

Exhibit “A”



COACHELLA VALLEY ASSOCIATION OF GOVERNMENTS

**FISCAL YEAR
2014/15
BUDGET**

June 30, 2014

MEMBER JURISDICTIONS

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

COACHELLA VALLEY ASSOCIATION OF GOVERNMENTS

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CVAG'S FY 2014/15 BUDGET-INTRODUCTION

To: The Honorable 65 Members of CVAG's General Assembly
Riverside County Board of Supervisors, Mayors and City Council Members from the Cities of Blythe, Cathedral City, Coachella, Desert Hot Springs, Indian Wells, Indio, La Quinta, Palm Desert, Palm Springs, and Rancho Mirage, and Tribal Council Chairmen and Members from the Agua Caliente Band of Cahuilla Indians and the Cabazon Band of Mission Indians

Date: June 30, 2014

In with the New Programs and Initiatives

In 2013/2014 CVAG began some new initiatives while successfully carrying on long standing programs.

Earlier this year, the CV Upgrade Program was officially underway. CV Upgrade builds on the City of Palm Desert and others' groundbreaking work to create and implement Property Assessed Clean Energy (PACE) programs. The program allows property owners to get funding up front to improve property and pay back the "loan" through property tax assessments over time.

The concept is simple; give property owners the up front cash to make their homes more energy efficient with new air conditioning systems, "cool" roofs, thermal insulated windows, etc. and/or install rooftop solar collection systems thereby reducing energy costs. The energy costs savings are designed to be greater than the cost of paying back the loan.



Over \$900,000 in funded projects were under construction or complete in the first 4 months of the program; making it the fastest growing, privately funded, program of its kind in the nation. There are several million more dollars of applications pending and approved. With over 200 contractors certified to date, the program will create jobs for our still-weakened construction-related industries. Given our hot climate and high utility bills, we expect continued interest and participation in the program.



In 2014/2015, CVAG and the Riverside County Transportation Commission took the most significant step in decades to increase passenger rail service to and from the Coachella Valley. The agencies established the Coachella Valley Rail Fund from a 10% set aside of Transit Development Act (TDA) funds. Use of the funds will be at the administrative direction of the CVAG Executive Committee and implemented through the rail expertise at RCTC. Step one of the program is to develop a Service Development Plan that meets Federal and State requirements and expectations.

CVAG'S FY 2014/15 BUDGET-INTRODUCTION

Building on Successful Regional Programs

The Coachella Valley Multiple Species Plan is a model for balancing development and conservation. The Multiple Species Plan has helped streamline development of freeway interchanges, water infrastructure, and regional roads. Through this visionary plan, the Coachella Valley Conservation Commission, a "sister agency" of CVAG's, and our local, state and federal partners have protected approximately 84,000 acres of key habitat lands and open space to preserve our rich desert heritage for future generations. In March 2014 the CVCC approved a Major Amendment to include Desert Hot Springs and Mission Springs Water District in the habitat plan. Final approval of the Major Amendment is expected in 2014.



The CVAG region has made great strides in ensuring a sustainable environment, through an energy partnership with our member agencies, Southern California Edison (SCE), Southern California Gas Co., and Imperial Irrigation District. Greenhouse Gas inventories have been completed by all our member agencies who are taking action to not only reduce emissions and energy use, but to cut energy costs and benefit the health of our communities. Two cities reached Gold level status with SCE (Cathedral City and Indian Wells) and two cities (Indian Wells and Rancho Mirage) achieved Energy Star certification.



Fred Waring Drive was one of the four regional arterial roadways named in the original Measure A program approved by the voters in 1988 to fund regional road improvements through an increased sales tax. All of the projects named in the measure, except for a short segment of Fred Waring Drive, were complete long ago. The Adams Street to Port Maria Road segment is the final segment to be

completed of the last of those four named projects. This complicated project is underway and designed to protect neighborhoods and homes adjacent to the street while improving through-trips. It took a while, but together we have kept our promise to the Coachella Valley's motorists and taxpayers.

In 2014, CVAG also created a Driving Under the Influence (DUI) Task Force consisting of public safety, transportation, community based organizations and elected officials to look at issues of driving under the influence and to implement regional solutions.

CVAG'S FY 2014/15 BUDGET-INTRODUCTION

Roy's Desert Resource Center served 763 unduplicated men, women and children in calendar year 2013: 61% were successfully placed into affordable housing ending their cycle of homelessness; 14% placed into new jobs; 10% were veterans and 13% disabled. For first quarter 2014 (Jan – March): 452 unduplicated men, women and children were served and 38% placed into affordable housing; 11% placed into new jobs; 15% of the clients were disabled; 10% were veterans.

Financial and Administrative Picture

CVAG received another “unmodified” audit opinion; in other words, a clean report card on our financial books and system. In consultation with the Administrative/Personnel Committee, this budget reflects a number of adjustments in salaries and benefits. Thanks to steps over the past few years to control costs and address cash flow challenges and a rosier economic picture, for the first time in five years CVAG will be reinstating merit/step salary increases for staff and a 1.1% Cost of Living increase. The Administrative/Personnel Committee also approved of a second phase of transitioning away from CVAG paying the “employee” portion of the retirement program (CALPERS). This will be accomplished by increasing salaries by 1.5% while increasing the employees’ responsibility to pay for a portion of their own retirement by the same amount. CVAG will also be creating a wellness program modeled after programs implemented by CVAG member agencies.

CVAG is poised to have another great year in 2014/15 with major milestones expected with the Jefferson Interchange project, CV Link, the distribution of Federal “CMAQ” funds, and many other initiatives.

Tom Kirk, Executive Director
CVAG

CVAG FY 2014/15 BUDGET OVERVIEW

The following table compares the FY 2013/14 budget to the Proposed FY 2014/15 budget:

	FY 2013/14	FY 2014/15 Proposed	
	<u>Operating Budget</u>	<u>Operating Budget</u>	<u>% Change</u>
Operating Expenditures	\$706,829	\$736,041	4% Increase

Following is a condensed summary of Operating Expenditures.

REVENUES:

- ❖ Member Agency Contributions will reflect an increase of \$3,366. As suggested by the jurisdictions, Member Agency Contributions should be increased on a yearly basis in line with the Consumer Price Index (CPI) for all items indexed (all urban consumers, Los Angeles-Riverside-Orange County from December to December) developed by the Bureau of Labor Statistics, United States Department of Labor. As such, for FY14/15, CVAG has increased the FY13/14 base contributions of \$366,068 by 1.1% or \$4,027. This increase was recommended by the Administrative/Personnel Committee in their meeting on February 24, 2014.
- ❖ Measure "A"/TUMF revenues provide for the Coachella Valley's Transportation Program. CVAG is the Regional Transportation Planning Authority for the Coachella Valley, charged with all transportation planning and administration of a multi-million dollar regional arterial construction program. As housing starts continue to improve and since the City of La Quinta now participates in the regional TUMF program, the TUMF revenues are projected higher. Finally, since the economy seems to be on an up-tick, CVAG is projecting a 3% increase for the Measure "A" revenue.

i The components of the FY 2014/15 Operating Budget are:

Administration (Fund 101, page 43)	\$ 374,947
Community Resources – Public Safety (Fund 101, page 33)	67,093
Community Resources – HCR Committee (Fund 101, page 33)	40,098
Community Resources – Homeless (Fund 101, page 33)	205,432
Energy & Environmental Resources – E&E Committee (Fund 101, page 40)	<u>48,471</u>
TOTAL	<u>\$ 736,041</u>

- ❖ A Utilities Grant supporting the Desert Cities Energy Partnership as extended from September 2012 to December 2014. The main focus is promoting valley-wide energy conservation and efficiency efforts. The partnership involves CVAG member jurisdictions and local utilities including Southern California Edison, Southern California Gas Company and Imperial Irrigation District.
- ❖ The CV Link (formerly described as Parkway 1e11 and/or the Whitewater River Trail), a plan to build a trail along the Whitewater River, has received a grant from the California Strategic Growth Council and combined with matching funds from the Riverside County Parks and Open Space District will fund engineering, design and environmental work for the project over the next two to three years. The Southern California Air Quality Management District has awarded CVAG \$17.4 million from the Sentinel Air Quality mitigation funds which will fund construction. Further, additional funding of \$20.0 million has been committed from the CVAG Transportation Fund and another \$10.0 million has been pledged by the Desert Healthcare District.

EXPENDITURES:

- ❖ Staffing has been budgeted for 16 staff members, as CVAG anticipates filling the vacant Transportation Engineer position.
- ❖ The Personnel Committee (PC), in their February 24, 2014 meeting, concurred with the recommendation a 1.1% cost of living increase as well as reinstating step increases and merit vacation leave. Also, due to the recent pension reform, the PC also agreed on a phased approach for the employees to pay their share of the CalPERS retirement contribution of 7% that is currently being paid by CVAG. As such, the PC concurred with the recommendation of an additional 1.5% increase in payroll for the implementation of the employees' cost sharing of the Employer-Paid Member Contribution of 1.5% beginning with the pay period ending July 2, 2014. With this, the Classic employees will be paying 3% of the employee's share of the CalPERS retirement contribution. Finally, the PC also concurred with the recommendation of a \$500 increase to the Employee training allowance along with the ability for the employees to utilize it for wellness programs.
- ❖ Non-Personnel costs are defined as all costs, EXCEPT Salaries and Benefits, Consultants, Construction/Project Costs and Debt Service. These non-personnel costs are either direct or indirect. Direct department non-personnel costs are requested by the department for a specific program such as consultants. Indirect costs include rent, utilities, and office supplies. These costs, along with administrative staff's salaries and benefits, are allocated to each department on a percentage basis.
- ❖ Capital Project Summary included in this document, is a listing of the major Capital Improvement Program projects scheduled for activity in FY 2014/15.
- ❖ CVAG intends to purchase new servers as the operating systems for the existing servers are no longer being supported by the manufacturer and the current servers are not capable of running the newer operating system.

SIGNIFICANT EVENTS AND ACCOMPLISHMENTS

- ❖ Approved Memorandum of Understanding between the Riverside County Transportation Commission (RCTC) and CVAG whereby RCTC agrees to establish the Coachella Valley Rail Fund and to set aside and maintain Ten Percent (10%) of Transit Development Act (TDA) funds into that Fund, and to distribute those TDA funds upon the administrative direction of the CVAG Executive Committee.
- ❖ Approved agreement with the County of Riverside for the widening of Fred Waring Drive between Adams Street and Port Maria Road.
- ❖ Approved designation of 2014 State Transportation Improvement Program (STIP) Funds for the Jefferson Street/Interstate 10 Interchange Project and the CV Link Project.
- ❖ Approved agreement with the City of Coachella to provide funds for a Bridge over the Whitewater River and an Interchange at SR86, both on Avenue 50.
- ❖ Approved agreement with the City of Cathedral City to provide funds for Improvement of Date Palm Drive between Interstate 10 and Varner Road.
- ❖ Approved agreement with the City of La Quinta to provide funds to supplement Highway Bridge Program Grant Funds for the Dunes Palms Road Bridge Project.
- ❖ Approved Sub-Reimbursement Agreements by and between CVAG and the Cities of Cathedral City, Coachella, Desert Hot Springs, Indio, Indian Wells, La Quinta, Palm Desert, Palm Springs, Rancho Mirage and the County of Riverside for the Interchange Project at Jefferson Street and Interstate 10 for distribution of Local Share of Project Costs.
- ❖ Approved Amendment Number One to the Agreement with the City of Palm Springs to provide additional funds to supplement Federal Grant Funds for the Vista Chino Drive Bridge Project.
- ❖ Approved agreement with the City of Palm Springs to provide funds to supplement Highway Bridge Program Grant Funds for Environmental Approval and Final Design for the South Palm Canyon Drive Bridge over Tahquitz Creek Channel, Bridge Replacement Project.
- ❖ Approved agreement with the City of Palm Springs to provide funds to supplement Highway Bridge Program Funds for Environmental Approval and Final Design for the East Palm Canyon Drive Bridge over Palm Canyon Wash, Bridge Rehabilitation Project.
- ❖ Approved Transportation Uniform Mitigation Fee (TUMF) FY 12/13 Annual and Five-Year Report.

- ❖ Approved Amendment Number One to the Agreement for the Avenue 66 Grade Separation Project.
- ❖ Approved a Bond Proceeds Funding Agreement between CVAG and the City of Palm Desert for the estimated share of costs of future construction for the Portola Avenue and Interstate 10 Interchange Project.
- ❖ The regional CV Upgrade program was launched in late December 2013, making it possible for property owners to finance energy efficiency, water conservation, and renewable energy improvements to residential, commercial and industrial property. In partnership with CVAG and our member agencies, Ygrene Energy Fund provides the funding and administration of this regional Property Assessed Clean Energy (PACE) program. Response to the program has been strong.
- ❖ CVAG's Green for Life program continues to expand valley-wide energy efficiency efforts and promote sustainable job growth. Program results include green building programs, energy action and climate action/greenhouse gas reduction plans approved by participating jurisdictions, staff and contractor training, and energy and cost saving tools for municipal facilities. Green for Life is building on the significant accomplishments and initiatives already undertaken by member agencies and the region.
- ❖ The Coachella Valley Conservation Commission has acquired over 7,767 acres of land since 2008 which results in important habitat conservation, and also helps smooth the way for regional infrastructure projects, including freeway overpasses. Since 2008, approximately 84,000 acres have been acquired by the CVCC together with local, state and federal partners to meet the conservation goals and objectives of this visionary plan.
- ❖ A Regional Model Plastic Bag Ordinance was developed and approved by the CVAG Executive Committee for use by member agencies. The development of the model ordinance was coordinated through the Energy & Environmental Resources Committee with support from the Solid Waste and Recycling Technical Working Group. Four CVAG cities have approved plastic bag ordinances, based on the model.
- ❖ CVAG member jurisdictions and communities continue to showcase their leadership in sustainability with energy efficient city halls, solar powered facilities, LEED certified buildings, and alternative transportation programs. Through the Desert Cities Energy Partnership, since 2010, approximately 3 million kilowatt hours of electricity and 6,000 therms of natural gas were saved by local jurisdictions through energy efficiency measures.
- ❖ The Used Oil Recycling Program, funded by CalRecycle, continues to increase the volume of oil recycled through partnerships with local auto parts stores. Our poster contest invites local school children to use their artistic skills to design a poster. The winning poster is used by auto parts stores to promote used oil recycling.
- ❖ The Friends of Roy's (FOR) Foundation continues to search for grant funds for Roy's Desert Resources Center. A new Business Center at Roy's will open in 2014 to provide on site computer access to clients as long as it is related to their case management. A

Food Handlers Certificate Program should also be launched soon using the Business Center for clients interested in working in this field.

- ❖ The Coachella Valley is overdue for a major earthquake. The Coachella Valley Regional Early Earthquake Warning System (CREWS) inches closer to State funding for the unique program. FY 2014/15 will hopefully result in funding needed to accelerate the program.
- ❖ CleanStreet continues as operator of the Regional PM-10 Street Sweeping Program using their own equipment to sweep the regional arterials. A portion of CVAG's equipment is used for post event sweeping. The beginning of 2014 was marked with record dust storms calling for funds set aside for post event clean-up along regional arterials. Surplus street sweeping equipment housed at the City of Palm Desert's Public Works Yard was auctioned off.
- ❖ CVAG continues to apply for grant funds through the AQMD's Mobile Source Air Pollution Reduction Review Committee's (MSRC) Local Government Match Grant Program which established a separate grant funding category for the Coachella Valley's Regional PM-10 Street Sweeping Program with a targeted level of \$250,000 to offset the costs of the Program.
- ❖ The Landscapers Certification online course continues to provide landscapers and landscape related businesses with education regarding scalping alternatives. The course is a prerequisite to obtaining their business license. College of the Desert's Partnership and Committee Education (PACE) Division has improved the monitoring and maintenance of the program. An extension of the contract is now in place to continue these services.
- ❖ SCAG's video-teleconferencing equipment in CVAG's conference room provides for better coordination and input between CVAG, SCAG and the member jurisdictions relative to SCAG efforts including the Regional Housing Needs Assessment (RHNA) as well as the Regional Transportation Plan (RTP) and SB 375 follow-up. The equipment is also used for SCAG's Toolbox Tuesdays and other SCAG related meetings.

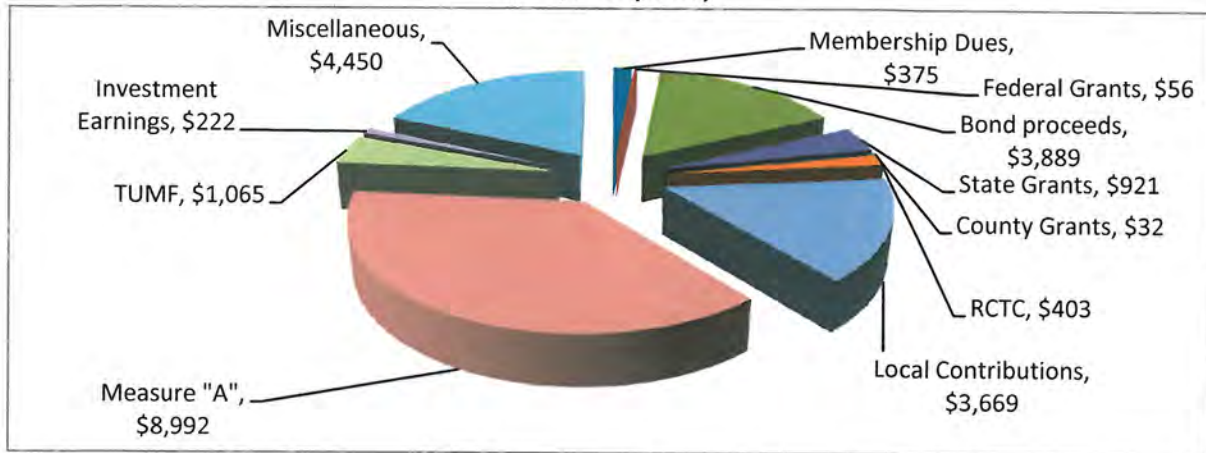
FUTURE ACTIVITIES

- ❖ Complete 2015 Update of the Transportation Project Prioritization Study.
- ❖ Continue communication with Amtrak to establish daily intercity Rail Service as the intermediate goal of bringing passenger rail service into the Coachella Valley.
- ❖ Monitor transportation related cash flow projections to create positive balance and improved construction climate.
- ❖ Continue development of multiple CVAG funded regional transportation projects.
- ❖ Continue with the required engineering and environmental compliance for CV Link.

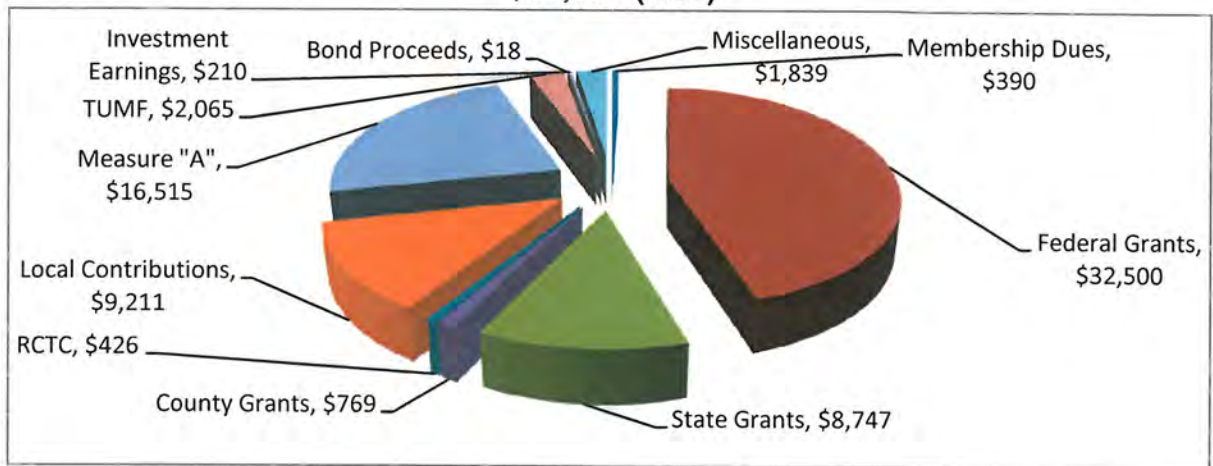
- ❖ Promote and expand the CV Upgrade regional Property Assessed Clean Energy program; monitor and report on progress and results.
- ❖ Continue the annual Energy Summit, highlighting renewable energy, energy efficiency, and green job opportunities, planned for October 9th and 10th 2014.
- ❖ Continue to provide support to the Coachella Valley Conservation Commission for implementation of the Coachella Valley Multiple Species Habitat Conservation Plan.
- ❖ Support regional efforts to restore the Salton Sea.
- ❖ Continue to support regional collaboration to promote energy efficiency, water conservation, and sustainable resource use through the Desert Cities Energy Partnership, Green for Life program, and other Coachella Valley sustainability efforts.
- ❖ Continue to administer the contracts relative to operations of Roy's Desert Resource Center and prepare CVAG, per Executive Committee action, to discontinue its role as Administrator of Roy's and secure another Administrator by August 2018. Staff continues to seek alternative funding sources for operation of Roy's. CVAG will continue to work with Desert SOS, the current operator.
- ❖ Continue support of the Friends of Roy's (FOR) Foundation and their newly added Development Director who will help FOR raise funds to offset operational costs.
- ❖ Continue to await the Redesignation Request to the Environmental Protection Agency for the federal PM-10 air quality standard as recommended by the South Coast Air Quality Management District and the California Air Resources Board.
- ❖ Continue to coordinate with the Southern California Association of Governments (SCAG) relative to implementation of SB 375, the RHNA process and other initiatives.
- ❖ The Public Safety Committee is focusing on efforts to address Driving Under the Influence (DUI) activities in the Coachella Valley.

Finally, in the absence of a CVAG General Reserve policy, CVAG will continue to maintain a reserve of approximately one and a half times the anticipated annual operating expenses to be prudent. The projected Operating Budget for FY 2014/15 is \$736,041 while the General Fund Unassigned Fund Balance on June 30, 2015 is projected to be \$1,064,673.

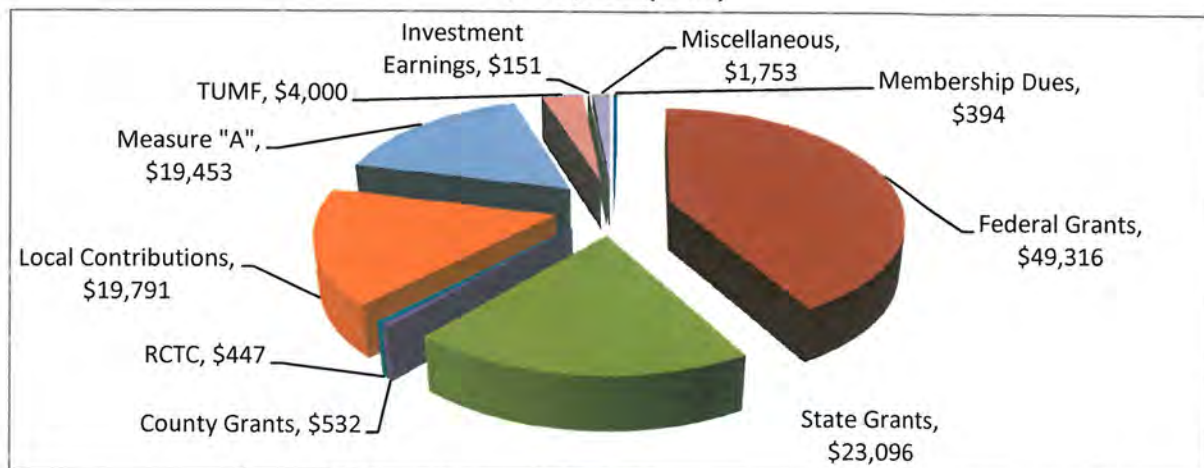
ACTUAL REVENUES
FY 2012/2013
\$24,074 ('000)



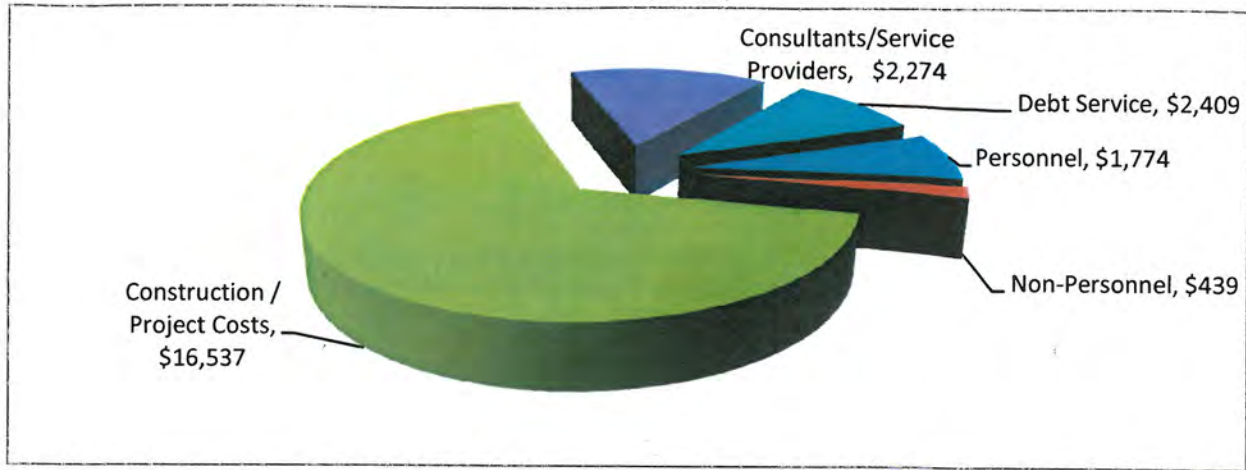
BUDGETED REVENUES
FY 2013/2014
\$72,690 ('000)



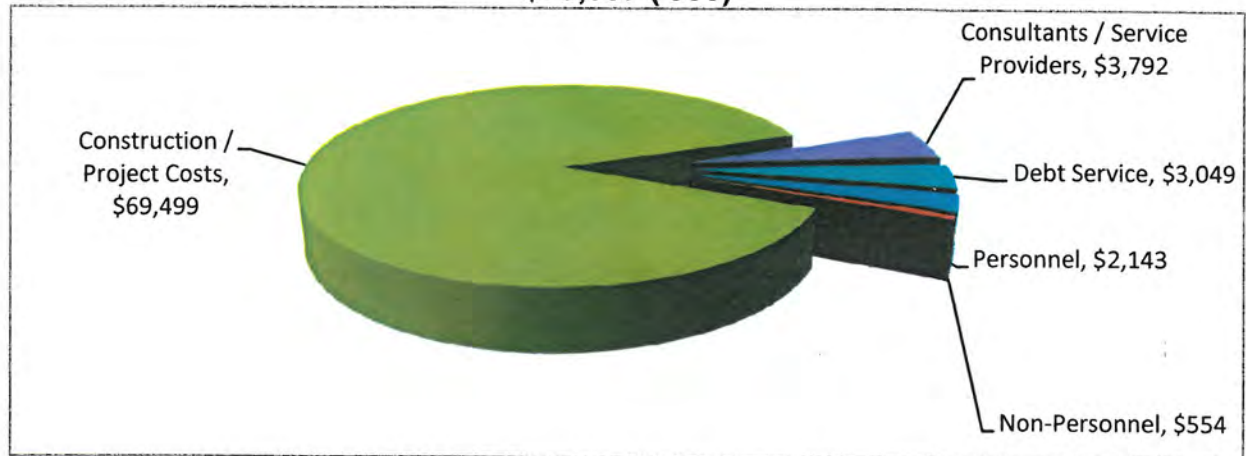
ESTIMATED REVENUES
FY 2014/2015
\$118,933 ('000)



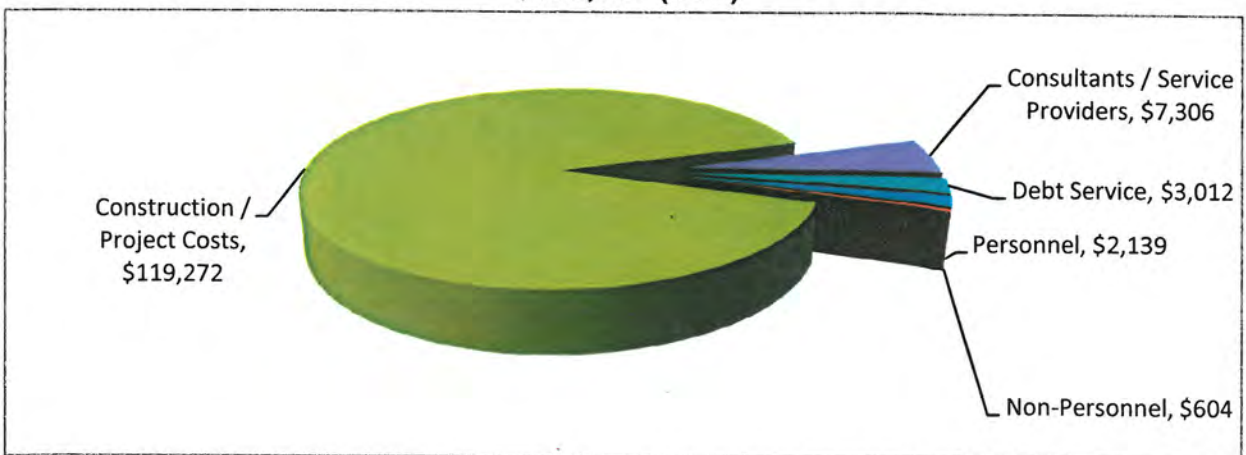
ACTUAL EXPENDITURES
FY 2012/2013
\$24,769 ('000)



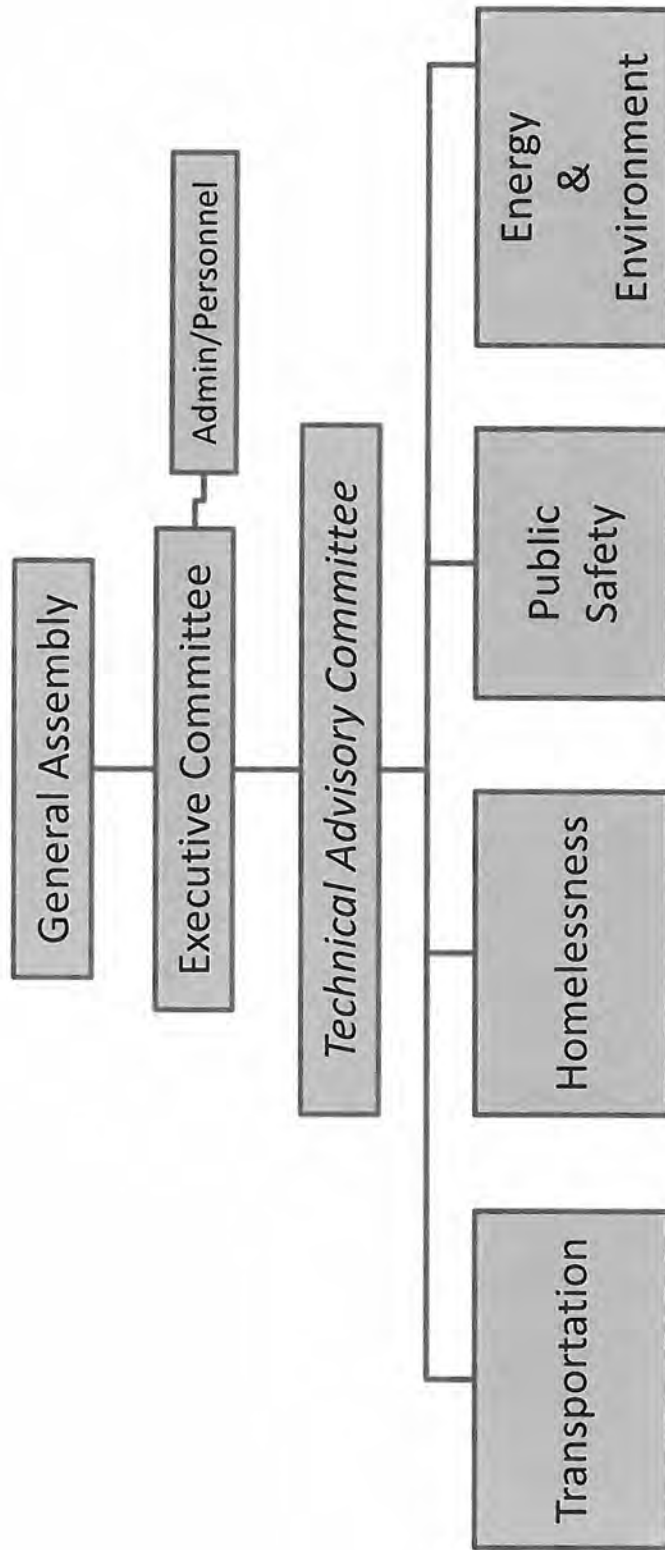
BUDGETED EXPENDITURES
FY 2013/2014
\$79,037 ('000)



ESTIMATED EXPENDITURES
FY 2014/2015
\$132,333 ('000)



COACHELLA VALLEY ASSOCIATION OF GOVERNMENTS
POLICY COMMITTEE STRUCTURE CHART
FY 2014/2015



**COACHELLA VALLEY ASSOCIATION OF GOVERNMENTS
FY 2014/2015
MEMBERSHIP DUES ASSESSMENTS**

JURISDICTION	JAN. 2013 POPULATION	% of TOTAL	POPULATION ASSESSMENT	ASSESSED VALUE	% of TOTAL	AV ASSESSMENT	2014/15 ASSESSMENT	2013/14 ASSESSMENT	Increase \$ Change
BLYTHE	13,590	3.24%	\$ 5,996	\$ 816,741,342	1.29%	\$ 2,387	\$ 8,383	\$ 8,714	\$ (331)
CATHEDRAL CITY	52,337	12.44%	\$ 23,020	\$ 3,511,139,517	5.52%	\$ 10,215	\$ 33,235	\$ 32,910	\$ 325
COACHELLA	42,784	10.17%	\$ 18,819	\$ 1,380,256,447	2.17%	\$ 4,016	\$ 22,835	\$ 22,366	\$ 469
DESERT HOT SPRINGS	27,828	6.62%	\$ 12,250	\$ 1,207,512,511	1.90%	\$ 3,516	\$ 15,766	\$ 15,576	\$ 190
INDIAN WELLS	5,081	1.21%	\$ 2,239	\$ 4,729,066,678	7.44%	\$ 13,767	\$ 16,006	\$ 15,851	\$ 155
INDIO	81,393	19.35%	\$ 35,807	\$ 6,167,489,177	9.70%	\$ 17,950	\$ 53,757	\$ 51,854	\$ 1,903
LA QUINTA	38,401	9.13%	\$ 16,895	\$ 10,732,830,390	16.88%	\$ 31,236	\$ 48,131	\$ 47,369	\$ 762
PALM DESERT	49,949	11.88%	\$ 21,984	\$ 12,395,631,566	19.50%	\$ 36,084	\$ 58,068	\$ 57,564	\$ 504
PALM SPRINGS	45,712	10.87%	\$ 20,115	\$ 9,240,701,131	14.54%	\$ 26,906	\$ 47,021	\$ 46,380	\$ 641
RANCHO MIRAGE	17,639	4.19%	\$ 7,753	\$ 7,312,126,894	11.50%	\$ 21,280	\$ 29,033	\$ 29,029	\$ 4
RIVERSIDE COUNTY - CVAG BOUNDARIES	45,845	10.90%	\$ 20,170	\$ 6,077,182,465	9.56%	\$ 17,691	\$ 37,861	\$ 38,455	\$ (594)
AGUA CALIENTE BAND OF CAHUILLA INDIANS	-	-	-	-	-	-	\$ 8,383	\$ 8,714	\$ (331)
CABAZON BAND OF MISSION INDIANS	-	-	-	-	-	-	\$ 8,383	\$ 8,714	\$ (331)
TOTALS	420,559	100.00%	\$ 185,048	\$ 63,570,677,918	100.00%	\$ 185,048	\$ 386,862	\$ 383,496	\$ 3,366

POPULATION SOURCE:

Cities:

County:

Assessed Valuations:

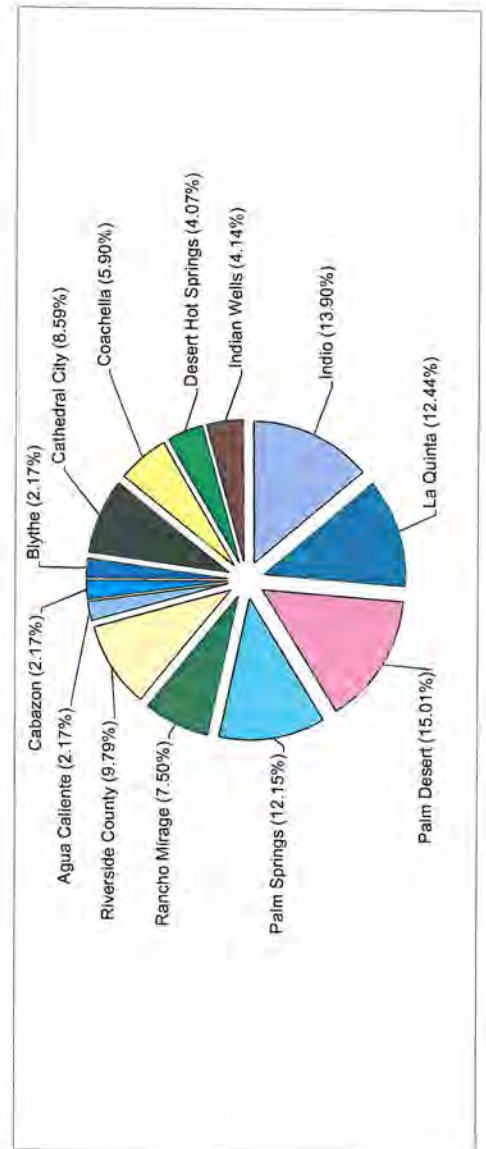
Demographic Research Unit, Department of Finance, State of California as of January 2012.

U.S. Census increased/(decreased) by an average increase/decrease for the C.V. Cities and Blythe, (4.49%) in 2011, 0.03% in 2012 and 1.53 in 2013.
Population in the County of Riverside increased by 1.23% as of January 1, 2013.

Riverside County 2013/14 Assessed Valuation Report.

The total assessed valuation for the Coachella Valley Unified, Desert Sands Unified and Palm Springs Unified School Districts for FY 2013/14 was \$62,753,936,576.

CVAG's boundaries are the same as the boundaries of the above school districts within Riverside County's boundaries. Riverside County's share of that assessed valuation was calculated by subtracting the assessed valuation of all those cities within those school district boundaries which totals \$54,536,236,811. This leaves \$6,134,871,251 for the County of Riverside's assessed valuation in the Coachella Valley. These values use the Local Roll which does not include the State Assessed (SBE) Properties.



**CAPITAL PROJECT - FIVE YEAR SUMMARY
(PROJECT/FUNDING APPROVED BY EXECUTIVE COMMITTEE FOR CONSTRUCTION)
FISCAL YEAR 2014/2015**

<u>TRANSPORTATION</u>	<u>FY 2014/15</u>	<u>FY 2015/16</u>	<u>FY 2016/17</u>	<u>FY 2017/18</u>	<u>FY 2018/19</u>
Madison Street from Avenue 52 to Indio Boulevard Begin Construction. Lead Agency: City of Indio Funded from Regional / Local Fund Sources	\$ 11,609,208				
Fred Waring Drive from Adams to Port Maria Complete Construction Lead Agency: County of Riverside Funded from SLPP / Regional / Local Fund Sources	\$ 5,709,000				
Monterey/I-10 Interchange Loop Ramp Construction in FY 2013/14 Lead Agency: City of Palm Desert Funded from SLPP / TEA-21 / Regional / Local Fund Sources	\$ 2,876,670				
Monroe Street from Avenue 52 to Avenue 49 Complete Construction Lead Agency: City of Indio Funded from SLPP / Regional / Local Fund Sources	\$ 355,468				
Indian Avenue Interchange @ Interstate 10 Construction Complete Lead Agency: County of Riverside Funded from ARRA/Regional / Local Fund Sources	\$ 18,977				

TRANSPORTATION

	FY 2014/15	FY 2015/16	FY 2016/17	FY 2017/18	FY 2018/19
Palm Drive / Gene Autry Trail Interchange @ Interstate 10 Construction Completed in FY13/14 Lead Agency: County of Riverside Funded from ARRA / TEA-LU / Regional / Local Fund Sources	\$ 64,063				
Date Palm Drive Interchange @ Interstate 10 Construction Complete Lead Agency: County of Riverside Funded from STP / STIP / Regional / Local Fund Sources	\$ 323,583				
Jefferson Street Interchange @ Interstate 10 Construction in 2015 Lead Agency: County of Riverside Funded from STIP / STIP / Regional / Local Fund Sources	\$ 31,846,267	\$ 16,548,000			
Indian Canyon from Garnet Avenue to/including Railroad Crossing Bridge Advise for bid, begin construction in late 2014 Lead Agency: City of Palm Springs Funded from STIP / HBRR / Regional / Local Fund Sources	\$ 3,773,242	\$ 11,319,724	\$ 1,886,622		
Date Palm Drive (I-10 and Varner Road) Design Lead Agency: City of Cathedral City Funded from Regional / Local Fund Sources	\$ 146,000		\$ 600,000	\$ 600,000	\$ 1,670,000
Cathedral Canyon Drive Bridge Design Lead Agency: City of Cathedral City Funded from HBP / Regional / Local Fund Sources	\$ 1,743,678	\$ 2,906,130	\$ 11,942,440		
CVLink Design Lead Agency: CVAG Funded from AQMD / CMAQ / STIP / Regional / Local Fund Sources	\$ 4,431,000	\$ 10,500,000	\$ 21,500,000	\$ 14,128,000	\$ 7,000,000
Date Palm Drive Bridge Design Lead Agency: City of Cathedral City Funded from HBP / Regional / Local Fund Sources	\$ 5,031,668	\$ 11,323,956			
Avenue 56 Grade Separation Under Construction Lead Agency: County of Riverside Funded from TCIF (Prop. 1B) / Regional / Local Fund Sources	\$ 12,121,688	\$ 5,431,855			

TRANSPORTATION

	FY 2014/15	FY 2015/16	FY 2016/17	FY 2017/18	FY 2018/19
Highway 111 Widening through the City of Indian Wells Construction Complete Lead Agency: City of Indian Wells Funded from SLPP / Regional / Local Fund Sources	\$ 2,104,687				
Avenue 66 Grade Separation Design Lead Agency: County of Riverside Funded from Regional / Local Fund Sources	\$ 850,000	\$ 850,000			
Frank Sinatra Bridge Construction in late 2015 Lead Agency: City of Rancho Mirage Funded from HBP / Regional / Local Fund Sources	\$ 8,599,977	\$ 17,693,708			
Ramon Road Bridge Widening Design, begin construction in late 2018 Lead Agency: City of Palm Springs Funded from HBP / Regional / Local Fund Sources	\$ 5,806,776		\$ 5,897,963	\$ 14,155,111	\$ 7,077,554
Avenue 52 Grade Separation Under construction Lead Agency: City of Coachella Funded from TCIF (Prop. 1B) / CMAQ / Regional / Local Fund Sources	\$ 12,900,904				
Jefferson Street (Varner Road - North & East) Under construction Lead Agency: City of Indio Funded from SLPP / Regional / Local Fund Sources	\$ 1,713,437				
Vista Chino Bridge over WWR Planning Lead Agency: City of Palm Springs Funded from HBP / Regional / Local Fund Sources	\$ 695,509				
SR-111 (between Rubidoux St. & 760' West of Madison) Construction in mid 2015 Lead Agency: City of Indio Funded from Regional / Local Fund Sources	\$ 5,227,191				
South Palm Canyon Bridge Planning Lead Agency: City of Palm Springs Funded from HBP / Regional / Local Fund Sources	\$ 540,263				

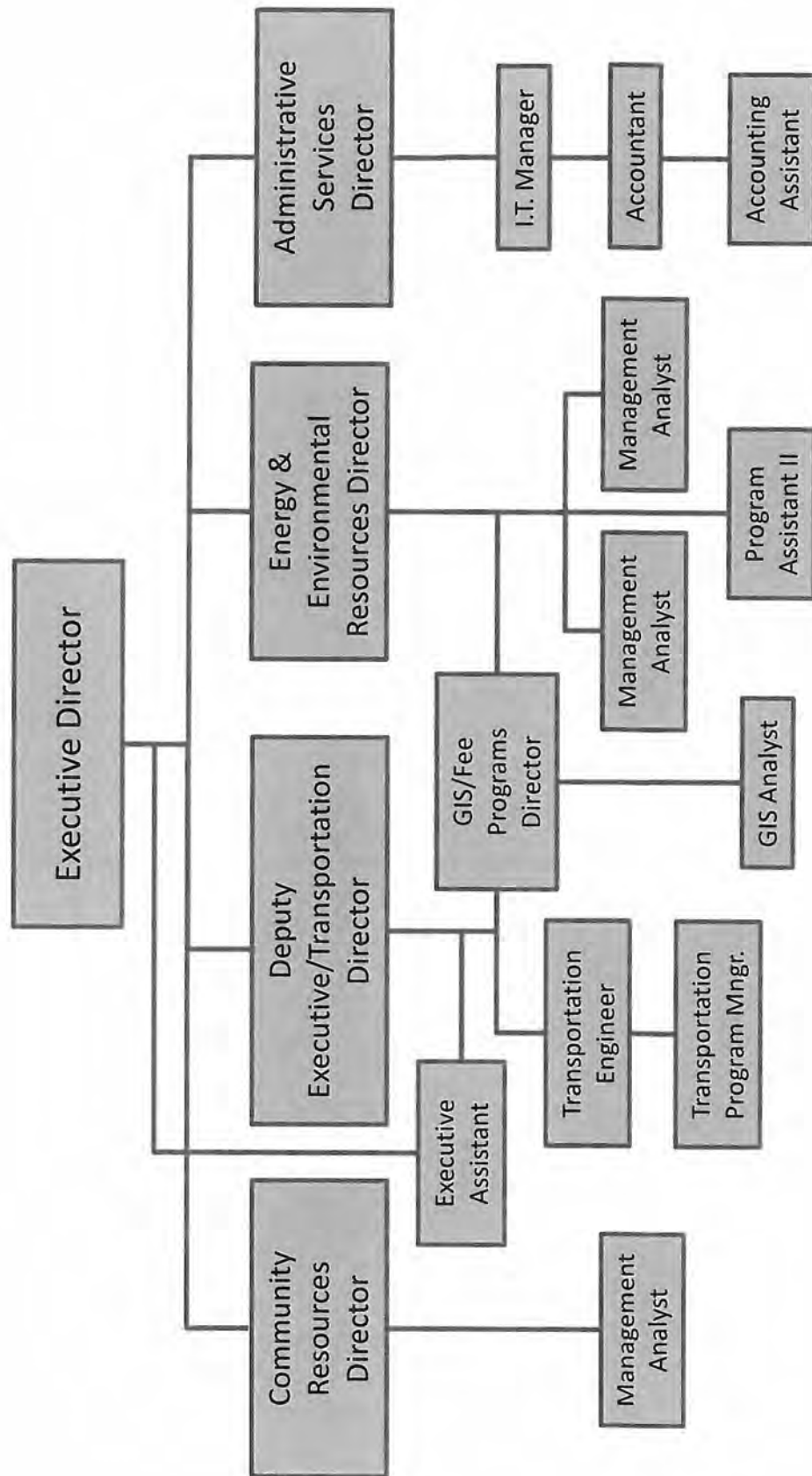
TRANSPORTATION

East Palm Canyon Bridge Planning Lead Agency: City of Palm Springs Funded from HBP / Regional / Local Fund Sources	FY 2014/15 \$ 541,267	FY 2015/16	FY 2016/17	FY 2017/18	FY 2018/19
Dune Palms Bridge Planning Lead Agency: City of La Quinta Funded from HBP / Regional / Local Fund Sources	\$ 1,000,000 \$ 8,000,000	\$ 8,000,000	\$ 8,000,000		
Avenue 50 Bridge Design, begin construction in 2013 Lead Agency: City of Coachella Funded from HBP / SAFETEA-LU / Regional / Local Fund Sources	\$ 1,565,500 \$ 1,565,500	\$ 1,565,500	\$ 913,208		
TOTAL	\$ 121,596,023	\$ 86,138,873	\$ 50,740,233	\$ 28,883,111	\$ 15,747,554

COACHELLA VALLEY ASSOCIATION OF GOVERNMENTS

STAFF ORGANIZATION CHART

FY 2014/2015



FISCAL OVERVIEW

This section of the document presents the financial overview of CVAG's proposed Operating Budgets. It compares expenditures with available resources.

FUND SUMMARY

The Fund Summary Report provides an overview of the financial activities anticipated in each fund through the proposed fiscal year.

OVERALL AGENCYWIDE SUMMARY

The Overall Agencywide Summary Report provides a summary of the FY 2014/15 proposed budget. In addition, the Report compares the proposed budget with the year-end revenue and expenditure estimates for FY 2013/14, the adopted budget for FY 2013/14 and the audited financial statements for FY 2012/13.

BUDGET BY PROGRAMS

The Budget By Programs Report provides an overview of the financial activities anticipated in each program for FY 2014/15.

FUND SUMMARY - FY 2014/2015

	Fund	Est. Beg. Fund Balance	Estimated Revenues	Estimated Expenditures	Transfer In	Transfer Out	Est. End. Fund Bal.
101	General Fund	\$ 1,275,407	\$ 409,359	\$ (691,738)	\$ 338,188	\$ (44,303)	\$ 1,286,913
202/206	Energy Partnership	(50,563)	70,000	(63,468)	-	(7,981)	\$ (52,012)
204/205	Bus Passes / Homeless	435,230	1,425,776	(1,442,614)	-	-	\$ 418,392
207	Tire Amnesty	-	68,930	(80,367)	14,954	(3,517)	\$ -
208	Green Government Initiative	31,730	997,029	(961,786)	-	(13,764)	\$ 53,209
203	Aerial Photography	6,705	-	-	-	-	\$ 6,705
301	AB2766	184,240	306,710	(44,868)	-	(216,512)	\$ 229,570
321	Used Oil Recycling	59,113	70,200	(95,187)	4,945	(2,469)	\$ 36,602
411	SCAG	-	-	(21,852)	25,200	(3,348)	\$ -
501	AB939	34,008	31,910	(34,623)	-	(24,938)	\$ 6,357
601	TUMF / Transportation Administration	1,794,064	4,885,000	(5,939,968)	-	(48,564)	\$ 690,532
611	Transportation Program Construction	19,208,528	107,729,733	(116,986,720)	-	(3,191,966)	\$ 6,759,575
612	RCTC - LTF & PP & M & Pathway 1e11	184,062	1,859,427	(4,766,832)	3,120,000	(68,454)	\$ 328,203
631/632/634	MSHCP	42,377	674,313	(588,447)	-	(85,866)	\$ 42,377
702	Regional Street Sweeping	548,178	401,500	(610,233)	210,864	(2,131)	\$ 548,178
711	COLMAC	1,405	3,518	(4,585)	-	(338)	\$ -
	Total	\$ 23,754,484	\$ 118,933,405	\$ (132,333,288)	\$ 3,714,151	\$ (3,714,151)	\$ 10,354,601

OVERALL AGENCYWIDE SUMMARY

	FY2012/13 Actual	FY2013/14 Budget	FY2013/14 Yr. End Est.	FY2014/15 Budget
	\$	\$	\$	\$
BEGINNING FUND BALANCE	\$ 46,242,468	\$ 43,829,962	\$ 43,480,514	\$ 23,754,484
REVENUES:				
1001 Member Agency Contributions	\$ 386,545	\$ 390,308	\$ 390,307	\$ 394,359
3001 AB2766	287,177	289,000	304,664	306,310
3021 Used Oil Grant	74,619	70,000	74,619	70,000
3031 MSRC	250,000	250,000	250,000	250,000
5001 AB939	31,860	31,860	31,860	31,860
5012 Air Quality Enhancement / COLMAC	150,000	152,244	150,000	153,508
6001 Measure "A"	10,415,536	15,964,540	17,922,532	18,373,258
6011 Meas. "A" In Lieu	1,280,854	550,000	660,000	680,000
6012 TUMF	2,126,174	2,065,000	4,000,000	4,000,000
6025 Local Repayments - Transportation	1,025,121	923,595	1,117,610	1,113,944
6031 RCTC Bond Proceeds	2,437,095	18,453	-	-
6032 RCTC - Admin. Reimbursements	950,123	-	303,932	400,000
6042 RCTC - PP&M	116,037	100,000	81,710	80,000
6051 RCTC - LTF	274,500	326,300	326,300	366,750
7001 MSHCP / CVCC	619,450	663,769	617,726	674,313
7005 Energy Conservation Funding	1,044,176	1,152,925	456,373	1,057,029
7010 Homeless Funding	1,395,525	1,458,711	1,455,711	1,370,711
7031 Other Transportation Funding	-	46,414,120	68,086,204	87,902,531
7031 Other Revenue	243,294	1,656,725	978,005	1,557,372
8001 Investment Income	164,347	209,720	154,615	151,460
Total Revenues	\$ 23,272,433	\$ 72,687,270	\$ 97,362,168	\$ 118,933,405
EXPENDITURES:				
Personnel				
1101 Salaries	\$ 1,393,667	\$ 1,543,835	\$ 1,411,059	\$ 1,576,153
1103 Auto Allowance	7,200	7,200	7,199	7,200
1211 PERS	252,322	268,454	241,690	246,435
1213 Medicare	20,428	22,386	20,233	22,856
1221 Group Insurance	203,851	271,209	203,327	252,372
1226 Unemployment	5,056	5,151	5,152	5,151
1231 State Compensation	12,220	16,100	10,442	16,447
1241 Long Term Disability	6,084	7,155	5,880	9,118
1261 Deferred Compensation	1,020	1,020	1,020	2,936
Total Personnel Expenditures	\$ 1,901,848	\$ 2,142,510	\$ 1,906,002	\$ 2,138,668

OVERALL AGENCYWIDE SUMMARY (CONTINUED)

	FY2012/13 Actual	FY2013/14 Budget	FY2013/14 Yr. End Est.	FY2014/15 Budget
Non-Personnel				
2321 Communications / Phone	\$ 15,092	\$ 15,500	\$ 16,814	\$ 16,500
2341 Advertising	9,837	20,000	16,371	24,341
2353 Comprehensive Insurance	70,710	88,700	86,024	81,000
2401 Memberships / Registration	2,870	3,500	4,305	11,500
2415 Postage	2,197	4,000	2,116	4,000
2417 General Expense	3,907	10,000	2,435	10,000
2418 Per Diem Payments	27,300	43,600	30,200	43,600
2421 Subscriptions	211	1,300	298	1,300
2422 Computer Software	29,662	36,115	30,257	36,620
2423 Office Supplies	7,128	10,000	4,121	12,750
2425 Legal Services	31,765	30,000	24,400	25,000
2427 Medical Services	130	900	449	900
2428 Accounting Services	18,059	25,000	25,363	30,000
2431 Professional Services	3,540	4,500	11,114	31,000
2451 Equipment Lease / Maintenance	10,135	15,000	10,016	15,000
2461 Building Lease / Rent	108,357	115,000	108,783	117,000
2481 Printing	4,821	6,000	4,517	9,550
2484 Resource Materials	30	12,750	10,595	1,000
2485 Training - Employee	3,572	14,250	1,366	24,750
2502 Local Meetings	19,582	22,750	18,795	23,750
2503 Travel and Training	7,105	7,000	6,878	10,000
2512 Utilities	18,582	25,000	15,632	25,000
4821 Equipment	9,667	42,000	76,698	50,000
Total Non-Personnel Expenditures	\$ 404,260	\$ 552,865	\$ 507,547	\$ 604,561
Other				
2432 Consultants / Service Providers	\$ 2,500,561	\$ 3,792,359	\$ 2,201,970	\$ 7,305,833
2433 Construction / Project Costs	18,570,509	69,499,256	109,460,445	119,271,993
8981 Debt Service	2,657,210	3,049,067	3,012,233	3,012,233
3500 Operating Transfers Out	230,662	564,920	732,146	3,714,151
9000 Operating Transfers In	(230,662)	(564,920)	(732,146)	(3,714,151)
Total Other	\$ 23,728,280	\$ 76,340,682	\$ 114,674,648	\$ 129,590,059
Total Personnel/Non-Personnel/Other	\$ 26,034,388	\$ 79,036,057	\$ 117,088,197	\$ 132,333,288
Net Excess (Deficit)	\$ (2,761,954)	\$ (6,348,787)	\$ (19,726,029)	\$ (13,399,883)
ENDING FUND BALANCE	\$ 43,480,514	\$ 37,481,175	\$ 23,754,484	\$ 10,354,601

BUDGET BY PROGRAMS - FY 2014/2015

	TRANSPORTATION	COMMUNITY RESOURCES	ENERGY AND ENVIRONMENTAL RESOURCES	ADMINISTRATION	TOTAL
BEGINNING FUND BALANCE	\$ 21,186,654	\$ 1,169,053	\$ 123,370	\$ 1,275,407	\$ 23,754,484
REVENUES:					
1001 Member Agency Contributions	\$ -	\$ 312,623	\$ 48,471	\$ 33,265	\$ 394,359
3021 Used Oil Grant	-	-	70,000	-	70,000
5012 Air Quality Enhancement / COLMAC	-	153,508	-	-	153,508
6001 Measure "A"	18,373,258	-	-	-	18,373,258
6011 Meas. "A" In Lieu	680,000	-	-	-	680,000
6012 TUMF	4,000,000	-	-	-	4,000,000
6025 Local Repayments - Transportation	1,113,944	-	-	-	1,113,944
6032 RCTC - Admin. Reimbursement	400,000	-	-	-	400,000
6042 RCTC - PP&M	80,000	-	-	-	80,000
6051 RCTC - LTF	366,750	-	-	-	366,750
7001 MSHCP / CVCC	-	-	674,313	-	674,313
7005 Energy Conservation Funding	-	-	1,057,029	-	1,057,029
7010 Homeless Funding	-	1,370,711	-	-	1,370,711
7031 Other Transportation Funding	87,902,531	-	-	-	87,902,531
7031 Other Revenue	1,412,377	54,065	78,930	12,000	1,557,372
8001 Investment Income	145,300	2,910	250	3,000	151,460
Total Revenues	\$ 114,474,160	\$ 2,450,127	\$ 1,960,853	\$ 48,265	\$ 118,933,405
EXPENDITURES:					
Personnel					
1101 Salaries	\$ 680,877	\$ 190,399	\$ 506,459	\$ 198,418	\$ 1,576,153
1103 Auto Allowance	4,824	288	1,656	432	7,200
1211 PERS	109,879	30,441	75,385	30,730	246,435
1213 Medicare	9,873	2,764	7,344	2,875	22,856
1221 Group Insurance	98,673	32,521	86,543	34,635	252,372
1226 Unemployment	2,225	623	1,655	648	5,151
1231 State Compensation	7,105	1,987	5,286	2,069	16,447
1241 Long Term Disability	3,940	1,101	2,930	1,147	9,118
1261 Deferred Compensation	1,966	118	676	176	2,936
Total Personnel Expenditures	\$ 919,362	\$ 260,242	\$ 687,934	\$ 271,130	\$ 2,138,668

BUDGET BY PROGRAMS - FY 2014/2015 (CONTINUED)

	TRANSPORTATION	COMMUNITY RESOURCES	ENERGY AND ENVIRONMENTAL RESOURCES	ADMINISTRATION	TOTAL
Non-Personnel					
2321 Communications / Phone	\$ 6,696	\$ 1,874	\$ 5,980	\$ 1,950	\$ 16,500
2341 Advertising	3,933	121	20,162	125	24,341
2353 Comprehensive Insurance	32,400	15,067	24,098	9,435	81,000
2401 Memberships / Registration	8,433	121	2,821	125	11,500
2415 Postage	1,643	875	1,294	188	4,000
2417 General Expense	4,320	1,209	3,213	1,258	10,000
2418 Per Diem Payments	7,200	16,500	6,300	13,600	43,600
2421 Subscriptions	561	157	418	164	1,300
2422 Computer Software	17,010	2,311	14,893	2,406	36,620
2423 Office Supplies	4,564	1,706	5,589	891	12,750
2425 Legal Services	11,444	2,544	10,446	566	25,000
2427 Medical Services	300	-	300	300	900
2428 Accounting Services	12,960	3,627	9,639	3,774	30,000
2431 Professional Services	12,232	6,143	9,354	3,271	31,000
2451 Equipment Lease / Maintenance	6,770	2,109	4,863	1,258	15,000
2461 Building Lease / Rent	50,544	14,145	37,592	14,719	117,000
2481 Printing	1,716	261	7,511	62	9,550
2484 Resource Materials	540	90	300	70	1,000
2485 Training - Employee	10,692	2,991	7,953	3,114	24,750
2502 Local Meetings	5,222	1,611	4,125	12,792	23,750
2503 Travel and Training	4,774	1,280	3,342	604	10,000
2512 Utilities	10,800	3,022	8,033	3,145	25,000
4821 Equipment	20,000	-	-	30,000	50,000
Total Non-Personnel Expenditures	\$ 234,754	\$ 77,764	\$ 188,226	\$ 103,817	\$ 604,561
Other					
2432 Consultants / Service Providers	\$ 5,073,000	\$ 1,316,614	\$ 916,219	\$ -	\$ 7,305,833
2433 Construction / Project Costs	118,476,023	722,020	73,950	-	119,271,993
8981 Debt Service	3,012,233	-	-	-	3,012,233
3500 Operating Transfers Out	3,312,332	257,264	144,555	-	3,714,151
9000 Operating Transfers In	(3,145,200)	(210,864)	(19,899)	(338,188)	(3,714,151)
Total Non-Personnel Expenditures	\$ 126,728,388	\$ 2,085,034	\$ 1,114,825	\$ (338,188)	\$ 129,590,059
Total Personnel/Non-Personnel/Other	\$ 127,882,504	\$ 2,423,040	\$ 1,990,985	\$ 36,759	\$ 132,333,288
Net Excess (Deficit)	\$ (13,408,344)	\$ 27,087	\$ (30,132)	\$ 11,506	\$ (13,399,883)
ENDING FUND BALANCE	\$ 7,778,310	\$ 1,196,140	\$ 93,238	\$ 1,286,913	\$ 10,354,601

PROGRAM BUDGETS

This section of the document presents the budget overview of the revenues and expenditures anticipated in each of CVAG's four programs. It combines the various funds into the respective programs to illustrate how each individual program is funded.

TRANSPORTATION DEPARTMENT PROGRAM GOALS AND OBJECTIVES FISCAL YEAR 2014/15

The Work Plan for 2014/15 is separated into nine main program areas:

1) Transportation Department Operations

- Transportation Program Administration
- Implementation of Transportation Project Prioritization Study (TPPS)
- Capital Improvement Program (CIP) Update
- Other Transportation Planning
- Operations Management and Administration

This program area performs primarily administrative functions which consist of general transportation program administrative activities and various transportation planning duties in support of the Transportation Department.

(Funded from Measure A and TUMF)

2) Project Management and Contract Administration

- Financial Cash Flow
- Project Status Tracking
- Preparation and Monitoring of Agreements

Includes staff time to conduct project oversight (design, environmental, construction and close-out), preparation of reimbursement agreements for regional arterial projects, review and approval of project billings in accordance with project scope of work and participation in project development team meetings and associated staff reports.

(Funded from Measure A, TUMF, LTF and Special Program Funds)

3) CV Link Project Development (Phased)

- Project Development and Monitoring
- Cash Flow Tracking
- Grant Condition Monitoring

Includes staff time to conduct project oversight of consultant services (environmental compliance and construction plans); review of project billings; participation in project development team meetings and preparation of associated reports.

(Funded from Riverside County Regional Park and Open Space District Grant, Caltrans Environmental Justice Grant, California Strategic Growth Council Grant, PP&M, LTF, Sentinel Project AQMD Grant and Measure A)

4) **Riverside County Transportation Commission (RCTC) Programs**

- Congestion Management Program/System (CMP/CMS)
- RCTC Technical Advisory Committee
- SB 821
- Coachella Valley Rail Program

Includes staff time to support the Riverside County Congestion Management Program; analysis of traffic patterns through the traffic count program; provide RCTC staff regional transportation project information for the State Regional Transportation Improvement Program (RTIP); support the RCTC Technical Advisory Committee; Coachella Valley Passenger Rail Service Development Plan.

(Funded from LTF, STA, Proposition 1B [one-time funds] and TUMF)

5) **Planning, Programming and Monitoring Program**

- Regional Transportation Improvement Program/State Transportation Improvement Program (RTIP/STIP)

This area includes staff time in support of the State Transportation Improvement Program (STIP) and Regional Transportation Improvement Program (RTIP), support in implementation and updating of the CVAG Transportation Project Prioritization Study (TPPS), coordination of updates to the Capital Improvement Plan (CIP), and monitoring and examining impacts of implementing SB 45. TPPS activities support the regional project construction program which includes staff time to develop an annual prioritized list of construction projects and required financial resources.

(Funded from PP&M, LTF and Measure A)

6) **Miscellaneous Programs**

- GIS Information Services
- Maintain Transportation Model
- Regional Arterial Traffic Count Program

This area involves support to multiple programs with a focus on key project areas. These areas include staff time and project management to maintain and provide input for GIS Information Services, the countywide transportation demand model, the regional arterial traffic count program, and transportation legislation review and analysis. GIS Information Services includes staff time to provide regional land use information to CVAG jurisdictions, developers, SCAG and Caltrans. The countywide transportation model involves support for the RIVTAM transportation model for forecasting projected transportation system needs to the year 2039.

(Funded from Measure A, TUMF, and Special Program Funds)

7) **Congestion Management /Air Quality Programs**

- CM/AQ Programs
- Conformance with SIP requirements

Involves Transportation Department staff support to CMAQ program areas. Also includes implementation of State Implementation Plan (SIP) conformance to CVAG regional projects.

