

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



ITEM: 3.12  
(ID # 27157)

**MEETING DATE:**  
Tuesday, February 25, 2025

**FROM :** EXECUTIVE OFFICE

**SUBJECT:** EXECUTIVE OFFICE: First Amendment to Grant Award and Authorization Agreement Between the County of Riverside and The Coachella Valley Association of Governments and College of the Desert. District 4. [\$40,000 Total Cost - Colmac Air Quality Enhancement Fund 100%]

**RECOMMENDED MOTION:** That the Board of Supervisors:

1. Approve the First Amendment to the Grant Award and Authorization Agreement to extend the term of the agreement and provide additional funding for the Landscape Certification Program through June 30, 2025 for an additional \$40,000; and
2. Authorize the Chair of the Board of Supervisors to Execute the Amendment on Behalf of the County.

**ACTION:**Policy



Stephanie Perez, Deputy Director of Admin. Services 2/20/2025

---

**MINUTES OF THE BOARD OF SUPERVISORS**

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

Ayes: Medina, Spiegel, Washington, Perez and Gutierrez  
Nays: None  
Absent: None  
Date: February 25, 2025  
xc: EO

Kimberly A. Rector  
Clerk of the Board

By:   
Deputy

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

<b>FINANCIAL DATA</b>	<b>Current Fiscal Year:</b>	<b>Next Fiscal Year:</b>	<b>Total Cost:</b>	<b>Ongoing Cost</b>
<b>COST</b>	\$40,000	\$0	\$40,000	\$ 0
<b>NET COUNTY COST</b>	\$ 0	\$ 0	\$ 0	\$ 0
<b>SOURCE OF FUNDS:</b> Colmac Air Quality Enhancement Fund 100%			<b>Budget Adjustment:</b> No	
			<b>For Fiscal Year:</b> 24/25	

**C.E.O. RECOMMENDATION:** Approve

**BACKGROUND:**

**Summary**

In 1989, the Colmac Air Quality Enhancement Fund was established through one of the provisions of the settlement agreement which resolved litigation between Colmac Energy, Inc., and the County over the construction of a biomass energy plant near the unincorporated community of Mecca in the Southern Coachella Valley.

Among other provisions, the settlement provides for an annual payment of \$250,000 to fund projects which enhance air quality within the Coachella Valley. On February 3, 1998 (Agenda Item No. 3.6), the Board of Supervisors delegated administration of the Air Quality Enhancement Fund to the Executive Office, and established the Coachella Valley Air Quality Advisory Committee (Advisory Committee) consisting of three members: The Fourth District Supervisor or his/her representative and representatives from the South Coast Air Quality Management District (SCAQMD) and Coachella Valley Association of Governments (CVAG).

On September 13, 2021 the Riverside County Purchasing Department on behalf of the Executive Office issued a Request for Application (RIVCO-2021-RFA-0000338) for submission to the Executive Office by January 5, 2022, seeking projects that will enhance air quality in the Coachella Valley. College of the Desert and CVAG were awarded a contract for the landscape certification program for two years and \$80,000.

The County, CVAG, and the College of the Desert desire to amend the Agreement to extend the term of the agreement and increase the funding made to the Grantees for the Landscape Certification Program through June 30, 2025 for an additional \$40,000. The advisory committee discussed the proposal and unanimously agreed to move it forward to the board of supervisors for consideration.

**Impact on Residents and Businesses**

Approval of these funding recommendations will further assist clean air goals for the region.

**Additional Fiscal Information**

Funding for the proposed projects is derived from monies collected as part of the settlement agreement with Colmac Energy, Inc. and has no impact on the general fund.

