

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

455



FROM: Executive Office

SUBMITTAL DATE:
June 9, 2010

SUBJECT: AB 2766 Memorandum of Understanding for Funding the Regional PM10 Street Sweeping Program in the Coachella Valley

RECOMMENDED MOTION: That the Board of Supervisors:

1. Approve the AB 2766 Memorandum of Understanding (MOU) for funding the regional PM10 street sweeping program between Coachella Valley Association of Governments (CVAG) and member jurisdictions, increasing the contribution formula from the cities and the county from 45% to 100%, 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 MOU between the County and CVAG.

(Continued on Page 2)

Michael R. Shetler

Michael R. Shetler, Senior Management Analyst

FINANCIAL DATA	Current F.Y. Total Cost:	\$ 75,285	In Current Year Budget:	Yes
	Current F.Y. Net County Cost:	\$ 0	Budget Adjustment:	N/A
	Annual Net County Cost:	\$ 0	For Fiscal Year:	2010/2011

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

County Executive Office Signature BY: *Kathryn Field*
Kathryn Field

MINUTES OF THE BOARD OF SUPERVISORS

On motion of Supervisor Benoit, seconded by Supervisor Ashley and duly carried by unanimous vote, IT WAS ORDERED that the above matter is approved as recommended.

Ayes: Buster, Tavaglione, Stone, Benoit and Ashley
Nays: None
Absent: None
Date: July 13, 2010
xc: EO

Kecia Harper-Ihem
Clerk of the Board
By: *Kecia Harper-Ihem*
Deputy

Prev. Agn. Ref.: | **District:** 4&5 | **Agenda Number:**

3.5

ATTACHMENTS FILED WITH THE CLERK OF THE BOARD

FORM APPROVED COUNTY COUNSEL

BY: *Katherine A. Lind* DATE: 6/23/10

Policy

Consent

Dept's Recomm.:
Per Exec. Ofc.:

**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

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BACKGROUND: On June 7, 2010, the CVAG Executive Committee approved a recommendation to increase the pass through formula of AB 2766 funds from 45% to 100%, or provide an in-lieu contribution from other sources in a like amount in order to obtain approximately \$400,000 in matching funds from the South Coast Air Quality Management District (AQMD), Mobile Source Air Pollution Reduction Review Committee (MSRC). The MOU will allow CVAG to begin contract negotiations with a vendor to provide continued regional PM10 street sweeping services twice per month in the Coachella Valley. The County's contribution will be increased using an alternate population adjustment formula:

Existing Population Adjustment Formula

$$A/B \times C \times 0.45 = D$$

A=Population of unincorporated Coachella Valley = \$84,478 (Projected 2010)

B=Population of unincorporated Riverside County = \$617,241 (Projected 2010)

C=Revenues (AB2766 Funds) Riverside County = \$550,000 (County Estimate for 2010)

D=Revenues (AB2766) Coachella Valley = **\$33,878**

Proposed Alternate Population Adjustment Formula

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

A=Population of unincorporated Coachella Valley = \$84,478 (Projected 2010)

B=Population of unincorporated Riverside County = \$617,241 (Projected 2010)

C=Revenues (AB2766 Funds) Riverside County = \$550,000 (County Estimate for 2010)

D=Revenues (AB2766) Coachella Valley = **\$75,285**

Attachments:

CVAG Executive Committee Agenda Item 9A of June 7, 2010

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

AB2766 MEMORANDUM OF UNDERSTANDING

BETWEEN

COACHELLA VALLEY ASSOCIATION OF GOVERNMENTS

AND

COUNTY OF RIVERSIDE

JULY 1, 2010

This Memorandum of Understanding (MOU) is made and entered into by and between the Coachella Valley Association of Governments (CVAG) and the **County of Riverside**. The purpose of this MOU is to document the parties' understandings and obligations concerning funds received by the **County of Riverside** from the AB2766 Motor Vehicle Registration Fee Assessments program and the allocation of those funds to CVAG for the Coachella Valley Regional PM10 Street Sweeping Program and other air quality programs.