(Funded from CMAQ and Measure A)

8) **Transportation Uniform Mitigation Fee (TUMF) Program**

- TUMF Program Administration
- TUMF/GIS Interface
- TUMF Audits

Includes staff time in support of the TUMF program and TUMF/GIS Interface program. TUMF program activities include staff time to monitor the implementation of the TUMF program in member jurisdictions, to perform annual fiscal reviews of building permits and TUMF collections, to research, analyze and prepare reports for TUMF appeals, to enter TUMF collections in the TUMF data base, to meet with developers on request to review potential TUMF assessments, and to perform special TUMF analysis on request. The TUMF/GIS Interface program requires support for continuing the development of integrating the TUMF collection process with electronic transmission of new development information for land use coverages.

(Funded from TUMF)

9) **Governmental and Special Projects**

- Southern California Association of Governments (SCAG)

The SCAG program includes staff time to coordinate the CVAG sub-region SCAG Program needs, develop annual growth projections, provide input to the Federal Regional Transportation Plan, and assist SCAG with transportation modeling refinements. Additionally staff performs specific transportation project work for SCAG.

(Funded from Special Program Funds)

- Special Projects

Some proposed projects may involve general fund money or special grants. Any project not already a part of the regular work programs, will be brought through the committee process for approval of the proposed work.

(Funded from Special Grant funds)

TRANSPORTATION PROGRAM - FY 2014/2015

	FUND 601	FUND 611	FUND 612	FUND 411	
	TUMF	TRANS.	RCTC / LTF /	SCAG/OWP	TOTALS
	PROGRAM	PROJ. CONST.	PPM / CVLINK		
BEGINNING FUND BALANCE	\$ 1,794,064	\$ 19,208,528	\$ 184,062	\$ -	\$ 21,186,654
REVENUES:					
6001 Measure "A"	\$ -	\$ 18,373,258	\$ -	\$ -	\$ 18,373,258
6011 Meas. "A" In Lieu	680,000	-	-	-	680,000
6012 TUMF	4,000,000	-	-	-	4,000,000
6025 Local Repayments - Transportation	180,000	933,944	-	-	1,113,944
6032 RCTC - Admin. Reimbursements	-	400,000	-	-	400,000
6042 RCTC - PP&M	-	-	80,000	-	80,000
6051 RCTC - LTF	-	-	366,750	-	366,750
7031 Other Transportation Funding	-	87,902,531	-	-	87,902,531
7031 Other Revenue	-	-	1,412,377	-	1,412,377
8001 Investment Income	25,000	120,000	300	-	145,300
Total Revenues	\$ 4,885,000	\$ 107,729,733	\$ 1,859,427	\$ -	\$ 114,474,160
EXPENDITURES:					
Personnel					
1101 Salaries	\$ 197,835	\$ 293,186	\$ 176,208	\$ 13,648	\$ 680,877
1103 Auto Allowance	1,008	1,872	1,944	-	4,824
1211 PERS	31,578	46,410	29,658	2,233	109,879
1213 Medicare	2,868	4,251	2,555	199	9,873
1221 Group Insurance	26,931	43,897	26,869	976	98,673
1226 Unemployment	647	958	575	45	2,225
1231 State Compensation	2,064	3,059	1,839	143	7,105
1241 Long Term Disability	1,145	1,696	1,020	79	3,940
1261 Deferred Compensation	411	763	792	-	1,966
Total Personnel Expenditures	\$ 264,487	\$ 396,092	\$ 241,460	\$ 17,323	\$ 919,362
Non-Personnel					
2321 Communications / Phone	\$ 1,945	\$ 2,883	\$ 1,733	\$ 135	\$ 6,696
2341 Advertising	1,176	2,136	612	9	3,933
2353 Comprehensive Insurance	9,413	13,950	8,384	653	32,400
2401 Memberships / Registration	2,926	5,386	112	9	8,433
2415 Postage	537	927	166	13	1,643
2417 General Expense	1,255	1,860	1,118	87	4,320
2418 Per Diem Payments	2,520	4,680	-	-	7,200
2421 Subscriptions	163	242	145	11	561
2422 Computer Software	5,462	9,244	2,138	166	17,010
2423 Office Supplies	1,415	2,294	793	62	4,564
2425 Legal Services	3,890	7,012	503	39	11,444
2427 Medical Services	75	225	-	-	300
2428 Accounting Services	3,765	5,580	3,354	261	12,960
2431 Professional Services	3,613	5,486	2,907	226	12,232
2451 Equipment Lease / Maintenance	1,990	3,225	1,468	87	6,770
2461 Building Lease / Rent	14,684	21,762	13,080	1,018	50,544
2481 Printing	238	418	1,056	4	1,716
2484 Resource Materials	182	338	-	20	540
2485 Training - Employee	3,106	4,604	2,767	215	10,692
2502 Local Meetings	1,491	2,472	704	555	5,222
2503 Travel and Training	1,302	2,193	537	742	4,774
2512 Utilities	3,138	4,650	2,795	217	10,800
4821 Equipment	7,000	13,000	-	-	20,000
Total Non-Personnel Expenditures	\$ 71,286	\$ 114,567	\$ 44,372	\$ 4,529	\$ 234,754
Other					
2432 Consultants / Service Providers	\$ 150,400	\$ 441,600	\$ 4,481,000	\$ -	\$ 5,073,000
2433 Construction / Project Costs	5,453,795	113,022,228	-	-	118,476,023
8981 Debt Service	-	3,012,233	-	-	3,012,233
3500 Operating Transfers Out	48,564	3,191,966	68,454	3,348	3,312,332
9000 Operating Transfers In	-	-	(3,120,000)	(25,200)	(3,145,200)
Total Non-Personnel Expenditures	\$ 5,652,759	\$ 119,668,027	\$ 1,429,454	\$ (21,852)	\$ 126,728,388
Total Personnel/Non-Personnel/Other	\$ 5,988,532	\$ 120,178,686	\$ 1,715,286	\$ -	\$ 127,882,504
Net Excess (Deficit)	\$ (1,103,532)	\$ (12,448,953)	\$ 144,141	\$ -	\$ (13,408,344)
ENDING FUND BALANCE	\$ 690,532	\$ 6,759,575	\$ 328,203	\$ -	\$ 7,778,310

COMMUNITY RESOURCES PROGRAM GOALS AND OBJECTIVES FISCAL YEAR 2014/2015

The goals for the Community Resources Department for fiscal year 2014/15 are managing and maintaining three major programs: 1) air quality related programs (including regional street sweeping); and 2) Roy's Desert Resource Center in North Palm Springs; and 3) public safety related programs (AB 109 Realignment).

Air Quality Related Programs: Staff administrates several regional programs related to improving air quality: through mutual agreements with our jurisdictions, *CVAG's Regional PM-10 Street Sweeping Program* uses alternative fuel sweepers to remove PM-10 from the regional arterials. Our Program also provides for *"Post Event Clean-Up"* of PM-10 on the regional arterials following major wind storms. This program involves strong partnerships with our member jurisdictions, the South Coast Air Quality Management District (AQMD) and our operator, CleanStreet while maintaining compliance with the Coachella Valley State Implementation Plan (CVSIP). Financing of the program uses several grants that the Department manages including Colmac, AB2766 and AQMD-MSRC grant funds.. Equipment used in the earlier stages of the Regional Program were auctioned during this past fiscal year. CVAG is working with the Riverside County Transportation Commission to see that proceeds will be made available to Eastern Riverside County for re-use. The department also contracts with College of the Desert's Partnership and Community Education (PACE) to continue to provide an *online alternative reseeding course* to landscapers throughout the Coachella Valley. The 30 minute certificated course provides education on reseeding alternatives to help improve our air quality. Department support is also provided to CVAG's executive director to monitor the AQMD grant for *CV Link (Parkway)* and to assist with other grants to support the CV Link.

Roy's Desert Resource Center in North Palm Springs: The Executive Committee has given CVAG a deadline of August 2016 to withdraw as administrator of Roy's Desert Resource Center. CVAG will be actively seeking a new administrator. The County continues to be a major contributor to the operations of Roy's Desert Resource Center and the elimination of redevelopment continues to make annual contributions from the jurisdictions a challenge. The Friends of Roy's Foundation continues to work hard but struggles in its efforts to secure grants for the shelter. One grant resulted in a new Business Center which will finally open in mid-2014. Jewish Family Services of San Diego (aka Desert SOS), continues to serve as the Operator providing services to the clients to end their cycles of homelessness. CVAG is working with the Operator to broaden the services provided at Roy's to include more work training, e.g., food handlers certificate. The certificate program may launch with the opening of the on site Business Center. CVAG thanks the Desert Healthcare District for the Nursing Services Program. Although their grant ends; the California Wellness Foundation grant will allow for continued nursing program services for several months until a more regional approach to treating homeless clients is developed by the Desert Healthcare District and partners.

Major areas of focus include:

Homelessness: Roy's Desert Resource Center is in full operation. Staff will continue searching for funding for operations of Roy's to offset contributions from the member jurisdictions. The Homelessness Committee continues its current Strategic Plan to address more regional issues surrounding homelessness.

Coachella Valley Regional Earthquake Warning System (CREWS): The Coachella Valley is overdue for a major earthquake. This project continues to remain on CVAG's radar, however, due to State fiscal constraints, grant funding for this project has been a challenge; but recent Statewide recognition of CREWS may soon be providing funding to this local program. Staff continues to work with Seismic Warning Systems and the Coachella Valley Emergency Managers Association (CVEMA) to create and launch a regional network of earthquake early warning systems capable of rapid detection of regional earthquakes of a 4.0 magnitude and greater and then transmit this information up to a 45 second warning to Coachella Valley users to initiate actions that will protect people and property.

Air Quality: A Redesignation Request for the Coachella Valley's federal PM-10 standard submitted in January 2010 continues to be under consideration by the Environmental Protection Agency (EPA). CVAG and the department will continue to monitor the Morongo Band of Mission Indians request. The Department continues to have oversight of the Coachella Valley State Implementation Plan (CVSIP).

The Work Plan for Fiscal Year 2014/15 is separated into seven (7) core program areas:

1) **COMMUNITY RESOURCES**

Although not active, the Human and Community Resources Committee (HCRC) remains a core program area of the department and ready to be activated as valleywide HCR related issues such as the Clinton Health Matters Initiative (CHMI) are identified and the need requires.

2) **PUBLIC SAFETY**

The general administration of the Public Safety Committee (PSC) includes the development of goals; as well as preparation of agendas, minutes, and coordination of meeting schedules, speakers, and presentations. Under the PSC's discretion, track, recommend, support and/or oppose proposed legislation that may impact the area. Below are the Committee's goals for fiscal year 2014-15:

Goals:

1. Serve as a conduit of information related to local public safety needs;
2. Support Regional Reform and Re-Entry Program for Parolees in order to reduce recidivism;
3. Support and work collaboratively to secure funding for implementation of the Coachella Valley Regional Earthquake Warning System (CREWS);
4. Enhance collaboration efforts to reduce impaired driving (i.e., DUI)

3) **HOMELESSNESS COMMITTEE**

General administration of the Homelessness Committee which includes development and follow-through of annually established goals, preparation and dissemination of agendas, minutes and meeting schedules. Develop projects and/or programs that respond to the Regional Strategic Plan as developed and directed by the Homelessness Committee and as directed by the Executive Committee. Coordinate presentations from local organizations to the Homelessness Committee that have potential regional significance.

Continue to serve as administrator of the contract for operator of Roy's Desert Resource Center and lease of the building which houses the shelter.

4) **TECHNICAL PLANNING SUBCOMMITTEE**

This Subcommittee represents Planning Directors from the member jurisdictions. Beginning as an ad hoc group which met periodically; the group now meets regularly and reports to the Technical Advisory Committee (TAC). Staff support for disseminating agendas and minutes and development of agenda items comes from the Community Resources Department.

Goals:

1. Regional Housing Needs Assessment (RHNA); Regional Transportation Planning (RTP); Sustainable Community Strategies (SCS) and SB375;
2. Alternative Energy Planning – Large Solar CUPS, solar fields, small wind turbines, roof top solar, geothermal and energy transmission corridor; residential wind energy
3. Regional Bike/Trail Development;
4. Schools By Design Quarterly Meetings

5) **AB2766 AIR QUALITY**

Oversight of Regional PM10 Street Sweeping Services Contract and general administration of the PM10 Air Quality issues.

Goals:

1. Coordinate with AQMD for quarterly AB2766 figures, calculate and collect general billing to member jurisdictions. Also coordinate annual AB2766 training class w/jurisdictions and AQMD.
2. Monitor efforts with jurisdictions and AQMD to carry out CVSIP control measures as adopted by jurisdictions;
3. Coordinate monthly PM-10 Dust Control Certification classes with AQMD staff to train employees of builders, contractors and developers on dust control benefits in the Coachella Valley;
4. Coordinate with SCAQMD on associated areas and disseminate information so that member jurisdictions remain informed on local air quality issues. This may include:
5. Letters of Support or Opposition on proposed air quality or climate change legislation that impacts the Coachella Valley;
6. Host workshops and meetings with SCAQMD officials in the Coachella Valley on air quality issues that will benefit the jurisdictions;
7. Empower consumers to do their part for cleaner air through awareness and participation in programs, e.g., reseeding options, AQMD's Lawnmower Exchange program;

8. Work with the Mobile Source Air Pollution Reduction Review Committee (MSRC) regarding matching fund of the Regional PM-10 Street Sweeping Program using designated grant funds for the Coachella Valley.

6) **REGIONAL AIR QUALITY ENHANCEMENT PROGRAM (COLMAC)**

Apply and utilize funds received from the Coachella Valley Air Quality Enhancement Trust Fund (Colmac) by the County to reduce the concentration of PM10 in the Coachella Valley utilizing several methods.

Goals:

1. Manage agreement as approved by the Board of Supervisors using Colmac Funds for allocation of \$150,000 over a five (5) year period to offset the operations of the Regional PM-10 Street Sweeping Program. Work with County to extend current grant period.
2. Oversight of online Landscapers Certification Education Course (in English and Spanish) required by the Landscapers Model Ordinance adopted by most cities. The course includes a water conservation component and composting component.

7) **SOUTHERN CALIFORNIA ASSOCIATION OF GOVERNMENTS (SCAG)**

In partnership with the Southern California Association of Governments (SCAG); staff provides the following:

1. Serves as the Subregional Coordinator to disseminate SCAG information to the member jurisdictions including information related to the Regional Transportation Plan; enacted legislation including SB 375; the Regional Needs Housing Element (RHNA);
2. Make available videoteleconference equipment provided by SCAG and installed in CVAG's MSW Conference to be used for videoteleconference of SCAG meetings; public hearings; and presentations endorsed by SCAG.
3. Assist SCAG with arranging on site meetings on related topics with jurisdictions.
4. Attend Subregional Coordinators Meetings and assist local electeds who are selected as representatives to SCAG's committees; with SCAG related issues and coordinate and perform local SCAG elections.

COMMUNITY RESOURCES PROGRAM - FY 2014/2015

FUND	101	101	101	204 / 205	301	702	711	
	PUBLIC SAFETY	COMM. RESOURCES	HOMELESS	BUS PASS HOMELESS	AB2766	STREET SWEEPING	COLMAC	TOTAL
BEGINNING FUND BALANCE	\$ -	\$ -	\$ -	\$ 435,230	\$ 184,240	\$ 548,178	\$ 1,405	\$ 1,169,053
REVENUES:								
1001 Member Agency Contributions	\$ 67,093	\$ 40,098	\$ 205,432	\$ -	\$ -	\$ -	\$ -	\$ 312,623
3001 AB2766	-	-	-	-	306,310	-	-	306,310
3031 MSRC	-	-	-	-	-	250,000	-	250,000
5012 Air Quality Enhancement / COLMAC	-	-	-	-	-	150,000	3,508	153,508
7010 Homeless Funding	-	-	-	1,370,711	-	-	-	1,370,711
7031 Other Revenue	-	-	-	54,065	-	-	-	54,065
8001 Investment Income	-	-	-	1,000	400	1,500	10	2,910
Total Revenues	\$ 67,093	\$ 40,098	\$ 205,432	\$ 1,425,776	\$ 306,710	\$ 401,500	\$ 3,518	\$ 2,450,127
EXPENDITURES:								
Personnel								
1101 Salaries	\$ 33,529	\$ 18,844	\$ 105,016	\$ -	\$ 22,975	\$ 8,670	\$ 1,365	\$ 190,399
1103 Auto Allowance	72	72	-	-	144	-	-	288
1211 PERS	4,430	3,116	17,510	-	3,744	1,418	223	30,441
1213 Medicare	487	274	1,522	-	334	126	21	2,764
1221 Group Insurance	5,348	2,352	22,232	-	1,905	586	98	32,521
1226 Unemployment	110	62	343	-	75	28	5	623
1231 State Compensation	350	197	1,095	-	240	90	15	1,987
1241 Long Term Disability	194	109	607	-	133	50	8	1,101
1261 Deferred Compensation	29	30	-	-	59	-	-	118
Total Personnel Expenditures	\$ 44,549	\$ 25,056	\$ 148,325	\$ -	\$ 29,609	\$ 10,968	\$ 1,735	\$ 260,242
Non-Personnel								
2321 Communications / Phone	\$ 331	\$ 186	\$ 1,032	\$ -	\$ 226	\$ 85	\$ 14	\$ 1,874
2341 Advertising	21	12	66	-	15	6	1	121
2353 Comprehensive Insurance	1,597	900	4,995	1,000	1,095	5,413	67	15,067
2401 Memberships / Registration	21	12	66	-	15	6	1	121
2415 Postage	352	338	99	-	77	8	1	875
2417 General Expense	213	120	666	-	146	55	9	1,209
2418 Per Diem Payments	6,000	1,350	6,000	-	3,150	-	-	16,500
2421 Subscriptions	28	15	87	-	19	7	1	157
2422 Computer Software	408	229	1,273	-	279	105	17	2,311
2423 Office Supplies	150	585	472	-	454	39	6	1,706
2425 Legal Services	96	1,554	299	-	566	25	4	2,544
2428 Accounting Services	639	360	1,998	-	438	165	27	3,627
2431 Professional Services	553	812	1,731	-	380	144	2,523	6,143
2451 Equipment Lease / Maintenance	213	620	666	-	546	55	9	2,109
2461 Building Lease / Rent	2,492	1,404	7,792	-	1,708	644	105	14,145
2481 Printing	11	206	33	-	7	3	1	261
2484 Resource Materials	10	10	10	-	50	-	10	90
2485 Training - Employee	527	297	1,648	-	361	136	22	2,991
2502 Local Meetings	234	575	419	-	192	185	6	1,611
2503 Travel and Training	202	558	320	-	170	26	4	1,280
2512 Utilities	532	300	1,665	-	365	138	22	3,022
Total Non-Personnel Expenditures	\$ 14,630	\$ 10,443	\$ 31,337	\$ 1,000	\$ 10,259	\$ 7,245	\$ 2,850	\$ 77,764
Other								
2432 Consultants / Service Providers	\$ -	\$ -	\$ -	\$ 1,311,614	\$ 5,000	\$ -	\$ -	\$ 1,316,614
2433 Construction / Project Costs	-	-	-	130,000	-	592,020	-	722,020
3500 Operating Transfers Out	7,914	4,599	25,770	-	216,512	2,131	338	257,264
9000 Operating Transfers In	-	-	-	-	-	(210,864)	-	(210,864)
Total Non-Personnel Expenditures	\$ 7,914	\$ 4,599	\$ 25,770	\$ 1,441,614	\$ 221,512	\$ 383,287	\$ 338	\$ 2,085,034
Total Personnel/Non-Personnel/Other	\$ 67,093	\$ 40,098	\$ 205,432	\$ 1,442,614	\$ 261,380	\$ 401,500	\$ 4,923	\$ 2,423,040
Net Excess (Deficit)	\$ -	\$ -	\$ -	\$ (16,838)	\$ 45,330	\$ -	\$ (1,405)	\$ 27,087
ENDING FUND BALANCE	\$ -	\$ -	\$ -	\$ 418,392	\$ 229,570	\$ 548,178	\$ -	\$ 1,196,140

**ENERGY AND ENVIRONMENTAL RESOURCES
FISCAL YEAR 2014/2015
PROGRAM GOALS AND OBJECTIVES**

The Environmental Resources Department goals and objectives integrate a valley-wide commitment to conservation and sustainability. The Energy and Environmental Resources Committee provides a forum for our member jurisdictions to highlight past and present successes, provide updates on progress toward resource conservation and sustainability goals, and discuss environmental issues and opportunities for collaboration.

The Environmental Resources Department work plan will focus on the following program areas in Fiscal Year 2014/2015:

CV Upgrade - Property Assessed Clean Energy Program:

A clean energy community facilities district was formed in June 2013 by action of the CVAG General Assembly to pave the way for the Regional Property Assessed Clean Energy (PACE) program – CV Upgrade. After completing a legal validation process, the CV Upgrade program began accepting applications in late 2013. Through CV Upgrade, property owners can finance energy efficiency, water conservation, and renewable energy improvements to residences and businesses. The financing is repaid through property tax bills. The PACE financing program provides cost savings for energy consumers, promotes green jobs and energy sustainability for residents and businesses in the CVAG region from Palm Springs to Blythe. Response to the CV Upgrade program, which benefits our region by improving our air quality, reducing greenhouse gas emissions, and advancing green job growth, has been strong.

Green for Life and Desert Cities Energy Partnership:

The Green for Life program was initiated in June 2011 to promote energy efficiency, energy and cost savings for member agencies, residents and businesses, as well as efforts to reduce greenhouse gas emissions. As part of Green for Life, a voluntary green building program has been developed and adopted by participating jurisdictions. Greenhouse gas inventories have been completed and energy and climate action plans have been adopted by participating jurisdictions. Energy management tools are available to help reduce energy costs for municipal facilities. The program is funded by Southern California Edison (SCE) and the California Public Utilities Commission (CPUC) and has been extended through 2014/2015 by the CPUC. As part of this green government initiative the program provides outreach to other member agencies, a green building app, energy information kiosks, and additional sustainability tools and programs. The Desert Cities Energy Partnership, a collaboration between CVAG member agencies and Southern California Edison, Imperial Irrigation District, and Southern California Gas Company has also been extended to continue in 2014/2015. In 2013, the City of Palm Desert joined the Desert Cities Energy Partnership.

Sustainability and Greenhouse Gas Reduction/Climate Action Planning:

Regional coordination of Department programs including water conservation, solid waste recycling, used oil recycling, habitat conservation, and energy issues, all fall under the banner of sustainability. We will continue to provide a forum for advancing regional sustainability initiatives. With completion of greenhouse gas inventories by all CVAG member agencies as of 2013, and adoption of climate action plans, our focus will be on ways to support member agencies with tools for implementation of these plans.

Plug-in Electric Vehicle Readiness Planning:

The Coachella Valley Plug-in Electric Vehicle Coordinating Council and technical working group have been involved in preparation of the Coachella Valley Electric Vehicle Readiness Plan to identify charging station locations, efficient permitting and provide outreach and education about electric vehicles for our communities. The Plan was completed in spring 2014.

Habitat Conservation:

The Department provides support to the Coachella Valley Conservation Commission to implement the Coachella Valley Multiple Species Habitat Conservation Plan. The CVCC is continuing with a successful land acquisition program as well as coordination of biological monitoring of the animals, plants and natural communities, as well as management of conservation lands. A Major Amendment to include the City of Desert Hot Springs and Mission Springs Water District is nearing completion in 2014.

Other Ongoing Environmental Programs:

Support for restoration of the Salton Sea, water conservation, used oil recycling, and efforts to promote more recycling and reuse of solid wastes are included in the Department's ongoing programs.

The Department handles the ongoing coordination of the Energy and Environmental Resources (E&E) Committee including development and implementation of annual program goals and preparation of meeting agendas and materials.

The Energy and Environmental Resources Committee now includes all CVAG member jurisdictions as well as Mission Springs Water District and Imperial Irrigation District as voting members, and Coachella Valley Water District and Desert Water Agency as non-voting members.

CVAG and our member agencies continue to offer a Used Oil Recycling program with funding from CalRecycle. Funding for the Desert Cities Energy Partnership continues to support advancement of our energy efficiency goals. In 2014/2015, work on energy efficiency, green building, and greenhouse gas reduction goals will be advanced by the Green for Life program, funded by Southern California Edison and the California Public Utilities Commission.

The Committee adopted 2014/2015 goals and objectives for coordination of regional conservation and sustainability issues:

I. Water Conservation and Water Quality:

Promote long-term conservation of water resources and support efforts to maintain a clean, reliable, and sustainable water supply in the Coachella Valley.

Objectives:

1. Provide information to member agencies regarding innovative programs, policies, and best practices to achieve water conservation and sustainable water use.
2. Inform our member agencies about and support regional efforts by local water agencies for a sustainable water supply, including the Integrated Regional Water Management Plan (IRWMP).

II. Salton Sea Restoration:

CVAG strongly supports efforts to maintain and restore the Salton Sea.

Objectives:

Encourage active participation by CVAG and our member jurisdictions in the effort to restore the Salton Sea, including initiatives related to renewable energy.

1. Provide information to the member jurisdictions and promote efforts to restore the Salton Sea.
2. Support and encourage a special Salton Sea environmental license plate to raise awareness of and funds for Salton Sea restoration.

III. Energy Efficiency/Conservation:

The goal of the Energy Efficiency program is to encourage awareness about energy use and to initiate, encourage, and promote energy conservation and energy efficiency initiatives within the Coachella Valley and Palo Verde Valleys.

Objectives:

1. Implement the CV Upgrade regional PACE program and monitor its effectiveness over the year with regular updates.
2. Consider opportunities that could benefit energy consumers in the CVAG region.
3. Continue the Desert Cities Energy Partnership, a regional energy efficiency partnership program involving member jurisdictions, local utilities and other partners.
4. Implement energy efficiency, greenhouse gas reduction, energy use monitoring and related efforts through the Green for Life program.
5. Present an Energy Summit in October 2014, in cooperation with other partners. Provide opportunities for the Energy & Environmental Resources Committee to provide input about topics for the Summit.

IV. Air Quality:

The goals of the Air Quality program are to improve the air quality in the Coachella Valley and to reduce the impacts of PM-10 through regional coordination.

Objectives:

1. Review air quality issues in the Coachella Valley with respect to PM10 and other air quality issues.
2. Consider the potential expansion of the Regional Street Sweeping program. Continue to coordinate established PM-10 mitigation efforts with member jurisdictions and the South Coast Air Quality Management District.
3. Promote air quality and emissions reduction through development of the CV Link project. A grant from Caltrans provides funding to support outreach and education with respect to environmental justice issues. This grant provides opportunities to address air quality throughout the Coachella Valley from west to east.
4. Continue ongoing programs including collaboration with the South Coast Air Quality Management District to support air quality legislative efforts, monitoring of the Landscape Model Ordinance and other air quality programs.

V. Sustainable Resource Use:

Significant efforts have been made by CVAG jurisdictions to promote sustainable resource use. A goal is to continue to highlight past successes by our member agencies and identify future opportunities to promote sustainable resource use.

Objectives:

1. Provide opportunities for information sharing among member jurisdictions at Committee meetings so members can learn about other member agency projects on energy, resource conservation, livability, and sustainability.
2. Identify and encourage opportunities for access to biogas and biofuels.
3. Complete the Regional Plug-in Electric Vehicle Readiness Plan, funded by the California Energy Commission. Identify opportunities for implementation of the Plan.
4. Provide information on the potential impacts of the Asian citrus psyllid on residential citrus growers and the citrus industry in our region.

VI. Climate Change and Greenhouse Gas Reduction:

Coordinate efforts to enhance awareness of climate change and ways to reduce greenhouse gas emissions.

Objectives:

1. Coordinate with our members on tools to help implement climate action plans and track progress. Promote and support local jurisdictions' efforts, as well as regional greenhouse gas reductions strategies. This task is funded in part by SCE Green for Life program.

VII. Solid Waste:

Increase the reduction, recycling and reuse of solid wastes through regional coordination.

Objectives:

1. Provide updates on the Single Use Plastic Bag Ordinance and assist member agencies with adoption of the ordinance as requested.
2. Continue our ongoing programs - Used Oil Recycling Program, Waste Tire Recycling Program and regional coordination on Household Hazardous Waste collection. Work with Solid Waste and Recycling Working Group on ways to encourage recycling and reuse.

VIII. Report Card:

Develop and maintain a “report card” through semi-annual evaluations of the Coachella Valley’s progress toward sustainability goals.

ENERGY AND ENVIRONMENTAL RESOURCES PROGRAM - FY 2014/2015

FUND	634	501	202/206	203	207	208	101	321	
	MSHCP	AB939	ENERGY CONSERV.	AERIAL PHOTO.	TIRE RECYCLE	GREEN GOVT. INIT.	ENERGY & ENVIRONM	USED OIL RECYCLING	TOTAL
BEGINNING FUND BALANCE	\$ 42,377	\$ 34,008	\$ (50,563)	\$ 6,705	\$ -	\$ 31,730	\$ -	\$ 59,113	\$ 123,370
REVENUES:									
1001 Member Agency Contributions	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 48,471	\$ -	\$ 48,471
3021 Used Oil Grant	-	-	-	-	-	-	-	70,000	70,000
5001 AB939	-	31,860	-	-	-	-	-	-	31,860
7001 Multi-Species Habitat Conservation Plan	674,313	-	-	-	-	-	-	-	674,313
7005 Energy Conservation Funding	-	-	60,000	-	-	997,029	-	-	1,057,029
Total Revenues	\$ 674,313	\$ 31,910	\$ 70,000	\$ -	\$ 68,930	\$ 997,029	\$ 48,471	\$ 70,200	\$ 1,960,853
EXPENDITURES:									
Personnel									
1101 Salaries	\$ 349,839	\$ 19,205	\$ 32,544	\$ -	\$ 14,330	\$ 56,006	\$ 24,533	\$ 10,002	\$ 506,459
1103 Auto Allowance	1,152	72	144	-	-	216	72	-	1,656
1211 PERS	54,558	2,433	4,443	-	1,300	6,942	4,062	1,647	75,385
1213 Medicare	5,074	279	471	-	208	811	357	144	7,344
1221 Group Insurance	62,924	3,141	4,837	-	2,196	8,307	3,713	1,425	86,543
1226 Unemployment	1,144	63	106	-	47	183	80	32	1,655
1231 State Compensation	3,651	201	339	-	150	584	257	104	5,286
1241 Long Term Disability	2,025	111	188	-	83	324	142	57	2,930
1261 Deferred Compensation	470	29	59	-	-	88	30	-	676
Total Personnel Expenditures	\$ 480,837	\$ 25,534	\$ 43,131	\$ -	\$ 18,314	\$ 73,461	\$ 33,246	\$ 13,411	\$ 687,934
Non-Personnel									
2321 Communications / Phone	\$ 4,441	\$ 189	\$ 319	\$ -	\$ 141	\$ 550	\$ 242	\$ 98	\$ 5,980
2341 Advertising	722	12	21	-	4,350	36	15	15,006	20,162
2353 Comprehensive Insurance	16,650	915	1,545	-	682	2,663	1,170	473	24,098
2401 Memberships / Registration	222	12	21	-	9	2,536	15	6	2,821
2415 Postage	951	98	31	-	14	53	138	9	1,294
2417 General Expense	2,220	122	206	-	91	355	156	63	3,213
2418 Per Diem Payments	-	3,150	-	-	-	-	3,150	-	6,300
2421 Subscriptions	289	16	27	-	12	46	20	8	418
2422 Computer Software	12,995	233	394	-	174	679	298	120	14,893
2423 Office Supplies	2,074	87	146	-	2,815	252	110	105	5,589
2425 Legal Services	7,999	55	2,093	-	41	160	70	28	10,446
2428 Accounting Services	6,660	366	618	-	273	1,065	468	189	9,639
2431 Professional Services	6,772	317	536	-	237	923	405	164	9,354
2451 Equipment Lease / Maintenance	3,470	522	206	-	91	355	156	63	4,863
2461 Building Lease / Rent	25,974	1,427	2,410	-	1,065	4,154	1,825	737	37,592
2481 Printing	611	6	10	-	2,555	18	8	4,303	7,511
2484 Resource Materials	250	20	-	-	-	-	10	20	300
2485 Training - Employee	5,495	302	510	-	225	879	386	156	7,953
2502 Local Meetings	1,399	577	630	-	57	1,324	98	40	4,125
2503 Travel and Training	2,566	358	99	-	44	170	75	30	3,342
2512 Utilities	5,550	305	515	-	227	888	390	158	8,033
Total Non-Personnel Expenditures	\$ 107,610	\$ 9,089	\$ 10,337	\$ -	\$ 13,103	\$ 17,106	\$ 9,205	\$ 21,776	\$ 188,226
Other									
2432 Consultants / Service Providers	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 871,219	\$ -	\$ 45,000	\$ 916,219
2433 Construction / Project Costs	-	-	10,000	-	48,950	-	-	15,000	73,950
3500 Operating Transfers Out	85,866	24,938	7,981	-	3,517	13,764	6,020	2,469	144,555
9000 Operating Transfers In	-	-	-	-	(14,954)	-	-	(4,945)	(19,899)
Total Non-Personnel Expenditures	\$ 85,866	\$ 24,938	\$ 17,981	\$ -	\$ 37,513	\$ 884,983	\$ 6,020	\$ 57,524	\$ 1,114,825
Total Personnel/Non-Personnel/Other	\$ 674,313	\$ 59,561	\$ 71,449	\$ -	\$ 68,930	\$ 975,550	\$ 48,471	\$ 92,711	\$ 1,990,985
Net Excess (Deficit)	\$ -	\$ (27,651)	\$ (1,449)	\$ -	\$ -	\$ 21,479	\$ -	\$ (22,511)	\$ (30,132)
ENDING FUND BALANCE	\$ 42,377	\$ 6,357	\$ (52,012)	\$ 6,705	\$ -	\$ 53,209	\$ -	\$ 36,602	\$ 93,238

**ADMINISTRATION
PROGRAM GOALS AND OBJECTIVES
FISCAL YEAR 2014/2015**

The Work Plan for 2014/15 is separated into three main areas:

General Assembly

The General Assembly is the top policy making body of CVAG. It has 65 (sixty five) members and is composed of the Riverside County Board of Supervisors, Mayors, City Councilmembers, and five Tribal Members of each member Tribe. The General Assembly is required to meet annually to elect officers and adopt work plans and a budget for the ensuing year.

Executive Committee

The Executive Committee is a 17 (seventeen) member policy making body of CVAG which meets between sessions of the General Assembly. Membership is comprised of the Riverside County Board of Supervisors, Mayors, and the Tribal Council Chairs, unless a member's jurisdictional body designates another member of the City Council or Tribal Council to serve as the member. The City Managers, County Chief Executive Officer (CEO), and the Tribal Chief Executive Officers (CEOs) serve as the non-voting members of the Executive Committee. Two representatives to the Southern California Association of Governments' Regional Council elected by the cities of the Coachella Valley also serve as non-voting members.

Goals:

The Executive Committee is the instrument for a regional approach to policy making for the local governments of the Coachella Valley.

Objectives:

- Determines the policies that direct the activities of CVAG's staff and other committees and monitors their performance.
- Serves as the review body for projects of regional significance.
- Acts on behalf of CVAG's General Assembly between meetings of the General Assembly.
- Reviews CVAG's financial affairs on a quarterly basis and directs the development of work plans for CVAG committees and a budget on an annual basis, for submission to the annual meeting of the General Assembly.
- Provides for the employment of an Executive Director; oversees personnel matters through the Personnel Committee; and completes evaluations of the Executive Director.
- Reviews and acts on the Technical Advisory Committee (TAC) recommendations resulting from the TAC's review of policy and new fiscal implications of plans developed by CVAG's committees.

Technical Advisory Committee

The City Managers, the CEO for the County, and the CEOs for the Tribal Councils comprise the Technical Advisory Committee. It reviews most matters coming before the Executive Committee including recommendations from the generic committees. The TAC is advised by two sub-committees composed of staff from the member jurisdictions; the Technical Planning Sub-Committee (TPS) composed of the Planning Directors or their representatives; and the Transportation Technical Advisory Committee (TTAS) composed of transportation staff. They also advise the generic committees, as appropriate, with the TTAS providing input to the Transportation Committee as well as the TAC on a regular basis.

Goals:

The Technical Advisory Committee is the instrument for a regional approach to the operations of local governments in the Coachella Valley.

Objectives:

- Advises the Executive Committee on implementation of the Coachella Valley Regional Transportation Program.
- Coordinates legislative advocacy affecting the Coachella Valley.
- Reviews all committees' plans for new programs to analyze their policy implications and new fiscal impacts.
- Acts as the Hearing Body for the Executive Committee on TUMF appeals.
- Develops liaison with the Western Riverside Council of Governments on all matters of mutual interest.
- Reviews and monitors all matters related to regional governance.
- Develops mechanisms for the exchange of ideas and discussion of issues for both elected officials and staff members.

ADMINISTRATION PROGRAM - FY2014/2015

FUND	101
	ADMIN.
BEGINNING FUND BALANCE	\$ 1,275,407
<u>REVENUES:</u>	
1001 Member Agency Contributions	\$ 33,265
7031 Other Revenue	12,000
8001 Investment Income	3,000
Total Revenues	\$ 48,265
<u>EXPENDITURES:</u>	
<u>Personnel</u>	
1101 Salaries	\$ 198,418
1103 Auto Allowance	432
1211 PERS	30,730
1213 Medicare	2,875
1221 Group Insurance	34,635
1226 Unemployment	648
1231 State Compensation	2,069
1241 Long Term Disability	1,147
1261 Deferred Compensation	176
Total Personnel Expenditures	\$ 271,130
<u>Non-Personnel</u>	
2321 Communications / Phone	\$ 1,950
2341 Advertising	125
2353 Comprehensive Insurance	9,435
2401 Memberships / Registration	125
2415 Postage	188
2417 General Expense	1,258
2418 Per Diem Payments	13,600
2421 Subscriptions	164
2422 Computer Software	2,406
2423 Office Supplies	891
2425 Legal Services	566
2427 Medical Services	300
2428 Accounting Services	3,774
2431 Professional Services	3,271
2451 Equipment Lease / Maintenance	1,258
2461 Building Lease / Rent	14,719
2481 Printing	62
2484 Resource Materials	70
2485 Training - Employee	3,114
2502 Local Meetings	12,792
2503 Travel and Training	604
2512 Utilities	3,145
4821 Equipment	30,000
Total Non-Personnel Expenditures	\$ 103,817
<u>Other</u>	
9000 Operating Transfers In	(338,188)
Total Non-Personnel Expenditures	\$ (338,188)
Total Personnel/Non-Personnel/Other	\$ 36,759
Net Excess (Deficit)	\$ 11,506
ENDING FUND BALANCE	\$ 1,286,913

FUND DETAIL

This section of the document presents the financial overview of each fund. Each report compares the proposed FY 2014/15 budget with the year-end revenue and expenditure estimates for FY 2013/14, the FY 2013/14 adopted budget, and the audited financial figures for FY 2012/13.

GENERAL FUND (FUND 101)

	FY2012/13 Actual	FY2013/14 Budget	FY2013/14 Yr. End Est.	FY2014/15 Budget
BEGINNING FUND BALANCE	\$ 1,099,733	\$ 1,198,086	\$ 1,198,086	\$ 1,275,407
<u>REVENUES:</u>				
1001 Member Agency Contributions	\$ 386,545	\$ 390,308	\$ 390,307	\$ 394,359
7031 Other Revenue	18,110	12,000	16,915	12,000
8001 Investment Income	3,059	2,000	3,000	3,000
Total Revenues	\$ 407,714	\$ 404,308	\$ 410,222	\$ 409,359
<u>EXPENDITURES:</u>				
<u>Personnel</u>				
1101 Salaries	\$ 180,904	\$ 365,901	\$ 376,804	\$ 380,340
1103 Auto Allowance	25	648	1,009	648
1211 PERS	32,730	63,571	61,951	59,848
1213 Medicare	2,651	5,301	5,403	5,515
1221 Group Insurance	22,952	59,432	54,838	68,280
1226 Unemployment	683	1,220	1,376	1,243
1231 State Compensation	1,594	3,812	2,789	3,968
1241 Long Term Disability	792	1,694	1,570	2,199
1261 Deferred Compensation	4	93	135	265
Total Personnel Expenditures	\$ 242,335	\$ 501,672	\$ 505,875	\$ 522,306
<u>Non-Personnel</u>				
2321 Communications / Phone	\$ 1,576	\$ 2,250	\$ 4,127	\$ 3,741
2341 Advertising	75	237	1,052	239
2353 Comprehensive Insurance	7,114	17,750	18,669	18,097
2401 Memberships / Registration	21	237	364	239
2415 Postage	319	1,110	485	1,115
2417 General Expense	487	2,368	612	2,413
2418 Per Diem Payments	9,964	30,100	12,754	30,100
2421 Subscriptions	29	238	79	314
2422 Computer Software	2,110	4,763	4,280	4,614
2423 Office Supplies	807	2,179	1,013	2,208
2425 Legal Services	1,279	2,448	1,545	2,585
2427 Medical Services	-	300	71	300
2428 Accounting Services	2,222	5,920	7,617	7,239
2431 Professional Services	217	974	1,472	6,772
2451 Equipment Lease / Maintenance	1,588	2,868	2,654	2,913
2461 Building Lease / Rent	14,118	27,231	29,049	28,232
2481 Printing	62	319	509	320
2484 Resource Materials	4	110	18	110
2485 Training - Employee	282	3,373	123	5,972
2502 Local Meetings	13,484	13,091	15,775	14,118
2503 Travel and Training	377	1,025	652	1,759
2512 Utilities	2,460	5,919	4,174	6,032
4821 Equipment	6,666	40,000	40,000	30,000
Total Non-Personnel Expenditures	\$ 65,261	\$ 164,810	\$ 147,094	\$ 169,432
<u>Other</u>				
3500 Operating Transfers Out	1,765	40,347	3,720	44,303
9000 Operating Transfers In	-	(322,420)	(323,788)	(338,188)
Total Other	\$ 1,765	\$ (282,073)	\$ (320,068)	\$ (293,885)
Total Personnel/Non-Personnel/Other	\$ 309,361	\$ 384,409	\$ 332,901	\$ 397,853
Net Excess (Deficit)	\$ 98,353	\$ 19,899	\$ 77,321	\$ 11,506
ENDING FUND BALANCE	\$ 1,198,086	\$ 1,217,985	\$ 1,275,407	\$ 1,286,913

ENERGY PARTNERSHIP (FUND 202 AND 206)

	FY2012/13 Actual	FY2013/14 Budget	FY2013/14 Yr. End Est.	FY2014/15 Budget
BEGINNING FUND BALANCE	\$ (38,266)	\$ (46,226)	\$ (46,226)	\$ (50,563)
REVENUES:				
7005 Energy Conservation Funding	\$ 31,771	\$ 42,590	\$ 43,261	\$ 60,000
7031 Other Revenue	10,749	5,000	10,749	10,000
Total Revenues	\$ 42,520	\$ 47,590	\$ 54,010	\$ 70,000
EXPENDITURES:				
Personnel				
1101 Salaries	\$ 19,055	\$ 20,174	\$ 24,231	\$ 32,544
1103 Auto Allowance	187	144	161	144
1211 PERS	3,451	3,517	4,068	4,443
1213 Medicare	279	293	347	471
1221 Group Insurance	3,478	3,918	4,536	4,837
1226 Unemployment	64	67	89	106
1231 State Compensation	166	211	179	339
1241 Long Term Disability	83	94	101	188
1261 Deferred Compensation	27	20	22	59
Total Personnel Expenditures	\$ 26,790	\$ 28,438	\$ 33,734	\$ 43,131
Non-Personnel				
2321 Communications / Phone	\$ 451	\$ 124	\$ 403	\$ 319
2341 Advertising	-	13	544	21
2353 Comprehensive Insurance	744	943	1,200	1,545
2401 Memberships / Registration	2	13	23	21
2415 Postage	12	20	79	31
2417 General Expense	52	131	39	206
2418 Per Diem Payments	137	-	230	-
2421 Subscriptions	3	13	5	27
2422 Computer Software	209	264	275	394
2423 Office Supplies	68	93	65	146
2425 Legal Services	4,755	7,552	3,191	2,093
2427 Medical Services	-	-	5	-
2428 Accounting Services	260	328	416	618
2431 Professional Services	23	26	95	536
2451 Equipment Lease / Maintenance	133	131	165	206
2461 Building Lease / Rent	1,477	1,507	1,868	2,410
2481 Printing	825	7	33	10
2484 Resource Materials	1	-	1	-
2485 Training - Employee	29	187	8	510
2502 Local Meetings	501	583	369	630
2503 Travel and Training	523	24	1,417	99
2512 Utilities	249	328	268	515
Total Non-Personnel Expenditures	\$ 10,455	\$ 12,287	\$ 10,699	\$ 10,337
Other				
2433 Construction / Project Costs	\$ 15,000	\$ -	\$ 10,050	\$ 10,000
3500 Operating Transfers Out	-	4,879	7,584	7,981
9000 Operating Transfers In	(1,765)	-	(3,720)	-
Total Other	\$ 13,235	\$ 4,879	\$ 13,914	\$ 17,981
Total Personnel/Non-Personnel/Other	\$ 50,480	\$ 45,604	\$ 58,347	\$ 71,449
Net Excess (Deficit)	\$ (7,960)	\$ 1,986	\$ (4,337)	\$ (1,449)
ENDING FUND BALANCE	\$ (46,226)	\$ (44,240)	\$ (50,563)	\$ (52,012)

AERIAL PHOTOGRAPHY/GENERAL ASSEMBLY (FUND 203)

	FY2012/13 Actual	FY2013/14 Budget	FY2013/14 Yr. End Est.	FY2014/15 Budget
BEGINNING FUND BALANCE	\$ 5,280	\$ 6,363	\$ 6,363	\$ 6,705
<u>REVENUES:</u>				
7031 Other Revenue	\$ 1,900	\$ -	\$ 400	\$ -
Total Revenues	\$ 1,900	\$ -	\$ 400	\$ -
<u>EXPENDITURES:</u>				
<u>Personnel</u>				
1101 Salaries	\$ -	\$ -	\$ -	\$ -
1103 Auto Allowance	-	-	-	-
1211 PERS	-	-	-	-
1213 Medicare	-	-	-	-
1221 Group Insurance	-	-	-	-
1226 Unemployment	-	-	-	-
1231 State Compensation	-	-	-	-
1241 Long Term Disability	-	-	-	-
1261 Deferred Compensation	-	-	-	-
Total Personnel Expenditures	\$ -	\$ -	\$ -	\$ -
<u>Non-Personnel</u>				
2321 Communications / Phone	\$ -	\$ -	\$ -	\$ -
2341 Advertising	-	-	-	-
2353 Comprehensive Insurance	-	-	-	-
2401 Memberships / Registration	-	-	-	-
2415 Postage	7	-	-	-
2417 General Expense	-	-	-	-
2418 Per Diem Payments	-	-	-	-
2421 Subscriptions	-	-	-	-
2422 Computer Software	-	-	-	-
2423 Office Supplies	-	-	-	-
2425 Legal Services	810	-	58	-
2428 Accounting Services	-	-	-	-
2431 Professional Services	-	-	-	-
2451 Equipment Lease / Maintenance	-	-	-	-
2461 Building Lease / Rent	-	-	-	-
2481 Printing	-	-	-	-
2484 Resource Materials	-	-	-	-
2485 Training - Employee	-	-	-	-
2502 Local Meetings	-	-	-	-
2503 Travel and Training	-	-	-	-
2512 Utilities	-	-	-	-
4821 Equipment	-	-	-	-
Total Non-Personnel Expenditures	\$ 817	\$ -	\$ 58	\$ -
<u>Other</u>				
2433 Construction / Project Costs	\$ -	\$ -	\$ -	\$ -
3500 Operating Transfers Out	-	-	-	-
Total Other	\$ -	\$ -	\$ -	\$ -
Total Personnel/Non-Personnel/Other	\$ 817	\$ -	\$ 58	\$ -
Net Excess (Deficit)	\$ 1,083	\$ -	\$ 342	\$ -
ENDING FUND BALANCE	\$ 6,363	\$ 6,363	\$ 6,705	\$ 6,705

BUS PASSES (FUND 204) AND HOMELESS (FUND 205)

	FY2012/13 Actual	FY2013/14 Budget	FY2013/14 Yr. End Est.	FY2014/15 Budget
BEGINNING FUND BALANCE	\$ 157,469	\$ 334,247	\$ 334,247	\$ 435,230
<u>REVENUES:</u>				
7010 Homeless Funding	\$ 1,395,525	\$ 1,458,711	\$ 1,455,711	\$ 1,370,711
7031 Other Revenue	\$ 87,133	\$ 54,065	\$ 54,065	\$ 54,065
8001 Investment Income	841	1,000	810	1,000
Total Revenues	\$ 1,483,499	\$ 1,513,776	\$ 1,510,586	\$ 1,425,776
<u>EXPENDITURES:</u>				
<u>Personnel</u>				
1101 Salaries	\$ -	\$ -	\$ -	\$ -
1103 Auto Allowance	-	-	-	-
1211 PERS	-	-	-	-
1213 Medicare	-	-	-	-
1221 Group Insurance	-	-	-	-
1226 Unemployment	-	-	-	-
1231 State Compensation	-	-	-	-
1241 Long Term Disability	-	-	-	-
1261 Deferred Compensation	-	-	-	-
Total Personnel Expenditures	\$ -	\$ -	\$ -	\$ -
<u>Non-Personnel</u>				
2321 Communications / Phone	\$ -	\$ -	\$ -	\$ -
2341 Advertising	-	-	-	-
2353 Comprehensive Insurance	689	1,000	689	1,000
2401 Memberships / Registration	-	-	-	-
2415 Postage	11	-	18	-
2417 General Expense	-	-	-	-
2418 Per Diem Payments	-	-	-	-
2421 Subscriptions	-	-	-	-
2422 Computer Software	-	-	-	-
2423 Office Supplies	-	-	-	-
2425 Legal Services	-	-	-	-
2428 Accounting Services	-	-	-	-
2431 Professional Services	-	-	-	-
2451 Equipment Lease / Maintenance	-	-	-	-
2461 Building Lease / Rent	-	-	-	-
2481 Printing	-	-	-	-
2484 Resource Materials	-	-	-	-
2485 Training - Employee	-	-	-	-
2502 Local Meetings	-	-	-	-
2503 Travel and Training	-	-	-	-
2512 Utilities	-	-	-	-
4821 Equipment	-	-	35,780	-
Total Non-Personnel Expenditures	\$ 700	\$ 1,000	\$ 36,487	\$ 1,000
<u>Other</u>				
2432 Consultants / Service Providers	\$ 1,211,046	\$ 1,199,857	\$ 1,246,116	\$ 1,311,614
2433 Construction / Project Costs	94,975	128,114	127,000	130,000
3500 Operating Transfers Out	-	-	-	-
9000 Operating Transfers In	-	-	-	-
Total Other	\$ 1,306,021	\$ 1,327,971	\$ 1,373,116	\$ 1,441,614
Total Personnel/Non-Personnel/Other	\$ 1,306,721	\$ 1,328,971	\$ 1,409,603	\$ 1,442,614
Net Excess (Deficit)	\$ 176,778	\$ 184,805	\$ 100,983	\$ (16,838)
ENDING FUND BALANCE	\$ 334,247	\$ 519,052	\$ 435,230	\$ 418,392

TIRE RECYCLING (FUND 207)

	FY2012/13 Actual	FY2013/14 Budget	FY2013/14 Yr. End Est.	FY2014/15 Budget
BEGINNING FUND BALANCE	\$ (25,416)	\$ -	\$ -	\$ -
REVENUES:				
7031 Other Revenue	25,416	\$ -		\$ 68,930
Total Revenues	\$ 25,416	\$ -	\$ -	\$ 68,930
EXPENDITURES:				
Personnel				
1101 Salaries	\$ 788	\$ -	\$ -	\$ 14,330
1103 Auto Allowance	-	-	-	-
1211 PERS	143	-	-	1,300
1213 Medicare	12	-	-	208
1221 Group Insurance	204	-	-	2,196
1226 Unemployment	-	-	-	47
1231 State Compensation	7	-	-	150
1241 Long Term Disability	3	-	-	83
1261 Deferred Compensation	-	-	-	-
Total Personnel Expenditures	\$ 1,157	\$ -	\$ -	\$ 18,314
Non-Personnel				
2321 Communications / Phone	\$ 6	\$ -	\$ -	\$ 141
2341 Advertising	-	-	-	4,350
2353 Comprehensive Insurance	30	-	-	682
2401 Memberships / Registration	-	-	-	9
2415 Postage	21	-	-	14
2417 General Expense	2	-	-	91
2418 Per Diem Payments	5	-	-	-
2421 Subscriptions	-	-	-	12
2422 Computer Software	11	-	-	174
2423 Office Supplies	3	-	-	2,815
2425 Legal Services	1	-	-	41
2427 Medical Services	-	-	-	-
2428 Accounting Services	12	-	-	273
2431 Professional Services	1	-	-	237
2451 Equipment Lease / Maintenance	12	-	-	91
2461 Building Lease / Rent	60	-	-	1,065
2481 Printing	-	-	-	2,555
2484 Resource Materials	-	-	-	-
2485 Training - Employee	1	-	-	225
2502 Local Meetings	-	-	-	57
2503 Travel and Training	1	-	-	44
2512 Utilities	9	-	-	227
Total Non-Personnel Expenditures	\$ 175	\$ -	\$ -	\$ 13,103
Other				
2433 Construction / Project Costs	\$ -	\$ -	\$ -	\$ 48,950
3500 Operating Transfers Out	-	-	-	3,517
9000 Operating Transfers In	(1,332)	-	-	(14,954)
Total Other	\$ (1,332)	\$ -	\$ -	\$ 37,513
Total Personnel/Non-Personnel/Other	\$ -	\$ -	\$ -	\$ 68,930
Net Excess (Deficit)	\$ 25,416	\$ -	\$ -	\$ -
ENDING FUND BALANCE	\$ -	\$ -	\$ -	\$ -

GREEN GOVERNMENT INITIATIVE (FUND 208)

	FY2012/13 Actual	FY2013/14 Budget	FY2013/14 Yr. End Est.	FY2014/15 Budget
BEGINNING FUND BALANCE	\$ 22,083	\$ 36,317	\$ 36,317	\$ 31,730
<u>REVENUES:</u>				
7005 Energy Conservation Funding	1,012,405	\$ 1,110,335	\$ 413,112	\$ 997,029
Total Revenues	\$ 1,012,405	\$ 1,110,335	\$ 413,112	\$ 997,029
<u>EXPENDITURES:</u>				
<u>Personnel</u>				
1101 Salaries	\$ 156,424	\$ 113,876	\$ 84,194	\$ 56,006
1103 Auto Allowance	316	288	327	216
1211 PERS	28,292	19,812	13,774	6,942
1213 Medicare	2,293	1,652	1,207	811
1221 Group Insurance	32,829	28,051	16,208	8,307
1226 Unemployment	544	380	308	183
1231 State Compensation	1,378	1,188	623	584
1241 Long Term Disability	685	528	351	324
1261 Deferred Compensation	45	41	45	88
Total Personnel Expenditures	\$ 222,806	\$ 165,816	\$ 117,037	\$ 73,461
<u>Non-Personnel</u>				
2321 Communications / Phone	\$ 1,537	\$ 701	\$ 1,062	\$ 550
2341 Advertising	47	73	260	36
2353 Comprehensive Insurance	6,143	5,314	4,171	2,663
2401 Memberships / Registration	2,517	2,574	2,581	2,536
2415 Postage	167	110	68	53
2417 General Expense	423	738	137	355
2418 Per Diem Payments	1,105	-	800	-
2421 Subscriptions	26	74	18	46
2422 Computer Software	1,918	1,484	956	679
2423 Office Supplies	617	523	226	252
2425 Legal Services	1,337	295	1,417	160
2427 Medical Services	-	-	16	-
2428 Accounting Services	1,811	1,845	1,445	1,065
2431 Professional Services	181	148	329	923
2451 Equipment Lease / Maintenance	1,635	738	689	355
2461 Building Lease / Rent	12,204	8,487	6,491	4,154
2481 Printing	27	37	114	18
2484 Resource Materials	4	-	4	-
2485 Training - Employee	246	1,052	27	879
2502 Local Meetings	1,162	1,565	253	1,324
2503 Travel and Training	811	133	106	170
2512 Utilities	2,115	1,845	933	888
Total Non-Personnel Expenditures	\$ 36,033	\$ 27,736	\$ 22,103	\$ 17,106
<u>Other</u>				
2432 Consultants / Service Providers	\$ 739,332	\$ 861,842	\$ 252,223	\$ 871,219
3500 Operating Transfers Out	-	28,477	26,336	13,764
Total Other	\$ 739,332	\$ 890,319	\$ 278,559	\$ 884,983
Total Personnel/Non-Personnel/Other	\$ 998,171	\$ 1,083,871	\$ 417,699	\$ 975,550
Net Excess (Deficit)	\$ 14,234	\$ 26,464	\$ (4,587)	\$ 21,479
ENDING FUND BALANCE	\$ 36,317	\$ 62,781	\$ 31,730	\$ 53,209

AB2766 (FUND 301)

	FY2012/13 Actual	FY2013/14 Budget	FY2013/14 Yr. End Est.	FY2014/15 Budget
BEGINNING FUND BALANCE	\$ 234,540	\$ 360,177	\$ 360,177	\$ 184,240
REVENUES:				
3001 AB2766	\$ 287,177	\$ 289,000	\$ 304,664	\$ 306,310
8001 Investment Income	763	500	378	400
Total Revenues	\$ 287,940	\$ 289,500	\$ 305,042	\$ 306,710
EXPENDITURES:				
Personnel				
1101 Salaries	\$ 20,106	\$ 22,260	\$ 50,792	\$ 22,975
1103 Auto Allowance	146	144	162	144
1211 PERS	3,656	3,866	8,897	3,744
1213 Medicare	295	322	728	334
1221 Group Insurance	1,974	2,159	4,599	1,905
1226 Unemployment	63	74	185	75
1231 State Compensation	171	232	376	240
1241 Long Term Disability	86	103	212	133
1261 Deferred Compensation	21	20	22	59
Total Personnel Expenditures	\$ 26,518	\$ 29,180	\$ 65,973	\$ 29,609
Non-Personnel				
2321 Communications / Phone	\$ 170	\$ 137	\$ 544	\$ 226
2341 Advertising	-	14	74	15
2353 Comprehensive Insurance	774	1,037	2,517	1,095
2401 Memberships / Registration	2	14	49	15
2415 Postage	104	76	49	77
2417 General Expense	54	144	83	146
2418 Per Diem Payments	2,079	3,150	2,607	3,150
2421 Subscriptions	2	14	11	19
2422 Computer Software	139	290	577	279
2423 Office Supplies	70	452	137	454
2425 Legal Services	18	558	147	566
2427 Medical Services	-	-	10	-
2428 Accounting Services	394	360	872	438
2431 Professional Services	29	29	281	380
2451 Equipment Lease / Maintenance	97	544	347	546
2461 Building Lease / Rent	1,529	1,656	3,916	1,708
2481 Printing	3	7	69	7
2484 Resource Materials	-	50	2	50
2485 Training - Employee	27	205	17	361
2502 Local Meetings	274	191	340	192
2503 Travel and Training	21	126	372	170
2512 Utilities	239	360	563	365
Total Non-Personnel Expenditures	\$ 6,025	\$ 9,414	\$ 13,584	\$ 10,259
Other				
2432 Consultants / Service Providers	\$ 2,500	\$ 5,000	\$ 4,200	\$ 5,000
3500 Operating Transfers Out	127,260	219,961	397,222	216,512
Total Other	\$ 129,760	\$ 224,961	\$ 401,422	\$ 221,512
Total Personnel/Non-Personnel/Other	\$ 162,303	\$ 263,555	\$ 480,979	\$ 261,380
Net Excess (Deficit)	\$ 125,637	\$ 25,945	\$ (175,937)	\$ 45,330
ENDING FUND BALANCE	\$ 360,177	\$ 386,122	\$ 184,240	\$ 229,570

USED OIL RECYCLING (FUND 321)

	FY2012/13 Actual	FY2013/14 Budget	FY2013/14 Yr. End Est.	FY2014/15 Budget
BEGINNING FUND BALANCE	\$ 51,698	\$ 58,478	\$ 58,478	\$ 59,113
<u>REVENUES:</u>				
3021 Used Oil Grant	\$ 74,619	\$ 70,000	\$ 74,619	\$ 70,000
8001 Investment Income	150	200	193	200
Total Revenues	\$ 74,769	\$ 70,200	\$ 74,812	\$ 70,200
<u>EXPENDITURES:</u>				
<u>Personnel</u>				
1101 Salaries	\$ 1,529	\$ 7,174	\$ 2,576	\$ 10,002
1103 Auto Allowance	-	-	43	-
1211 PERS	277	1,235	455	1,647
1213 Medicare	22	103	37	144
1221 Group Insurance	278	1,206	329	1,425
1226 Unemployment	2	24	9	32
1231 State Compensation	13	74	19	104
1241 Long Term Disability	6	33	11	57
1261 Deferred Compensation	-	-	6	-
Total Personnel Expenditures	\$ 2,127	\$ 9,849	\$ 3,485	\$ 13,411
<u>Non-Personnel</u>				
2321 Communications / Phone	\$ 12	\$ 44	\$ 28	\$ 98
2341 Advertising	8,741	15,004	12,900	15,006
2353 Comprehensive Insurance	59	331	128	473
2401 Memberships / Registration	-	4	2	6
2415 Postage	20	7	5	9
2417 General Expense	4	46	4	63
2418 Per Diem Payments	9	-	24	-
2421 Subscriptions	-	5	1	8
2422 Computer Software	20	93	29	120
2423 Office Supplies	5	93	7	105
2425 Legal Services	2	18	7	28
2427 Medical Services	-	-	1	-
2428 Accounting Services	23	115	44	189
2431 Professional Services	1,602	9	10	164
2451 Equipment Lease / Maintenance	29	46	19	63
2461 Building Lease / Rent	117	529	199	737
2481 Printing	3,567	4,302	2,471	4,303
2484 Resource Materials	-	20	-	20
2485 Training - Employee	2	66	1	156
2502 Local Meetings	1	29	3	40
2503 Travel and Training	1	8	3	30
2512 Utilities	18	115	29	158
Total Non-Personnel Expenditures	\$ 14,232	\$ 20,884	\$ 15,915	\$ 21,776
<u>Other</u>				
2432 Consultants / Service Providers	\$ 42,980	\$ 40,000	\$ 45,681	\$ 45,000
2433 Construction / Project Costs	9,529	30,000	9,640	15,000
3500 Operating Transfers Out	-	1,702	813	2,469
9000 Operating Transfers In	(879)	(3,586)	(1,357)	(4,945)
Total Other	\$ 51,630	\$ 68,116	\$ 54,777	\$ 57,524
Total Personnel/Non-Personnel/Other	\$ 67,989	\$ 98,849	\$ 74,177	\$ 92,711
Net Excess (Deficit)	\$ 6,780	\$ (28,649)	\$ 635	\$ (22,511)
ENDING FUND BALANCE	\$ 58,478	\$ 29,829	\$ 59,113	\$ 36,602

SCAG/OWP (FUND 411)

	FY2012/13 Actual	FY2013/14 Budget	FY2013/14 Yr. End Est.	FY2014/15 Budget
BEGINNING FUND BALANCE	\$ -	\$ -	\$ -	\$ -
REVENUES:				
4001 SCAG Planning Grant	\$ -	\$ -	\$ -	\$ -
Total Revenues	\$ -	\$ -	\$ -	\$ -
EXPENDITURES:				
Personnel				
1101 Salaries	\$ 17,716	\$ 13,302	\$ 12,051	\$ 13,648
1103 Auto Allowance	-	-	17	-
1211 PERS	3,207	2,309	2,099	2,233
1213 Medicare	260	193	173	199
1221 Group Insurance	1,810	975	1,052	976
1226 Unemployment	65	44	43	45
1231 State Compensation	155	138	89	143
1241 Long Term Disability	77	62	50	79
1261 Deferred Compensation	1	-	2	-
Total Personnel Expenditures	\$ 23,291	\$ 17,023	\$ 15,576	\$ 17,323
Non-Personnel				
2321 Communications / Phone	\$ 146	\$ 82	\$ 129	\$ 135
2341 Advertising	-	9	17	9
2353 Comprehensive Insurance	695	619	600	653
2401 Memberships / Registration	2	9	12	9
2415 Postage	8	13	8	13
2417 General Expense	48	86	20	87
2418 Per Diem Payments	129	-	114	-
2421 Subscriptions	3	9	3	11
2422 Computer Software	199	173	138	166
2423 Office Supplies	63	61	32	62
2425 Legal Services	22	34	35	39
2427 Medical Services	-	-	2	-
2428 Accounting Services	223	215	207	261
2431 Professional Services	22	17	47	226
2451 Equipment Lease / Maintenance	102	86	82	87
2461 Building Lease / Rent	1,379	989	929	1,018
2481 Printing	3	5	16	4
2484 Resource Materials	-	20	1	20
2485 Training - Employee	27	123	4	215
2502 Local Meetings	8	554	13	555
2503 Travel and Training	17	715	42	742
2512 Utilities	238	215	133	217
Total Non-Personnel Expenditures	\$ 3,334	\$ 4,034	\$ 2,584	\$ 4,529
Other				
3500 Operating Transfers Out	\$ -	\$ 2,944	\$ 3,785	\$ 3,348
9000 Operating Transfers In	(26,625)	(24,001)	(21,945)	(25,200)
Total Other	\$ (26,625)	\$ (21,057)	\$ (18,160)	\$ (21,852)
Total Personnel/Non-Personnel/Other	\$ -	\$ -	\$ -	\$ -
Net Excess (Deficit)	\$ -	\$ -	\$ -	\$ -
ENDING FUND BALANCE	\$ -	\$ -	\$ -	\$ -

AB939 (FUND 501)

