_  
TOM KIRK, EXECUTIVE DIRECTOR

ATTEST:

\_\_\_\_\_  
SECRETARY

**ITEM 8D**

**Coachella Valley Association of Governments  
Executive Committee  
June 28, 2021**

**Staff Report**

**Subject:** Additional Funding for Improvement of Avenue 50 between Calhoun Street and Cesar Chavez in the City of Coachella

**Contact:** Jonathan Hoy, Director of Transportation ([jhoy@cvag.org](mailto:jhoy@cvag.org))

**Recommendation:** Approve Amendment No. One to the Reimbursement Agreement between CVAG and the City of Coachella for Improvement of Avenue 50 between Calhoun Street and Cesar Chavez (formerly Harrison Street), increasing the total regional funding to a not-to-exceed amount of \$6,937,500

**Transportation Committee:** CONCURS (Meeting of June 7<sup>th</sup>)

**Background:** In 2015, the CVAG Executive Committee approved a Reimbursement Agreement between CVAG and the City of Coachella for improvement of Avenue 50 between Calhoun Street and Harrison Street, which has since been renamed in honor of Cesar Chavez. It provided \$3,375,000 in regional funding for this segment of Avenue 50, which is among the top 10 projects listed in the Transportation Project Prioritization Study (TPPS).

As indicated by the attached letter, the City of Coachella is now requesting an amendment to the reimbursement agreement to update the agreement with the current projected project costs. The City has completed 90 percent drawings and environmental clearances are anticipated within the next month. During the design and environmental phases of the project, it was determined that the cost would exceed the initial budget estimate due to unforeseen drainage issues and complicated right-of-way acquisition procedures.

**Fiscal Analysis:** The total project cost is now estimated at \$9.25 million. A breakdown of the initial project funding breakdown, and the costs based on the current estimate, are provided in the chart:

Project Description	Total Project Cost	CVAG (75%)	City (25%)
Avenue 50 between Calhoun Street and Cesar Chavez (formerly Harrison Street)	Initial Project Estimate (2015)		
	\$4,500,000	\$3,375,000	\$1,125,000
	Current Project Estimate		
	\$9,250,000	\$6,937,500	\$2,312,500

Using the standard CVAG cost-sharing of 75% Regional Share/ 25% Local share, CVAG's costs would increase to a total not-to-exceed amount of \$6,937,500. The City's local share would be \$2,312,500. There are sufficient transportation funds available to cover this amount. CVAG staff will ensure that only transportation corridor elements are funded with regional funds.

**Attachments:**

1. Amendment Number One
2. City of Coachella funding request letter with estimate and exhibit

**AMENDMENT NUMBER ONE  
TO THE  
AGENCY REIMBURSEMENT AGREEMENT BY AND BETWEEN  
CVAG AND THE CITY OF COACHELLA  
FOR THE  
AGREEMENT WITH THE CITY OF COACHELLA TO PROVIDE FUNDS FOR THE  
IMPROVEMENT OF AVENUE 50 BETWEEN CALHOUN STREET AND HARRISON STREET**

This **AMENDMENT NUMBER ONE** is made and entered into this **28<sup>th</sup> day of June, 2021**, by and between the **Coachella Valley Association of Governments**, a California joint powers agency (**CVAG**) and the **City of Coachella (City)**, and is made with reference to the following background facts and circumstances. All other terms and conditions shall remain the same as stated in the original Agreement for the improvements of Avenue 50 between Calhoun Street and Harrison Street, which has since been renamed in honor of Cesar Chavez.

This Amendment Number One shall increase the total project cost to an estimated \$9.25 million. A breakdown of the initial project funding breakdown, and the costs based on the current estimate, are provided in the chart:

Project Description	Total Project Cost	CVAG (75%)	City (25%)
Avenue 50 between Calhoun Street and Cesar Chavez (formerly Harrison Street)	Initial Project Estimate (2015)		
	\$4,500,000	\$3,375,000	\$1,125,000
	Current Project Estimate		
	\$9,250,000	\$6,937,500	\$2,312,500

Using the standard CVAG cost-sharing of 75% Regional Share/ 25% Local share, CVAG's funding formula would result in an amended funding split of CVAG Regional Share of 75% = costs would increase to a total not-to-exceed amount of \$6,937,500.

**IN WITNESS WHEREOF**, the parties hereto have caused this **Amendment Number One** to be executed by their duly authorized representatives on this date:

**ATTEST**

**CITY OF COACHELLA**

By: \_\_\_\_\_  
Gabriel Martin,  
City Manager

By: \_\_\_\_\_  
Steven Hernandez,  
Mayor

**ATTEST**

**CVAG**

By: \_\_\_\_\_  
Tom Kirk,  
Executive Director

By: \_\_\_\_\_  
Glenn A. Miller,  
CVAG Chair

May 24, 2021

Tom Kirk, Executive Director  
Coachella Valley Association of Governments  
73-710 Fred Waring Drive, Ste. 200  
Palm Desert, CA 92260

Subject: Request for an Amended Agency Reimbursement Agreement Between CVAG and the City of Coachella for the Improvement of Avenue 50 between Calhoun Street and Harrison Street

Dear Mr. Kirk:

The City of Coachella would like to respectfully request that the Coachella Valley Association of Governments (CVAG) prepare a Amendment to the existing Reimbursement Agreement between CVAG and the City of Coachella to improve avenue 50 between Calhoun Street and Harrison. The existing reimbursable agreement was executed on January 26 of 2015. At this time, the City has completed 90% drawings and environmental clearances are anticipated within the next month. During the design and environmental phases of the project it was determined that the cost would exceed the initial budget estimate due to unforeseen drainage issues and complicated right-of-way acquisition procedures. The City has worked through these complications and is seeking a modification of the reimbursable agreement to secure the necessary fund to continue making progress on this project. This project is consistent with the City's General Plan, Circulation Element and the current 2016 RTP/SCS Plan. The 2016 Transportation Project Prioritization Study TPPS lists this project in the top 10.

Avenue 50 is classified as a Major Arterial with enhanced bicycle facilities per the Mobility Element of the city's General Plan. The Proposed roadway segment will have three lanes in each direction, a two way left turn lane, a landscaped median and includes pedestrian bicycle and neighborhood electric vehicle (NEV) facilities.

Project Description	Total Project Cost	CVAG (75%)	City (25%)
Avenue 50 between Calhoun Street and Harrison Street	Initial Project Estimate (2015)		
	\$4,500,000	\$3,375,000	\$1,125,000
	Current project estimate		
	\$9,250,000	\$6,937,500	\$2,312,500

In 2015 the city and CVAG entered into an Agency Reimbursement Agreement for a project total of \$4,500,000 with a 75% CVAG share totaling \$3,375,000 and a 25% City of Coachella share totaling \$1,125,000. The City of Coachella is requesting an amendment to the Agency Reimbursable Agreement by and Between CVAG and the City of Coachella in order to update

the agreement with the current projected project costs. The City is requesting the standard 75% Regional Share/ 25% Local share funding formula be applied to the amended project costs resulting in an amended funding split of CVAG Regional Share of 75% = \$6,937,500; City of Coachella Local Share of 25% = \$2,312,500

With your support, the City will strive to deliver this project expeditiously for our region. We greatly appreciate your consideration.

Sincerely,

A handwritten signature in blue ink, appearing to read "Andy Simmons", with a stylized flourish at the end.

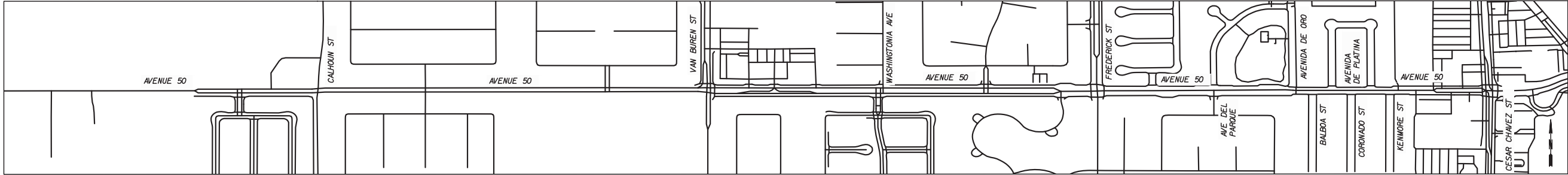
Andrew Simmons, P.E.  
City Engineer

Attachments:  
Construction Estimate  
Site Map



CITY OF COACHELLA

AVENUE 50 IMPROVEMENT PLANS



VICINITY MAP

N.T.S.

