



ADMINISTRATIVE/ PERSONNEL COMMITTEE AGENDA

**MONDAY, APRIL 27, 2026
2:15 p.m.**

**CVAG Conference Room
74-100 El Paseo, Suite 100
Palm Desert, CA 92260**

**Members of the Committee and the public may attend and participate by
video at the following remote location:**

**Blythe City Hall
235 N Broadway, Room A
Blythe, CA 92225**

**65925 Buena Vista Avenue
Desert Hot Springs, CA 92240**

Members of the public may use the following link for listening access and ability to address the
Administrative/ Personnel Committee when called upon:

<https://us02web.zoom.us/j/89278155525?pwd=b4hXtL5f9152W2ObgxauGLLote9xpJ.1>

**Dial In: + 1 669 900 9128
Meeting ID: 892 7815 5525
Password: 760137**

Public Comment is encouraged to be emailed to the Administrative/ Personnel Committee prior to the meeting at cvag@cvag.org by 5:00 p.m. on the day prior to the committee meeting. Members of the public joining the meeting by Zoom can also provide comment by using the “raise hand” feature of hitting *9 on the phone keypad.

As a convenience to the public, CVAG provides a call-in and internet-based option for members of the public to virtually observe and provide public comments at its meetings. Please note that, in the event of a technical issue disrupting the call-in or internet-based options, the meeting will continue unless otherwise required by law.

**THIS MEETING IS ADA ACCESSIBLE.
ACTION MAY RESULT ON ANY ITEMS ON THIS AGENDA
WHEN STATED, THE ACTION ITEM WILL BE PRESENTED TO THE EXECUTIVE
COMMITTEE FOR FINAL APPROVAL.**

1. **CALL TO ORDER** – Chair V. Manuel Perez, Supervisor, County of Riverside

2. **ROLL CALL**

A. **Member Roster**

P5

3. **PUBLIC COMMENTS ON AGENDA ITEMS**

This is the time and place for members of the public to address the Administrative/Personnel 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.

4. **CHAIR / EXECUTIVE DIRECTOR ANNOUNCEMENTS**

5. **CONSENT CALENDAR**

A. **Approval of the April 28, 2025 Administrative/Personnel Committee Minutes**

P6

6. **DISCUSSION/ ACTION**

A. **CVAG Officer Rotation for Fiscal Year 2026-27 – Tom Kirk**

P10

Recommendation: Nominate the representative from the City of Blythe to serve as Fiscal Year 2026-27 Chair and the representative from the City of La Quinta to serve as Fiscal Year 2026-27 Vice Chair

B. **Fiscal Year 2026-27 Budgetary Items – Claude T. Kilgore**

P11

Recommendation: Provide direction to staff on CVAG’s Fiscal Year 2026-27 Budget

C. **Request from Twenty-Nine Palms Band of Mission Indians to Amend the CVAG Joint Powers Agreement – Erica Felci**

P12

Recommendation: Review the options for addressing the request from Twenty-Nine Palms Band of Mission Indians related to staff member alternates on the Executive Committee and provide direction, if any, to the Executive Director on next steps

D. Update to Policies and Procedures – Erica Felci

P31

Recommendation: Authorize the revised Policies and Procedures: Conduct of CVAG Meetings to incorporate new teleconferencing requirements, an updated process for placing items on a committee agenda, and other clarifications

E. Appointment of CVAG’s General Counsel – Erica Felci

P52

Recommendation: Appoint Slovak, Baron, Empey, Murphy & Pinkney LLP as CVAG General Counsel and authorize the Administrative/ Personnel Committee to work with the Executive Director to secure legal services long term

F. Compliance with Assembly Bill 2561 – Erica Felci

P54

Recommendation: Information

7. INFORMATION ITEMS

A. CalPERS Unfunded Accrued Liability

P65

8. PUBLIC COMMENTS ON NON-AGENDA ITEMS

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

9. CLOSED SESSION

Pursuant to the provisions of Government Code Sections 54957(b)(1), the Committee will adjourn to Closed Session.

Public Employee Performance Evaluation

Government Code Section 54957(b)(1)

Title: Executive Director

Conference with Labor Negotiator

Government Code Section 54957.6

Agency’s designated representative: Chair V. Manuel Perez

Unrepresented Employee: Executive Director

10. DISCUSSION/ ACTION

A. Executive Director Compensation

Recommendation: Consider approval of a merit increase pursuant to the Executive Director’s employment contract

11. **ANNOUNCEMENTS**

The next meeting of the **Executive Committee** will be held on Monday, April 27, 2026, at 4:00 p.m. at the Coachella Valley Water District, Steve Robbins Administration Building Training Room, 75515 Hovley Lane East, Palm Desert, 92260.

12. **ADJOURNMENT**

ADMINISTRATIVE/PERSONNEL COMMITTEE ROSTER



Jurisdiction	Seat on Committee	Members
County of Riverside	CVAG Chair	V. Manuel Perez Supervisor
City of Blythe	CVAG Vice Chair	Joseph DeConinck Mayor
City of Rancho Mirage	CVAG Past Chair	Ted Weill Councilmember
City of Desert Hot Springs	CVCC Chair	Gary Gardner Councilmember
City of Cathedral City	Chair Appointee	Nancy Ross Councilmember
City of Indian Wells	Chair Appointee	Bruce Whitman Councilmember

ITEM 5A

**ADMINISTRATIVE/ PERSONNEL COMMITTEE
MINUTES OF MEETING
APRIL 28, 2025**



1. CALL TO ORDER

The April 28, 2025 meeting of the Administrative/Personnel Committee was called to order at 3:30 p.m. by Chair Ted Weill, City of Rancho Mirage, at the CVAG Conference Room, 73-710 Fred Waring Drive, Suite 141, Palm Desert, CA 92260.

2. ROLL CALL

It was determined that a quorum was present.

MEMBERS PRESENT

Mayor Ted Weill, Chair
Supervisor V. Manuel Perez, Vice Chair*
Mayor Scott Matas, Past Chair
Councilmember Gary Gardner, CVCC Chair
Mayor Linda Evans

AGENCY

City of Rancho Mirage
County of Riverside – 4th District
City of Desert Hot Springs
City of Desert Hot Springs
City of La Quinta

MEMBERS ABSENT

Tribal Chair Reid Milanovich

AGENCY

Agua Caliente Band of Cahuilla Indians

**Arrived at Item 7B*

3. PUBLIC COMMENTS

None.

4. CHAIR / EXECUTIVE DIRECTOR ANNOUNCEMENTS

None.

5. CONSENT CALENDAR

IT WAS MOVED BY COUNCILMEMBER GARDNER AND SECONDED BY MAYOR EVANS TO APPROVE THE CONSENT CALENDAR.

A. Approval of the April 29, 2024 Administrative/Personnel Committee Minutes

THE MOTION CARRIED WITH 4 AYES AND 2 MEMBERS ABSENT.

MAYOR WEILL	AYE
SUPERVISOR PEREZ	ABSENT
MAYOR MATAS	AYE
COUNCILMEMBER GARDNER	AYE
MAYOR EVANS	AYE
TRIBAL CHAIR MILANOVICH	ABSENT

6. DISCUSSION/ ACTION

A. CVAG Officer Rotation for Fiscal Year 2025-26

Executive Director Tom Kirk presented the staff report. Brief member discussion ensued.

IT WAS MOVED BY MAYOR MATAS AND SECONDED BY COUNCILMEMBER GARDNER TO NOMINATE RIVERSIDE COUNTY'S FOURTH DISTRICT SUPERVISOR TO SERVE AS FISCAL YEAR 2025-26 CHAIR AND REPRESENTATIVE FROM THE CITY OF BLYTHE TO SERVE AS FISCAL YEAR 2025-26 VICE CHAIR

THE MOTION CARRIED WITH 4 AYES AND 2 MEMBERS ABSENT.

MAYOR WEILL	AYE
SUPERVISOR PEREZ	ABSENT
MAYOR MATAS	AYE
COUNCILMEMBER GARDNER	AYE
MAYOR EVANS	AYE
TRIBAL CHAIR MILANOVICH	ABSENT

B. Fiscal Year 2025-26 Budgetary Items

Finance Director Claude Kilgore presented the staff report and explained the proposed adjustments to salaries and member dues. He also highlighted the proposed CalPERS paydown. Staff addressed questions on how percentages were calculated for this year and historically.

IT WAS MOVED BY MAYOR EVANS AND SECONDED BY MAYOR MATAS TO DIRECT CVAG STAFF TO INCLUDE IN THE FY 2025-26 BUDGET A 2.9% COLA FOR MEMBERSHIP DUES AND A 2.9% COLA FOR STAFF SALARIES AND SALARY RANGES

THE MOTION CARRIED WITH 5 AYES AND 1 MEMBER ABSENT.

MAYOR WEILL	AYE
SUPERVISOR PEREZ	AYE
MAYOR MATAS	AYE
COUNCILMEMBER GARDNER	AYE
MAYOR EVANS	AYE
TRIBAL CHAIR MILANOVICH	ABSENT

C. Update on the Classification and Total Compensation Study and Performance Management System

Chief Operating Officer Erica Felci presented the staff report and an update on the recent evaluations, anticipated changes to the allocated positions and related items being included in the budget. Executive Director Tom Kirk discussed some upcoming promotions based on performance evaluations.

Member discussion ensued. There was no action on this information item.

D. CVAG Staffing of the Coachella Valley Power Agency Joint Powers Authority

Program Manager Emmanuel Martinez provided the staff report. Member discussion ensued with Mr. Martinez and Mr. Kirk addressing questions on roll out, timing with the CVPA's formation and impact to CVAG.

IT WAS MOVED BY SUPERVISOR PEREZ AND SECONDED BY MAYOR EVANS TO MOVE AHEAD WITH THE DRAFT AGREEMENT WITH THE COACHELLA VALLEY POWER AGENCY (CVPA) FOR CVAG TO ADMINISTER THE CVPA

THE MOTION CARRIED WITH 5 AYES AND 1 MEMBER ABSENT.

MAYOR WEILL	AYE
SUPERVISOR PEREZ	AYE
MAYOR MATAS	AYE
COUNCILMEMBER GARDNER	AYE
MAYOR EVANS	AYE
TRIBAL CHAIR MILANOVICH	ABSENT

7. INFORMATION ITEMS

A. CalPERS Unfunded Accrued Liability

This item was included in members' packets for informational purposes.

8. PUBLIC COMMENTS ON NON-AGENDA ITEMS

None.

9. CLOSED SESSION COMMENTS ON NON-AGENDA ITEMS

Pursuant to the provisions of Government Code Sections 54957(b)(1) and 54957.6, the Committee adjourned at 4:08 p.m. to Closed Session.

Public Employee Performance Evaluation

Government Code Section 54957(b)(1)
Title: Executive Director

Conference with Labor Negotiator

Government Code Section 54957.6
Agency's designated representative: Chair Ted Weill
Unrepresented Employee: Executive Director

The closed session ended at 4:27 p.m. There was no reportable action.

10. DISCUSSION/ ACTION

A. Executive Director Compensation

Ms. Felci outlined the provisions of the Executive Director’s contract allowing for the Administrative/ Personnel Committee to authorize a merit increase. Brief member discussion ensued.

IT WAS MOVED BY MAYOR EVANS AND SECONDED BY SUPERVISOR PEREZ TO DIRECT STAFF TO INCLUDE A 2.1 PERCENT MERIT INCREASE AND A COST OF LIVING ADJUSTMENT FOR THE EXECUTIVE DIRECTOR IN THE FISCAL YEAR 2025-26 BUDGET.

THE MOTION CARRIED WITH 5 AYES AND 1 MEMBER ABSENT.

MAYOR WEILL	AYE
SUPERVISOR PEREZ	AYE
MAYOR MATAS	AYE
COUNCILMEMBER GARDNER	AYE
MAYOR EVANS	AYE
TRIBAL CHAIR MILANOVICH	ABSENT

11. ANNOUCEMENTS

The next meeting of the **Executive Committee** will be held on Monday, April 28, 2025, at 4:30 p.m. at the CVAG conference room, 73-710 Fred Waring Drive, Suite 104, Palm Desert, CA 92260.

12. ADJOURNMENT

Chair Weill adjourned the meeting at 4:29 p.m.

Respectfully submitted,

Erica Felci, Chief Operating Officer

ITEM 6A

Coachella Valley Association of Governments
Administrative/ Personnel Committee
April 27, 2026



STAFF REPORT

Subject: CVAG Officer Rotation for Fiscal Year 2026-27

Contact: Tom Kirk, Executive Director (tkirk@cvag.org)

Recommendation: Nominate the representative from the City of Blythe to serve as Fiscal Year 2026-27 Chair and the representative from the City of La Quinta to serve as Fiscal Year 2026-27 Vice Chair

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.

CVAG's officers are now based on jurisdiction and not individual elected officials. The rotation was last updated at the 2021 General Assembly meeting to reflect additional tribal members. The approved rotation is 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.*

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 current officers are Riverside County Fourth District Supervisor serving as CVAG Chair and the representative from the City of Blythe serving as Vice Chair.

The By-laws include a stipulation that requires 75 percent attendance or more of the Executive Committee meetings "in the previous year." Both the City of Blythe and the City of La Quinta have had perfect attendance in the past year.

Staff is recommending the Administrative/ Personnel Committee confirm the representative from the City of Blythe will serve as Fiscal Year 2026-27 Chair and the representative from the City of La Quinta will serve as Fiscal Year 2026-27 Vice Chair.