	FY2012/13 Actual	FY2013/14 Budget	FY2013/14 Yr. End Est.	FY2014/15 Budget
BEGINNING FUND BALANCE	\$ 8,242	\$ 23,961	\$ 23,961	\$ 34,008
REVENUES:				
5001 AB939	\$ 31,860	\$ 31,860	\$ 31,860	\$ 31,860
8001 Investment Income	9	-	55	50
Total Revenues	\$ 31,869	\$ 31,860	\$ 31,915	\$ 31,910
EXPENDITURES:				
Personnel				
1101 Salaries	\$ 7,226	\$ 10,779	\$ 9,417	\$ 19,205
1103 Auto Allowance	88	72	76	72
1211 PERS	1,309	1,879	1,690	2,433
1213 Medicare	106	157	135	279
1221 Group Insurance	1,429	2,306	1,671	3,141
1226 Unemployment	25	36	35	63
1231 State Compensation	63	113	70	201
1241 Long Term Disability	32	50	39	111
1261 Deferred Compensation	12	10	11	29
Total Personnel Expenditures	\$ 10,290	\$ 15,402	\$ 13,144	\$ 25,534
Non-Personnel				
2321 Communications / Phone	\$ 66	\$ 67	\$ 101	\$ 189
2341 Advertising	-	7	14	12
2353 Comprehensive Insurance	283	504	466	915
2401 Memberships / Registration	1	7	9	12
2415 Postage	93	90	79	98
2417 General Expense	19	70	15	122
2418 Per Diem Payments	1,977	3,150	2,214	3,150
2421 Subscriptions	1	6	2	16
2422 Computer Software	80	141	107	233
2423 Office Supplies	26	50	25	87
2425 Legal Services	8	28	27	55
2427 Medical Services	-	-	2	-
2428 Accounting Services	96	175	161	366
2431 Professional Services	9	14	37	317
2451 Equipment Lease / Maintenance	54	470	95	522
2461 Building Lease / Rent	561	805	726	1,427
2481 Printing	1	3	13	6
2484 Resource Materials	-	20	-	20
2485 Training - Employee	11	100	3	302
2502 Local Meetings	260	544	208	577
2503 Travel and Training	7	313	12	358
2512 Utilities	95	175	104	305
Total Non-Personnel Expenditures	\$ 3,648	\$ 6,739	\$ 4,420	\$ 9,089
Other				
3500 Operating Transfers Out	\$ 2,212	\$ 6,238	\$ 4,304	\$ 24,938
9000 Operating Transfers In	-	-	-	-
Total Other	\$ 2,212	\$ 6,238	\$ 4,304	\$ 24,938
Total Personnel/Non-Personnel/Other	\$ 16,150	\$ 28,379	\$ 21,868	\$ 59,561
Net Excess (Deficit)	\$ 15,719	\$ 3,481	\$ 10,047	\$ (27,651)
ENDING FUND BALANCE	\$ 23,961	\$ 27,442	\$ 34,008	\$ 6,357

TUMF PROGRAM (FUND 601)

	FY2012/13 Actual	FY2013/14 Budget	FY2013/14 Yr. End Est.	FY2014/15 Budget
BEGINNING FUND BALANCE	\$ 13,569,875	\$ 9,468,402	\$ 9,468,402	\$ 1,794,064
<u>REVENUES:</u>				
6011 Meas: "A" In Lieu	\$ 1,280,854	\$ 550,000	\$ 660,000	\$ 680,000
6012 TUMF	2,126,174	2,065,000	4,000,000	4,000,000
6025 Local Repayments - Transportation	180,000	180,000	180,000	180,000
7031 Other Revenue	565	-	360	-
8001 Investment Income	42,878	45,000	31,780	25,000
Total Revenues	\$ 3,630,471	\$ 2,840,000	\$ 4,872,140	\$ 4,885,000
<u>EXPENDITURES:</u>				
<u>Personnel</u>				
1101 Salaries	\$ 287,980	\$ 168,556	\$ 176,742	\$ 197,835
1103 Auto Allowance	1,780	1,008	926	1,008
1211 PERS	52,119	29,315	30,605	31,578
1213 Medicare	4,221	2,444	2,534	2,868
1221 Group Insurance	39,193	27,695	22,595	26,931
1226 Unemployment	1,022	563	645	647
1231 State Compensation	2,529	1,758	1,308	2,064
1241 Long Term Disability	1,258	781	736	1,145
1261 Deferred Compensation	252	143	128	411
Total Personnel Expenditures	\$ 390,354	\$ 232,263	\$ 236,219	\$ 264,487
<u>Non-Personnel</u>				
2321 Communications / Phone	\$ 3,770	\$ 2,787	\$ 2,199	\$ 1,945
2341 Advertising	268	984	256	1,176
2353 Comprehensive Insurance	11,294	7,862	8,759	9,413
2401 Memberships / Registration	149	109	326	2,926
2415 Postage	285	513	211	537
2417 General Expense	830	1,092	304	1,255
2418 Per Diem Payments	4,628	2,520	2,860	2,520
2421 Subscriptions	45	214	37	163
2422 Computer Software	7,233	4,997	4,498	5,462
2423 Office Supplies	1,644	1,299	403	1,415
2425 Legal Services	2,304	3,762	650	3,890
2427 Medical Services	-	75	65	75
2428 Accounting Services	3,576	2,730	3,033	3,765
2431 Professional Services	346	568	1,532	3,613
2451 Equipment Lease / Maintenance	1,971	1,827	1,216	1,990
2461 Building Lease / Rent	22,416	12,558	13,625	14,684
2481 Printing	74	230	264	238
2484 Resource Materials	7	2,247	1,851	182
2485 Training - Employee	816	1,556	216	3,106
2502 Local Meetings	1,508	1,388	393	1,491
2503 Travel and Training	1,009	897	543	1,302
2512 Utilities	3,856	2,730	1,958	3,138
4821 Equipment	1,269	700	505	7,000
Total Non-Personnel Expenditures	\$ 69,298	\$ 53,645	\$ 45,704	\$ 71,286
<u>Other</u>				
2432 Consultants / Service Providers	\$ 32,344	\$ 35,000	\$ 7,025	\$ 150,400
2433 Construction / Project Costs	7,239,948	2,226,211	12,185,736	5,453,795
3500 Operating Transfers Out	-	39,960	71,794	48,564
Total Other	\$ 7,272,292	\$ 2,301,171	\$ 12,264,555	\$ 5,652,759
Total Personnel/Non-Personnel/Other	\$ 7,731,944	\$ 2,587,079	\$ 12,546,478	\$ 5,988,532
Net Excess (Deficit)	\$ (4,101,473)	\$ 252,921	\$ (7,674,338)	\$ (1,103,532)
ENDING FUND BALANCE	\$ 9,468,402	\$ 9,721,323	\$ 1,794,064	\$ 690,532

TRANSPORTATION PROJECT CONSTRUCTION (FUND 611)

	FY2012/13 Actual	FY2013/14 Budget	FY2013/14 Yr. End Est.	FY2014/15 Budget
BEGINNING FUND BALANCE	\$ 30,620,066	\$ 31,805,182	\$ 31,805,182	\$ 19,208,528
REVENUES:				
6001 Measure "A"	\$ 10,415,536	\$ 15,964,540	\$ 17,922,532	\$ 18,373,258
6025 Local Repayments - Transportation	845,121	743,595	937,610	933,944
6031 RCTC Bond Proceeds	2,437,095	18,453	-	-
6032 RCTC - Admin. Reimbursements	950,123	-	303,932	400,000
7031 Other Transportation Funding	-	46,414,120	68,086,204	87,902,531
8001 Investment Income	115,265	160,000	116,506	120,000
Total Revenues	\$ 14,763,140	\$ 63,300,708	\$ 87,366,784	\$ 107,729,733
EXPENDITURES:				
Personnel				
1101 Salaries	\$ 187,438	\$ 311,675	\$ 222,415	\$ 293,186
1103 Auto Allowance	1,429	1,872	1,570	1,872
1211 PERS	33,932	54,201	38,489	46,410
1213 Medicare	2,747	4,520	3,189	4,251
1221 Group Insurance	27,612	51,242	31,841	43,897
1226 Unemployment	690	1,040	812	958
1231 State Compensation	1,645	3,251	1,646	3,059
1241 Long Term Disability	819	1,445	927	1,696
1261 Deferred Compensation	202	265	218	763
Total Personnel Expenditures	\$ 256,514	\$ 429,511	\$ 301,107	\$ 396,092
Non-Personnel				
2321 Communications / Phone	\$ 2,693	\$ 5,168	\$ 2,950	\$ 2,883
2341 Advertising	219	1,827	322	2,136
2353 Comprehensive Insurance	7,352	14,537	11,019	13,950
2401 Memberships / Registration	117	202	503	5,386
2415 Postage	210	951	326	927
2417 General Expense	548	2,019	392	1,860
2418 Per Diem Payments	3,460	4,680	4,306	4,680
2421 Subscriptions	29	397	47	242
2422 Computer Software	5,285	9,261	7,150	9,244
2423 Office Supplies	1,176	2,406	716	2,294
2425 Legal Services	647	6,983	1,051	7,012
2427 Medical Services	-	225	101	225
2428 Accounting Services	2,386	5,047	3,816	5,580
2431 Professional Services	230	1,054	2,431	5,486
2451 Equipment Lease / Maintenance	1,304	3,384	1,627	3,225
2461 Building Lease / Rent	14,583	23,219	17,147	21,762
2481 Printing	53	426	347	418
2484 Resource Materials	4	4,173	3,433	338
2485 Training - Employee	591	2,877	367	4,604
2502 Local Meetings	1,203	2,572	618	2,472
2503 Travel and Training	782	1,663	876	2,193
2512 Utilities	2,509	5,048	2,464	4,650
4821 Equipment	1,038	1,300	413	13,000
Total Non-Personnel Expenditures	\$ 46,419	\$ 99,419	\$ 62,422	\$ 114,567
Other				
2432 Consultants / Service Providers	\$ 26,463	\$ 65,000	\$ 14,906	\$ 441,600
2433 Construction / Project Costs	10,591,418	66,495,536	96,519,588	113,022,228
8981 Debt Service	2,657,210	3,049,067	3,012,233	3,012,233
3500 Operating Transfers Out	-	73,866	53,182	3,191,966
Total Other	\$ 13,275,091	\$ 69,683,469	\$ 99,599,909	\$ 119,668,027
Total Personnel/Non-Personnel/Other	\$ 13,578,024	\$ 70,212,399	\$ 99,963,438	\$ 120,178,686
Net Excess (Deficit)	\$ 1,185,116	\$ (6,911,691)	\$ (12,596,654)	\$ (12,448,953)
ENDING FUND BALANCE	\$ 31,805,182	\$ 24,893,491	\$ 19,208,528	\$ 6,759,575

RCTC / LTF / PPM (FUND 612) & CVLINK (FUNDS 620,623,625)

	FY2012/13 Actual	FY2013/14 Budget	FY2013/14 Yr. End Est.	FY2014/15 Budget
BEGINNING FUND BALANCE	\$ 17,542	\$ 131,053	\$ (218,396)	\$ 184,062
REVENUES:				
6042 RCTC - PP&M	\$ 116,037	\$ 100,000	\$ 81,710	\$ 80,000
6051 RCTC - LTF	274,500	326,300	326,300	366,750
7031 Other Revenue	99,421	1,585,660	895,516	1,412,377
8001 Investment Income	291	220	670	300
Total Revenues	\$ 490,249	\$ 2,012,180	\$ 1,304,196	\$ 1,859,427
EXPENDITURES:				
Personnel				
1101 Salaries	\$ 130,488	\$ 159,263	\$ 130,952	\$ 176,208
1103 Auto Allowance	1,755	1,584	1,619	1,944
1211 PERS	23,657	27,730	23,751	29,658
1213 Medicare	1,913	2,313	1,878	2,555
1221 Group Insurance	14,859	26,044	15,646	26,869
1226 Unemployment	439	532	478	575
1231 State Compensation	1,134	1,663	969	1,839
1241 Long Term Disability	567	739	546	1,020
1261 Deferred Compensation	247	224	254	792
Total Personnel Expenditures	\$ 175,059	\$ 220,092	\$ 176,093	\$ 241,460
Non-Personnel				
2321 Communications / Phone	\$ 1,071	\$ 981	\$ 1,403	\$ 1,733
2341 Advertising	-	604	190	612
2353 Comprehensive Insurance	5,083	7,437	6,491	8,384
2401 Memberships / Registration	13	104	126	112
2415 Postage	264	152	162	166
2417 General Expense	352	1,033	308	1,118
2418 Per Diem Payments	958	-	1,243	-
2421 Subscriptions	17	103	28	145
2422 Computer Software	1,293	2,077	1,488	2,138
2423 Office Supplies	524	732	495	793
2425 Legal Services	5,842	412	2,394	503
2427 Medical Services	-	-	25	-
2428 Accounting Services	1,961	2,582	2,247	3,354
2431 Professional Services	168	206	512	2,907
2451 Equipment Lease / Maintenance	828	1,383	745	1,468
2461 Building Lease / Rent	10,071	11,879	10,095	13,080
2481 Printing	20	50	177	1,056
2484 Resource Materials	2	-	6	-
2485 Training - Employee	191	1,472	43	2,767
2502 Local Meetings	472	649	243	704
2503 Travel and Training	205	186	931	537
2512 Utilities	1,673	2,582	1,451	2,795
4821 Equipment	-	-	-	-
Total Non-Personnel Expenditures	\$ 31,008	\$ 34,624	\$ 30,803	\$ 44,372
Other				
2432 Consultants / Service Providers	\$ 445,896	\$ 1,585,660	631,819	\$ 4,481,000
2433 Construction / Project Costs	47,600	30,000	-	-
3500 Operating Transfers Out	99,425	61,738	63,023	68,454
9000 Operating Transfers In	(72,801)	-	-	(3,120,000)
Total Other	\$ 520,120	\$ 1,677,398	\$ 694,842	\$ 1,429,454
Total Personnel/Non-Personnel/Other	\$ 726,187	\$ 1,932,114	\$ 901,738	\$ 1,715,286
Net Excess (Deficit)	\$ (235,938)	\$ 80,066	\$ 402,458	\$ 144,141
ENDING FUND BALANCE	\$ (218,396)	\$ 211,119	\$ 184,062	\$ 328,203

MSHCP (FUND 631, 632 & 634)

	FY2012/13 Actual	FY2013/14 Budget	FY2013/14 Yr. End Est.	FY2014/15 Budget
BEGINNING FUND BALANCE	\$ 42,377	\$ 42,377	\$ 42,377	\$ 42,377
REVENUES:				
7001 MSHCP /CVCC	\$ 619,450	\$ 663,769	\$ 617,726	\$ 674,313
7031 Other Revenue	-	-	-	-
Total Revenues	\$ 619,450	\$ 663,769	\$ 617,726	\$ 674,313
EXPENDITURES:				
Personnel				
1101 Salaries	\$ 379,632	\$ 341,095	\$ 310,886	\$ 349,839
1103 Auto Allowance	1,474	1,440	1,275	1,152
1211 PERS	68,756	59,301	54,164	54,558
1213 Medicare	5,565	4,945	4,458	5,074
1221 Group Insurance	56,784	67,363	49,108	62,924
1226 Unemployment	1,429	1,138	1,135	1,144
1231 State Compensation	3,325	3,557	2,300	3,651
1241 Long Term Disability	1,657	1,581	1,295	2,025
1261 Deferred Compensation	209	204	175	470
Total Personnel Expenditures	\$ 518,831	\$ 480,624	\$ 424,796	\$ 480,837
Non-Personnel				
2321 Communications / Phone	\$ 3,555	\$ 3,099	\$ 3,761	\$ 4,441
2341 Advertising	487	721	728	722
2353 Comprehensive Insurance	14,881	15,905	15,402	16,650
2401 Memberships / Registration	45	221	301	222
2415 Postage	664	949	619	951
2417 General Expense	1,077	2,209	505	2,220
2418 Per Diem Payments	2,810	-	2,953	-
2421 Subscriptions	55	221	65	289
2422 Computer Software	11,130	12,443	10,645	12,995
2423 Office Supplies	2,108	2,066	975	2,074
2425 Legal Services	14,733	7,884	13,849	7,999
2427 Medical Services	130	300	149	300
2428 Accounting Services	5,049	5,523	5,334	6,660
2431 Professional Services	705	1,442	1,859	6,772
2451 Equipment Lease / Maintenance	2,361	3,459	2,309	3,470
2461 Building Lease / Rent	29,495	25,404	23,967	25,974
2481 Printing	185	610	491	611
2484 Resource Materials	8	6,100	5,279	250
2485 Training - Employee	1,342	3,148	554	5,495
2502 Local Meetings	706	1,392	570	1,399
2503 Travel and Training	3,344	1,898	1,912	2,566
2512 Utilities	5,055	5,523	3,444	5,550
4821 Equipment	694	-	-	-
Total Non-Personnel Expenditures	\$ 100,619	\$ 100,517	\$ 95,671	\$ 107,610
Other				
3500 Operating Transfers Out	\$ -	\$ 82,628	\$ 97,259	\$ 85,866
Total Other	\$ -	\$ 82,628	\$ 97,259	\$ 85,866
Total Personnel/Non-Personnel/Other	\$ 619,450	\$ 663,769	\$ 617,726	\$ 674,313
Net Excess (Deficit)	\$ -	\$ -	\$ -	\$ -
ENDING FUND BALANCE	\$ 42,377	\$ 42,377	\$ 42,377	\$ 42,377

REGIONAL STREET SWEEPING (FUND 702)

	FY2012/13 Actual	FY2013/14 Budget	FY2013/14 Yr. End Est.	FY2014/15 Budget
BEGINNING FUND BALANCE	\$ 467,295	\$ 404,770	\$ 404,770	\$ 548,178
<u>REVENUES:</u>				
3031 MSRC	\$ 250,000	\$ 250,000	\$ 250,000	\$ 250,000
5012 Air Quality Enhancement / COLMAC	150,000	150,000	150,000	150,000
8001 Investment Income	1,059	800	1,203	1,500
Total Revenues	\$ 401,059	\$ 400,800	\$ 401,203	\$ 401,500
<u>EXPENDITURES:</u>				
<u>Personnel</u>				
1101 Salaries	\$ 3,900	\$ 8,450	\$ 9,753	\$ 8,670
1103 Auto Allowance	-	-	14	-
1211 PERS	706	1,476	1,700	1,418
1213 Medicare	57	123	140	126
1221 Group Insurance	405	721	880	586
1226 Unemployment	23	28	36	28
1231 State Compensation	35	89	72	90
1241 Long Term Disability	17	39	41	50
1261 Deferred Compensation	-	-	2	-
Total Personnel Expenditures	\$ 5,143	\$ 10,926	\$ 12,638	\$ 10,968
<u>Non-Personnel</u>				
2321 Communications / Phone	\$ 34	\$ 52	\$ 104	\$ 85
2341 Advertising	-	506	14	6
2353 Comprehensive Insurance	15,548	16,396	15,901	5,413
2401 Memberships / Registration	1	5	9	6
2415 Postage	1	8	7	8
2417 General Expense	10	55	16	55
2418 Per Diem Payments	33	-	93	-
2421 Subscriptions	1	5	2	7
2422 Computer Software	35	111	111	105
2423 Office Supplies	15	39	26	39
2425 Legal Services	6	22	28	25
2427 Medical Services	-	-	2	-
2428 Accounting Services	43	138	167	165
2431 Professional Services	6	11	38	144
2451 Equipment Lease / Maintenance	20	55	66	55
2461 Building Lease / Rent	307	633	752	644
2481 Printing	1	3	13	3
2485 Training - Employee	6	78	3	136
2502 Local Meetings	2	187	10	185
2503 Travel and Training	6	10	12	26
2512 Utilities	57	138	108	138
Total Non-Personnel Expenditures	\$ 16,132	\$ 18,452	\$ 17,482	\$ 7,245
<u>Other</u>				
2433 Construction / Project Costs	\$ 569,569	\$ 584,455	\$ 605,961	\$ 592,020
3500 Operating Transfers Out	-	1,880	3,050	2,131
9000 Operating Transfers In	(127,260)	(214,913)	(381,336)	(210,864)
Total Other	\$ 442,309	\$ 371,422	\$ 227,675	\$ 383,287
Total Personnel/Non-Personnel/Other	\$ 463,584	\$ 400,800	\$ 257,795	\$ 401,500
Net Excess (Deficit)	\$ (62,525)	\$ -	\$ 143,408	\$ -
ENDING FUND BALANCE	\$ 404,770	\$ 404,770	\$ 548,178	\$ 548,178

COLMAC (FUND 711)

	FY2012/13 Actual	FY2013/14 Budget	FY2013/14 Yr. End Est.	FY2014/15 Budget
BEGINNING FUND BALANCE	\$ 9,950	\$ 6,775	\$ 6,775	\$ 1,405
REVENUES:				
5012 Air Quality Enhancement / COLMAC	\$ -	\$ 2,244	\$ -	\$ 3,508
8001 Investment Income	32	-	20	10
Total Revenues	\$ 32	\$ 2,244	\$ 20	\$ 3,518
EXPENDITURES:				
Personnel				
1101 Salaries	\$ 481	\$ 1,330	\$ 246	\$ 1,365
1211 PERS	87	242	47	223
1213 Medicare	7	20	4	21
1221 Group Insurance	44	97	24	98
1226 Unemployment	7	5	1	5
1231 State Compensation	5	14	2	15
1241 Long Term Disability	2	6	1	8
Total Personnel Expenditures	\$ 633	\$ 1,714	\$ 325	\$ 1,735
Non-Personnel				
2321 Communications / Phone	\$ 5	\$ 8	\$ 3	\$ 14
2341 Advertising	-	1	-	1
2353 Comprehensive Insurance	21	65	12	67
2401 Memberships / Registration	-	1	-	1
2415 Postage	11	1	-	1
2417 General Expense	1	9	-	9
2418 Per Diem Payments	6	-	2	-
2421 Subscriptions	-	1	-	1
2422 Computer Software	-	18	3	17
2423 Office Supplies	2	7	1	6
2425 Legal Services	1	4	1	4
2428 Accounting Services	3	22	4	27
2431 Professional Services	1	2	2,471	2,523
2451 Equipment Lease / Maintenance	1	9	2	9
2461 Building Lease / Rent	40	103	19	105
2481 Printing	-	1	-	1
2484 Resource Materials	-	10	-	10
2485 Training - Employee	1	13	-	22
2502 Local Meetings	1	5	-	6
2503 Travel and Training	1	2	-	4
2512 Utilities	9	22	3	22
Total Non-Personnel Expenditures	\$ 104	\$ 304	\$ 2,521	\$ 2,850
Other				
2433 Construction / Project Costs	2,470	4,940	2,470	-
3500 Operating Transfers Out	-	300	74	338
Total Other	\$ 2,470	\$ 5,240	\$ 2,544	\$ 338
Total Personnel/Non-Personnel/Other	\$ 3,207	\$ 7,258	\$ 5,390	\$ 4,923
Net Excess (Deficit)	\$ (3,175)	\$ (5,014)	\$ (5,370)	\$ (1,405)
ENDING FUND BALANCE	\$ 6,775	\$ 1,761	\$ 1,405	\$ -

**COACHELLA VALLEY ASSOCIATION OF GOVERNMENTS
ANNUAL SALARY SCHEDULE AND APPROVED
CLASSIFICATIONS FROM JULY 1 2014 TO JUNE 30 2015**

POSITION	CLASSIFICATION	STEP 1	STEP 2	STEP 3	STEP 4	STEP 5	STEP 6
3010	Executive Director	-	-	-	-	-	204,444
2010	Deputy Executive Director	130,609	137,139	143,996	151,196	158,756	162,725
2015	Director of Administrative Services	124,079	130,283	136,797	143,637	150,819	154,589
2020	Director II - Environmental Resources	105,487	110,762	116,300	122,115	128,221	131,427
2021	Director II - Community Resources	105,487	110,762	116,300	122,115	128,221	131,427
2030	GIS/Fees Programs Director	80,279	84,293	88,508	92,933	97,580	100,020
2031	<u>(VACANT) (BUDGETED)</u> Transportation Engineer	80,279	84,293	88,508	92,933	97,580	100,020
2040	<u>(VACANT) (NOT BUDGETED)</u> Governmental Projects Director	73,839	77,531	81,408	85,478	89,752	91,996
2041	Transportation Program Manager	73,839	77,531	81,408	85,478	89,752	91,996
2042	Information Technology Manager	73,839	77,531	81,408	85,478	89,752	91,996
2060	<u>(VACANT) (NOT BUDGETED)</u> Associate Regional Planner	64,788	68,027	71,428	74,999	78,749	80,718
2070	<u>(VACANT) (BUDGETED)</u> Geographic Information Systems Analyst	62,765	65,903	69,198	72,658	76,291	78,198
2071	Management Analyst - Env. Resources	62,765	65,903	69,198	72,658	76,291	78,198
2071	Management Analyst - Comm. Resources	62,765	65,903	69,198	72,658	76,291	78,198
2071	Management Analyst - Bio. Monitoring	62,765	65,903	69,198	72,658	76,291	78,198
2090	Executive Assistant	49,851	52,344	54,960	57,709	60,594	62,109
1010	<u>(VACANT) (NOT BUDGETED)</u> Accountant	47,479	49,853	52,346	54,963	57,711	59,154
1011	<u>(VACANT) (NOT BUDGETED)</u> Senior Program Assistant - Transportation	47,479	49,853	52,346	54,963	57,711	59,154
1040	<u>(VACANT) (NOT BUDGETED)</u> Program Assistant II - Comm. Resources	43,160	45,318	47,584	49,963	52,461	53,773
1041	Program Assistant II - Env. Resources	43,160	45,318	47,584	49,963	52,461	53,773
1042	<u>(VACANT) (NOT BUDGETED)</u> Administrative Services Assistant	43,160	45,318	47,584	49,963	52,461	53,773
1070	Accounting Assistant	41,107	43,162	45,320	47,586	49,965	51,214
1071	Technician	41,107	43,162	45,320	47,586	49,965	51,214
1080	<u>(VACANT) (NOT BUDGETED)</u> Receptionist	39,053	41,005	43,055	45,208	47,468	48,655

Exhibit “B”

STREETS AND HIGHWAYS CODE

SECTION 1962-1962.8

1962. It is the intent of the Legislature, in enacting this chapter, to authorize the County of Riverside or any city in the county to establish a neighborhood electric vehicle (NEV) transportation plan. The purpose of this NEV transportation plan is to further the vision of creating a sustainable development that reduces gasoline demand and vehicle emissions by offering a cleaner, more economical means of local transportation within the plan area. It is the further intent of the Legislature that this NEV transportation plan be designed and developed to best serve the functional travel needs of the plan area, to have the physical safety of the NEV driver's person and property as a major planning component, and to have the capacity to accommodate NEV drivers of every legal age and range of skills.

1962.1. The following definitions apply to this chapter:

(a) "Plan area" means any portion of the County of Riverside, or any portion of any city in the county, and any streets and roads under the jurisdiction of the county or city, to the extent the county or city has adopted a NEV transportation plan pursuant to Section 1962.2, including the privately owned land of any owner that consents to its inclusion in the plan.

(b) "Neighborhood electric vehicle" or "NEV" means a low-speed vehicle as defined by Section 385.5 of the Vehicle Code.

(c) "NEV lanes" means all publicly or privately owned facilities that provide for NEV travel, including roadways designated by signs or permanent markings that are shared with pedestrians, bicyclists, and other motorists in the plan area.

1962.2. (a) The County of Riverside or any city in the county may, by ordinance or resolution, adopt a NEV transportation plan for the plan area within its jurisdiction. Two or more jurisdictions may jointly adopt a NEV transportation plan for all or a portion of the territory under their respective jurisdictions.

(b) The transportation plan shall have received a prior review and the comments of the Riverside County Transportation Commission and any agency having traffic law enforcement responsibilities in an entity included in the plan area.

(c) The transportation plan may include the use of a state highway, or any crossing of the highway, subject to the approval of the Department of Transportation.

1962.3. The transportation plan shall include, but need not be limited to, all of the following elements:

(a) Route selection, which includes a finding that the route will accommodate NEVs without an adverse impact upon traffic safety and will consider, among other things, the travel needs of commuters and other users.

(b) Transportation interfacing, which shall include, but not be limited to, coordination with other modes of transportation so that a NEV driver may employ multiple modes of transportation in reaching a destination in the plan area.

(c) Provision for NEV-related facilities, including, but not limited to, special access points, special NEV turnouts, and NEV crossings.

(d) Provisions for parking facilities at destination locations, including, but not limited to, community commercial centers, golf courses, public areas, and parks.

(e) Provisions for special paving, road markings, signage, and striping for NEV travel lanes, road crossings, parking, and circulation, as appropriate.

(f) Provisions for NEV electrical charging stations.

(g) NEV lanes for the purposes of the transportation plan shall be classified as follows:

(1) Class I NEV routes provide for a completely separate right-of-way for the use of NEVs.

(2) Class II NEV routes provide for a separate striped lane adjacent to roadways with speed limits of 55 miles per hour or less.

(3) Class III NEV routes provide for shared use by NEVs with conventional vehicle traffic on streets with speed limits of 35 miles per hour or less.

1962.4. If the County of Riverside or any city in the county adopts a NEV transportation plan for the plan area pursuant to Section 1962.2, it shall do all of the following:

(a) Establish minimum general design criteria for the development, planning, and construction of separated NEV lanes, including, but not limited to, the design speed of the facility, the space requirements of the NEV, and roadway design criteria, if the plan envisions separated NEV lanes.

(b) In cooperation with the department, establish uniform specifications and symbols for signs, markers, and traffic control devices to control NEV traffic; to warn of dangerous conditions, obstacles, or hazards; to designate the right-of-way as between NEVs, other vehicles, and bicycles, as may be applicable; to state the nature and destination of the NEV lane; and to warn pedestrians, bicyclists, and motorists of the presence of NEV traffic.

(c) Submit the transportation plan to the director for approval following a review and recommendation by the California Traffic Control Devices Committee.

1962.5. If the County of Riverside or any city in the county adopts a NEV transportation plan for the plan area pursuant to this chapter, it shall also adopt all of the following as part of the plan:

(a) NEVs eligible to use NEV lanes shall meet the safety requirements for low-speed vehicles as set forth in Section 571.500 of Title 49 of the Code of Federal Regulations.

(b) Minimum safety criteria for NEV operators, including, but not limited to, requirements relating to NEV maintenance and NEV safety. Operators shall be required to possess a valid California driver's license and to comply with the financial responsibility requirements established pursuant to Chapter 1 (commencing with Section 16000) of Division 7 of the Vehicle Code.

(c) (1) Restrictions limiting the operation of NEVs to NEV routes identified in the transportation plan, and allowing only those NEVs that meet the safety equipment requirements specified in the plan to be operated on those routes.

(2) Any person operating a NEV in the plan area in violation of this subdivision is guilty of an infraction punishable by a fine not exceeding one hundred dollars (\$100).

1962.7. (a) If the County of Riverside or any city in the county adopts a NEV transportation plan for the plan area pursuant to this chapter, the county or city shall submit a report to the Legislature on or before January 1, 2016, in

consultation with the Department of Transportation, the Department of the California Highway Patrol, and any applicable local law enforcement agency.

(b) The report shall include all of the following:

(1) A description of the NEV transportation plan and its elements that have been authorized up to that time.

(2) An evaluation of the effectiveness of the NEV transportation plan, including its impact on traffic flows and safety.

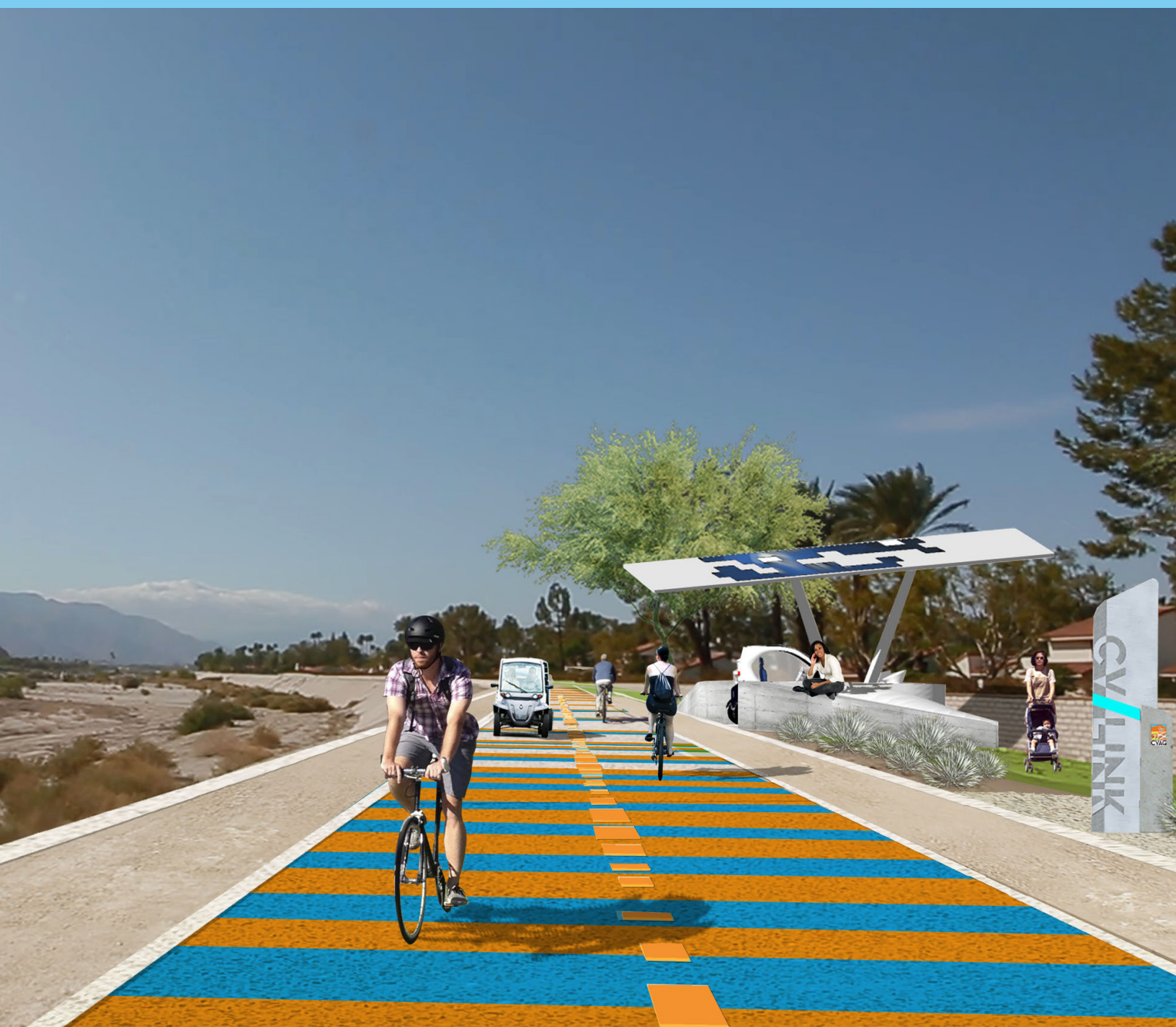
(3) A recommendation as to whether this chapter should be terminated, continued in effect, or expanded statewide.

1962.8. This chapter shall remain in effect only until January 1, 2017, and as of that date is repealed, unless a later enacted statute, that is enacted before January 1, 2017, deletes or extends that date.

Exhibit “C”



MASTER PLAN VOLUME 4: NEIGHBORHOOD ELECTRIC VEHICLE TRANSPORTATION PLAN JANUARY 2016



Neighborhood Electric Vehicle Transportation Plan

The work upon which this publication is based was funded in whole or in part through a grant awarded by the Strategic Growth Council as well as funding provided by Caltrans and the Riverside County Regional Park and Open Space District.

Disclaimer

The statements and conclusions of this report are those of the Grantee and/or Subcontractor and not necessarily those of the Strategic Growth Council or of the Department of Conservation, or its employees. The Strategic Growth Council and the Department of Conservation make no warranties, express or implied, and assume no liability for the information contained in the succeeding text.

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1 Introduction

1.1 Context and Definitions

Volume IV of the CV Link Master Plan, the Neighborhood Electric Vehicle Transportation Plan, was developed in conjunction with the planning and design of CV Link, a new alternative transportation pathway that will generally follow the Whitewater River flood channel between Palm Springs and Coachella. CV Link is anticipated to become a backbone for the further development of pathways throughout the valley. Neighborhood Electric Vehicles (NEVs) are one of several types of Low Speed Vehicle (LSV, also known as Low Speed Electric Vehicle or LSEV) that are anticipated to use the new facility.

This Plan will describe the specific duties required of NEV operators and the key design parameters that will make NEVs a practical option for mobility throughout the Coachella Valley. For the purposes of this plan, three principal types of LSVs with 3 or more wheels are considered:

- Golf cars (carts) that are factory designed to travel up to 15 mph within golf course environments. Golf cars that are not modified for on-street use may be used on roadways or paths designated for such use by local jurisdictions.
- Golf cars that are modified after manufacture for use on public streets and can travel up to 25 mph (Figure 1). While increasingly common, DMV guidance (FFVR37) requires owners to register them as motor vehicles that meet regular passenger vehicle standards or risk a citation.
- NEVs that are designed and manufactured to be used on streets with posted speed limits up to 35 mph and can travel up to 25 mph (Figure 2).



Figure 1: Golf Car Modified for On-Road Use



Figure 2: Four and Six-seat NEVs

The following links provide more information on the differences in golf cars and NEVs.

National Highway Traffic Safety Administration publication on the Code of Federal Regulations (CFR) for Low Speed Vehicles (LSVs) that are capable of at least 20 mph but not more than 25 mph):

<http://www.nhtsa.gov/cars/rules/rulings/lsv/lsv.html#lsv3>

Alternative vehicles definitions and information from Newport Beach Police Department, with comprehensive list of California Vehicle Code references:

<http://www.nbpd.org/community/altveh.asp>

California Department of Motor Vehicles (DMV) fact sheet on LSVs and golf carts:

http://apps.dmv.ca.gov/pubs/brochures/fast_facts/ffvr37.pdf

Golf Car Portal's clear definition of the differences between golf cars and NEVs:

http://golfcarportal.com/education/defference_between.php

1.2 CV Link Master Plan Volume IV: NEV Plan Development Process

Elements of the NEV Plan were informed by a series of public meetings related to CV Link. The cities of Cathedral City, Indio, Palm Desert, and Rancho Mirage returned detailed stakeholder surveys that assessed their current efforts, existing conditions, and future interest in NEV facility implementation. Meetings were held with a number of agency staff:

- April 30, 2014 – Indio with the Principal Engineer
- May 6, 2014 – Cathedral City with the City Engineer
- May 6, 2014 – Palm Desert with the Director of Community Development
- May 12, 2014 – Rancho Mirage with the Planning Manager
- May 13, 2014 – Palm Springs with the City Engineer
- June 9, 2014 – La Quinta with the Director of Community Development
- June 11, 2014 – Coachella with the Community Development Director
- Meeting with the Agua Caliente Tribe Director of Planning and Natural Resources

Table 1 shows how City staff input has been incorporated into this plan.

Table 1: Summary of City Staff Input

Key Themes	Where Covered in This Plan
Inconsistent policies and laws; prohibitions on use; confusion on definitions	Section 0 City Municipal Codes Section 5 Recommended Education, Legislation, and Enforcement
Roadway speed limits are too high for use of NEVs	Appendix C Roadway Speed Limit Maps presents city-provided or published information that was used in the route planning.
NEVs travel too fast to share designated golf cart paths	Section 4 Design Guidelines recommends path widths likely to minimize user conflicts. Signage (e.g. Figure 22) may be used to identify where NEVs may operate at reduced speed or prohibited.
Concern about reducing 12-foot-wide wide car lanes to accommodate 7-foot- wide NEV/bike lanes	Section 4.4 Class II NEV Lane refers to the key resources for city engineers to reference for narrower lanes.

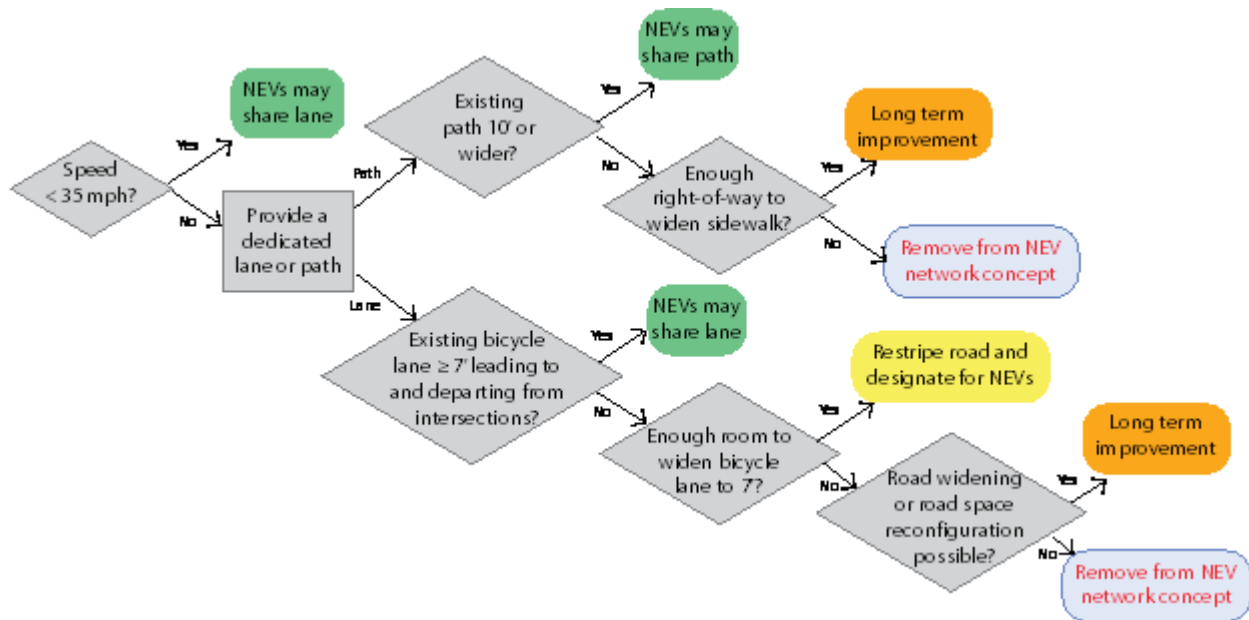
California Assembly Bill 61 stipulates that this transportation plan must be submitted to the director for approval following a review and recommendation by the California Traffic Control Devices Committee (CTCDC). This plan has been placed on the agenda for the March 5, 2015 committee meeting.

1.3 NEV Network Development Process

This NEV Plan has been based on the GIS NEV Suitability Analysis (NEVSA) described in Chapter 3 where the inputs are demographics (population, jobs, and land uses). The outputs are shown in the maps in this plan, which should be seen as the ultimate vision.

This analysis did not have the benefit of roadway information such as right of way width, curb-to-curb roadway width, and existing and proposed number of lanes at and between intersections. As a next step, a NEV Plan Implementation Program should be developed based on assessment of each roadway and intersection to determine how NEVs can be accommodated. The Implementation Program would follow a general process as outlined below.

Figure 3: Generalized NEV Plan Network Development Process



The proposed standards in this document represent the desirable widths and conditions for Neighborhood Electric Vehicle (NEV) travel. It is recommended that the maximum possible number of streets and paths be made accessible to NEV and golf cart operators, even if the desirable widths cannot be achieved initially. Once the number of users has grown, higher geometric standards can be implemented on a segment-by-segment basis to permit more comfortable routes for all users.

2 Legislative Context

2.1 Introduction

Recent California climate change and air quality legislation (including Assembly Bill 32, Senate Bill 375, and Assembly Bill 1358) has strengthened transportation and land use policies aimed at reducing single occupancy vehicle trips through multimodal transportation options. Local policy and planning efforts must make progress toward reduction targets set forth by state climate change legislation and a growing number of communities have identified Neighborhood Electric Vehicles as an effective means of attaining those goals. A number of local cities and counties in California (Lincoln, Rocklin, Western Riverside County, Rancho Mission Viejo, Coronado, and Playa Vista), have developed NEV Plans with various

goals such as reducing reliance on gasoline, reducing vehicle emissions, reducing roadway wear and tear, and creating more sustainable communities.

2.2 Federal Register: 49 CFR 571.500, 1998

In 1998, the National Highway Transportation Safety Administration (NHTSA) created a new Federal Motor Vehicle Safety Standard (FMVSS-500) category for low speed vehicles (LSVs) in response to their growing popularity. The intent of 49 CFR Part 571 was to establish consistent treatment of LSVs at the federal, state, and local levels with respect to on-street operations, speed, and safety standards. By definition, the new LSV class includes “small, 4-wheeled vehicles with top speeds of 20-25 mph.” This effectively removed conventional golf carts with a top speed of 15 mph from the classification and provided a more appropriate set of safety standards specific to LSVs (as compared to the umbrella “Passenger Car” class designation).

Consistent rulemaking specific to LSVs enabled manufacturers of these electric vehicles to bring new technologies to the market. 49 CFR 571.500 did not affect state and local decision making concerning permission of on-street LSV operation or require existing LSV owners to retrofit their vehicles to meet the safety standards established. In subsequent years, NHTSA amended the definition of LSVs to allow for commercial vehicle utility and an increase in the maximum gross vehicle weight restriction from 2,500 lbs. to 3,000 lbs.

2.3 California Assembly Bill no. 61, Chapter 170, 2011

AB-61 authorizes the County of Riverside or any of its jurisdictions to develop an NEV Transportation plan for a designated plan area. The California Streets and Highway Code sections 1962-1962.8 were established to implement the bill.

Section 1 of AB-61 establishes the scope of NEV Transportation plans, which includes route selection and provisions for “NEV Lanes,” parking and turnouts, signage, striping and roadway markings, roadway crossings, connections to other travel modes, and electrical charging stations. The bill further requires the development of facility design criteria, traffic control devices, safety criteria, route restrictions, and plan evaluation measures. Sections 2 and 3 amend the California State Vehicle Code language with respect to vehicle class provisions, operation of LSVs on roadways with operating speeds in excess of 35 mph and the operation of LSVs at certain roadway crossings. Section 4 absolves the State of California from responsibility for reimbursing jurisdictions for expenses incurred as a result of the state mandated local program. All NEV transportation plans must be submitted for review and approval by Caltrans.

2.4 California Streets and Highways Code

The California Streets and Highways Code Division 2.5 City Streets, Chapter 6 Section 1950-1961 establishes a framework for any county or city to establish a Golf Cart Transportation Plan. Golf carts are defined as:

“Golf Cart” means a motor vehicle having not less than three wheels in contact with the ground and unladen weight less than 1,300 pounds which is designed to be and is operated at not more than 25 miles per hour and is designated to carry golf equipment and not more than two persons, including the driver.

In the context of code Section 1962.1 authorizing the County of Riverside or cities contained within to establish NEV Plans, the code defines NEVs as:

(b) "Neighborhood electric vehicle" or "NEV" means a low-speed vehicle as defined by Section 385.5 of the Vehicle Code

2.5 California Vehicle Code

2.5.1 Definitions

According to California State Vehicle Code Section 385.5, NEVs are defined as “low-speed vehicles” that have:

- four wheels
- a maximum speed of 20-25 mph on a paved level surface
- a maximum gross vehicle weight of 3,000 pounds

NEV drivers must be licensed as motor vehicle drivers and abide by the California State Vehicle Code when operating on street.

2.5.2 Lane Use

The California Vehicle Code (CVC)¹ permits NEVs on all roadways with posted speed limits of 35 mph and under. NEVs are also permitted on roadways up to 55 mph within on-street Class II NEV striped lanes. For roadways with posted speed limits above 55 mph, NEV travel can only be accommodated with a separated off-street path. Table 2 summarizes lane use allowed by the CVC. Please refer to Chapter 4 of this document for more information on how this legislation will impact route development.

Table 2: Vehicle Access Permitted by Legislation

Traffic Condition	≤ 25 mph	≤ 35 mph	40-50 mph	≥ 55 mph
Shared general traffic lanes	NEVs Golf carts* Bicycles	NEVs Bicycles	Bicycles permitted	Bicycles not advised but may be permitted
Separate lane or shoulder	NEVs Golf carts* Bicycles	NEVs Golf carts* Bicycles		Bicycles
Separate path	NEVs Golf carts* Bicycles			NEVs Golf Carts

* Generally, golf carts are found in close proximity to golf courses and on facilities designated in a golf cart plan approved by the jurisdiction

2.5.3 Crossings

NEV crossings at roadways with speed limits above 35 mph must be orthogonal (90 degree intersection angles). If such crossings are a major part of the NEV network and the crossing is not orthogonal, there may be opportunities to reconfigure the geometry of the intersection to meet this requirement. Caltrans must approve any uncontrolled crossing of a state highway. The code states:

- (1) The operator of a low-speed vehicle may cross a roadway with a speed limit in excess of 35 miles per hour if the crossing begins and ends on a roadway with a speed limit of 35 miles per hour or less and occurs at an intersection of approximately 90 degrees.

However, the CVC also permits NEVs on roadways with a posted speed of 40, 45, or 50 mph where that roadway has a dedicated NEV / bike lane. Such use would be impractical if turning or crossing movements were not continuous. The CVC is interpreted to mean that at an intersection, as long as the NEV / bike lane is carried all the way through the approach up to the stop line, and again on the

¹ <http://www.dmv.ca.gov/pubs/vctop/d11/vc21260.htm>

departure side of any leg that a NEV would be permitted to travel to, the movement would be permitted. If the movement is a left turn, then the NEV driver could perform:

- A two-stage turn (with or without special provisions) although at higher volumes there could be an issue with queuing space for NEVs
- A vehicular style left turn, where an NEV/bike lane is available to turn into on the departure side. The NEV driver would not be in a designated NEV lane on the approach; like a vehicular bicyclist, they would be in the general traffic left turn lane. Even on a green indication, there should not be an issue with this because a NEV has similar acceleration and cornering capabilities as an automobile.

2.6 City Municipal Codes

This section provides relevant golf cart and NEV vehicles and traffic regulations obtained from each jurisdiction's municipal code available from the www.qcode.us, www.municode.com or www.amlegal.com websites.

2.6.1 Desert Hot Springs

No applicable municipal code.

2.6.2 Palm Springs

Definitions

Chapter 12.84 sets out the following definitions.

- “Golf cart” means a motor vehicle having not less than three wheels in contact with the ground, having an unladen weight less than one thousand three hundred pounds, which is designed to be and is operated at not more than fifteen miles per hour and designed to carry golf equipment and not more than two persons, including the driver.
- “Darkness” means any time from one-half hour after sunset to one-half hour before sunrise and any other time when visibility is not sufficient to render clearly discernible any person or vehicle on the highway at a distance of one thousand feet.
- “Real estate development offering golf facilities” means an area of single-family or multiple-family residences, the owners or occupants of which are eligible for membership in, or the use of, one or

more golf courses within the development by virtue of their ownership or occupancy of a residential dwelling unit in the development. (Ord. 1405 § 1, 1991)

Operation

- Any person operating a golf cart on designated city streets shall abide by all applicable traffic laws of the city and state.
- No person shall operate a golf cart on a designated city street after darkness unless the golf cart conforms with the equipment requirements of the California Vehicle Code.
- No person shall operate a golf cart on a designated city street for any other purpose than transporting persons and golfing equipment to or from a golf course. (Ord. 1405 § 1, 1991)

Routes

Chapter 12.84.030 designates thirteen streets are for operation of golf carts. No NEV routes have been established in the municipal code, but the City published a NEV network map in 2009 (although this is no longer readily found on the city website). The map is provided in Appendix D to this plan.

Discussion

The Palm Springs definition of a golf cart (1300 lb / 15 mph) excludes NEVs and prohibits non-golfing purposes of travel, severely limiting the transportation utility of such vehicles. The city code does define an electric personal assistive mobility device (EPAMD, popularized by the “Segway” scooter, but does not define electric bicycles or NEVs.

2.6.3 Cathedral City

Although city staff have advised that golf carts and NEVs are prohibited, no such prohibition is found in the municipal code.

2.6.4 Rancho Mirage

Definitions

Chapter 10.70 sets out the following definitions.

“Golf cart” means a four-wheeled motor vehicle with an unladen weight of less than one thousand three hundred pounds, which is designed to be and is operated at not more than twenty miles per hour and is designed to carry golf equipment and not more than two persons, including the driver, and can be utilized on local golf courses for the purpose of playing golf.

“Golf cart” facility means all travel ways, as designated by the city, that provide for golf cart travel. There shall be three categories of golf cart facility:

- Class I golf cart paths provide an area separate from the roadway used by automobile traffic for shared one-way or two-way use by golf carts, bicycles, and pedestrians.
- Class II golf cart lanes provide a striped eight-foot lane for one-way golf cart and bicycle travel on a street or highway.
- Class III golf cart routes provide for shared use with automobile and bicycle traffic. Class III facilities are established by placing golf cart route signs along roadways with speed limits of 25 mph or less in order to link them to Class I or Class II facilities.

Golf cart circulation plan means the adopted map depicting routes and crossing that will be constructed, posted and designated for use by permitted golf carts. (Ord. 713 § 3, 1999)

Operation

Those operating golf carts on any golf cart facility in the city must conform to the following operator requirements and safety criteria:

- Golf cart operators must be licensed drivers in the State of California with valid California driver’s license, or a driver’s license issued by another state.
- Golf cart operators must comply with the financial responsibility requirements established pursuant to Chapter 1 (commencing with Section 16000) of Division 7 of the California Vehicle Code.
- Golf cart operators must maintain golf cart in a safe condition.
- Golf carts are limited to daytime operation and are not permitted before one-half hour prior to sunrise or after one-half hour after sunset.
- Golf cart operators must yield the right-of-way to automobiles, pedestrians and bicyclists.
- Golf cart operators may only travel on designated golf cart facilities, and only in those golf carts that meet the minimum design criteria required by Section 10.70.030 and that are also properly permitted by the city. (Ord. 713 § 3, 1999)

Routes

The city has developed a golf cart map, last updated March 2012, identifying class 1 paths and class 2 on-street lanes between Dinah Shore Drive and Highway 111. This is provided in Appendix D.

Discussion

The Rancho Mirage definition of a golf cart (1300 lb / 20 mph) excludes NEVs and, unlike Palm Springs, also prohibits night-time use of golf carts regardless of whether they are equipped for such use.

The lack of a connection between the Eisenhower Medical Center at Country Club Drive and The River at Highway 111 along Bob Hope Drive is a significant barrier to CV Link access.

2.6.5 Palm Desert

Definitions

“Golf cart” means an electric powered motor vehicle having not less than four wheels in contact with the ground and an unladen weight of less than three thousand pounds which is designed to be and is operated at not more than 25 mph and is designed to carry not more than six persons, including the driver.

“Golf cart lanes” is synonymous with “golf cart routes” and means all publicly owned facilities that provide for golf cart travel including roadways designated by signs or permanent markings which are shared with pedestrians, bicyclists, and other motorists in the plan area. There shall be three categories of golf cart lanes:

- Class I golf cart lanes provide a right-of-way completely separated from any highway, with cross traffic by other motorists minimized, and designated for the exclusive use of golf carts, or, where feasibly safe and when no parallel improvements for pedestrians and bicyclists are available, designated for the shared use of golf carts, bicyclists, and pedestrians.
- Class II golf cart lanes provide a restricted right-of-way on a highway designated by striping and signage for the exclusive or semi-exclusive use of golf carts, with through travel by motor vehicles or pedestrians prohibited, but with vehicle parking and cross traffic by pedestrians and other motorists permitted.
- Class III golf cart lanes are lanes on local streets with speed limits of forty-five miles per hour or less and are shared with pedestrians, bicyclists, and other motorists. (Ord. 1174 § 1, 2008; Ord. 895 § 2, 1998; Ord. 703 § 1, 1993)

Routes

The city’s golf cart map was last updated in September 2010 and is provided in Appendix D.

Discussion

The Palm Desert definition of a golf cart (3,000 lb / 25 mph) effectively includes NEVs. The exclusion of lanes on roadways with a posted speed of 50 mph is in variance with the California Vehicle Code which permits operation of NEVs within a designated lane on such roadways.

2.6.6 Indian Wells

No applicable municipal code.

2.6.7 La Quinta

Definitions

Chapter 12.69 sets out the following definitions. “Golf cart” means a four-wheeled electric motor vehicle with an unladen weight of less than one thousand three hundred pounds, which is designed to be, and is operated at not more than twenty-five miles per hour, and is designed to carry golf equipment and no more than two persons, including the driver.

“Golf cart paths” or “golf cart routes” means all city-owned travel ways that allow golf cart travel, including roadways.

There shall be three categories of golf cart paths:

- Class I golf cart paths provide an area separate from the roadway used by automobile traffic for shared one-way or two-way golf carts, bicycles, pedestrians, and equestrians.
- Class II golf cart paths provide a striped eight-foot lane for one-way golf cart and bicycle travel on a street or highway.
- Class III golf cart paths provide for shared use with automobile and bicycle traffic. Class III paths are established by placing golf cart route signs along roadways with speed limits of 25 mph or less in order to link them to Class I or Class II paths.

“Golf cart route” means the map depicting routes and crossings that will be constructed, posted and designated for use by permitted golf carts. (Ord. 474 § 1, 2009)

Operation

All golf cart operators operating golf carts on any golf cart path in the city must conform to the following operator requirements and safety criteria:

- Golf cart operators must be licensed drivers in the state of California with valid California driver's license, or have a valid driver's license issued by a jurisdiction in accordance with Vehicles Code Sections 12502 through 12505.
- Golf cart operators must comply with the financial responsibility requirements (insurance) established pursuant to Chapter 1 (commencing with Section 16000) of Division 7 of the California Vehicle Code.
- No golf cart shall be operated on golf cart paths or golf cart routes within the city without a current golf cart permit decal visibly displayed on the right rear fender of the golf cart.
- The golf cart permit shall be valid for two years from the date of issuance.
- Golf cart operators must maintain the golf cart in a safe condition and be properly loaded to conform with CVC Section 24002.
- Golf cart operators may only travel in those golf carts that meet the minimum design criteria required by Section 12.69.030.
- Golf carts are limited to daytime operation and are permitted on public streets only during the time period between one hour prior to sunrise and one hour after sunset.
- A maximum of two persons may ride in the golf cart and may only ride in the main passenger compartment equipped with safety belts. Both driver and passenger must wear safety belts at all times while the golf cart is being operated on Class I, II, or III golf cart paths.
- Golf cart operators must yield the right-of-way to pedestrians, bicyclists, and equestrians.
- Golf cart operators may only travel on designated golf cart routes or along streets with speed limits of 25 mph or less.
- Golf cart operators may not travel on or along streets with speed limits in excess of 25 mph except on designated golf cart routes and shall only cross at controlled intersections as designated on the golf cart route map.
- Golf carts modified by removing any of the above safety equipment or a modification that in any way creates an unsafe cart will result in the immediate revocation of the golf cart permit and will be subject to any violations that apply under the California Vehicle Code. Should a golf cart be impounded pursuant to a violation under the State Vehicle Code, the registered owner shall be subject to any regulations imposed by the impounding authority pursuant to Section 22850.5 of the California Vehicle Code.

- No person shall operate or move a golf cart upon a sidewalk except those persons who in the course of their employment by a state, federal, or local government, or school district maintenance crew. (Ord. 474 § 1, 2009)

Routes

Undated map; includes specification of 8-foot-wide lanes; included in a detailed brochure.

Discussion

The La Quinta definition of a golf cart (1,300 lb / 25 mph) effectively includes some NEVs, but excludes others with the two person occupancy restriction. La Quinta has substantially more regulations beyond those provided in the California Vehicle Code.

2.6.8 Indio

Definitions

“Golf cart” is a motor vehicle having not less than three wheels in contact with the ground that is designed to be and is operated at not more than 25 miles per hour and carries golf equipment, food/beverages for golfers, and one or more people, including a driver, and can be utilized on a golf course for play, service to golfers or maintenance.

“Golf cart circulation plan” is the plan presented by city staff concurrent with this chapter's approval or such plan as may supersede same by determination of the Planning Commission. The golf cart circulation plan shall be a public record maintained by the City Clerk.

“Golf cart facility” is all travel ways, as designated by and located in the city within public right-of-way, that provide for golf cart travel. There shall be three categories of golf cart facilities:

- Class I golf cart paths provide an area separate from the roadway used by automobile traffic for shared one-way or two-way use by golf carts, bicycles and pedestrians.
- Class II golf cart lanes provide a striped lane for one-way golf cart and bicycle travel on a street or highway.
- Class III golf cart routes provide for shared use with automobile and bicycle traffic. Class III facilities are established by placing golf cart route signs along roadways with speed limits of 25 miles per hour or less in order to link them to Class I or Class II facilities.

“Golf cart operator” is any person that operates a golf cart within public right-of-way per this chapter.

“Golf club” is a public or private golf course owned by an institutional golf cart operator and located in its entirety on private or city-owned property with the sole exception of city street crossings identified in [§ 72.06](#).

“Institutional golf cart” is a golf cart owned by an institutional golf cart operator and operated exclusively within a golf club.

“Institutional golf cart operator” is any entity, e.g., a company, corporation, homeowners' association, management association, etc., that owns and allows usage of golf carts at a golf club by persons who are playing golf, and are:

- Members of the entity in question, or
- Residents or guests of residents of a community related to the entity in question, or
- Otherwise affiliated with, paying fees to, or in receipt of consent from the entity in question to do so. (Ord. 1583, passed 12-15-10)

Operation

- A golf cart operator must possess a valid California driver's license, a driver's license issued by another state, or other proof of legal authority to operate a motor vehicle in California;
- A golf cart operator must have insurance that complies with the financial responsibility requirements established pursuant to Cal. Vehicle Code Chapter 1, Division 7, §§ 16000 et seq.;
- Each golf cart must be maintained in a safe condition;
- In the case of an institutional golf cart, the party responsible to fulfill this duty to maintain the golf cart in question is the institutional golf cart operator, not an individual golf cart operator;
- Operation of a golf cart that does not meet the design criteria specified in [§ 72.03](#) is prohibited between one-half hour after sunset and one-half hour before sunrise at designated crossings;
- Golf cart operators must yield the right-of-way to automobiles, pedestrians and bicyclists;
- Golf cart operators may only travel on a designated golf cart facility, a golf club crossing conforming to [§ 72.06](#), or a public street with a speed limit of 25 miles per hour or less; and
- Except as otherwise provided in this chapter, each golf cart operated in the city shall comply with the design criteria required by [§ 72.03](#) and be properly permitted as required by [§ 72.05](#). (Ord. 1583, passed 12-15-10) Penalty see [§ 72.99](#)

Routes

Eight streets are identified for golf cart operation in the March 2011 map, provided in Appendix D.

Discussion

Indio's definitions are less proscriptive than other jurisdictions and could effectively include NEVs. The speed limit restriction to 25 mph roadways varies from the California Vehicle Code, which permits operation in mixed traffic lanes up to and including 35 mph posted speeds. The route map does not identify many local streets that could serve as Class III mixed traffic routes, and an explicit approval for such neighborhood street operation could clarify the bylaw.

2.6.9 Coachella

No applicable municipal code. As an aside related to the CV Link Master Plan, the code provides for bicycle licensing by the Chief of Police, applicable to resident operation of bicycles on city streets.

2.6.10 Summary

A summary of City Ordinances Relevant to Golf Carts and NEVs is provided in Table 3, showing that there are no two cities with the same definition of a golf cart. By permitting golf cart operation up to 25 mph on designated city streets, three cities effectively permit NEVs. No city explicitly defines or prohibits an NEV.

Table 3: Summary of City Ordinances

Jurisdiction	Weight (lb)	Speed (mph)	Maximum Occupants	Prohibitions	Routes
Desert Hot Springs	N/A				
Palm Springs	1300	15	2	Non-golf use	Separate golf cart and NEV maps
Cathedral City	N/A				
Rancho Mirage	1300	20	2	Night use	Golf cart map
Palm Desert	3000	25	6		Golf cart map
Indian Wells	N/A				
La Quinta	1300	25			Golf cart brochure
Indio	not defined	25	not defined		Golf cart map
Coachella	N/A				

2.6.11 Executive Order B-16-2012 and ZEV Action Plan, 2013

In March 2012, California State Governor Edmund (Jerry) Brown issued Executive Order B-16-2012 requiring all state agencies and entities to make efforts toward the rapid deployment of Zero-Emissions Vehicles (ZEV) in the state of California. This order also required that state agencies – including the California Air Resources Board, California Energy Commission and Public Utilities Commission – partner with the Plug-in Electric Vehicle Collaborative and California Fuel Cell Partnership to develop zero-emissions benchmarks for the state to achieve by 2015, 2020, and 2025. ZEVs as defined here include the broad range of electric vehicles including NEVs, but also other plug-in Battery Electric Vehicles (BEV), Plug-in Hybrid Vehicles (PHEV) and hydrogen fuel cell vehicles.

The 2013 ZEV Action Plan drafted in response outlines the strategies and actions necessary to meet the benchmarks set forth in EO B-16-2012. The Action Plan places emphasis on the market conditions and charging/fueling infrastructure necessary for large-scale deployment of ZEVs and the public-private partnership opportunities that will enable these developments. The plan consists of four general goals:

- Complete necessary infrastructure and planning
- Expand consumer awareness and demand
- Transform fleets
- Grow jobs and investment in the private sector

3 Existing Conditions

As the Coachella Valley region continues to expand, the mobility and accessibility needs of its residents will also increase. Neighborhood Electric Vehicles (NEVs) can contribute to a more livable and sustainable region. The purpose of this chapter is outline the current state of NEV development and the plans for future NEV infrastructure development in the Coachella Valley region.

This chapter begins with summaries of existing local plans and relevant reports for NEV system design and policy in the Coachella Valley. Residential density, employment density, and key local destinations are used to complete an NEV Suitability Analysis (NEVSA). The chapter concludes with a summary of identified opportunities and constraints to NEV network development. Additional NEVSA documentation is provided in Appendix A and existing network maps are provided in Appendices B and C.

3.1 Document Review

Several local NEV plans and reports have been published in recent years. These plans and reports provide a number of effective approaches towards NEV system development directly applicable to the Coachella Valley region.

3.1.2 Draft CVAG PEV Readiness Plan

The recently published draft CVAG Plug-in Electric Vehicle (PEV) Readiness Plan provides the foundation for a regional NEV transportation network in the Coachella Valley. The purpose of the plan was to prepare for system-wide deployment and adoption of PEVs over the next decade. The plan is the result of close coordination between local communities, local, regional, state, and federal agencies, members of the California PEV Coordinating Council, electric vehicle industry representatives, and numerous stakeholder groups.

The plan estimates that up to 13,000 PEVs will be on Coachella Valley roads by 2025. These projections were based on current vehicle registration data (there are currently about 148 PHEVs, 76 BEVs and 440 NEVs registered in the Coachella Valley). The plan notes that the NEV fleet has not grown over the last decade, which may be due to the current road network limitations. These projections were also used to generate demand estimates for non-residential charging stations. Several indicators of adoption were identified through surveys and market data. These indicators were then used to develop a weighted scoring methodology for charging station siting throughout the region. This was further refined to identify workplace and opportunity charging locations.