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

**ATTACHMENT**

Grant Award & Authorization Agreement Form

  
Aaron Gettis, Chief of Deputy County Counsel 2/20/2025

CLERK'S COPY

to Riverside County Clerk of the Board, Stop 1010  
Post Office Box 1147, Riverside, Ca 92502-1147

**FIRST AMENDMENT TO GRANT AWARD AND AUTHORIZATION AGREEMENT  
BETWEEN THE COUNTY OF RIVERSIDE AND  
THE COACHELLA VALLEY ASSOCIATION OF GOVERNMENTS AND  
COLLEGE OF THE DESERT**

This Amendment (hereafter the "Amendment 1") to the Grant Award and Authorization Agreement is made and entered into as of this 25 day of February 2025 by and between the County of Riverside (the "County") a political subdivision of the State of California, and the Coachella Valley Association of Governments ("CVAG") and College of the Desert (collectively the "Grantees").

**RECITALS**

**Whereas**, County and Grantees entered into a Grant Award and Authorization Agreement on May 10, 2022 (County Board Item No. 3.3), hereinafter "Agreement", to address the regional need for air quality enhancement projects; and

**Whereas**, the County and Grantees desire to amend the Agreement to extend the term of the agreement and increase the funding made to the Grantees for the Landscape Certification Program.

**Now, Therefore**, in joint and mutual exercise of their powers and in consideration of the mutual covenants herein and other valuable consideration, the Parties agree as follows:

1. Section 3. Term is deleted in its entirety and replaced with:

"This Agreement will be effective upon final execution of the Agreement and will terminate on June 30, 2025. The approved project must be completed within this term. Extensions of this time may be requested in writing and sent to the address set forth in Section 12. Extensions of time are considered discretionary and are reviewed on a case-by-case basis."

2. Section 7. Payments subsection (a) is deleted in its entirety and replaced with:

"(a) The total payments to the Grantee under this Agreement will not exceed one-hundred and twenty thousand dollars (120,000.00) which will be used to support the Project.

3. Exhibit A is deleted in its entirety and will be replaced with:

Applicant	Project	Funding Request	Recommended Award	Match	Amended Award	Final Award	Project Duration
College of the Desert and CVAG	Expansion of College of the Desert's Landscape Certification Program	\$80,000 Amended	\$80,000	Yes, \$20,000 (CVAG)	\$40,000	\$120,000	Until June 30, 2025
Total:			\$80,000			\$120,000	

4. Authority to Enter Agreement. Each Party to this Agreement warrants to the other that it is duly organized and existing and that it and the respective signatories have full right and authority to enter into and consummate this Agreement and all related documents and bind



the parties thereto.

5. Use of Electronic (Digital) Signatures. This Agreement may be executed in any number of counterparts, each of which will be an original, but all of which together will constitute one instrument. Each party of this Agreement agrees to the use of electronic signatures, such as digital signatures that meet the requirements of the California Uniform Electronic Transactions Act ("CUETA") Cal. Civ. Code §§ 1633.1 to 1633.17), for executing this Agreement. The parties further agree that the electronic signatures of the parties included in this Agreement are intended to authenticate this writing and to have the same force and effect as manual signatures. Electronic signature means an electronic sound, symbol, or process attached to or logically associated with an electronic record and executed or adopted by a person with the intent to sign the electronic record pursuant to the CUETA as amended from time to time. The CUETA authorizes use of an electronic signature for transactions and contracts among parties in California, including a government agency. Digital signature means an electronic identifier, created by computer, intended by the party using it to have the same force and effect as the use of a manual signature, and shall be reasonably relied upon by the parties. For purposes of this section, a digital signature is a type of "electronic signature" as defined in subdivision (i) of Section 1633.2 of the Civil Code.

IN WITNESS WHEREOF, the Parties hereto have executed this Agreement on the date as indicated beside each Party's signature.

COUNTY:  
COUNTY OF RIVERSIDE, a political subdivision  
of the State of California

By: V. M. Perez  
**V. MANUEL PEREZ**  
Chair, Board of Supervisors

GRANTEE:  
College of the Desert

By: \_\_\_\_\_  
Chief Executive Officer

ATTEST:  
Clerk of the Board  
Kimberly Rector

Coachella Valley Association of  
Governments

By: [Signature]  
Deputy  
(Seal)

By: \_\_\_\_\_  
Executive Director

APPROVED AS TO FORM  
County Counsel

By: [Signature]  
**Kristine Bell-Valdez**  
Deputy County Counsel