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

ITEM 6B

Coachella Valley Association of Governments
Administrative/Personnel Committee
April 27, 2026



STAFF REPORT

Subject: Fiscal Year 2026-27 Budgetary Items

Contact: Claude T. Kilgore, Director of Finance and Administration (ckilgore@cvaq.org)

Recommendation: Provide direction to staff on CVAG's Fiscal Year 2026-27 Budget

Background: The Administrative/Personnel Committee has historically met during the annual budget process to provide staff direction on various items that will be included in the upcoming fiscal year's budget as it relates to personnel matters and related budgetary information.

At the April 27 meeting of the Administrative/Personnel Committee, CVAG staff will present pertinent information related to membership dues and budgeted staffing costs, including details on the annual Cost-of-Living Adjustment (COLA) increase to both membership dues and salaries and salary ranges.

Staff will also recap the feedback from the Finance Committee on the CalPERS Unfunded Accrued Liability (UAL) paydown approach. As detailed in a separate staff report with this agenda, staff is currently budgeting to increase the amount of the additional discretionary payment as part of the multi-year strategy.

This is only an initial review of certain budgetary items. Based on any feedback and direction from the Committee, CVAG staff will finalize the remainder of the budget and present it to the Finance Committee in May 2026 and then to the Executive Committee for an initial review on June 1 before going back to the Executive Committee and then to the General Assembly for adoption on June 29. CVAG staff notes that these discussions and recommendations also have a direct impact on the budgets for the Coachella Valley Conservation Commission (CVCC), Desert Community Energy (DCE) and Coachella Valley Power Agency (CVPA), which CVAG also staffs. The budgets for those agencies will be presented separately on a similar timeline to their governing bodies.

Fiscal Analysis: The fiscal impact will be built into CVAG's Fiscal Year 2026-27 Budget, which will be presented for adoption by the Executive Committee and General Assembly on June 29, 2026.

ITEM 6C

Coachella Valley Association of Governments Administrative/ Personnel Committee

April 27, 2026



STAFF REPORT

Subject: Request from Twenty-Nine Palms Band of Mission Indians to Amend the CVAG Joint Powers Agreement

Contact: Erica Felci, Deputy Executive Director (efelci@cvag.org)

Recommendation: Review the options for addressing the request from Twenty-Nine Palms Band of Mission Indians related to staff member alternates on the Executive Committee and provide direction, if any, to the Executive Director on next steps

Background: CVAG has a 53-year track record of coordinating government services in the Coachella Valley. CVAG was formed in November 1973 with the approval of the first Joint Powers Agreement (JPA). CVAG only amended the JPA three times in its entire history. The first was in 1989, after voters passed Measure A and CVAG needed to specify its role as the regional transportation authority. The JPA was amended again in 1998 to include the City of Blythe as a member and again in 2018 to establish the Agua Caliente Band of Cahuilla Indians and the Cabazon Band of Cahuilla Indians as formal members. Addendums were later approved to include the Torres Martinez Desert Cahuilla Indians (in 2020) and the Twenty-Nine Palms Band of Mission Indians (in 2021). For efficiency reasons, these tribes were added as members through addendums that did not make any substantive changes to the JPA itself; they only served as ways to admit each Tribal Nation as a member subject to all the rights, obligations and responsibilities.

Since CVAG's inception, JPA member jurisdictions agreed that the Executive Committee would be made up of the mayors of the member jurisdictions or their alternate/designee, so long as they are sitting elected members of the city. All five Riverside County Supervisors were also made members of the Executive Committee. The Third Restatement of the JPA, authorized in 2018, expanded that to include "the Tribal Chair from each Indian Tribe" and noted that "any Indian Tribal Council may appoint one of its current council members in place of the Tribal Chair."

In December 2025, CVAG and its member jurisdictions received a request from the Twenty-Nine Palms Chair Darrell Mike to amend the CVAG JPA as it pertains to the alternates who can represent a member at the Executive Committee. The request is to amend the JPA to allow Tribal staff, specifically Chief Executive Officer George Nicholas Jr, to serve as the Tribe's representative on the Executive Committee.

CVAG's attendance records show that no one from the Tribe has ever attended the annual General Assembly meeting. Chair Mike attended one Executive Committee meeting in April 2022, which was a Zoom meeting he joined mid-way through the agenda. Prior to CVAG receiving correspondence from the Tribe, Mr. Nicholas had requested that he represent the Tribe for the Executive Committee meetings in October 2025 and December 2025 – both times when the Executive Committee had sensitive discussions related to litigation exposure in closed sessions.

At the heart of this discussion is Section 2.4.3 of the JPA, which specifies the alternates on CVAG's Executive Committee:

2.4.3 Each participating member on the Executive Committee shall also have an alternate, who must also be a current member of the legislative body of the party such alternate represents, with the exception of the alternates to the members representing the County of Riverside, who need not be elected officials. The name of the alternate members shall be on file with the Executive Committee. An alternate member shall assume all rights and duties of the absent member.

The Tribe's first letter was received in December 2025 and CVAG's Executive Director provided correspondence in response. A second request was received on April 6, 2026. CVAG has also received letters from its three other Tribal members. The Agua Caliente Band of Cahuilla Indians and Torres Martinez Desert Cahuilla Indians support the request from Twenty-Nine Palms, and the Cabazon Band of Cahuilla Indians neither supports nor opposes it.

Staff is now seeking direction on whether to proceed with an amendment to Section 2.4.3 of the JPA and has developed three options for consideration.

Option A: Amendment proposed by Twenty-Nine Palms

In its latest, April 6, 2026 correspondence, the Twenty-Nine Palms Tribe proposed the following amendment to the Section 2.4.3:

*Each participating member on the Executive Committee shall also have an alternate, who must also be a current member of the legislative body of the party such alternate represents **or formally appointed by resolution of the legislative body of the party such alternate represents**, with the exception of the alternates to the members representing the County of Riverside, who need not be elected officials. **Any alternative representative must be the highest-level executive or administrative officer of the participating member's governing body or organization, and cannot be an employee or representative of another participating member.** The name of the alternate members shall be on file with the Executive Committee. An alternate member shall assume all rights and duties of the absent member.*

The language proposed by the Tribe is a slight modification from the language that the Tribe first proposed in December 2025, and it provides more clarity on the type of staff positions that would be eligible to serve as an alternate. While not specific to the Tribe in the text, the correspondence from Twenty-Nine makes it clear that this is related to ensuring participation of sovereign Tribal nations. There is no mention of applying it equally to cities. This language would complicate any alternates from the County of Riverside. All five members of the Riverside County Board of Supervisors already have votes at CVAG, and Option A language would mean that the only person would could serve as the alternate for any of them would be the County Executive Officer. If Option A is supported, it would be possible for at least Tribal Nations and the County of Riverside to have alternates that are staff members and not elected officials.

Option B: Alternate amendment drafted by CVAG staff and Legal Counsel

Staff and Legal Counsel also reviewed Section 2.4.3 of the JPA.

Because all five members of the Riverside County Board of Supervisors already have votes at CVAG, the existing exception was needed so they provide an alternate. But in practicality, this has been utilized in only rare instances. While they all have votes, the historic practice has been that only Riverside County Supervisors with districts that fall within the Coachella Valley have actually attended the

Executive Committee meetings on any regular basis. Over the years, the County has consistently been represented the Fourth District supervisor, namely Corky Larson, Roy Wilson, John Benoit and now V. Manuel Perez. When Marion Ashley was serving as supervisor of the Fifth District – which at the time included parts of the Coachella Valley – he also became a regular attendee at CVAG meetings. But since redistricting occurred, the supervisors for the First, Second, Third and Fifth Districts have made it more of a practice to attend General Assembly meetings and, on occasion, the Executive Committee meeting that precedes it. They do not send alternates to other meetings during the year, and this governance structure has worked for many years.

Should there be an interest in amending Section 2.4.3 to allow for staff alternates, CVAG staff would recommend the alternate exception be applied more broadly. If an alternate exception is needed for Tribal Nations, which generally have more than one elected official through their Tribal Councils, it seems it should also be available to cities, which also have more than one elected official through their City Councils. Option B would amend the JPA as follows:

*2.4.3 Each participating member on the Executive Committee shall also have an alternate, who must also be a current member of the legislative body of the party such alternate represents **or a current employee of the member jurisdiction that is appointed through formal action by their governing body.** ~~with the exception of the alternates to the members representing the County of Riverside, who need not be elected officials.~~ The name of the alternate members shall be on file with the Executive Committee. An alternate member shall assume all rights and duties of the absent member **to the extent permitted by applicable law.***

If Option B is supported, it would be possible for any member jurisdiction to have alternates that are staff members and not elected officials. It would not restrict any member to just the top executive, thereby eliminating the restriction that the Tribe's language would have on the County's alternate.

Option C: No Amendment

The third option would be to leave the JPA and its alternate provisions as is.

CVAG's governing structure has served it well for more than five decades. Regular meetings of the Executive Committee follow a consistent schedule that is provided at the start of each fiscal year, and members are given ample notice when meetings are held outside of that schedule.

It should also be noted that CVAG had previously had formal voting opportunities for staff, including the Technical Advisory Committee that was comprised of City Managers, the County Executive Officer and Tribal Nations' top staff. The Technical Advisory Committee was disbanded at the Committee members' own request in late 2018 after member jurisdictions' executive staff members identified predicaments when they had to vote in lieu of their Council members. Top staff are now briefed in ad hoc roundtable meetings, which representatives from Twenty-Nine Palms attend occasionally.

Next Steps

Staff is seeking direction on Option A (amendment language by the Tribe), Option B (alternate amendment language by staff) and Option C (retaining the existing JPA language). This item will also be considered by the Executive Committee on April 27.

If the direction is to support Option A or Option B, staff would return at a future meeting with the formal Amendment to the Third Amendment and Restatement of the Joint Powers Agreement. Such an amendment would be drafted so it was implemented once it receives 100 percent approval from CVAG's

membership, thereby avoiding any confusion or any scenario where some of CVAG's members did not fully approve the entire JPA. Staff would also recommend that the amendment include an attendance provision to further encourage participation in CVAG's meetings, including an automatic transition to non-voting roles at the Executive Committee for member jurisdictions who do not regularly participate as well as a process to return to voting roles.

Additionally, CVAG staff would return with a recommendation that CVAG's By-Laws be amended to make it clear that staff alternates on the Executive Committee cannot serve as CVAG's officers. This will help the agency avoid a scenario where a member jurisdiction's staff is governing over elected officials. Article II, Section 2B of the By-Laws would be amended as follows:

*The Executive Committee, as defined in Article III, shall recommend nominees for Chairman and Vice-Chairman. Ordinarily, the Vice-Chairman will succeed the Chairman at the conclusion or his or her term of office. Except as provided below, the nominees shall be rotated among the member agencies in the following order: 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, and Riverside County's Fifth Supervisorial District. New members will be added last in order to the rotation. **The Chairman and Vice-Chairman must be members of their member jurisdiction's governing body.** The jurisdiction next in order to serve as an officer will be passed over and moved to the end of the rotation if its representative or **alternative alternate** have not attended seventy-five percent or more of the Executive Committee meetings in the previous year. 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.*

Lastly, amending CVAG's JPA is a lengthy process that requires a vote by each member jurisdiction, not CVAG itself, which equates to 15 separate actions at City Council, Tribal Council and Riverside County Board of Supervisors meetings once a consensus is even reached at CVAG. This is part of the reason that CVAG has only amended the JPA on rare occasion in its five decades of existence. Staff would note that the Third Amendment in 2018 was agendized more than once on CVAG's meetings, and ultimately had to be recirculated among members mid-process after another revision was identified by the Executive Committee.

Fiscal Analysis: There is no fiscal impact to the JPA amendment. Should an amendment move forward, the costs involved in recirculating the JPA would need to be covered under staff time and expenses for legal services.

Attachments:

- Section 2.4 of CVAG's Third Amendment and Restatement of the Joint Powers Agreement
- Request from Twenty-Nine Palms Band of Mission Indians, December 24, 2025
- Response to the Tribe from CVAG Executive Director, January 23, 2026
- Correspondence from Agua Caliente Band of Cahuilla Indians, February 26, 2026
- Correspondence from Cabazon Band of Cahuilla Indians, March 12, 2026
- Correspondence from Torres Martinez Desert Cahuilla Indians, March 18, 2026
- Correspondence from Twenty-Nine Palms Band of Mission Indians, April 6, 2026

2.4 Governing Body.

2.4.1 CVAG shall be governed by a General Assembly with membership consisting of the County of Riverside and each member city and Indian tribe which is a signatory to this Agreement. Each member agency of the General Assembly shall have five (5) votes in the General Assembly and each vote shall be vested in and be exercised by a mayor, council member, a tribal council member or county supervisor or each of the entities' representatives' respective appointed delegees, who need not be elected officials. The General Assembly shall act only upon a majority of a quorum. A quorum shall consist of a majority of the General Assembly provided that a majority of the member agencies are present. The General Assembly may adopt and amend by-laws for the administration and management of this Agreement.

2.4.2 There shall be an Executive Committee that exercises the powers of this Agreement between sessions of the General Assembly. Members of the Executive Committee shall be the mayor from each of the member cities, the tribal chair from each Indian tribe, and the five members of the Riverside County Board of Supervisors, except any city council, at its discretion, may appoint a mayor pro tem or other current city council member in place of the mayor and any Indian tribal council may appoint one of its current council members in place of the tribal chair. The Executive Committee shall act only upon a majority of a quorum. A quorum shall consist of a majority of the member agencies.

2.4.3 Each participating member on the Executive Committee shall also have an alternate, who must also be a current member of the legislative body of the party such alternate represents, with the exception of the alternates to the members representing the County of Riverside, who need not be elected officials. The name of the alternate members shall be on file with the Executive Committee. An alternate member shall assume all rights and duties of the absent member.