The PEV Readiness Plan considers the broad range of both Plug-in Hybrid Electric Vehicles (PHEVs) and Battery Electric Vehicles (BEVs). As a result of this general scope, the PEV Readiness Plan focuses primarily on vehicle technology and Electric Vehicle Supply Equipment (EVSE) infrastructure and the corresponding market and policy/regulatory drivers necessary for deployment. It does not specifically address the infrastructure required for NEV adoption, i.e. NEV Class I, II, and III facilities.

3.1.2 WRCOG NEV Plan

The Western Riverside Council of Governments Neighborhood Electric Vehicle Plan (WRCOG NEV Plan) was drafted to develop the “backbone” network of NEV facilities between the cities of Corona, Norco, Riverside, and Moreno Valley in 2010. It was designed as a model plan for cities to consult in developing local NEV Plans. Most of the backbone network is based on existing and planned routes with Class II bike facilities, as these can be relatively easy and cost-effective to convert for NEV use.

The WRCOG NEV Plan provides a model design guide section with guidance on NEV facility types, signage and pavement markings, wayfinding, charging stations, parking, and facility maintenance. This guidance informed the CVAG NEV Transportation Plan.

3.1.3 City of Lincoln NEV Transportation Plan

The City of Lincoln was the first city in California to adopt a NEV Transportation Plan. The Lincoln plan was primarily created to accommodate high usage of NEVs in the Sun City Lincoln Hills development and expand the NEV network to meet increasing demand in the greater Lincoln area. Much of that demand is generated from the large and growing retirement community in Lincoln. This provides a similar context for cities across the Coachella Valley. The plan was intended to prescribe relatively “minor modifications” to existing facilities including signing and striping improvements, parking, charging stations, and crossings.

The environmental justice element of the plan estimates that the cost of owning and operating an NEV is only 20% of the cost of owning a passenger automobile, suggesting that NEVs provide an affordable transportation options for low-income drivers. The plan establishes a special driver’s permit to improve the safety and independence of aging or disabled drivers that can no longer hold a driver’s license.

3.1.4 Local Support and Opposition to NEVs

NEVs provide mobility options for a wide range of trip purposes, including commute trips, school, shopping, errands, and recreation. The replacement of short passenger vehicle trips with NEV trips will reduce fuel consumption and emissions. Because of lower new vehicle purchase prices and reduced long-term maintenance costs, NEVs can be attractive to those with a wide range of household incomes, and have the potential to increase independence and mobility options of older residents who are no longer able to operate a motor vehicle. As the infrastructure and market develop, the barriers to NEV ownership and operation are further reduced.

As documented in the draft CVAG PEV Readiness Report, the opportunities for NEV development in the Coachella Valley are abundant. Many valley residents are already accustomed to travel by golf cart, and PEVs have been on the road in the region for over a decade. Current PEV and golf cart use has contributed to a general understanding of the need for improved facilities and safer, more convenient connections to local and regional destinations. Several of the cities in the region have begun to invest more heavily in NEV infrastructure in recent years. For example, the City of Palm Springs has an electric vehicle fleet and has installed electric vehicle charging stations throughout the city.

The majority of local and regional policy makers are supportive of NEV development efforts including CVAG, Riverside County Supervisors, and the mayors of most of the cities in Coachella Valley. In recent years, local and regional support for NEV development has centered on CV Link. While not necessarily specific to NEV vehicles or the infrastructure, this media attention has simultaneously elevated the profile of the project and reaffirmed the region's goals toward NEV development.

Despite the many opportunities and benefits of NEV development, support has not been unanimous. Outreach conducted for CV Link has indicated concern about the safety of mixing NEVs, bicyclists, and pedestrians on existing and constrained new pathways. This NEV Plan and the CV Link Master Plan will help guide the development of facilities that minimize path user conflicts. However, the cities will also need to consider widening existing paths and/or traffic control devices where widening is not feasible.

3.2 NEV Demand and Access Analysis

The purpose of this NEV Suitability Analysis (NEVSA) is to identify areas of high current and potential activity as well as patterns of land use and demographics that will generate NEV travel within the study area. This analysis will help guide route selection and infrastructure decisions.

The analysis provides the following benefits:

- Quantifies factors that impact NEV activity, objectively identifying areas where NEV users might want to be, while focusing on destinations like schools, and parks
- Provides the basis for a geographically based alternative alignment analysis
- Quantifies the economic benefits that are derived from construction of various alignment alternatives
- Guides community leaders and the public on alternative alignment analyses

3.2.1 Development of NEVSA

The analytical methods in NEVSA provide an objective, data-driven process for identifying clusters of high potential NEV activity and areas with poor existing network connectivity.

Background, Overview of NEVSA, and Use Considerations

This NEVSA has its basis in a technique devised by prominent landscape architect, Ian McHarg. His influential book Design with Nature (1969) highlighted the importance of considering the natural environment when introducing new development and infrastructure. McHarg was an early pioneer of GIS analysis and established innovative techniques for route planning using photographic map overlays. McHarg asserted that in order to find the most suitable route, one must determine the least social cost, i.e., consider factors that would impact social values. Once identified, each factor was mapped on a transparent sheet using three different color shades representing the level of social cost. The sheets were then stacked, revealing the most suitable route location. McHarg's photographic map overlay analysis paved the way for the foundation of modern day GIS models.

By providing a simplified version of the system for study, models serve as an effective means to understand how factors in a complex system interact. However, models are constrained by the quality of available data and the complexity of the system under consideration.

NEVSA provides a general understanding of expected activity in the environment by combining categories representative of where people live, work, play, and go to school into a composite sketch of

regional demand. Area specific land use and demographic factors, as well as transportation factors, such as transit service, local retail and service destinations, and schools are considered. This analysis will form the basis of the route selection process, because it predicts where there will be a high demand for trip making. Subsequent to completing this demand model, the likely routes, based on average NEV trip length and roadway suitability, can be prioritized.

NEVSA Demand Analysis Development

NEVSA's Demand Analysis relies on spatial consistency in order to generate logical distance and density patterns. All scores are aggregated to a central location at the census block level, the census block corner, referred to as "NEVSA Point". Census blocks closely represent the street network and therefore Census block corners closely represent street corners where NEV traffic is prevalent. This method is based on the "Low-Stress Bicycling and Network Connectivity" report.² The report discusses the benefits of using a smaller geographic setting for pedestrian and bicycle demand analyses rather than using more traditional traffic model features such as census block groups, census tracts or traffic analysis zones (TAZs). Due to the current lower range of NEV movement relative to automobiles, this smaller geographic unit of analysis is also suitable.

3.2.2 Utilization of NEVSA – Demand Analysis

Demand Analysis Scoring Method

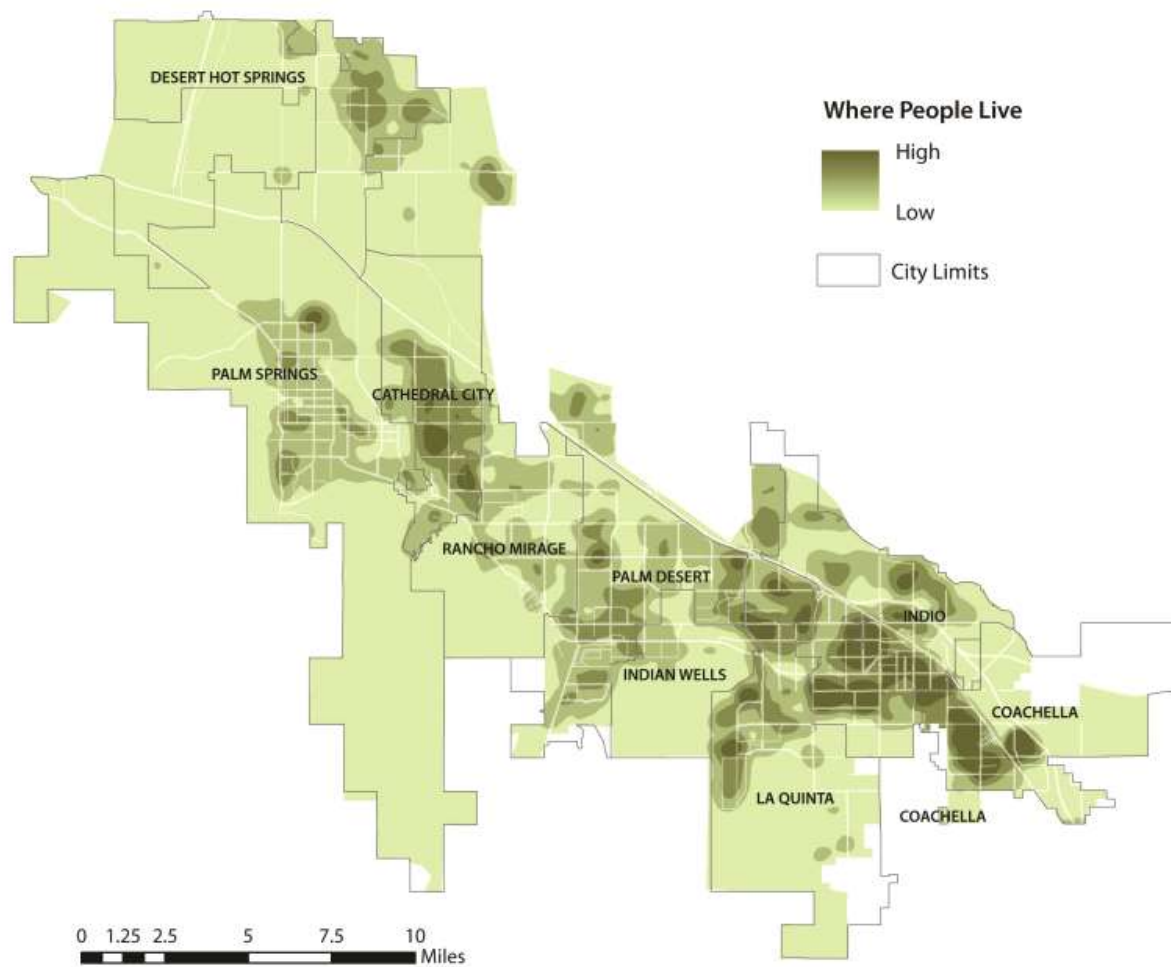
Generally speaking, the scoring method for the demand analysis is a function of density and proximity of trip generators. Areas with a large number of destinations close to each other score highly. Similarly, areas that are expected to generate more NEV trips score highly. Appendix A provides further detail on destination types and feature scores and weights.

Results of Demand Analysis

The following thematic maps illustrate where people live, work, play, learn, and access transit. For the purposes of this analysis, shopping centers are considered locations where people play.

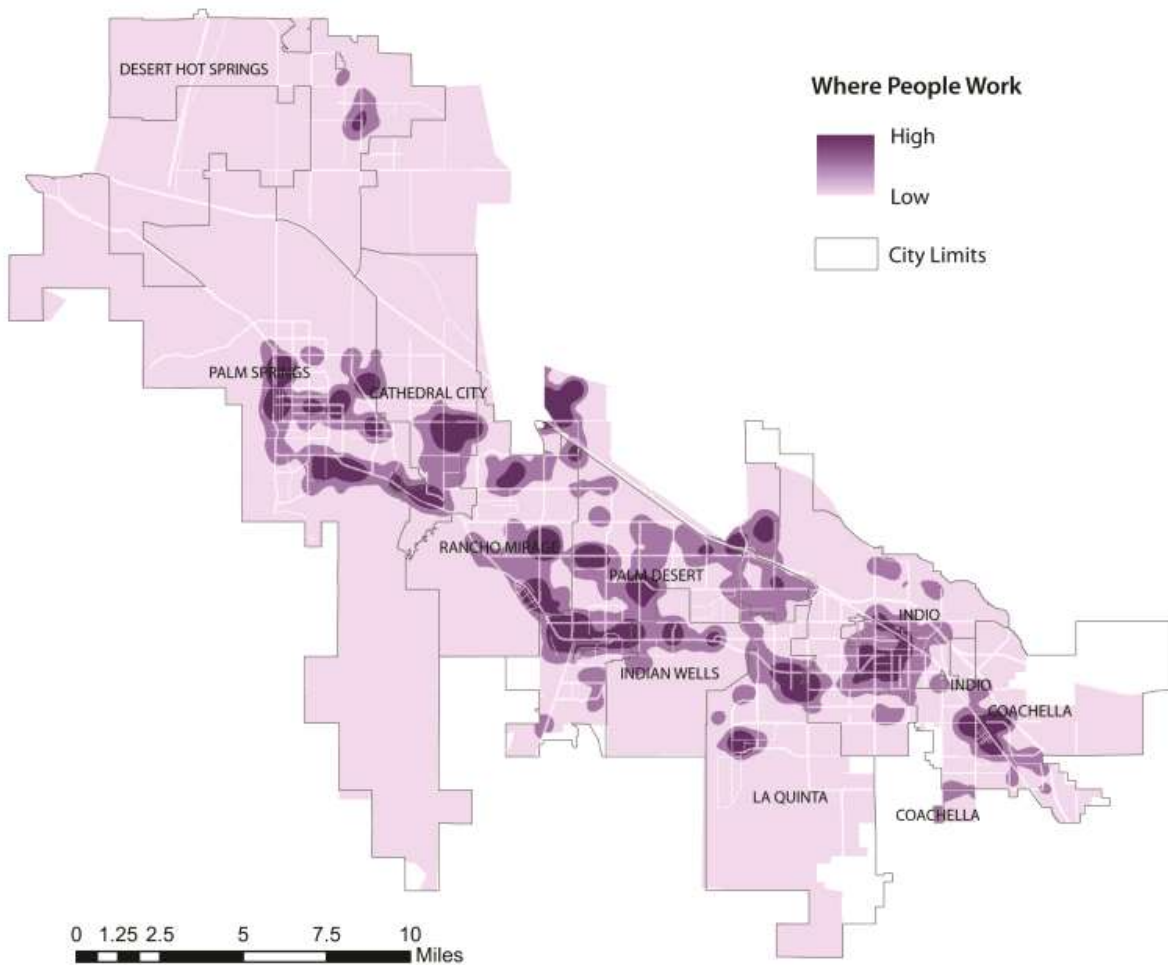
² Maaza, Mekuria, P. Furth, and H. Nixon. *Low Stress Bicycling and Network Connectivity*. Mineta Transportation Institute. May, 2012.

Map 1: Where People Live



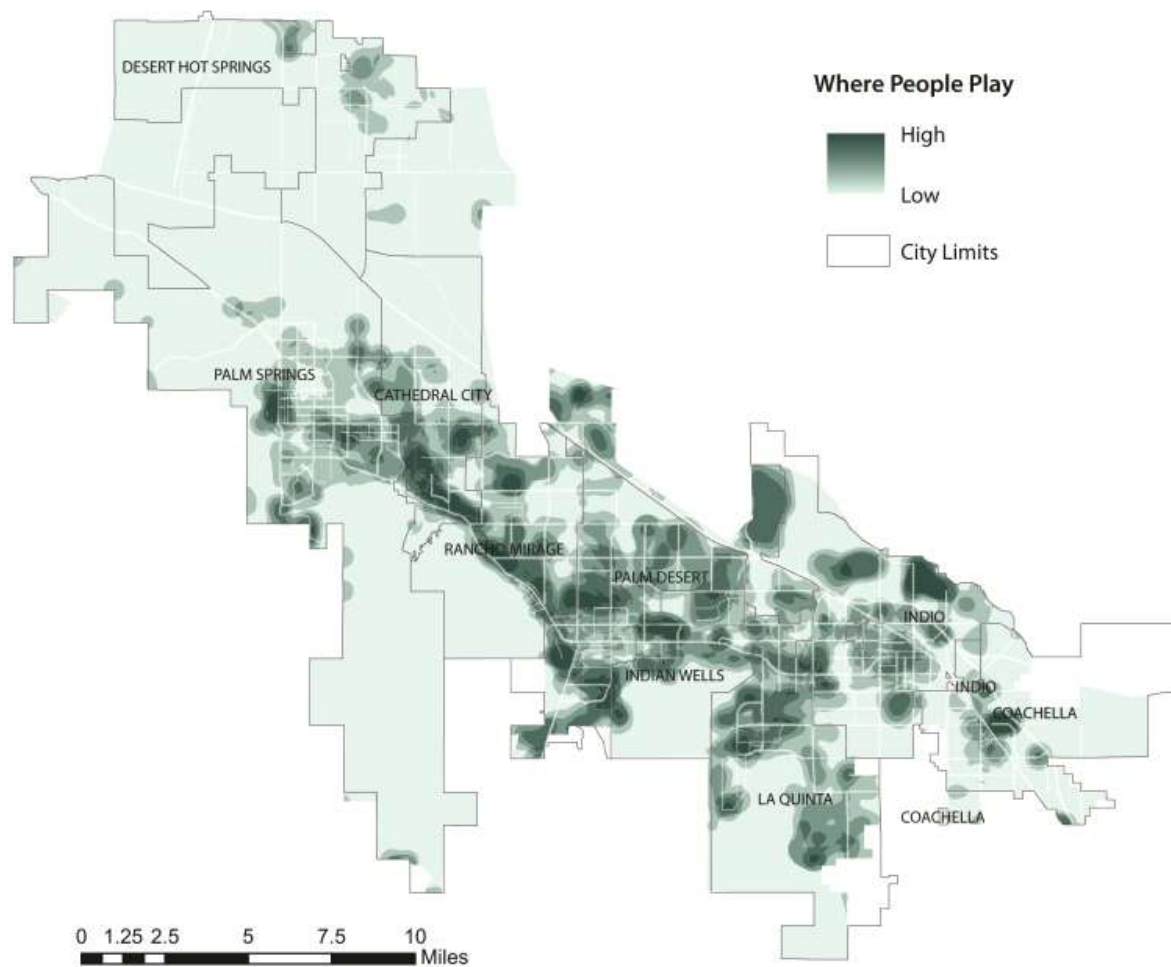
Where People Live includes 2010 census block level population density information. These locations represent potential trip origin locations. More trips can be made in areas with higher population density if conditions are right. Areas with the densest populations are found in the southeast portion of the region, in Indio and Coachella. This category is a function of the number of NEVSA points within a half-mile of each other. As for all maps, the more deeply shaded areas represent higher demand areas relative to lighter colors. See Appendix A for scoring details.

Map 2: Where People Work



Where People Work represents trip ends for people working within the Coachella Valley region. Its basis is 2010 total employment by census block. Areas of dense employment are found in Palm Springs, Palm Desert along Highway 111, Thousand Palms, Indio, and Coachella. Depending on the type of job, this category can represent both trip attractors (i.e., retail stores or cafes) and trip generators (i.e., office parks and office buildings) in terms of base employment population. It is therefore also used in the where people play category by overlaying with specific job types, such as retail. This category accounts for the number of employees per NEVSA Point within a half-mile. See Appendix A for scoring details.

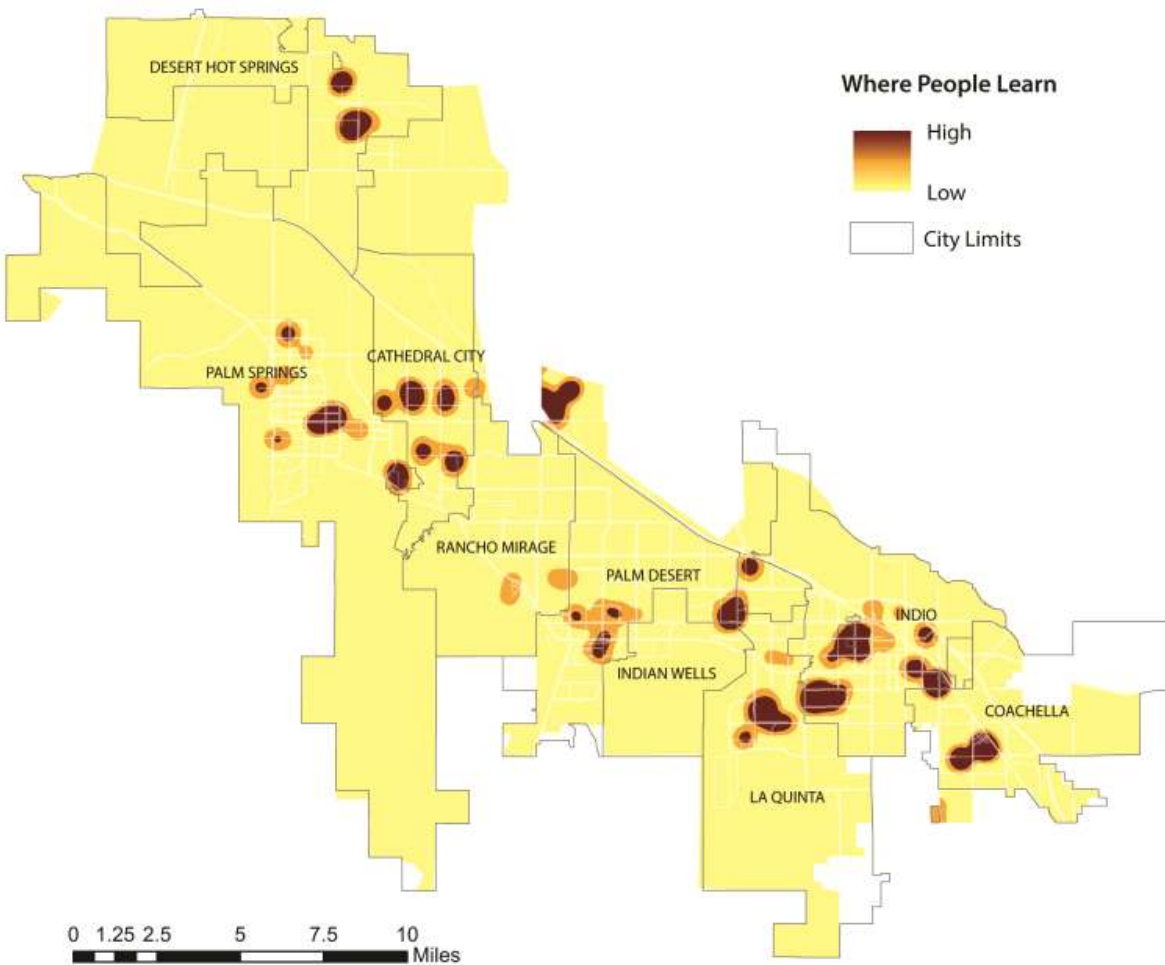
Map 3: Where People Play



Where People Play is a combination of varied land use types and destinations. Overlays such as golf courses, retail destinations, parks and services and hospitals all contribute to this category. While hospitals and services are not exactly where one would expect to “play,” these civic amenities are still destinations of importance and are reflected in this category due to the temporary nature of the visit. As shown above, the greatest concentration of play destinations in the valley is found along Highway 111, in downtown Palm Springs and the northern portion of Indio.

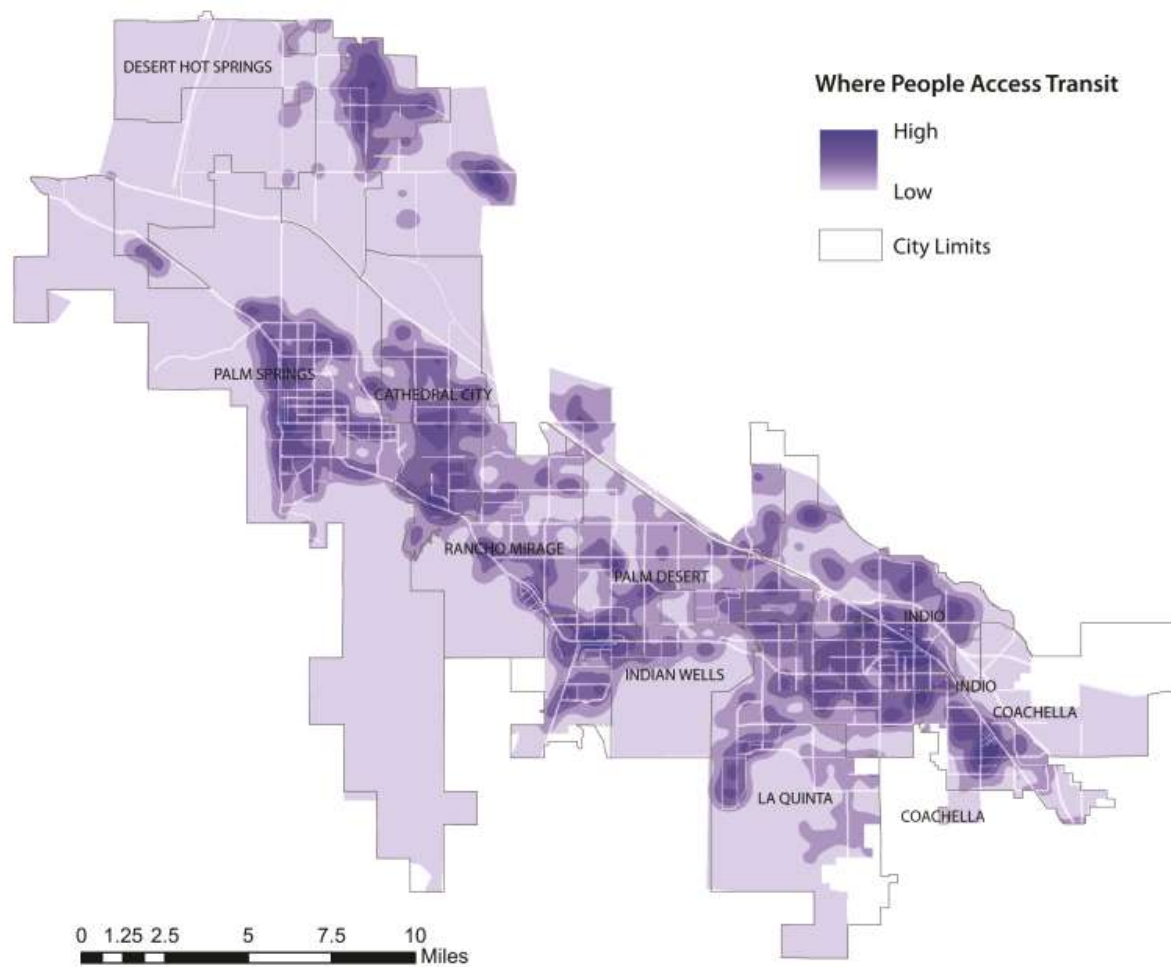
This category accounts for the number of destinations per NEVSA Point as well as the relative importance of each destination. See Appendix A for scoring details.

Map 4: Where People Learn



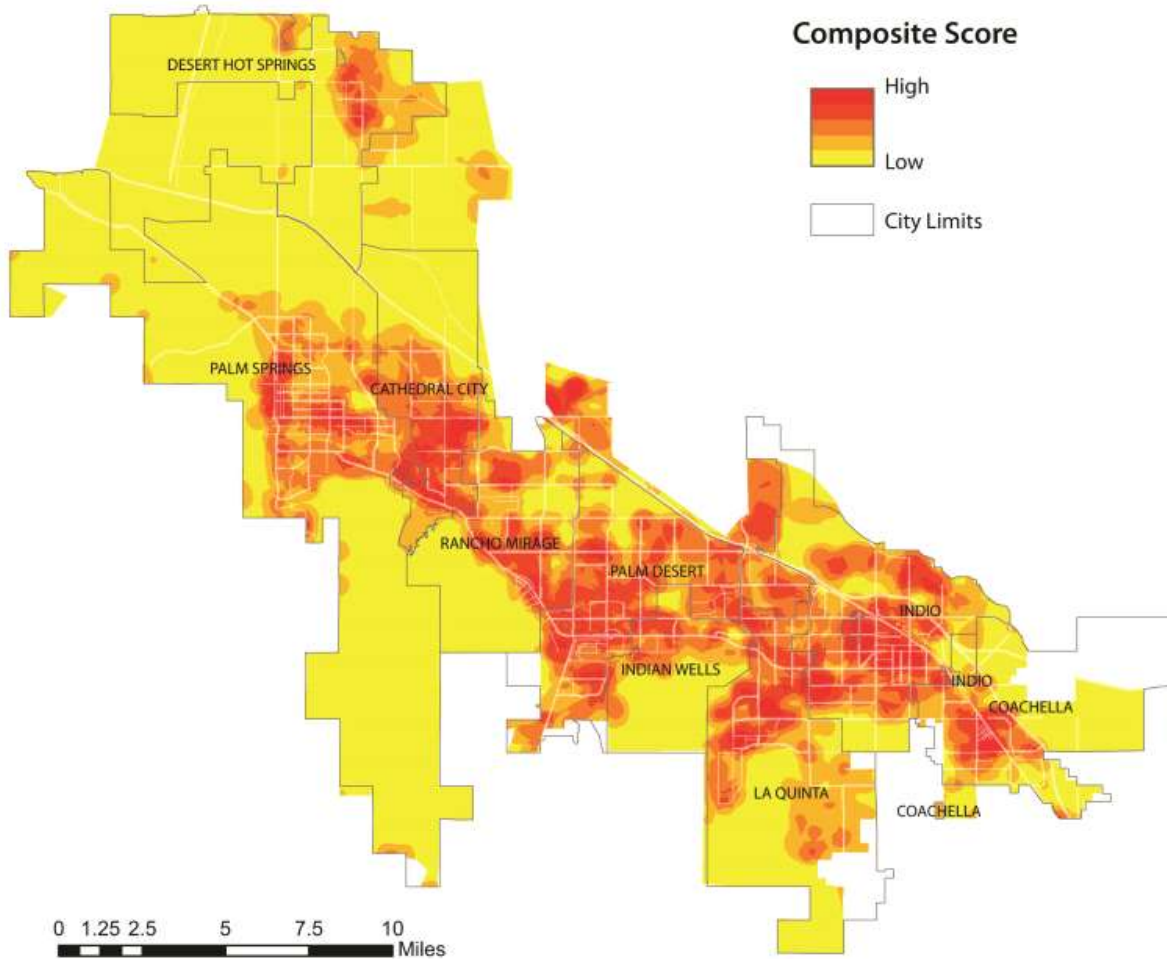
Where People Learn is important due to the number of children that could receive rides to school and the role schools play as civic destinations for all types of activities. Darker shading indicates areas where learning destinations are closer together and parents or other family members would have an easier time accessing multiple schools. Schools with the greatest proximity are found in population centers within the valley. See Appendix A for scoring details.

Map 5: Where People Access Transit



Where People Access Transit is assessed using transit stop locations. This category accounts for the transit stops within a half-mile of each other. Areas with the greatest density of transit stations are typically in commercial areas, where roadways are served by multiple transit lines. This category is included in the model, because it is specified in the legislation prescribing the considerations for NEV plans in California. See Appendix A for scoring details.

Map 6: Composite NEV Demand Map



After independently processing the features, the composite model is created and grouped into five demand classes using natural breaks in the data values. Estimated demand is highest along Highway 111, between Palm Springs and Indian Wells, along Indio Boulevard in Indio, and at the confluence of retail land uses, 'play destinations,' residences and places of work. Moderate demand is seen between high demand areas, representing movement between destinations in these areas. Areas with moderate demand are often characterized by a single dominant land use (e.g., employment centers). The route selection process draws from this demand analysis to recommend the high priority NEV routes that can connect the areas in high demand using the appropriate street types.

See Appendix A for a description of the extent to which each feature influences the composite demand model. By comparing the total possible score (per NEVSA Point) with the actual scores one can see both

how social and cultural features affect demand and how increasing distance between origins and destinations reduces demand.

Areas with Poor Existing Network Connectivity

Areas with poor connectivity have barriers and gaps such as roadways with posted speed limits greater than 35 mph. In these cases, NEVs must either travel in an exclusive NEV/bike lane, travel along a designated grade-separated path or travel greater distances to arrive at their intended destination via lower speed, lower-stress local streets. These high speed roadways are listed in Table 4 below and are further illustrated in Appendix B and C. This table may include roads that currently have some segments marked for bike or golf cart lanes.

Table 4: Barriers to Connectivity

Road	Speed Limit (mph)	Road	Speed Limit (mph)
Palm Springs			
Highway 111	50	Alejo Road	45
Gene Autry Trail	50	Mesquite Avenue	45
Indian Canyon Drive	45	Palm Canyon Drive	40-45
San Rafael Drive	45	Tachevah Drive	40
Racquet Club Road	45	Amado Road	40
Farrell Drive	45	Baristo Road	40
Vista Chino	45	Escoba Drive	40
Sunrise Way	45	Ramon Road	40
Crossley Road	45	Sunny Dunes Road	40
Cathedral City			
I-10	70	Ramon Road	45
Date Palm Drive	45-55	Perez Road	45
Highway 111	50	Dinah Shore Drive	40
Gerald Ford Drive	50		
Rancho Mirage			
Bob Hope Drive	40	Morningside Drive	50
Highway 111	50	Da Vall Drive	45
Frank Sinatra Drive	50	Country Club Drive	45
Dinah Shore Drive	50	Parkview Drive	45
Monterey Avenue	50		
Indian Wells			
Highway 111	45-55	Fred Waring Drive	45-50

Road	Speed Limit (mph)	Road	Speed Limit (mph)
Washington Street	50	Cook Street	45-50
Miles Avenue	50	Eldorado Drive	40
La Quinta			
Avenue 53	55	Avenue 42	45-50
Avenue 54	55	Dune Palms Road	40-50
Highway 111	50-55	Washington Street	40-50
Jefferson Street	45-55	Adams Avenue	45
Miles Avenue	50	Avenue 52	45
Fred Waring Drive	50	Madison Street	45
Avenue 50	50	Eisenhower Drive	40
Palm Desert			
I-10	70	Portola Avenue	40-50
Highway 74	55	Highway 111	45
Frank Sinatra Drive	55	Fred Waring Drive	45
Gerald Ford Drive	55	Parkview Drive	45
Oasis Club Drive	55	Hovely Lane	45
Magnesia Falls Drive	50	Country Club Drive	45
Monterey Avenue	50	Haystack Road	45
Eldorado Drive	50	Cook Street	50
Washington Street	50	Mesa View	40
Indio			
I-10	70	Avenue 52	45
Avenue 50	55	Avenue 44	45
Jefferson Street	40-55	Monroe Street	40-45
Indio Boulevard	50	Dr Carreon Boulevard	40
Fred Waring Drive	50	49th Avenue	40
Hjorth Street	50	Burr Street	40
Avenue 48	40-50	Clinton Street	40
Madison Street	45-50	Arabia Street	40
Jackson Street	40-50	Oasis Street	40
Miles Avenue	45	46th Avenue	40
Cabazon Avenue	45	Market Street	40
Golf Center Parkway	45	45th Avenue	40
Dillon Road	45	Calhoun Street	40
Highway 111	45	Van Buren Street	40

Road	Speed Limit (mph)	Road	Speed Limit (mph)
Coachella			
I-10	70	Fillmore Street	40-50
Highway 86 S	65	Avenue 53	45
Highway 111	40-55	Jackson Street	45
Van Buren Street	50	Dillon Road	45
Harrison Street	50	Tyler Street	40-45
Avenue 54	50	Polk	40
Avenue 52	50	Avenue 49	40
Avenue 48	40-50	Avenue 50	40
Desert Hot Springs			
I-10	70	Palm Drive	40-50
Highway 62	65	Dillon Road	45
Indian Avenue	55	Mission Lakes Boulevard	40
Fairview Road	55	Hacienda Avenue	40
Pierson Boulevard	50-55	Camino Aventura	40
Little Morongo Road	40-55		

Other network gaps occur at many of the Whitewater River Channel bridge crossings. These locations are constrained by limited space for new, NEV-specific facilities (outward expansion being cost prohibitive). In some cases existing golf cart or bike lanes exist and narrowing existing travel lanes can be a cost-effective way of accommodating shared Class II NEV lanes or an NEV path. As mentioned above, roadway speeds and right-of-way widths will determine whether Class II NEV lanes are possible on these bridges. These opportunities and constraints are explored in further detail in Table 2 of this chapter.

3.3 Opportunities and Constraints

This section identifies general opportunities and challenges for the development and implementation of a comprehensive NEV network in the Coachella Valley. Some of the opportunities and constraints identified here may apply more to some jurisdictions than others, but Riverside County and CVAG have a key role in coordinating NEV development efforts and ensuring that plans and development strategies are consistent throughout the region.

3.3.1 Connectivity and Circulation

Coachella Valley street networks are generally characterized by grids of multi-lane arterials on one mile spacing with curvilinear suburban residential streets within. The suburban style road networks create disconnected street patterns, which present major challenges for through transportation, because they limit route options and increase travel distances for all roadway users.

Fewer route choices, due to lower street and intersection densities, means that there are decreased opportunities for individuals to use low-stress streets to reach their destination. In general, the routes that do connect to key destinations (e.g. commercial centers, schools, and parks) are on more heavily travelled, high speed arterial streets. On streets with a posted speed limit greater than 35 mph and no separate NEV accessible lane, NEV users are legally prohibited from completing their journey. Even where a NEV accessible lane is present, many would-be users may not feel safe or comfortable alongside much faster vehicles.

A second symptom of a disconnected street network is that street connections are often indirect. Traveling to an adjacent neighborhood, a local park, or a commercial area may be a short distance “as the crow flies”, but taking the existing street network will lead to longer travel times due to out-of-direction travel. Since NEVs are generally slower than passenger automobiles, travel by NEV is at a competitive disadvantage to travel by automobile. This can be addressed through the design of roadways and intersections. For example, CV Link will improve the level of service for NEV users by providing an alternative to the street network. Access to various roadway types permitted by legislation is summarized in Table 2 earlier in this document.

Street connectivity varies throughout each city in the Coachella Valley as a result of a unique mix of land uses including golf courses, limited access gated communities, drainage channels, major roads and highways, larger block sizes, and areas with lower residential densities. These constraints are illustrated in further detail in city profile maps in Appendices B and C.

There are also some areas within Desert Hot Springs, Indian Wells, La Quinta, Rancho Mirage, Cathedral City and Palm Springs where the residential street network includes lower speed streets, smaller blocks sizes, and an orthogonal grid. Roadways in these mostly residential areas have tremendous potential to serve as low-speed, low-stress NEV routes that connect to other NEV facilities and destinations.

In the long term, NEV connections to transit may provide residents with a “first and last mile” trip solution. SunLine Transit Agency provides bus service for the entire Coachella Valley region. Having a single regional transit provider offers the advantage of simplifying coordination between neighboring

jurisdictions, allowing for a more seamless and convenient transit user experience. NEV Park and Ride facilities at local bus stations can offer residents a multimodal connection point for longer trips.

3.3.2 Integration with Existing Bike Network

Similar to Caltrans bicycle facility classifications, three classes of NEV facilities are proposed. These are described in detail in Chapter 5 and briefly described below.

- Class I NEV paths are off-street facilities where standard passenger cars are prohibited.
- Class II NEV lanes are travel lanes for the shared use of bicycles, NEVs, and golf carts, adjacent to the right or left-most motor vehicle lane.
- Class III NEV Routes are shared lanes on low speed streets.

Planned Class II facilities listed in local bike plans and in the Coachella Valley Non-motorized Transportation Plan should be assessed for future shared NEV/bike lane use.

With minor roadway striping modifications, many NEV focused facilities can be shared with bicycles. Maps of existing bike networks in each city are provided in Appendix B. In other cases, existing streets can be considered for future NEV route and NEV lane designations. Maps of street speed limits for each city are provided in Appendix C.

3.3.3 Integration with Existing Golf Cart Network

The cities of Rancho Mirage, Palm Desert, La Quinta, and Indio all have existing golf cart transportation plans and policies. Existing public pathways designated for golf cart use may present opportunities for conversion to shared-NEV paths. However, many of these paths are constrained by geometries (widths and curve radii) more suited to the typical top speed of a golf cart (under 15 mph). Because NEVs are capable of travelling up to 25 mph, the route planning may suggest upgrades to existing golf cart facilities, or the use of other routes. NEV operators may also simply decrease their speed when using constrained paths. The existing width of the path, presence of shoulders (and potential for expansion of the path) will dictate whether the path can be used as one-way or two-way, whether there is sufficient space for passing and turnouts and shared-use with bikes and pedestrians. The opportunities and constraints listed for Class II shared NEV/bike lanes apply to shared NEV/golf cart lanes.

NEV users are likely to prioritize routes that offer the most direct connection between points, so consideration should be given to minimizing of out-of-way travel and potential congestion points. These opportunities will need to be assessed in further detail during the implementation of the network.

Existing golf cart networks are typically designed around golf courses as the primary destination. Because golf cart paths are designed for golf course access and circulation, they may not offer direct transportation connections to other destinations. When integrating these pathways into the larger NEV network, providing safe and convenient connections to a variety of destinations should be the top priority.

3.3.4 Wayfinding

Wayfinding signage provides NEV drivers with valuable travel information, including direction, travel distance, and estimated travel time. Signs help people reach destinations via optimal routes, with minimal uncertainty. The lack of consistent NEV wayfinding throughout the Coachella Valley limits the number of people who know how to access local destinations (e.g. parks, schools, and commercial centers) using existing low-stress routes, on-street lanes, and paths.

Basic Wayfinding Signage

The cities of Lincoln and Rocklin have already initiated a California Traffic Control Device Committee Request to Experiment process for the design of NEV wayfinding signage. A simple potential wayfinding sign based on their design is presented as Figure 33 on page 80 of this document.

Custom Wayfinding Signage

Designing more personalized wayfinding could effectively provide CVAG and/or the cities in the Valley the opportunity to use wayfinding as a branding tool. Establishing a unique style of wayfinding signage that will clearly differentiate each city's Class I, II and III NEV facilities from other kinds of facilities could improve the visibility of the network as a whole. Unique branding will also help users navigate transitions between facilities. For example, if an on-street Class III NEV route transitions to an existing NEV/shared-use path, the path may already have a sign identifying it as such. However, a second sign of a differing color and/or shape will allow users to quickly identify it as being part of the Class III network. It is recommended that CVAG work with cities that adopt this plan during the implementation phase to design a custom wayfinding signage program.

3.3.5 High-Speed Road Crossings

Even with marked crossings, some roads feel too uncomfortable for operators to cross in an NEV. As noted in section 2 of this document (page 7), California Vehicle Code Section 21260 specifies that NEVs shall not cross roadways with speed limits greater than 35 mph, unless the crossing "begins and ends on a roadway with a speed limit of 35 mph or less and occurs at an intersection of approximately 90 degrees."

NEVs are also not permitted to cross state highways *at uncontrolled locations* unless the crossing has been approved and authorized by Caltrans.

Undercrossings and overcrossings are one possible solution, but they are also often cost prohibitive. The CV Link Master Plan includes many of these types of crossings. Securing funds for their development can be a long-term challenge, especially for jurisdictions with multiple major road and highway crossings and poor on-street connectivity.

3.3.6 Whitewater River Channel Crossings

One of major impediments to NEV travel in the Coachella Valley is the lack of accessible Whitewater River Channel crossings. The CV Link Master Plan focuses on the path crossings of the arterials, while this NEV Plan identifies gaps for access to the path and across the channel between other origins and destinations.

As new bridges are built, wide (greater than seven feet) shared bike/golf cart lanes or paths are typically included on both sides. Therefore, where a bridge is currently deficient but programmed for replacement, it is assumed that NEV access will be provided. Class II NEV lanes are recommended for bridges on roadways with speeds 35 mph and under. However, many of these bridges are on roadways with posted speed limits greater than 35 mph. In these circumstances, Class II Lanes may be considered on roadways with posted speed limits up to 55 mph. A NEV Class I grade-separated path is the only option on bridges with speed limits over 55 mph. Sufficient space and the potential for road diets, lane narrowing, conversion of existing golf/bike lanes, and other lower-cost path alternatives should be explored at each location. Table 5 on the next page details the existing roadway provision of bike/golf cart lanes, posted speed limits, and opportunities for future Class II NEV/Bike/Golf cart lanes and Class I NEV Paths.

Table 5: NEV Accessibility on Whitewater River Channel Bridges

Bridge	Existing Provision ³	Possible Class II Lane*	Possible Class I Path?*	Bridge Replacement Planned	Posted Speed Limit
Date Palm Drive	None	NO	NO	YES	40
Country Club Drive	Class II Bike lane	YES	NO	NO	45
Indio Boulevard	None	NO	NO	NO	50
Monroe Street	None	NO	NO	NO	40
Jackson Street	None	NO	NO	NO	40
Bob Hope Drive	4-Foot-Wide Sidewalk	NO	YES	NO	40
Monterey Avenue	None	NO	YES	NO	50
Fred Waring Drive W	None	NO	YES	NO	50
Miles Avenue W	5-Foot-Wide Bike Lanes	YES	YES	NO	50
Washington Street	None	NO	YES	NO	50
Jefferson Street	7-Foot-Wide Bike Lanes	YES	YES	NO	55
Miles Avenue E	5-Foot-Wide Bike Lanes	YES	YES	NO	45
Vista Chino	6-Foot-Wide Shoulder (Westbound), Wide Sidewalk (Eastbound)	YES	YES	YES	35
Ramon Road	None	NO	NO	YES	40
Cathedral Canyon Drive	4-to 5-Foot-Wide Shoulders (Both Directions)	NO	NO	YES	40
Cook Street	12-Foot-Wide Golf Path (Southbound) Bike Lane (Northbound)	YES	YES	YES	50
Dune Palms Road	18-Foot-Wide Shoulder (Northbound)	YES	YES	YES	45
Ave 44	8-Foot-Wide Shoulders (Both Directions)	YES	YES	YES	45
Dillon Road	4-Foot-Wide Shoulder	NO	NO	YES	45
Ave 50	None	YES	YES	YES	40

³ Existing facility widths are approximate measures obtained via Google Earth.

Neighborhood Electric Vehicle Transportation Plan

Bridge	Existing Provision ³	Possible Class II Lane*	Possible Class I Path?*	Bridge Replacement Planned	Posted Speed Limit
Ave 52	7-Foot-Wide Shoulders (Both Directions)	YES	YES	YES	50
Ave 66	7-Foot-Wide Shoulders (Both Directions)	YES	YES	?	55
Adams Street	?	?	?	YES	45
Airport Blvd (Ave 56)	None	YES	YES	?	35
Ave 62	7-Foot-Wide Shoulders (Both Directions)	YES	YES	?	25
Dinah Shore Drive	Wide Sidewalk	YES	YES	NO	40
El Dorado Drive	8-Foot-Wide Shoulders	YES	YES	?	40
Frank Sinatra Drive	None	NO	NO	YES	50
Gene Autry Trail	8-Foot-Wide Shoulders (Both Directions)	YES	YES	?	35
Golf Center Parkway	8-Foot-Wide Bike Lane	YES	YES	NO	35
Indian Canyon Drive	Wide Shoulder	YES	YES	?	55
Lincoln Avenue	None	NO	YES	?	25
Portola Avenue	7-Foot-Wide Bike Lane, 7-Foot-Wide Golf Path	YES	YES	NO	50
Railroad Bridge	None	NO	NO	?	N/A
SR-111 (Grapefruit Road)	None	NO	NO	?	55
State Highway 86	8-Foot-Wide Shoulders (Both Directions)	NO (due to speed)	YES	?	65
US Highway 111	None	NO (due to speed)	YES	YES	65

* Considers travel lane narrowing/re-striping

3.3.7 NEV Parking

Section 5.1 of this document provides guidelines on NEV parking.

Local parking ordinances can be structured to support NEV development by prescribing a minimum number of NEV parking spaces in zoning and building codes, variable/free on-street NEV parking rates, and free or reduced rate electric vehicle charging station parking. Agencies may also consider development incentives for on-site electric vehicle parking and charging stations. At the very least, local parking ordinances should allow NEV parking spaces to count toward parking minimums.

Design standards for NEV parking should be consistent throughout a planning area. After adopting consistent design guidelines, cities could develop a design toolkit to assist developers and property owners in designing off-street NEV parking spaces. Coordination between County planning staff and local jurisdictions for the planning and implementation of parking facilities will help to avoid inconsistencies in design. The PEV Readiness plan contains some general design guidelines that could be adopted by all local jurisdictions and made available through design toolkits. CVAG or Riverside County could further assist local jurisdictions by providing design toolkit workshops or trainings that would ensure consistency, enhance participation, and lend transparency to local planning efforts.

3.3.8 Electric Vehicle Charging Infrastructure

Section 5.1 of this document provides guidelines on NEV charging facilities.

To support widespread NEV adoption, providing frequent and appropriately located EV charging facilities will ensure that NEV operators can get from point A to point B without running out of energy and getting stranded. Insufficient or poorly located charging stations can lead to “range anxiety” and is a major inhibitor of NEV adoption for longer trips. Charging stations at workplaces and other opportunity locations such as grocery stores and shopping centers help to alleviate the uncertainty associated with NEV energy requirements, and the reliability of NEVs for longer trips. CV Link access points provide an opportunity for users to park and recharge while using the facility for recreation.

The cost of installing charging stations is much less expensive when the location is “pre-wired” for EV charging stations. Local building and zoning codes can be amended to require such pre-wired parking spaces for new development. Alternatively jurisdictions can offer other incentives such as FAR bonuses, reduced development fees, fast-tracked permitting, etc. to have developer’s pre-wire projects for future NEV charging stations. The CVAG PEV Readiness Plan provides information about EV Charging Station design and installation.

3.3.9 Market-based Opportunities

According to the CVAG PEV Readiness Plan, as NEV sales increase economies supporting NEVs are likely to develop, including NEV retail sales, maintenance and repair, battery recycling, and NEV sharing programs. As such, the plan suggests that “targeted strategies to attract these particular enterprises” are not necessary. The plan also suggests the College of the Desert’s specialized Advanced Transportation Technologies degree program could play a key role in developing the skilled workforce of technicians that will be needed as NEV use expands.

The plan focuses on engineering and design supply chain strategies to promote widespread NEV adoption. These include NEV vehicle and component manufacturing and engineering and design of vehicles and charging infrastructure. According to a study by Zhou et.al, PEV manufacturing economies tend to present lower barriers to entry, as a result of their horizontal supply chain structures and simple componentry.⁴ This presents the Coachella Valley region with an opportunity to establish a manufacturing base. The PEV Readiness plan provides a summary of economic development strategies for attraction, retention, expansion, and incubation of NEV businesses.

4 Route Selection

The purpose of this chapter is to outline the proposed method for developing a safe and comfortable regional NEV Network Concept. The first part of this chapter explains the assumed facility hierarchy and considerations relating to CV Link, street crossings, golf courses, existing golf cart routes, existing NEV routes, and sidewalk paths. The latter part of this chapter provides a narrative and visual summary of the recommended Network Concept, including alternative facility improvements that may be considered given physical constraints or budget.

4.1 Route Selection Assumptions

The following assumptions form the basis for the preliminary assignment of priority NEV routes throughout the Coachella Valley. According to the Streets and Highways Code (section. 1962.3), the plan must address how the route will accommodate NEVs without an adverse impact upon traffic safety. Toward this end, the routing method seeks to minimize conflict opportunities between NEVs and conventional vehicles, and suggests methods to reduce the probability and severity of collisions.

⁴ Zhou, Lei, J.W. Watts, M. Sase, and A. Miyata. Charging Ahead: Battery Electric Vehicles and Transformation of an Industry. Deloitte Review. Issue 7. 2010.

4.1.1 Facility Hierarchy

Route selection prioritizes placing NEV routes on the “most comfortable” roadways, a relative measure that takes into account roadway posted speed limits, separation of modes, standardized designs, and the opportunity to communicate clear NEV user expectations. The potential facility types that will make up the network are listed below:

- Class I NEV Path (such as CV Link)
- Class II NEV Lane (shared with bikes and golf carts)
- Class III NEV Route (shared with bikes, golf carts, and motor vehicles)

An example of a Class I NEV Path is CV Link. CV Link represents an enormous opportunity to provide quick, convenient, and safe connections for residents. It will enhance the experience for residents using NEVs, bikes, and pedestrians within and between cities by providing a major non-motorized corridor eventually running from Desert Hot Springs and Palm Springs all the way to the Salton Sea. This backbone path network will allow NEVs to traverse longer distances without driving on major arterials or highways and connect them to local destinations via local streets with Class III NEV routes and Class II NEV lanes. This facility offers some flexibility to make connections along or across high speed roadways where barriers or network gaps exist such as bridge crossings and where space or cost does not permit a Class I Path.

Class II NEV Lanes are on-street, striped lanes exclusive to NEVs, bicycles, and golf carts. The exclusive NEV lane is intended for roadways with a posted speed limit of 55 mph and under, but generally recommended on roadways with lower speeds since the striped lane does not feature any physical separation from higher speed traffic.

Class III NEV Routes are the recommended facility on selected roadways 25 mph and under, where NEVs that share the roadway with conventional vehicles are traveling approximately the same speed, reducing the severity of any collisions that may occur. These streets are ideal candidates for additional treatments such as traffic calming and wayfinding. The Class III signed route designation provides a navigational function optimized for direct travel, directing users to safe transitions at high speed crossings, lending predictability to the system, and clarifying roadway user expectations.

Detailed descriptions of NEV facility types consistent with Assembly Bill 61 and the California Streets and Highway Code Division 2.5, Chapter 7.1 Section 1962, are available in Chapter 4. In infrastructure terms, they are similar to the Caltrans Class I, II, and III bikeway infrastructure categories.

The appropriate type of NEV facility depends on the posted speed of the roadway, vehicle volumes, roadway geometry and lane widths. As noted in section 2 on page 4, the CVC permits NEVs on all roadways 35 mph and under. Table 2 presents a broad categorization of NEV facilities by speed limit. Table 6 further describes the legal and recommended facility types.

Table 6: Legal and Recommended Facility Type by Speed Limit

Facility Type Category	Posted Speed Limit			
	≤25 mph	30-35 mph	40-55 mph	≥60 mph
Minimum Required Facility Type on Non-Designated Routes	None	None	Class II NEV Lanes	Class I NEV Path
Legal Facility Type for Designated Routes	Class III NEV Routes	Class III NEV Route	Class II NEV Lanes	Class I NEV Path
Recommended Facility Type for Designated Routes	Class III NEV Route	Class II NEV Lanes	Class I NEV Path	Class I NEV Path

The recommended facility type may differ from the minimum legally required facility type for the purpose of enhanced comfort and user safety. The Class II NEV lane facility is legally acceptable for roadways with a posted speed limit of 55 mph and under, but generally recommended on roadways with lower speeds since the striped lane does not feature any physical separation from higher speed traffic. This facility offers some flexibility to make connections along or across high-speed roadways where barriers or network gaps such as bridge crossings exist and where space or cost does not permit a Class I NEV path.

4.1.2 CV Link Routes

The plan's routing method assumes that CV Link will attract all NEV trips with origins or destinations within a 1.2 mile travel shed. This figure is based on a method proposed by the South Bay Cities Council of Governments and the mature suburban context of each of the cities, where the average trip length is estimated at 1.13 miles. Route selection is based on roadway network distances rather than direct, "as the crow flies" distances, and takes into account potential access issues from different directions.

4.1.3 CV Link Street Crossings

All street crossings are assumed to provide access to CV Link, although not all streets that the CV Link crosses will have dedicated NEV facilities along them. The route selection method considers all access points equal, for the purpose of transportation. Further consideration will be given to points that may not be accessible from every direction due to roadway or intersection configuration and NEV facility

type. Opportunities for access points at these locations will require future evaluation of designs for grade-separated CV Link crossings and other nearby route opportunities.

4.1.4 Golf Courses

All golf courses within 1.2 miles of CV Link will be considered major destinations and will be connected to CV Link via designated NEV routes. Similar to CV Link, route selection is also based on roadway network distances rather than direct “as the crow flies” distances. Route evaluation will also consider limited access from different directions.

4.1.5 Existing Golf Cart and NEV Routes

Based on their existing design characteristics, existing golf cart “routes” should be reclassified as either Class I NEV/Golf Cart Paths, Class II NEV/Golf Cart Lanes, or Class III NEV/Golf Cart Routes per Streets and Highway Code 1962.3(g). After these are established, a determination can be made whether to maintain, relocate or upgrade the facility. Existing golf cart routes and NEV routes will be considered for inclusion in the NEV network if there is an opportunity to connect local and/or regional origins and destinations. Where existing golf cart or NEV routes are within one-half mile of the proposed NEV route and where only a short (up to one-half mile) detour is required to access the same point, the preference is to include the existing golf cart or NEV route in the network. In addition, consideration should be placed on improving existing golf cart facilities on roadways greater than 35 miles per hour. For example, where an opportunity exists to widen an existing off-street golf cart path along a 45 mph roadway, a higher priority should be given to this option than relocating the route to lower speed streets. These improvements should be completed with user safety and comfort in mind, as this is critical to increasing NEV usage across the region.

4.1.6 Sidewalks

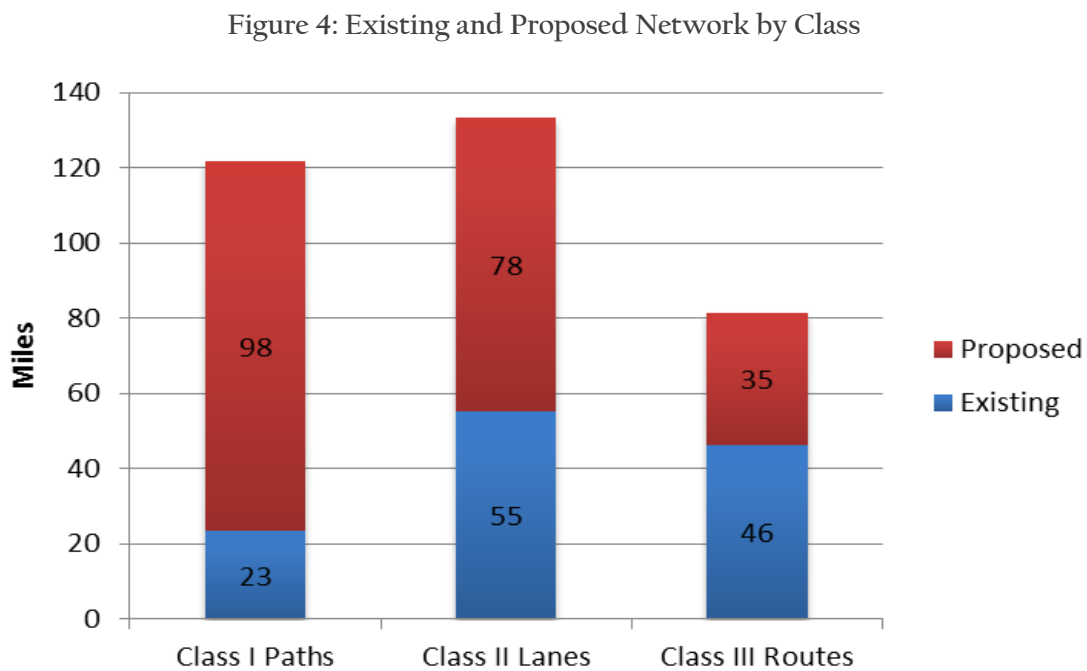
In some communities, the existing golf cart network may route a golf cart “path” on what would otherwise be considered a sidewalk. Here, sidewalks are defined as:

- Paths less than 10 feet wide
- Paths greater than or equal to 10 feet but not designated for shared use (e.g., commercial district sidewalks)

Due to the low level of service and NEV incompatibility with pedestrian activity, sidewalks are not considered valid NEV facilities. As mentioned above, it may be possible to upgrade a sidewalk to a path, but not at the expense of separated pedestrian facilities.

4.2 Network Concept

The Network Concept presented in this section illustrates the primary backbone network for NEV travel throughout the region. Roadway characteristics such as speed, bridges, and block structures create existing gaps in network connectivity and limit the options for low-stress NEV route alternatives. The Network Concept considers these factors in addition to the above route selection assumptions to connect regional origins and destinations in a complete NEV network. In Figure 4, Class I existing paths do not include CV Link or any existing trails such as the Tahquitz Creek Trail; Class II lanes do not include bicycle lanes without golf cart or NEV symbols, and Class III routes do not include the local streets which are accessible but not signposted.



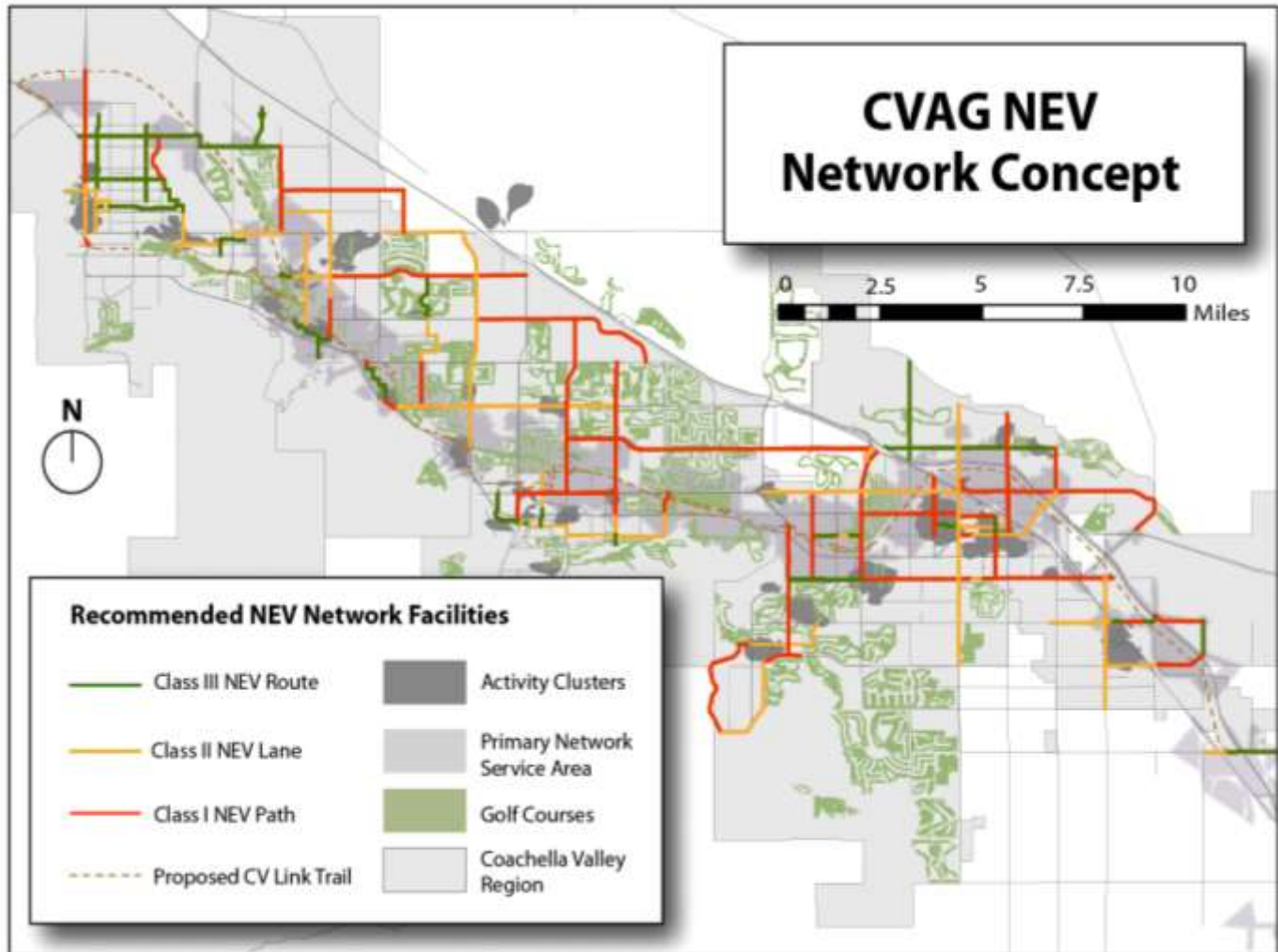
The Network Concept takes advantage of CV Link as the most attractive and desirable NEV path in the valley. As CV Link would be utilized for most trips, it is important to have a dense network of connected facilities on all roads that intersect with CV Link. By designating facilities on these roadways, travel by NEV is simplified and users are not required to spend significant effort remembering where designated routes exist.

The recommended network routing and facility types take advantage of the directness of arterial streets. However these tend to be higher volume and speed streets, so both Class I and Class II facilities should be considered in the actual design of the routes. As such, the city route maps on the following pages illustrate the recommended facility type, as well as an alternative facility type, for consideration after factoring speed limits, location-specific constraints, and budget. Jurisdictions may choose to adopt a phased approach to the recommended improvements based on the ease of implementation, cost, traffic safety impact, and community support.