GENERAL STREET IMPROVEMENT NOTES

- ALL DESIGN, MATERIALS, AND CONSTRUCTION WORK SHALL CONFORM TO THE CITY OF COACHELLA STANDARD SPECIFICATIONS AND PROCEDURES AND THE CITY OF COACHELLA STANDARD DRAWINGS AND TO THE REQUIREMENTS OF THE STANDARD SPECIFICATIONS FOR PUBLIC WORKS CONSTRUCTION (GREENBOOK), MOST CURRENT EDITIONS AND THESE APPROVED PLANS.
- THE CONTRACTOR SHALL, AT NO EXPENSE TO THE CITY, PROVIDE ALL NECESSARY SAMPLES AND TESTS REQUIRED BY THE CITY TO ASSURE THAT THE QUALITY OF THE MATERIALS AND WORKMANSHIP ARE IN ACCORDANCE WITH THESE PLANS AND SAID SPECIFICATIONS.
- THE CONTRACTOR SHALL BE RESPONSIBLE FOR ALL WORK AND SHALL MAINTAIN ALL FACILITIES COMPLETE AND UNCOMPLETED UNTIL ACCEPTED BY THE CITY.
- IT SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR TO CLEAR THE RIGHT-OF-WAY IN ACCORDANCE WITH THE PROVISIONS OF LAW AS IT AFFECTS EACH UTILITY INCLUDING IRRIGATION LINES AND APPURTENANCES AT NO COST TO THE CITY.
- THE CONTRACTOR SHALL OBTAIN AND REVIEW ALL NECESSARY STANDARDS, PLANS, AND SPECIFICATIONS IN DETAIL PRIOR TO START OF CONSTRUCTION. ALL DOCUMENTS, INCLUDING APPROVED PLANS AND REFERENCED STANDARDS SHALL BE ON-SITE AT ALL TIMES. CONFLICTS SHALL BE BROUGHT TO THE ATTENTION OF THE CITY INSPECTOR PRIOR TO WORK IN THAT AREA.
- ALL ELEVATIONS SHOWN TO BE EXISTING FROM RECENT SURVEY OF THE ENGINEER AND SHALL BE VERIFIED BY THE CONTRACTOR PRIOR TO CONSTRUCTION.
- PRIOR TO BEGINNING ANY WORK, CONTRACTOR SHALL SECURE A CITY OF COACHELLA PERMIT FOR CONSTRUCTION. THE CONTRACTOR SHALL NOTIFY THE CITY OF COACHELLA (760) 398-5744, 72 HOURS PRIOR TO STARTING ANY WORK. A PRE-CONSTRUCTION MEETING SHALL BE SET UP WITH THE CITY OF COACHELLA ENGINEERING DEPARTMENT AND ALL AFFECTED UTILITY COMPANIES SHALL BE PRESENT.
- CONTRACTOR SHALL CALL U.S.A., UNDERGROUND SERVICE ALERT, AT 1-800-227-2600 AND SHALL VERIFY LOCATION OF ALL EXISTING UTILITIES 24 HOURS IN ADVANCE OF THE COMMENCEMENT OF CONSTRUCTION.
- OSHA SAFETY ORDERS AND OSHA CONFINED SPACE ENTRY REQUIREMENTS SHALL BE FOLLOWED AT ALL TIMES WITHOUT EXCEPTION.
- THE CONTRACTOR SHALL GUARANTEE ALL WORK FOR A PERIOD OF ONE YEAR AFTER THE DATE OF FINAL ACCEPTANCE BY CITY OF COACHELLA IN ACCORDANCE WITH THE CITY OF COACHELLA STANDARD SPECIFICATIONS.
- QUANTITIES SHOWN HEREON ARE FOR ESTIMATE PURPOSES ONLY. NEITHER THE DESIGN ENGINEER NOR THE CITY OF COACHELLA GUARANTEE THE ACCURACY OR COMPLETENESS OF THE CONSTRUCTION QUANTITIES.
- CONTRACTOR SHALL CONFORM TO LABOR CODE SECTION 6705 BY SUBMITTING A DETAIL PLAN TO THE CITY ENGINEER SHOWING THE DESIGN OF SHORING, BRACING, SLOPING, OR OTHER PROVISIONS TO BE MADE FOR PROTECTION OF WORKERS FROM THE HAZARD OF CAVING GROUND DURING TRENCH EXCAVATION AND PIPE INSTALLATION THEREIN. THIS PLAN MUST BE PREPARED FOR ALL TRENCHES FIVE FEET OR MORE IN DEPTH. IF THE PLAN VARIES FROM THE SHORING SYSTEM STANDARDS ESTABLISHED BY THE CONSTRUCTION SAFETY ORDERS, TITLE 8, CALIFORNIA ADMINISTRATIVE CODE, THE PLAN SHALL BE PREPARED BY A REGISTERED ENGINEER. A COPY OF THE OSHA EXCAVATION PERMIT MUST BE SUBMITTED TO THE CITY OF COACHELLA INSPECTOR PRIOR TO EXCAVATION.
- THE EXISTENCE AND LOCATION OF UNDERGROUND UTILITIES SHOWN ON THESE PLANS WAS OBTAINED BY AVAILABLE RECORDS SEARCH BY THE DESIGN ENGINEER. TO THE BEST OF THE DESIGN ENGINEER'S KNOWLEDGE, THERE ARE NO EXISTING UTILITIES EXCEPT THOSE SHOWN ON THESE PLANS. ATTENTION IS CALLED TO THE POSSIBLE EXISTENCE OF OTHER UTILITIES OR STRUCTURES NOT SHOWN, OR IN A DIFFERENT LOCATION FROM THAT SHOWN ON THE PLANS. THE CONTRACTOR SHALL TAKE DUE PRECAUTIONARY MEASURES TO PROTECT THE UTILITIES SHOWN ON THE PLANS AND OTHER EXISTING FACILITIES OR STRUCTURES NOT SHOWN.
- APPROVAL OF THIS PLAN BY THE CITY OF COACHELLA DOES NOT CONSTITUTE A REPRESENTATION OF THE ACCURACY OF THE LOCATION OF, OR THE EXISTENCE OR NON-EXISTENCE OF, ANY UNDERGROUND UTILITY, PIPE, OR STRUCTURE WITHIN THE LIMITS OF THIS PROJECT.
- CONTRACTOR IS RESPONSIBLE FOR COMPLYING WITH ALL LOCAL, STATE, AND FEDERAL SAFETY REGULATIONS INCLUDING, BUT NOT LIMITED TO, TRENCH SAFETY AND CONFINED SPACE ENTRY.
- SOILS REPORTS SHALL BE SUBMITTED TO THE CITY OF COACHELLA BY A QUALIFIED SOILS ENGINEER WHICH CERTIFIES THAT TRENCH BACKFILL WAS COMPACTED AS DIRECTED BY THE SOILS ENGINEER IN ACCORDANCE WITH ON SITE EARTHWORK SPECIFICATIONS AND THE CITY OF COACHELLA STANDARD SPECIFICATIONS.
- ALL REVISIONS TO DRAWINGS SHALL BE APPROVED BY THE CITY ENGINEER IN WRITING PRIOR TO CONSTRUCTION.
- CONTRACTOR IS RESPONSIBLE FOR KEEPING COMPLETE RECORD OF CHANGES AND SHALL MAKE SUCH RECORD AVAILABLE TO THE DESIGN ENGINEER. THE PRIVATE ENGINEER SHALL PROVIDE AS-BUILT DRAWINGS TO THE CITY OF COACHELLA FOR REVIEW AND APPROVAL PRIOR TO FINAL ACCEPTANCE OF THE PROJECT.
- THE CONTRACTOR SHALL PROTECT ALL SURVEY MONUMENTATION. IF ANY SURVEY MONUMENTS ARE DISTURBED OR DESTROYED, THE CONTRACTOR SHALL RETAIN A LICENSED SURVEYOR TO RE-ESTABLISH AND RECORD THE MONUMENT CHANGE PER STATE LAW.
- CONTRACTOR SHALL NOT INTERRUPT OR DISTURB ANY UTILITY FACILITY WITHOUT AUTHORITY FROM THE UTILITY COMPANIES. WHERE PROTECTION IS REQUIRED TO ENSURE INTEGRITY OF UTILITY FACILITIES (INCLUDING CITY-OWNED UTILITIES), CONTRACTOR SHALL FURNISH AND PLACE ALL NECESSARY PROTECTION.



