

**SUBMITTAL TO THE BOARD OF SUPERVISORS
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA**

498



FROM: Executive Office

SUBMITTAL DATE:
July 26, 2010

SUBJECT: AB 2766 Memorandum of Understanding Between the County of Riverside and the Coachella Valley Association of Governments (CVAG) for Funding the Regional PM10 Street Sweeping Program in the Coachella Valley

RECOMMENDED MOTION: That the Board of Supervisors:

1. Approve the amended AB 2766 Memorandum of Understanding (MOU) for funding the regional PM10 street sweeping program between CVAG and member jurisdictions, decreasing the contribution formula from the cities and the county from 100% to 60%, for up to one year or upon receiving a commitment of matching funds at which time the commitment will be re-calculated or reconsidered.
2. Authorize the Chairman of the Board of Supervisors to sign the amended MOU between the County of Riverside and CVAG.

(Continued on Page 2)

Michael R. Shetler

Michael R. Shetler, Senior Management Analyst

FINANCIAL DATA	Current F.Y. Total Cost:	\$ 43,857	In Current Year Budget:	Yes
	Current F.Y. Net County Cost:	\$ 0	Budget Adjustment:	N/A
	Annual Net County Cost:	\$ 0	For Fiscal Year:	2011/2012

SOURCE OF FUNDS: AB 2766 Funds	Positions To Be Deleted Per A-30	<input type="checkbox"/>
	Requires 4/5 Vote	<input type="checkbox"/>

C.E.O. RECOMMENDATION: APPROVE

BY: *Christopher M. Hans*

County Executive Office Signature Christopher M. Hans

Policy Policy

Consent Consent

Dep't Recomm.:
Per Exec. Ofc.:

Prev. Agn. Ref.:

District: 4&5
ATTACHMENTS FILED WITH THE CLERK OF THE BOARD

Agenda Number:

3.8

Departmental Concurrence

**SUBMITTAL TO THE BOARD OF SUPERVISORS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA
AB 2766 MOU FOR FUNDING THE REGIONAL PM10 STREET SWEEPING PROGRAM IN THE
COACHELLA VALLEY**

June 9, 2010

Page 2

BACKGROUND: On June 27, 2011, the CVAG Executive Committee approved a recommendation to decrease the pass through formula of AB 2766 funds from 100% to 60%, or provide an in-lieu contribution from other sources in a like amount in order to obtain matching funds from the South Coast Air Quality Management District (AQMD), Mobile Source Air Pollution Reduction Review Committee (MSRC). The amended MOU will allow CVAG to continue the contract at a reduced cost for CVAG members with a vendor to provide continued regional PM10 street sweeping services twice per month in the Coachella Valley. The County's contribution will be decreased using an alternate population adjustment formula:

Existing Population Adjustment Formula

$A/B \times C \times 1.00 = D$

A=Population of unincorporated Coachella Valley = 64,071 (2010)

B=Population of unincorporated Riverside County = 468,016 (2010)

C=Revenues (AB2766 Funds) Riverside County = \$534,000 (County Estimate for 2010)

D=Revenues (AB2766) Coachella Valley = **\$73,095**

Proposed Alternate Population Adjustment Formula

$A/B \times C \times 0.60 = D$

A=Population of unincorporated Coachella Valley = 64,071 (Estimated 2011)

B=Population of unincorporated Riverside County = 468,016 (Estimated 2011)

C=Revenues (AB2766 Funds) Riverside County = \$534,000 (County Estimate for 2011)

D=Revenues (AB2766) Coachella Valley = **\$43,857**

Attachments:

CVAG Executive Committee June 27, 2011, Agenda Item 7E

Amended fee schedule AB 2766 MOU for Regional PM10 Street Sweeping in the Coachella Valley



EXECUTIVE COMMITTEE AGENDA

**Monday, June 27, 2011
5:15 p.m.**

**MISSION LAKES COUNTRY CLUB
8484 CLUBHOUSE BLVD.
DESERT HOT SPRINGS, CA 92240
CVAG #(760) 346-1127**

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

1. **CALL TO ORDER** (Vice Chairman John Benoit, Supervisor, County of Riverside)

2. **ROLL CALL**

A. **Member Roster**

3. **PLEDGE OF ALLEGIANCE**

4. **PUBLIC COMMENTS**

This is the time and place for any person wishing to address the Executive Committee to do so.