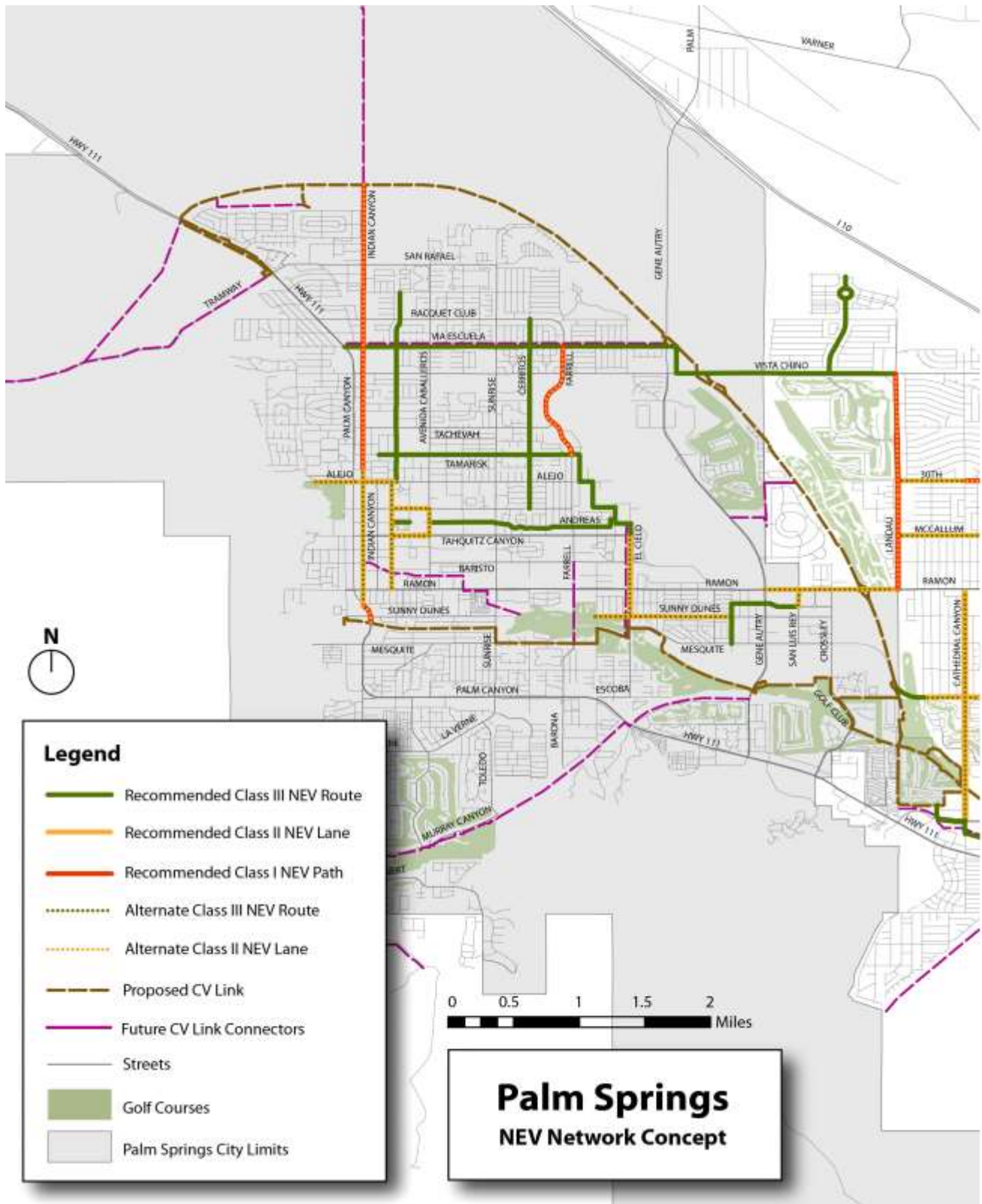
This concept will involve the reallocation of road space on some major arterial streets. Class II NEV lanes are optional on streets with speed limits higher than 25 mph, but would provide a more comfortable experience for all vehicle drivers, and therefore lane narrowing is recommended, where possible, to accommodate this facility type on streets with 30 or 35 mile per hour speed limits. Similarly, for streets and bridges with speed limits higher than 35 mph, motor vehicle lane narrowing or, in some cases, sidewalk widening treatments, will be needed to accommodate NEV users on a separated Class I NEV path or Class II NEV lanes. On streets with speed limits higher than 25 mph, consideration should be given to the facility type that provides greater separation to reduce the probability and severity of collisions between NEVs and highway capable motor vehicles. Finally, separated off-street facilities are required on roadways with speed limits greater than 55 mph.

Minor route adjustments should be considered where it is possible to reroute the network away from locations with specific safety challenges such as high-speed crossings or where the recommended facility type is infeasible. However, this should be accomplished with out of direction travel limited to one-quarter mile or less.

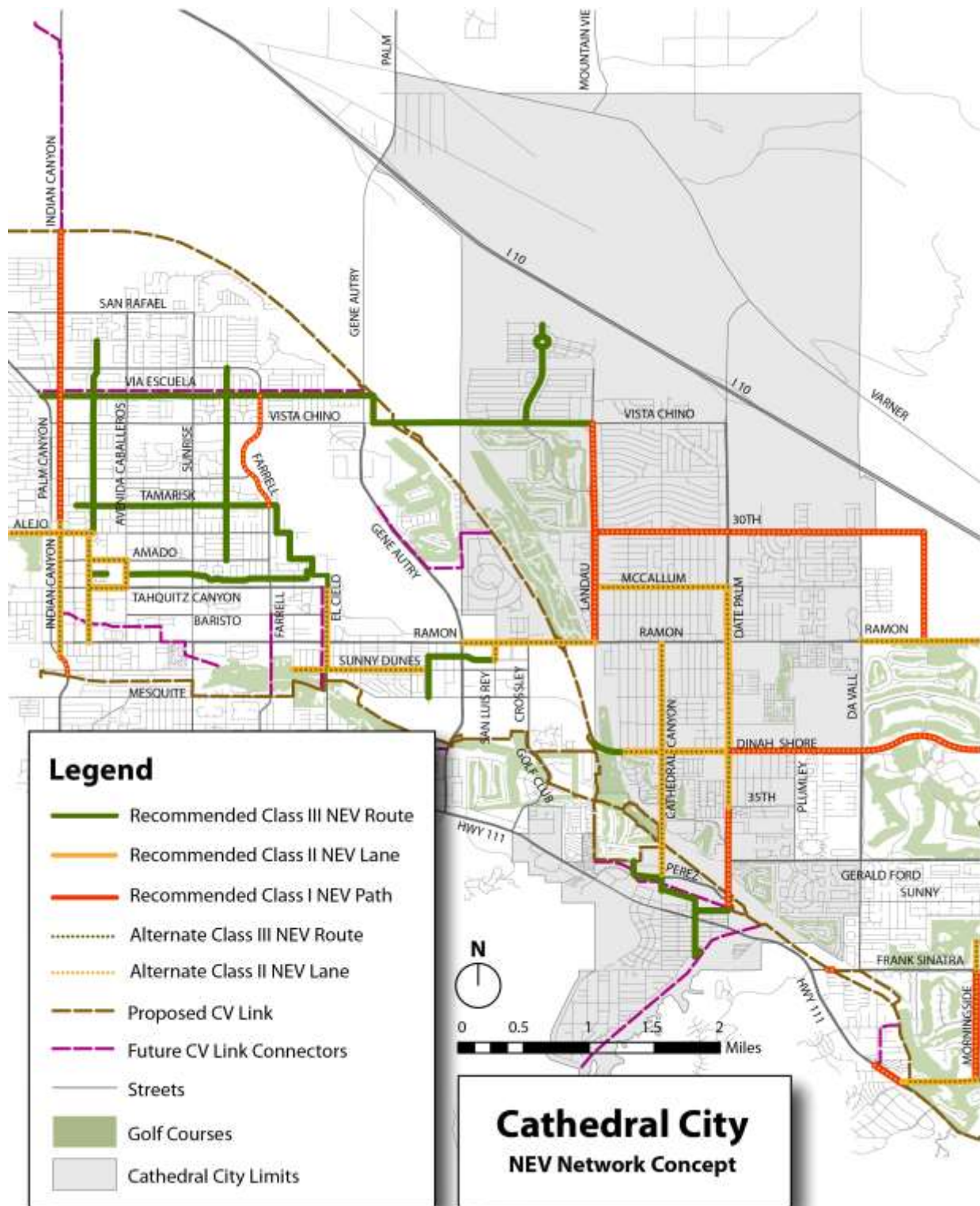
Map 7: CVAG NEV Recommended Network Concept



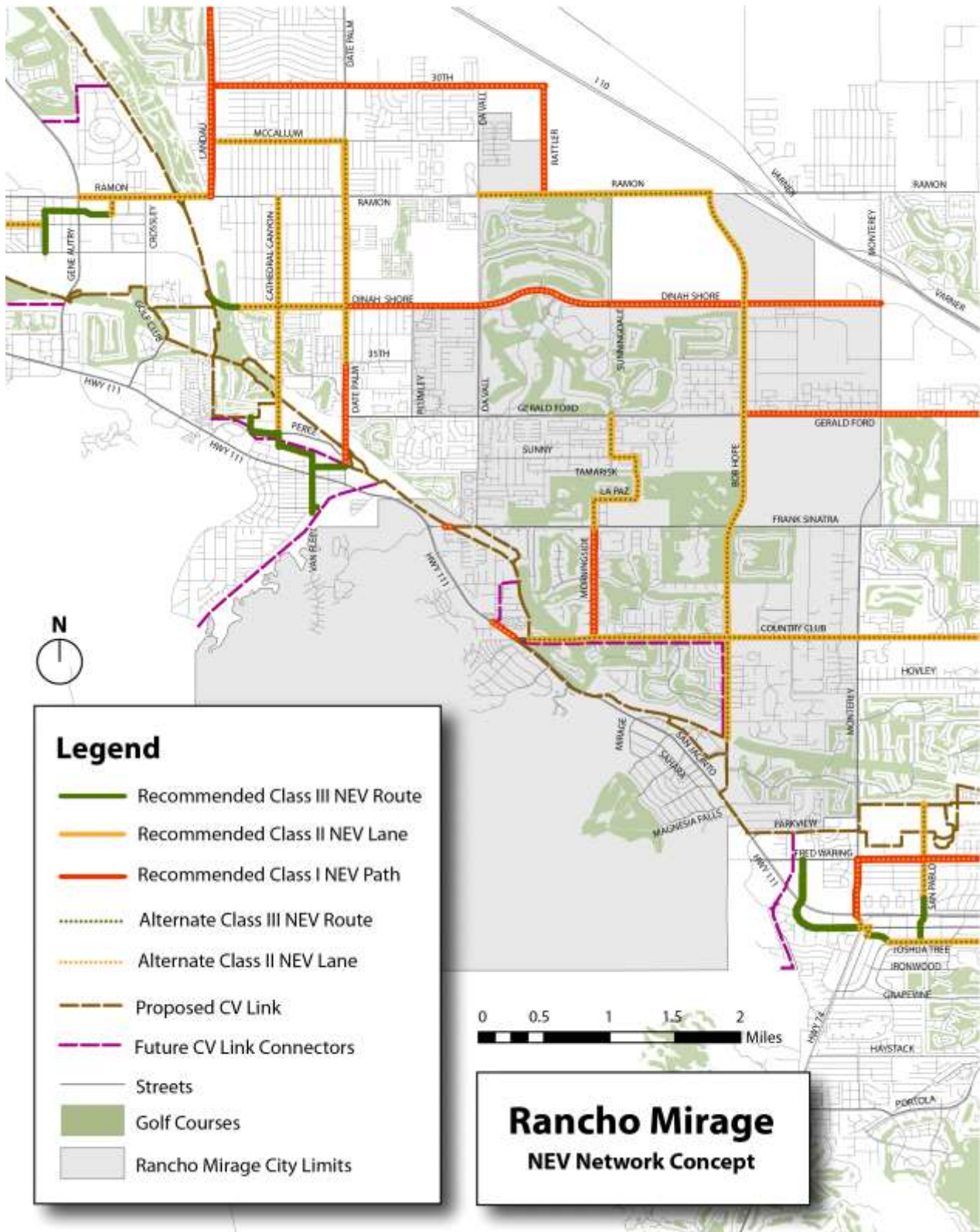
Map 8: CVAG NEV Recommended Network Concept - Palm Springs



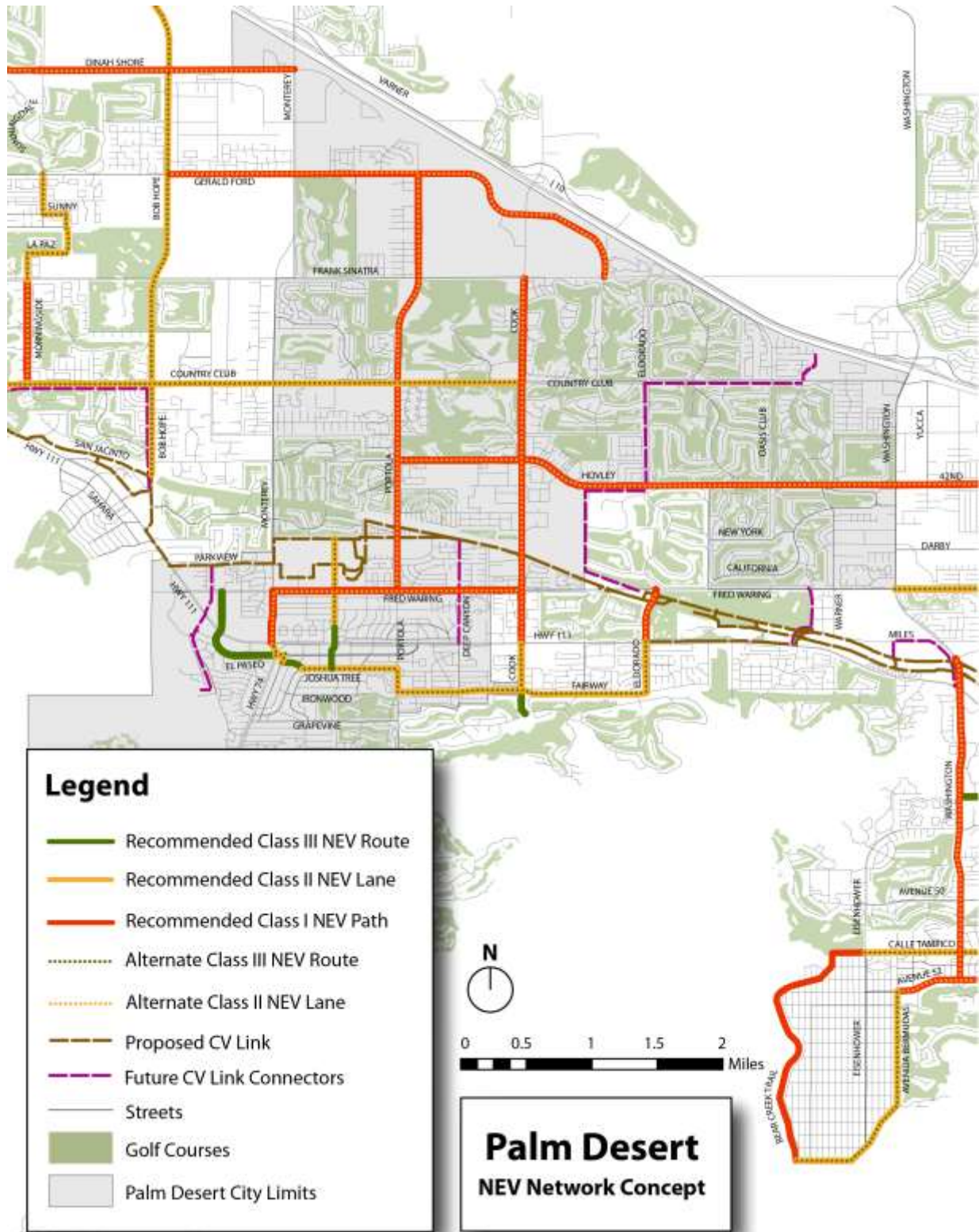
Map 9: CVAG NEV Recommended Network Concept – Cathedral City



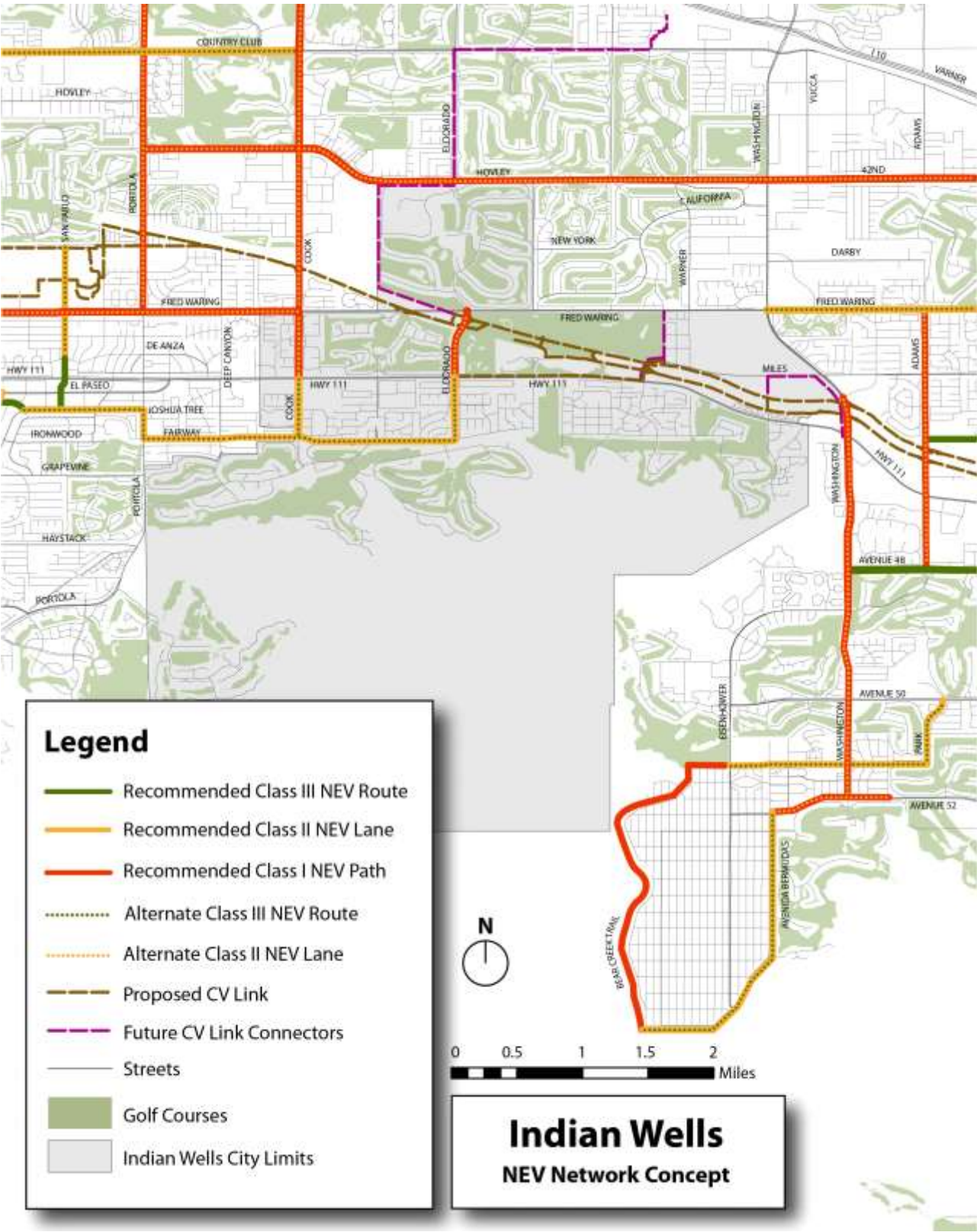
Map 10: CVAG NEV Recommended Network Concept –Rancho Mirage



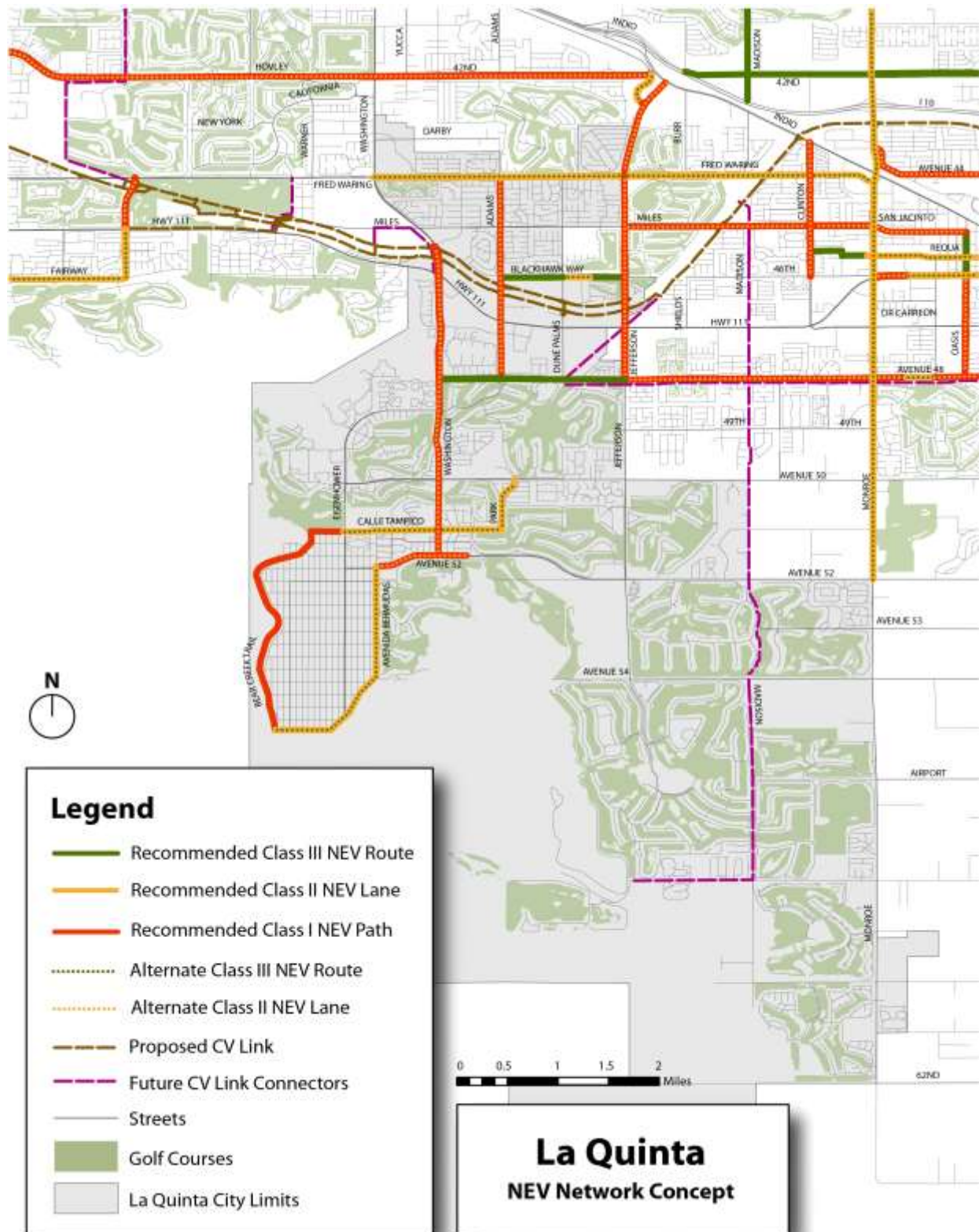
Map 11: CVAG NEV Recommended Network Concept – Palm Desert



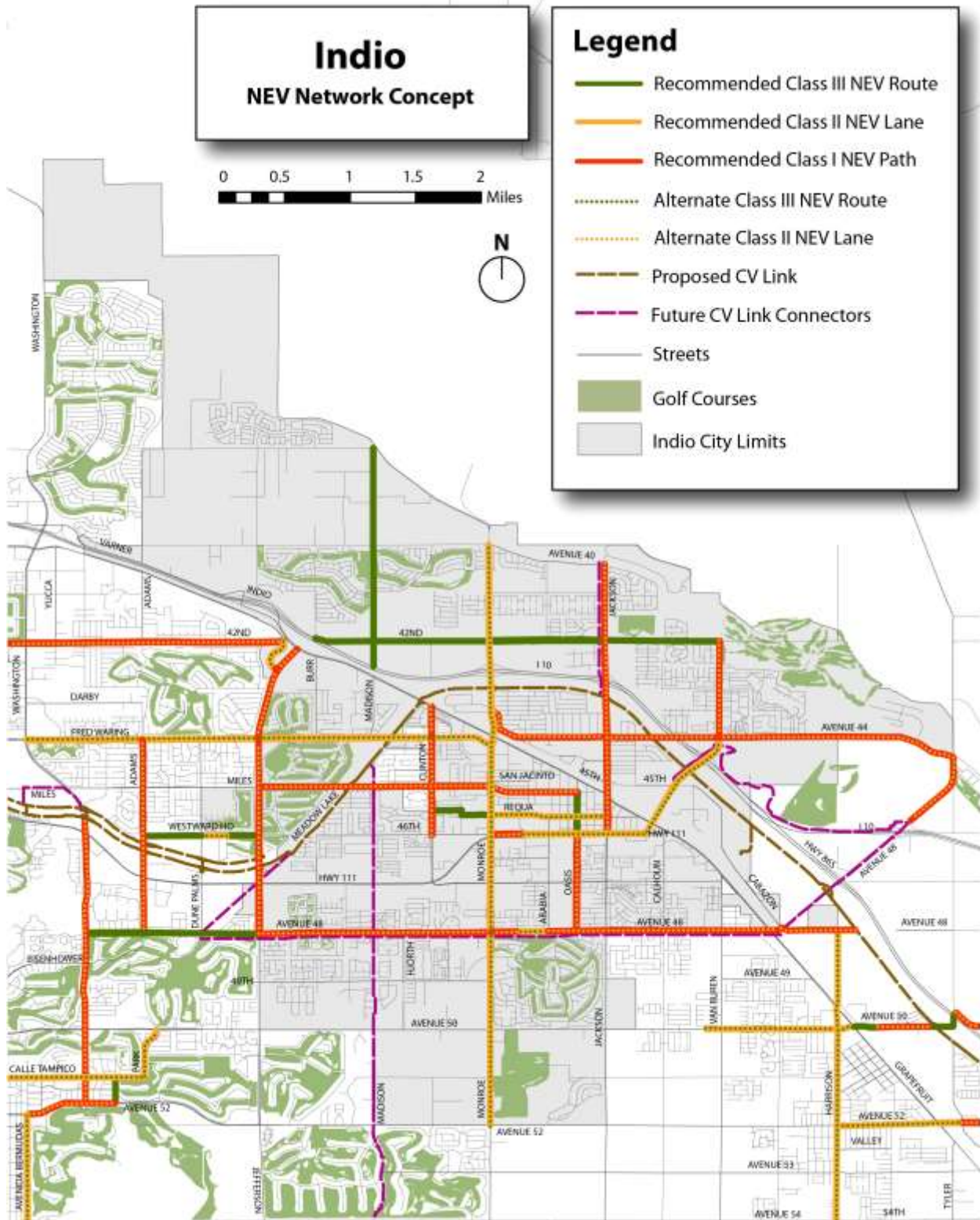
Map 12: CVAG NEV Recommended Network Concept – Indian Wells



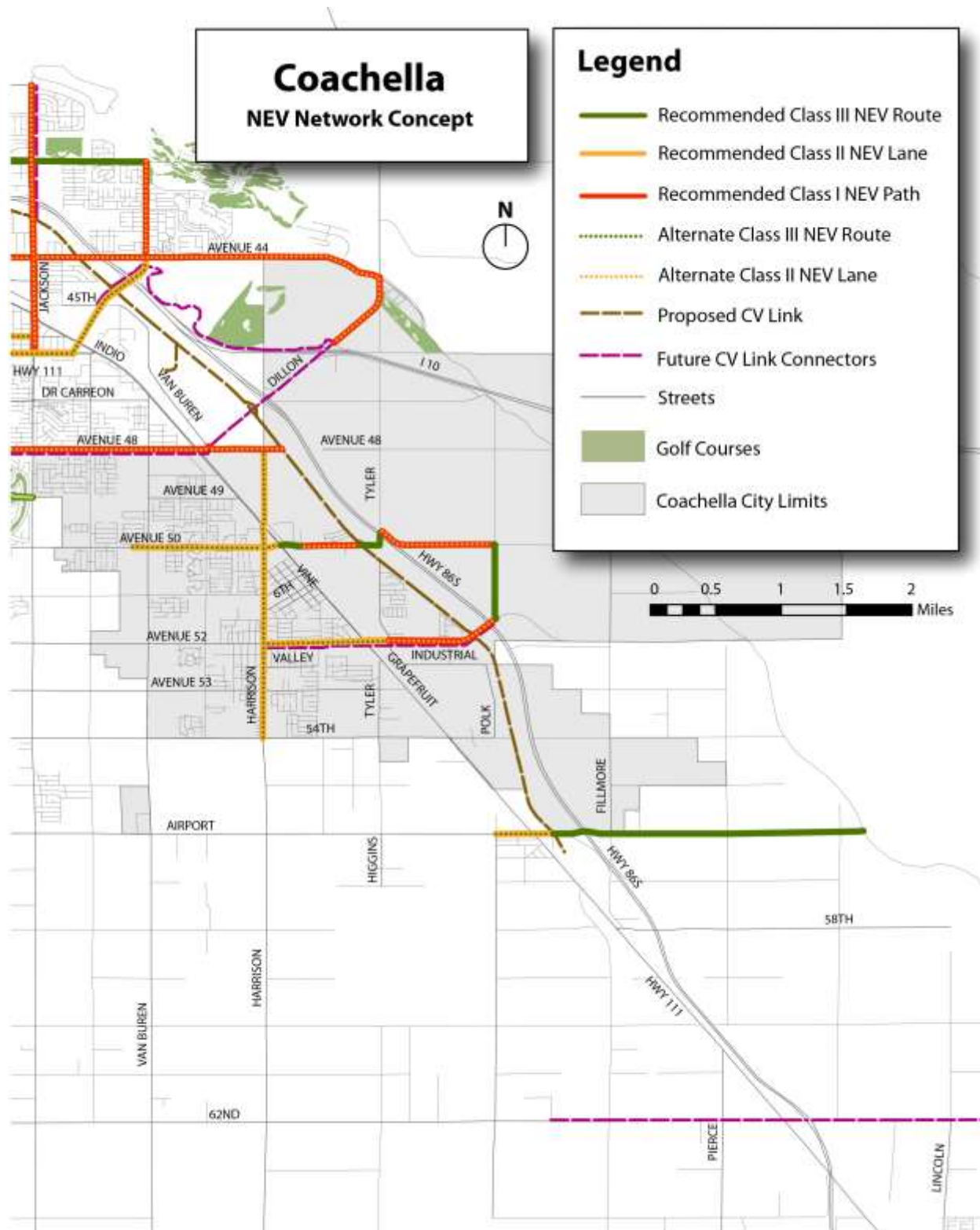
Map 13: CVAG NEV Recommended Network Concept – La Quinta



Map 14: CVAG NEV Recommended Network Concept – Indio



Map 15: CVAG NEV Recommended Network Concept – Coachella



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5 Design Guidelines

This chapter is intended to assist the Coachella Valley Association of Governments and member jurisdictions in the selection and design of on-street NEV facilities. These guidelines are consistent with California state code and have been developed based on existing guidance in NEV plans for Lincoln CA, Rocklin CA, and the Western Riverside Council of Governments (WRCOG). The following guidance is not exhaustive and is not intended to substitute for professional design and engineering judgment under local conditions.

5.1 Design Needs of NEV Facilities

5.1.1 Spatial Needs of Users

NEVs and bicyclists are the expected users of NEV facilities, and design dimensions should be built with these user types in mind. Similar to conventional motor vehicles, NEVs and bicyclists exist in a variety of sizes and configurations. These variations occur in the types of vehicle and behavioral characteristics (such as the skill level of the driver). The design of an NEV facility should consider reasonably expected user types on the facility and design for the appropriate dimensions.

Physical Dimensions

The figures below illustrate the operating space and physical dimensions of NEVs and bicyclists, the typical users of NEV paths and lanes. Because NEVs and bicyclists require clear space to operate within a facility, the minimum operating width is greater than the physical dimensions of the user.

Dimensions below are based on GEM vehicles, a popular NEV manufacturer. All GEM NEVs are the same width regardless of model. The GEM catalog refers to 55 inches (4 feet 7 inches) width from fender edge to fender edge. A GEM with dual mirrors measured at the Palm Springs Energy Summit was found to be 60 inches (5 feet).

Figure 5: Spatial Needs of NEVs

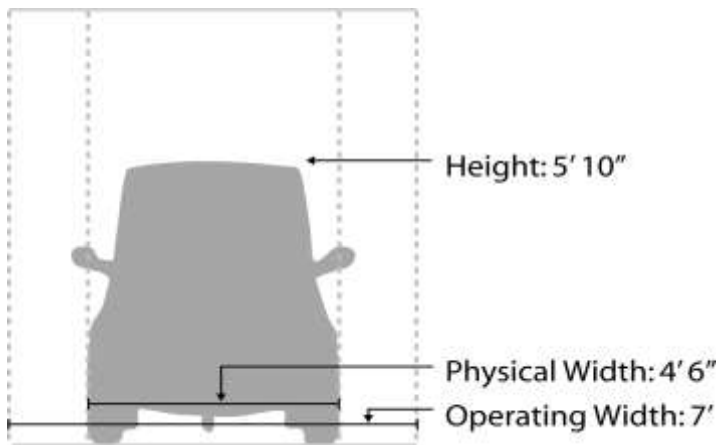
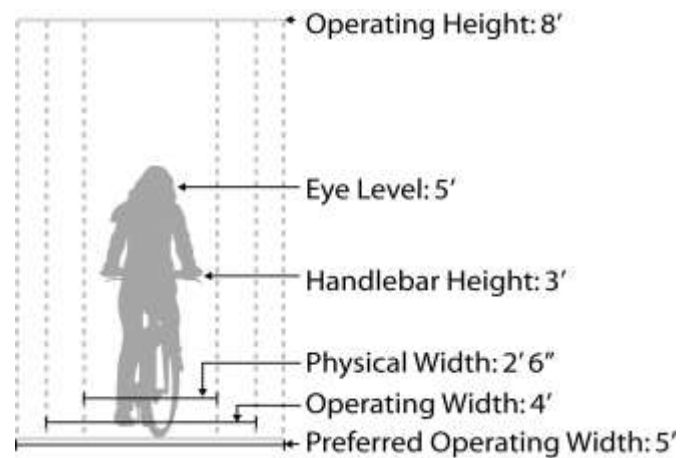


Figure 6: Spatial Needs of Bicyclists



5.1.2 Travel Speeds

Based on the legislated maximum NEV speed (25 mph) and the Highway Design Manual (HDM) table 1003.1, the path design speed conventionally would be 30 mph. In an effort to maintain the desired maximum speed of the pathway, a design speed of 25 mph should be utilized.

In comparison, the adult cyclist typically travels between 8 and 15 mph.⁵ AASHTO guidelines specify that 18mph is a sufficient design speed for most relatively flat shared bicycle paths.⁶ American roads are often over-engineered, or designed to accommodate higher speeds that are not only faster than the posted speed limit, but faster than is appropriate for the area. Aligning the design speed (the speed that vehicles can navigate the facility without losing control) with the desired driving speed, results in a speed that makes sense for the context.

5.1.3 Other Geometric Design Details

It is assumed that NEVs can stop at least as quickly as bicyclists under the same conditions, and the operating requirements of bicyclists are the limiting factor in shared NEV/Bicycle facility design. As such, horizontal curves and stopping sight distances should be calculated according to the American Association of State Highway and Transportation Officials (AASHTO) Guide for the Development of Bicycle Facilities, 4th Edition. It is presumed that these measures will meet the needs of NEVs, although

⁵ FHWA. Characteristics of Emerging Road and Trail Users and Their Safety. 2004.

⁶ AASHTO. Guide for the Development of Bicycle Facilities. 2012.

research has not been conducted to support this assumption. Through future testing and evaluation, these guidelines may change to reflect NEV specific operating conditions.

Stopping Sight Distance

Stopping sight distance is the distance the NEV driver must be able to see in order to stop in advance of an obstacle on the path. Trees, vegetative buffers, and other landscaping elements should be maintained so as not to obstruct visibility, especially at intersection and driveway approaches.

The NEV braking distance at 25 miles per hour is 10 feet. Based on a maximum speed of 30 mph, AASHTO lists stopping sight distances for bikes ascending a hill as 300 feet (0%) and 200 feet (.15%), and descending a hill, as 250 feet (0%) and 1,600 feet (.15%).

Table 7: Stopping Sight Distance vs. Grade (Bicyclists)

	0% Grade	15% Grade
Ascending	300 Feet	200 Feet
Descending	250 Feet	1600 Feet

Horizontal Curves

NEVs come in various shapes and sizes. A typical four-seat NEV has an inside turn-radius of 12 feet and exterior turn radius of up to 18 feet. Based on the maximum design speed of 25 mph, the smallest horizontal curve along an NEV facility segment should be 115 feet. Turns tighter than this should be signed and/or striped well in advance of the turn, and sign location should be based on breaking distance.

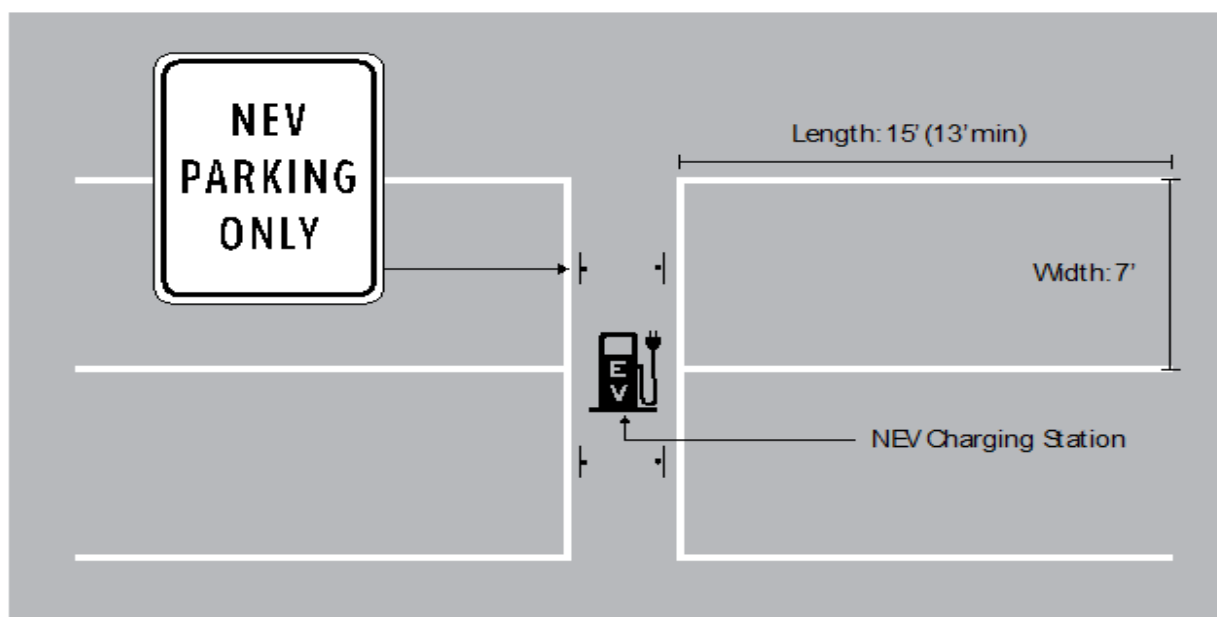
5.1.4 NEV Parking

Some jurisdictions (e.g., Indio) prohibit golf carts from parking in a “motor vehicle” space; notwithstanding, the California Department of Motor Vehicles will register a golf cart as a motor vehicle. To the general public, a golf car and an NEV are indistinguishable and any such parking prohibitions will be confusing and may limit adoption of LSEVs. Given that golf cars and NEVs can serve the same purposes as a regular car and this would have no impact on parking supply and demand, parking should be permitted in any space. The following guidelines are intended to provide greater parking capacity, because golf cars and NEVs are smaller and therefore more of them can fit in a given land area compared to regular motor vehicles.

A typical NEV parking space is 15 feet x 7 feet utilizing a 6-inch-wide white striping pattern, compared to 18 feet x 8 feet 6 inches for standard vehicles. NEVs occupy less physical space than standard passenger vehicles, so a relatively higher number of NEV spaces can be accommodated in a given parking area. This means that NEVs may also be able to utilize existing spaces more efficiently, in a wider assortment of configurations, both on-street and in private lots and garages.

Parking should be located adjacent to charging stations if available.

Figure 7: Typical NEV Parking



5.1.5 Charging Stations

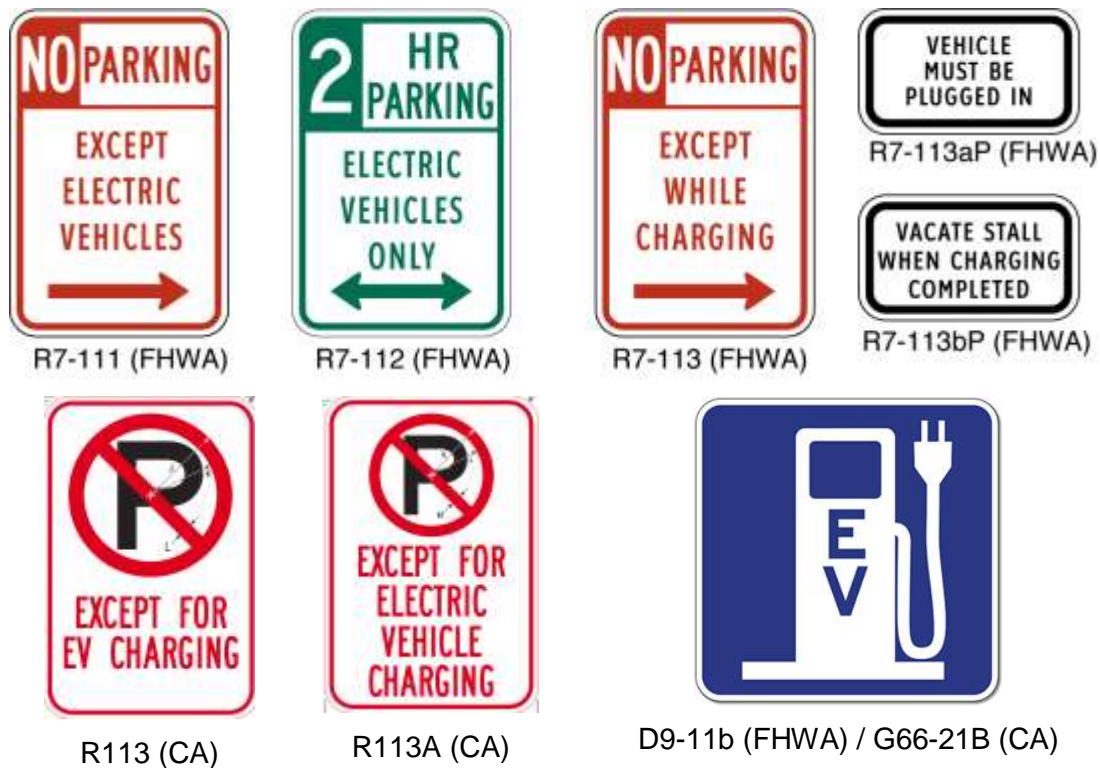
NEV parking locations should be placed within functional reach of electric vehicle charging stations. To date, no symbol has been developed that can effectively convey regulations associated with electric vehicle charging or parking facilities.

Symbols that have not been adopted in the CAMUTCD for use in a specific application cannot be used in untested applications without approved official experimentation that includes the requisite human factors evaluation for comprehension and legibility.

FHWA guidance provides typical examples of modified parking restriction signage to identify, reserve and regulate parking and charging locations. Some of them have been explicitly adopted for use in California. These signs are:

- No parking – FHWA R7-111, R7-112, and R7-113 are augmented in the CAMUTCD by R113, R113A
- Supplementary text – FHWA R7-113aP and R7-113bP signs (approved in informational letter dated 6/17/13) have been approved by the CTCDC for inclusion in the next CAMUTCD
- Blue background EV sign D9-11b (FHWA) or G66-21B (CA) may be used as per FHWA approval 1A-13-1 issued 4/11/11

Figure 8: Recommended NEV/Electric Vehicle Regulatory Parking and Charging Signs



5.2 NEV Facility Classification and Selection

5.2.1 Facility Classification

There are three Neighborhood Electric Vehicle (NEV) facility classes.

Class I NEV Paths

Class I Paths are physically separated pathways exclusive to NEV and bicycle travel. Due to the speed differential, Class I NEV paths are not intended for shared-use with pedestrians, although in constrained conditions, this may be unavoidable. Class I paths should be located immediately adjacent to the street, or as close to the street as space permits in order to provide direct connections to local destinations and minimize out-of-direction travel.



Class II NEV Lanes

Class II Lanes designate an exclusive space for NEVs and bicyclists through the use of pavement markings and signage. The lane is typically located on the right side of the street, between the adjacent travel lane and curb and is used in the same direction as motor vehicle traffic.

An additional buffer treatment can be implemented between the NEV/bike lane and travel lane where space provides.



Class III NEV Routes

Class III Routes are low-volume, low-speed streets with shared operating conditions comfortable for use by NEVs and bicyclists. Treatments such as signage, pavement markings, traffic calming, and/or traffic reduction are utilized to achieve specific speed or volume targets.



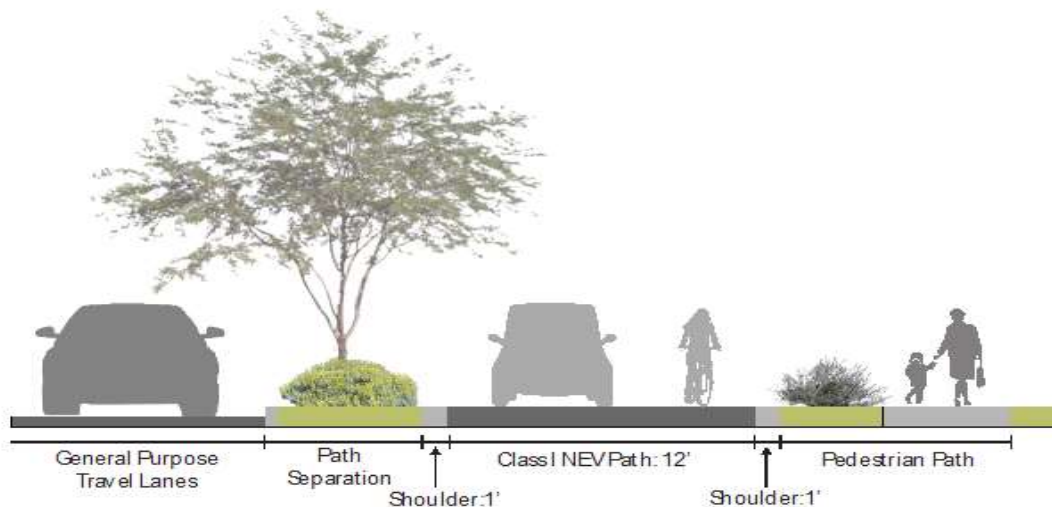
5.3 Class I NEV Path Design

Class I routes provide a physically separate path for the use of NEVs and bicyclists, golf carts, pathway maintenance vehicles, emergency service, and, potentially, water district maintenance. Typically, Class I NEV paths will be one-way, on the right hand side of the street traveling the same direction as the adjacent general-purpose traffic lanes.

5.3.1 Cross Sections

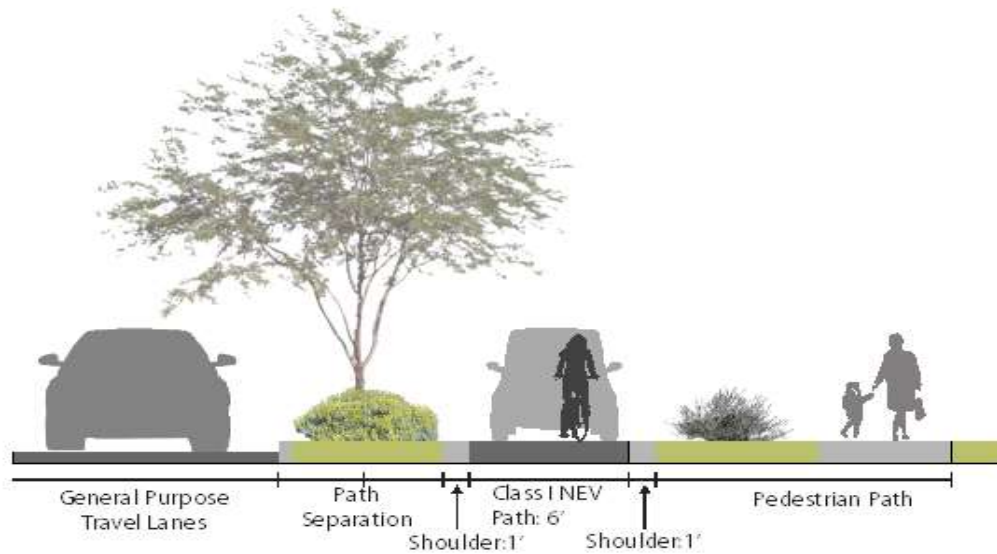
The preferred pathway width for a one-way Class I NEV path is 12 feet with 1-foot shoulders on each side. This provides adequate room for a NEV and bicyclist to pass side-by-side in comfort, and may permit two NEVs to pass in the event of a breakdown. Providing for passing within the Class I path is important if a physical barrier or landscaping prohibits convenient egress from the path.

Figure 9: Preferred Cross Section for One-way Class I NEV Path where Passing is Permitted



If passing is not required, or if the configuration permits users to easily and safely leave the path, the pathway width for a one-way Class I path should be 6 feet, with 1-foot shoulders on each side. In tightly constrained segments, a five-foot-wide pathway with 1-foot-wide shoulders may be necessary. Constrained segments should be indicated with warning signs or markings.

Figure 10: Preferred Cross Section for One-way Class I NEV Path where Passing is Not Allowed

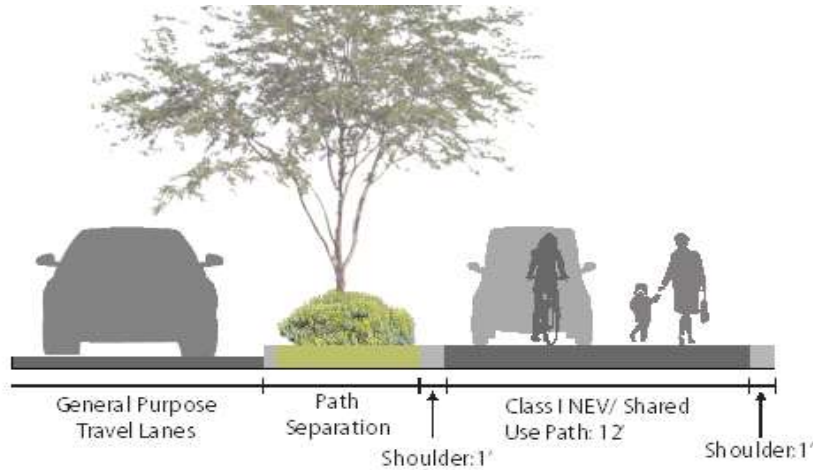


In highly constrained conditions, it may not be possible to provide separate path tread for pedestrians and NEVs/bicyclists. In these conditions, a class I shared use path used by a wide spectrum of users may be considered. This is only appropriate where there is limited right of way or if necessary to provide connections to the CV Link.

In this configuration, NEV and bicyclists are only permitted to travel in one direction, matching that of adjacent traffic. Pedestrians and other non-motorized users may travel in both directions. Because NEV and bicycle users should operate following the same direction as adjacent traffic, Class I paths along roadways should generally be provided on both sides of the street to offer mobility in both directions.

The recommended pathway width for an all-user Class I shared use path is 12 feet, with 1-foot-wide shoulders on each side. In tightly constrained segments, a 10-foot-wide pathway may be necessary. Constrained segments should be indicated with warning signs or markings. Efforts should be made to maintain a reduced NEV operating speed in areas shared with pedestrians.

Figure 11: Constrained Cross Section for All User Class I Path



5.3.2 Markings and Signs

Sign Size

The California Manual on Uniform Traffic Control Devices (CAMUTCD) lists sizes for shared use path regulatory signs in Part 9, Traffic Control for Bicycle Facilities. Proposed sign sizes should be based on the larger dimensions found in the Roadway column of table 9B-1(CA). California Bicycle Facility Sign and Plaque Minimum Sizes.

Class I NEV Path Crosswalk Markings

Consider implementing a unique crosswalk marking style to support path crossings on the NEV network. Enhanced crosswalk designs may serve to raise awareness of the NEV path crossing to all users. Standard marked crosswalks may be enhanced with decorative painting and designs, assuming such designs do not compromise the effectiveness of the crosswalk.

Per FHWA guidance,⁷ enhanced crosswalks designs should:

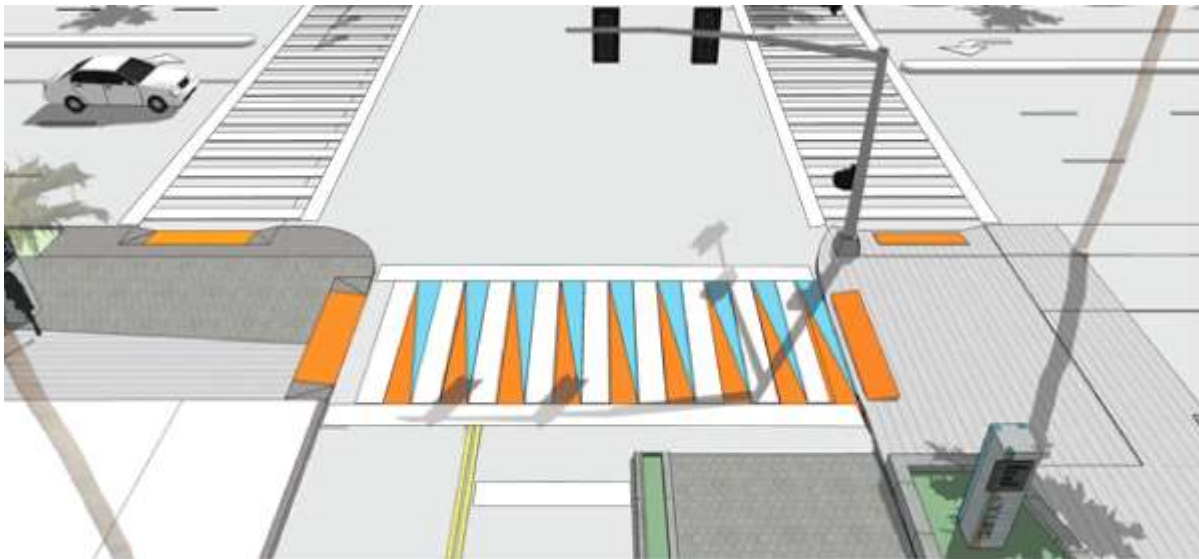
- Use subdued-colored aesthetic treatments between the legally marked transverse crosswalk lines.
- Be devoid of retroreflective properties to clarify that they are not a traffic control device.
- Not diminish the effectiveness (contrast) of the legally required white transverse pavement markings (however, a crosswalk is not needed to provide a legal crossing at intersections).

⁷ Interpretation Letter 3(09)-24(I) – Application of Colored Pavement - August 2013. http://mutcd.fhwa.dot.gov/resources/interpretations/3_09_24.htm

- Acceptable colors for these materials would be red, rust, brown, burgundy, clay, tan or similar earth tone equivalents. The colors yellow, blue and green are discouraged to prevent confusion as a traffic control device.
- If brighter colors are desired, a buffer space or black coloring may be used to create the necessary contrast. This is not preferred by the FHWA, but may be acceptable.

The current CV Link crosswalk design concept is shown in Figure 12. This is a conceptual illustration only. The concept could be augmented with white lines parallel to the crosswalk. The FHWA representative to the California Traffic Control Devices Committee (CATCDC) has advised that the ruling is guidance and jurisdictions can exercise engineering judgment. The conceptual CV Link crosswalk may need to be further refined in discussion with local jurisdictions, including materials testing for enhanced durability in the desert environment.

Figure 12: CV Link Type Crossride / Crosswalk Concept Markings



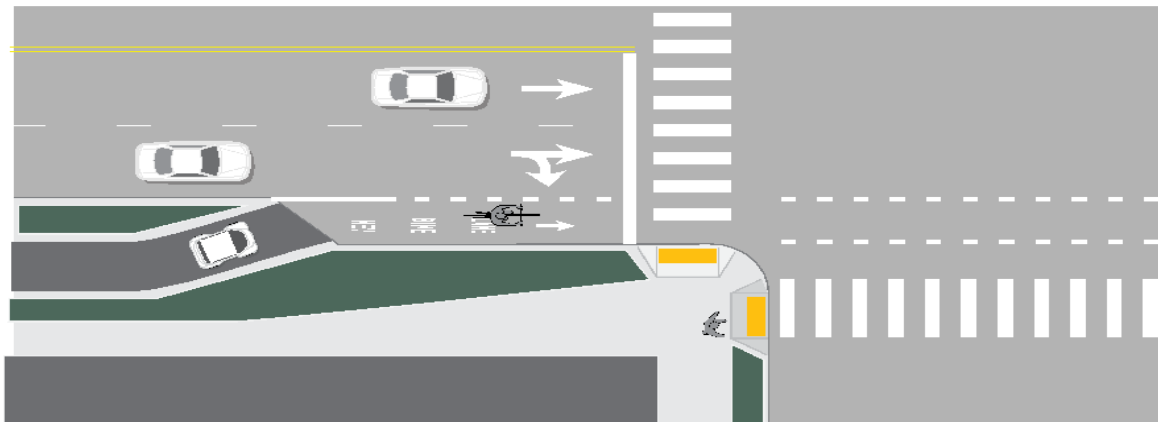
5.3.3 Intersection Crossing Strategies

The following general strategies apply when Class I NEV Paths approach signalized intersections.

Convert to Class II NEV Lane

One strategy in advance of the crossing is to transition the Class I NEV into a Class II NEV Lane. Motor vehicles must make right turns from the right most travel lane, which requires NEVs and motor vehicles to negotiate right of way upstream of the intersection. See Section 4.4 for additional guidance on how to integrate Class II lanes with right turn lanes.

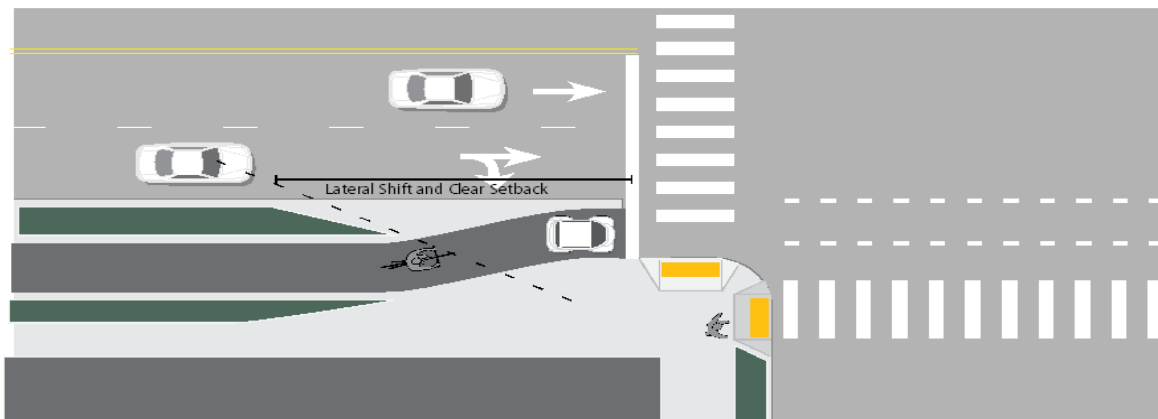
Figure 13: Transition the Class I NEV Path into Class II NEV Lane



Separated Class I Crossing

When a greater degree of separation is desired, the separate Class I NEV Path should be maintained. To ensure adequate visibility, consider laterally shifting the path toward the roadway and/or establish a clear zone in advance of the intersection. Consider signalization schemes that allow NEVs to cross with the pedestrian signal.

Figure 14: Lateral Shift and Class I NEV Path Crossing

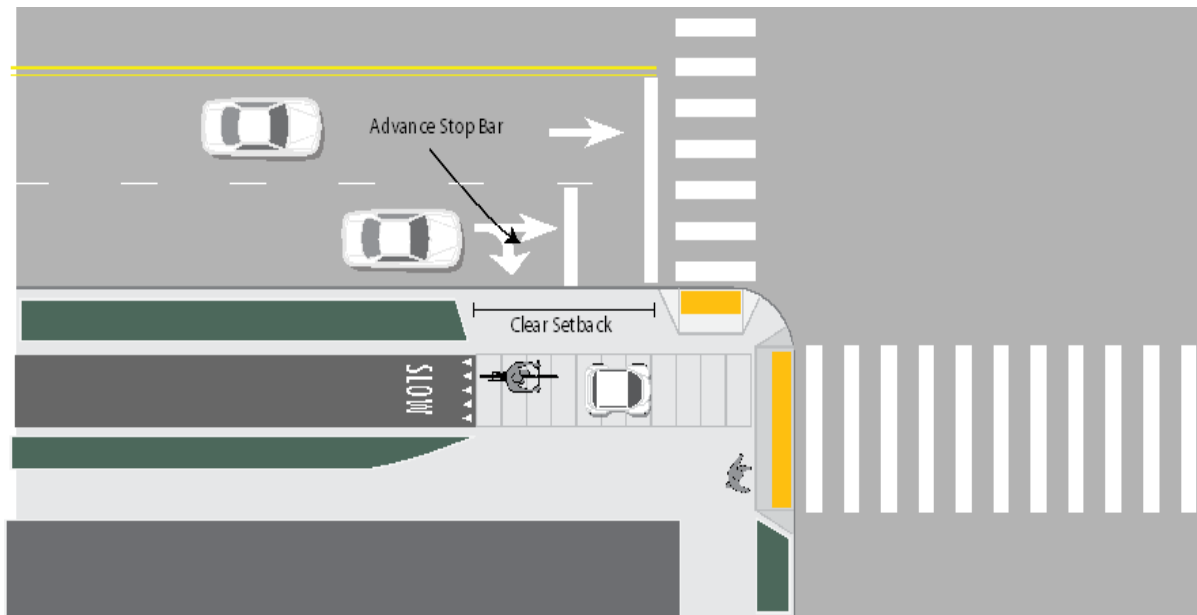


Convert to Shared Use Path

In highly constrained conditions, the Class I NEV path may be converted into a conventional Class I shared use path.

Because this design potentially combines NEVs, bicyclists, and pedestrians in the same space it is important to encourage NEV speeds closer to that of pedestrians. Markings, warnings signs and tactile markings may be used to indicate a speed transition zone.

Figure 15: Transition the Class I NEV Path Into Conventional Class I Shared Use Path



Street Crossing Signal Phasing

When operating on Class I NEV Paths, users will rely on either the standard traffic signal indication or the pedestrian signal head to provide traffic control at signalized intersections.

When NEV and bicyclists are expected to use the pedestrian signal head, a modified R9-5 NEV-BIKE USE PED SIGNAL sign should be provided. This sign has been approved by the CATCDC for inclusion in the next CAMUTCD.

Figure 16: NEV-BIKE USE PED SIGNAL Sign



Protected Signal Phasing

In areas where conflicts between NEVs and turning motor vehicles is a high risk, providing an exclusive pedestrian phase for use by NEVs, bicyclists and pedestrians will provide full protection of NEV Crossings. Right turn on red should be prohibited at these locations.

Leading Pedestrians/NEV Interval Phasing

Where a protected signal phase for pedestrians and/or NEVs is impractical, it may be possible to provide a short-duration head-start protected phase to allowing path users to enter the intersection before adjacent conflicting motor vehicles. Right turn on red should be prohibited at these locations.

Signal Detection and Actuation

NEVs can be detected at signalized intersections using the same technologies that are often used to detect bicycles. Similar to bicycle detection and actuation, NEV detection and actuation can employ video imaging detection, magnetometers, microwave radar, and embedded inductive loop detectors at signalized intersections and further upstream. Embedded inductive loop detectors and video imaging detection systems are the most commonly used detection technologies for passenger vehicles and bicycles.

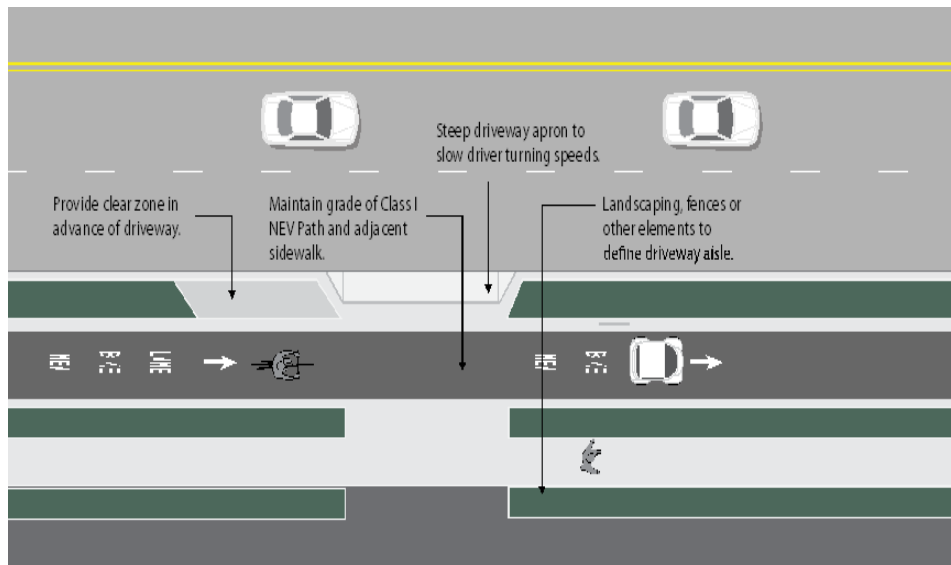
More research is needed to determine the most effective loop detector configuration for NEVs given their larger width and wheelbase. However, if the sensitivity of the loop detector is adjusted for bicycles (more sensitive), and pavement markings or signage are used to indicate appropriate NEV position, then NEVs

can effectively use existing bike detectors. Installing new loop detectors would serve both NEV operators and bicyclists.

Driveways

Motor vehicles are required to yield to NEVs, bicyclists, and pedestrians at driveways. It is important for driveway designs to communicate the priority of these users, and to encourage appropriate turning speed by motor vehicles.

Figure 17: Class I NEV Path Driveway Crossing



5.4 Class II NEV Lane Design

Class II NEV-Bike lanes provide for a separate striped lane adjacent to roadways with speed limits of 55 miles per hour or less. The lane may be shared with bicyclists or may be configured as an additional lane adjacent to a bicycle lane. Adjacent general traffic lanes may need to be narrowed to 10 to 11 feet to accommodate wider Class II NEV-Bike lanes. Less than 12-foot-wide lanes are proven to improve safety for all road users and are appropriate for multi-modal urban arterials as noted in the California Highway Design Manual and other documents supported by Caltrans promoting multi-modal design.⁸

⁸ <http://www.dot.ca.gov/Documents/2014-4-2-Flexibility-in-Design.pdf>

5.4.1 Cross Sections

Class II lanes should have a minimum width of 7 feet. Where possible, a 3-foot or wider buffer should allow for passing and provide additional comfort and separation from traffic and/or parking lanes. See Figure 16 for buffer striping options. Special attention should be given to the continuity of NEV lanes through intersections, between vehicle travel and turn lanes and transitions to other NEV facility types. In constrained locations, Class II NEV Lanes may be 7 feet wide and delineated with a single 8-inch-wide white stripe.