2.4.4 Each participating member and alternate shall hold office from the first meeting of the Executive Committee after their appointment until a successor is named.

Participating members and alternates shall be appointed by and serve at the pleasure of their appointing body and may be removed at any time, with or without cause, at the sole discretion of the legislative body of the party such member represents.

2.4.5 Participating members and alternates of the Executive Committee shall receive no compensation but may be reimbursed for expenses necessarily and reasonably incurred in connection with their service on the Executive Committee.

2.5 Principal Office.

The principal office of CVAG shall be established by the Executive Committee and shall be located within the Coachella Valley. The Executive Committee is hereby granted full power and authority to change said principal office from one location to another within the Coachella Valley. Any change shall be noted by the Secretary under this section but shall not be considered an amendment to this Agreement.

2.6 Meetings.

The Executive Committee shall meet at the principal office of the agency or at such other place as may be designated by the Executive Committee. The time and place of regular meetings of the Executive Committee shall be determined by resolution adopted by the Executive Committee; a copy of such resolution shall be furnished to each party hereto. Regular, special, and adjourned meetings shall be called and conducted in accordance with the provisions of the Ralph M. Brown Act, Government Code Section 54950 *et seq.*, as it may be amended.

2.7 Powers and Limitations Thereon.

All of the powers and authorities of the agency shall be exercised by the General Assembly and its Executive Committee. Unless otherwise provided herein, each member or participating alternate shall be entitled to one vote, and a vote of the majority of those present and qualified to vote constituting a quorum may adopt any motion, resolution, or order and take any other action they deem appropriate to carry forward the objectives of the agency.



TWENTY-NINE PALMS BAND OF MISSION INDIANS

46-200 Harrison Place . Coachella, California . 92236 . Ph. 760.863.2444 . Fax: 760.863.2449

December 24, 2025

Via U.S. Mail

Supervisor V. Manuel Perez
Chair of Coachella Valley Association of Governments
Coachella Valley Association of Governments
74-199 El Paso, Suite 100
Palm Desert, CA 92260

Re: Appointment of Alternate Representative to the Executive Committee of the Coachella Valley Association of Governments

Dear Chairman of the Coachella Valley Association of Governments,

On behalf of the Twenty-Nine Palms Band of Mission Indians (“Tribe”), I am requesting that the Coachella Valley Association of Governments (“CVAG”) confirm the Tribe’s ability to appoint an alternate to the Executive Committee of CVAG that is not a member of the Tribe’s legislative body. As discussed below, the Tribe desires to appoint its Chief Executive Officer as its alternate representative on the Executive Committee. The current Joint Powers Agreement of CVAG, however, may restrict this appointment. This restriction is inconsistent with the Tribe’s governing structure and has impeded its ability to fully participate as a member of CVAG.

Unlike most of the entities that are CVAG members, the Tribe does not have elected legislators. While all adult members are eligible to serve as the Tribal Council, there is no formal election or appointment process under the Tribe’s laws. Instead, the Tribe’s laws and customs allow only the election of a Tribal Chairman and Tribal Secretary, who serve as the Officers of the Tribal Council.

The Tribe’s Chief Executive Officer is the highest non-elected, non-legislator position within the Tribe. Moreover, the Chief Executive Officer is the only employee that is hired and supervised directly by the Tribal Council. In that role, the Tribal Council has entrusted the Chief Executive Officer with representing its interests in the Tribe’s dealings with various entities, boards, commissions, and governments. I rely on and expect the Chief Executive Officer to carry forth the Tribe’s interests and my directives as the Tribe’s elected Chairman.

Currently, the Third Amendment and Restatement of the Joint Powers Agreement of the Coachella Valley Association of Governments (“JPA”) provides that the Executive Committee exercises the powers of CVAG in between sessions of the General Assembly. In my capacity as Chairman, I am automatically a member of the Executive Committee, unless the Tribal Council appoints a Council Member in my place. While the JPA purports to allow members to select an alternate, it provides that such alternates “must also be a member of the legislative body of the party such alternate represents” with an exception provided to the County of Riverside for alternates “who need not be elected officials.” JPA at Sec. 2.4.3.

The Tribe is therefore requesting consent from CVAG to appoint the Tribe's Chief Executive Officer, George Nicholas, Jr., as its alternate member on the Executive Committee to serve in my absence.

To the extent that this will require further amendment to the JPA, the Tribe proposes that CVAG adopt the following amendment to Section 2.4.3 of the JPA as follows:

Each participating member on the Executive Committee shall also have an alternate, who must also be a current member of the legislative body of the party such alternate represents or formally appointed by resolution of the legislative body of the party such alternate represents, with the exception of the alternates to the members representing the County of Riverside, who need not be elected officials. The name of the alternate members shall be on file with the Executive Committee. An alternate member shall assume all rights and duties of the absent member.

With this simple change, the Tribe's customs, laws, and governing structure can be respected and the Tribe's interests in CVAG can be adequately represented in my absence.

Should you have any questions, or if further discussion is needed on this matter, please do not hesitate to contact me directly.

Sincerely,

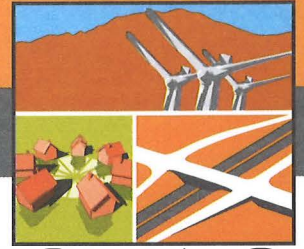


Darrell Mike, Tribal Chairman
Twenty-Nine Palms Band of Mission Indians

Cc: Supervisor Jose Medina, County of Riverside 1st District
Supervisor Karen Spiegel, County of Riverside 2nd District
Supervisor Chuck Washington, County of Riverside 3rd District
Supervisor Yxstian Gutierrez, County of Riverside 5th District
Mayor Steven Hernandez, City of Coachella
Mayor Glenn Miller, City of Indio
Mayor Linda Evans, City of La Quinta
Mayor Bruce Whitman, City of Indian Wells
Mayor Jan Harnik, City of Palm Desert
Mayor Ted Weill, City of Rancho Mirage
Mayor Nancy Ross, City of Cathedral City
Mayor Ron deHarte, City of Palm Springs
Mayor Scott Matas, City of Desert Hot Springs
Mayor Joseph DeConinck, City of Blythe
Tribal Chair Reid Milanovich, Agua Caliente Band of Cahuilla Indians
Tribal Councilmember Brenda Soulliere, Cabazon Band of Mission Indians
Tribal Chair Joseph Mirelez, Torres Martinez Desert Cahuilla Indians

COACHELLA VALLEY ASSOCIATION OF GOVERNMENTS

74-199 El Paseo Drive, Suite 100, Palm Desert, CA 92260 · (760) 346-1127 · www.cvag.org



January 23, 2026

Chairman Darrell Mike
Twenty-Nine Palms Band of Mission Indians
46-200 Harrison Place
Coachella, California 92236

Honorable Chairman,

As Executive Director of the Coachella Valley Association of Governments (CVAG), I am writing in response to your December 24, 2025 letter that was sent to CVAG Chairman V. Manuel Perez as well as the local Mayors, Tribal representatives and Riverside County Supervisors, most of whom are voting members on CVAG's Executive Committee. The letter expressed interest in modifying CVAG's Joint Powers Agreement (JPA) in order to provide the Twenty-Nine Palms Band of Mission Indians (Tribe) with an alternate to the Executive Committee who is not a member of the Tribe's legislative body. I want to note that while CVAG staff will bring this issue to its leadership, amending CVAG's JPA is not a simple or straightforward task, which is why it has only been done a few times during CVAG's entire existence.

The Tribe's membership with CVAG dates back to 2021, when CVAG's member jurisdictions approved an addendum to the JPA in order to incorporate the Tribe as a member. This was done at the request of the Tribe, and your February 2021 letter stated *"the Tribe would like to become a full participant in evaluating regional/ sub regional single/multi-modal transportation projects that improve access and commerce across the Coachella Valley."* CVAG's attendance records show that no one from the Tribe has ever attended the annual General Assembly meeting, and only once has the Tribe attended an Executive Committee meeting, which was a Zoom meeting in April 2022 that you joined mid-way through the agenda. In more recent memory, the only time anyone representing the Tribe has indicated interest in CVAG's meetings was when Tribal Chief Administrative Officer George Nicholas, Jr. wanted to attend the Executive Committee meetings in October 2025 and December 2025 – both times when the Executive Committee had sensitive discussions related to litigation exposure in closed sessions. Note that even if CVAG's JPA had allowed those meetings to be attended by an alternate, as the Tribe is requesting in its letter, the Tribe's staff alternate would have had to leave the room for closed session as California's Brown Act states that alternates attending closed session must also be members of the jurisdiction's legislative body.

CVAG has a nearly 53-year track record of coordinating government services in the Coachella Valley, and the JPA is one of its most important governing documents. CVAG itself was formed in November 1973 with the approval of the first JPA. In 1989, after Riverside County voters passed the Measure A sales tax, CVAG amended and restated the JPA to specify its role as the regional transportation authority. In 1998, the JPA was amended again to include the City of Blythe as a member.

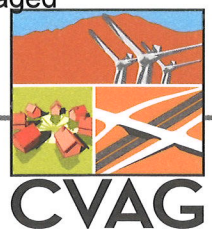
CVAG's Third Amendment and Restatement of the JPA was initiated in 2018 in large part to solidify Tribal Nations as official members. In 2011, the Governor had signed Assembly Bill 307, legislation authored by then-Assemblymember Brian Nestande (R-Palm Desert), that clarified federally recognized Indian tribes could enter into joint powers agreements in California. Long before that, the Agua Caliente Band of Cahuilla Indians and the Cabazon Band of Cahuilla Indians (which was the Cabazon Band of Mission Indians at the time) had a seat at CVAG's table through Memorandums of Understanding that provided for their participation in regional decisions related to transportation, energy, sustainability, conservation and other issues. The Third Amendment solidified their membership and made way for membership of both your Tribe (in 2021) and the Torres Martinez Desert Cahuilla Indians (in 2020). For efficiency reasons, these tribes were added as members through addendums that did not make any substantive changes to the JPA itself; they only served as ways to admit each Tribal Nation as a member subject to all the rights, obligations and responsibilities.

The Executive Committee is the governing arm of the General Assembly. This structure was created for efficiency due to the complexities in coordinating a General Assembly quorum for monthly meetings to conduct CVAG business. Since CVAG's inception, JPA member jurisdictions agreed that the Executive Committee would be made up of the Mayors of the member jurisdictions or their alternate/designee, so long as they are sitting elected members of the city. All five Riverside County Supervisors were also made members of the Executive Committee. The Third Restatement of the JPA, authorized in 2018, expanded that to include "the Tribal Chair from each Indian Tribe" and noted that "any Indian Tribal Council may appoint one of its current council members in place of the Tribal Chair."

In its December 24, 2025 letter, the Tribe is now requesting a new alternate provision be added to Section 2.4.3 of the JPA as it relates to the Executive Committee. The proposed wording from the Tribe is that the alternate could "formally appointed by resolution of the legislative body of the party such alternate represents." This wording is overly broad and could result in unintended consequences. As written, it would not restrict the Tribe to appointing a staff member, as the letter suggests as the intent of this request. It also does not restrict the alternate to being someone within the Tribe or member jurisdiction. Nor does it restrict the alternate to being at all affiliated with the Tribe or member jurisdiction, outside of this appointment. The proposed amendment to the JPA could theoretically even result in anybody serving as the Tribe's representative on the Executive Committee – perhaps even another Executive Committee member themselves.

Beyond the challenges with the language itself, it should be noted revising CVAG's JPA would require a vote by each member jurisdiction, not CVAG itself, which equates to 15 separate actions at City Council, Tribal Council and Riverside County Board of Supervisor meetings. And that only occurs once a consensus on the approach is even reached among CVAG's 19 Executive Committee members. Such a process involves significant CVAG and member agency staff time to agendize the matter. The Third JPA Restatement and Amendment took months to circulate and get approved, and CVAG staff had to ask a handful of jurisdictions to review and vote on it twice as there were clarifying changes requested in the middle of that process.

Lastly, I want to stress that CVAG welcomes and promotes its Tribal members' participation. I was personally struck by remarks that then-Chairman Jeff Grubbe of the Agua Caliente Band of Cahuilla Indians made at our meetings when he was CVAG Chair about how rare it was for a Tribal Chair to lead an organization like ours. I know we all benefit from the input we get from the Agua Caliente, Cabazon and Torres Martinez representatives, who are all regular, engaged attendees at our meetings.



Please don't hesitate to contact me if you have additional questions or concerns.

