

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

296



SUBMITTAL DATE:
November 25, 2014

FROM: Purchasing and Fleet Services Department

SUBJECT: AB2766 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. District 4 [\$40,000]

RECOMMENDED MOTION: That the Board of Supervisors approve the Third Amendment to the AB2766 Memorandum of Understanding (MOU) between CVAG and the member jurisdictions to maintain the contributions from the cities at 60% (with an equivalent for the County) for two fiscal years through June 30, 2016.

BACKGROUND:

Summary

Since 2011, the amount of AB2766 contributions from the member jurisdictions has been 60%. These funds are used to primarily support the Regional PM10 Street Sweeping Program in the Coachella Valley.

(Continued on Page 2)

Lisa Brandl

Lisa Brandl, Director
Purchasing & Fleet Services Dept.

FINANCIAL DATA	Current Fiscal Year:	Next Fiscal Year:	Total Cost:	Ongoing Cost:	POLICY/CONSENT (per Exec. Office)
COST	\$ 40,000	\$ 40,000	\$ 80,000	\$ 40,000	Consent <input type="checkbox"/> Policy <input type="checkbox"/>
NET COUNTY COST	\$ 0	\$ 0	\$ 0	\$ 0	
SOURCE OF FUNDS: Fund 22301 – AB2766 Sher Bill				Budget Adjustment: No	
				For Fiscal Year: 14/15	

C.E.O. RECOMMENDATION:

APPROVE

BY: *Serena Chow*
Serena Chow

County Executive Office Signature

MINUTES OF THE BOARD OF SUPERVISORS

- Positions Added
- Change Order
- A-30
- 4/5 Vote

Prev. Agn. Ref.: Item 3.8 on 7/26/2011 | District: 4 | Agenda Number:

3-81

FORM APPROVED COUNTY COUNSEL 11/12/14 DATE
BY: GREGORY P. PRIAMOS

Departmental Concurrence

BACKGROUND:

Summary (continued)

For the last two years, the Mobile Source Air Pollution Reduction Review Committee (MSRC) with the South Coast Air Quality Management District's annual Local Government Match Program, has offered a separate category to support the Coachella Valley's Regional PM 10 Street Sweeping Program. The category established a targeted level of \$250,000 to be awarded on a dollar-for-dollar basis. CVAG has consistently applied for these funds and was awarded its third year of MSRC funding.

The Second Amendment of the current MOU expired June 30, 2014. Staff recommends approval of the Third Amendment to the MOU to maintain the sixty (60%) of AB2766 funds from member jurisdictions be continued for the next two fiscal years through 2015-16.

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

JULY 1, 2014

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. The parties acknowledge that this Amendment shall be for the period starting July 1, 2014 and shall bind the parties hereunder for the entire term of the two year amendment; through June 30, 2016.

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

- 1) At their April 28, 2014 meeting, the Executive Committee approved to maintain CVAG's AB2766 formula at 60% to provide sustainable funding of the Regional PM10 Street Sweeping Program and related activities starting July 1, 2014 through June 30, 2016;
- 2) All other terms and conditions shall remain the same.

COACHELLA VALLEY ASSOCIATION OF GOVERNMENTS

By: _____
Title: Don Adolph, CVAG Chair

Date: _____

CITY (COUNTY) OF _____

By: _____

Title: _____

Date: _____

FORM APPROVED COUNTY COUNSEL.
BY: Neal R. Kipnis 11/12/14
NEAL R. KIPNIS DATE

ITEM 6I

**Coachella Valley Association of Governments
Executive Committee
April 28, 2014**



Staff Report

Subject: AB2766 MOU Amendment Three for Fiscal Years: 2014-15 and 2015-16

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

Recommendation: Approve Amendment Three to the AB2766 Memorandum Of Understanding (MOU) between CVAG and the Member Jurisdictions to maintain the contributions from the cities at 60% (with an equivalent for the County) for two fiscal years through June 30, 2016.

Energy and Environmental Resources Committee: Concurs (Meeting of April 10th)

Technical Advisory Committee: Concurs (Meeting of April 14th)

Background: Since 2011, the amount of AB2766 contributions from the member jurisdictions has been 60%. These funds are used to primarily support the Regional PM10 Street Sweeping Program.

There are two funding streams which offset the cost of the Program. One is the Mobile Source Air Pollution Reduction Review Committee (MSRC) with the South Coast Air Quality Management District (AQMD). For the last two years, the MSRC's annual Local Government Match Program (LGMP) has offered a separate 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. CVAG has consistently applied for these funds and was recently awarded its third year of MSRC funding. It is difficult to say how long the category will continue to be offered.

The other funding stream is Colmac. In July 2010, the County formally agreed to a set-aside of \$150,000 in Colmac funds per year for five years to assist CVAG and the member jurisdictions with the operations of the Regional Program. While the term is set to expire in June 2015; we understand from preliminary discussions with the County that the set-aside is expected to continue. As the deadline draws nearer we will revisit the Colmac agreement with the County.

In addition to the sweeping of the regional arterials, the expenses for the Regional Program include post-event cleanup and supplemental sweeping; as well as equipment insurance, consultants and salaries and benefits; all totaling approximately **\$626,420**.

Amendment Two to the current MOU expires June 30, 2014. Given that the funding streams are in place to offset the costs of the Program, staff recommends that an Amendment Three to the MOU to maintain the **sixty percent (60%) of AB2766 funds** from member jurisdictions be continued for the next two fiscal years through 2015-2016. Maintaining the 60% is based on the following factors:

- Established funding streams for regional street sweeping activities;
- A Regional Program with reduced sweeping schedule of 26 weeks but with post event and supplemental sweeping. CVAG will work with the members and the operator with regards to the most optimal use of these funds.
- A Program which uses equipment owned by the Contractor;

Fiscal Analysis: Given that the development of two funding streams (MSRC LGMP and Colmac) will continue and will help maintain the 60 percent (60%) contribution from the jurisdictions; staff recommends that the Amendment Three be for a period of two (2) fiscal years.

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

:attachment:

- Amendment Three to AB2766 Memorandum of Understanding