Figure 18: Preferred Cross Section for Class II I NEV Lane

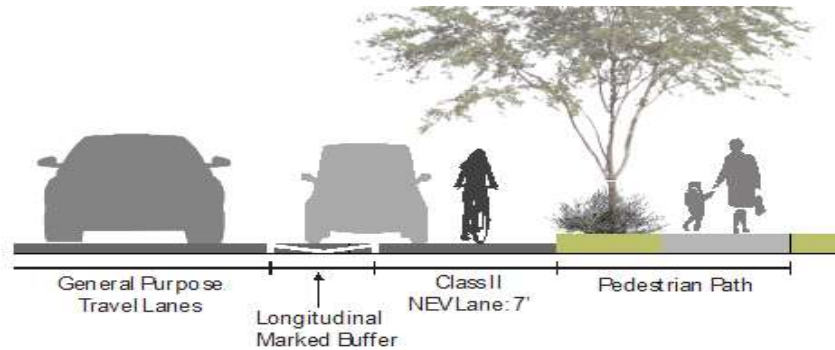
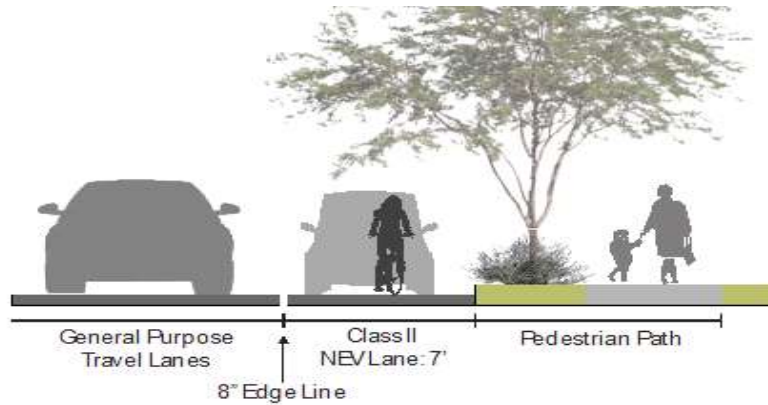


Figure 19: Constrained Cross Section for Class II NEV Lane



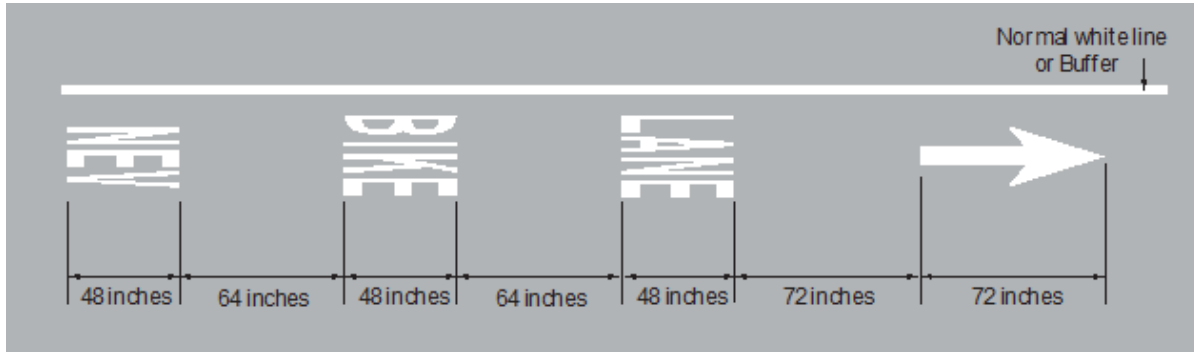
5.4.2 Markings and Signs

Preferential Lane Markings

The California Traffic Control Devices Committee (CATCDC) has approved the inclusion of the letters “NEV” for use in the bike lanes markings in the next CAMUTCD and this marking may be implemented now. Subject to approved experimentation process, it is recommended that a graphic symbol pavement marking design be developed so that the markings are more legible to locals and tourists who may not

fully understand the difference between an NEV and a motor vehicle or golf cart. Additionally, a graphic symbol serves international needs and does not require comprehension of written English.

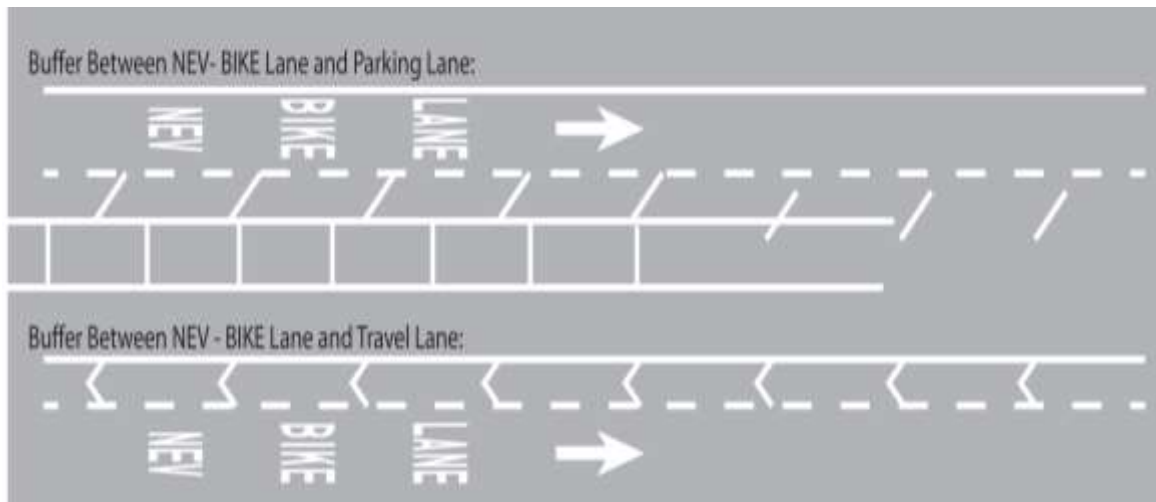
Figure 20: Experimental Standard NEV Pavement Marking



Lines and Buffers

Class II NEV Lanes require lane striping to identify the boundary between the NEV Lane and the adjacent travel lane. Class II lanes are typically marked with a normal 6 inch white line, although in locations with insufficient room for a standard buffer, a line of up to 12 inches may be used⁹. Preferential lane striping is described in section 3D.02 of the CAMUTCD, and the buffers shown have been adopted by the CATCDC.

Figure 21: Longitudinal Edge Striping Alternatives (modified CAMUTCD Figure 9C-104)

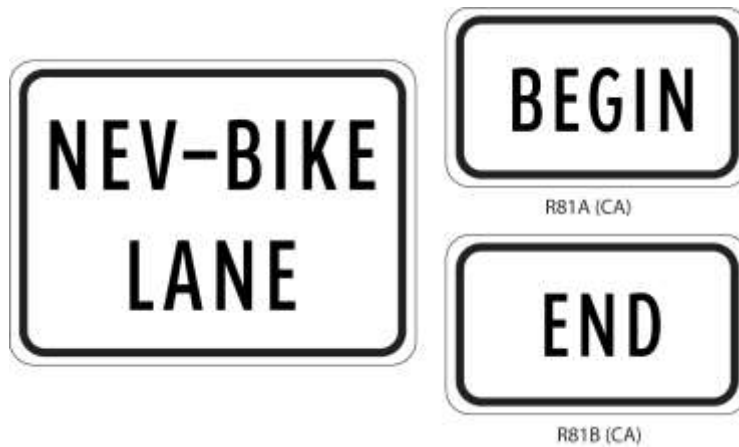


⁹ For example, the City of Davis, CA has recently installed 12 inch striping on 5th Street where there was insufficient room for a full buffer

Signs

The combination NEV-Bike Lane sign should be placed on NEV Lanes designed for use by both NEVs and bicyclists. The sign should be placed at the far side of collector street intersections and at a minimum of one-half mile intervals on all continuous NEV-Bike lane segments.

Figure 22: Combination NEV-Bike Lane Sign and Supplemental Plaques



In locations where a NEV Lane is terminated or transitioned into or from a Class I or Class III facility, the R81A “BEGIN” or R81B “END” plaques may be used to the Combination NEV-Bike Lane sign.

5.4.3. NEV prohibition

This regulatory plate may be placed at entrances to public streets that will not accommodate NEV travel. This sign may be placed on the right-hand side of the roadway approximately 25 feet past the intersection so it is visible to operators before they enter that portion of the public right-of-way.

Figure 23: NEV Prohibition Signs



The CTCDC has explained that NEV is an acronym for Neighborhood Electric Vehicle or Neighborhood Electric Vehicles, and accordingly will be adopted with “NEV PROHIBITED” rather than “NEVS PROHIBITED”. This sign may be used in conjunction with an existing “BEYOND THIS POINT” supplementary sign or in one sign.

5.4.4 Intersection Design Elements

Right Turns and NEV Lanes

Experience in the City of Lincoln indicates that there are no significant issues with NEV use of conventional roadway left turn lanes. From the Lincoln Evaluation Report:¹⁰

“NEVs tend to move over to the left turn lane, much like bicycles are able to do. The general feelings of safety for turning and maneuvering an NEV are subjective. Driving skills, experience, and familiarity with the driver’s surroundings area all key factors. However, as a general rule of thumb, if a bicycle has sufficient speed, site distance, and capability to move from a bike lane to a left turn lane, then an NEV would certainly have similar capability, since NEVs are generally faster and more visible than a standard bicycle.”

Because such operation requires shared roadway conditions for short segment, exercise caution when expecting this type of operation on roadways with a posted speed limit above 35 mph.

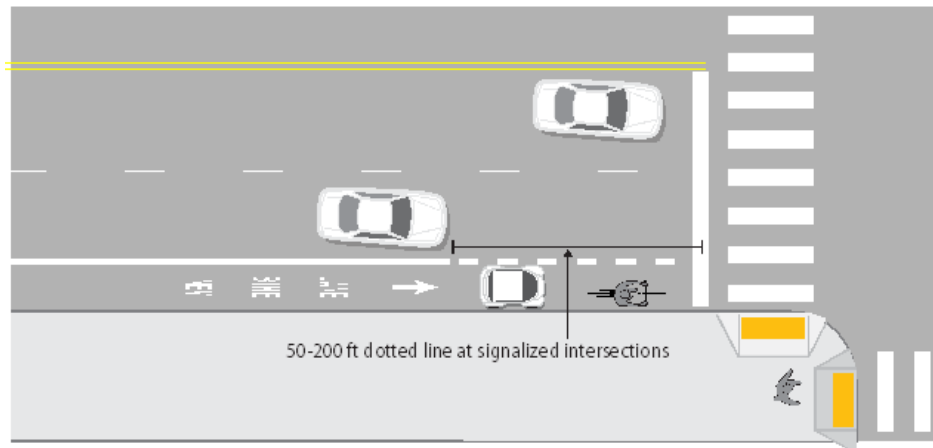
Managing Right Turns and NEV Lanes

Managing conflict between NEVs and right turning vehicles is one of the most important aspects of Class II NEV Lane design at intersections.

At locations adjacent to a shared through/right turn lane, the NEV lane should be dashed in advance of the intersection to allow right turning vehicles to turn from the rightmost lane of the street. Motorists are required to yield to NEVs and bicyclists prior to positioning for the right turn. However according to the CVC they can enter a bike lane 150 feet prior to an intersection when safe to do so.

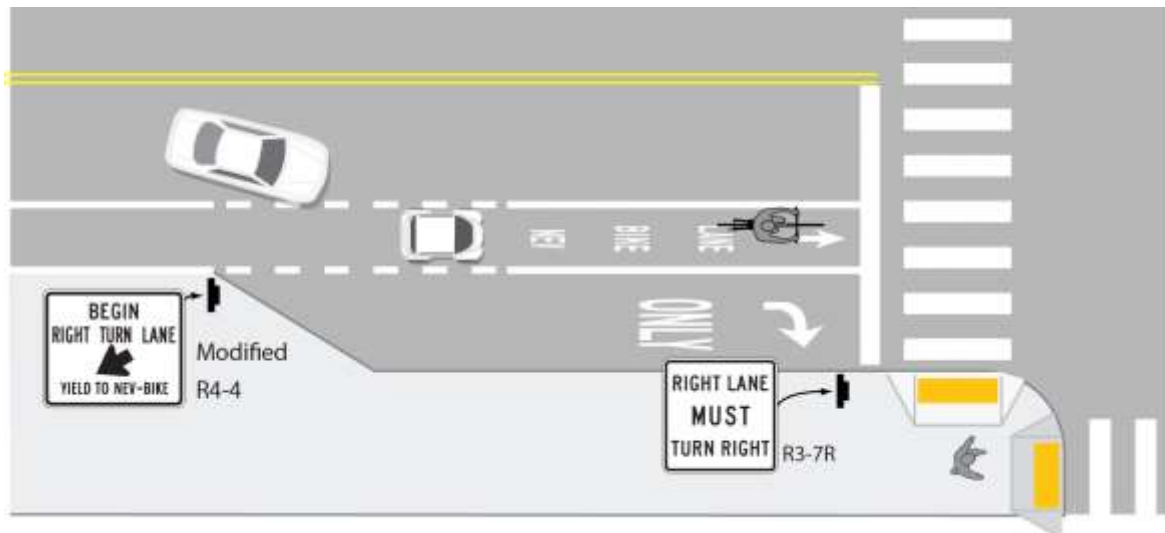
¹⁰ City of Lincoln and City of Rocklin. *Neighborhood Electric Vehicle Transportation Plan Evaluation*. 2011.

Figure 24: Dashed NEV-Bike Lane Next to Through/Right Lane



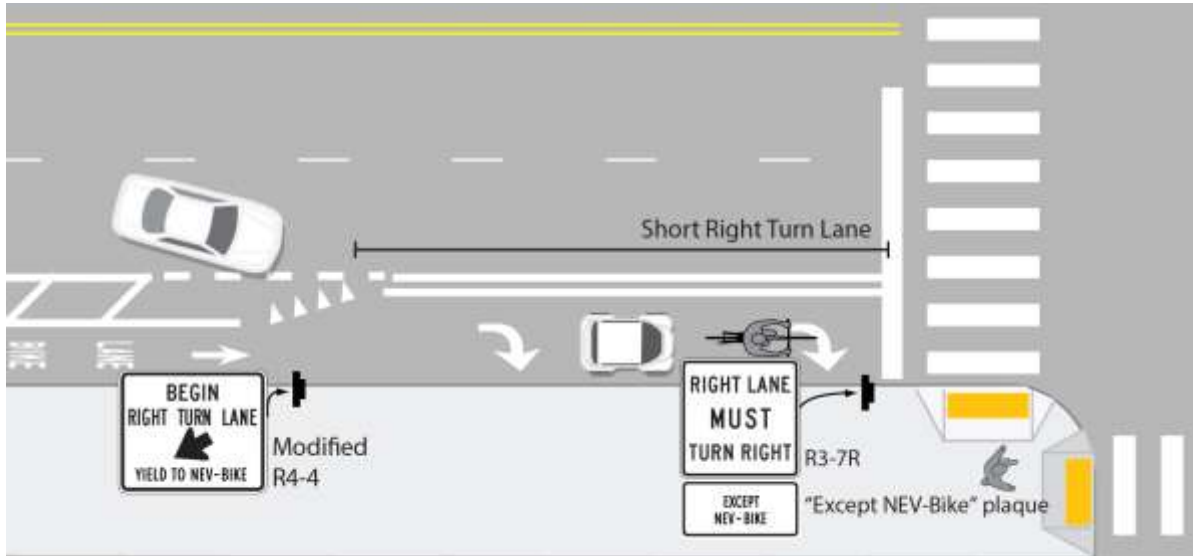
In areas of high right turn volumes, a dedicated right-turn-only lane should be provided. The right-turn-only lane should be added to the right of the NEV lane and the merge area should be marked with dashed lines. The NEV lane alignment should be straight through the merge area (so the right-turn lane is designed as an “add” lane, see Figure 25) with as little deflection to the NEV lane as possible. Motorists are required to yield to NEVs and bicyclist at the entrance to the right-turn-only lane.

Figure 25: Through NEV-Bike Lane and Added Right Turn Only Lane



When there isn't adequate space for a dedicated right-turn-only lane, a Combined NEV-Bike/Turn Lane (Figure 26) may be provided to encourage users to negotiate priority in advance of the intersection. This treatment is based off a similar configuration used for bike lanes¹¹. Signs should be used to permit through movements by NEVs and bicyclists in these locations.

Figure 26: Combined NEV-Bike Lane/Turn Lane (Mixing Zone)

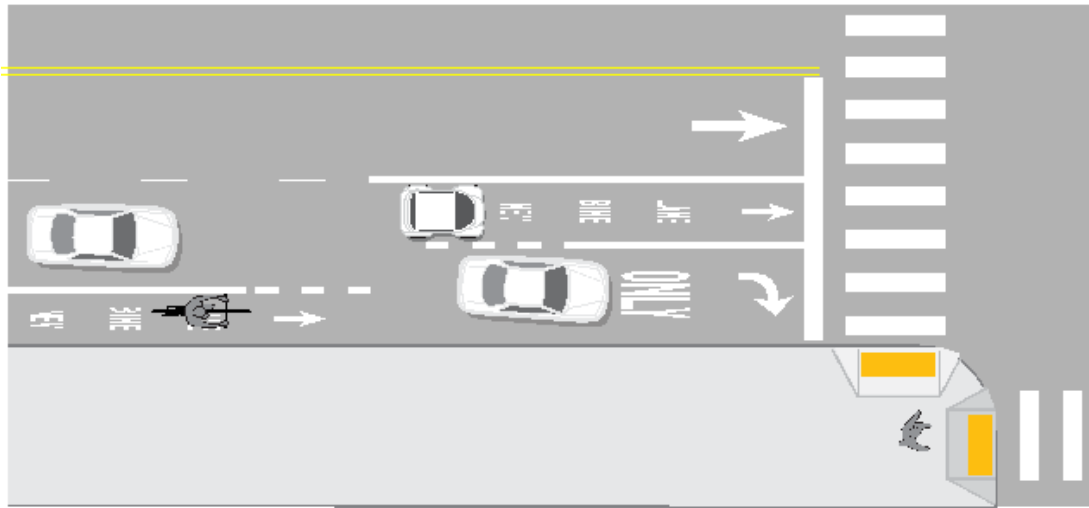


In situations where a through travel lane becomes a right-turn-only lane, NEV operators and bicyclists are required to move laterally to maintain a through position to the left of the right-turn-only lane. This situation is highly undesirable, as motor vehicles are traveling at a high rate of speed and user priority is ambiguous.

Because this configuration creates a short-length of shared-roadway condition, exercise caution when applying this treatment on roadways with a posted speed limit above 35 mph.

¹¹ NACTO. Urban Bikeway Design Guide: Combined Bike Lane/Turn Lane. 2012.

Figure 27: Through NEV-Bike Lane with Transition to Right-Turn-Only Lane (35 mph or lower)



Signals Detection and Actuation

At signalized intersections, the Class II NEV-Bike Lane users must be able to reliably and easily actuate the signal controller if the signal is not operating on fixed timing mode. Most commonly this is done through loop detectors or other technology.

Loop Detectors

NEV/Bicycle-activated loop detectors are installed within the roadway to allow the presence of an NEV lane user to trigger a change in the traffic signal. Loops that are sensitive enough to detect bicycles should be supplemented with pavement markings to instruct users how to activate the signals.

Video Detection Cameras

Video detection systems use digital image processing to detect a change in the image at a location. These systems can be calibrated to detect NEVs and bicyclists. Video camera system costs range from \$20,000 to \$25,000 per intersection.

Remote Traffic Microwave Sensor Detection (RTMS)

RTMS is a system which uses frequency modulated continuous wave radio signals to detect objects in the roadway. This method marks the detected object with a time code to determine its distance from the sensor. The RTMS system is unaffected by temperature and lighting, which can affect standard video detection.

Right Turn Access Lanes

In many areas of the Coachella Valley where arterial roads intersect other arterial roads, consecutive right-turn lanes can present a significant challenge for NEV operators and bicyclists. To make a right turn, an NEV operator would use the right-turn lane as though they were in a motor vehicle. However, once they've executed the turn, they no longer have a dedicated NEV facility, and are instead forced to share another right-turn lane with vehicles turning into driveways or parking lot entrances. This is especially problematic for NEV operators, because they must negotiate a shared space with faster travelling vehicles entering the right-turn lane, while trying to merge over into the through travel lane (again with faster moving vehicles continuing straight). Two options are presented below.

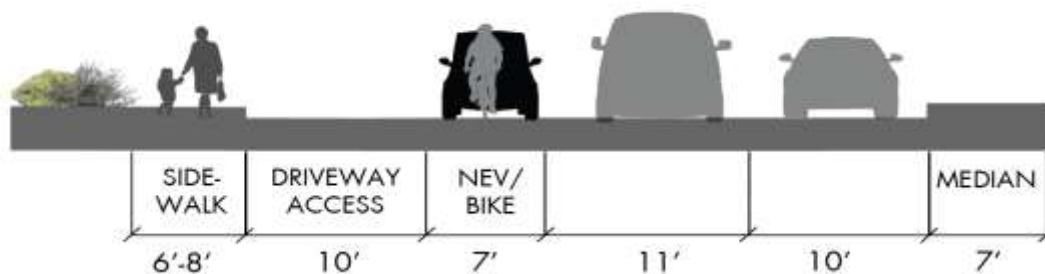
Figure 28 depicts a typical right-turn departure NEV-Bike lane transition. This lane striping provides separation after the turn and forces vehicles to turn across the NEV-Bike lane to access driveways. The dashed vehicle merging area can utilize a green colored surface treatment to further highlight the potential conflict area. Where roadway widths allow, buffered bike lanes (on one or two sides) offer additional space and increased comfort for NEV operators and bicyclists along higher speed roadways. Physical separation can also be achieved with a concrete channelization island near the intersection.

Figure 28: Typical Right-turn Departure NEV-Bike Lane



Figure 29: Right-turn Departure NEV-Bike Lane Roadway Section

RIGHT-TURN DEPARTURE NEV/BIKE LANE



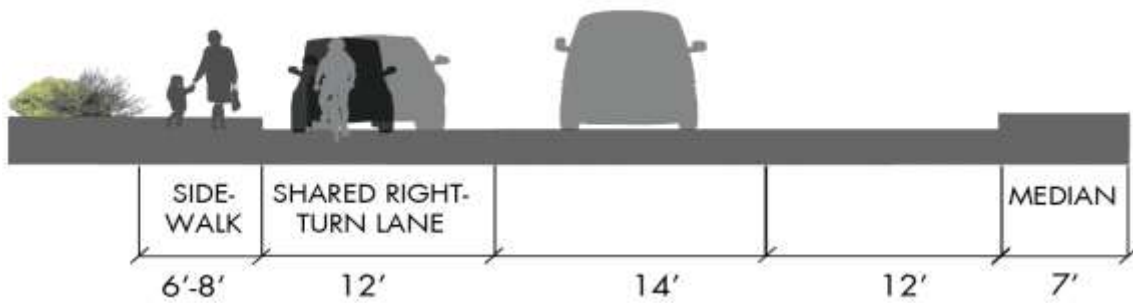
When the roadway is not wide enough to accommodate a 7-foot-wide NEV/Bike lane, a secondary option is to provide a shared or “mixing” lane, where motor vehicles must turn right for driveway access and NEVs and bikes are permitted to proceed through (Figure 24). Shared lane markings (“Sharrows”) may be used and “Right-Turn Only – Except NEV-Bike” signage should be used in this context.

Figure 30: Shared Right-turn Only Lane with Exception for NEVs and Nikes



Figure 31: Shared Right-turn Only Lane Roadway Section

SHARED RIGHT-TURN ONLY LANE



5.5 Class III NEV Route Design

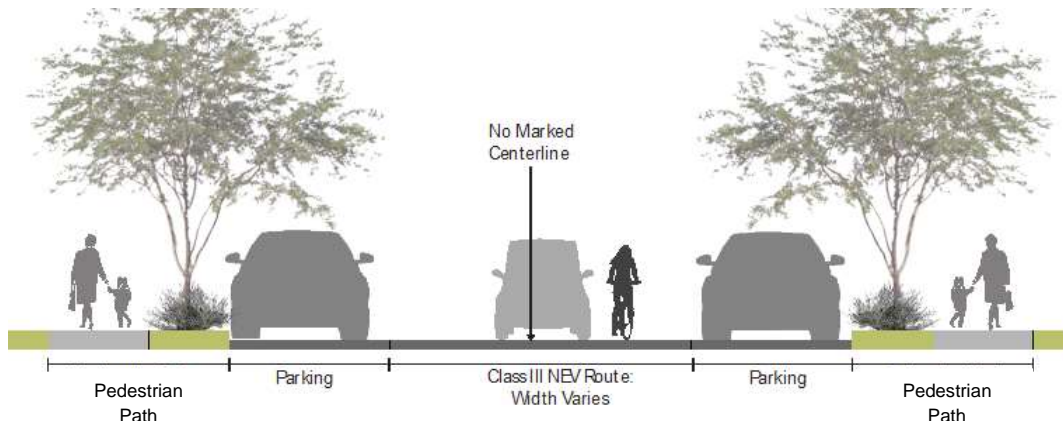
Class III Routes are shared, on-street facilities without exclusive NEV striping or separation from motor vehicles, bikes or other modes, typically designated on residential streets with posted speed limits of 25 mph or less.¹²

Designers should create streets with low design speeds to create “self-explaining” or “self-enforcing” operating conditions. Narrow cross sections and traffic calming elements such as speed tables, chicanes and neighborhood roundabouts should be used to encourage appropriate driver operating speed without the need for enforcement or education.

5.5.1 Cross Sections

When Class III Routes coincide with designated bicycle boulevards, Class III Routes may also feature a bicycle shared lane marking to indicate the facility type to other roadway users. Commonly, the centerline is not marked, to permit and encourage full use of the roadway for comfortable passing.

Figure 32: Typical Class III Route on Residential Street

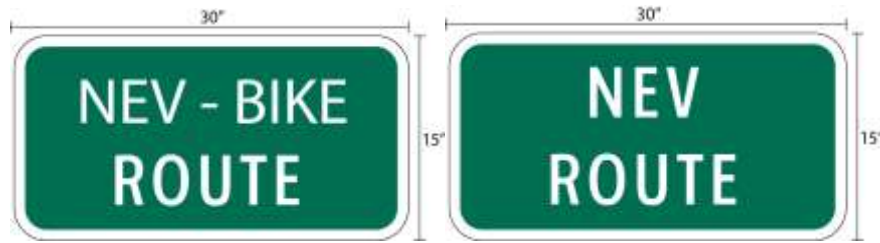


5.5.2 Markings and Signs

No identifying pavement markings are required for Class III NEV Routes. NEV-Bike Route signs should be used to raise awareness to other users of the presence of NEVs. The word BIKE has been included because it is assumed that any route preferred for NEVs would also be a preferred for bicyclists.

¹² State regulations permit shared roadway NEV use on streets with speed limits of 35 mph or lower.

Figure 33: Class III NEV -Bike Route sign and Class III NEV Route Sign



5.6 Implementation Strategies

5.6.1 Travel Lane Reconfigurations

The removal of a single, wide travel lane may provide sufficient space for NEV lanes on both sides of a street. Streets with excess vehicle capacity provide opportunities for NEV lane retrofit projects.

Depending on a street's existing configuration, traffic operations, user needs, and safety concerns, various lane reduction configurations may apply. For instance, a four-lane street (with two travel lanes in each direction) could be modified to provide one travel lane in each direction, a center turn lane, and bike lanes. Prior to implementing this measure, a traffic analysis should identify potential impacts.

5.6.2. Travel Lane Narrowing

Lane narrowing utilizes roadway space that exceeds minimum standards to provide the needed space for NEV lanes. Many roadways have existing travel lanes that are wider than those prescribed in local and national roadway design standards, or which are not marked. Most standards allow for the use of 9- to 12-foot-wide travel lanes to create space for NEV lanes.

Special consideration should be given to the amount of heavy vehicle traffic, desired speed of the roadway, and horizontal curvature before the decision is made to narrow travel lanes. Narrow travel lanes have proven effective in reducing motorists speeds on roadways, as they are more appropriately designed for the predominate passenger vehicle users, of the roadway rather than the largest roadway users like semi-trucks and buses. Two-way left turn lane or enter turn lanes can also be narrowed to 9 to 11 feet in many situations to repurpose pavement space for NEV lanes.

AASHTO supports reduced width lanes in *A Policy on Geometric Design of Highways and Streets*: "On interrupted-flow operation conditions at low speeds (45 mph or less), narrow lane widths are normally adequate and have some advantages."

5.6.3 Parking Lane Removal

Like travel lane removal, the removal of one or both parking lanes may provide necessary space to establish NEV lanes. Typical parking lane widths of 8 feet are directly compatible with one-direction NEV lanes and such conversions may be very cost effective. Parking lane removal may be controversial, and a public process is typically needed.

5.6.4 Shoulder Widening

NEV lanes can be accommodated on streets with excess right-of-way through shoulder widening. Although roadway widening incurs higher expenses than re-striping projects, NEV lanes can be added to streets currently lacking curbs, gutters, and sidewalks without the high costs of major infrastructure reconstruction. Due to the cost of street reconstruction, shoulder widening is most appropriate on roads lacking curbs, gutters, and sidewalks.

5.6.5. Speed Limit Adjustments

In some cases, a roadway may be operating at a speed too fast for Class III shared roadway use (greater than 35 mph), but would otherwise be compatible with NEV operation. In these situations, it may be possible to adjust the design speed of the road through striping, geometry adjustments, and traffic calming to reduce the posted speed limit to 35 mph or less, as appropriate for NEV use.

5.7 Facility Maintenance

5.7.1 Considerations

Regular NEV facility maintenance includes sweeping, maintaining a smooth roadway, ensuring that the gutter-to-pavement transition remains relatively flush, and installing bicycle- and NEV-friendly drainage grates. Pavement overlays are a good opportunity to improve NEV facilities. The following recommendations provide a menu of options to consider enhancing a maintenance regimen.

Table 8: Recommended Maintenance Activities

Maintenance Activity	Frequency
Inspections	Seasonal – at beginning and end of summer
Pavement sweeping/blowing	As needed, with higher frequency in the early Spring and Fall
Pavement sealing	5 - 15 years
Pothole repair	1 week – 1 month after report. Marked with high visibility paint until repairs can be completed.
Culvert and drainage grate inspection	Before winter and after major storms
Pavement markings replacement	As needed
Signage replacement	As needed
Shoulder plant trimming (weeds, trees, brambles)	Twice a year; middle of growing season and early fall
Tree and shrub plantings, trimming	1 – 3 years
Major damage response (washouts, fallen trees, flooding)	As soon as possible

5.7.2 Street Sweeping

NEV users often avoid shoulders and lanes filled with gravel, broken glass, sand accumulation and other debris; they will ride in the roadway to avoid these hazards, potentially causing conflicts with motorists. Debris from the roadway should not be swept onto sidewalks (pedestrians need a clean walking surface), nor should debris be swept from the sidewalk onto the roadway. A regularly scheduled inspection and maintenance program helps ensure that roadway debris is regularly picked up or swept. Street sweeping maintenance practices should include:

- Establish a seasonal sweeping schedule that prioritizes roadways with NEV facilities
- Sand removal should occur after each wind storm event
- Sweep NEV facilities whenever there is an accumulation of debris on the facility.
- Develop a “debris in roadway” hotline to report

- In curbed sections, sweepers should pick up debris; on open shoulders, debris can be swept onto gravel shoulders
- Pave gravel driveway approaches to minimize loose gravel on paved roadway shoulders
- Perform additional sweeping in areas where debris accumulates

5.7.3 Gutter to Pavement Transitions

On streets with concrete curbs and gutters, 1 to 2 feet of the curbside area is typically devoted to the gutter pan, where water collects and drains into catch basins. On many streets, the NEV lane is situated near the transition between the gutter pan and the pavement edge. This transition can be susceptible to erosion, creating potholes and a rough surface for travel.

The pavement on many streets is not flush with the gutter, creating a vertical transition between these segments. This area can buckle over time, creating a hazardous condition for bicyclists. Gutter maintenance strategies include:

- Ensure that gutter-to-pavement transitions have no more than a ¼" vertical transition
- Examine pavement transitions during every roadway project for new construction, maintenance activities, and construction project activities that occur in streets
- Inspect the pavement two to four months after trenching construction activities are completed to ensure that excessive settlement has not occurred
- Provide at least 5 feet of smooth pavement outside of the gutter seam

5.7.4 Access through Construction Areas

Wherever NEVs are allowed, measures should be taken to provide for the continuity of a user's trip through a work zone area. NEV drivers should not be led into conflicts with work site vehicles, equipment, moving vehicles, open trenches, or temporary construction signage.

Efforts should be made to re-create an NEV lane (if one exists) to the left of the construction zone. If this is impossible, then consider the closure of a standard-width travel lane to accommodate separated NEV travel.

Contractors performing work should be made aware of the needs of NEV users and be properly trained in how to safely route NEVs through or around work zones.

Construction Signage

- Place signage in a location that does not obstruct the path of NEV drivers, bicyclists or pedestrians.
- Detour and closure signs related to NEV travel may be included on all bikeways where construction activities occur. Signage should also be provided on all other roadways.

Travel on and around Steel Grates

Plates used to cover trenches tend to not be flush with pavement and have a 1- to 2-inch vertical transition on the edges. This can puncture bicycle tires and can be jarring to NEV drivers. Although it is common to use steel plates during non-construction hours, these plates can be dangerously slippery, particularly when wet. Good practices include:

- Require temporary asphalt (cold mix) around plates to create a smooth transition
- Use steel plates only as a temporary measure during construction, not for extended periods
- Use warning signs where steel plates are in use
- Require both temporary and final repaving to provide a smooth surface without abrupt edges

Figure 34: Proper Placement of Construction Signage Outside of NEV Lane



5.8 Additional AB 61 Considerations

5.8.1 Safety and Maintenance Requirements

NEVs eligible to use NEV lanes shall meet the safety requirements for low-speed vehicles as set forth in section 571.500 of Title 49 of the Code of Federal Regulations, included below.

TITLE 49 OF THE CODE OF FEDERAL REGULATIONS

§571.500 Standard No. 500; Low-speed vehicles. S5. Requirements.

S5. Requirements.

(a) When tested in accordance with test conditions in S6 and test procedures in S7, the maximum speed attainable in 1.6 km (1 mile) by each low-speed vehicle shall be not more than 40 kilometers per hour (25 miles per hour).

(b) Each low-speed vehicle shall be equipped with:

(1) Headlamps,

(2) Front and rear turn signal lamps,

(3) Taillamps,

(4) Stop lamps,

(5) Reflex reflectors: one red on each side as far to the rear as practicable, and one red on the rear,

(6) An exterior mirror mounted on the driver's side of the vehicle and either an exterior mirror mounted on the passenger's side of the vehicle or an interior mirror,

(7) A parking brake,

(8) A windshield that conforms to the Federal motor vehicle safety standard on glazing materials (49 CFR 571.205).

(9) A VIN that conforms to the requirements of part 565 Vehicle Identification Number of this chapter, and

(10) A Type 1 or Type 2 seat belt assembly conforming to Sec. 571.209 of this part, Federal Motor Vehicle Safety Standard No. 209, Seat belt assemblies, installed at each designated seating position.

(11) Low-speed vehicles shall comply with the rear visibility requirements specified in paragraphs S6.2 of FMVSS No. 111.

S6. General test conditions. Each vehicle must meet the performance limit specified in S5(a) under the following test conditions.

S6.1. Ambient conditions.

S6.1.1. Ambient temperature. The ambient temperature is any temperature between 0 °C (32 °F) and 40 °C (104 °F).

S6.1.2. Wind speed. The wind speed is not greater than 5 m/s (11.2 mph).

S6.2. Road test surface.

S6.2.1. Pavement friction. Unless otherwise specified, the road test surface produces a peak friction coefficient (PFC) of 0.9 when measured using a standard reference test tire that meets the specifications of American Society for Testing and Materials (ASTM) E1136, "Standard Specification for A Radial Standard Reference Test Tire," in accordance with ASTM Method E 1337-90, "Standard Test Method for Determining Longitudinal Peak Braking Coefficient of Paved Surfaces Using a Standard Reference Test Tire," at a speed of 64.4 km/h (40.0 mph), without water delivery (incorporated by reference; see 49 CFR 571.5).

S6.2.2. Gradient. The test surface has not more than a 1 percent gradient in the direction of testing and not more than a 2 percent gradient perpendicular to the direction of testing.

S6.2.3. Lane width. The lane width is not less than 3.5 m (11.5 ft).

S6.3. Vehicle conditions.

S6.3.1. The test weight for maximum speed is unloaded vehicle weight plus a mass of 78 kg (170 pounds), including driver and instrumentation.

S6.3.2. No adjustment, repair or replacement of any component is allowed after the start of the first performance test.

S6.3.3. Tire inflation pressure. Cold inflation pressure is not more than the maximum permissible pressure molded on the tire sidewall.

S6.3.4. Break-in. The vehicle completes the manufacturer's recommended break-in agenda as a minimum condition prior to beginning the performance tests.

S6.3.5. Vehicle openings. All vehicle openings (doors, windows, hood, trunk, convertible top, cargo doors, etc.) are closed except as required for instrumentation purposes.

S6.3.6. Battery powered vehicles. Prior to beginning the performance tests, propulsion batteries are at the state of charge recommended by the manufacturer or, if the manufacturer has made no recommendation, at a state of charge of not less than 95 percent. No further charging of any propulsion battery is permissible.

S7. Test procedure. Each vehicle must meet the performance limit specified in S5(a) under the following test procedure. The maximum speed performance is determined by measuring the maximum attainable vehicle speed at any point in a distance of 1.6 km (1.0 mile) from a standing start and repeated in the opposite direction within 30 minutes.

[63 FR 33216, June 17, 1998, as amended at 68 FR 43972, July 25, 2003; 79 FR 19249, Apr. 7, 2014]

5.8.2.Operator Requirements

Operators shall be required to possess a valid California driver's license and to comply with the financial responsibility requirements established pursuant to Chapter 1 (commencing with Section 16000) of Division 7 of the Vehicle Code.

5.8.3 Restrictions on Use

Operation of NEVs is restricted to those NEV routes identified in the transportation plan and limited to those NEVs that meet the safety equipment requirements specified in the plan.

5.8.4 Violations

Any person operating a NEV in the plan area in violation of these rules and regulations is guilty of an infraction punishable by a fine not exceeding one hundred dollars (\$100).

5.8.5 Evaluation and Monitoring

Any city that adopts a NEV transportation plan shall submit a report to the Legislature on or before January 1, 2016, in consultation with the Department of Transportation, the Department of the California Highway Patrol, and any applicable local law enforcement agency.

The report shall include all of the following:

- A description of the NEV transportation plan and its elements that have been authorized up to that time.
- An evaluation of the effectiveness of the NEV transportation plan, including its impact on traffic flows and safety.
- A recommendation as to whether AB 61 should be terminated, continued in effect, or expanded statewide.

More detail on evaluation and monitoring is provided in section 7 of this plan.

6 Recommended Education, Legislation, and Enforcement

6.1 Legislation

The disparate patchwork of current bylaws and policies are presented in Appendix D. In order to provide greater consistency across jurisdictional boundaries, support the objectives of CV Link, and promote wider adoption of lower cost and environmentally friendly transportation options, a model set of municipal city codes and policies should be developed to include:

- Coachella Valley wide standard definitions of the types of golf cars, NEVs, LSVs, and LSEVs based on the California Vehicle Code
- All golf carts and NEVs shall be permitted to park in any parking space
- NEVs and golf carts that have a state issued registration for on-street use shall be exempt from city permits
- The acceptance of permits issued by other jurisdictions in the State of California and/or a California Department of Motor Vehicle (DMV) issued license plate for operation on identified routes
- Publication of a map indicating which streets with posted speed limits above 35 mph have NEV facilities and which designated golf cart paths are available for:
 - Unrestricted NEV speed (up to the legal 25 mph limit) as conditions permit
 - Restricted NEV speed up to 15 mph due to geometric or other considerations
 - Prohibited for NEVs but still permissible for golf carts (not recommended, as this may lead to confusion and enforceability issues)

6.2 Education and Enforcement

As NEVs are a nascent technology, many residents and officials conflate them with golf cars (carts). Following from the recommendation for a Coachella Valley-wide set of definitions, there will be a need to educate the public on what each type of vehicle is and where they may be used.

- CVAG and the member cities should conduct outreach and public service announcements to clarify the various vehicle types.

- All Coachella Valley DMV offices should feature hardcopies of the DMV's fact sheet available online here: http://apps.dmv.ca.gov/pubs/brochures/fast_facts/ffvr37.pdf
- Member cities should distribute to all residents the adopted uniform municipal code sections applying to NEVs and golf carts via regular mail as well as throughout all city departments including the police.
- Riverside County Sheriff's Department should distribute the DMV's fact sheet and applicable municipal city codes to all officers.

As previously noted, to support the development of golf cart and NEV plans, streets and paths must be designated for use or prohibited access.

- Inter-jurisdictional development and publication of maps with routes for the operation of NEVs is needed for planning and design of streets, education, wayfinding, and enforcement purposes.

6.3 Frequently Asked Questions

Q. What does the State of California require me to do to drive an NEV / LSV, and do I have to follow the same laws as a car driver?

A. An NEV or LSV driver must have registration, insurance, and driver's license. Although the legislation has established a separate class for LSVs, almost all laws applicable to motor vehicle drivers also apply to LSV drivers. A driver may not operate a vehicle under the influence of alcohol (CVC 23152).

Q. Can I modify my golf cart to achieve 25 mph like a NEV?

A. While it is not difficult to do this and many businesses are currently doing it, the California Department of Motor Vehicles (DMV) states:

A golf cart cannot be converted for registration as an NEV/LSV. If you modify your golf cart to go faster than 15 mph or seat more than two persons, the vehicle is considered a regular motor vehicle and must comply with Federal Motor Vehicle Standards for passenger vehicles. Failure to comply with all necessary regulations may result in a citation.

You may register the golf cart with the DMV as a golf cart, and you may obtain any currently required city permits for operation on public pathways or streets with speed limits generally limited to 25 mph, but you will not be able to legally operate a modified golf cart on a street with a speed limit of 30 or 35 mph.

7 Evaluation and Monitoring

To meet the reporting requirements of Assembly Bill No. 61, CVAG must submit an NEV Plan Evaluation and Monitoring Report to the legislature, in consultation with the Department of Transportation, the Department of the California Highway Patrol, and local law enforcement agencies.

According to AB 61, the report shall describe the plan adopted, evaluate its effectiveness and impact on traffic flows and safety, and make a recommendation to the Legislature on whether to extend the sunset date or expand the authorization for NEV transportation plans statewide. Required elements include:

- A description of NEV transportation plan and its elements that have been authorized up to that time
- An evaluation of the effectiveness of the NEV transportation plans, including their impact on traffic flows and safety
- A recommendation as to whether AB61 sunset date should be extended and if the authorization for NEV transportation plans should be expanded statewide

In 2011, the City of Lincoln and Rocklin prepared an NEV Plan Evaluation for the California Legislature to meet the requirements of AB 2963. The Lincoln evaluation requirements are equivalent to those in AB 61, and as such offer a model for CVAG to follow in preparation and execution of their own Evaluation and Monitoring Report. It is recommended that the CVAG report evaluate the same categories included in the Lincoln/Rocklin report plus additional measures not previously evaluated. The recommended evaluation categories for CVAG are:

Traffic Engineering Speed Study

Histograms of operating speed frequency for both motor vehicles and NEVs on Class II and Class III facilities.

Incident and Traffic Violation Databases

Inquiry and analysis of NEV-involved traffic collision or violations from local law enforcement agencies and the California Highway Patrol.

Surveys

Surveys of travelers of all modes, to understand the perception of NEV use safety and NEV facility design. Survey results can be evaluated separately by mode to understand differences in perception between

motorists, NEV operators, and bicyclists. A copy of the full survey used by the City of Lincoln is available in Appendix C of the City of Lincoln NEV Transportation Plan Evaluation report.

Energy and Air Quality Impacts

A detailed travel survey can form the basis of an analysis of air quality and energy benefits of current and future NEV use.

Evaluation of Signs, Striping and Pavement Markings

To understand comprehension and compliance with NEV specific traffic control devices, methods such as surveys or an analysis of operation should evaluate the effectiveness of non-standard signs and markings. This evaluation may be necessary as part of an experimentation process with the MUTCD.

Education Campaign

Experience in other cities indicates that there may be some confusion about compatibility between NEV and golf cart facilities. It is important to educate users about the limitations and capability differences between the two vehicle types. A NEV Brochure/Route Map would help educate the public about where NEVs can be legally and comfortably operated, and help explain the difference of NEVs and golf carts. The brochure can include safety tips for NEV operators and answer frequently asked questions about using the network.

8 References

Planning, design and implementation standards in this document are derived from the following sources:

- AASHTO, Roadside Design Guide, 2002.
- U.S. Department of Transportation (USDOT), Federal Highway Administration (FHWA), Manual of Uniform Traffic Control Devices (MUTCD), 2009.
- Caltrans, California Manual on Uniform Traffic Control Devices, 2012.
- USDOT, FHWA, Conflicts on Multiple-Use Trails: Synthesis of the Literature and State of the Practice, 1994.
- Caltrans, Highway Design Manual, 2014.
- Institute of Transportation Engineers (ITE), Design and Safety of Pedestrian Facilities, 1997.
- National Association of City Transportation Officials (NACTO), Urban Bikeway Design Guide, 2nd Ed, 2012.
- Assembly Bill No. 61. Chapter 170. 2011-2012. Section 571.500 of Title 49 of the Code of Federal Regulations.
- Coachella Valley Area Governments (CVAG), Whitewater River/Parkway Iell NEV/Bike/Pedestrian Corridor Preliminary Study Report, 2012.
- CVAG, Coachella Valley Non-motorized Transportation Plan Update, 2010.
- Coachella Valley Water District (CVWD), Development Design Manual, 2010.
- Riverside County, General Plan Draft Circulation Element, Trails and Bikeway System, 2013.
- City of Lincoln, NEV Transportation Plan, 2006.
- City of Lincoln, CTCDC Approved Experimental Standards, 2005.

The sources listed above provide details on many aspects of path design, but a) may contain recommendations that conflict with each other; b) are not, in most cases, officially recognized “requirements”; and c) do not cover all conditions on most paths. All design guidelines must be supplemented in the application to specific situations by the professional judgments of the path designers and engineers.

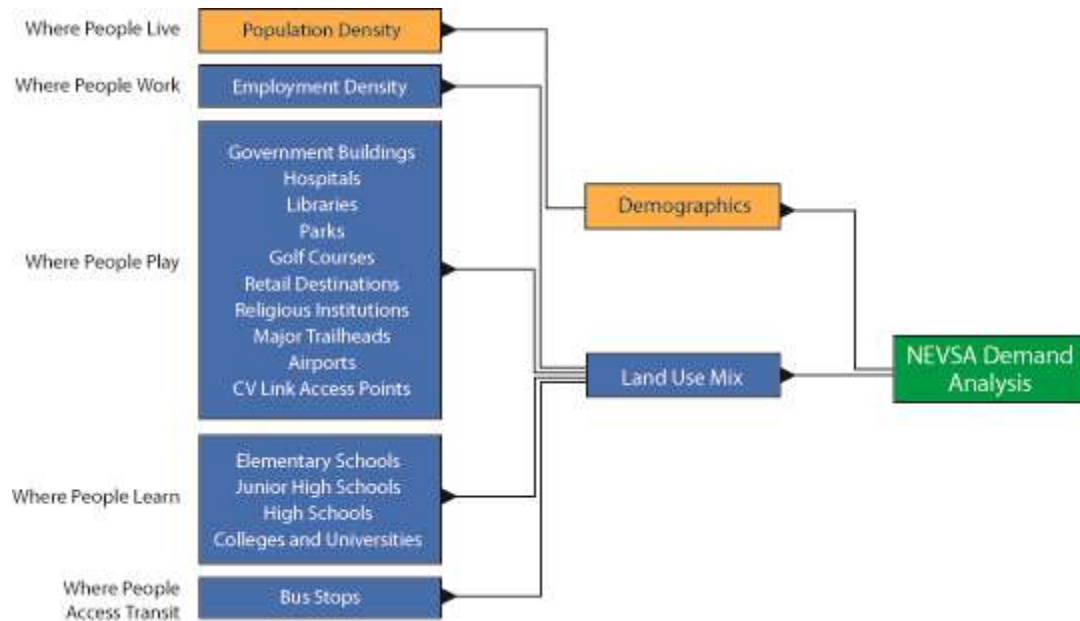
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Appendix A. NEVSA Features

Summary of Total Possible Scores

- Where People Live – 20%
- Where People Work – 20%
- Where People Play – 30%
- Where People Learn – 20%
- Where People Access Transit – 10%

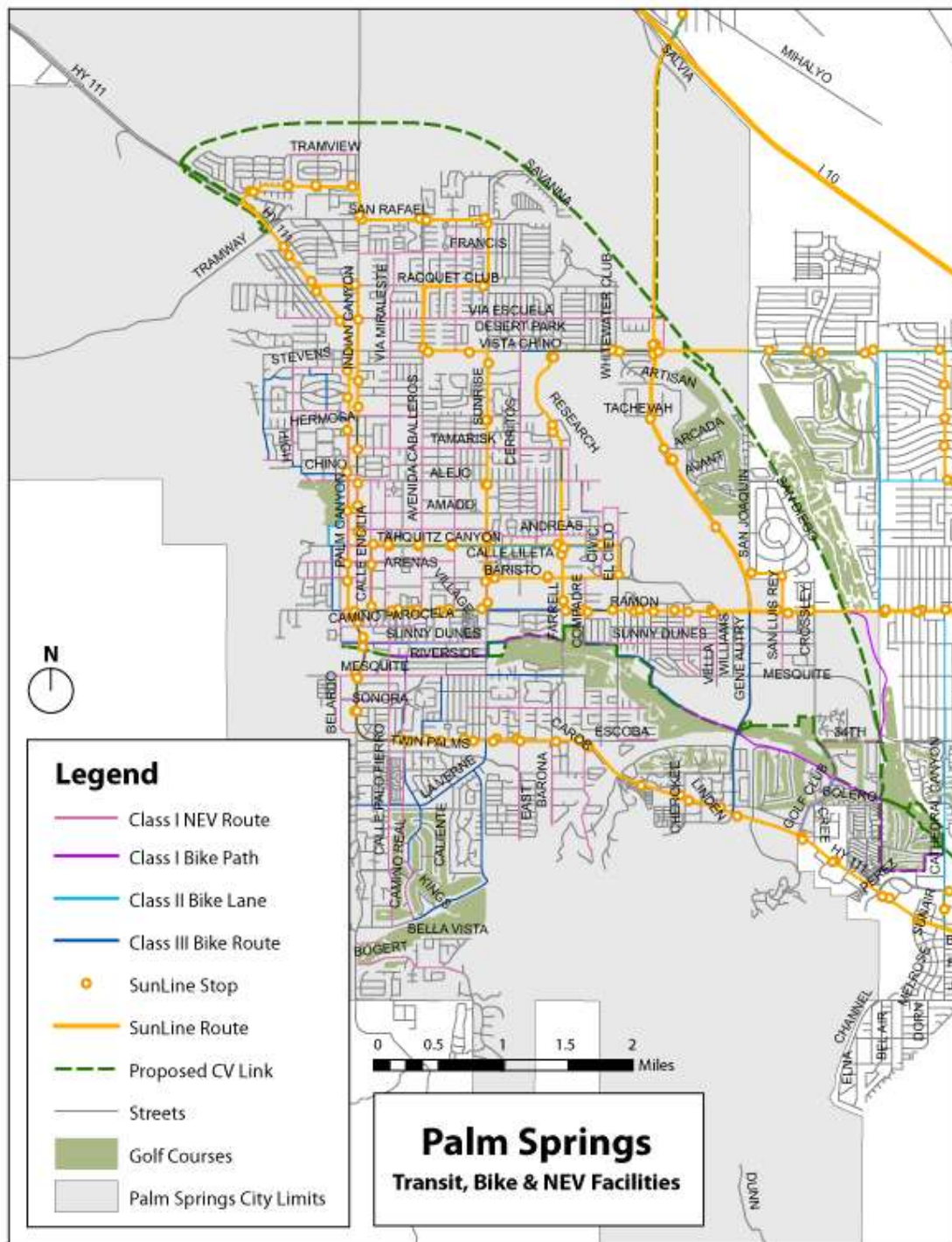
NEVSA Inputs

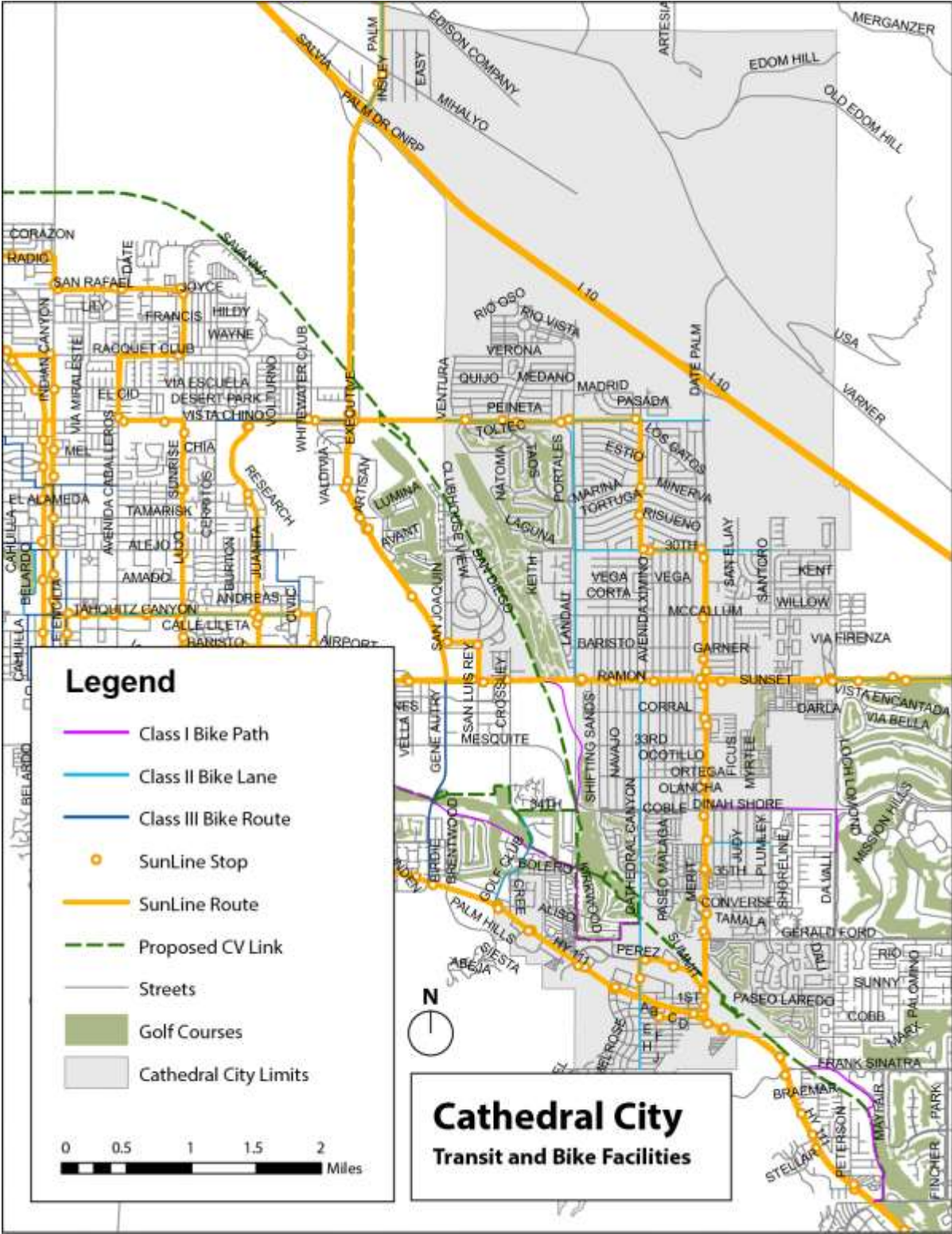


Appendix B. Existing Transit, Bike, Golf Cart and NEV Facility Maps

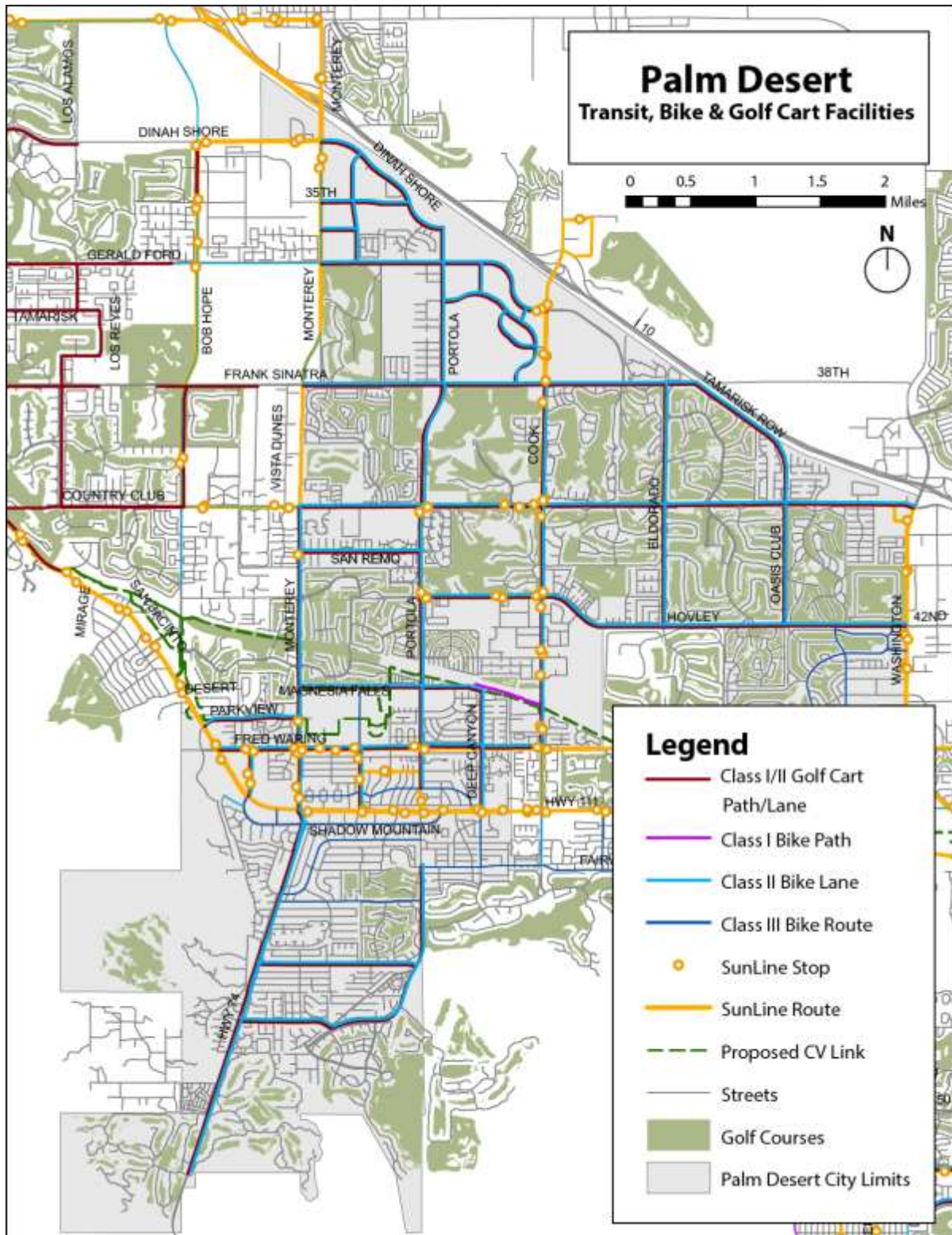
The following maps are based upon the:

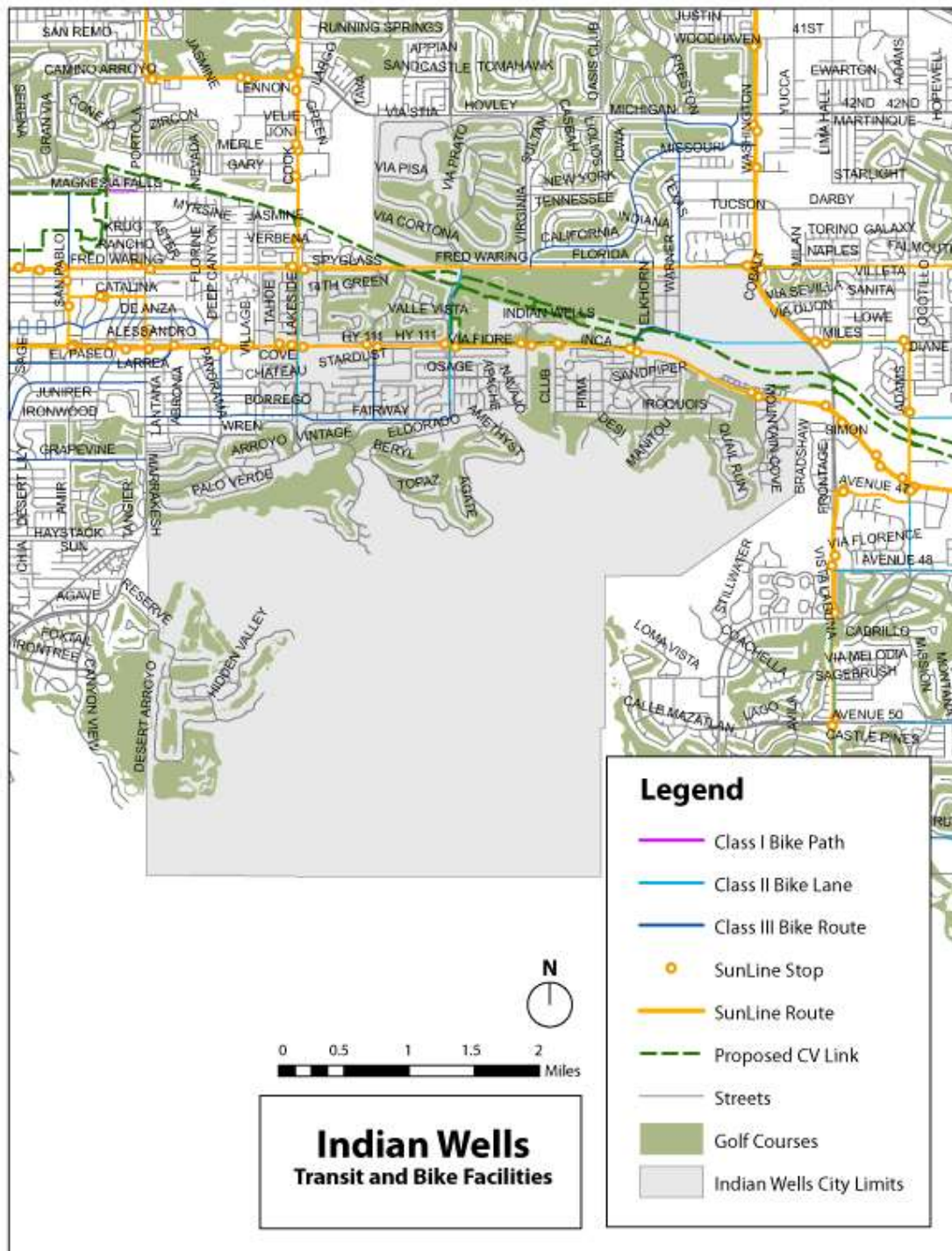
- Published golf cart maps for each jurisdiction (where available)
- Non-Motorized Transportation Plan (NMTP)
- City staff feedback