CONSTRUCTION NOTES AND ESTIMATES OF QUANTITIES

- CONSTRUCT 4" AC OVER 12" CLASS 2 AGGREGATE BASE.
- CONSTRUCT 8" CURB AND GUTTER TYPE "B" PER CITY OF COACHELLA STD. DWG. S-8.
- CONSTRUCT 8" CURB TYPE "D" MEDIAN PER CITY OF COACHELLA STD. DWG. S-10.
- CONSTRUCT 6" CURB AND GUTTER TYPE "A" PER CITY OF COACHELLA STD. DWG. S-7.
- CONSTRUCT CURB RETURN PER CITY OF COACHELLA STD. DWG. S-23.
- CONSTRUCT CURB RAMP PER CITY OF COACHELLA STD. DWG. S-26.
- CONSTRUCT SIDEWALK PER CITY OF COACHELLA STD. DWG. S-25, WIDTH PER PLAN.
- CONSTRUCT DRIVEWAY PER CITY OF COACHELLA STD. DWG. S-19.2.
- INSTALL STREET LIGHT PER CITY OF COACHELLA STD. DWGS. L-1 AND L-2.
- INSTALL ADA DETECTABLE WARNING SURFACE.
- SAWCUT.
- ADJUST EXISTING MANHOLE RIM TO 3/8 TO 1/2 BELOW FINISHED GRADE PER CITY OF COACHELLA STD. DWG. D-10.
- ADJUST EXISTING VALVE COVER TO 3/8 BELOW FINISHED GRADE PER CITY OF COACHELLA STD. DWG. W-12.
- RELOCATE EXISTING SPECIFIED ITEM.
- PROTECT IN PLACE SPECIFIED ITEM.
- CONSTRUCT CURB RAMP PER SPPWC PLAN NO. 11-5 CASE A, TYPE 1.
- GRIND AND OVERLAY.
- SELECT FILL FOR LANDSCAPING.
- CONSTRUCT 18" RCP.
- CONSTRUCT 12" RCP.
- CONSTRUCT 4'W X 0.5'H RCB.
- CONSTRUCT 3'W X 0.5'H RCB.
- CONSTRUCT CATCH BASIN.
- INSTALL 18" DRAIN PIPE.
- CONSTRUCT TYPE A PASSAGEWAY CURB RAMP PER CALTRANS STD. PLAN A88B.
- CONSTRUCT TYPE A PASSAGEWAY CURB RAMP PER CALTRANS STD. PLAN A88B.
- CONSTRUCT CURB RETURN PER RIVERSIDE COUNTY STD. NO. 207A. JOIN EX. SPANDREL.
- INSTALL MEDIAN FILLED DECORATIVE CONCRETE.
- CONSTRUCT CURB TYPE F 6" AC DIKE PER CITY OF COACHELLA STD. S-11.
- SEE TRAFFIC SIGNAL PLANS.
- SEE SIGNING AND STRIPING PLANS.

ABBREVIATIONS

' OR FT.	FEET	LED	LIGHT-EMITTED DIODE
" OR IN.	INCHES	LF	LINEAR FEET
# OR NO.	NUMBER	LT OR L	LEFT
%	PERCENT	M OR MH	MANHOLE
&	AND	M.A.	MAST ARM
AB	AGGREGATE BASE	MAX	MAXIMUM
ABND	ABANDONED	MIN	MINIMUM
AC	ASPHALT CONCRETE	MUTCD	MANUAL OF UNIFORM TRAFFIC CONTROL DEVICE
AVE	AVENUE	N	NORTH
BC	BEGIN CURVE	NE	NORTHEAST
BCR	BEGIN CURVE RETURN	N'LY	NORTHERLY
BM	BENCHMARK	NTS	NOT TO SCALE
C&G	CURB AND GUTTER	NW	NORTHWEST
CB	CATCH BASIN	O.C.	ON CENTER
CF OR C.F.	CURBFACE	PCC	PORTLAND CEMENT CONCRETE
CL	CENTERLINE	PED. OR PED	PEDESTRIAN
CMB	CRUSHED MISCELLANEOUS BASE	PK	POWER POLE
CONC	CONCRETE	PP	PEDESTRIAN PUSH BUTTON
D	DEPTH	PPB	POINT OF REVERSE CURVATURE
DET OR DET.	DETAIL	PRC.	POINT
DIA	DIAMETER	PT.	RED CURB
DWY	DRIVEWAY	R/C	RIGHT OF WAY
E	EAST	R/W	REINFORCED CONCRETE PIPE
EA	EACH	RCP	ROAD
EC	END CURVE	RD.	REFERENCE
EOR	END CURVE RETURN	REF	RETAINING
ELEV	ELEVATION	RET.	RAILROAD
EPB	ELECTRIC PULL BOX	RR	RIGHT
EX.	EXISTING	RT OR R	SEWER OR SOUTH
FG	FINISH GRADE	RWS	STORM DRAIN
FH	FIRE HYDRANT	S	STORM DRAIN MANHOLE
FL	FLOWLINE	SD	SOUTHEAST
FS OR F.S.	FINISHED SURFACE	SDMD	SQUARE FEET
GB	GRADE BREAK	SE	STREET LIGHT
		SL	SOUTHERLY
		S'LY	STANDARD PLANS FOR PUBLIC WORKS CONSTRUCTION
		SPPWC	SANITARY SEWER/SIGNING & STRIPING
		SS	SANITARY SEWER MANHOLE
		SSMH	STREET
		ST	STATION
		STA.	STANDARD
		STD	SOUTHWEST OR SIDEWALK
		SW	TOP OF CURB
		TC	TYPICAL
		TYP.	WATER OR WEST
		W	WATER METER
		WM	

UTILITIES PURVEYORS

WATER	CITY OF COACHELLA 1515 SIXTH STREET COACHELLA, CA 92236 (760) 391-3008
SEWER	CITY OF COACHELLA 1515 SIXTH STREET COACHELLA, CA 92236 (760) 391-3008
ELECTRIC	IMPERIAL IRRIGATION DISTRICT 81-600 AVENUE 58 LA QUINTA, CA 92253 (760) 398-5811
GAS	THE GAS COMPANY 211 SOUTH SUNRISE WAY PALM SPRINGS, CA 92262 (760) 864-1714
TELEPHONE	VERIZON TELEPHONE 295 NORTH SUNRISE WAY PALM SPRINGS, CA 92262 (760) 864-1714
CABLE TV	TIME WARNER 41725 COOK AVENUE PLAM DESSERT, CA 92211 (760) 674-5455

LEGENDS

CHARTER COMMUNICATION	C
ELECTRIC UNDERGROUND	E
FIBER OPTIC	FO
FRONTIER COMMUNICATION	COM
GAS LINE	G
IRRIGATION LINE	IR
SEWER LINE	SS
WATER LINE	W
FENCE	X
CENTERLINE	ε
FIRE HYDRANT	⊕
MANHOLE	⊗
POWER POLE	⊙
PULL BOX	□
RIGHT OF WAY	---
SEWER MANHOLE	⊗
STORM DRAIN MANHOLE	⊗
STREET LIGHT	⊗
TRAFFIC SIGN	⊕
TRAFFIC SIGNAL POLE	⊕
WATER VALVE	⊗
GAS VALVE	⊗

INDEX OF SHEETS

SHEET	DESCRIPTION
1	TITLE SHEET + VICINITY MAP
2	TYPICAL SECTIONS
3-11	DEMOLITION PLANS
12-40	PLAN & PROFILES
41	DRAINAGE PLAN & PROFILE
-	INTERSECTION DETAILS
42-45	TRAFFIC SIGNAL PLANS
46-50	SIGNING AND STRIPING PLANS
-	LIGHTING PLANS
-	LANDSCAPE PLANS
-	EROSION CONTROL PLANS
-	CROSS SECTIONS



Know what's below.  
Call before you dig.

