

ITEM 7A

Coachella Valley Power Agency Meeting Minutes June 12, 2025

1. CALL TO ORDER

The inaugural meeting of the Coachella Valley Power Agency (CVPA) was called to order by Riverside County Supervisor V. Manuel Perez at 12:02 p.m. at the Coachella Valley Association of Governments' (CVAG) conference room, 73-710 Fred Waring Drive, Suite 104, Palm Desert.

2. ROLL CALL

Roll call was taken, and it was determined that a quorum was present.

Members Present

Councilmember Waymond Fermon
Mayor Linda Evans
Supervisor V. Manuel Perez

Member Jurisdiction

City of Indio
City of La Quinta
County of Riverside

3. AGENDA MODIFICATIONS (IF ANY)

Chief Operating Officer Erica Felci announced the incorrect staff recommendation was listed in Item 7D on the agenda, but is correct in the attached staff report

4. PUBLIC COMMENTS ON AGENDA ITEMS

Donald Ziegler, resident of Palm Desert, provided public comment on Item 7C. Mr. Ziegler encouraged the Board to include in the Bylaws the opportunities for other cities to join the governing body of the CVPA at future dates.

Krystal Otworth from the Leadership Counsel for Justice and Accountability joined the meeting via Zoom and addressed the Board regarding item 7C. Ms. Otworth expressed her concern about the Bylaws, particularly quorum and voting structures.

Mariela Loera, also from the Leadership Counsel for Justice and Accountability, joined the meeting via Zoom and echoed the concerns from Ms. Otworth. She also requested the Board delay today's vote to allow the public more time to review the Bylaws.

Supervisor Perez led the Pledge of Allegiance and asked that future agendas include it.

5. BOARD MEMBER/EXECUTIVE DIRECTOR COMMENTS

A. Update on progress to date

Executive Director Tom Kirk provided a background of the road that led up to today's inaugural meeting of the CVPA thanked key members and contributors that helped make this possible, including Imperial Irrigation District.

Board members, Imperial Irrigation District Director JB Hamby and General Manager Jamie Asbury took turns reflecting on the progress to date, noting the significance of today's inaugural meeting and noting the collaboration that it took to form the CVPA.

6. CONSENT CALENDAR

Prior to the vote, Councilmember Fermon expressed concern that there were no other options for legal counsel presented for the board to discuss or consider.

Member discussion ensued. It was agreed upon to modify the recommendation to engage BB&K for a limited engagement of 100 days and bring this item back in a future agenda.

IT WAS MOVED BY MAYOR EVANS AND SECONDED BY SUPERVISOR PEREZ TO Authorize the Board Chair and/or Executive Director to execute a 100-day engagement letter with Best Best & Krieger LLP to provide legal service to CVPA

THE MOTION CARRIED WITH 3 AYES.

Councilmember Fermon	Aye
Mayor Evans	Aye
Supervisor Perez	Aye

6.1 ITEMS HELD OVER FROM CONSENT CALENDAR

None

7. DISCUSSION / ACTION

A. Election of CVPA Officers

Mr. Kirk opened the floor for nominations.

Supervisor Perez nominated Councilmember Fermon as Chair and Mayor Evans as Vice Chair. No other nominations were received.

IT WAS MOVED BY SUPERVISOR PEREZ AND SECONDED BY MAYOR EVANS TO ELECT COUNCILMBER FERMON AS CHAIR AND MAYOR EVANS AS VICE CHAIR FOR THE COACHELLA VALLEY POWER AGENCY'S BOARD FOR FISCAL YEAR 2025-26

THE MOTION CARRIED WITH 3 AYES.

Councilmember Fermon	Aye
Mayor Evans	Aye
Supervisor Perez	Aye

B. CVPA Budget for Fiscal Year 2025-26

Program Manager Emmanuel Martinez provided the staff report and a recommendation to adopt a \$1.07 million budget and authorize the Executive Director to take steps to establish a surcharge to cover administrative and operational expenses.

Lengthy member discussion ensued, with members stating their reservations about a surcharge and the budget. Staff addressed members questions. The Board requested staff bring back additional details about a surcharge, other revenue and the possibility of other agencies joining the CVPA.

After discussion, the Board reached a consensus to approve a budget of \$500,000, with none of that budget going towards consulting costs, and bring the matter back within 100 days.