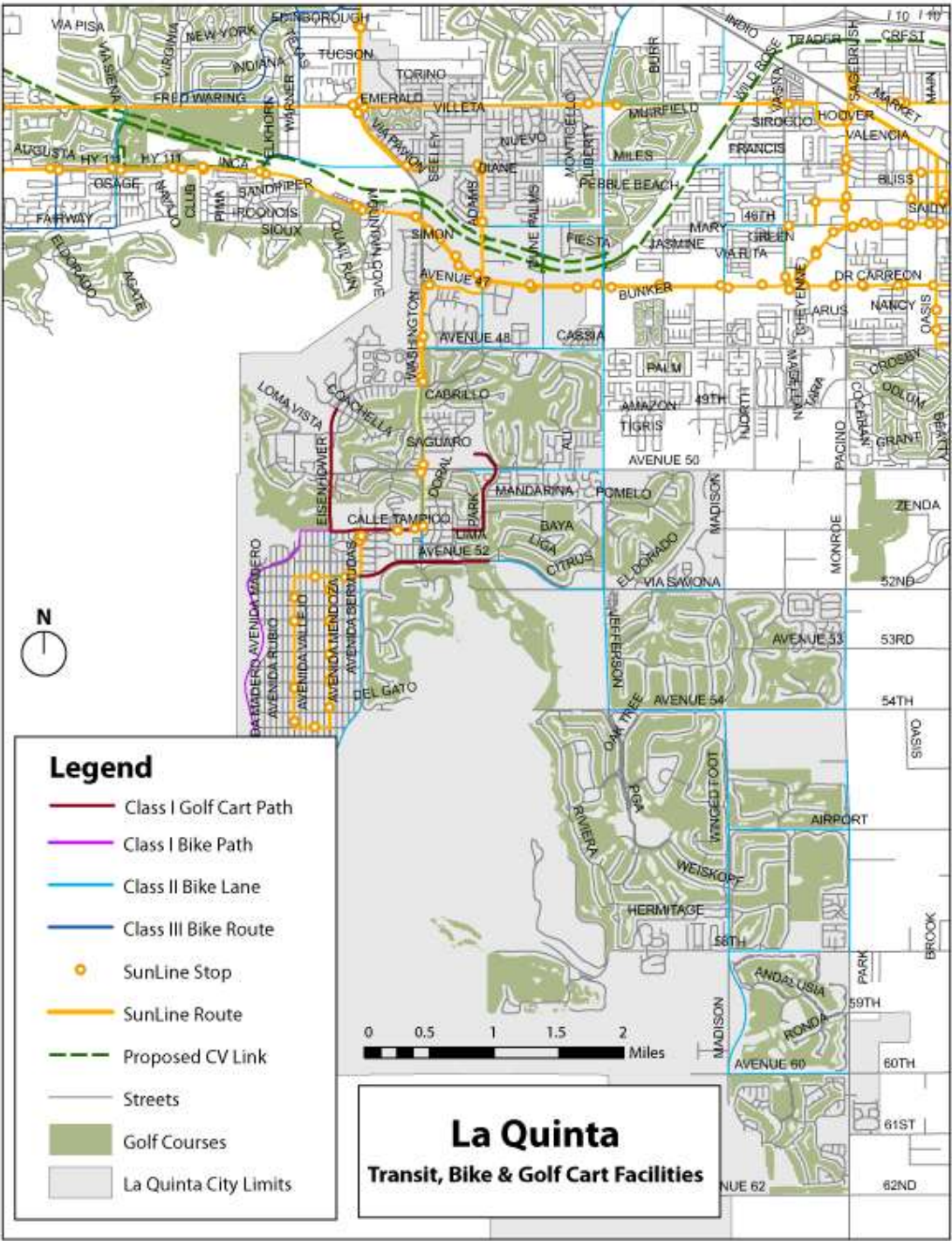


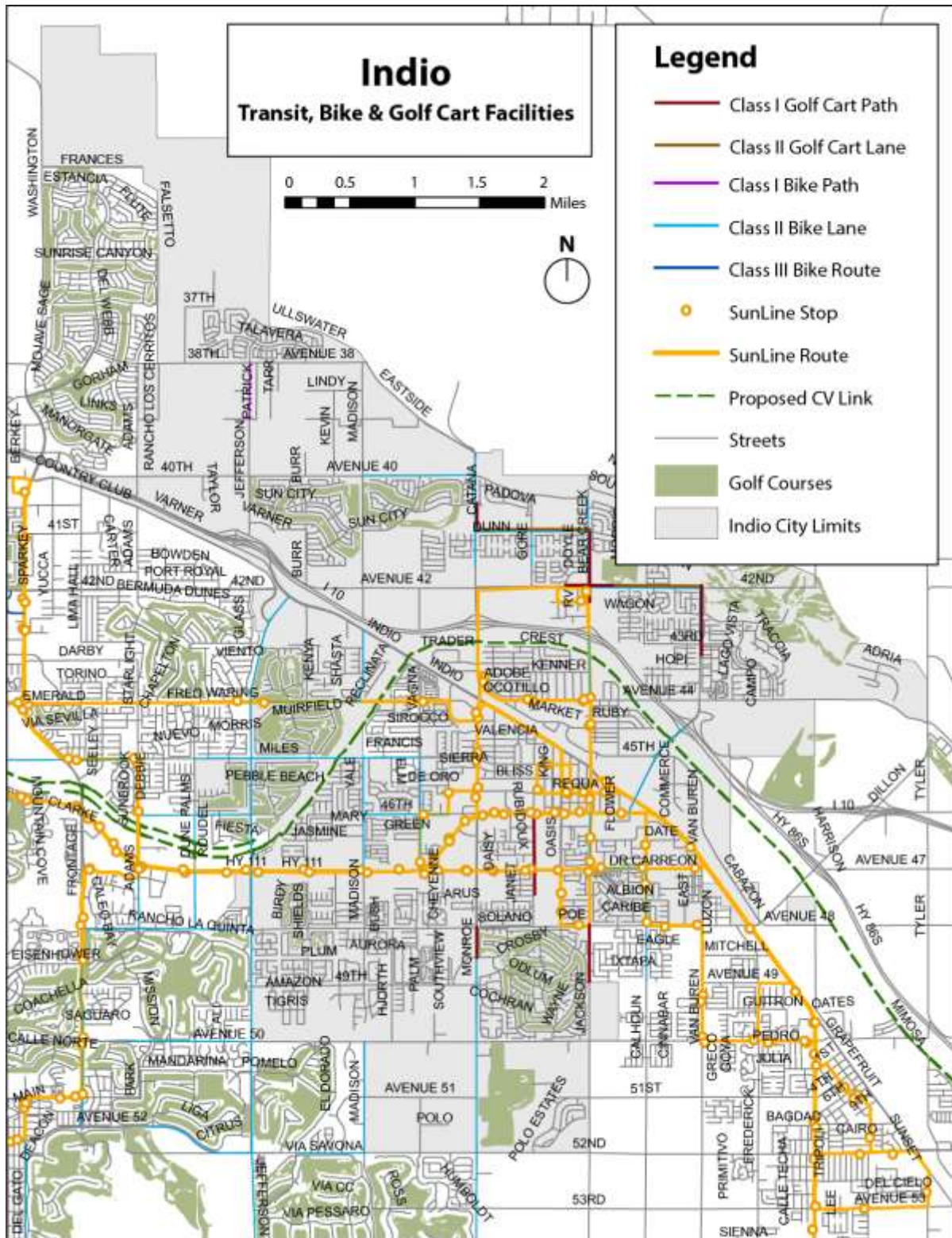


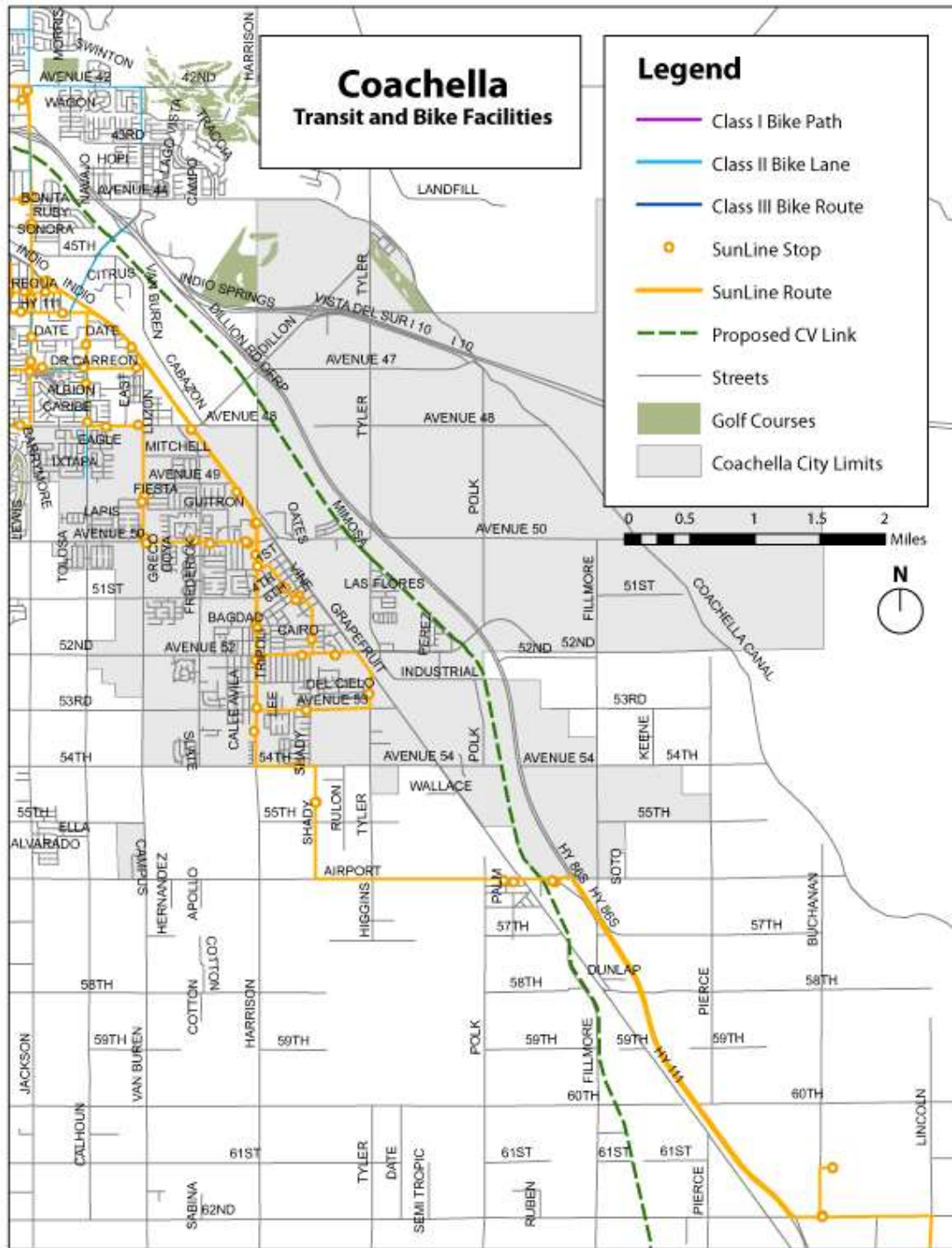


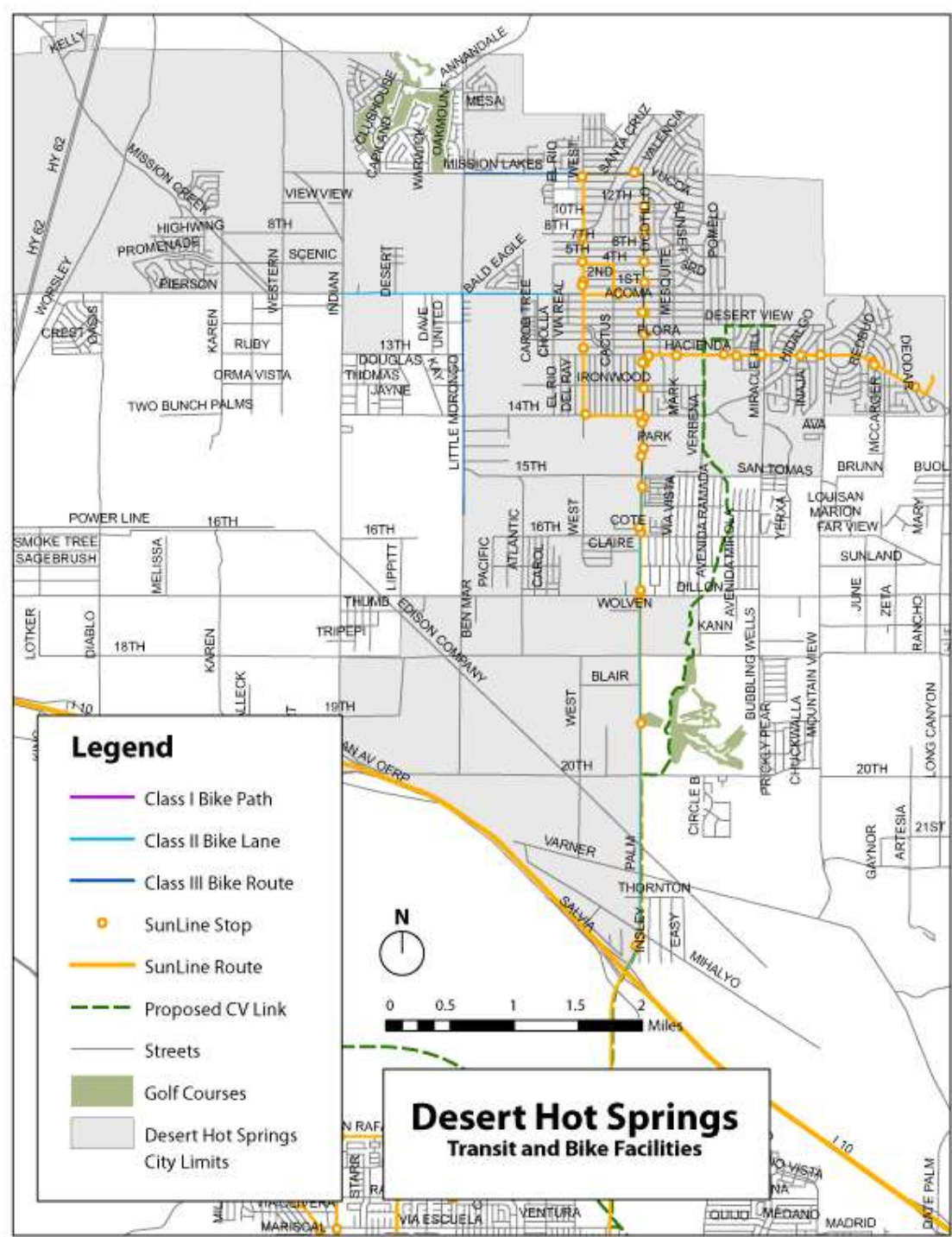






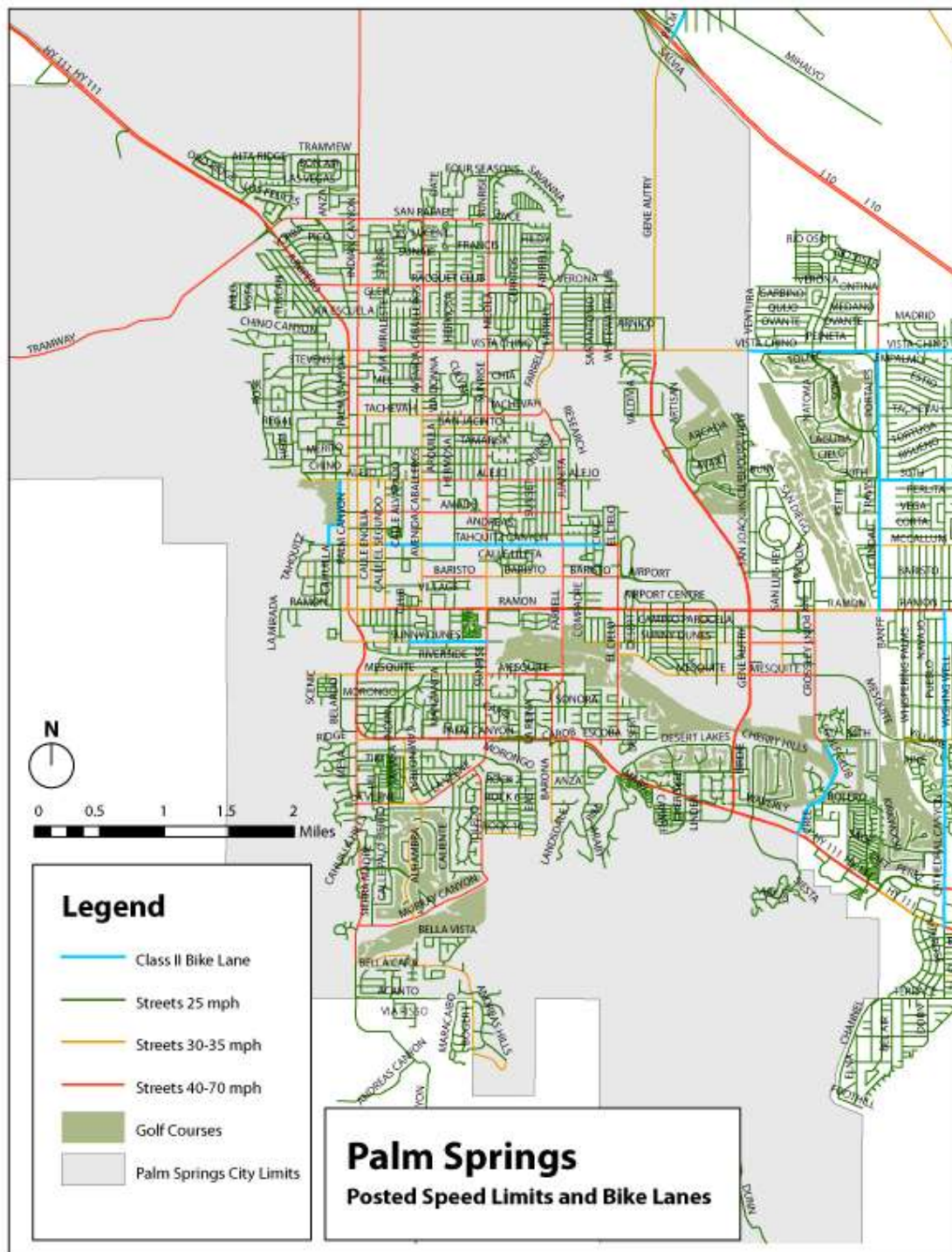


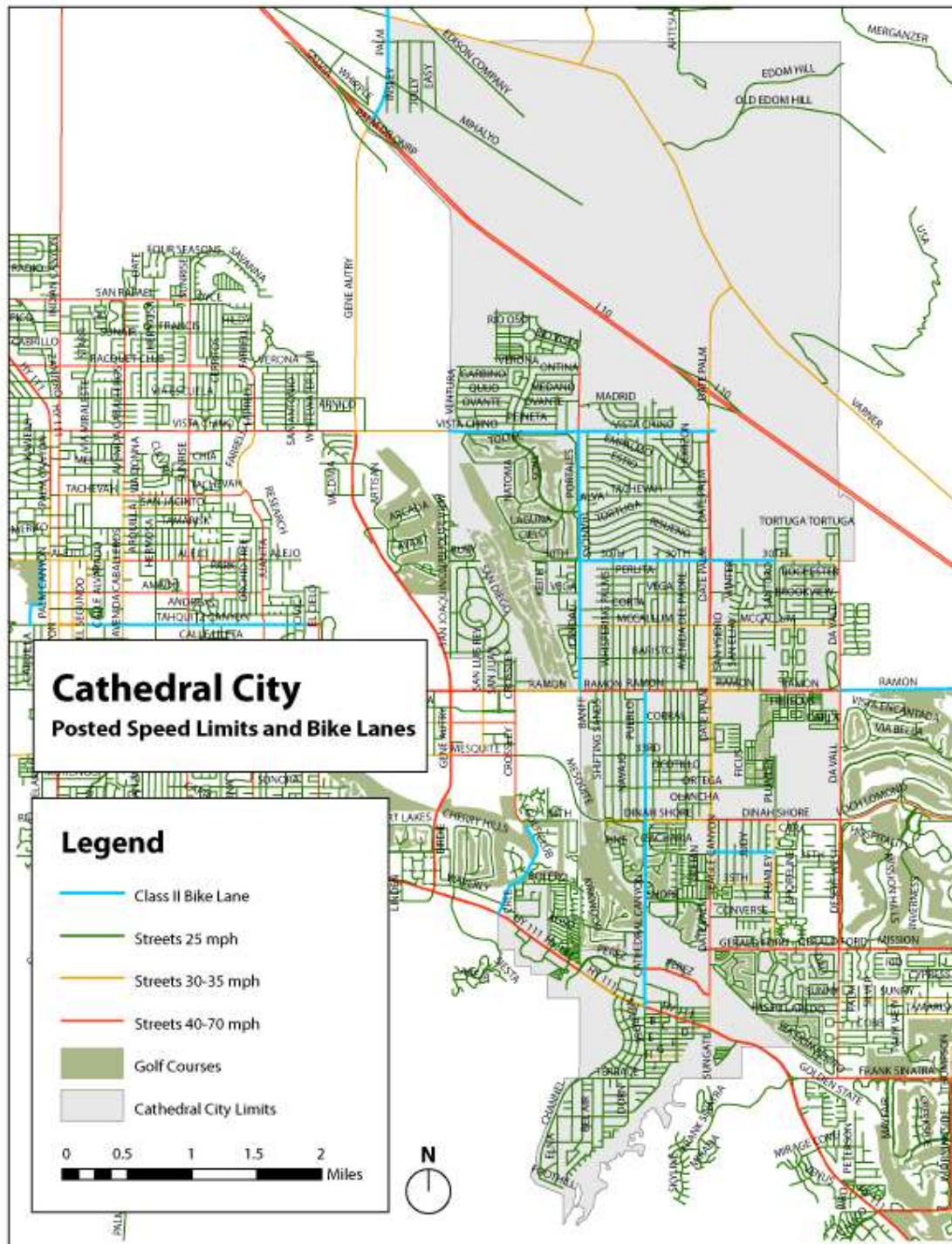


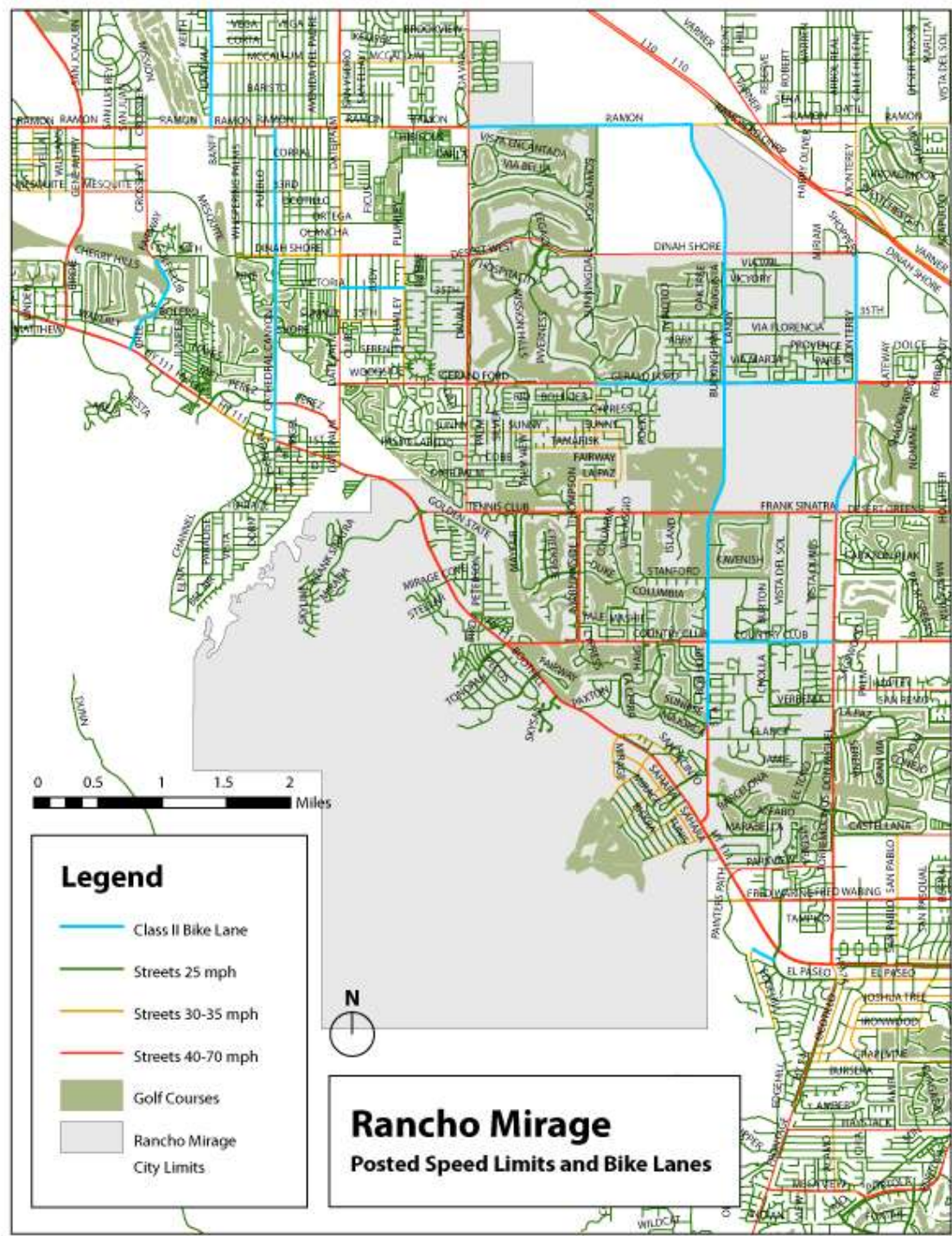


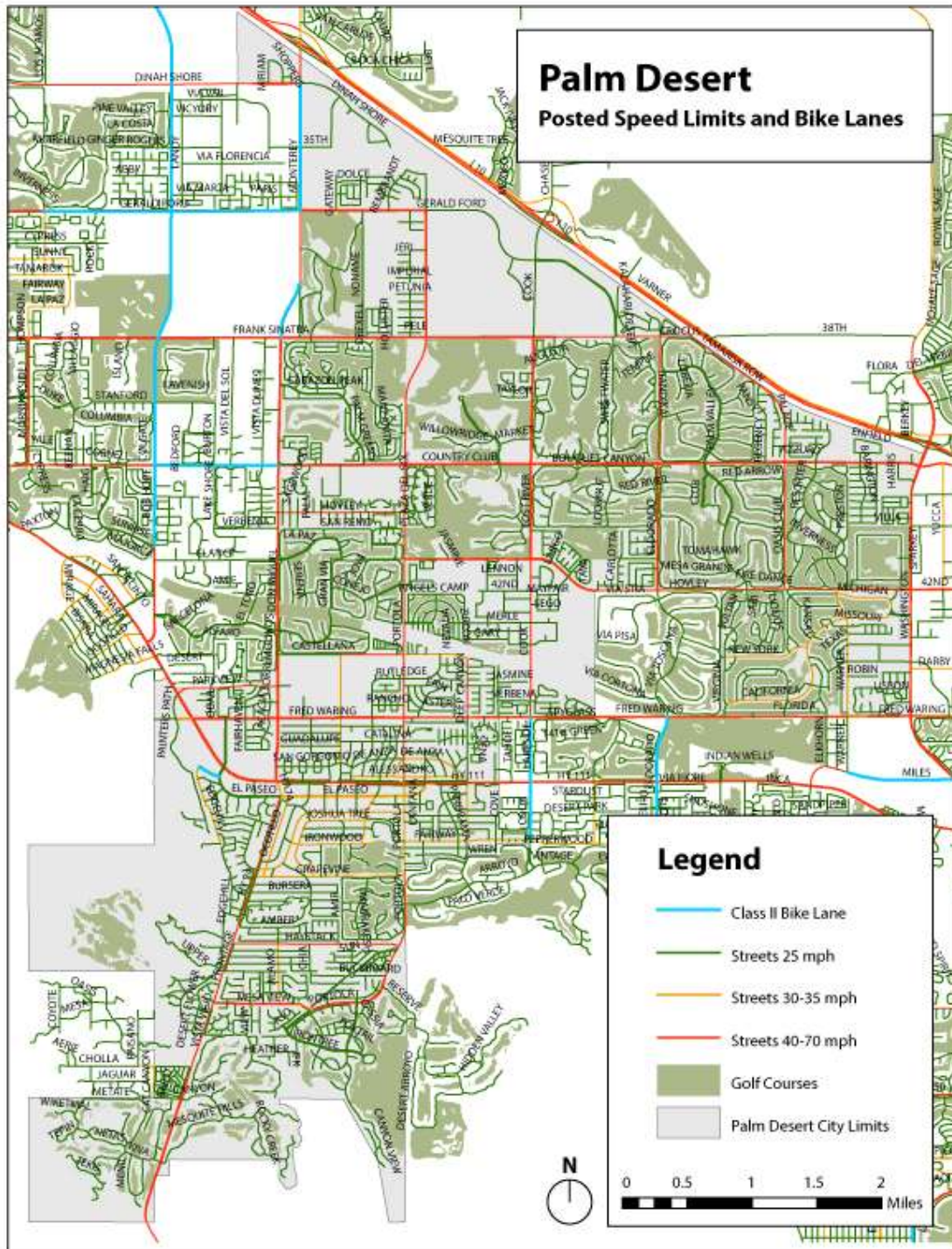
Appendix C. Roadway Speed Limit Maps

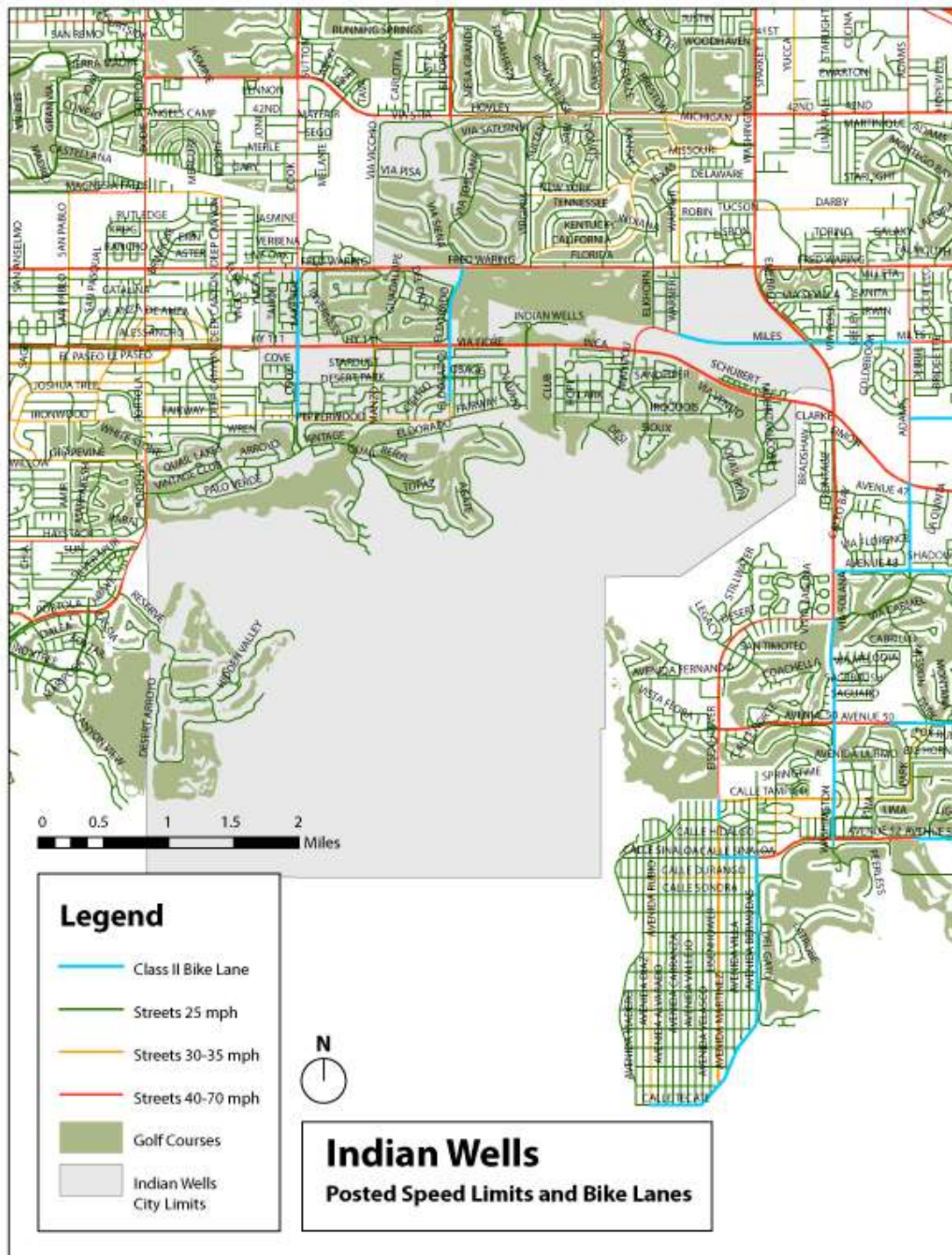
The following maps are based upon data collected from CVAG, jurisdictions that supplied data, and inspection of posted speed limit signage as found via street-view imagery available online in 2014. This data was used in the development of the network maps, as NEVs are only permitted to share a general travel lane if the speed limit is 35 mph or less.

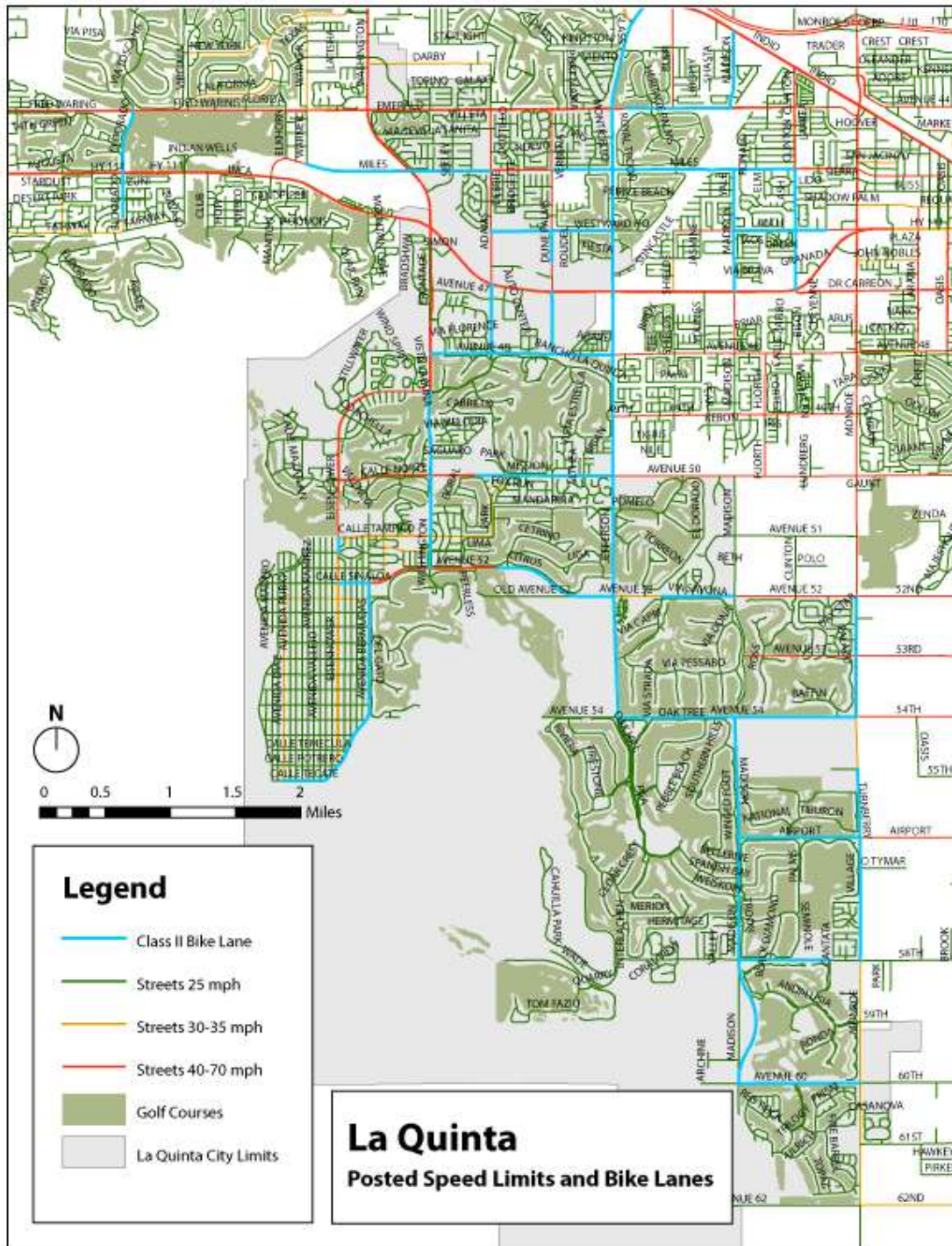




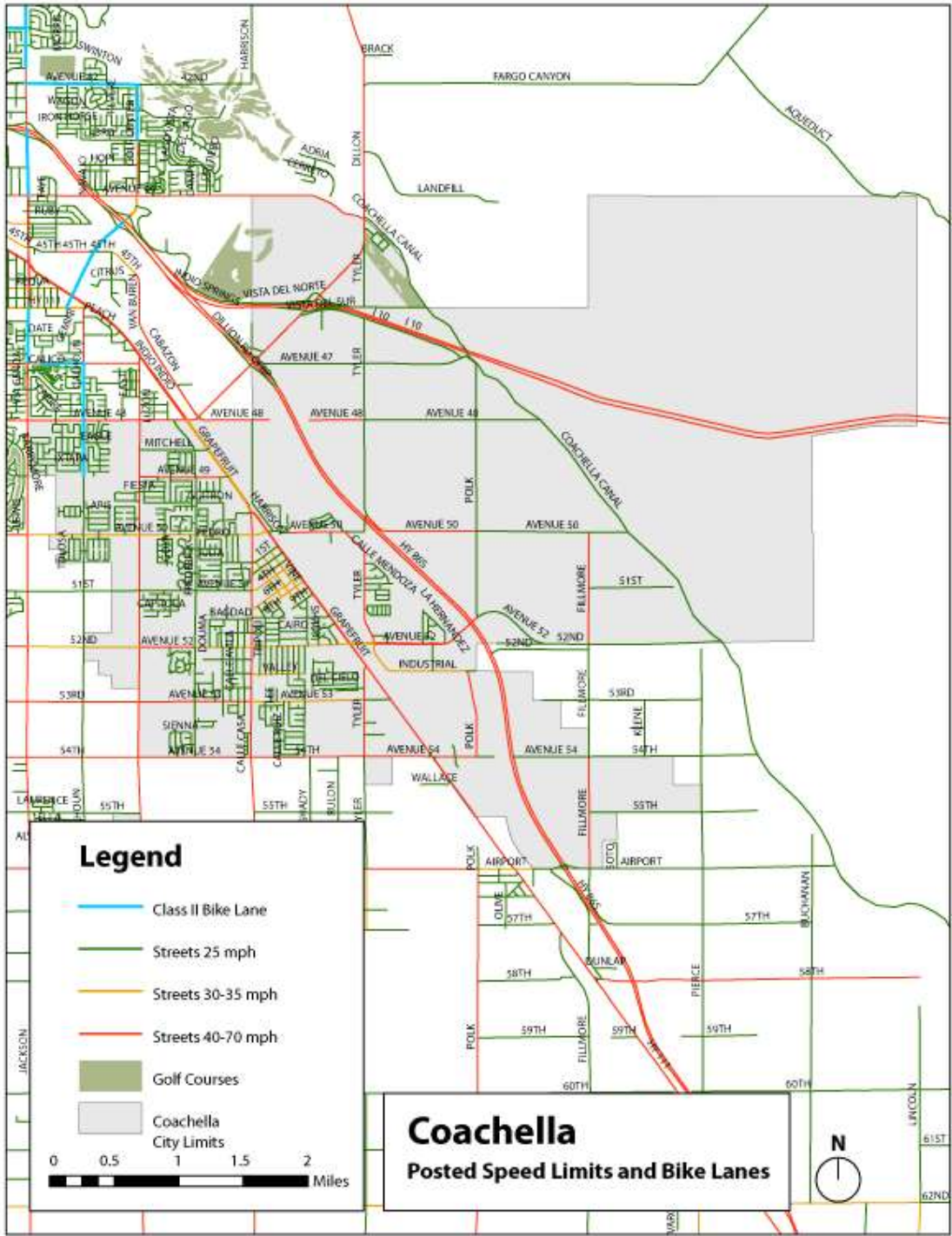


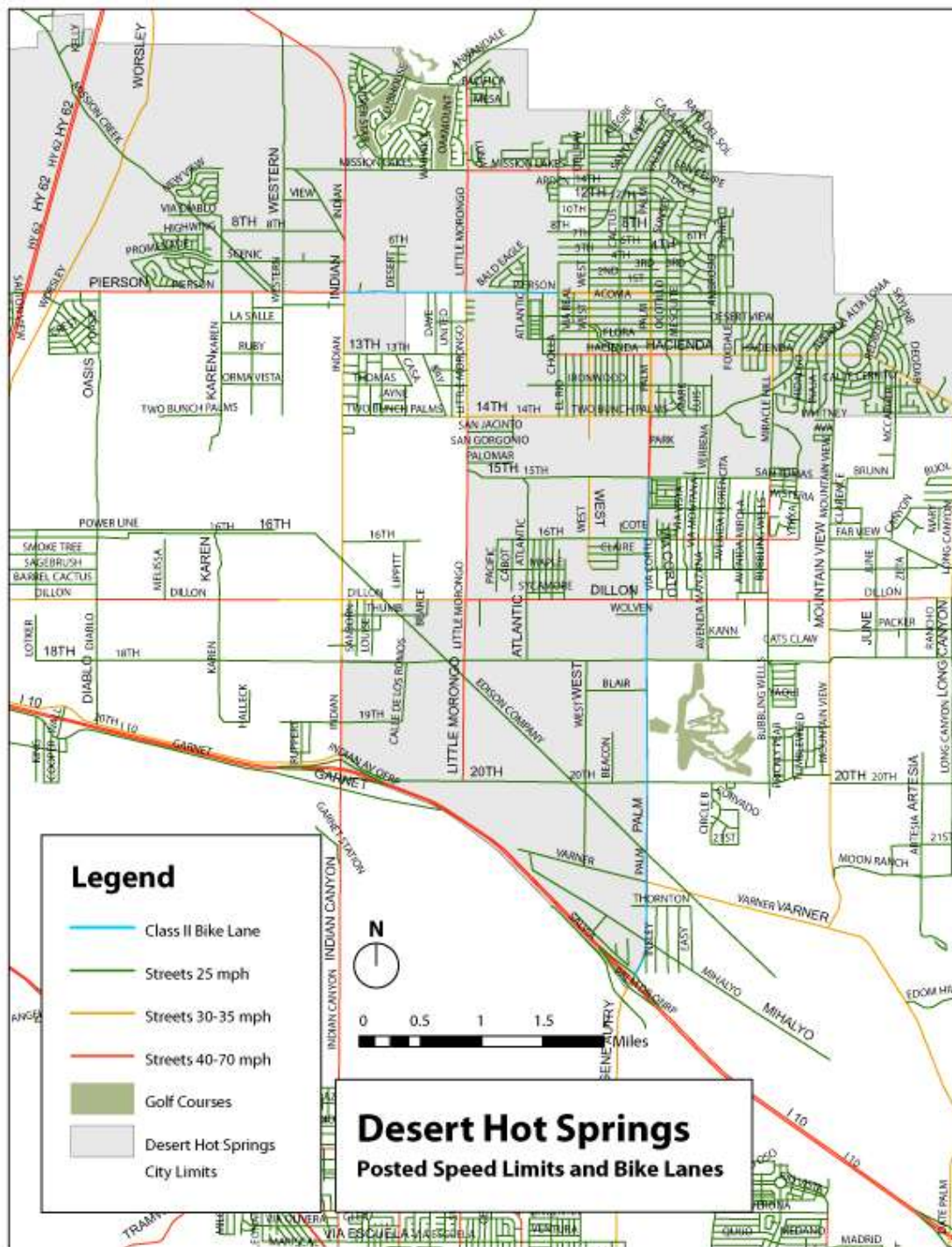












Appendix D. Existing Golf Cart Permit Requirements and Maps

The following maps are the latest versions of any maps available on each city's website or as obtained through interviews with city staff. Traffic regulations and definitions are provided in more detail in Chapter 2 of this plan.

Indio

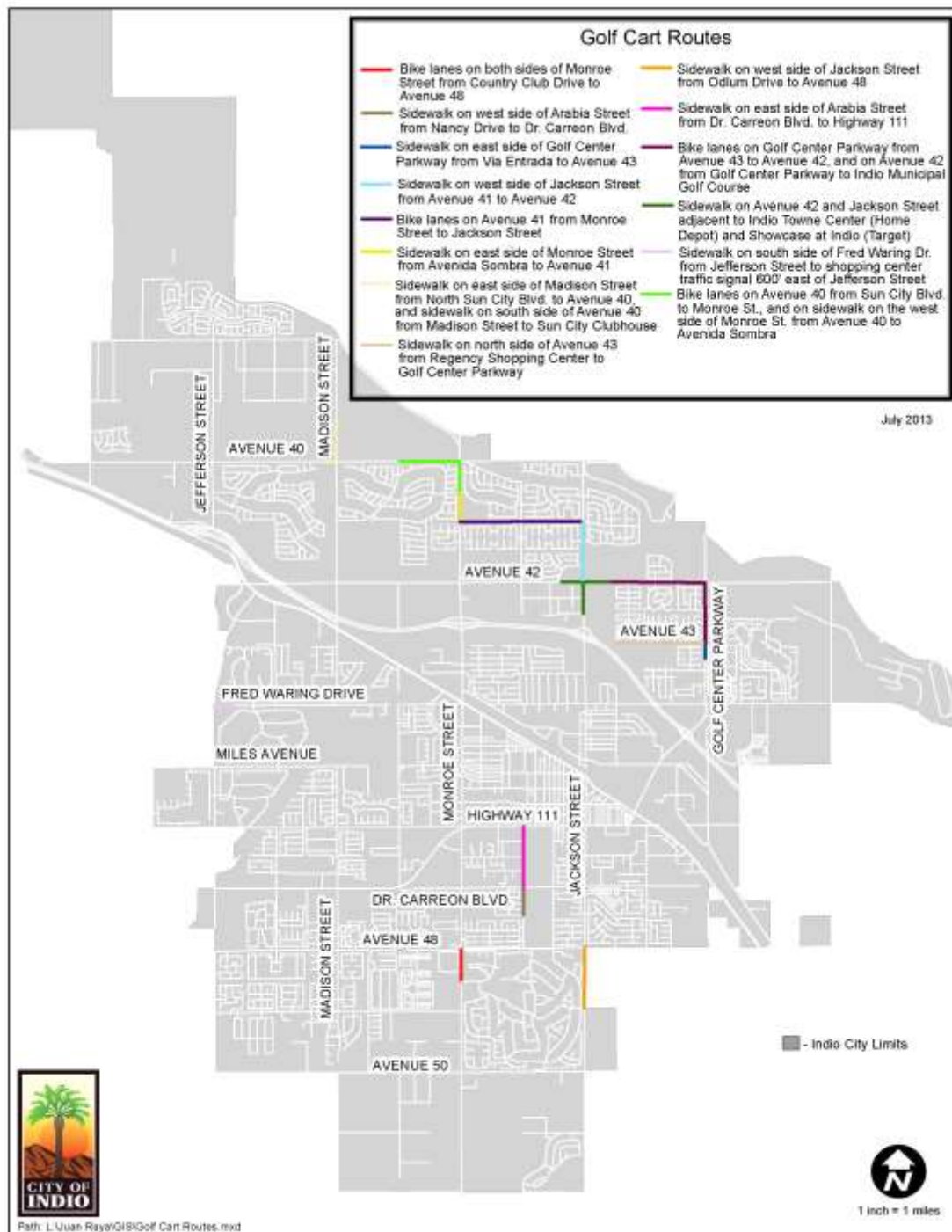
The City of Indio adopted a Golf Cart Transportation Plan in 2010 that sets out definitions, design and safety criteria, permits, crossings for golf clubs, and enforcement policy.

The City of Indio's definition of a golf cart is a motor vehicle that "is operated at not more than twenty-five (25) miles per hour" which conflates higher speed golf carts with federal and state certified NEVs that are street legal on roadways up to 35 mph. Furthermore, the City of Indio defines Class III routes as roadways with speed limits of 25 mph or less, while federal and state legislation permits a street legal NEV to operate on roadways with speed limits of 35 mph or less. It is likely that there are few roadways which serve as connections between Class I paths and Class II lanes posted for 25 mph or less.

Indio's plan also sets out a seven-step procedure for obtaining a permit for street operation, including the requirement to provide proof of insurance. After scheduling a police department inspection of the golf cart at the applicant's home and payment of a \$50 two-year permit fee, the "applicant may drive golf cart with permit ONLY on designated pathways, sidewalks, and bicycle lanes, as well as on any residential street, for two (2) years." In comparison to the requirements for operating a car on a public roadway, this procedure is more involved and may dissuade the public from adopting NEVs that are designed for street legal operation from the outset.

The city prohibits parking of golf carts in motor vehicle spaces. By federal and state legislation, an NEV is a motor vehicle, yet the similarity between golf carts and NEVs is likely to lead to confusion on whether or not an NEV operator may park in a "motor vehicle" parking space. As a golf cart or an NEV can serve the same trip purposes as a highway capable car, there is no reason from a parking demand and supply perspective for this restriction.

Figure 35: City of Indio Golf Cart Map



Cathedral City

City staff have advised the following (paraphrased):

Golf carts and NEVs are currently not allowed on Cathedral City streets. Their use is illegal on public streets, and they have been cited. The City vehicle code would need to be changed in order to permit their use.

The city's municipal code: <http://qcode.us/codes/cathedralcity/> does not reference golf carts or NEVs. NEVs are permitted by state legislation on public streets, although the same state legislation permits cities to pass bylaws prohibiting their use.

Cathedral City does not publish a golf cart or NEV route map online.

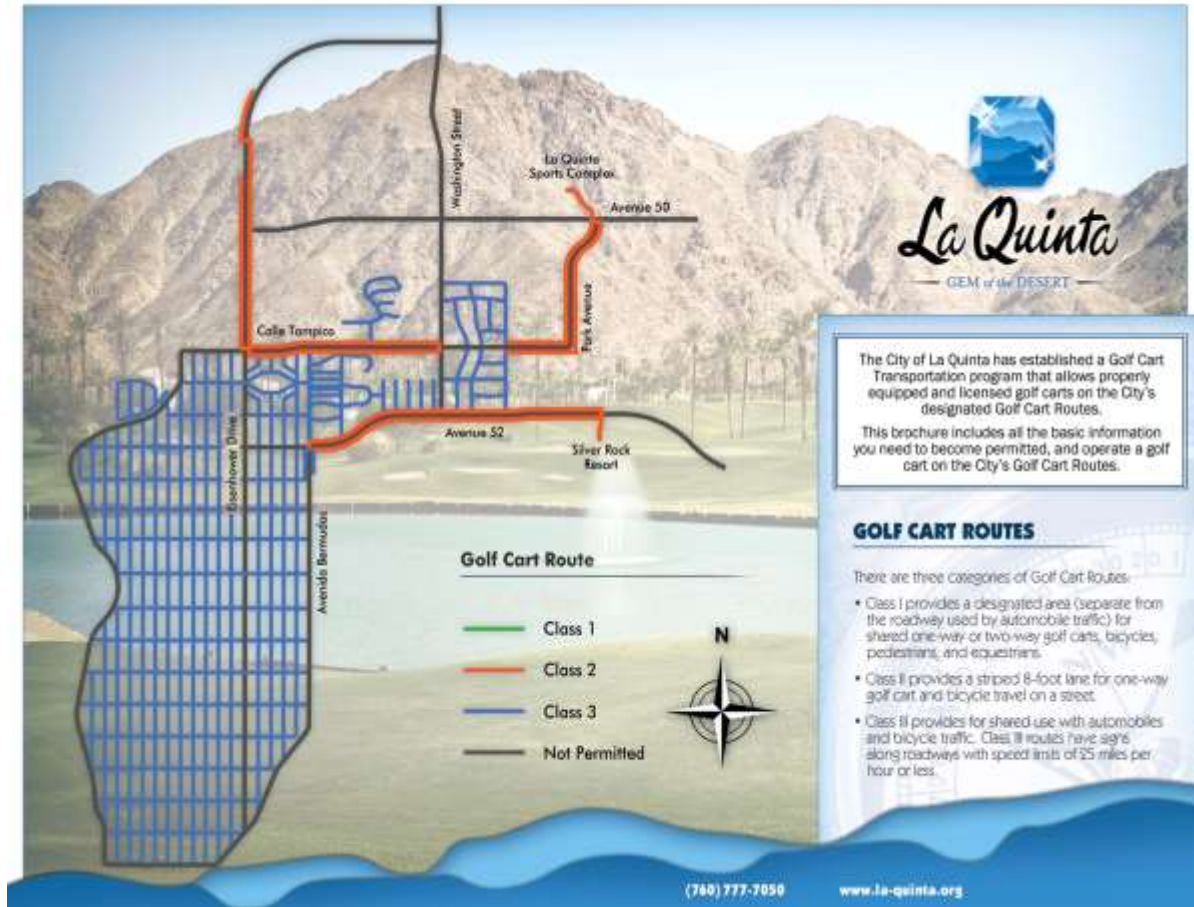
La Quinta

The City of La Quinta has a golf cart ordinance regulating the operation of golf carts on public streets. The city does not mention NEVs. A permit is required, but it is less costly (\$20) and difficult to obtain than it is in Indio. The standards which conflict with current developments in NEV design and are likely to limit wider adoption of NEVs include the following, with commentary added in parentheses:

- Golf carts are limited to daytime operation (golf carts modified for street use and factory designed NEVs have front and rear lighting that meet USDOT standards, so there is no obvious reason for this prohibition)
- Golf carts are limited to streets with speed limits of 25 mph or less (this would need to be clarified so that vehicles meeting the LSV definition are permitted on streets with speed limits of 35 mph or less)
- Golf carts must be designed to carry golf equipment and no more than two persons including the driver (NEVs are not designed to carry golf equipment and models are available that carry up to six persons including the driver)

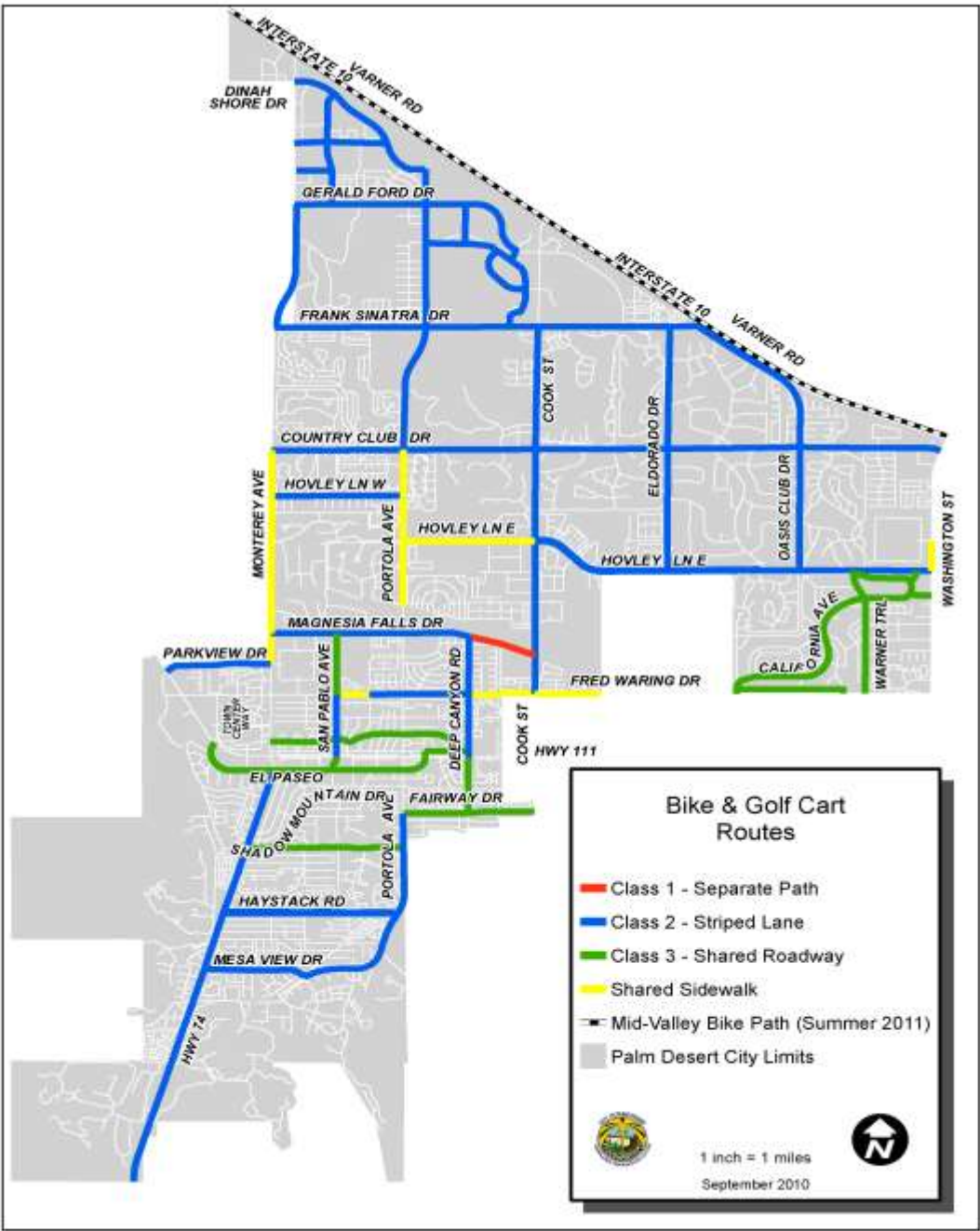
The city publishes a brochure that includes a map of routes by class as shown in Figure 36.

Figure 36: City of La Quinta Golf Cart Map



Palm Desert

Figure 37: Palm Desert Bike and Golf Cart Route Map

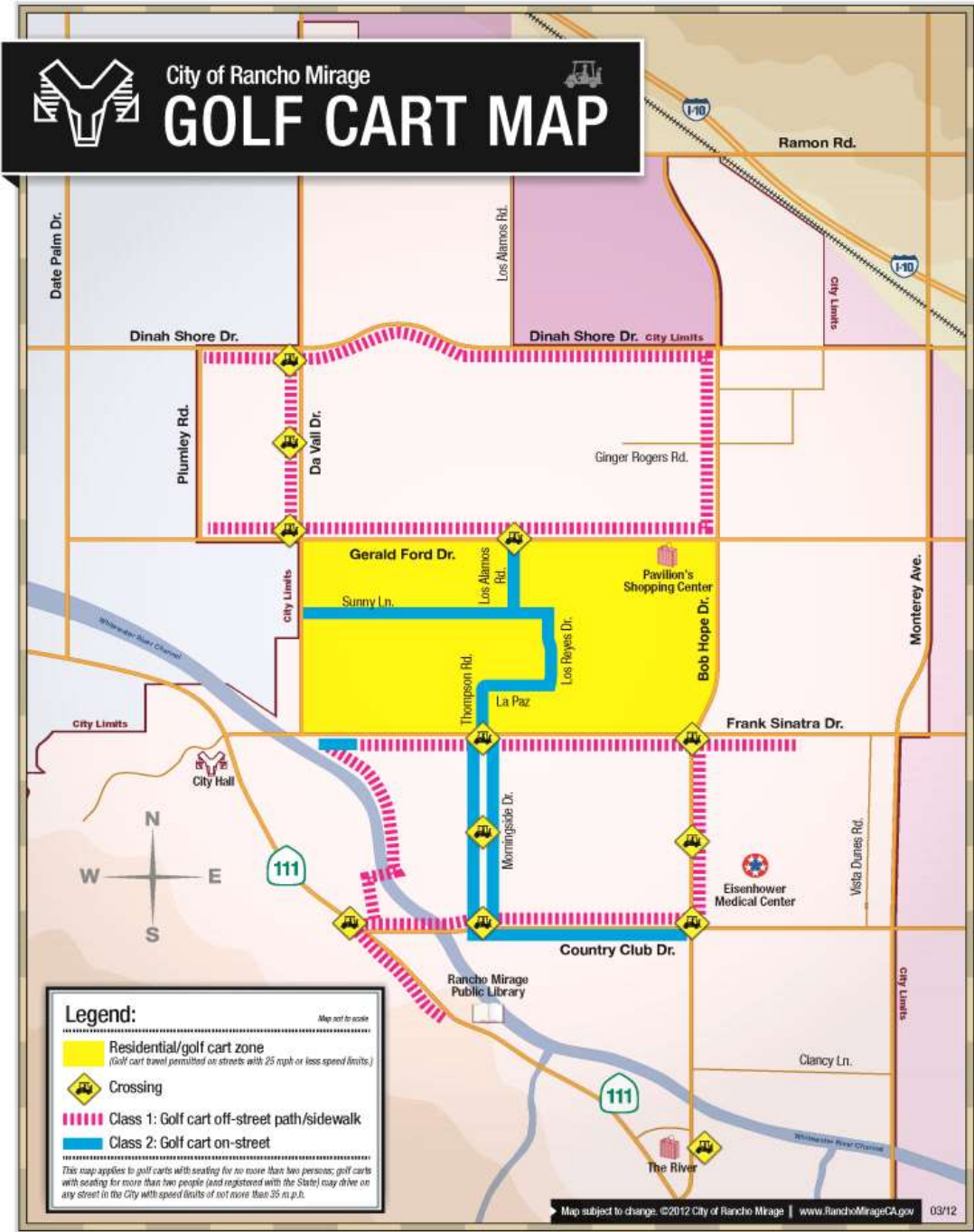


Palm Springs

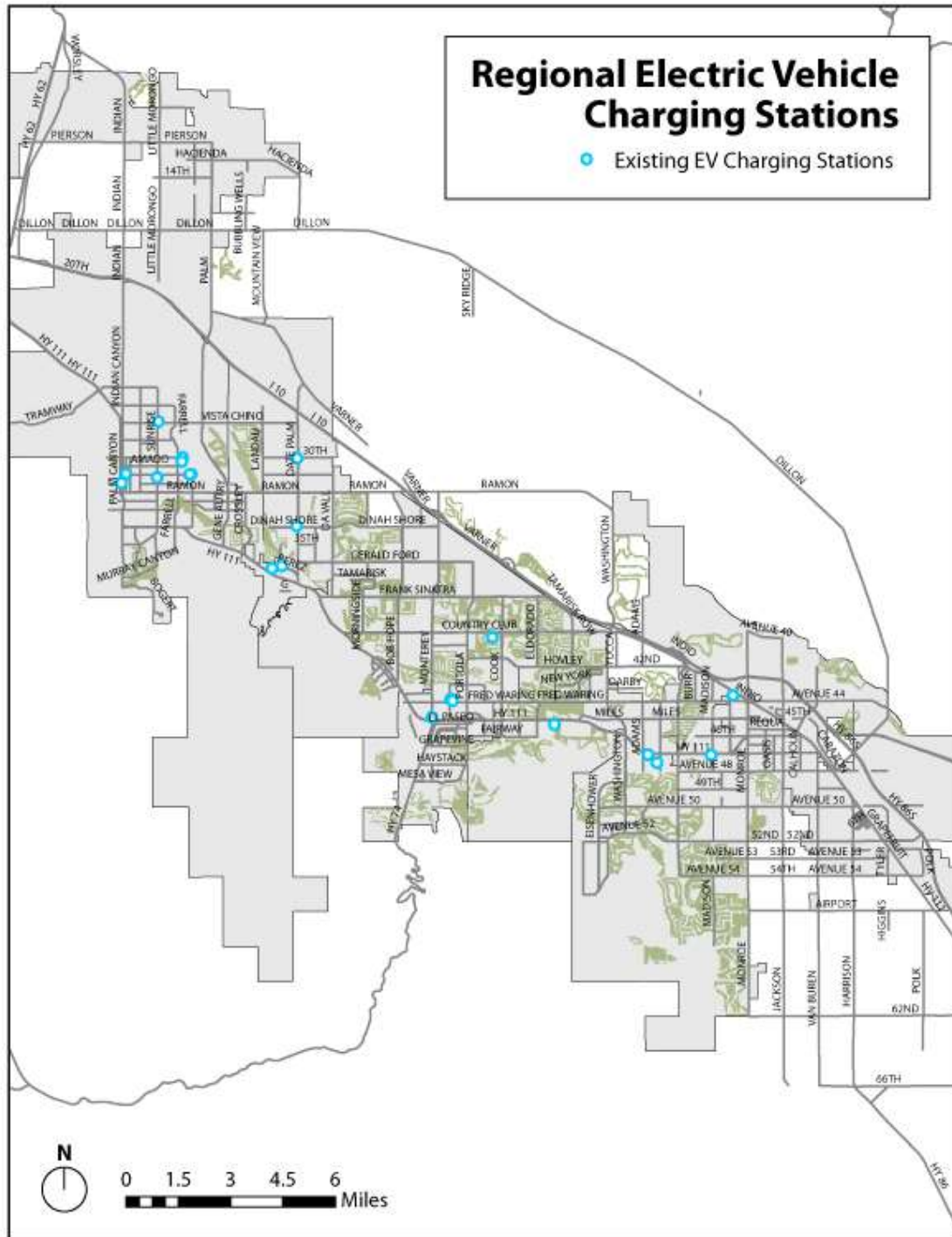
Palm Springs is the only known Coachella Valley city to have a route map aimed at NEVs, dated 2009. It is not readily found on the City's website.



Rancho Mirage



Appendix E. Electric Vehicle Charging Station Locations



Appendix F. NEV Transportation Plan Reviews

Meeting of the California Traffic Control Devices Committee

STATE OF CALIFORNIA
DEPARTMENT OF TRANSPORTATION
CALIFORNIA TRAFFIC CONTROL DEVICES COMMITTEE

MEETING OF THE
CALIFORNIA TRAFFIC CONTROL DEVICES COMMITTEE

CALTRANS DISTRICT 7
ROOM 01.040.A
100 SOUTH MAIN STREET
LOS ANGELES, CALIFORNIA

THURSDAY, MARCH 5, 2015
9:00 A.M.

Reported by: Martha L. Nelson

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A P P E A R A N C E S

Committee Members

Hamid Bahadori, Chairman

Mark Greenwood, Vice Chairman

Rob Brown

John Ciccarelli

Chris Engelmann, Committee Secretary

Bryan Jones

Rick Marshall

Lt. David Ricks

Duper Tong

Jay Walter

William Winter

Alternate Committee Members in Attendance

Michael Kenney

Rock Miller

Caltrans Staff - Sacramento Office

Jerry Champa, Statewide Traffic Safety Liaison

Don Howe, Chief, Signs Branch
Office of Traffic Engineering

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A P P E A R A N C E S

Also Present

Bob Bronkall
Humboldt County Department of Public Works

Ken Husting
Los Angeles Department of Transportation

Kevin Korth
US Department of Transportation
Federal Highway Administration

John Lleswyn
Alta Planning + Design

Zaki Mustafa
Los Angeles Department of Transportation

Michelle Mowery
City of Los Angeles

Luu Nguyen
Caltrans, Division of Traffic Operations
Office of District Traffic Liaisons/Reviewers

Craig Rhodes
Traffic Management Incorporated

David Royer
Consultant

David Somers
Los Angeles Department of City Planning

LeGrand E. Velez
Coachella Valley Association of Governments

Lewis Yee
Caltrans, District 7

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1 formal comment?

2 COMMITTEE CHAIRMAN BAHADORI: Sure.

3 COMMITTEE SECRETARY ENGELMANN: If the Committee
4 would support that the District do this in an experiment
5 they could come back at the June meeting for a formal
6 request, but in the meantime go ahead and perhaps look at
7 implementing those changes.

8 COMMITTEE CHAIRMAN BAHADORI: I believe that is
9 all okay. Do you have any comments on that?

10 I don't see any objection.

11 COMMITTEE SECRETARY ENGELMANN: Okay. Thank you.

12 COMMITTEE CHAIRMAN BAHADORI: Thank you, Jerry.

13 MR. CHAMPA: Thank you.

14 COMMITTEE CHAIRMAN BAHADORI: Okay, moving on. We
15 have withdrawn Item 15-03.

16 We go to Item 15-04, which is **Coachella Valley NEV**
17 **Plan and associated TCDs**. Mr. Greenwood, that is your item.

18 COMMITTEE VICE CHAIRMAN GREENWOOD: Thank you. I
19 will ask CVAG representative LeGrand Velez to go the podium,
20 or his consultants, while I do a very brief introduction.

21 Coachella Valley Association of Governments, CVAG,
22 has a very ambitious, active transportation plan. A 50
23 mile, roughly, bicycle, walking, NEV path to traverse the
24 entire Coachella Valley from Palm Springs to at least Indio
25 and maybe to Coachella. And they have several devices that

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1 they feel they need to innovate and so they put them before
2 the Committee. I will turn it over to CVAG.