UNDERGROUND UTILITIES & STRUCTURES  
THE EXISTENCE AND LOCATION OF ANY UNDERGROUND UTILITIES OR STRUCTURES SHOWN IN THESE PLANS WAS OBTAINED BY A SEARCH OF AVAILABLE RECORDS. TO THE BEST OF OUR KNOWLEDGE, THERE ARE NO EXISTING UTILITIES EXCEPT THOSE SHOWN ON THESE PLANS. THE CONTRACTOR IS REQUIRED TO TAKE ALL PRECAUTIONARY MEASURES TO PROTECT THE UTILITIES SHOWN, AND IS RESPONSIBLE FOR THE PROTECTION OF, AND ANY DAMAGE TO THESE LINES OR STRUCTURES.  
PRIVATE ENGINEER'S NOTICE TO CONTRACTORS  
THE CONTRACTOR AGREES THAT HE SHALL ASSUME SOLE AND COMPLETE RESPONSIBILITY FOR JOB SITE CONDITIONS DURING THE COURSE OF CONSTRUCTION OF THIS PROJECT, INCLUDING SAFETY OF ALL PERSONS AND PROPERTY. THAT THIS REQUIREMENT SHALL APPLY CONTINUOUSLY AND NOT BE LIMITED TO NORMAL WORKING HOURS; AND THAT THE CONTRACTOR SHALL DEFEND, INDEMNIFY, AND HOLD THE OWNER AND THE ENGINEER HARMLESS FROM ANY AND ALL LIABILITY, REAL OR ALLEGED, IN CONNECTION WITH THE PERFORMANCE OF WORK ON THIS PROJECT, EXCEPTING FOR LIABILITY ARISING FROM THE SOLE NEGLIGENCE OF THE OWNER OR ENGINEER.

NO.	REVISIONS	APPR	DATE
DESIGNED BY	DRAWN BY	CHECKED BY	
RG	RG	CS	



PUBLIC  
WORKS

PLAN PREPARED UNDER SUPERVISION OF:

CHARLES M. SCHWINGER  
R.C.E. 82908  
7/1/2020  
DATE  
EXP. DATE: 8/30-2020



APPROVED BY:

GABOR PAKOZDI  
CITY ENGINEER  
R.C.E. C-74522  
12-31-21



5095 Murphy Canyon Rd., Suite 330  
San Diego, California, 92123  
Tel: (619) 683-2933 Fax: (619) 683-7982

SCALE: AS SHOWN

PERMIT NUMBER:

DATE: 7/1/2020

CITY OF COACHELLA, CALIFORNIA

TITLE SHEET

AVENUE 50

1

OF

X

SHEETS

# Coachella Ave 50 improvement 90% Cost Estimate (Summary)

Mar-21

No.	Item	Quantity	Unit	Unit Price	Amount	Total
<b>General Construction Requirements</b>						
1	Mobilization	1	LS	\$400,000.00	\$400,000.00	
2	Contractor Staking	1	LS	\$95,000.00	\$95,000.00	
<b>General Construction Requirements</b>						\$495,000.00
<b>Public Convenience, Safety, Traffic Control and Detours</b>						
3	Public Convenience, Safety, Traffic Control and Detours	1	LS	\$50,000	\$50,000.00	
<b>Public Convenience, Safety, Traffic Control and Detours</b>						\$50,000.00
<b>Storm Water Pollution Control</b>						
4	Erosion Control	1	LS	\$45,000.00	\$45,000.00	
<b>Storm Water Pollution Control</b>						\$45,000.00
<b>Demolition and Earthwork</b>						
5	Clearing and Grubbing	1	LS	\$300,000.00	\$300,000.00	
6	Unclassified Excavation	15,905	CY	\$80.00	\$1,272,400.00	
7	Pavement Removal	1	LS	\$530,000.00	\$530,000.00	
8	Asphalt Grinding	3,925	CY	\$3.00	\$11,775.00	
9	Property Demolition	6	EA	\$50,000.00	\$300,000.00	
<b>Demolition and Earthwork</b>						\$2,714,175.00
<b>Asphalt Concrete Paving</b>						
10	Class II Aggregate Base	14,239	Tons	\$60.00	\$854,340.00	
11	Asphalt Concrete Pavement	7,120	Tons	\$150.00	\$1,068,000.00	
<b>Asphalt Concrete Paving</b>						\$1,922,340.00
<b>Miscellaneous Concrete Construction</b>						
12	Construct 4" Thick PCC Sidewalk	26,669	SF	\$8.00	\$213,352.00	
13	Construct 8" Curb (City of Coachella Std.)	11,570	LF	\$25.00	\$289,250.00	
14	Construct PCC Curb and Gutter	4,349	LF	\$30.00	\$130,470.00	
15	Construct Type D Curb (City of Coachella Std.)	179	LF	\$12.00	\$2,148.00	
16	Construct Concrete Driveway Aprons	693	SF	\$20.00	\$13,860.00	
17	Construct PCC Curb Ramp RSP A88A	1,869	SF	\$11.00	\$20,559.00	
18	Construct Median Filler, Colored, Textured	6,693	SF	\$12.00	\$80,316.00	
19	Construct Cross Gutter Per City Std.	1,295	SF	\$15.00	\$19,425.00	
20	Install 6' Vinyl Coated Chain Link Fence	1,160	LF	\$35.00	\$40,600.00	
21	Install 6'x12' Vinyl Coated Chain Link Gate	60	LF	\$230.00	\$13,800.00	
22	Construct Landscape and Irrigation	56,423	SF	\$1.00	\$56,423.00	
<b>Miscellaneous Concrete Construction</b>						\$880,203.00
<b>Storm Drain and Water Construction</b>						
23	Construct Catch Basin (W=4')	3	EA	\$4,000.00	\$12,000.00	
24	Construct Detention Basin	2,621	CY	\$70.00	\$183,470.00	
25	Construct Basin Access	171	SF	\$18.00	\$3,078.00	
26	Construct 12" RCP	67	LF	\$45.00	\$3,015.00	
27	Construct 18" RCP	290	EA	\$70.00	\$20,300.00	
28	Install 6" Fire Hydrant and Valve Assembly	2	EA	\$4,000.00	\$8,000.00	
<b>Storm Drain and Water Construction</b>						\$229,863.00
<b>Signing</b>						
29	Signing	21	EA	\$300.00	\$6,300.00	
<b>Signing</b>						\$6,300.00
<b>Roadway Markings</b>						
30	High Visibility Crosswalk WHITE (Thermoplastic)	6,155	SF	\$4.00	\$24,620.00	
31	Crosswalk White	326	LF	\$1.50	\$489.00	
32	Crosswalk Yellow	396	SF	\$1.50	\$594.00	

33	Pavement Markings (Thermoplastic)	4,309	SF	\$6.00	\$25,854.00	
34	White Striping (6 Inch) (Paint)	25,691	LF	\$1.50	\$38,535.92	
35	White Striping (8 Inch) (Paint)	11,126	LF	\$1.50	\$16,689.00	
36	Yellow Striping (6 Inch) (Thermoplastic)	13,722	LF	\$2.00	\$27,444.00	
37	Green Symbol	245	SF	\$2.00	\$490.00	
38	Green Thermoplastic	2,477	LF	\$2.00	\$4,954.00	
39	Raised Pavement Markers (Reflective)	549	EA	\$40.00	\$21,960.00	
<b>Roadway Markings</b>						\$161,629.92
<b>Electrical Systems</b>						
40	Install Traffic Signal at Avendia De Oro	1	EA	\$300,000.00	\$300,000.00	
41	Traffic Signal Modification	3	EA	\$100,000.00	\$300,000.00	
42	Rectangular Rapid Flashing Beacon System	2	EA	\$7,000.00	\$14,000.00	
43	Street Lighting	15	EA	\$13,000.00	\$195,000.00	
<b>Electrical Systems</b>						\$809,000.00
<b>Right of Way</b>						
44	Residential Properties	6	EA	\$300,000.00	\$1,800,000.00	
45	Vacant Residential Property	18,300	SF	\$3.00	\$54,900.00	
46	Commercial Property	7,350	SF	\$40.00	\$294,000.00	
<b>Right of Way</b>						\$2,148,900.00
<b>Total</b>						<b>\$9,232,547.92</b>

## **ITEM 8E**

### **Coachella Valley Association of Governments Executive Committee June 28, 2021**



#### **Staff Report**

**Subject:** Contract Amendment with Alta Planning & Design for CV Link

**Contact:** Jonathan Hoy, Director of Transportation ([jhoy@cvag.org](mailto:jhoy@cvag.org))

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**Recommendation:** Authorize the Executive Director to execute Amendment No. 9 to the agreement with Alta Planning & Design for a total not-to-exceed amount of \$578,211, including 10 percent contingency; and authorize the Executive Director and/or Legal Counsel to make clarifying changes/revisions before execution

**Transportation Committee:** CONCURS (meeting of June 7, 2021).

**Background:** Construction is now underway for the largest segment of CV Link to date, which includes work in the Cities of Palm Springs, Palm Desert, La Quinta, Indio, and Coachella as well as unincorporated Riverside County. In addition, CVAG has been working with the City of Palm Desert to complete the on-street segment of CV Link in the city, which is scheduled to be completed by August 2021. In order to complete additional design changes, and ensure on-call construction support, CVAG staff is now recommending a contract amendment with Alta Planning & Design.