Sincerely,



Tom Kirk
CVAG Executive Director

CC:

Supervisor V. Manuel Perez, County of Riverside 4th District, CVAG Chair
Supervisor Jose Medina, County of Riverside 1st District
Supervisor Karen Spiegel, County of Riverside 2nd District
Supervisor Chuck Washington, County of Riverside 3rd District
Supervisor Yxstian Gutierrez, County of Riverside 5th District
Mayor Steven Hernandez, City of Coachella
Mayor Elaine Holmes, City of Indio
Mayor Linda Evans, City of La Quinta
Mayor Toper Taylor, City of Indian Wells
Mayor Jan Harnik, City of Palm Desert
Mayor Lynn Mallotto, City of Rancho Mirage
Mayor Raymond Gregory, City of Cathedral City
Mayor Naomi Soto, City of Palm Springs
Mayor Scott Matas, City of Desert Hot Springs
Mayor Joseph DeConinck, City of Blythe, CVAG Vice Chair
Tribal Chair Reid Milanovich, Agua Caliente Band of Cahuilla Indians
Tribal Councilmember Brenda Soulliere, Cabazon Band of Mission Indians
Tribal Chair Joseph Mirelez, Torres Martinez Desert Cahuilla Indians





AGUA CALIENTE BAND OF CAHUILLA INDIANS
TRIBAL COUNCIL

REID D. MILANOVICH CHAIRMAN • ANTHONY W. PURNEL VICE CHAIRMAN
SAVANA R. SAUBEL SECRETARY-TREASURER • JOHN R. PRECKWINKLE III MEMBER • VINCENT GONZALES III MEMBER

February 26, 2026

Supervisor V. Manuel Perez
Chair of Coachella Valley Association of Governments
Coachella Valley Association of Governments
74-199 El Paso, Suite 100
Palm Desert, CA 92260

Re: Letter of Support for Appointment of Alternate Tribal Representatives for the Coachella Valley Association of Governments

Dear Chairman Perez,

I am writing to express my support for the request made by Chairman Mike of the Twenty-Nine Palms Band of Mission Indians on December 24, 2025, to expand the ability of tribal CVAG members to appoint alternates to the CVAG Executive Committee. As indicated by Chairman Mike, the current CVAG Joint Powers Agreement restricts tribal participation by limiting authorized representatives to Tribal Chairs or other members of Tribal Council in a manner that limits tribal participation. Therefore, we encourage CVAG to consider this request and support Chairman Mike's proposed language to accomplish this accommodation.

As you know, tribal governance structures vary from tribe-to-tribe and do not often mirror or match an equivalent state or local government. Thus, it is imperative to allow Indian tribes to participate in entities such as CVAG in a manner that reflects their tribal customs, traditions, and political structures.

I look forward to the opportunity to support Twenty-Nine Palm Band of Mission Indians' request for such revisions to the JPA.

Sincerely,

Reid D. Milanovich
Chairman, Tribal Council
AGUA CALIENTE BAND OF
CAHUILLA INDIANS



Cc: Supervisor Jose Medina, County of Riverside 1st District
Supervisor Karen Spiegel, County of Riverside 2nd District
Supervisor Chuck Washington, County of Riverside 3rd District
Supervisor Yxstian Gutierrez, County of Riverside 5th District
Mayor Steven Hernandez, City of Coachella
Mayor Glenn Miller, City of Indio
Mayor Linda Evans, City of La Quinta
Mayor Bruce Whitman, City of Indian Wells
Mayor Jan Harnik, City of Palm Desert
Mayor Ted Weill, City of Rancho Mirage
Mayor Nancy Ross, City of Cathedral City
Mayor Ron deHarte, City of Palm Springs
Mayor Scott Matas, City of Desert Hot Springs
Mayor Joseph DeConinck, City of Blythe
Tribal Councilmember Brenda Soulliere, Cabazon Band of Mission Indians
Tribal Chair Joseph Mirelez, Torres Martinez Desert Cahuilla Indians



Doug Welmas/Tribal Chairman

March 12, 2026

Via US Mail

Supervisor V. Manuel Perez
Chair of Coachella Valley Association of Governments
Coachella Valley Association of Governments
74-199 El Paso, Suite 100
Palm Desert, CA 92260

Re: Letter Regarding Appointment of Alternate Tribal Representatives for the Coachella Valley Association of Governments

Dear Chairman Perez,

The Cabazon Band of Cahuilla Indians writes to state that it neither supports nor objects to the request made by Chairman Mike of the Twenty-Nine Palms Band of Mission Indians on December 24, 2025, seeking expanded ability for tribal CVAG members to appoint alternates to the CVAG Executive Committee. Cabazon takes no position on this request and defers to CVAG and its member governments on the matter.

Cabazon appreciates the importance of ensuring that all tribal governments are able to participate in regional bodies in ways that reflect each Tribe's customs, traditions, and governmental structures. This correspondence is intended solely to clarify Cabazon's neutral position while respecting the government-to-government dialogue between CVAG and the Twenty-Nine Palms Band of Mission Indians.

Sincerely,



Doug Welmas

Chairman

Cabazon Band of Cahuilla Indians

Cc:

Supervisor Jose Medina, County of Riverside 1st District

Supervisor Karen Spiegel, County of Riverside 2nd District

Supervisor Chuck Washington, County of Riverside 3rd District

Supervisor Yxstian Gutierrez, County of Riverside 5th District

Mayor Steven Hernandez, City of Coachella

Mayor Glenn Miller, City of Indio

Mayor Linda Evans, City of La Quinta

Mayor Bruce Whitman, City of Indian Wells

Mayor Jan Harnik, City of Palm Desert

Mayor Ted Weill, City of Rancho Mirage

Mayor Nancy Ross, City of Cathedral City

Mayor Ron deHarte, City of Palm Springs

Mayor Scott Matas, City of Desert Hot Springs

Mayor Joseph DeConinck, City of Blythe

Tribal Chair Reid Milanovich, Agua Caliente Band of Cahuilla Indians

Tribal Councilmember Brenda Soulliere, Cabazon Band of Cahuilla Indians

Tribal Chair Joseph Mirelez, Torres Martinez Desert Cahuilla Indians



TORRES MARTINEZ DESERT CAHUILLA INDIANS

P.O. Box 1160
Thermal, CA 92274
(760) 397-0300 - FAX (760) 397-8146

March 18, 2026

Supervisor V. Manuel Perez
Chair of Coachella Valley Association of Governments
Coachella Valley Association of Governments
74-199 El Paso, Suite 100, Palm Desert, CA 92260

Re: Letter of Support for Appointment of Alternate Tribal Representatives for the Coachella Valley Association of Governments

Dear Chairman Perez,

I, the undersigned Chairman of the Torres Martinez Desert Cahuilla Indians, offer my support for the request made by Chairman Mike of the Twenty-Nine Palms Band of Mission Indians on December 24, 2025, to expand the ability of tribal CVAG members to appoint alternates to the CVAG Executive Committee. As indicated by Chairman Mike, the current CVAG Joint Powers Agreement restricts tribal participation by limiting authorized representatives to Tribal Chairs or other members of Tribal Council in a manner that limits tribal participation. Therefore, we encourage CVAG to consider this request and support Chairman Mike's proposed language to accomplish this accommodation.

As you know, tribal governance structures vary from tribe-to-tribe and do not often mirror or match an equivalent state or local government. Thus, it is imperative to allow Indian tribes to participate in entities such as CVAG in a manner that reflects their tribal customs, traditions, and political structures.

We look forward to the opportunity to support Twenty-Nine Palms Band of Mission Indians' request for such revisions to the JPA.

Sincerely,


Joseph Mirelez, Tribal Chairman

Cc:

Supervisor Jose Medina, County of Riverside 1st District
Supervisor Karen Spiegel, County of Riverside 2nd District
Supervisor Chuck Washington, County of Riverside 3rd District
Supervisor Yxstian Gutierrez, County of Riverside 5th District
Mayor Steven Hernandez, City of Coachella
Mayor Glenn Miller, City of Indio
Mayor Linda Evans, City of La Quinta
Tribal Chair Reid Milanovich, Agua Caliente Band of Cahuilla Indians
Tribal Councilmember Brenda Soulliere, Cabazon Band of Mission Indians

Mayor Bruce Whitman, City of Indian Wells
Mayor Jan Harnik, City of Palm Desert
Mayor Ted Weill, City of Rancho Mirage
Mayor Nancy Ross, City of Cathedral City
Mayor Ron deHarte, City of Palm Springs
Mayor Scott Matas, City of Desert Hot Springs
Mayor Joseph DeConinck, City of Blythe



TWENTY-NINE PALMS BAND OF MISSION INDIANS

46-200 Harrison Place . Coachella, California . 92236 . Ph. 760.863.2444 . Fax: 760.863.2449

April 6, 2026

Via U.S. Mail

Supervisor V. Manuel Perez
Chair of Coachella Valley Association of Governments
Coachella Valley Association of Governments
74-199 El Paso, Suite 100
Palm Desert, CA 92260

Re: Appointment of Alternate Representative to the Executive Committee of the Coachella Valley Association of Governments (CVAG)

Dear Chairman Perez,

On behalf of the Twenty-Nine Palms Band of Mission Indians (“Tribe”), I am responding to your letter of January 23, 2026, regarding the Tribe’s request to enhance its participation as a member of CVAG. While we appreciate the challenges noted in your letter, we respectfully do not believe those challenges impede our request and strongly urge that this item be placed on the agenda for the next regularly scheduled meeting for consideration by the CVAG Board.

I want to specifically highlight that we believe that the participation of the Tribe and other sovereign tribal nations in the Coachella Valley on the CVAG Executive Committee adds important value to regional transportation planning. First, tribal lands represent a significant portion of the valley’s geography and future growth areas, making tribal participation essential to ensure transportation planning reflects the region’s full development and mobility needs. Second, tribal governments hold a federally recognized self-governance designation with the U.S. Department of Transportation, allowing them to plan and implement transportation programs as governmental partners. Third, tribes can access federal transportation funding sources that are specifically designated for tribal governments, bringing additional resources that can complement local, county, and state infrastructure investments. Finally, having tribes, cities, and counties working together at the same table strengthens coordination across jurisdictions, helping ensure transportation planning is cohesive and benefits the entire Coachella Valley region.

To address one of the concerns noted in your letter, which is that the language was overly broad and could result in unintended consequences, the Tribe proposes the following modifications to its proposed amendment to the JPA as follows:

Each participating member on the Executive Committee shall also have an alternate, who must also be a current member of the legislative body of the party such alternate represents or formally appointed by resolution of the legislative body

of the party such alternate represents, with the exception of the alternates to the members representing the County of Riverside, who need not be elected officials. Any alternative representative must be the highest-level executive or administrative officer of the participating member's governing body or organization, and cannot be an employee or representative of another participating member. The name of the alternate members shall be on file with the Executive Committee. An alternate member shall assume all rights and duties of the absent member.

While we believe these additional changes fully address your concerns, we continue to be open to other ways to improve this language.

The effort to increase the ability of the Tribe to actively participate in the CVAG Executive Committee is supported by the attached letters of support from the Torres Martinez Desert Cahuilla Indians and the Agua Caliente Band of Cahuilla Indians, who are members of CVAG. We also note that the Cabazon Band of Cahuilla Indians does not oppose this request. We hope that CVAG considers the requests of the Tribe and the support of its neighboring sovereign nations in this endeavor.

Furthermore, we understand that changes to the JPA are not to be taken lightly and involve a lengthy process. We continue, however, to stress the importance of increasing tribal participation in CVAG through these changes to accommodate the customs and governing structure of the Tribe. We look forward to discussing this further with CVAG and its membership and are willing to assist agency staff in their consideration and processing of this request. In that regard, we will prepare a draft resolution by March 13 for your consideration.

Sincerely,



Darrell Mike, Tribal Chairman
Twenty-Nine Palms Band of Mission Indians

Cc: Supervisor Jose Medina, County of Riverside 1st District
Supervisor Karen Spiegel, County of Riverside 2nd District
Supervisor Chuck Washington, County of Riverside 3rd District
Supervisor Yxstian Gutierrez, County of Riverside 5th District
Vice Mayor Dr. Frank Figueroa, City of Coachella
Mayor Glenn Miller, City of Indio
Mayor Linda Evans, City of La Quinta
Mayor Bruce Whitman, City of Indian Wells
Mayor Evan Trubee, City of Palm Desert
Mayor Lynn Mallotto, City of Rancho Mirage
Mayor Raymond Gregory, City of Cathedral City
Mayor Naomi Soto, City of Palm Springs
Mayor Scott Matas, City of Desert Hot Springs

Mayor Joseph DeConinck, City of Blythe
Tribal Chair Reid Milanovich, Agua Caliente Band of Cahuilla Indians
Tribal Councilmember Brenda Soulliere, Cabazon Band of Mission Indians
Tribal Chair Joseph Mirelez, Torres Martinez Desert Cahuilla Indians

ITEM 6D

Coachella Valley Association of Governments Administrative/ Personnel Committee

April 27, 2026



STAFF REPORT

Subject: Update to Policies and Procedures

Contact: Erica Felci, Deputy Executive Director (efelci@cvaq.org)

Recommendation: Authorize the revised Policies and Procedures: Conduct of CVAG Meetings to incorporate new teleconferencing requirements, an updated process for placing items on a committee agenda, and other clarifications

Background: CVAG's committee meetings are critical to conducting the public's business in a transparent manner. CVAG's leadership has a long history of also ensuring committee meetings are organized and run efficiently. Committee meetings are guided by CVAG's Policies and Procedures: Conduct of CVAG meetings. The document has not been updated since December 2018. While the document is generally still applicable, there are several areas that staff have identified as being out of date.

One section that needs to be updated is the reference to teleconferencing. California has enacted a number of changes to modernize the teleconferencing provisions of the Ralph M. Brown Act, and CVAG's policies do not reflect that. Staff would recommend the policy incorporate references to Assembly Bill 2449 (2022), which allows for members to participate remotely without identifying their location in emergency situations, and to Senate Bill 707 (2024), which allows for some flexibilities for eligible multijurisdictional bodies such as CVAG's committees.

Another section that staff recommends updating relates to placing items on the agenda. CVAG's current policy states that "upon request of any members, an item shall be placed on the agenda at the next regularly scheduled meeting, provided it is submitted before the agenda deadline." Staff is increasingly receiving requests from members to add items to agendas. While staff has worked to accommodate all these requests, there is a concern that too many requests may complicate lengthy agendas. It is not uncommon for cities and other agencies to require an item gets support from more than one individual in order to be added to the agenda. With Committee's authorization, staff would recommend incorporating a policy similar to the one used by the Southern California Association of Governments (SCAG), which states that "*Members of a SCAG legislative body may request that an item be placed on a subsequent meeting agenda during the designated part of a meeting. Should the presiding officer of a meeting refuse to approve inclusion of the requested agenda item, the member making the request may appeal that ruling to the Executive/ Administrative Committee, which shall consider the matter at the next regular meeting after the agenda item requested was refused by a presiding officer.*"

The recommended action would authorize the Executive Director to make these policy changes and also incorporate a few clarifying changes. A redlined version is attached. Upon approval, CVAG staff will also adjust any formatting modifications (including the table of contents).