BACKGROUND

On-road motor vehicles, including cars, trucks and buses make up the most significant causes of air pollution in the South Coast Air Basin. Vehicle emissions contribute to unhealthful levels of ozone, toxic air contaminants and particulate matter from diesel exhaust. To protect public health, Assembly Bill 2766 was signed into law in September 1990. The Bill authorizes a motor vehicle registration fee surcharge to fund the implementation of programs designed to reduce air pollution from motor vehicles and to implement the California Clean Air Act of 1988. These funds are collected by the Department of Motor Vehicles and subvented to the South Coast Air Quality Management District (AQMD) which then disburses the AB2766 revenues to local governments quarterly based on an established formula.

PM10 air quality, unlike ozone-related pollution that is primarily transported to the Coachella Valley, is more directly related to local sources of pollution (e.g., paved road dust). The Regional PM10 Street Sweeping Program targets emission reductions from one of the largest PM10 source categories and is an important part of this region's comprehensive efforts to meet the requirements of the Coachella Valley's State Implementation Plan (CVSIP) for PM10. The Program is intended to mitigate blow sand and its resultant PM10 through routine street sweeping.

Using alternative fuel sweepers and other alternative fuel equipment, the Regional Program sweeps the major arterials and medians in the Coachella Valley removing visible roadway dust from these roadway segments. Existing control measures, such as this Program, play a significant role in reducing PM10 in the Coachella Valley. With funding sources depleted, a sustainable funding source must be established to show the Valley's commitment. A discontinuation of this Program could have serious implications on the Coachella Valley's PM10 attainment effort and current Redesignation Request to the Environmental Protection Agency.

At their April 26, 2010 meeting, the Executive Committee approved a modification of CVAG's AB2766 formula from 45% to 100% to provide sustainable funding of the Regional PM10 Street Sweeping Program *for up to one year or upon receiving a commitment of matching funds, at which time the commitment would be re-calculated and reconsidered.*

RESTRICTIONS

The funds accruing to CVAG as a result of this MOU are designated for the operations of the Regional PM10 Street Sweeping Program. The funds will also be used for the administration of the Regional PM10 Street Sweeping Program and consultants relative to the Regional Program and other PM10 categories, preparation of grant applications, adherence to grant requirements such as quantifying emission benefits, etc.

CURRENT PROCEDURE

In 1991, each CVAG jurisdiction passed an ordinance adopting the AB2766 Program, setting up a separate account from which to disburse and subsequently monitor and audit these revenues. Revenues are distributed quarterly by the SCAQMD, based on each jurisdiction's proportionate number of registered motor vehicles. Effective July 1, 2010, and for each quarter thereafter, the **County of Riverside** shall allocate to CVAG an amount determined by the following population adjustment formula: **A** divided by **B** multiplied by **100%** multiplied by **C**

- A = Population Coachella Valley Unincorporated
- B = Population Riverside County Unincorporated
- C = Revenues (AB2766) Distributed by SCAQMD to Riverside County

CVAG shall likewise deposit all monies received as a result of this MOU in a separate account. Local agencies will be notified of any changes in this procedure and this MOU will be amended accordingly to reflect such changes.

TERM

This MOU shall continue in effect until one of the following occurs, at which point this MOU shall automatically terminate: the AB2766 Motor Vehicle Registration Fee Assessments program is discontinued; the Coachella Valley Regional PM10 Street Sweeping Program or CVAG's administration of its air quality programs is discontinued; CVAG for whatever reason, is dissolved or otherwise disbanded; or one year passes from the date of allocation and CVAG receives no commitment of matching funds during that year. If CVAG receives a commitment of matching funds, the allocation shall be reconsidered and recalculated and the terms of this MOU amended accordingly.

COACHELLA VALLEY ASSOCIATION OF GOVERNMENTS

By: _____

Title: Chairman

COUNTY OF RIVERSIDE

By: Marion Ashley
MARION ASHLEY

Title: CHAIRMAN, BOARD OF SUPERVISORS

ATTEST:
KECIA HARPER-IHEM, Clerk
By: [Signature]
DEPUTY

FORM APPROVED COUNTY COUNSEL
BY: Katherine A. Lind 04/29/10
KATHERINE A. LIND DATE