Alta's work with the project dates back to July 18, 2014, when the CVAG Executive Committee approved a contract with for planning, design and engineering services related to CV Link in an amount of \$6,217,000, plus a 10 percent contingency. The contract has been amended by the Executive Committee several times over the years with the most recent amendment in October 2020, when the Executive Committee approved a not-to-exceed amount of \$438,438 and extended the contract to January 30, 2023. The scope of the current contract includes various tasks, such as survey work, low water crossing design work and construction support.

Alta has played an integral role in the development of CV Link, and their experience with the project cannot be replicated. The team has extensive expertise in the field of active transportation and has been a resource not only to CVAG but to member jurisdictions as the design was being finalized. Alta provided the construction support/management for the first 2.3-mile section of CV Link between Vista Chino Road in Palm Springs and Ramon Road in Cathedral City. They also were an on-location resource as the City of Palm Springs built nearly one mile of the project along Demuth Park and the Tahquitz Creek Golf Course. Alta continues to play an integral part of CV Link as CVAG obtains the remaining right-of-way to construct the rest of the project.

As Alta and its subconsultants have been involved in responding to request for information (RFIs) to assist the contractor leading the current construction efforts, providing continued coordination with CVAG staff and sub-consultants, and work for areas where outside public agencies requested additional design changes. There continues to be some challenges in

finalizing the design of CV Link based on feedback from outside agencies in order to finalize construction plans. This work includes unexpected design changes needed to secure from Caltrans the encroachment permit to cross Highway 111 in the City of Palm Springs. Alta has also had to make design changes for the Section 408 Permit from the U.S. Army Corps of Engineers and Bureau of Land Management in Palm Springs. Additional work was requested by the Coachella Valley Water District (CVWD), who is an important stakeholder in the CV Link project, in order to finalize the Hovely Lane connector in Palm Desert, provide access to the Coachella Valley Stormwater Channel at Avenue 52 in Coachella and complete additional hydrology calculations related to various under crossings in the Cities of La Quinta, Indio and Coachella. Alta has also been required to make changes at Dune Palms Road in La Quinta, where CV Link has a temporary at-grade crossing, after California's Highway Bridge Program funding was extended to future years.

Responding to these agencies requires immediate attention to keep the project moving forward. These tasks also require Alta to prepare additional exhibits.

With Alta being the lead designer of CV Link, they are a critical part of the overall project design and will continue to be involved with the project while it is under construction. If there are design changes that need to be made in the field during construction, Anser Advisory Group – the CV Link construction management team that the CVAG Executive Committee hired in January 2020 – will coordinate with the construction contractor to provide a solution. Those contractors will then work with Alta to get the final sign off on the design changes so work can continue.

The terms of the contract amendment align with the work anticipated for the next segment of construction. It should be noted that additional amendments to Alta's contract may be required as construction cost estimates are determined for the remaining segments and sub-segments of CV Link.

**Fiscal Analysis:** Amendment No. 9 includes a not to exceed amount of \$578,211, including a 10 percent contingency. The cost of services will be paid for from existing funding sources for CV Link.

**Attachments:** Amendment No. 9 to Alta's contract and scope of work

**AMENDMENT NUMBER NINE  
to the  
ALTA PLANNING + DESIGN - CVAG  
DESIGN AND ENGINEERING SERVICES AGREEMENT  
for the  
CV LINK PROJECT**

This **AMENDMENT NUMBER NINE** is made and entered into this 28th day of June 2021, by and between the **Coachella Valley Association of Governments**, a California joint powers agency (**CVAG**), and **Alta Planning + Design (Consultant)**, and is made with reference to the following background facts and circumstances. All other terms and conditions shall remain the same as stated in the original Agreement for the CV Link Project.

This Amendment Number Nine authorizes CVAG funds in the amount not to exceed \$578,211.00 for the following services:

**Summary**

Previously authorized Active Transportation Program federal funds as noted in Revised Executive Committee report 9-29-15	\$ 6,217,000
Amendment Number One	\$ 239,000
Amendment Number Two	\$ 204,238
Amendment Number Three	\$ 106,302
Amendment Number Four (Contract Extension Only)	\$ 0
Amendment Number Five	\$ 1,260,287
Amendment Number Six	\$ 1,359,550
Amendment Number Seven (Contract Extension Only)	\$ 0
Amendment Number Eight	\$ 438,438
Amendment Number Nine	\$ 578,211
Current Cost for CV Link Project	\$10,403,026

**IN WITNESS WHEREOF**, the parties hereto have caused this **Amendment Number Nine** to be executed by their duly authorized representatives on this date:

**COACHELLA VALLEY ASSOCIATION  
OF GOVERNMENTS**

**ALTA PLANNING + DESIGN**

By: \_\_\_\_\_  
Tom Kirk, CVAG Executive Director

By: \_\_\_\_\_  
George Hudson, Principal

Date: \_\_\_\_\_ June 28, 2021

Date: \_\_\_\_\_ June 28, 2021

## **Exhibit A Scope of Work**

### **Introduction and Understanding**

This scope of work has been prepared at the request of Coachella Valley Association of Governments (CVAG) to provide services for Construction Assistance of CVLink Palm Desert, CVLink Segment 1, and other design, engineering and coordination tasks as directed by CVAG to support future CVLink segments.

### **Alta offers the following scope of work:**

#### **1. H&H Redesign**

Redesign CVLink around the bridge support structures in the channel as required by new direction from CVWD. This includes the engineering drawings and the hydrological re-modeling required to achieve approval from CVWD.

Proposed Fee: \$67,690.70

#### **2. Palm Desert Construction Assistance**

Continued construction assistance for the CVLink Palm Desert segment. Scope of services includes response to RFIs, assistance with field adjustments, responses to unforeseen issues, and additional requests from CVAG or Palm Desert.

Proposed Fee: \$116,586.53

#### **3. Highway 111 Realignment**

Re-alignment of the Hwy 111 segment of CVLink to cross at Gateway Drive. This includes the adjustment of the Visitors Center access point to accommodate CVLink coming off the north side, alignment and grading of the pathway along the east side of HWY 111, and a new crossing and associated signal changes at Gateway Drive. The task will include construction and permitting drawings suitable for Caltrans approval.

Proposed Fee: \$39,569.62

#### **4. Dune Palms Crossing**

Design of a new interim at grade crossing at Dune Palms for use until the new bridge is built. Will include construction drawings for the crossing and may include a signal or RRFB.

Proposed Fee: \$25,799.64

#### **5. 408 Permit Requirements**

Redesign of the northern portion of CVLink to meet the requirements of the Army Corp of Engineers. This requires exhibits for approval and construction drawings based on the changes required by the Army Corp of Engineers.

Proposed Fee: \$50,000

#### **6. Hovely and Low Water crossing Redesign**

Redesign of the Hovely Lane connection and the associated low water crossing based on required changes from CVWD. Potholing of utilities, as newly required by CVWD, will be completed by MSA

Proposed Fee: \$26,000

#### **7. Ave 52 & 54 Redesign**

The City of Coachella is requiring changes to the design of Ave 52 to accommodate their plans for active transportation in the area. CVWD will be installing new concrete slope protection near Ave 54. Alta and MSA will be tasked with accommodating the design at Avenue 52 and Alta will be tasked with making necessary changes to the drawings for Ave 54 after CVWD installs the slope protection. The specific level of effort for both of these tasks is unknown, the fee provided is an estimate to cover the expected level of effort.