Fiscal Analysis: There is no cost associated with amending the Policies and Procedures.

Attachment: Update to the Policies and Procedures

POLICIES AND PROCEDURES

CONDUCT OF CVAG MEETINGS

Updated April 27, 2026

TABLE OF CONTENTS

I. PURPOSE 4

II. TYPES OF MEETINGS 4

 A. Regular Meetings 4

 B. Special Meetings 4

 C. Emergency Meetings 5

 D. Adjourned Meetings 5

III. COMMITTEE MEMBERSHIP 5

IV. ATTENDANCE BY PUBLIC 6

V. CLOSED SESSION 6

 A. Subject Matter 6

 B. Agenda Description 6

 C. Announcement of Action Taken 6

 D. AB2782 Provision 7

VI. TELECONFERENCING OF CVAG MEETINGS 7

VII. AGENDA REQUIREMENTS 8

 A. Prerequisite to Taking Action 8

 1. Non-Agenda Items 9

 2. Exceptions 9

 B. Posting 10

 1. In General 10

 2. Special and Emergency Meetings 10

 3. Posting Locations 10

 4. Mailed Notices 10

 C. Placing Items on Agenda 10

VIII. CONDUCT OF BUSINESS 11

 A. Call to Order 11

 B. Roll Call 11

 C. Approval of Minutes 11

 D. Public Comments 11

 1. Procedure 11

 2. Response 11

 3. Time Limitations..... 12

POLICIES AND PROCEDURES: CONDUCT OF CVAG MEETINGS

- b. Members' Comments 12
- c. Items of Business 12
 - i. Public Comments..... 12
 - ii. Making a Motion 12
- d. Voting 13

- 4. CONFLICT OF INTEREST** 14

- 5. PUBLIC HEARINGS** 14
 - a. Due Process 14
 - b. Time for Consideration 14
 - c. Continuance 14
 - d. Staff Report 15
 - e. Public Comments 15
 - f. Public Testimony 15
 - g. Time Limit 15
 - h. Questions by Members 15
 - i. Closing the Hearings 15

- 6. RECONSIDERATION OF PAST ACTION** 16
 - a. Motion 16
 - b. Written Requests 16

- 7. THE PRESIDING OFFICER** 16
 - a. Authority of Presiding Officer 16
 - b. Motion to Appeal the Ruling 17

- 8. DECORUM AND ORDER** 17

POLICIES AND PROCEDURES: CONDUCT OF CVAG MEETINGS

9. **BROWN ACT CHALLENGES** 18

 a. Written Demand 18

 b. Placing on Agenda 18

 c. Response 18

 d. Corrective Action Not Available 18

10. **INTERPRETATION** 18

POLICIES AND PROCEDURES: CONDUCT OF CVAG MEETINGS

I. PURPOSE

The within rules establish the procedures for the conduct of all meetings of the governing body of CVAG, as well as all commissions, committees, boards, or other bodies thereof that have a continuing subject matter jurisdiction or a fixed meeting schedule. Each such body is generically referred to below as a “legislative body” or “body”. By adopting such rules, it is CVAG’s intent to establish procedures that will be convenient for the public, contribute to the orderly conduct of business, and conform to the Ralph M. Brown Act (California Government Code § 54950.5 et al.).

II. TYPES OF MEETINGS

All meetings shall be subject to the within procedures. A “meeting” includes any congregation of a majority of the members of any CVAG legislative body at the same time and place to hear, discuss, or deliberate upon any item that is within the subject matter jurisdiction of the body.

A. REGULAR MEETINGS

All regular meetings shall be conducted at the time and place established by minute action of the legislative body and the annual CVAG meeting calendar.

B. SPECIAL MEETINGS

A Special Meeting of a CVAG legislative body may be called at any time by the presiding officer of the body or by a majority of the members of the body by delivering written notice to each member of the legislative body and to each local newspaper of general circulation and radio or television body requesting notice in writing. Said notice must be received at least 24 hours before the time of the meeting as specified in the notice. The call and notice shall specify the time and place of the Special Meeting and the business to be transacted or discussed and shall be posted at least 24 hours prior to the time set for the meeting in the same manner as an agenda for a regular meeting. No other business shall be considered at these meetings by the legislative body. Written notice may be dispensed with as to any member who at or prior to the time the meeting convenes files with the secretary of the legislative body a written waiver of notice. The written notice may also be dispensed with as to any member who is actually present at the time it convenes.

C. EMERGENCY MEETINGS

In the case of an emergency situation involving matters upon which prompt action is necessary due to the disruption or threatened disruption of public facilities, a legislative body may hold an Emergency Meeting without compliance with the 24- hour posting and

POLICIES AND PROCEDURES: CONDUCT OF CVAG MEETINGS

notice requirements otherwise required for a special meeting. An “emergency situation” means a crippling disaster, work stoppage, or other activity that severely impairs the public health, safety, or both, as determined by a majority of the members of the legislative body. The legislative body shall not meet in closed session during an Emergency Meeting. All agenda and special meeting requirements are applicable except that ~~telephonic~~electronic notice and posting at the earliest time possible given the circumstances shall be sufficient.

D. ADJOURNED MEETINGS

Any meeting may be adjourned to a time, place, and date specified in the order of adjournment. Less than a quorum may so adjourn. If all members are absent, the secretary of the legislative body may declare the meeting adjourned to a stated time and place and shall cause a written notice of the adjournment to be given in the same manner as required for a special meeting, unless such notice is waived as provided for special meetings. A copy of the order of adjournment shall be conspicuously posted on or near the door of the place where the meeting was held within 24 hours after the time of the adjournment.

III. COMMITTEE MEMBERSHIP

With respect to any CVAG committee composed of elected officials from member agencies, voting privileges shall be limited to elected officials. Each voting member shall also have an alternate; ~~who must also be an elected official of the member agency, with the exception of the alternates to the members representing the County of Riverside which may be any person appointed by the Supervisor as authorized by the CVAG Joint Powers Agreement and By-Laws.~~ An alternate member shall assume all rights and duties of the absent member.

Voting members of the Executive Committee shall be the five members of the Riverside County Board of Supervisors, or the member’s designated alternate, the Mayor of each of the member cities, or ~~his/her~~the designated alternate who shall be an elected Councilmember, and the Tribal Chair of each member tribal council. Non-voting members of the Executive Committee shall include the following: The immediate past chair of CVAG shall be entitled to serve on the Executive Committee without vote for a one-year term provided ~~he/she~~they remains an elected official of one of CVAG’s member agencies. The CVAG representatives to the Southern California Association of Governments’ Regional Council shall be entitled to serve on CVAG’s Executive Committee without vote during the time ~~he/she~~they fills that position.

IV. ATTENDANCE BY PUBLIC

POLICIES AND PROCEDURES: CONDUCT OF CVAG MEETINGS

Except where a closed session is authorized by law, all meetings of a CVAG legislative body shall be open and public and all persons shall be permitted to attend. In the case of a teleconferenced meeting, each teleconference location shall be accessible to the public and an opportunity for members of the public to address the legislative body directly shall be provided at each teleconference location. A member of the public shall not be required, as a condition to attendance by CVAG, to register ~~his or her~~their name, to provide other information, to complete a questionnaire, or otherwise to fulfill any condition precedent to ~~his or her~~their attendance. Such information could be requested, but not required, depending on the meeting location's logistics. Any document circulated for the purpose of obtaining any information from those present shall state clearly that disclosure is voluntary and that all persons may attend whether or not they provide such information. Any person in attendance may tape or record open and public meetings absent a reasonable finding by the legislative body that the conduct would constitute a persistent disruption of the proceedings.

V. CLOSED SESSION

A. SUBJECT MATTER

Closed sessions shall be held only for those reasons specifically authorized by state law and only upon the approval of a majority of the members present and voting in open session after the purpose and statutory authority has been publicly identified. All members of the legislative body, the Executive Director, and General-Legal Counsel shall ordinarily participate in any closed session, as well as any necessary and invited CVAG staff members. However, no member of the legislative body disqualified based on a conflict of interest shall attend the closed meeting.

B. AGENDA DESCRIPTION

Descriptions of closed session items on the agenda shall utilize the safe harbor language set out in Government Code § 54954.5.

C. ANNOUNCEMENT OF ACTION TAKEN

After any closed session, the legislative body shall reconvene into open session prior to adjournment and shall make any required disclosures regarding the action taken in closed session.

D. AB2782 PROVISION

All information received by the legislative body of a local agency member in a closed session related to information presented to the joint powers agency in closed session shall be confidential. However, each local agency member is authorized on advice of its legal

POLICIES AND PROCEDURES: CONDUCT OF CVAG MEETINGS

counsel to conduct a closed session to consider and take action concerning any matter discussed in closed session by the joint powers authority that has a direct financial or liability implication for the local agency member, pursuant to California Government Code Section 54956.96. For this purpose, a member of the legislative body of a local agency member may disclose information obtained in a closed session of the joint powers authority that has direct financial or liability implications for the local agency member, to (1) legal counsel of the applicable local agency member for purposes of obtaining advice on whether the matter has direct financial or liability implications for that member local agency, and (2) other members of the legislative body of the local agency present in a closed session of that member local agency.

Legal counsel representing the joint powers agency is authorized to provide information to legal counsel representing the applicable local agency member about the discussion conducted by the joint powers agency in the applicable closed session.

Any designated alternate member of the legislative body of the joint powers agency who is also a member of the legislative body of a local agency member and who is attending a properly noticed meeting of the joint powers agency in lieu of the local agency member's regularly appointed member may attend closed sessions of the joint powers agency.

VI. VIRTUAL OPTIONS ~~TELECONFERENCING OF FOR~~ CVAG MEETINGS

In the event that any member of the legislative body elects to use videoconferencing or teleconferencing as a means of participating in any meeting of the legislative body, he/she/they may do so provided CVAG is informed in time for proper Brown Act compliance. The teleconferenced-virtual meeting or proceeding shall comply with all provisions of law, including the provisions allowed for in Assembly Bill 2449 (2022), which allows for members to participate remotely without identifying their location in emergency situations, and to Senate Bill 707 (2024), which creates provisions for eligible multijurisdictional bodies. ~~the following requirements:~~

- ~~A. All votes taken during a teleconferenced meeting shall be by roll call.~~
- ~~B. The agenda for a teleconferenced meeting shall be posted at every teleconference location to be utilized, subject to the same time and content regulations applicable to non-teleconferenced meetings.~~
- ~~C. A teleconferenced meeting shall be conducted in a manner that protects the statutory and constitutional rights of the parties and the public appearing before the legislative body.~~
- ~~D. Every teleconference location to be utilized shall be identified in the notice and agenda of the meeting or proceeding.~~

POLICIES AND PROCEDURES: CONDUCT OF CVAG MEETINGS

Every meeting using teleconferencing or videoconferencing e locations ~~to be utilized~~ shall be accessible to the public and the public shall be provided an opportunity to address the legislative body directly.

Any member of the Legislative body wishing to use ~~teleconferencing virtual options~~ shall be required to notify CVAG within sufficient time to allow CVAG to meet the requirements of posting the agenda 72 hours prior to the time set for the meeting and shall be responsible for making sure all other requirements for use of teleconferencing as well as all other applicable provision of law are adhered to at the teleconferenced site.

~~E. CVAG will pay for any local line charges. However, if bridging or long distance calls are required, those charges will be paid by the jurisdiction requesting teleconferencing.~~

The per diem policy shall apply to those in attendance at a teleconferenced or videoconferenced location.

VII. AGENDA REQUIREMENTS

A. PREREQUISITE TO TAKING ACTION

No action shall be taken on any item not appearing on the posted agenda, subject only to the exceptions listed below. "Action Taken," as used herein, shall mean a collective decision made by a majority of the members of a CVAG legislative body, including but not limited to a collective commitment or promise to make a positive or a negative decision, or an actual vote when sitting as a body, upon a motion, proposal, resolution, order or ordinance. Prior to any discussion, the agenda item shall be identified.

1. Non-Agenda Items

No action or discussion shall be undertaken on any item not appearing on the posted agenda, except that members or staff may briefly respond to statement made or questions posed by members of the public. In addition, on their own initiative or in response to questions posed by the public, a member or staff may ask a question for clarification, make a brief announcement, or make a brief report on ~~his or her~~their own activities. Members may also provide a reference to staff or other resources for factual information, request staff to report back to the body at a subsequent meeting concerning any matter, or take action to direct staff to place a matter of business on a future agenda.

POLICIES AND PROCEDURES: CONDUCT OF CVAG MEETINGS

2. Exceptions

After publicly identifying the item, the legislative body may take action on items of business not appearing on the posted agenda under any of the conditions stated below:

- i. Emergency Situation. Upon a determination by a majority vote of the legislative body that a crippling disaster, work stoppage, or other activity that severely impairs public health, safety, or both exists such that prompt action is necessary.
- ii. Need to Take Action Arose After Agenda Posted. Upon a determination by a two-thirds vote of the members of the legislative body present at the meeting, or, if less than two-thirds of the members are present, a unanimous vote of those members present that there is a need to take immediate action and that the need for action came to the attention of the local agency subsequent to the agenda being posted. For the purposes of this subsection, the term “need to take action” shall refer to those circumstances which created a situation materially different from that which existed at the time the agenda was posted, which was unknown to any member or staff person until after the time for the posting of the agenda has expired, and which requires the immediate attention of the legislative body such that consideration may not be postponed until the matter can be placed on an agenda in the normal course of business.
- iii. Continued Item. The item was posted for a prior meeting of the legislative body occurring not more than five calendar days prior to the date action is taken on the item, and at the prior meeting the item was continued to the meeting at which action is being taken.