5. **EXECUTIVE COMMITTEE/DIRECTOR COMMENTS**

6. CONSENT CALENDAR

- A. Approve the June 6, 2011 Executive Committee Minutes**
- B. Approve Resolution Authorizing the Submission of a Regional Application for the Used Oil Recycling Payment Program for FY 2011/2012**
- C. Approve Contract Extension with HF&H Consultants, LLC for the Used Oil Recycling Program to September 30, 2011 at No Additional Cost**
- D. Authorize Executive Director to Sign a Request for No-Cost Amendment to the Existing Local Assistance Grant (LAG)**
- E. Lower base TUMF rate for Convenience Market but charge separately for all Dispensing Units (gas pumps), and; Request all Participating TUMF Jurisdictions Take Legislative Action to Amend their Fee Schedules by November 1, 2011**
- F. Approve Contract Amendment with Michael Shepherd to Continue Homeless Services Assistance; Authorize Executive Director to Execute the Agreement**
- G. Approve Amendment with Jewish Family Services of San Diego dba Desert SOS for Operations of Roy's Desert Resource Center for Fiscal Year 2011/2012**
- H. Approve Amendment Between CVAG and the County's Community Health Agency Extending the Term of Service Agreement for Nursing Services at Roy's DRC Contingent Upon Desert Healthcare District Approval of Grant Application; and Execute Agreement Between CVAG and the Desert Healthcare District for Grant Funds**
- I. Decline Delegation of Regional Housing Needs Assessment (RHNA) Process**
- J. Authorize Staff to Submit Regional Application for funding to the U.S. Department of Energy for SunShot Initiative; Authorize Chair or Executive Director to Sign Necessary Documents; and take all actions necessary to submit an application**
- K. Receive and File**
 - 1) Status of Five I-10 Interchange Projects**
 - 2) CVAG Regional Arterial Program – Project Status Report**
 - 3) Executive Committee and Technical Advisory Committee Attendance Roster**

7. **DISCUSSION/ACTION**

A. **2011 Nomination Committee Recommendation – Tom Kirk**

Recommendation: General Assembly elect Supervisor John Benoit as the 2011/2012 CVAG Chair and Mayor Joseph De Coninck the 2011/2012 Vice Chair.

B. **CVAG Meeting Schedule – Tom Kirk**

Recommendation: Approve a seven meeting per year schedule for CVAG Committees.

TAC Recommendation: Concurs with the seven meeting/yr schedule AND recommends that the Executive Committee consider meeting earlier (e.g. 4:30 pm rather than 6:00 pm).

C. **Resolution No. 11-007 adopting CVAG's 2011/2012 Fiscal Year Annual Budget, Salary Schedule, and Allocated Positions – Gary Leong**

Recommendation: Approve Resolution No. 11-007 adopting CVAG's 2011/2012 Fiscal Year Annual Budget, Salary Schedule, and Allocated Positions.

D. **Regional PM-10 Street Sweeping Agreement – Aurora Wilson**

Recommendation: Approve the Regional PM-10 Street Sweeping Agreement with CleanStreet for a 36 month term at a unit price rate of \$21.75 per curb mile with total payments during the first 12 months not to exceed \$474,788.15.

E. **AB2766 MOU Amendment One With Members for Fiscal Year 2011-12 and AB2766 MOU with City of Indio – Aurora Wilson**

Recommendation: Approve Amendment One to the AB2766 Memorandum Of Understanding (MOU) between CVAG and the Member Jurisdictions decreasing the contributions from the cities from 100% to 60% (with an equivalent change for the County); and, approve the MOU with the City of Indio for re-entry into the Regional Program.