Proposed Fee: \$50,000

#### **8. BLM Redesign**

Adjustments to the alignment on the BLM Parcel as directed by CVAG. Will include exhibits and construction drawings

Proposed Fee: \$20,000

#### **9. Jenkins Trail/Dinah Shore Redesign**

Adjustments to the alignment in this area as directed by CVAG. Will include exhibits and construction drawings

Proposed Fee: \$25,000

#### **10. Continued Construction Assistance**

Alta will continue to provide construction Assistance for CVLink Segment 1. Scope of services includes: PMT Meetings, response to RFIs, assistance with field adjustments, responses to unforeseen issues, and additional requests from CVAG or Anser that fall under the CA category. The estimated fee is based on a burn rate of 15K per month and extends to December 2021. All work will be billed on a Time and Materials basis

Proposed Fee: \$105,000



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**Exhibit B**  
**Estimated Schedule**

Project Manager shall commence performance of Services and proceed toward completion of deliverables upon notice to proceed.

<b>Task</b>	<b>Expected Completion Dates</b>
1. H&H Redesign	June 30, 2021
2. Palm Desert Construction Assistance	When construction is completed
3. Highway 111 Realignment	As Directed by CVAG
4. Dune Palms Crossing	As Directed by CVAG
5. 408 Permit Requirements	As Directed by CVAG
6. Hovely and Low Water Crossing Redesign	As Directed by CVAG
7. Ave 52 & 54 Redesign	As Directed by CVAG
8. BLM Redesign	As Directed by CVAG
9. Jenkins Trail/Dinah Shore Redesign	As Directed by CVAG
10. Continued Construction Assistance	December 31, 2021

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**Exhibit C**  
**Schedule of Fees and Charges**


<b>Task/Item</b>	<b>Fee</b>
H&H Redesign	67,691
Palm Desert	116,587
Hwy 111	39,570
Dune Palms	25,800
408 Exhibit	50,000
Hovely and Low water Crossing redesign	26,000
Ave 52 & 54	50,000
BLM Redesign	20,000
Jenkins/Dinah Shore realign	25,000
Additional General CA work	105,000
<b>Subtotal</b>	<b>\$525,646</b>
Contingency (10%)	\$52,565
<b>Total</b>	<b>\$578,211</b>

**ITEM 9a**

**2020/2021 EXECUTIVE COMMITTEE ATTENDANCE ROSTER**



CVAG JURISDICTION	JUL	AUG	SEP	Joint Meeting		DEC	JAN	FEB	MAR	APR	MAY(JUN)	JUN
				OCT	NOV(Dec)							
Blythe	-	-	✓	✓	✓	-	*	✓	-	✓	✓	
Cathedral City	-	-	✓	✓	✓	-	*	✓	-	✓	✓	
Coachella	-	-	✓	✓	✓	-	*	✓	-	✓	✓	
Desert Hot Springs	-	-	✓	✓	✓	-	*	✓	-	✓	✓	
Indian Wells	-	-	✓	✓	✓	-	*	✓	-	✓	✓	
Indio	-	-	✓	✓	✓	-	*	✓	-	✓	✓	
La Quinta	-	-	✓	✓	✓	-	*	✓	-	✓	✓	
Palm Desert	-	-	✓	✓	✓	-	*	✓	-	✓	✓	
Palm Springs	-	-	✓	✓	✓	-	*	✓	-	✓	✓	
Rancho Mirage	-	-	✓	✓	✓	-	*	✓	-	✓	✓	
Riverside County	-	-	✓✓✓	✓✓	✓✓	-	*	✓✓	-	✓✓	✓✓	
Agua Caliente Band of Cahuilla Indians	-	-		✓	✓	-	*	✓	-	✓	✓	
Cabazon Band of Mission Indians	-	-	✓	✓	✓	-	*	✓	-	✓	✓	
Torres Martinez Desert Cahuilla Indians	-	-	✓	✓	✓	-	*	✓	-		✓	

Absent   
 No Meeting \*

Scheduled Dark Month -

## COACHELLA VALLEY ASSOCIATION OF GOVERNMENTS SCHEDULE OF MEETINGS FISCAL YEAR 2021/2022



CVAG STANDING COMMITTEES	DAY	TIME	JULY (Dark)	AUG (Dark)	SEPT	OCT (Dark)	NOV	DEC (Dark)	JAN	FEB	MAR (Dark)	APR	MAY	JUN
EXECUTIVE COMMITTEE	Last Monday	4:30 p.m.	-	-	27	-	H Dec 6	-	31	28	-	25	H June 6	27
TRANSPORTATION COMMITTEE	1 <sup>st</sup> Monday	10:00 a.m.	12	-	H Aug 30	-	1	-	3	7	-	4	2	6
COACHELLA VALLEY CONSERVATION COMMISSION	2 <sup>nd</sup> Thursday	10:30 a.m.	-	-	9	-	H Nov18	-	13	10	-	14	12	9
DESERT COMMUNITY ENERGY	3 <sup>rd</sup> Monday	2:30 p.m.	19	16	20	18	15	-	H Jan 10	H Feb14	21	18	16	20
ENERGY AND ENVIRONMENTAL RESOURCES COMMITTEE	2 <sup>nd</sup> Thursday	12:00 p.m.	-	-	9	-	H Nov18	-	13	10	-	14	12	9
PUBLIC SAFETY COMMITTEE	2 <sup>nd</sup> Monday	9:00 a.m.	-	-	13	-	8	-	10	14	-	-	9	13
HOMELESSNESS COMMITTEE	3 <sup>rd</sup> Wednesday	10:00 a.m.	-	-	15	-	17	-	19	16	-	20	18	15
GENERAL ASSEMBLY	Last Monday in June	6:00 p.m.	-	-	-	-	-	-	-	-	-	-	-	27

H = Holiday    \* = Special Meeting

AGENDAS CAN BE FOUND AT: [www.cvag.org](http://www.cvag.org).

UPDATED: June 1, 2021

**PLEASE NOTE:** When it becomes necessary to have a special meeting or to change the date of a meeting, committee members will be alerted and the change will be noted on the CVAG website calendar.

## **ITEM 9c**

### **Coachella Valley Association of Governments Executive Committee June 28, 2021**



#### **STAFF REPORT**

**Subject:** Report on CivicSpark Fellowship Program activities for CVAG

**Contact:** Katie Barrows, Director of Environmental Resources ([kbarrows@cvag.org](mailto:kbarrows@cvag.org))

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#### **Recommendation: Information**

**Background:** Victoria Brewster will be completing her activities as CivicSpark Fellow for CVAG and the Coachella Valley Conservation Commission (CVCC) at the end of July 2021. CivicSpark is an AmeriCorps program that assists local public agencies with capacity building to address community resilience issues. It is administered by the Local Government Commission in partnership with the State of California through the Office of Planning and Research, and California Volunteers. Each year, CivicSpark hires 90 Fellows to implement targeted projects to support local governments throughout California. Fellows work on capacity building initiatives to help public agencies better respond to climate, water, resilience, housing and mobility needs. The CivicSpark program emphasizes career training opportunities. These projects involve extensive coordination with local cities, local non-profits, other local, state, and federal agencies.

Ms. Brewster has been working with CVCC/CVAG staff since September 2020. Her initial focus was on a CVCC project to establish a training program for volunteers to track land management issues on conservation lands. More recently, Ms. Brewster has been working on CVAG projects developing tools to help cities track progress on adopted climate action plans, creating a Coachella Valley sustainability scorecard, identifying measures to promote climate resilience; and preparing a Valley-wide urban greening guidebook and a 1,000 trees initiative. She has reached out to knowledgeable individuals to get their input on tree planting and maintenance including landscape architects, nurseries, arborists, as well as experts from University of California Riverside (UCR) Extension and The Living Desert. These individuals have provided suggestions for trees that do well in the Coachella Valley and resources they may have that can be shared. As part of the Urban Greening guidebook, Ms. Brewster has developed a tree palette based on input from these experts. The research she has done on other urban greening projects in the region and elsewhere in the state will be available to member agencies as part of the guidebook. It will also help in potential grant applications for urban greening projects in the future. CVAG appreciates Ms. Brewster's work to coordinate with community partners to develop materials and gather resources.