B. POSTING

1. In General

At least 72 hours prior to the time set for a Regular Meeting, the secretary-deputy clerk or designee of the legislative body shall post an agenda containing a brief general description of each item of business to be transacted or discussed at the meeting, including items to be discussed in closed session. The agenda shall specify the time and location of the meeting and shall be posted in a location that is freely accessible to members of the public. In the case of a teleconferenced meeting, the agenda shall identify each teleconference location.

POLICIES AND PROCEDURES: CONDUCT OF CVAG MEETINGS

2. Special and Emergency Meetings

An agenda for a Special Meeting shall be posted at least 24 hours before the meeting. An agenda for an Emergency Meeting shall be posted at the earliest possible time given the emergency circumstances.

3. Posting Locations

The agenda shall be posted ~~at on CVAG' website, www.cvag.org , the main entrance to 73-710 Fred Waring Drive, Palm Desert, California,~~ and at or near the entrance to any facility where the meeting is to be held. In the case of a ~~teleconferenced~~ meeting with virtual options, a copy of the agenda shall be posted at each teleconference or videoconference location if required by state law.

4. Mailed Notice

Upon receipt of written requested by any person, a copy of the agenda, or a copy of all the documents constituting the agenda packet, or any meeting of a legislative body shall be mailed to that person. A single written request for continuing copies of agenda materials for all future meetings must be renewed after January 1 of each year. A reasonable fee shall not exceed the cost of providing the service.

C. PLACING ITEMS ON AGENDA

~~Upon request of any members, an item shall be placed on the agenda at the next regularly scheduled meeting, provided it is submitted before the agenda deadline. Members of the legislative body may request that an item be placed on a subsequent meeting agenda during the designated part of a meeting. Should the Chair or presiding officer of a meeting refuse to approve inclusion of the requested agenda item, the member making the request may appeal that ruling to the Administrative/ Personnel Committee, which shall consider the matter at its next meeting after the agenda item requested was refused by a presiding officer.~~

VIII. CONDUCT OF BUSINESS

A. CALL TO ORDER

The Presiding Officer shall call the meeting to order.

B. ROLL CALL

POLICIES AND PROCEDURES: CONDUCT OF CVAG MEETINGS

Roll call shall be taken and the names of those members present entered in the minutes before proceeding with the business of the legislative body.

C. APPROVAL OF MINUTES

Approval of the minutes of the previous meeting shall be requested.

D. PUBLIC COMMENTS

Every agenda for a Regular Meeting shall provide an opportunity for members of the public to directly address the body on any item of interest to the public that is within the subject matter jurisdiction of the legislative body, provided that no action shall be taken on any item not appearing on the agenda except as specifically permitted herein. Public comments at a Special Meeting may be limited to items specifically described in the notice for the Special Meeting.

1. Procedure

Any member of the public wishing to address the legislative body shall wait to be recognized by the Presiding Officer. Upon being recognized, the speaker shall state ~~his/her~~their name, city of residence, and identify the subject(s) upon which ~~he/she~~they intends to speak. All remarks and questions shall be made from the podium and addressed to the Presiding Officer. No other individual shall enter into any discussion without first being recognized by the Presiding Officer.

2. Response

At the close of the speaker's comments, the Presiding Officer may deem that no response is necessary or ask staff to respond, investigate, and/or place on the agenda at a later date. No action shall be taken on any non-agenda matter unless the requirements for action on non-agenda items set out below are met.

3. Time Limitations

Public comment on a particular issue should be limited to no more than thirty minutes, to be apportioned among all speakers who request time. To adequately apportion time among all items of business on the agenda, the Presiding Officer may set a time limit for each individual speaker.

E. CONSENT AGENDA

POLICIES AND PROCEDURES: CONDUCT OF CVAG MEETINGS

Items of a routine nature may be approved by one blanket motion upon unanimous consent. Prior to such vote, any member may request that an item be removed from the consent agenda to be considered separately.

F. MEMBERS' COMMENTS

There shall be a specific item on the agenda for receiving general comments, announcements, and/or suggestions from members of the legislative body. ~~Such~~ comments shall be informational only and no action shall be taken on such matters unless the requirements for action on non-agenda items set out below are met.

G. ITEMS OF BUSINESS

1. Public Comments

In addition to receiving comment from the public during the public comment period, the Presiding Officer may recognize persons from the audience who wish to address a particular agenda item at the time that the time is considered by the legislative body. After a motion has been made, however, no further public comment shall be permitted except by majority vote of the members.

2. Making a Motion

Actions shall generally be taken by motion. Any member, including the Presiding Officer, may formally propose action be taken with respect to any agenda item by making a motion. Any other member may then second the motion. If a motion is stated as two or more divisible propositions, the Presiding Officer may, and upon request of a member shall, divide the same. Once a motion has been seconded, it may be opened for discussion and debate. A motion may not be withdrawn without the consent of both the member making the motion and the member seconding it.

- i. Call the Question. After a full opportunity for debate, any member may call for a vote.
- ii. Question to be Stated. The Presiding Officer shall restate each question immediately prior to calling for the vote. ~~Except in the case of a teleconferenced meeting~~Unless a roll call vote is requested, the Presiding Officer's statement of a consensus without objection shall become the order. Otherwise, all votes shall be by voice vote. After every vote, the Presiding Officer shall declare the result and, except where the vote was by adoption of a consensus, note for the record the number of votes for or against the question. In the case of a videoconferenced or teleconferenced meeting, ~~every-virtual voting members'~~ votes shall be recorded by roll call.

POLICIES AND PROCEDURES: CONDUCT OF CVAG MEETINGS

- iii. Related Motions. Once a main motion is properly brought before the legislative body and seconded, only related subsidiary motions or motions of privilege, order, or convenience may be made and considered. Such related motions then take precedence over the main motion and must be resolved before the main motion can be acted upon. Appropriate subsidiary motions include a motion to adjourn, fix hour of adjournment, table, limit or continue or terminate discussion, or amend the main motion.

H. VOTING

1. No ordinance, resolution or motion of a legislative body shall be passed or become effective without the affirmative votes of a majority of a quorum.
2. The quorum requirements for the General Assembly and Executive Committee shall be as stated in the governing documents.
3. As to any legislative body or committee of CVAG, other than the General Assembly and Executive Committee, a quorum shall consist of a majority of the occupied positions so that the quorum requirement shall be reduced by the number of vacant positions.
4. If a member jurisdiction fails to appoint a representative to an open position, that position shall be deemed "vacant".
5. A position shall also be deemed vacant upon written notice from the appointing jurisdiction declaring the position to be vacant. A vacancy may also be declared by majority vote of the committee after more than three consecutive absences of one of its committee members or less than a minimum attendance of 50% of committee meetings.
6. A position that has been declared vacant may be filled at any time by written notice from the appointing jurisdiction designating a representative to fill the position. Provided the proposed representative meets all other applicable criteria for appointment, a previous declaration of a vacancy due to three consecutive absences or less than 50% attendance of committee meetings shall not constitute a disqualification for re-appointment to the same committee.

IX. CONFLICT OF INTEREST

POLICIES AND PROCEDURES: CONDUCT OF CVAG MEETINGS

In conformance with the Government Code Sections 87300, 87309, and 87311, the Coachella Valley Association of Governments has adopted a Conflict of Interest Code. All applicable conflict of interest laws apply.

X. PUBLIC HEARINGS

Matters which are required to be heard in a noticed public hearing shall be conducted in the following manner:

A. DUE PROCESS

The Presiding Officer shall conduct the hearing in such a manner as to afford due process to all affected persons.

B. TIME FOR CONSIDERATION

Matters noticed to be heard shall commence at the time specified in the notice of hearing, or as soon thereafter as is reasonably possible, and shall continue until completed or until other disposition of the matter has been made.

C. CONTINUANCE

Any hearing being ordered, held, or noticed, may, by order or notice of continuance, be continued or re-continued to any subsequent meeting in the manner provided for adjourned meetings. Any person appealing an action of another CVAG legislative body to a higher CVAG legislative body has a right to one postponement of the initial hearing scheduled on the appeal. After exhaustion of this right, the appeal shall be considered withdrawn. This shall not limit the ability of the legislative body on its own motion to continue a hearing to a subsequent meeting to receive additional public testimony or information.

D. STAFF REPORT

When a matter for public hearing comes before the legislative body, the Presiding Officer shall open the hearing to the public and request that staff present the staff report or any other relevant evidence. However, the presentation of the staff report prior to the formal opening of the hearing to the public shall not prevent its consideration as evidence. Any such evidence shall be made a part of the record of the hearing.

E. PUBLIC COMMENTS

POLICIES AND PROCEDURES: CONDUCT OF CVAG MEETINGS

The Presiding Officer shall recognize any persons present who desire to address the legislative body on the matter.

F. PUBLIC TESTIMONY

All persons interested in the matter being heard shall be entitled to submit written evidence or remarks, as well as other graphic evidence. All such evidence presented shall be retained as part of the record of the hearing.

G. TIME LIMIT

Prior to declaring the hearing open, the Presiding Officer may establish a time limit for the entire hearing or establish time limits for the presentation of each individual speaker.

H. QUESTIONS BY MEMBERS

Members may ask questions on the speakers during the public hearing. Members should be mindful that the purpose of the public hearing is to obtain testimony, and not to debate the merits of the item under consideration. Members should avoid debate and expressions of personal opinion until after the close of the public hearing.

I. CLOSING THE HEARING

Upon closing the hearing to public testimony, no additional public testimony or comment shall be permitted.

XI. RECONSIDERATION OF PAST ACTION

Any member of the legislative body not voting in the minority on any action may, at the same meeting or at any subsequent meeting, move to reconsider such action. If such a motion is desired at a subsequent meeting, the motion to be reconsidered must be made part of the agenda for that meeting.

A. MOTION

A reconsideration motion, made by a member voting in the minority on a past action, shall not be allowed except when made more than one year after the date of the original action.

B. WRITTEN REQUESTS

Written requests for reconsideration of an earlier action shall be provided to each member on an informational basis. Requests for reconsideration shall be placed on the agenda as

POLICIES AND PROCEDURES: CONDUCT OF CVAG MEETINGS

a “member/staff request” item. When the item is introduced at the meeting, the body shall determine by majority vote whether the subject action shall be reconsidered. If the action is to be reconsidered, the motion procedure specified herein shall be followed.

XII. THE PRESIDING OFFICER

The meeting shall be presided over and chaired by the Chairperson or, in the Chairperson’s absence, the Vice-Chairperson. In the absence of both the Chairperson and the Vice-Chairperson, the body shall defer to the former Chair or Vice Chair, or otherwise elect one of its voting members as temporary Presiding Officer to serve until the arrival of the Chairperson, Vice-Chairperson, or adjournment.

A. AUTHORITY OF PRESIDING OFFICER

The Presiding Officer shall have the authority to rule any speaker out of order, including speakers during the public comments period and is responsible for the maintenance of order and decorum at all times. The Presiding Officer shall determine all points of order subject to a motion to appeal the ruling by any other member of the legislative body.

B. MOTION TO APPEAL THE RULING

Any determination made by the Presiding Officer may be appealed by the making of a motion to appeal the ruling by any other member of the legislative body. The Presiding Officer’s determination will stand unless a majority of the members present vote in favor of the motion to appeal the ruling, in which case the ruling of the Presiding Officer shall be overridden. The motion to appeal the ruling is debatable, and the Presiding Officer may participate in the debate and the voting on the motion. A vote upon a motion to appeal the ruling is purely a procedural matter and shall not constitute “action taken” on any substantive question.

XIII. DECORUM AND ORDER

- A. Any individual wishing to speak must first obtain the floor by being recognized by the Presiding Officer. The Presiding Officer must recognize any individual who seeks the floor when appropriately entitled to address the legislative body.
- B. Upon taking the floor, the speaker shall confine his/her/the comments to the matter then under debate.
- C. All comments shall be addressed to the Chair, who may then direct the inquiry to another for response.

POLICIES AND PROCEDURES: CONDUCT OF CVAG MEETINGS

- D. A person, once recognized, shall not be interrupted while speaking unless called to order by the Presiding Officer, except that there may be a point of order raised or the speaker may choose to yield to another.
- E. Any individual called to order while speaking shall cease speaking immediately until the question of order is determined.
- F. The rights of any member to address the body on a question of personal privilege shall be limited to cases in which his/her/their integrity, character, or motives are questioned.
- G. Each member shall be courteous in their relationships with each other, staff, and members of the public.

XIV. BROWN ACT CHALLENGES

A. WRITTEN DEMAND

Prior to any person commencing a judicial action by mandamus or injunction for the purpose of obtaining a judicial determination that an action taken by a legislative body was in violation of the Brown Act, such person must first make demand on the legislative body to cure or correct the action alleged to have been taken in violation of the Brown Act. The demand shall be in writing and clearly describe the challenged action and nature of the alleged violation. Said demand shall be made within 90 days from the date the action was taken unless the action was taken in an open session, in which case the demand shall be made within 30 days.

B. PLACING ON AGENDA

Consideration of a demand for correction action shall be placed on the agenda for the next meeting of the legislative body. If the demand is received less than seventy-two hours prior to the time set for the next meeting, it may be considered as an item requiring action which arose after the agenda was posted pursuant to the exceptions allowing action on a non-agenda item set out above.