F. **Agreement with Rancho Mirage to Provide Funds to Supplement Federal Grant Funds for the Frank Sinatra Drive Bridge Project – Allyn Waggle**

Recommendation:

- 1) Approve Regional Funds in the amount Not-to-Exceed \$3,035,822, as 75% of the Local Share of costs, to supplement Federal Grant Funds for the Frank Sinatra Drive Bridge Project;
- 2) Establish the "Time Trigger" as described herein to require the City of Rancho to provide assurances, acceptable to CVAG, by July 1, 2013, that the Federal Grant Funds identified for the Frank Sinatra Drive Bridge Project are actually available; and

- 3) Authorize that CVAG may decline, or delay, to provide Regional Funds for the Frank Sinatra Drive Bridge Project should it be determined that such action is necessary to maintain a minimum balance of Regional Funds.

8. ANNOUNCEMENTS

Upcoming Meetings:

Executive Committee – To Be Announced.

General Assembly – Monday, June 27, 2011, 6:00 p.m. at the Mission Lakes Country Club, Desert Hot Springs

ITEM 7E

Coachella Valley Association of Governments
Executive Committee
June 27, 2011



Staff Report

Subject: AB2766 MOU Amendment One With Members for Fiscal Year 2011-12 and AB2766 MOU with City of Indio

Contact: Aurora Wilson, Director, Community Resources (awilson@cvaq.org)

Recommendation: Approve Amendment One to the AB2766 Memorandum Of Understanding (MOU) between CVAG and the Member Jurisdictions decreasing the contributions from the cities from 100% to 60% (with an equivalent change for the County); and, approve the MOU with the City of Indio for re-entry into the Regional Program.

Energy and Environmental Resources Committee: Concurs (6/9/11).

Technical Advisory Committee: Concurs (6/13/11).

Background: Last June 2010, the Executive Committee took action, as recommended by the Energy and Environmental Resources Committee which included:

- 1) An increase in the contributions from the cities from 45% to 100% for up to one year or upon receiving a commitment of matching funds at which time the commitment would be re-calculated and reconsidered
- 2) Approval of the AB2766 MOU between CVAG and the City of Indio enabling the City to extricate from the Regional PM-10 Street Sweeping Program.

During this past year, staff has worked with the Mobile Source Air Pollution Reduction Review Committee (MSRC) of the South Coast Air Quality Management District (AQMD) to develop a funding stream for the Regional PM-10 Street Sweeping Program. The MSRC's Local Government Match Program (LGMP) created a new category to support the Coachella Valley's Regional PM10 Street Sweeping Program. The category established a targeted funding level of \$250,000 to be awarded on a dollar for dollar basis. The application was released this past March. CVAG submitted its application at the earliest submittal date of April 5th. The application has since moved forward with funding recommendations through the MSRC's Technical Advisory Committee and most recently, its formal MSRC on May 19th. The recommendation will be considered by the AQMD Governing Board on Friday, June 3rd. CVAG anticipates approval of this item.

As stated, the MSRC LGMP funds require a dollar for dollar match from the contributions of regional AB2766 collected from the members.

In addition, staff worked with the County Executive Office relative to Colmac Funds resulting in a formal request to modify the use of Colmac Funds in support of the Regional PM10 Street Sweeping Program. In July, 2010 the Board of Supervisors took action wherein CVAG will receive a contribution of \$150,000 from Colmac Grant Funds on an annual basis for five years.

Finally, on May 25th, the City of Indio formally notified CVAG of its desire to re-enter the Regional Program (See attachment). Their portion of the regional arterials have been added back into the Regional Program as well as their AB2766 revenues. Given these factors and funding sources, staff offers an MOU for **sixty percent (60%) of AB2766 funds** from member jurisdictions for fiscal year 2011-12. The percentage decrease is due to the following factors:

- Established funding streams for regional street sweeping activities;
- A Regional Program with reduced sweeping schedule of 26 weeks;
- A lower street sweeping curb mile rate of \$21.75
- A Program which uses equipment owned by the Contractor;
- Re-entry of City of Indio into the Regional Program

Attached is the letter from the City of Indio. Also attached is the worksheet, "Determination of Jurisdiction Percentage for FY 11-12" which shows external funding and expenditures for the fiscal year AB2766 Program. Please note in the Expenditures the category of Post-event/Supplemental Sweeping. This will provide for funds for post event sweeping requested by the members as well as the potential for additional days of regional street sweeping. CVAG will work with the Regional Program operator with regards to the most optimal use of these funds.