Before she concludes her time with CVCC and CVAG, Ms. Brewster will submit a final report on her CivicSpark projects. She provided an update at the June meetings of CVAG's Energy & Environmental Resources Committee and the CVCC.

**Fiscal Analysis:** A Services Agreement between CVCC, CVAG and the Local Government Commission was signed on August 27, 2020, for a total of \$26,000. CVCC has provided \$16,546 (64%) of the funding for the Fellowship under the Executive Director's signature authority. The other \$9,454 (36%) of the Fellow's time was funded by CVAG.

## **ITEM 9d**

### **Coachella Valley Association of Governments Executive Committee**

June 28, 2021



#### **Staff Report**

**Subject:** Update on CV Sync Construction

**Contact:** Eric Cowle, Transportation Program Manager ([ecowle@cvag.org](mailto:ecowle@cvag.org))

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#### **Recommendation: Information**

**Background:** CV Sync is a valleywide program that will be constructed in phases to synchronize traffic signals on the major regional roadways. With construction underway, this project has come full circle from its origins, and Palm Desert Mayor Pro Tem Jan Harnik requested that CVAG provide an update to help provide context to the project.

CV Sync will establish a framework for future “smart region” by installing highly technical hardware and software systems connected into a world-class, regional network. CV Sync will have technology that allows all cities to communicate and coordinate in real-time to manage traffic flow, which will be especially useful for the large events that draw hundreds of thousands of tourists to the Coachella Valley. This project will also deploy fiber-optic broadband technology, which can help to unlock federal and state funding opportunities.

Signal synchronization was envisioned as a valley-wide effort. In 2013, CVAG had issued a call for projects that would qualify for Federal Congestion Mitigation and Air Quality (CMAQ) funding. Twenty-five proposals were received from CVAG member jurisdictions and CVAG itself. Eight of the projects submitted tied directly to signal synchronization. A review panel was established to evaluate the proposals. The panel consisted of technical specialists and local elected officials, who included Mayor Pro Tem Harnik and Coachella Mayor Steven Hernandez.

The panel ranked these projects highly as they significantly improve air quality for a relatively low cost. However, the panel and consultants all expressed concern that synchronization must be done regionally, not city by city, nor even one major roadway at a time. The panel recommended that the Executive Committee direct staff to return with a valley-wide consolidated approach to signal synchronization. Consultants and panelists noted that a regional approach to signal synchronization could save significant amounts of overhead costs and operations and maintenance costs and, ultimately, improve travel and reduce congestion throughout the Coachella Valley.

At the July 2014 meeting, the Executive Committee approved the allocation of CMAQ funding and the issuance of an RFP for the design of a Regional Signal Synchronization Program. A design contract was awarded to Advantec Consulting, Inc, at the February 2016 Executive Committee meeting that was approved by Caltrans in June of 2016.

Fast forward to the progress that is being seen this year. CVAG Executive Committee authorized construction in February 2021, when it awarded a construction contract to Crosstown Electrical Data, Inc. (Crosstown) for Phase I of the project. This includes improvements along Highway 111, Ramon Road and Washington Street, along with Traffic Operation Centers in each jurisdiction and development of a Regional Traffic Management Center at CVAG’s office in the City of Palm Desert.

Contractual documents and Caltrans requirements have since been met, and the official Notice to Proceed was given on May 7, 2021. Crosstown is actively ordering and certifying materials for the project, which are being stored in their operational yards in the Cities of Palm Desert and Coachella.

CVAG staff and the construction management team are currently working with Crosstown to finalize the construction schedule. Work will generally proceed from east to west, and from south to north, through the valley. This Intelligent Transportation System (ITS) project will have to coordinate closely with other public works and signalization projects, including those in the Cities of Desert Hot Springs, Palm Springs, Cathedral City, Palm Desert, La Quinta and Coachella. As Crosstown prepares to begin work in a jurisdiction, a separate pre-construction meeting will be held with that city's staff. Pre-construction meetings have already been held with five jurisdictions.

Crosstown anticipates "boots on the ground" by the end of June 2021. The projected completion date for Phase I is November 2022.

**Fiscal Analysis:** The Executive Committee has authorized a number of steps to make progress on CV Sync. Most notably, in February 2021, the Executive Committee authorized the Executive Director to execute contracts with Crosstown Electrical Data Inc. for a total not-to-exceed amount to \$21,185 million, which includes bid alternatives and contingency. CVAG has secured \$13.315 million in federal Congestion and Air quality (CMAQ) funding for the construction of the Phase I improvements. The balance will be provided by Measure A funds.

There are additional costs associated with the planning and engineering that has been authorized for Phase II.

**ITEM 9e**

**Coachella Valley Association of Governments  
Executive Committee  
June 28, 2021**



**Staff Report**

**Subject:** Next steps for the Coachella Valley-San Gorgonio Pass Rail Corridor

**Contact:** Erica Felci, Assistant to the Executive Director ([efelci@cvag.org](mailto:efelci@cvag.org))

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**Recommendation: Information**

**Background:** Union Pacific Railroad owns the only set of railroad tracks that traverses the Coachella Valley. These rail lines are generally used for commercial and freight trips. The exception is Amtrak, whose Sunset Limited service stops thrice weekly at the north Palm Springs station between midnight and 2 a.m. The impractical hours of this stop have long been a source of public frustration.

For decades, elected officials in the Coachella Valley have advocated for a more realistic passenger rail service that includes regular service to Los Angeles. This has been seen as a way to reduce trips along Interstate 10, and be a benefit for both residents and visitors. A number of studies have been conducted over the years, including the 1999 Coachella Valley Passenger Rail Feasibility Study that was commissioned by CVAG. Elected officials such as Cathedral City's Greg Pettis were steadfast champions of finding a way to move the rail project forward. CVAG's study, and a later update to it, led to a conversation at CVAG about how to get funding dedicated to passenger rail service. In April 2013, the CVAG Executive Committee developed a memorandum of understanding with the Riverside County Transportation Commission (RCTC) to establish an initial Coachella Valley Rail Fund that would be administered by RCTC based on policy direction from CVAG's Transportation and Executive Committees. The fund used \$4.2 million in Proposition 1b dollars as seed funding. CVAG also supported a policy that phased-in a funding split of Transportation Development Act (TDA) funds, which had until then been only going to SunLine Transit Agency, so that 10 percent of those funds would be available for the valley passenger rail program and the rest to bus transit.

In October 2013, RCTC approved Resolution No. 13-042, "Resolution of Support to Establish Daily Intercity Rail Service from Los Angeles to the Coachella Valley Via the Pass Area," in which the Commission committed to overseeing preparation of a Service Development Plan (SDP) in coordination with the Caltrans Division of Rail and Mass Transit and the Federal Railroad Administration (FRA) as the next step toward establishing daily rail service between Los Angeles and the Coachella Valley. RCTC has taken a number of notable steps in making this project a reality, and has recently released a Tier 1/Program Draft Environmental Impact Statement (EIS)/Environmental Impact Report (EIR) as required under state and federal environmental requirements.

RCTC Rail Manager Sheldon Peterson presented an update at the June 7 meeting of the CVAG Transportation Committee and will be available to answer members' questions. As proposed, the Coachella Valley-San Gorgonio Pass Rail Corridor, more commonly called the Coachella Valley Rail, would extend about 144 miles between downtown Los Angeles and the Coachella Valley, thereby serving as an alternate mode of travel across Southern California by connecting desert communities and attractions with Los Angeles, Orange County, and the Inland Empire. The program proposes operating two daily roundtrips between Los Angeles Union Station and Indio or Coachella, with morning and evening departures from each end.



Coachella Valley Rail’s passenger service is expected to take about 3 hours and 15 minutes, which is comparable to trips made by cars on congested highways connecting these communities, such as I-10, Interstate 5 and State Route 91. It also will help address future growth: a market analysis identified a projected 47 percent increase in travel over the next 20 years between Los Angeles and Coachella Valley and a projected 23 percent population increase by 2035 for the four counties comprising the corridor (Los Angeles, Orange, Riverside, and San Bernardino). The same analysis found that, by 2035, Coachella Valley is expected to double its population, and the San Geronio Pass Area is projected to increase 134 percent.