C. RESPONSE

POLICIES AND PROCEDURES: CONDUCT OF CVAG MEETINGS

The legislative body shall determine, by motion, whether correction action shall be taken. Written notice of its determination shall be given to the demanding party within 30 days of receipt of the demand. In any event, if the legislative body does not cure or correct the challenged action within 30 days of receipt of the demand its inaction shall be deemed a decision not to cure or correct the challenged action.

D. CORRECTIVE ACTION NOT AVAILABLE

The issuance of notes, bonds or other evidences of indebtedness, or agreements related thereto, or actions taken in connection with the collection of taxes, or giving rise to contractual obligation and upon which another party has, in good faith, detrimentally relied, may not be rescinded.

XV. INTERPRETATION

This policy shall be liberally construed to effectuate its purpose and no actions of the legislative body shall be invalidated or the legality thereof otherwise affected by any failure or omission.

In any case of ambiguity or uncertainty in the interpretation or application of any procedure herein, the Presiding Officer shall request a ruling from the legislative body's ~~Chief Legal Officer~~General Counsel, who shall act as parliamentarian.

ITEM 6E

Coachella Valley Association of Governments Administrative/ Personnel Committee

April 27, 2026



STAFF REPORT

Subject: Appointment of CVAG's General Counsel

Contact: Erica Felci, Deputy Executive Director (efelci@cvag.org)

Recommendation: Appoint Slovak, Baron, Empey, Murphy & Pinkney LLP as CVAG General Counsel and authorize the Administrative/ Personnel Committee to work with the Executive Director to secure legal services long term

Background: In September 2017, after a competitive procurement process, the Executive Committee appointed Michael Jenkins as General Counsel for CVAG. At the time, Mr. Jenkins was with Jenkins & Hogin, LLP. The firm merged with Best, Best, & Krieger LLP and, in April 2018, the Executive Committee authorized a contract amendment to consent to the assignment of the agreement and keep Mr. Jenkins serving in the capacity of General Counsel. In 2024, after Mr. Jenkins informed CVAG staff of his intent to retire in the near future, CVAG appointed Nicholas Norvell, partner with Best, Best, & Krieger LLP, as its General Counsel.

Best, Best, & Krieger is a large firm that counts a number of CVAG's member jurisdictions and partner agencies as its clients. While this has generally not been a problem, CVAG staff has increasingly encountered conflicts for the firm that have further complicated more challenging issues, including negotiating the unexpected exit from the lease with the City of Palm Desert for its Parkview building.

In October 2025, the overlapping clients and potential clients led CVAG to retain special counsel to provide guidance in an issue related to a criminal matter in which the defendant had connections with CVAG. Slovak, Baron, Empey, Murphy & Pinkney (SBEMP) LLP is a desert-based firm with offices in Palm Springs and Indian Wells. The firm has expertise in public agency and municipal law practice that includes experience serving as general and special counsel to cities, special districts, and joint powers authorities statewide. Partners Phaedra Norton and John Pinkney have both worked closely with CVAG staff in recent months and are available to provide CVAG with general counsel services.

It has been almost 10 years since a competitive procurement was completed for legal services. CVAG's agreement with Best, Best, & Krieger allows for it to be canceled at any time. Staff is now recommending the Executive Director be authorized to contract with SBEMP for immediate general counsel services, and then empower the Administrative/ Personnel Committee to work with the Executive Director to determine next steps to secure legal services long term. This could include issuing a request for proposals for legal services and having the Administrative/ Personnel Committee serve as the interview panel. With the Administrative/ Personnel Committee's approval, staff would bring this item forward to the Executive Committee in June for their authorization, after which time staff will work with BBK and SBEMP to coordinate the hand off of client files and any ongoing legal matters.

This recommendation is focused on CVAG's general counsel needs. CVAG's sister agencies utilize other partners at BBK based on their expertise in areas of energy, community choice programs and habitat conservation. Those arrangements are handled under separate letters of engagement. CVAG also uses BBK for right of way matters and related environmental work. Staff would recommend continued use of BBK for those needs.

Fiscal Analysis: Legal costs are on a time and materials basis, and the budgeted costs for legal services remain unchanged.

At the time SBEMP was secured for special counsel services, CVAG staff also solicited a proposal for general counsel services. CVAG staff secured a blended attorney rate of \$295 per hour for general counsel services. This is far less than SBEMP's of counsel rates, which normally range from \$450-600 per hour, and comparable to the \$293 hourly rate that CVAG is paying for Best Best and Krieger. SBEMP's rates will automatically be increased by 3 percent at the start of the fiscal year.

ITEM 6F

**Coachella Valley Association of Governments
Administrative/ Personnel Committee
April 27, 2025**



STAFF REPORT

Subject: Compliance with Assembly Bill 2561

Contact: Erica Felci, Deputy Executive Director (efelci@cvag.org)

Recommendation: Information

Background: In 2024, the California Legislature passed, and the Governor signed, Assembly Bill 2561 to provide additional transparency related to government job recruitments and vacancies. Among other requirements, the bill mandates that public agencies such as CVAG present the status of vacancies, recruitment and retention efforts during a public hearing before the agency's governing body at least once per fiscal year. The bill was enacted into law and is codified at Government Code section 3502.3. The new law was effective January 1, 2025.

The following information will be presented to the Executive Committee on April 27, 2026 as part of the required public hearing. Staff is also providing this information to the Administrative/ Personnel Committee as an informational report.

CVAG has about 42 full-time equivalent positions ranging across its transportation, administration, finance, conservation and energy and sustainability departments. CVAG staff, through staffing agreements, also serve as the staff for the Coachella Valley Conservation Commission (CVCC), Desert Community Energy (DCE) and, as of this fiscal year, the Coachella Valley Power Agency. CVAG does not have any bargaining units or unions.

In recent years, CVAG staff has worked with the Administrative/Personnel Committee to address CVAG's staffing needs now and in the long term. This has culminated in an overhaul of CVAG's classifications, total compensation, salary structure and performance management system that was implemented in phases starting in 2023.

CVAG has a range of classifications, with many classifications having levels that are defined based on scope of responsibility, complexity of work, supervision received and exercised, authority for making decisions and taking action, type and level of required knowledge, skills, abilities, education, training, and experience. Based on the results of the most recent performance evaluations, the Fiscal Year 2026-27 Budget will include some new classifications and reclassifications into the organizational chart.

When this item was presented to the Executive Committee last year, staff noted that there would be a strong focus on staff training as part of the retention efforts.

In 2025, CVAG staff brought in Integral Advantage, an organizational leadership consulting firm led by former La Quinta Councilmember Robert Radi. As part of their work, Integral Advantage led a survey for all CVAG staff in order to get feedback on leadership and organizational structure.

The survey results were shared with the entire staff at a summer workshop, and also are attached to this report. The E2 assessment evaluates nine indicators of organizational performance grouped across three dimensions: leadership clarity, organizational environment, and organizational outcomes. The results are compared with a benchmark population comprising 593 individuals from multiple public and private-sector organizations in order to provide a reference point for interpreting CVAG's results relative to broader organizational patterns. As stated in the report (page 2): *"Across all nine indicators, CVAG scores above the benchmark population. This means that employees participating in the assessment perceive CVAG's leadership conditions, workplace environment, and organizational outcomes more positively than individuals in the benchmark population."*

CVAG's strong record of risk management, including how it pertains to staffing issues, has been recognized by the California Joint Powers Insurance Authority (JPIA), which honored CVAG with the 2025 Risk Management Award for Best Overall Performance – Liability Program. As a follow up, CVAG staff asked JPIA for an analysis of CVAG's employment related claims during my tenure, and compared it to other regional organizations as well as Coachella Valley city clients that don't have law enforcement. The analysis is also attached for members' information.

At the public hearing, staff will highlight the benefits that the new classification study and performance evaluation system have had in terms of recruitments and retention. Staff is not recommending any changes in the recruitment policies, procedures or practices at this time.

Fiscal Analysis: There is no additional cost to this update.

Personnel costs for Fiscal Year 2026-27 will be presented to the Finance Committee as well as the Executive Committee as part of the budget review. Management has also incorporated future training costs into the upcoming budget.

Attachments:

1. Integral Advantage's summary report of CVAG's organizational assessment
2. JPIA's Liability Program Loss Data, March 9, 2026



Integral Advantage - a California Corporation
79-405 HWY 111 Ste 9-318
La Quinta, CA 92253
Unique Entity ID: G865HW1174J8
CAGE/NCAGE: 8WZX1
D-U-N-S number: 033079168
IACET Accreditation Number: 5660446-2
<https://integraladvantage.com>

ORGANIZATIONAL PERFORMANCE CONTEXT

Coachella Valley Association of Governments (CVAG)

Interpretation of the Entrusted Empowerment® (E2) Assessment Results

MARCH 15, 2025

Cover Page (1) Report Pages (6)

Prepared & Submitted by
Dr. Robert Radi, Ph.D., MBA
RobertDRadi@gmail.com
Direct: 310.383.4315

ACCREDITATION



INTRODUCTION: BACKGROUND AND METHODOLOGY

This report interprets the quantitative results of the Entrusted Empowerment® (E2) Organizational Assessment conducted for the Coachella Valley Association of Governments (CVAG). The purpose of the report is to place the assessment results in context by examining how employees experience the organization's leadership clarity, workplace environment, and operational effectiveness.

The E2 assessment evaluates **nine indicators of organizational performance** grouped across three dimensions: leadership clarity, organizational environment, and organizational outcomes. These indicators examine whether employees understand the organization's strategic direction, experience fair and capable workplace systems, and perceive the organization as engaged, effective, and adaptable.

The assessment was administered to CVAG staff during the data collection period, from February 18 to March 3, 2025. A total of **31 participants** completed the survey. Participation was voluntary, and responses were collected anonymously to encourage candid feedback.

The results are compared with a benchmark population comprising **593 individuals** from multiple public and private-sector **organizations**. Benchmark comparisons provide a reference point for interpreting CVAG's results relative to broader organizational patterns.

It is important to note that the E2 assessment evaluates **organizational systems and workplace conditions**, not individual performance. Organizational diagnostics of this type are widely used because employee perceptions of clarity, fairness, and capability are strongly associated with engagement, coordination, and the ability of organizations to perform effectively over time.

The sections that follow summarize the assessment results and explain what the findings suggest about CVAG's organizational alignment, workplace environment, and performance outcomes.

SECTION 1. SUMMARY OF QUANTITATIVE RESULTS

The Entrusted Empowerment® (E2) assessment evaluates nine indicators that collectively describe the conditions under which organizations perform effectively. These indicators examine three aspects of organizational performance:

- clarity of leadership direction and operational alignment
- the internal workplace environment experienced by employees
- resulting organizational outcomes such as engagement, performance, and adaptability (such as changing conditions and innovation)

It is important to note that the purpose of this analysis is not to evaluate individual performance but to interpret how employees experience the organization’s internal clarity, workplace environment, and operational effectiveness. These psychometric perception-based indicators are widely used in organizational research because they are strongly associated with employee engagement, coordination, and organizations' ability to perform effectively over time.

The results for CVAG are summarized below.

Indicator	CVAG Score	Benchmark	Above Benchmark
Strategic Clarity	3.74	3.73	+0.01
Operational Clarity	4.08	3.76	+0.32
Execution Clarity	3.83	3.68	+0.15
Sustained Competency	4.09	3.76	+0.33
Contextual Fairness	3.82	3.50	+0.31
Autonomy	4.00	3.73	+0.27
Engagement	4.02	3.71	+0.31
Performance	4.09	3.81	+0.28
Adaptability	4.48	3.92	+0.57

Across all nine indicators, CVAG scores **above the benchmark population**.

This means that employees participating in the assessment perceive CVAG’s leadership conditions, workplace environment, and organizational outcomes more positively than individuals in the benchmark population.

SECTION 2. WHAT THE RESULTS MEAN AT A GLANCE

The nine indicators measured in the E2 assessment follow a simple organizational logic:

Leadership clarity → Healthy workplace environment → Strong organizational outcomes

CVAG scores above the benchmark across all three parts of this chain.

Clarity of Direction and Operations

CVAG scores above the benchmark in Strategic Clarity (3.74 vs. 3.73), Operational Clarity (4.08 vs. 3.76), and Execution Clarity (3.83 vs. 3.68).

These results indicate that employees generally understand the organization's direction, how strategic priorities translate into operational programs, and how responsibilities are carried out across the organization.

Healthy Workplace Environment

CVAG also exceeds the benchmark in Sustained Competency (4.09 vs. 3.76), Contextual Fairness (3.82 vs. 3.50), and Autonomy (4.00 vs. 3.73).

These indicators suggest that employees perceive the organization as capable, fair in its internal systems, and supportive of professional responsibility.

Strong Organizational Outcomes

Finally, CVAG scores above the benchmark in Engagement (4.02 vs. 3.71), Performance (4.09 vs. 3.81), and Adaptability (4.48 vs. 3.92).

These results indicate that employees generally feel engaged in their work, view the organization as performing effectively, and believe it is capable of adapting to evolving regional challenges.

Taken together, the results suggest a well-aligned organization where leadership clarity, operational systems, and workplace conditions reinforce one another.

SECTION 3. LEADERSHIP CONDITIONS WITHIN THE ORGANIZATION

The first group of indicators evaluates whether employees experience clarity in the organization's direction, operations, and execution.

Strategic Clarity

CVAG's score for Strategic Clarity is **3.74**, slightly higher than the benchmark score of **3.73**.

Strategic clarity reflects whether employees understand the organization's mission, priorities, and long-term direction. The result suggests that staff generally understand CVAG's purpose and how their work contributes to broader regional objectives.