Also included is the Accounting Table which shows the total disbursement of AB2766 Funds by the AQMD and then the amounts 60% and 100%.

The last two documents are the Amendment One to the AB 2766 MOU which has been revised to reflect the new percentage and the AB2766 MOU for the City of Indio. This item formally documents the City's request to re-enter the Regional Program with a 60% contribution.

CVAG expresses its gratitude to the members for supporting the Regional PM10 Street Sweeping and regional air quality activities by 100% of its contributions and for its confidence and patience with staff to explore and develop funding streams. We also recognize and thank the MSRC staff and the County Executive Office for their hard work, cooperation and assistance.

Fiscal Analysis: The development of two funding streams (MSRC LGMP) and Colmac decreases the percentage of AB2766 funds from the jurisdictions from 100% to 60% for fiscal year 2011-12.

Contract Finalization: Minor changes/revisions may be made for clarification purposes by CVAG Executive Director and Legal Counsel prior to execution.

:attachments:

- 1 – Letter from City of Indio
- 2 – Determination of Jurisdiction Percentages for FY 11-12
- 3 – AB2766 Accounting Table
- 4 – Amendment One to AB2766 Memorandum of Understanding
- 5 – AB2766 Memorandum of Understanding for the City of Indio (w/Exhibits)

**COACHELLA VALLEY ASSOCIATION OF GOVERNMENTS
 AB2766 PROGRAM
 DETERMINATION OF JURISDICTIONS PERCENTAGE FOR FY 2011/12**

Balance Carryover (Estimated) 24,122

EXTERNAL FUNDING

MSRC LGMP	250,000	
COLMAC	150,000	
TOTAL EXTERNAL FUNDING	<u>400,000</u>	

EXPENDITURES

Base Operations	474,788	
Post-event / Supplemental Sweeping	84,426	
Equipment Insurance	15,000	
CVAG Expenses & Consultants	75,786	
TOTAL EXPENDITURES	<u>650,000</u>	

Unfunded Balance	(250,000)	
Reserve (Cash Flow)	<u>(75,000)</u>	
TOTAL UNFUNDED		<u>(325,000)</u>

AMOUNT NEEDED FROM AB2766		<u><u>(300,878)</u></u>
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FY10/11 AB2766 collected (estimate)	398,568	
FY10/11 AB2766 - Indio (estimate)	95,733	
TOTAL FY10/11 AB2766 - 100% (estimate)		<u><u>494,301</u></u>

% for current amount (275,875 / 494,301)		<u><u>60.87%</u></u>
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COACHELLA VALLEY ASSOCIATION OF GOVERNMENTS

PM10 AIR QUALITY PROGRAM

AB 2766 Funds Received from Member Jurisdictions

Vehicle Registration Revenue

Fiscal Year 7/1/11 - 6/30/12

ACCOUNTING TABLE

**Proposed CVAG Executive Committee Action on June 27, 2011
Regional PM10 Street Sweeping Program**

Jurisdictions	100% AQMD Proj. Disbursement 2011/2012	60%	100%
Cathedral City	\$60,455.45	\$36,273.27	\$60,455.45
Coachella	\$48,728.41	\$29,237.05	\$48,728.41
Desert Hot Springs	\$30,674.51	\$18,404.71	\$30,674.51
Indian Wells	\$5,885.27	\$3,531.16	\$5,885.27
Indio	\$95,732.67	\$57,439.60	\$95,732.67
La Quinta	\$50,822.09	\$30,493.25	\$50,822.09
Palm Desert	\$59,569.92	\$35,741.95	\$59,569.92
Palm Springs	\$54,962.60	\$32,977.56	\$54,962.60
Rancho Mirage	\$19,458.87	\$11,675.32	\$19,458.87
River. Co. Unincorp.*	\$73,095.33	\$43,857.20	\$73,095.33
TOTALS	\$499,385.12	\$299,631.07	\$499,385.12