A fact sheet on the project, including a history of its development, is attached. A map outlining the proposed route is here:



The Tier 1 Program EIS/EIR analyzed the impacts of several service options, as well as a No Build Alternative that examines the impact of no new passenger rail service. To make sure the freight and passenger trains can run on time, the build alternatives anticipate additional track infrastructure improvements along the route

**Build Alternative Service Options**

Option	Daily Train Trips	Eastern Terminus	# Stations east of Colton	New Third Track in Eastern Section
#1	Two round trips daily	Coachella	6	Colton to Coachella
#2	Two round trips daily	Indio	5	Colton to Indio
#3	Two round trips daily	Indio	5	Colton to approx. mid-Coachella Valley

Public review of the environmental report will run through the summer. RCTC also is making progress on the Service Development Plan, which will analyze the service to determine the infrastructure needs, routing, connections, and stations. It also will develop costs, equipment needs, ridership and revenue forecasts. Both the environmental report, and the Service Development Plan, are expected to be finalized by RCTC in December 2021.

It should be noted that obtaining right-of-way from Union Pacific will be needed for the development of the Coachella Valley Rail. RCTC, CVAG and many other organizations have long tried to establish meaningful and productive conversations with Union Pacific to obtain the right-of-way access needed for passenger rail and other various projects that involve rail crossings. Union Pacific representatives have long maintained that passenger rail will disrupt the frequency of freight trains. According to RCTC staff, Union Pacific is suggested that reaching that agreement might ultimately require a new 75-mile track between Colton and Indio at a cost of nearly \$1 billion.

In fall 2020, CVAG's committees expressed concern about the status of negotiations for projects such as the Coachella Valley Rail. The CVAG Executive Committee, at the recommendation of the Transportation Committee, directed the CVAG Executive Director will work with the Chairs of both Committees to establish the Facilitating Equitable Deals with Union Pacific (FED UP) Task Force, whose members could be thoroughly briefed on the status of negotiations and help CVAG and other agencies implement new approaches to moving these projects forward. CVAG staff has reached up to the FED UP task force and are scheduling a meeting for them to receive RCTC's update.

**Fiscal analysis:** There is no cost to CVAG for this update.

**Attachment:** Fact sheet on the proposed Coachella Valley Rail



Program Environmental Document  
and Service Development Plan



# Coachella Valley-San Gorgonio Pass Rail Corridor Service

## Project Highlights

- Connecting Coachella Valley and Los Angeles: Approximately 144 miles on an existing rail corridor, mostly parallel to I-5, Route 91, and I-10
- Serving the Counties of: Los Angeles, Orange, Riverside and San Bernardino
- Eastern Endpoint: Cities of Indio or Coachella in Riverside County
- Western Endpoint: Los Angeles Union Station in Los Angeles County
- Approximate trip time: 3 hours and 15 minutes
- People traveling through San Gorgonio Pass: Approximately 160,000 per day
- Proposed Service: Two daily round-trips
- Stations: Enhance access to four existing stations and potential to add five new passenger rail stations over time
- Adding: Tracks at selected locations to enhance train travel speeds, minimize delays, and maintain safety

## Environmental Milestones

Milestones	Timeline
Prepare Tier 1/Program Level Draft EIS/EIR	Winter 2020/21
Notice of Availability/Notice of Completion	Spring 2021
Release of Tier 1/Program Level Draft EIS/EIR	Spring 2021
Prepare Tier 1/Program Level Final EIS/EIR	Fall 2021
Record of Decision/Notice of Determination	December 2021

## Agency Partners



## Program Overview

The proposed Coachella Valley-San Gorgonio Pass Rail Corridor (Coachella Valley Rail) extends approximately 144 miles between downtown Los Angeles and the Coachella Valley. The Riverside County Transportation Commission (RCTC), in coordination with the California Department of Transportation (Caltrans) and the Federal Railroad Administration (FRA), is working to bring passenger rail service as an alternate mode of travel across Southern California, connecting desert communities and attractions with Los Angeles, Orange County, and the Inland Empire.

The program proposes operating two daily round-trips between Los Angeles Union Station and Indio or Coachella, with morning and evening departures from each end. Passenger service is expected to take about 3 hours and 15 minutes, which is comparable to trips made by cars on congested highways connecting these communities, such as I-5, Route 91, and I-10.



## Project History

- 1991**  
Initial Feasibility Studies: Evaluated one or two daily long-distance rail round-trips between Los Angeles and Indio
- 2010-2013**  
Additional Feasibility Studies
- 2013-2016**  
Market Assessment/Alternatives Analysis: Evaluated five alternatives to determine the preferred alignment
- July 2016**  
Finalized Alternatives Analysis/Preferred Route Advances for Environmental Studies: Proceeded with preferred route through Fullerton and Riverside to be carried forward for analysis in the Service Development Plan and Tier 1/Program EIS/EIR
- Fall 2016 – Spring 2021**  
Tier 1/Program EIS/EIR: Held public scoping meetings and completed studies for Draft EIS/EIR for public review

## Environmental Process

The environmental analysis currently being conducted is a Tier 1/Program Environmental Impact Statement/Environmental Impact Report (EIS/EIR), in accordance with the National Environmental Policy Act (NEPA) and the California Environmental Quality Act (CEQA). The Tier 1/Program Draft EIS/EIR is anticipated to be released for public review in spring 2021 for 45 days with virtual public hearings. Future Tier 2/Project NEPA/CEQA documents will be prepared when funding is identified. RCTC is actively seeking funding opportunities to advance the program.

The Tier 1/Program Draft EIS/EIR identifies potential impacts caused by operating the service and constructing infrastructure (primarily tracks and stations). Specific station locations and track designs will not be identified at this stage of the program. The Tier 1/Program will address broad questions and environmental effects of the overall program; however, it will not address location-specific details or authorize construction.

The Tier 1/Program Draft EIS/EIR analyzes 18 environmental resource topics and reflects comments received during the 2016 public scoping process. Concurrently, a Service Development Plan (SDP) is being finalized to provide a high-level conceptual operations plan. Modeling is being conducted so that passenger and freight rail operations can perform efficiently.

## Project Milestones





## Topics Being Evaluated

The Tier 1/Program Draft EIS/EIR evaluates the impacts and benefits of the program including:

- Land Use and Planning (including agricultural and forestry resources)
- Transportation
- Visual Quality and Aesthetics
- Air Quality and Greenhouse Gases
- Noise and Vibration
- Jurisdictional Waters and Wetland Resources
- Biological Resources
- Floodplains, Hydrology, and Water Quality (including watersheds)
- Environmental Justice Effects
- Geology, Soils, Seismicity, and Paleontological Resources (including mineral resources)
- Hazards and Hazardous Materials
- Public Utilities and Energy
- Cultural Resources
- Parklands and Community Services
- Safety and Security
- Socioeconomics and Communities Affected
- Cumulative Effects
- Section 4(f)/6(f) Resources

## The Corridor at a Glance

### Western End

The western end of the corridor will connect riders to Los Angeles Union Station, the largest railroad passenger terminal in the western United States. Passengers can also access revitalized Downtown Fullerton and other attractions and concert venues in Orange County as well as Riverside's bustling downtown area that offers museums, theaters and the historic Mission Inn Hotel & Spa.

### Eastern End

The eastern end of the corridor will give access to the growing communities of Banning and Beaumont and the vibrant city of Palm Springs. Travelers will also be connected to the heart of the Coachella Valley, home to premier golf courses and dining as well as the cities of Indio and Coachella near world-renowned music festivals and events.







### How to Participate

RCTC, Caltrans, and the FRA encourage your participation in the environmental review process. The Tier 1 Program/Draft EIS/EIR for the Coachella Valley–San Geronio Pass Rail Corridor Service is anticipated for release in spring 2021.

Virtual public hearings will be held to solicit comments about the Tier 1/Program Draft EIS/EIR. Please watch for dates of these public hearings and how to submit comments during the 45-day public review period.

### Contact Us

Please contact us to stay informed and share your thoughts on this proposed project.



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CVRailProject



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