

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

124



FROM: TLMA - Transportation Department

SUBMITTAL DATE:
October 25, 2012

SUBJECT: Amendment Number 3 to the Reimbursement Agreement between the Coachella Valley Association of Governments, the City of Cathedral City and the County of Riverside for the Date Palm Drive at Interstate 10 Interchange Project.

RECOMMENDED MOTION: That the Board of Supervisors:

1. Approve Amendment Number 3 to the Reimbursement Agreement between the Coachella Valley Association of Governments, the City of Cathedral City and the County of Riverside for the Date Palm Drive at Interstate 10 Interchange Project and;
2. Authorize the Chairman to execute the same.

Juan C. Perez
Director of Transportation and Land Management

CSS:css
(Continued On Attached Page)

FINANCIAL DATA	Current F.Y. Total Cost:	\$ 0	In Current Year Budget:	Yes
	Current F.Y. Net County Cost:	\$ 0	Budget Adjustment:	No
	Annual Net County Cost:	\$ 0	For Fiscal Year:	2012/2013

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

C.E.O. RECOMMENDATION:

APPROVE

BY
Tina Grande

County Executive Office Signature

FORM APPROVED COUNTY COUNSEL
BY:
MARSHAL VICTOR
DATE: 12/13/12

Departmental Concurrence

Dept't Recomm.: Policy Consent
Per Exec. Ofc.: Policy Consent

Prev. Agn. Ref. 2/15/12, 3.20 | District: 4/4 | Agenda Number:
7/13/10, 3.87

ATTACHMENTS FILED
WITH THE CLERK OF THE BOARD

3-35

The Honorable Board of Supervisors

RE: Amendment Number 3 to the Reimbursement Agreement between the Coachella Valley Association of Governments, the City of Cathedral City and the County of Riverside for the Date Palm Drive at Interstate 10 Interchange Project.

December 18, 2012

Page 2 of 2

BACKGROUND: The Transportation Department is the lead agency for proposed improvements to the Date Palm at Interstate 10 Interchange Project. The improvements will increase capacity and improve the daily operation for current and future traffic utilizing the interchange. The improvements to the Date Palm Drive Interchange consist of the widening of the existing bridge over Interstate 10, reconstruction and widening of Date Palm Drive, and the construction of a partial cloverleaf interchange with loop on-ramps. On February 15, 2011, the Board of Supervisors accepted the low bid of Sema Construction, Inc and the improvements are currently under construction.

The Board of Supervisors approved and executed a Cooperative Funding Agreement between the County of Riverside, City of Cathedral City and the Coachella Valley Association of Governments (CVAG) on May 17, 1999 that provided \$1,702,000 in funding to perform the environmental and engineering services for the proposed improvements to the Date Palm Drive at Interstate 10 Interchange. On September 25, 2001 the Board approved Amendment Number One that provided an additional \$1,300,000 for the purpose of designing and construction a new overhead crossing structure above the Union Pacific Railroad. On July 13, 2010, the Board approved Amendment Number Two that authorized an additional \$14,179,000 funding towards the project for a total CVAG funding obligation of \$17,181,000.

This Amendment Number 3 modifies and changes the proportionate local shares of costs for the responsible jurisdictions based on a report conducted by CVAG and prepared by Urban Crossroads. The County's contribution share decreases from 14.98% to 10.5% as a result of the changes implemented by this Amendment.

The Interchange is currently under construction and expected to be complete in early 2013. The County was able to obtain nearly \$20 million in Federal funding for this project, reducing the CVAG funding need to approximately \$8 million. CVAG will fund 75% of the obligation with 25% being shared by the local agencies. Using the revised share percentage and the reduced CVAG funding need, the resulting County funding obligation is approximately \$200,000.

AMENDMENT NUMBER THREE

to the

**COUNTY OF RIVERSIDE - CITY OF CATHEDRAL CITY -
CVAG REIMBURSEMENT AGREEMENT**

DATE PALM DRIVE INTERSTATE 10 INTERCHANGE PROJECT

THIS AMENDMENT NUMBER THREE is made and entered into this 25th day of June, 2012, by and between the **County of Riverside (Agency), City of Cathedral City (Lead Agency),** and the **Coachella Valley Association of Governments,** a California joint powers agency, **(CVAG).**

This Amendment Number Three does not obligate nor authorize funds not previously authorized under the terms of the existing Reimbursement Agreement, executed June 15, 1999. All other provisions in the existing Reimbursement Agreement, Amendment Number One and Amendment Number Two are considered in force.

This Amendment Number Three modifies and changes the proportionate local shares of costs for the responsible jurisdictions for the Date Palm Drive Interchange Project as approved by the Executive Committee at their meeting in April, 2012.

Summary:

Previously obligated and authorized for expenditure (Original Agreement)	\$ 1,702,000
Previously obligated under Amendment Number One (Sept., 2001)	1,300,000
Previously obligated under Amendment Number Two (Jan., 2010)	6,519,750
Previously <u>rescinded</u> under <u>Substituted</u> Amendment Number Two (June, 2010)	(6,519,750)
Previously obligated under <u>Substituted</u> Amendment Number Two (June, 2010)	<u>14,179,000</u>
Total amount, after Amendment Number Three obligated and authorized for expenditure	\$ 17,181,000

Based on a report prepared by Urban Crossroads, the following table shows the revised proportionate local shares for the Date Palm Drive Interchange Project which were approved for the responsible jurisdictions by CVAG's Executive Committee at their meeting of April, 2012.

Riverside County	10.5 %
Cathedral City	54.2 %
Palm Springs	19.1 %
Rancho Mirage	4.3 %
Desert Hot Springs	8.2 %
Palm Desert	3.7 %

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

ATTEST

COUNTY OF RIVERSIDE

By: _____
Clerk of the Board of Supervisors

By: _____
Chairman of the Board of Supervisors

FORM APPROVED COUNTY COUNSEL

BY: MM Victor 12/13/12
MARSHAL L. VICTOR DATE

ATTEST

CITY OF CATHEDRAL CITY


By: _____
City Manager

By: _____
Mayor

ATTEST

CVAG

By: _____
Tom Kirk,
Executive Director

By: 
John J. Benoit,
CVAG Chair