*Population Adjustment Formula For Riverside County: $A/B \times 60\% \times C = D$
A = Population Coachella Valley Unincorporated = (County Projected for 2011)
B = Population Riverside County Unincorporated = (County Projected for 2011)
C = Revenues (AB2766) Riverside County = \$ (County Estimated for 2011)
D = Revenues (AB2766) Coachella Valley = \$ (County Estimated for 2011)

CVAG

COACHELLA VALLEY ASSOCIATION of GOVERNMENTS

Blythe • Cathedral City • Coachella • Desert Hot Springs • Indian Wells • Indio • La Quinta • Palm Desert • Palm Springs • Rancho Mirage
County of Riverside • Agua Caliente Band of Cahuilla Indians • Cabazon Band of Mission Indians • Torres Martinez Desert Cahuilla Indians

July 12, 2011

Mike Shetler
Senior Management Analyst
County of Riverside, Executive Office
4080 Lemon Street, 4th Floor
Riverside, CA. 92501-3651

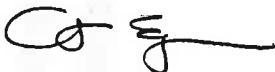
Dear Mr. Shetler:

Enclosed please find two originals of Amendment One to AB2766 Memorandum of Understanding (MOU) between the Coachella Valley Association of Governments (CVAG) and the cities of Cathedral City, Coachella, Desert Hot Springs, Indian Wells, La Quinta, Palm Desert, Palm Springs, Rancho Mirage, and the County of Riverside for the purpose of operations and administration of the Regional PM10 Street Sweeping Program. This MOU was approved by the Executive Committee on June 27, 2011.

Please sign the MOU's, *return one original to CVAG* and retain one original for your records. Should you have any questions regarding this MOU please call (760) 346-1127.

Sincerely,

COACHELLA VALLEY
ASSOCIATION OF GOVERNMENTS



Aaron Espinosa
Accounting Assistant

cc: Aurora Wilson, Dir. Community Resources

**AMENDMENT ONE
TO
AB2766 MEMORANDUM OF UNDERSTANDING (MOU)
BETWEEN
COACHELLA VALLEY ASSOCIATION OF GOVERNMENTS
AND
CVAG MEMBER JURISDICTIONS (EXCEPT INDIO)**

JULY 1, 2011

The AB2766 Memorandum of Understanding (MOU) is made and entered into by and between the Coachella Valley Association of Governments (CVAG) and the CVAG member jurisdictions with the exception of the City of Indio. The parties acknowledge that this Amendment shall be for the period starting July 1, 2011 and shall bind the parties hereunder for the entire term of the amendment, through June 30, 2012

The AB2766 MOU is hereby amended through this Amendment One as follows:

- 1) At their June 27, 2011 meeting, the Executive Committee approved a modification of CVAG's AB2766 formula from 100% to 60% to provide sustainable funding of the Regional PM10 Street Sweeping Program and related activities starting July 1, 2011 through June 30, 2012;
- 2) All other terms and conditions shall remain the same.

EXHIBIT B: Decrease in current formula to jurisdictions

COACHELLA VALLEY ASSOCIATION OF GOVERNMENTS

By: 
Title: Yvonne Parks, CVAG Chair

Date: 7/16/11

CITY (COUNTY) OF RIVERSIDE

By: _____

Title: _____

Date: _____

**AMENDMENT ONE
TO
AB2766 MEMORANDUM OF UNDERSTANDING (MOU)
BETWEEN
COACHELLA VALLEY ASSOCIATION OF GOVERNMENTS
AND
CVAG MEMBER JURISDICTIONS (EXCEPT INDIO)**

JULY 1, 2011

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- 2) All other terms and conditions shall remain the same.

EXHIBIT B: Decrease in current formula to jurisdictions

COACHELLA VALLEY ASSOCIATION OF GOVERNMENTS

By: 
Title: Yvonne Parks, CVAG Chair

Date: 7/6/11

CITY (COUNTY) OF RIVERSIDE

By: _____

Title: _____

Date: _____