Operational Clarity

CVAG's Operational Clarity score is **4.08**, compared with a benchmark score of **3.76**, representing a difference of **+0.32**.

This is one of the strongest advantages over the benchmark in the assessment. Operational clarity measures how effectively strategic priorities translate into operational programs and daily work processes. The result suggests that employees see a strong connection between CVAG's strategic objectives and the organization's operational activities.

Execution Clarity

CVAG's Execution Clarity score is **3.83**, compared with the benchmark score of **3.68**, representing a difference of **+0.15**.

Execution clarity reflects whether responsibilities, resources, and accountability structures are clearly defined. The result indicates that employees generally understand how work is organized and how responsibilities are carried out within the organization.

SECTION 4. ORGANIZATIONAL ENVIRONMENT

The second group of indicators reflects how employees experience the internal workplace environment.

Sustained Competency

CVAG's Sustained Competency score is **4.09**, compared with the benchmark score of **3.76**, representing a difference of **+0.33**.

This indicator reflects the organization's ability to maintain a capable workforce capable of responding effectively to complex challenges. The results suggest that employees perceive CVAG as having strong professional expertise and problem-solving capacity.

Contextual Fairness

CVAG's score for Contextual Fairness is **3.82**, compared with the benchmark score of **3.50**, representing a difference of **+0.31**.

Contextual fairness reflects whether decisions regarding roles, expectations, and resource allocation are perceived as reasonable and aligned with organizational priorities. The results suggest that employees generally perceive the organization's internal systems as fair and rational.

Autonomy

CVAG's Autonomy score is **4.00**, compared with the benchmark score of **3.73**, representing a difference of **+0.27**.

Autonomy reflects whether employees feel trusted to carry out their responsibilities while remaining aligned with organizational processes. The result suggests that staff experience a balance between accountability and professional independence.

SECTION 5. ORGANIZATIONAL OUTCOMES

The final group of indicators reflects outcomes that tend to emerge when leadership clarity and workplace conditions function effectively.

Engagement

CVAG's Engagement score is **4.02**, compared with the benchmark score of **3.71**, representing a difference of **+0.31**.

Employee engagement reflects the level of commitment individuals feel toward their work and the organization's mission. The result indicates that employees generally feel invested in the organization's work and motivated to contribute to its success.

Performance

CVAG's Performance score is **4.09**, compared with the benchmark score of **3.81**, representing a difference of **+0.28**.

This indicator reflects whether the organizational system enables employees to produce high-quality results and deliver effective outcomes.

Adaptability

CVAG's Adaptability score is **4.48**, compared with the benchmark score of **3.92**, representing the largest difference in the assessment at **+0.57**.

Adaptability reflects the organization's capacity to respond effectively to changing conditions and emerging challenges. The strong advantage in this area suggests that employees perceive CVAG as highly capable of adapting to the complex, evolving regional environment in which it operates.

SECTION 6. ORGANIZATIONAL RESILIENCE AND ADAPTABILITY

Among all indicators measured in the assessment, Adaptability shows the largest positive difference relative to the benchmark. CVAG's score of **4.48** compared with the benchmark score of **3.92** suggests that employees perceive the organization as particularly capable of responding to change and navigating complexity.

For a regional organization operating in a dynamic environment spanning multiple jurisdictions, evolving policy priorities, and shifting funding opportunities, adaptability is an important organizational capability.

SECTION 7. ORGANIZATIONAL ALIGNMENT

Another notable aspect of the results is the **consistency across all nine indicators**.

CVAG exceeds the benchmark not only in organizational outcomes such as Engagement (4.02 vs. 3.71), Performance (4.09 vs. 3.81), and Adaptability (4.48 vs. 3.92), but also in the conditions that typically produce those outcomes, including Operational Clarity (4.08 vs. 3.76), Sustained Competency (4.09 vs. 3.76), and Contextual Fairness (3.82 vs. 3.50).

This consistency suggests that the organization's leadership clarity, operational systems, and workplace environment function in alignment rather than producing isolated strengths or weaknesses.

SECTION 8. OVERALL INTERPRETATION

Collectively, the assessment results indicate that CVAG demonstrates strong organizational alignment relative to the benchmark population.

Across all nine indicators of organizational effectiveness, CVAG **scores above benchmark levels**. Employees participating in the assessment report a clear understanding of the organization's direction, strong alignment between strategy and operations, a capable and fair workplace environment, and positive organizational outcomes, including engagement, performance, and adaptability.

For an organization such as CVAG—whose work requires coordinating programs, policies, and priorities across multiple jurisdictions, these conditions are particularly important. Regional collaboration depends not only on strategic vision but also on operational coordination, internal capability, and the ability to respond effectively to evolving regional needs.

The assessment results suggest that CVAG possesses these foundational organizational conditions. Employees participating in the assessment perceive the organization as clear in its direction, aligned in its operations, and capable of adapting to the complex and dynamic environment in which it operates.



LIABILITY PROGRAM LOSS DATA

Cvsg | March 9, 2026

Benchmarking

Member: CVAG

Losses Valued as of 9/30/2025

Employment Practices Liability Total Frequency (# of Claims)						
Coverage Years	CVAG	SCAG	Indian Wells	La Quinta	Desert Rec	Palm Desert
2009-10 to 2024-25	1	3	3	2	6	7

Employment Practices Liability Frequency per \$1M Payroll						
(Total Frequency / Payroll) x 1M						
Coverage Years	CVAG	SCAG	Indian Wells	La Quinta	Desert Rec	Palm Desert
2009-10 to 2024-25	0.04	0.01	0.05	0.02	0.08	0.04

Employment Practices Liability Total Severity (Cost of Claims)						
Coverage Years	CVAG	SCAG	Indian Wells	La Quinta	Desert Rec	Palm Desert
2009-10 to 2024-25	\$11,909	\$637,289	\$614,434	\$255,652	\$414,744	\$626,232

Employment Practices Liability Loss Rate per \$100 of Payroll						
(Total Cost of Claims / Payroll) x 100						
Coverage Years	CVAG	SCAG	Indian Wells	La Quinta	Desert Rec	Palm Desert
2009-10 to 2024-25	\$0.04	\$0.27	\$1.07	\$0.23	\$0.54	\$0.32

Payroll						
Coverage Year	CVAG	SCAG	Indian Wells	La Quinta	Desert Rec	Palm Desert
2024-25	\$2,565,023	\$23,761,907	\$3,930,272	\$7,791,659	\$6,923,882	\$12,445,116
2023-24	\$2,087,412	\$20,749,062	\$3,698,616	\$7,134,030	\$5,423,146	\$10,757,449
2022-23	\$1,927,148	\$17,474,219	\$3,674,168	\$7,554,492	\$4,279,148	\$11,106,175
2021-22	\$1,806,882	\$15,633,410	\$3,491,176	\$7,703,660	\$5,481,553	\$10,990,430
2020-21	\$1,764,563	\$15,230,686	\$3,572,645	\$6,815,452	\$5,060,712	\$12,225,429
2019-20	\$1,809,294	\$15,686,571	\$3,484,707	\$6,786,170	\$4,982,312	\$11,869,349
2018-19	\$1,662,109	\$15,257,241	\$3,367,561	\$6,430,748	\$4,770,206	\$11,736,840
2017-18	\$1,598,182	\$14,670,424	\$3,336,137	\$6,183,412	\$4,150,869	\$11,285,423
2016-17	\$1,505,164	\$13,354,114	\$3,167,457	\$5,782,587	\$4,208,258	\$11,851,305
2015-16	\$1,432,930	\$12,710,009	\$2,880,152	\$6,417,957	\$3,954,433	\$11,905,711
2014-15	\$1,363,682	\$11,918,370	\$3,030,300	\$7,220,884	\$3,885,215	\$12,072,702
2013-14	\$1,372,414	\$11,698,803	\$4,216,978	\$6,212,865	\$4,873,648	\$12,141,078
2012-13	\$1,552,626	\$10,684,109	\$4,163,856	\$8,155,693	\$4,735,685	\$13,014,096
2011-12	\$1,561,794	\$10,502,000	\$3,832,669	\$7,785,184	\$4,735,685	\$14,921,364
2010-11	\$1,462,712	\$11,315,034	\$3,878,123	\$7,490,587	\$4,735,685	\$14,769,870
2009-10	\$1,462,712	\$11,315,034	\$3,878,123	\$7,490,587	\$4,735,685	\$14,769,870
Total	\$26,934,648	\$231,960,993	\$57,602,941	\$112,955,968	\$76,936,122	\$197,862,207

Note: Grey highlight indicates assumed payroll due to lack of available data.

ITEM 7A

**Coachella Valley Association of Governments
Administrative/ Personnel Committee**

April 27, 2026



STAFF REPORT

Subject: CalPERS Unfunded Accrued Liability

Contact: Claude T. Kilgore, Director of Finance (ckilgore@cvag.org)

Recommendation: Information

Background: The CalPERS Unfunded Accrued Liability (UAL) represents a significant burden for most California agencies. While CVAG is not immune to such strain, it fairs better than most. For context, the average funded status of miscellaneous plans at other public agencies in California at June 30, 2024 was 75.5% while CVAG's funded ratio was 85.6%. Part of the reason that CVAG is in a more favorable position than other agencies is because it has been making an Additional Discretionary Payments (ADP) each year since the 2019 recommendations of the Finance Committee (formerly the Audit Committee) with the concurrence of the Administrative/Personnel Committee. The payments have placed CVAG on a trajectory to paydown the entire UAL sooner than would be previously possible by simply making the minimum required annual payment.

Each year, CalPERS releases an annual valuation report for each Plan of an agency. These reports are on a roughly two-year lag (currently June 30, 2024 reports are available), and the UAL is subject to increase or decrease each year due to CalPERS' investment results, assumption changes, and payroll projections, among other items. CVAG maintains a Miscellaneous (Classic) plan, as well as a Miscellaneous California Public Employees' Pension Reform Act (PEPRA) plan for employees who are newer to the statewide retirement system. Beginning for the first time this year (with actuarial reports for June 30, 2024), CalPERS only issued one Miscellaneous plan report consolidated for both Classic and PEPRA. CalPERS implemented this consolidation to simplify reporting and improve administrative efficiency

Based on the Committees' direction, a paydown approach for the Miscellaneous (Classic) plan was developed beginning in Fiscal Year 2019-2020 that included a one-time \$1,000,000 payment in the first year and then full Minimum UAL Payments each fiscal year with an annual ADP to bring the total UAL payment to around \$200,000 annually. When this paydown was established, this formula would have allowed paying off CVAG's UAL over an approximate 10-year period. Payments were made under this schedule for fiscal years 2020-2021, 2021-2022, and 2022-2023.

However, subsequent investment results at CalPERS and other factors shifted UAL valuation input assumptions. As a result, in fiscal years 2023-2024 and 2024-2025, CVAG's Committees directed an increased total payment amount of \$250,000 plus minimum PEPRA and directed staff to reconsider the amount on an ongoing basis as part of the budgetary process. For the current fiscal year (2025-2026), the amount was reviewed and increased to a total paydown amount of \$300,000 in addition to the PEPRA minimum.

The minimum UAL payment for FY 2026-2027 is \$228,335, covering both PEPRA and Classic under CalPERS' new consolidated miscellaneous plan report which indicates a \$2,182,890 UAL

at June 30, 2024. This year, CVAG staff noted that even though the minimum required payment increased from the prior year, the overall UAL decreased, largely due to recent ADPs and because of a CalPERS investment return greater than the assumed discount rate at June 30, 2024. Beyond the excess return for 2024, CalPERS reported an investment return of 12.1% for June 30, 2025, which is 5.3% higher than the assumed rate of 6.8%; however, this gain has not yet been reflected in the actuarial valuation report. By multiplying the 5.3% excess return by the market value of CVAG's plan assets – which are approximately \$13 million – a projected \$689,000 reduction in UAL will ultimately lower CVAG's overall obligation and will be gradually incorporated into the minimum required annual payments over time rather than being recognized all at once.

CVAG staff provided this information to the Finance Committee when it met in March 2026. The Committee supported staff's recommendation to include a CalPERS Unfunded Accrued Liability payment of \$332,880 for the Miscellaneous combined risk pool, inclusive of an Additional Discretionary Payment of \$104,545, in the Fiscal Year 2026-27 Budget. Maintaining the current paydown strategy will serve continued prudent management of CVAG's UAL and shorten the overall pay-off timeline while supporting long-term fiscal stability. With current staffing levels and programmatic needs, it will also not overburden projects or programs.

Fiscal Analysis: CVAG's Unfunded Accrued Liability at June 30, 2024 is \$2,182,890, not including the ADP of \$108,703 made in July 2025. The required employer contribution set by CalPERS for Fiscal Year 2026-27 is \$228,335 for the Miscellaneous risk pool, CVAG's only risk pool encompassing both Classic and PEPRA plans. Pending the Finance Committee's approval of staff recommendation, an additional cost of \$104,545 will be built in the 2026-27 budget, for total payment of \$332,880. This would represent one of only seven remaining ADPs currently demonstrated as necessary to payoff the total UAL to \$0 in fiscal year 2032-33.

CVAG staff would note that it recently worked with its CalPERS actuary, Kurt Schnieder, to evaluate various paydown options and the resulting impact on the timeline to payoff CVAG's UAL. By maintaining the current strategy in Fiscal Year 2026-27 and subsequent years, the timeline to reduce the UAL to \$0 would be shortened by 10 years and CVAG's Miscellaneous Plan would be reach a fully funded status in 2032-33. Conversely, if CVAG made no ADPs and only paid the CalPERS minimum contribution amount each year, the Plan would be fully funded in Fiscal Year 2042-43.