IT WAS MOVED BY COUNCILMEMBER FERMON AND SECONDED BY SUPERVISOR PEREZ TO ESTABLISH THE CVPA'S INITIAL BUDGET AT \$500,000 TO COVER STAFFING COSTS AND ADMINISTRATIVE COSTS, WITH NO FUNDS ALLOCATED TO CONSULTING COSTS, AND RETURN TO THE BOARD WITH ADDITIONAL INFORMATION ON REVENUE OPTIONS

THE MOTION CARRIED WITH 3 AYES.

**Councilmember Fermon
Mayor Evans
Supervisor Perez**

**Aye
Aye
Aye**

C. Establishing Bylaws for the Coachella Valley Power Agency

Mr. Martinez presented the staff report and draft Bylaws.

Lengthy member discussion ensued with Board members expressing concerns related to voting, frequency of meetings, and clarification about how to amend Bylaws in the future if necessary.

After further discussion, the Board agreed to table this item and return to it later in the meeting after other agenda items that would affect this vote, were discussed.

D. CVAG staffing agreement

Mr. Martinez provided the staff report. Brief member discussion ensued.

IT WAS MOVED BY MAYOR EVANS AND SECONDED BY SUPERVISOR PEREZ TO AUTHORIZE THE CHAIR TO FINALIZE AND EXECUTE A STAFFING AGREEMENT FOR COACHELLA VALLEY ASSOCIATION OF GOVERNMENTS (CVAG) TO ADMINISTER THE CVPA

THE MOTION CARRIED WITH 3 AYES.

Councilmember Fermon
Mayor Evans
Supervisor Perez

Aye
Aye
Aye

E. Administrative and Financial Policies

Mr. Martinez provided the staff report.

Member discussion ensued. Staff addressed questions, including background on the procurement policy.

After discussion, the Board amended Policy 25-01 to include the word 'Bylaws' so that this includes the process for amending and adopting those as well.

IT WAS MOVED BY MAYOR EVANS AND SECONDED BY SUPERVISOR PEREZ TO ADOPT THE FOLLOWING FOUNDATIONAL ADMINISTRATIVE AND FINANCIAL POLICIES WITH MODIFICATIONS TO SUPPORT THE EFFECTIVE, TRANSPARENT, AND ACCOUNTABLE OPERATION OF THE CVPA:

- **POLICY 25-01: PROCESS FOR AMENDING AND ADOPTING POLICIES AND BYLAWS**
- **POLICY 25-02: RECORDS RETENTION POLICY**
- **POLICY 25-03: ELECTRONIC SIGNATURE POLICY**
- **POLICY 25-04: PROCUREMENT POLICY**
- **POLICY 25-05: INVESTMENT POLICY**

THE MOTION CARRIED WITH 3 AYES.

Councilmember Fermon
Mayor Evans
Supervisor Perez

Aye
Aye
Aye

F. Establishing a meeting schedule

Mr. Kirk opened up the floor for discussion of a meeting schedule

Member discussion ensued with members agreeing that the Board needs to meet more frequently than four times per year. Based on the discussion, a consensus was reached to establish the next meeting dates for Monday, July 28th at 3 p.m. and August 25th at 3 p.m. Staff will come back with a proposed schedule next meeting based on the feedback.

No action was taken on this discussion.

The Board returned to tabled Agenda Item 7C.

C. Establishing Bylaws for the Coachella Valley Power Agency

After additional discussion, the Board agreed to state the number of meetings per year as a minimum of six in lieu of the proposed quarterly meeting schedule. The Board also

included a reference back to the Joint Powers Agreement (JPA) indicating that the Bylaws can be amended at any time as long as it is not in conflict with the JPA agreement.

IT WAS MOVED BY MAYOR EVANS AND SECONDED BY SUPERVISOR PEREZ TO ADOPT THE BYLAWS FOR THE COACHELLA VALLEY POWER AGENCY WITH MODIFICATIONS

THE MOTION CARRIED WITH 3 AYES.

Councilmember Fermon	Aye
Mayor Evans	Aye
Supervisor Perez	Aye

8. PUBLIC COMMENT ON NON-AGENDA ITEMS

None

9. ANNOUNCEMENTS

The next CVPA Board meeting will be held on Monday, July 28, 2025, at 3 p.m. at the CVAG conference room, 73-710 Fred Waring Drive, Suite 104, Palm Desert, 92260.

11. ADJOURNMENT

There being no further business, Chair Fermon adjourned the meeting at 1:20 p.m.

Respectfully submitted,

Elysia Regalado
Management Analyst