3 MR. LIESWYN: With the Committee's permission, we
4 were about to introduce it. We didn't know how long the
5 previous item was going to go and LeGrand just stepped out
6 to the toilet. But I can get started or we could wait a
7 second.

8 COMMITTEE VICE CHAIRMAN GREENWOOD: Please get
9 started.

10 MR. LIESWYN: My name is John Lieswyn of Alta. I
11 have been working with LeGrand Velez on the Neighborhood
12 Electric Vehicle Plan for about two years now.

13 This plan is authorized by Assembly Bill 61. The
14 legislation permits a city or a group of cities within the
15 county or the County of Riverside to adopt an NEV
16 transportation plan.

17 One of the requirements of AB 61 - there's
18 LeGrand. LeGrand will speak briefly about the context that
19 we have been working on the NEV plan, specifically the CV
20 language.

21 MR. VELEZ: Hello. My name is LeGrand Velez with
22 the Coachella Valley Association of Governments. I
23 apologize, I was in the restroom.

24 Today we are here to get your review and
25 recommendation of our Neighborhood Electric Vehicle

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1 Transportation Plan. That is a corollary plan to our CV
2 Link Master Plan. This is a brief video about the CV Link
3 project that hopefully will work.

4 (A video was played.)

5 MR. VELEZ: Thank you. I thought that was the
6 best way to give you an introduction to this project, which
7 is a very innovative, aggressive and ambitious project
8 initiative to transform transportation in the Coachella
9 Valley of Southern California.

10 The radical thing about this proposal is that it
11 is an alternative transportation corridor that combines
12 bicycle, pedestrians and low-speed electric vehicles; that
13 would be neighborhood electric vehicles as well as golf
14 carts, within the same corridor that primarily runs along
15 drainage channels in our valley. It would connect eight of
16 the nine cities initially with Desert Hot Springs being left
17 out of the initial phase but we are working with Desert Hot
18 Springs now to bring them into the loop as well.

19 We are here today because we are required to do
20 this project. We are required to do an NEV Transportation
21 Plan. We are authorized to do that under Assembly Bill 61
22 for Riverside county and all jurisdictions within Riverside
23 County. And under that authorizing legislation we are
24 required to get the review and recommendation of this
25 Committee in order to move on to get the approval of the

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1 Director of Caltrans, who ultimately must approve any
2 transportation plan.

3 I have a copy of the plan here if anybody is
4 interested. And also -- so we are going -- our presentation
5 is going to be -- that's the introduction and overview. Our
6 presentation, of course, is going to be specifically about
7 some non-standard traffic control devices that are proposed
8 for this innovative, non-standard type project.

9 The memo and argument we are going to make in
10 support of these standards is supported by two FHWA memos;
11 and I brought copies of those, which I'll distribute. And I
12 will turn over the details of the traffic control devices to
13 my colleague, John Lieswyn.

14 MR. LIESWYN: Thank you, LeGrand.

15 As you can see, some of these are not specifically
16 included within the MUTCD, federal or state. However, many
17 of them are not precluded by, and so what we are asking for
18 is motions and decisions or votes on one of four options for
19 each of these devices. So to either include it in the MUTCD
20 if the Committee feels appropriate; to approve some or all
21 of them without explicit inclusion because the Committee
22 feels like they can be covered through engineering judgment,
23 they are not precluded by the MUTCD; or to conditionally
24 approve some of these for experimentation, for example; or
25 do not approve the specific devices.

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1 Using your input today we propose to revise the
2 design component, which is a required chapter of the NEV
3 Plan from AB 61. The Design chapter has these elements in
4 it. There are other elements which we have not brought to
5 your attention because they are already approved MUTCD
6 devices.

7 Shall I proceed through these in order or do you
8 have any questions before we start?

9 COMMITTEE CHAIRMAN BAHADORI: Please proceed.

10 MR. LIESWYN: So the first one is just an NEV
11 parking sign. Currently throughout the Coachella Valley and
12 I'm sure in your communities throughout California there is
13 a plethora of different kinds of parking signs. The most
14 common one within the Coachella Valley is "Golf Carts Only"
15 and it is generally a black text with white background with
16 a black border, as seen here, but there are some other
17 versions of golf cart parking. The basis for this is I
18 believe one of the two memos you have, which goes into
19 FHWA's recommendation on such signs. And that's -- from
20 that we developed this sign. So although this is not
21 currently in the MUTCD it is similar to some of the signs,
22 R22 through R25. Shall we call for a motion on whether
23 to --

24 COMMITTEE CHAIRMAN BAHADORI: Let's go in a faster
25 fashion through all your requests and then we'll come back.

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1 MR. LIESWYN: Sure. So these are some specific
2 parking signs, which are legend-only regulatory signs. They
3 basically help both private and agency staff establish
4 operations of parking areas throughout the Valley but also
5 along CV Link.

6 This one is a proposed crosswalk. The top image
7 is what is shown in -- there are 25 such crosswalks along CV
8 Link. This is not a valley-wide request; we would only be
9 placing that colored crosswalk along CV Link. It is a
10 standard ladder style, however, it uses the color themes
11 from CV Link, which are present in other elements along CV
12 Link such as the light tubes. We are using this to indicate
13 to users of CV Link that they have entered an area of mixed
14 use. It's sort of a speed control treatment. Those colored
15 bars are present throughout CV Link and we propose to use
16 that to help people know when they are along CV Link. It's
17 otherwise a standard ladder style. We could also place it
18 between two white transverse lines to increase the
19 standardization with the MUTCD.

20 The next one is -- there's a couple of examples of
21 other colored crosswalks for your information there.

22 In many cases there are not only the 25 major
23 roadway crossings where we have CV Link but there are many
24 places throughout the Valley where NEV operators are
25 currently being directed to use shared paths and are

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1 crossing at crosswalks. Where we have NEV lanes in complex
2 traffic environments it may be that in the short term we
3 would direct those NEV drivers and bicyclists to use the ped
4 signal in the interim period until active detection or
5 passive detection can be installed.

6 So the next ones are basically our lane striping
7 options. From a pretty simple one which is already present
8 in Coachella Valley. The difference is that in Coachella
9 Valley we are generally using a golf cart symbol. And so we
10 are trying to clarify, because golf carts are not allowed on
11 many streets where NEVs would be allowed due to their
12 different speed abilities, we are trying to clarify to users
13 that this is different from the existing golf cart lanes.
14 So that is why we chose and are proposing to use the letters
15 N-E-V.

16 And then a few buffered lane options as you can
17 see here.

18 The next things are really about the need to
19 control NEV users where currently there are not a lot of
20 used roadways over 35 miles an hour unless there is a
21 dedicated space. And in many cases we can't provide a path
22 or a lane and we have to direct them to make a turn, so we
23 need some sort of device. Already these are standard, it's
24 just that we are adding the words "NEV" to it. And then we
25 are also coming up with a new sign that jurisdictions may

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1 use in their street networks to indicate that condition
2 where they are no longer legally permitted to travel.

3 And then a supplemental sign. The "EXCEPT BIKES"
4 I believe, correct me if I'm wrong, I believe that that has
5 just been -- CBAC has been talking about an "EXCEPT BIKES"
6 sign for some time as a supplemental sign. We are simply
7 adding the words "EXCEPT NEWS/BIKES".

8 And then a route guidance sign in green.

9 So that's it. How shall we go through this?

10 MR. VELEZ: Thank you.

11 COMMITTEE CHAIRMAN BAHADORI: Thank you.

12 Mr. Marshall.

13 COMMITTEE MEMBER MARSHALL: I heard from the
14 initial comments that a lot of this rests on legislation
15 that is specific to Riverside County. But somewhere in the
16 materials there was reference to that some other communities
17 have either plans or facilities for NEVs as well. I
18 remember Lincoln being mentioned and something too that I
19 can't remember. So what does that mean? Is this only in
20 this location or should we be thinking about this as, if we
21 approve this it can potentially then be used other places?

22 MR. LIESWYN: I think the latter. We researched
23 the other NEV plans in coming up with these proposed traffic
24 control devices and basically took the best that are
25 available from there, looked at the most recent guides,

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1 including the two memos that you have in front of you, and
2 have come forward with this. So should some of these
3 devices be included in the MUTCD or the Committee decide
4 that it doesn't need to be specifically included because it
5 is not prohibited by it, that is useful guidance that will
6 end up in a final NEV plan and be a reference for other
7 jurisdictions that may, should AB 61 start to be rolled out.

8 Because one of the things in AB 61 is that by
9 January of 2016 the agency, CVAG in this case, needs to
10 write a report that recommends to the Legislature whether it
11 be expanded statewide.

12 COMMITTEE MEMBER MARSHALL: So part of the reason
13 why I ask that question is I happen to own a home in Grass
14 Valley, which is in Nevada County, and I am wondering about
15 the acronym NEV. Is it already adopted and standardized and
16 there is --

17 MR. LIESWYN: Yes.

18 MR. VELEZ: Yes.

19 COMMITTEE MEMBER MARSHALL: -- no room to move it?

20 This is going to be very confusing if it ever
21 comes to Nevada County. Or frankly, anyplace else in the
22 vicinity of the Nevada state line. I don't know what the
23 solution is to that but I find this -- There is a potential
24 challenge there.

25 COMMITTEE CHAIRMAN BAHADORI: That is the acronym

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1 that actually they use in the law also. As was just
2 mentioned, it's in Lincoln, it's in Rocklin and South Orange
3 County unincorporated, they all have authority to do NEV
4 plans.

5 Mr. Walter.

6 COMMITTEE MEMBER WALTER: I guess a couple of
7 comments. With the signage that you propose, I think it's
8 -- I think we are using too much text. And I think that
9 signage seems to be going towards symbol-type signs rather
10 than the text. So, you know, I would want us to be looking
11 for symbols rather than text. And partly because of that
12 reason as well, for the definition of the NEV.

13 And then I wasn't clear. Is your NEV plan the
14 first in the state?

15 MR. LIESWYN: No.

16 MR. VELEZ: No.

17 COMMITTEE MEMBER WALTER: Okay. So have these
18 issues been tackled by other communities with NEV plans that
19 they have had to install traffic control devices on?

20 MR. LIESWYN: I don't know the answer to that.
21 Does anyone in the room know? I couldn't find any examples
22 of like the City of Rocklin or -- Western Riverside County
23 has an NEV plan.

24 MR. HOWE: Hi, I'm Don Howe from Caltrans.

25 Yes, we did have a request for experimentation,

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1 which is ongoing. The City of Lincoln, the proponents and
2 the champions for that I believe retired or their funding
3 has dried up and so it is considered an ongoing experiment.
4 Those signs are in place and operational in the city of
5 Lincoln.

6 My understanding is the city of Rocklin was to
7 adopt a plan and they also did not have funding to go
8 forward but they are in legislation and able to do that.

9 We never really closed the loop on the Lincoln
10 proposal, nevertheless there are signs out there that are
11 similar to some in these proposals.

12 COMMITTEE MEMBER WALTER: Okay. So again, I
13 guess, maybe from my perspective, it would have been nice to
14 have seen what other munis have used as examples of traffic
15 control signage, which at least at the time they thought was
16 compliant or would get across the message. And then again,
17 how that compares to what you are proposing.

18 MR. LIESWYN: Sure. LeGrand here has taken a
19 whole bunch of photos in an area and some of those signs are
20 exactly as we proposed. The "NEVS PROHIBITED BEYOND THIS
21 POINT" that's already established on a right-of-way in
22 Lincoln.

23 COMMITTEE CHAIRMAN BAHADORI: I think in general,
24 as it was mentioned, this is a growing trend. More and more
25 communities will introduce NEVs as part of the adopted

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1 transportation plan and all that.

2 Unfortunately, City of Lincoln didn't come back
3 and -- you were just showing me the picture of the sign that
4 they have actually installed there; which is the same sign.

5 MR. LIESWYN: Yes, it's the same sign.

6 COMMITTEE CHAIRMAN BAHADORI: So you have the
7 signs already installed elsewhere but maybe it's time to
8 kind of come up with some standard signs.

9 COMMITTEE MEMBER JONES: And Lincoln's signs have
10 been in place for what, 10 or 15 years?

11 COMMITTEE CHAIRMAN BAHADORI: Ten years.

12 COMMITTEE MEMBER JONES: Ten to 15 years now.

13 COMMITTEE CHAIRMAN BAHADORI: Ten-plus, ten-plus.

14 COMMITTEE MEMBER JONES: Maybe 20.

15 COMMITTEE CHAIRMAN BAHADORI: Ten-plus because
16 they got their authority in the early '90s.

17 COMMITTEE MEMBER JONES: There was Sun City up
18 there.

19 MR. LIESWYN: May I respond to a couple of the
20 other comments?

21 One was on symbology rather than text. At Alta we
22 are very keen to do that, to have symbols; it is more
23 international. CV Link is going to have a lot of
24 international users, that's the hope anyway. So the issue
25 is that there is already symbology for a golf cart. We have

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1 to come up with a standard symbol for NEVs and thank you for
2 that input, we'll look into that.

3 As far as definitions, there was a comment about
4 confusion. The DMV has a pamphlet that defines an NEV
5 versus a golf cart versus a modified golf cart. And it is
6 one of the recommendations of this plan that all DMV
7 locations in Coachella Valley post that pamphlet in a
8 prominent place. It's got pictures and definitions.

9 COMMITTEE CHAIRMAN BAHADORI: Any comments?
10 Mr. Winter.

11 COMMITTEE MEMBER WINTER: A question, I suppose,
12 first. The "NEV PARKING ONLY" sign. It's not clear to me.
13 Is that an on-street placement or -- I saw in the video it
14 looked like maybe what was being depicted is along the path
15 there might be areas of parking along the path. So I am not
16 quite sure, where was the application going to be of this
17 sign?

18 MR. LIESWYN: Valley-wide, not just CV Link. It
19 would be -- it could be used in parking lots that are
20 private or public. It could be used in on-street angled
21 parking spaces. Typically the way that they are used right
22 now in Coachella Valley is in private parking lots where the
23 spaces are smaller. They are conveniently located and they
24 are generally at charging stations as well but not
25 necessarily.

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1 COMMITTEE MEMBER WINTER: And my reason for
2 asking, and thank you for the clarification. Generally
3 private properties or others, there has been past discussion
4 about hopeful conformance with the manual. But, you know,
5 it's different than if it was necessarily an on-street
6 application of that sign. So we want to maybe get into the
7 discussion points.

8 MR. LIESWYN: Well, if it was explicitly included
9 in the MUTCD it would be a lot easier, I think, for private
10 developers to select the right sign. Because it would avoid
11 this plethora of signs that exist already.

12 COMMITTEE MEMBER WINTER: Okay. I also saw the
13 reference - and I apologize, I didn't go back. On the
14 "right turn must turn right" where your request is to add
15 the "except NEV and bike" you're noting that that was
16 something we approved in the fall of 2014; is that --

17 COMMITTEE MEMBER JONES: September of 2014 we
18 approved the "EXCEPT BIKES" for the right turn movements.

19 COMMITTEE MEMBER WINTER: Was that part of that
20 experiment from Union City?

21 COMMITTEE MEMBER JONES: I don't believe it was an
22 experiment, I think it was changed in the CA MUTCD.

23 COMMITTEE MEMBER WINTER: Oh, the update.

24 COMMITTEE MEMBER CICCARELLI: It was part of the
25 contra-flow bike lanes.

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1 COMMITTEE MEMBER JONES: The contra-flow of bike
2 lanes.

3 COMMITTEE MEMBER WINTER: Okay. Then the only
4 question, I guess, the plurals. As it was expressed, with
5 NEV being something that people have to get used to, but
6 then adding the plural of NEVS. I didn't know if the
7 necessity was really needed for the plurals to be part of
8 that. More of a comment. That was it for me.

9 COMMITTEE CHAIRMAN BAHADORI: Mr. Tong.

10 COMMITTEE MEMBER TONG: I would like to ask Kevin
11 Korth about the symbol. I know FHWA is very specific about
12 using a symbol. So is it an option that the applicant can
13 use a symbol for NEV instead of wording?

14 MR. KORTH: Kevin Korth, Federal Highway
15 Administration. What the applicant is referring to about
16 the flexibility is in the national manual they can use a
17 text-only sign, and in every other state besides California
18 because of the Vehicle Code, that local agencies can create
19 text-only signs without having it be in place in the
20 national MUTCD. Here in California the applicant would have
21 to come, if he wants to use the CA MUTCD as a reference
22 point, would have to come to you to use the text-only sign
23 and get approved by this committee.

24 As far as a symbol, they would have to request an
25 experiment at the national level with the Federal Highway

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1 Administration if they were to come up with an NEV symbol.
2 As far as the text, the national MUTCD already allows that
3 for local agencies. It's here in California where the
4 committee needs to act under legend-only signs.

5 COMMITTEE MEMBER TONG: Thank you.

6 COMMITTEE MEMBER JONES: Is there a way we can not
7 be the only state that requires that?

8 MR. LIESWYN: We're special.

9 (Laughter.)

10 COMMITTEE MEMBER JONES: I know, but we are trying
11 to also streamline things for cities to be innovative and
12 creative.

13 COMMITTEE CHAIRMAN BAHADORI: Any other comments,
14 thoughts, suggestions?

15 Okay, thank you for your presentation. I have to
16 open it to the public.

17 COMMITTEE MEMBER CICCARELLI: Hamid? Hamid?

18 COMMITTEE CHAIRMAN BAHADORI: Yes.

19 COMMITTEE MEMBER CICCARELLI: I have a couple of
20 comments.

21 With regard to the colored crosswalks. The issue,
22 as I understand it from a low vision specialist is the
23 contrast edge be present to guide someone who basically can
24 see but not much. So they can see where the edge of the
25 crosswalk is. So I would refer you to specialists such as

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1 B. Z. Benson (phonetic), who advises Federal Highway on many
2 things.

3 MR. LIESWYN: Pardon me. Would we need that if we
4 put the transverse white line?

5 COMMITTEE MEMBER CICCARELLI: No. If you have a
6 white line in the same direction of travel as the user of
7 the crosswalk that is the contrast edge. The illustration
8 of Alabama Street and Michigan Street in Indianapolis does
9 not have such a contrast edge but I note that the crosswalks
10 on Webster in Oakland do, so that's key to note there. So
11 you have got all sorts of colored stuff. It's not so much
12 that the colored stuff is permitted, it's that the contrast
13 edge is required.

14 COMMITTEE MEMBER JONES: They actually do have a
15 contrast line up there, it's just faded and not maintained.

16 COMMITTEE MEMBER CICCARELLI: Right. But I'm
17 thinking -- I couldn't tell from the photo, from the
18 illustration in the top sub-figure whether that features was
19 effectively present in the proposed crosswalk marking.

20 COMMITTEE MEMBER JONES: I was just saying in the
21 Alabama one.

22 COMMITTEE MEMBER CICCARELLI: Right. Suggestion
23 regarding "NEV BIKE USE PED SIGNAL" sign. Would be to do
24 what you've done further down that page on the "NEV/BIKE
25 LANE" sign, and that is to put a slash between "NEV" and

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1 "BIKE" and possibly place them on the same line. Because
2 otherwise the interpretation could be, what's an NEV/BIKE.
3 Okay. NEV is an established terminology, I've seen it for
4 probably 15, 20 years.

5 With regard to the "NEVS PROHIBITED BEYOND THIS
6 POINT" sign. I wanted to suggest considering splitting it
7 into an "NEVS PROHIBITED SIGN" that might be symbol-based
8 and "BEYOND THIS POINT" as a qualifier. Because there could
9 be cases where any of these prohibited messages alone would
10 be useful in a regulatory context. So consider making
11 "BEYOND THIS POINT" effectively a plaque that could modify a
12 sign that was "NEVS PROHIBITED".

13 I second another member's comment that some of the
14 signs, for example the plaque "EXCEPT NEVS/BIKES" is awfully
15 texty in a dense sort of way that is hard to read. Although
16 at NEV speeds it may be more than readable at the traveler's
17 speed, which is what really counts for a legible MUTCD sign.
18 That's all the comments.

19 COMMITTEE CHAIRMAN BAHADORI: Thank you.
20 Mr. Greenwood.

21 COMMITTEE VICE CHAIRMAN GREENWOOD: I had myself
22 talked into the colored crosswalk but the August 2013 FHWA
23 memo, the conclusion is that Paragraph 3 of Section 3G.01 in
24 the MUTCD limits the use of colored pavement used as a
25 traffic control device to the colors of yellow and white.

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1 Interim Approval for green for bike lanes. So the very memo
2 that you provided in support for your proposal actually
3 excludes your proposal.

4 COMMITTEE CHAIRMAN BAHADORI: I think we have had
5 at least half a dozen items in my tenure on the Committee
6 about the colored crosswalk. And it has always been my
7 understanding that if you have the two white transverse
8 lines you can do whatever you want in the middle. If you
9 don't have those two it doesn't matter what you do; that is
10 not a crosswalk.

11 So like when I am looking at the illustration up
12 there. Not the picture, the illustration, that is not a
13 legal crosswalk except that it a the intersection. Whether
14 they paint it or not it's a legal crosswalk. But if you put
15 it somewhere like mid-block or somewhere or on a trail or
16 something, by no definition in the law that's a crosswalk.
17 That's a nice aesthetic treatment of the pavement but it is
18 not a crosswalk.

19 COMMITTEE SECRETARY ENGELMANN: I have a question.

20 COMMITTEE CHAIRMAN BAHADORI: Sure.

21 COMMITTEE SECRETARY ENGELMANN: Are they showing
22 ladder markings on that illustration, though? The white
23 ladder markings?

24 COMMITTEE CHAIRMAN BAHADORI: As long as you have
25 the two white or yellow lines, the edge lines.

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1 COMMITTEE MEMBER CICCARELLI: I think --

2 COMMITTEE CHAIRMAN BAHADORI: And by the way, what
3 you do in the middle is your business.

4 COMMITTEE MEMBER CICCARELLI: I think FHWA
5 considers a crosswalk to have the contrast edge if it just
6 consists of the ladder rungs because the strength of that
7 edge is enough to guide a low-vision user. So if the
8 background pavement were dark enough that white fill was
9 used in-between the colored bars -- and the colored bars
10 essentially are irrelevant as a traffic control device. The
11 traffic control device and eligibility becomes the white
12 ladder bars. So if that illustration up there consists of a
13 color alternating with white on a dark ground, that seems to
14 me that would be equivalent to just a white ladder without
15 -- without the --

16 COMMITTEE MEMBER JONES: A continental crosswalk.

17 COMMITTEE MEMBER CICCARELLI: Yes, continental.

18 COMMITTEE MEMBER JONES: So the continental
19 crosswalk that is in the Caltrans manual doesn't have
20 transverse lines, it just has the continental lines on it.
21 So you don't have to have the -- you don't have to have the
22 stop bars.

23 COMMITTEE CHAIRMAN BAHADORI: We have been told
24 repeatedly by Caltrans predecessors that --

25 COMMITTEE MEMBER JONES: Right. But the Caltrans

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1 manual --

2 COMMITTEE CHAIRMAN BAHADORI: We were told, and it
3 is my reading also, the latest edition of the manual that
4 they are passing around, that if you don't have those lines
5 it is not a crosswalk.

6 COMMITTEE MEMBER JONES: Right. Well then we need
7 to change the Caltrans manual because it has a standard that
8 does not have the lines.

9 COMMITTEE CHAIRMAN BAHADORI: And then at the same
10 time they're saying you can paint a Michelangelo on the
11 pavement as long as you don't expect a driver to do anything
12 with it. They have restriction on the colored pavement.
13 You can put whatever you want there as long as you don't
14 expect drivers to do anything.

15 Any other thoughts, comments, questions?

16 We will turn to the public, to the public hearing.
17 Any member of the audience who wishes to address the
18 Committee on this item?

19 MR. KORTH: Kevin Korth, Federal Highway
20 Administration. Don, can we go back to the very first
21 figure?

22 MR. HOWE: Yes.

23 MR. KORTH: My question with the NEV parking sign.
24 I think it was kind of addressed here. If the CA MUTCD was
25 to include such a sign, some of the application of it and

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1 the operation of it, would be wanting to be addressed in the
2 language. If the sign is to be only used in parking stalls
3 that have a substandard width that would only fit these NEV
4 vehicles and that is when the sign is placed, or is the
5 expectation that the NEVs would be allowed to park in
6 standard stalls or on the streets and diagonal parking as
7 well, then the sign would be appropriate to put in standard
8 stalls and limit all vehicles besides these NEVs. So that's
9 just a question I have is what the presenter was intending
10 the application of that sign would be or if it would be
11 both?

12 As far as on the next figure, the no parking
13 signs. California already has EV parking signs and no
14 parking signs in Section 2B.46, paragraph 84. And also if
15 you see figure 2B.24(CA), there are parking standing signs
16 and plaques. The R7 series that have -- in the 2014 Manual
17 about electric vehicles. So are these signs substantially
18 different than the intentions that are already in the CA
19 MUTCD? Do we want all these variations? Because I believe
20 those signs, they reference this "EV" versus "electric
21 vehicle" so do we want to have all these additional
22 abbreviations versus full text? So that's something for the
23 Committee to consider.

24 As far as the crosswalk. None of the three images
25 that are shown as examples/illustrations need a position

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1 from Federal Highway for the recommended practice of colored
2 pavement in 3(09)-24(I). One question I ask for the
3 presenter to come up here real quick before I continue my
4 comment is, are those colors of the additional pavement
5 markings, are they retroreflective or are they not?

6 MR. LIESWYN: Retroreflective pavement markings
7 are proposed for wherever CV Link is crossing the roadway.

8 MR. KORTH: So there is a separate Federal Highway
9 interpretation that has come from Florida. Within those
10 marked crosswalks, the paragraph 6 that we talked about,
11 3G.01, those are -- if it is retroreflective that is a
12 traffic control device and so the only colors are white,
13 yellow and blue for handicapped parking stalls. So these
14 are colors that are not permitted as pavement markings.
15 Obviously those colors have signs, oranges for parking signs
16 in part 6, but as far as the pavement markings, blue,
17 yellow, white, are the only colors that can be
18 retroreflective.

19 So the pavement markings here would have to be
20 not-retroreflective to be proceeded with at all. But in the
21 Guidance, in the official interpretation as listed here,
22 these colors would be too bright and they don't need the
23 interpretation from Federal Highway. It is only a guidance
24 statement that we are providing the interim interpretation
25 of so the city could proceed as they wish. Definitely there

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1 is a separate interpretation that I could find for them that
2 says they cannot be retroreflective. There is a white; and
3 then here in California for the school zones, yellow can be
4 used to mark the crosswalk with retroreflective colors.

5 COMMITTEE MEMBER CICCARELLI: Kevin, question. As
6 I read the interpretation that uses the words "subdued
7 colored." So if it is not retroreflective and it doesn't
8 compete with the white marking it would be allowable,
9 correct?

10 MR. KORTH: You could ask for an official
11 interpretation for this color scheme from Federal Highway.

12 COMMITTEE MEMBER CICCARELLI: It says --

13 MR. KORTH: In the interpretation it's talking
14 about earth tones and bricks. There's multiple colors
15 within the old City of Oakland one as well so that is not
16 one that we necessarily would agree with that follows the
17 interpretation. The same with the -- separately, with the
18 Indianapolis, for example. There is an icon in that
19 crosswalk and there is no -- in the interpretation we don't
20 recommend using icons or prohibiting icons to be used in the
21 crosswalk.

22 COMMITTEE CHAIRMAN BAHADORI: Any other comments?

23 MR. KORTH: As far as the striping on the next
24 page for the double line striping. I think that is
25 something we kind of covered with the HOV. The top image

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1 that's shown, that would be an experimental double wide
2 striping having the broken and the solid next to it. Why
3 wouldn't there be a need just to use the solid, single wide,
4 solid white line for a buffer space if they were to mark out
5 a bike lane, like there normally is?

6 That's all I had for the figures.

7 COMMITTEE CHAIRMAN BAHADORI: Thank you.

8 Mr. Kenney.

9 MR. KENNEY: Good morning, Mike Kenney with the
10 County of San Diego.

11 I want to say it's a tremendous project, I wish
12 you the best. It was great seeing the bridge extrude out
13 across the sky.

14 The sizes, I don't have any particular comment
15 about that. I did not know what an NEV was. Maybe I'm one
16 of the few in the room but I guess that education will
17 commence.

18 I did have some concerns about the crosswalk. We
19 have had real problems maintaining color and maintaining
20 design in the pavement as the pavement shifts. And I was
21 really surprised where you're coming from with the sun and
22 the heat that you wouldn't have similar problems. I'm
23 questioning whether or not we are making problems here. Six
24 months is probably (inaudible). I don't know that I would
25 be supportive of a really complex forward crosswalk like

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1 that just for those reasons. But it's a great project; I
2 wish you the best.

3 MR. LIESWYN: What was your experience with the
4 markings?

5 MR. KENNEY: The pavers, you've got to power wash
6 them every six months. The applique that goes into the
7 asphalt, that's the one that rotates with the asphalt. And
8 thermal will chip and fade as cars make a right turn across
9 it. You see a difference where the cars are torquing it and
10 where they are going straight. You see a difference.

11 COMMITTEE CHAIRMAN BAHADORI: Thank you. Any
12 other comments?

13 Hearing none we will close the public comment
14 portion and bring it back to the Committee. So who is going
15 to lead it? Especially this one.

16 Mr. Greenwood, do you want to lead the discussion
17 or make a motion or a suggestion?

18 COMMITTEE VICE CHAIRMAN GREENWOOD: Well frankly,
19 I'd like to hear what the Committee has to say.

20 COMMITTEE CHAIRMAN BAHADORI: Mr. Walter.

21 COMMITTEE MEMBER WALTER: Mr. Chair, do we want to
22 take them one at a time and have the discussion on each one?

23 COMMITTEE CHAIRMAN BAHADORI: We can take them one
24 at a time. That's the first question. Do we even need to
25 look at this and include it in the MUTCD? For example, the

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1 parking sign, for example, as the FHWA representative said,
2 you already have signs in there. Why do you want to
3 introduce new signs with a little bit of difference here and
4 there? Why don't you just use the signs that are there?

5 And on the NEV/BIKE ONLY, I think we might have
6 probably approved that; I am not sure.

7 COMMITTEE MEMBER MARSHALL: So I think the answer
8 might be different for the different things.

9 COMMITTEE CHAIRMAN BAHADORI: Let's move quickly
10 without spending a whole lot of time. On the NEV PARKING
11 ONLY what is the pleasure of the Committee?

12 COMMITTEE MEMBER JONES: I'd make a motion to
13 approve it.

14 COMMITTEE CHAIRMAN BAHADORI: Okay, very simple.
15 A motion; is there a second?

16 COMMITTEE MEMBER WINTER: Second.

17 COMMITTEE CHAIRMAN BAHADORI: Okay, there is a
18 motion and a second for discussion purposes.

19 COMMITTEE MEMBER CICCARELLI: Discussion?

20 COMMITTEE CHAIRMAN BAHADORI: Yes, Mr. Ciccarelli.

21 COMMITTEE MEMBER CICCARELLI: NEVs and EVs are
22 different animals. An NEV is much --

23 COMMITTEE CHAIRMAN BAHADORI: Yes, they are
24 legally defined differently.

25 COMMITTEE MEMBER CICCARELLI: Not only differently

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1 but because of their speed regime they operate differently.
 2 They are like golf carts, in that that is their closest
 3 cousin. I think it is a legitimate need to mark a parking
 4 space for an NEV that would not be legal for an EV, which is
 5 a full-speed car.

6 COMMITTEE CHAIRMAN BAHADORI: There is a motion
 7 that we do exactly that, allow the new sign to be for NEV
 8 parking only. Mr. Marshall.

9 COMMITTEE MEMBER MARSHALL: So the proponents had
 10 suggested that we choose between a couple of options if we
 11 are in favor, one of which is to fully include it in the
 12 manual and one of which is to just say, it is okay as a
 13 text-only sign, it doesn't have to be actually added to the
 14 manual. Which of those is the motion?

15 COMMITTEE CHAIRMAN BAHADORI: My inclination is to
 16 include it in the manual because NEV is a growing trend.
 17 And there are other communities that are using them and will
 18 be using them.

19 COMMITTEE MEMBER JONES: A lot of cities are
 20 trying to move toward sustainability and a net-zero
 21 footprint for carbon -- carbon reductions to encourage their
 22 communities to have these neighborhood electric vehicles to
 23 get people around for those trips that are three to six
 24 miles around their home, you know, that they might not walk
 25 or bike to. So it's a great thing that a lot of communities

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1 are moving towards, a lot of senior communities are doing it
2 as well.

3 COMMITTEE CHAIRMAN BAHADORI: And every single
4 year there is at least one or two bills on NEV trying to
5 expand the network they can use and things of that nature.

6 COMMITTEE MEMBER MARSHALL: So I appreciate the
7 good reasons for needing this and the spirit of it; I am
8 just clarifying to make sure I have the right understanding.
9 Would the result of the - if we pass this motion - be that
10 Caltrans goes and comes back with proposed language, et
11 cetera?

12 COMMITTEE CHAIRMAN BAHADORI: No, typically the
13 way that we have done it is that we look at the sign. If we
14 don't like the verbiage or the language we just say we don't
15 like it and we change it.

16 COMMITTEE MEMBER MARSHALL: Okay, so it will be
17 done today.

18 COMMITTEE CHAIRMAN BAHADORI: Once we approve it
19 then Caltrans' sign design group, they take it and they
20 develop the details for their specs.

21 COMMITTEE MEMBER MARSHALL: Okay.

22 COMMITTEE MEMBER WINTER: And just to be clear,
23 the narrative as well that would go into the actual manual?

24 COMMITTEE CHAIRMAN BAHADORI: Exactly.

25 COMMITTEE MEMBER WINTER: Because there is some

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1 guidance.

2 COMMITTEE CHAIRMAN BAHADORI: Yes.

3 COMMITTEE MEMBER WINTER: One comment here in the
4 room we heard is, perhaps the sign is supplemental to the
5 actual marked space, which is going to be a narrower space
6 than traditional or maybe not. Either way, that kind of
7 distinction should be made in the narrative that would go
8 into the manual with the sign.

9 COMMITTEE CHAIRMAN BAHADORI: That's true.

10 COMMITTEE MEMBER JONES: So my motion was for any
11 space, whether it is specifically designed for NEV or wider,
12 that they could put this sign and use this sign to restrict
13 it just for NEV parking.

14 COMMITTEE CHAIRMAN BAHADORI: That was your
15 motion; that is my understanding.

16 Any other discussion on the motion?

17 Seeing none, all those in favor say aye.

18 (Ayes.)

19 COMMITTEE CHAIRMAN BAHADORI: Opposition?

20 Seeing none, the motion passes unanimously. So
21 Caltrans will develop the appropriate sign details for this
22 sign and incorporate it into the MUTCD for use by anyone in
23 the state.

24 Now on the parking signs. Who wants to make a
25 motion or a comment? Mr. Ciccarelli.

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1 COMMITTEE MEMBER CICCARELLI: I have a question as
2 to what is being requested here based on the illustration; I
3 am unclear on this.

4 COMMITTEE MEMBER JONES: What's your question?

5 COMMITTEE MEMBER CICCARELLI: Approve the use of
6 legend-only regulatory signs. I don't see any legend-only
7 regulatory signs except for the vehicle must be plugged in
8 and vacate stall. Those already have our numbers so what is
9 being requested here? I am confused.

10 MR. LIESWYN: I apologize, it has been some time
11 since I put this together. There is -- I think it's the OTS
12 has published -- these signs have been in development for
13 some years. I believe San Diego County started with a
14 guideline to help developers and agencies implement parking
15 signs specific to NEVs. And the OTS has come out with
16 another set of guidelines and I believe it was those
17 guidelines we based these on.

18 COMMITTEE MEMBER CICCARELLI: So are these not-
19 yet-approved signs?

20 MR. LIESWYN: I don't believe so.

21 COMMITTEE CHAIRMAN BAHADORI: So they have
22 provisional sign designation numbers? I am not familiar,
23 without looking at it, at the parking chapter of the MUTCD.
24 So these four or six or five images here are provisionals?
25 Don't

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1 MR. HOWE: I am just checking our sign chart that
2 members of the committee received.

3 COMMITTEE CHAIRMAN BAHADORI: Mr. Howe, we have
4 the charging station. I have seen signs all over town that
5 say "no parking except where charting" or something. We
6 have something for the electric vehicles. And in that
7 respect, NEVs are no different than electric vehicles, they
8 are just charging.

9 MR. HOWE: Well we are talking about neighborhood
10 electric vehicles. These look to be broader, encompassing
11 all electric vehicles.

12 COMMITTEE CHAIRMAN BAHADORI: But an NEV is a form
13 of an electric vehicle so it falls under the category of
14 electric vehicle. And if you have signs for parking
15 restrictions for electric vehicles why can't they just use
16 those signs, or do we need new signs?

17 MR. HOWE: That's a good observation. I know that
18 we wanted to get away from the concept of them being parking
19 places because they are charging stations, so we don't want
20 to call them "parking places," they are "charging places".
21 So the concept of no parking except while charging. We have
22 in your sign charts that you have -- the new signs that we
23 developed for that are on sheet 4 of 14. And we have the
24 symbol "no parking except for EV charging" and then it is
25 all spelled up. We have the alternate version that is

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1 R-113a(CA). Then there is the permissive 4 hour EV charging
2 from 8 a.m. to 6:00 p.m. That's R-114 and the alternative
3 to that is the R-114a(CA) 4 hour electric vehicle charging
4 that has a time frame. So that is what we developed
5 according to our zero emission vehicle policy directive and
6 that was reviewed with and vetted through this Committee.

7 COMMITTEE CHAIRMAN BAHADORI: So what I am asking
8 is that if you have those signs available why do we need new
9 signs? NEV is a subcategory of an electric vehicle. If you
10 already have those restrictions and those signs are already
11 available why do we need an all new set of signs?

12 COMMITTEE MEMBER WALTER: Mr. Chair?

13 COMMITTEE CHAIRMAN BAHADORI: Mr. Walter.

14 COMMITTEE MEMBER WALTER: Actually, based on what
15 you just described, why did we need to do the first sign?
16 If NEVs are a subcategory of electric vehicles why can't
17 signs for electric vehicles be sufficient?

18 COMMITTEE CHAIRMAN BAHADORI: That was for
19 parking. That was for parking. One of the things in that
20 -- I hear what you are saying. The only difference between
21 NEV and electric vehicle is the type of arterial or the
22 street that they can operate on and their safety equipment.
23 That's the only difference. Otherwise it's a form of an
24 electric vehicle.

25 COMMITTEE MEMBER MARSHALL: It was my

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1 understanding that the regular electric vehicles could be
2 full-size, full-speed automobiles, essentially.

3 COMMITTEE MEMBER JONES: Yes.

4 COMMITTEE MEMBER MARSHALL: Whereas these
5 neighborhood ones are likely smaller. And I think there is
6 some potential that some locations might create reduced size
7 spaces that need to be posted "NEV" rather than "EV." I
8 think that's why we need the first one but probably don't
9 need this one.

10 COMMITTEE CHAIRMAN BAHADORI: Okay. So what are
11 your thoughts on this set of signs, on the parking signs?
12 any comments, a motion?

13 COMMITTEE MEMBER MARSHALL: I move we accept the
14 applicant's request to withdraw this one because it is not
15 needed.

16 COMMITTEE CHAIRMAN BAHADORI: There is a motion
17 and do we have a second?

18 COMMITTEE MEMBER JONES: We've got a hand up over
19 here.

20 COMMITTEE CHAIRMAN BAHADORI: Don.

21 MR. HOWE: Just as a technical thing. The plaques
22 that are shown, "VEHICLE MUST BE PLUGGED IN", "VACATE STALL
23 WHEN CHARGING COMPLETED", those are new and they may have
24 some value to augment the existing ones that we have in the
25 CA MUTCD. So just those two alone might be helpful.

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1 COMMITTEE CHAIRMAN BAHADORI: Those two, the two
2 plates. I'm looking at R7-113a and 113b. Those two, we
3 don't have anything like those?

4 COMMITTEE MEMBER MARSHALL: So the numbers are
5 just potential numbering schemes, they don't mean they
6 actually already exist; is that correct?

7 MR. HOWE: They don't have the CA suffix so they
8 are not in our manual. These may be something in
9 development in another jurisdiction such as was mentioned,
10 San Diego County. But I don't know what context this is
11 used in. These are regulatory so R would be the correct
12 prefix.

13 COMMITTEE MEMBER MARSHALL: Okay. So I will
14 replace my motion to approve the two plaques.

15 COMMITTEE CHAIRMAN BAHADORI: Okay. so there is a
16 motion to approve those two plaques, the R7-113a and 113b.

17 Yes, Mr. Ciccarelli.

18 COMMITTEE MEMBER CICCARELLI: Not being well
19 versed in the nuances of policy-making around these things
20 and the communities that are likely to use them, I would ask
21 the requestor what the down side of not approving, say, the
22 first sign, the R7-111, would be? What is the use case for
23 this sign? Without trying to drag out the discussion.
24 That's really, that's really how we decide whether the sign
25 is worthwhile.

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1 MR. LIESWYN: The rationale for -- and apparently
2 there is already one there, which we didn't see, it's a
3 symbol sign, "no parking except for EV charging." So the
4 rationale was to promote the use of NEVs and to dedicate
5 spaces that were close to CV Link or other specific
6 facilities, rather than a highway-capable EV. So
7 potentially the Committee could offer us feedback to come
8 back with a different sign that would be targeted at NEVs
9 rather than EVs, as that would benefit the NEV plan.

10 COMMITTEE CHAIRMAN BAHADORI: The three parking
11 signs, I just don't see the need. Because if you want to
12 restrict parking except for when charging, you already have
13 signs that say that. They don't say what vehicle is
14 charging, full-size electric vehicle or NEV. But those two
15 plaques, as Mr. Marshall mentioned, I see value in the
16 plaques.

17 COMMITTEE MEMBER JONES: I'll second
18 Mr. Marshall's motion.

19 COMMITTEE CHAIRMAN BAHADORI: Okay, there is a
20 motion and a second. Any discussion? Mr. Walter.

21 COMMITTEE MEMBER WALTER: Question as far as those
22 two small plaques are concerned. Because they are black on
23 white are they immediately regulatory and then enforceable
24 and is that something that our law enforcement folks are on
25 board with as far as that goes? Is there any reason why

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1 they wouldn't be?

2 COMMITTEE CHAIRMAN BAHADORI: I don't see why not.
3 Once it is a regulatory sign and it's a parking sign they
4 can issue tickets.

5 COMMITTEE MEMBER RICKS: They could. it might be
6 difficult to enforce. Vacate stall when charging completed.
7 How are you going to know when charging is completed.

8 COMMITTEE CHAIRMAN BAHADORI: Well, I would
9 imagine as long as they are plugged in they are charging and
10 you wouldn't know when they are fully charged or not.

11 COMMITTEE MEMBER MARSHALL: The charger at my work
12 place includes a feature where it will send you a text
13 message when it's done, then you can come move your vehicle.
14 So such things exist. That's the way it's headed.

15 COMMITTEE MEMBER JONES: It also sends the meter
16 maid a text that your car is done. See who can get there
17 first.

18 (Laughter.)

19 COMMITTEE CHAIRMAN BAHADORI: Okay.

20 COMMITTEE MEMBER CICCARELLI: I think on a simpler
21 note, it's likely that in jurisdictions that deploy this
22 that at least the local law enforcement would be trained to
23 look at the specific charger that the jurisdiction has
24 selected. There is not likely to be a wide variety of these
25 chargers and there is likely to have a charge complete

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1 indication like a blinking light that goes solid or
2 something.

3 COMMITTEE CHAIRMAN BAHADORI: So we have the
4 motion and we have a second; any discussion?

5 All those in favor?

6 (Ayes.)

7 COMMITTEE CHAIRMAN BAHADORI: Opposition?

8 Seeing none, the motion passes unanimously.

9 Now we go to the crosswalks. Kevin, you have
10 something to add?

11 MR. KORTH: Kevin Korth, Federal Highway
12 Administration. My recommendation to the Committee is that
13 they don't have to voice any opinion on this actually and
14 let the Federal Highway interpretation letter speak for
15 itself. Let the Agency review that letter and do as they
16 see fit with the guidance statement.

17 COMMITTEE CHAIRMAN BAHADORI: I fully support your
18 position but bring it back to the Committee.

19 We heard from FHWA's representative. Any
20 comments?

21 COMMITTEE MEMBER CICCARELLI: I think I really
22 support FHWA's guidance on this because I am tasked with, in
23 part, looking out for the needs of the pedestrian crosser.
24 And I want the crosswalk to be readable not only to the
25 pedestrian for a guidance perspective but from the

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1 approaching cross-conflict motorist that it stands out. And
2 I wonder whether the applicant might consider instead
3 something that is off-roadway immediately in advance of the
4 crossway that strongly identifies it from a branding
5 perspective but doesn't actually mark the crosswalk itself.
6 Suggestion.

7 COMMITTEE CHAIRMAN BAHADORI: Just for future, if
8 anyone wants to bring -- to members, if any agency comes to
9 you for a colored crosswalk or anything like that, encourage
10 them to go and read the last ten years' minutes of the
11 Committee. At least seven times we have had this
12 discussion, over and over and over.

13 COMMITTEE MEMBER JONES: On the way here from
14 Union Station, there's a whole bunch of different, beautiful
15 crosswalks out there that are great examples. I commend LA
16 DOT for being innovative and creative.

17 COMMITTEE CHAIRMAN BAHADORI: If John Fisher --

18 COMMITTEE MEMBER WINTER: Mr. Chairman, if I can
19 make a motion? Since we are the Traffic Control Devices
20 Committee, and I think the discussion on this is that this
21 perhaps is not a traffic control device but that the FHWA
22 memo does provide guidance, then my motion on this is to not
23 approve this particular matter but again, as FHWA's
24 representative has said, is perhaps let the applicant
25 consider it.

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1 COMMITTEE CHAIRMAN BAHADORI: There is a motion,
2 is there a second?

3 COMMITTEE VICE CHAIRMAN GREENWOOD: Second.

4 COMMITTEE CHAIRMAN BAHADORI: There is a motion
5 and a second. Let it be noted also that the FHWA memo is
6 the decision on this issue. Okay.

7 MR. VELEZ: May I ask for clarification?

8 So it is my understanding that we could do
9 something creative with, say, using the colors of the CV
10 Link colors. This whole idea is sort of way-finding, iconic
11 thing to distinguish this is a CV Link crossing as opposed
12 to just a standard crossing. As long as we meet the FHWA
13 guidelines as far as what colors can be retroreflective,
14 having the transverse lines, that we could do some play
15 within colors within that, granted, the limitations that
16 were pointed out by my colleague from San Diego. My
17 interpretation is correct?

18 COMMITTEE CHAIRMAN BAHADORI: As long as it is a
19 legally defined crosswalk location.

20 MR. VELEZ: Okay.

21 COMMITTEE CHAIRMAN BAHADORI: If it's not, don't
22 expect the driver to treat it as a crosswalk, because it's
23 not.

24 MR. VELEZ: Okay. Thank you.

25 COMMITTEE CHAIRMAN BAHADORI: Any comments?

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1 Okay, we have a motion. Do we have a second? We have a
2 second. Any discussion?
3 All those in favor say aye?
4 (Ayes.)
5 COMMITTEE CHAIRMAN BAHADORI: Opposition?
6 The motion passes unanimously.
7 Okay. Did we have another item here? We had the
8 striping issue, right?
9 (Several people speaking at once.)
10 COMMITTEE MEMBER CICCARELLI: Move approval with
11 two modifications. One is a "slash" after "NEV" and the
12 second is the placement of the word "NEV" and the word
13 "BIKE" on the same line, for consistency with the sign at
14 the bottom left of the page.
15 COMMITTEE CHAIRMAN BAHADORI: There is a motion
16 and a second. Any discussion?
17 Seeing none, all those in favor?
18 (Ayes.)
19 COMMITTEE CHAIRMAN BAHADORI: Opposition?
20 The motion passes unanimously.
21 Okay. Going down the line. What else do you have
22 there?
23 COMMITTEE MEMBER CICCARELLI: The combined NEV and
24 bike lane.
25 COMMITTEE CHAIRMAN BAHADORI: We have a new

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1 proposals for new stencils which says "NEV/BIKE LANE."

2 COMMITTEE MEMBER CICCARELLI: This is parallel to
3 the use of preferential lanes for motorized vehicles where
4 the type of vehicle is multiple. For example, in San
5 Francisco there are bus and taxi lanes. So this is a
6 parallel construct in the bike lane. I have no heartburn
7 whatsoever with allowing NEVs in bike lanes in the
8 jurisdictions that have decided to pursue that. The NEV is
9 so well established there in the form of a golf cart and the
10 cyclists know what to do. If the agency sees fit to deploy
11 this they have made a substantial investment in combining
12 the two modes in that part of the roadway.

13 We can't expand the roadways infinitely and have a
14 bike lane and a golf cart lane and a general purpose travel
15 lane. I think the speeds are compatible. If it doesn't
16 work they are going to take it out anyway. So I am
17 supportive overall of this whole NEV-plus-bike lane for the
18 jurisdictions that have chosen to go that route. And this
19 looks to me like the way that matches how multi-vehicle type
20 HOV lanes are done, or preferential lanes are done in a
21 general sense.

22 I move approval of this one.

23 COMMITTEE CHAIRMAN BAHADORI: There is a motion;
24 is there a second?

25 COMMITTEE MEMBER GREENWOOD: I'll second.

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1 COMMITTEE CHAIRMAN BAHADORI: There is a motion
2 and a second for approving the new stencils. Any
3 discussion? Mr. Winter.

4 COMMITTEE MEMBER WINTER: One question just
5 occurred to me now. The bike lane, traditionally you
6 accompany that with a sign that says "BIKE LANE." So this
7 doesn't depict if it would have signage associated with the
8 bike lane. Is there a suggestion maybe to change a sign
9 that would also say -- well, below, I guess it's the next
10 one. The next one would get into that then, okay. So we're
11 sort of -- my comment will, I guess, be appropriate to the
12 next one, the "NEV/BIKE LANE."

13 COMMITTEE SECRETARY ENGELMANN: I have a question,
14 Mr. Chairman.

15 COMMITTEE CHAIRMAN BAHADORI: Sure, go ahead.

16 COMMITTEE SECRETARY ENGELMANN: Is there a minimum
17 width requirement. Because you wouldn't be able just to do
18 this with any bike lane.

19 COMMITTEE MEMBER CICCARELLI: Correct.

20 COMMITTEE CHAIRMAN BAHADORI: I imagine that they
21 would comply with the minimum bike lane requirement.

22 COMMITTEE MEMBER WINTER: The NEV Plan specifies
23 seven foot minimums.

24 COMMITTEE SECRETARY ENGELMANN: Seven foot.

25 COMMITTEE CHAIRMAN BAHADORI: So we have a motion

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1 and a second. Go ahead.

2 COMMITTEE MEMBER CICCARELLI: It seems to me that
3 this would require modifications to Part 9 of the MUTCD,
4 which defines the use of bike lane markings, 9C.

5 COMMITTEE CHAIRMAN BAHADORI: Yes, you are
6 absolutely right there.

7 COMMITTEE MEMBER CICCARELLI: That's it, I am
8 still supportive.

9 COMMITTEE CHAIRMAN BAHADORI: Okay.

10 COMMITTEE SECRETARY ENGELMANN: It could be its
11 own separate item, Part 3 under Pavement Markings.

12 COMMITTEE MEMBER CICCARELLI: I'd actually prefer
13 that because it mainstreams it.

14 COMMITTEE SECRETARY ENGELMANN: That will change
15 the bike chapter.

16 COMMITTEE CHAIRMAN BAHADORI: Limited to the
17 application. There are very places that there are combined
18 NEV/bike lanes.

19 Okay, a motion and second. Any further
20 discussion?

21 COMMITTEE MEMBER CICCARELLI: Actually it's a
22 question. Would Caltrans be tasked with developing the Part
23 3 language?

24 COMMITTEE SECRETARY ENGELMANN: Yes.

25 COMMITTEE CHAIRMAN BAHADORI: They do that.

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1 COMMITTEE MEMBER CICCARELLI: I would like to
2 revise my motion. I support the marking scheme, provided
3 that Caltrans develops supporting language in Part -- 3C it
4 would be, right, Chapter 3C?

5 COMMITTEE SECRETARY ENGELMANN: Part 3, yes. And
6 probably Part 9 as well; there might be some references in
7 Part 9.

8 COMMITTEE MEMBER CICCARELLI: I'll say the
9 appropriate parts.

10 COMMITTEE SECRETARY ENGELMANN: Yes.

11 COMMITTEE CHAIRMAN BAHADORI: Okay, we have a
12 motion and it was seconded. Okay, there is a revised motion
13 and a second. Any further discussion?

14 Seeing none, all those in favor say aye.

15 (Ayes.)

16 COMMITTEE CHAIRMAN BAHADORI: Opposition? Seeing
17 none, the motion passes unanimously. Going down the list.

18 COMMITTEE MEMBER CICCARELLI: I'll take this one.
19 I move to approve the three variants of the buffered
20 NEV/bike lane striping. I have a question before finalizing
21 the motion. That is, whether the solid combined with dotted
22 line is currently allowed in the MUTCD. I thought Kevin had
23 a comment to that effect, that it is not. In other words,
24 the variant.

25 MR. KORTH: Yes, this is the same issue brought up

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1 by Jerry Champa. They were going to be requesting an
2 experiment for a managed lane on a highway facility to use
3 this type of marking. What was discussed, the vagueness
4 would not -- the color of the current Vehicle Code would
5 allow for them to proceed with their experiment, that
6 managing facility, so that's why I brought it up here. The
7 bike lane, what does that marking just broken and solid
8 represent? That first line stripe marking I would say, if
9 that is going to be an experimental marking, just as it was
10 for the managed lane that Jerry Champa brought up in his
11 item.

12 MR. LIESWYN: Since we prepared this I understand
13 that the City of Davis has come up with an alternative and I
14 am unsure as to whether that was brought to this committee.
15 It's just a wider paint stripe; I believe it's 10 or 12
16 inches wide. The reason that there are three presented is
17 basically reduced width. It is an attempt to provide a
18 buffer to the adjacent motor vehicle lane. If the space is
19 there then there would be a standard buffer and if the space
20 is not there then we are looking for something to strengthen
21 that dividing lane line. And I understand just a wider line
22 is something that some communities are trying.

23 COMMITTEE CHAIRMAN BAHADORI: Thanks for the
24 clarification. Is there a motion on the new proposed
25 striping? Or any discussion?

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1 COMMITTEE MEMBER CICCARELLI: I would like to
2 move --

3 COMMITTEE CHAIRMAN BAHADORI: Mr. Walter.

4 COMMITTEE MEMBER WALTER: I'll wait until there is
5 a motion and a second.

6 COMMITTEE CHAIRMAN BAHADORI: Okay, let's have the
7 motion then we'll have discussion. Mr. Ciccarelli.

8 COMMITTEE MEMBER CICCARELLI: I have a question in
9 my own mind about the recently added content that I brought
10 forward on buffered bike lanes. It seemed to me that there
11 was something that we actually inherited from the national
12 draft on which it was based that said if the width and
13 buffer is below a certain width then you don't use
14 transverse markings. So it seems to me that Case 1 might
15 already be covered in the buffered bike lane language but I
16 don't know chapter and verse, I'm going to look at it.

17 COMMITTEE MEMBER JONES: That was part of the
18 September discussion on the buffered bike lanes. And if
19 it's -- it was below two or three feet, or I can't remember
20 the exact dimension, then the transverse diagonal lines did
21 not need to be installed.

22 COMMITTEE MEMBER: I think it was below four feet.

23 COMMITTEE MEMBER JONES: Is it below four feet?

24 COMMITTEE MEMBER: Below four feet, yes.

25 COMMITTEE MEMBER CICCARELLI: So Case 1 of 3 would

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1 seem to be covered already in the manual in the case of
2 buffered bike lanes.

3 COMMITTEE MEMBER MARSHALL: But don't those have
4 both lines solid and not one of them dashed?

5 COMMITTEE MEMBER CICCARELLI: Give me a minute and
6 let me find the text that was added and see if I can resolve
7 this. Buffered bike lanes.

8 COMMITTEE MEMBER JONES: The only difference on
9 those is adding the word, the three letters, NEV as the
10 markings. All the other buffers we approved in September.

11 COMMITTEE MEMBER CICCARELLI: There is a "should",
12 it says:

13 "If used and where there is parking on the
14 right side of the buffered bicycle lane, the right
15 most lane line should be broken. Where vehicles
16 are expected to cross the buffered driveways, both
17 lines should be broken. Where neither condition
18 exists, both lanes should be solid."

19 So it is a "should", it's a guidance right now. I
20 would expect that -- well it says, it's called driveways.

21 COMMITTEE CHAIRMAN BAHADORI: Well, we don't want
22 to spend too much time on this item either. Are we ready to
23 make a motion or we are just not going to make it.

24 COMMITTEE MEMBER CICCARELLI: I'd like to move
25 approval of the Case 2 and Case 3 markings and defer Case 1.

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1 COMMITTEE CHAIRMAN BAHADORI: There is a motion,
2 is there a second? Case 1 being the top one. That's what
3 you mean, right?

4 COMMITTEE MEMBER JONES: Case 1, 2 and 3 are --
5 the stripings are already there. The questions is, adding
6 NEV to the markings. Because all the striping already
7 exists in the MUTCD.

8 COMMITTEE MEMBER MARSHALL: Didn't we just approve
9 that? On the page --

10 COMMITTEE MEMBER JONES: In September --

11 COMMITTEE CHAIRMAN BAHADORI: So this is the --

12 COMMITTEE MEMBER MARSHALL: We already approved
13 the marking and then --

14 COMMITTEE MEMBER JONES: So, we already approved
15 the "NEV" so we don't really need to do any of that
16 striping.

17 COMMITTEE MEMBER MARSHALL: Okay.

18 COMMITTEE MEMBER JONES: No the NEV lanes, bike
19 lanes sign.

20 COMMITTEE CHAIRMAN BAHADORI: That's one of the
21 things we approved already.

22 COMMITTEE MEMBER JONES: Did we already approve
23 that?

24 COMMITTEE CHAIRMAN BAHADORI: We already made the
25 motion.

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1 COMMITTEE MEMBER JONES: Okay. I don't believe we
2 did.

3 COMMITTEE CHAIRMAN BAHADORI: We didn't?

4 COMMITTEE MEMBER JONES: No.

5 COMMITTEE CHAIRMAN BAHADORI: Is there a motion
6 and second on those three signs, those three plaques?

7 COMMITTEE VICE CHAIRMAN GREENWOOD: Yes. I'll
8 move approval as shown.

9 COMMITTEE MEMBER JONES: Second.

10 COMMITTEE CHAIRMAN BAHADORI: There is a motion
11 and a second.

12 COMMITTEE MEMBER MARSHALL: We don't need the two
13 small ones, do we?

14 COMMITTEE CHAIRMAN BAHADORI: "BEGINS" and "ENDS"?
15 "BEGINS" and "ENDS", we have those "BEGINS" and "ENDS" for
16 all kinds of uses.

17 MR. LIESWYN: We only put them in there for
18 context.

19 COMMITTEE CHAIRMAN BAHADORI: Okay. So it's only
20 the left side, the sign that says, "NEV/BIKE LANE". Because
21 we have "BEGIN" and "END" plaques for all other purposes.

22 Okay, there is a motion and a second. Is there,
23 actually, was there a second?

24 COMMITTEE MEMBER JONES: Yes.

25 COMMITTEE CHAIRMAN BAHADORI: All those in favor.

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1 (Ayes.)

2 COMMITTEE CHAIRMAN BAHADORI: Opposition?

3 Seeing none it passes unanimously. Okay, and --

4 COMMITTEE SECRETARY ENGELMANN: Mr. Chair, what do
5 we do on the three striping variations?

6 COMMITTEE CHAIRMAN BAHADORI: We don't need to do
7 anything because the striping is already there and we
8 approved a combination of NEV and BIKE LANES.

9 COMMITTEE SECRETARY ENGELMANN: All right, thank
10 you.

11 COMMITTEE MEMBER JONES: Can you scroll down to
12 the next page.

13 COMMITTEE MEMBER CICCARELLI: Actually I have a
14 question before we go forward from this page.

15 COMMITTEE CHAIRMAN BAHADORI: Could you stay on
16 that, Mr. Howe, please.

17 COMMITTEE MEMBER CICCARELLI: It's actually
18 germane to getting this in the manual. The manual, there is
19 a section on buffered bike lanes. It is not a section on
20 buffered NEV plus bike lanes. So, how does Caltrans resolve
21 that?

22 COMMITTEE MEMBER JONES: We took the vote up there
23 that says the markings of what goes into them.

24 COMMITTEE MEMBER CICCARELLI: So what is the
25 change to the manual that allows this to go in?

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1 COMMITTEE MEMBER MARSHALL: I think that the --

2 COMMITTEE CHAIRMAN BAHADORI: We got the text up,
3 the would allow the text to the appropriate section.

4 COMMITTEE SECRETARY ENGELMANN: Add the text to
5 Part 3 and we can make references to Part 9 for the striping
6 configurations.

7 COMMITTEE MEMBER CICCARELLI: Sorry to pick this
8 point but this is important because buffered bike lanes are
9 so new. Will the text in Part 3 say something like, you may
10 add the word "NEV" to any of the bike lane striping
11 configurations in Part 9-whatever.

12 COMMITTEE SECRETARY ENGELMANN: If it meets the
13 criteria for NEV lanes, yes.

14 COMMITTEE MEMBER CICCARELLI: Okay.

15 COMMITTEE CHAIRMAN BAHADORI: Kevin.

16 MR. KORTH: Kevin Korth, Federal Highway
17 Administration. Part 9 is the bicycle facilities but is
18 also covers shared use facilities, there could be bikes and
19 peds off the main right of way. So there could just be a
20 support statement put in place for context of the discussion
21 they had and all the legislation that was put in place to
22 allow this varying of both bicycles and NEVs. But it would
23 be in the Part 9 Bicycle Facilities part of the CA MUTCD.
24 A support statement to help drive this issue of flexibility
25 for all the different signs and markers that we discussed.

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1 COMMITTEE CHAIRMAN BAHADORI: Thank you. Okay, do
2 we have anything else? Scroll down please to that
3 "PROHIBITED BEYOND THIS POINT".

4 MR. HOWE: I'm Don Howe from Caltrans. I did want
5 to make a clarification that the signs that are shown here
6 are the plural of BEGIN and END but those Caltrans sign
7 designations, those are not plural. There is, BEGIN and END
8 for those sign designations, so. Just so you know. I'll
9 put it in the record.

10 COMMITTEE MEMBER JONES: So the only thing I would
11 say on this, the "NEV PROHIBITED BEYOND THIS POINT", is just
12 to make it singular because NEV stands for Neighborhood
13 Electric Vehicle or Vehicles and so you don't need the "S"
14 on the NEV.

15 COMMITTEE CHAIRMAN BAHADORI: And also you support
16 the idea of splitting the signs into two so that you can use
17 them independently?

18 COMMITTEE MEMBER JONES: Yes, so you could say,
19 "NEVs PROHIBITED" as one sign and then, "BEYOND THIS POINT"
20 as another placard.

21 COMMITTEE CHAIRMAN BAHADORI: Or it can be for
22 either/or.

23 COMMITTEE MEMBER JONES: Yeah, so that is my
24 motion.

25 COMMITTEE CHAIRMAN BAHADORI: There is a motion to

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1 make it the singular NEV, not plural, and also break up the
2 sign into two signs.

3 COMMITTEE MEMBER CICCARELLI: Second.

4 COMMITTEE CHAIRMAN BAHADORI: There is a motion
5 and a second. Any discussion?

6 Seeing none, all those in favor?

7 (Ayes.)

8 COMMITTEE CHAIRMAN BAHADORI: Opposition?

9 The motion passes unanimously.

10 COMMITTEE MEMBER JONES: So is LA DOT going to get
11 a whole bunch of NEV vehicles now?

12 (Laughter.)

13 COMMITTEE CHAIRMAN BAHADORI: Okay. Thank you.
14 We are done with this item.

15 COMMITTEE MEMBER CICCARELLI: No, we are not.

16 COMMITTEE CHAIRMAN BAHADORI: One more?

17 COMMITTEE MEMBER JONES: The "EXCEPT NEV". So the
18 same thing except NEV take out the "s"/BIKE.

19 COMMITTEE MEMBER CICCARELLI: I'd like to also
20 suggest that the word "NEV/BIKE" be dropped to a second line
21 to be parallel with the new "EXCEPT BIKE" sign. And the new
22 "EXCEPT BIKE" sign is a graphical bike. I don't think this
23 needs to be graphical, I like it the way it is, but I think
24 two lines would be more legible.

25 COMMITTEE MEMBER JONES: Two lines is fine.

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1 COMMITTEE CHAIRMAN BAHADORI: Yes. So make it two
2 lines and make it singular, both NEV and BIKE. Yes,
3 Mr. Howe.

4 MR. HOWE: Also another point of clarification.
5 The solidus, that's your word for the day, is the slash,
6 those are typically only used for fractions of miles on
7 guide signs. So, we might use it in our texting or the way
8 we write things out in notes, but the solidus is really not
9 a character to be used in this context. So, I would
10 recommend if you are going to have that it would be a dash
11 not a solidus.

12 COMMITTEE CHAIRMAN BAHADORI: Okay. You made your
13 comment. Yes, Chris.

14 COMMITTEE SECRETARY ENGELMANN: The current sign
15 that says, "EXCEPT BICYCLES" uses the bicycle symbol. We
16 don't have a current sign for bikes that says, "EXCEPT
17 BIKES".

18 MR. HOWE: Actually, we do. If you look on page
19 -- on the 2014 Sign Chart right next to our new "3 FOOT FOR
20 SAFETY LAW" sign, it's on sheet 4 of 14. It say, "EXCEPT"
21 and below it it has the sideways symbol of a bicycle going
22 from right to left.

23 COMMITTEE SECRETARY ENGELMANN: But we don't have
24 a text version.

25 MR. HOWE: No we don't.

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1 COMMITTEE SECRETARY ENGELMANN: So that would be a
2 new sign then.

3 MR. HOWE: Yeah, evidently it would.

4 COMMITTEE MEMBER JONES: Or we could just say,
5 "EXCEPT NEV" and then have the bike symbol. So we could mix
6 text and symbol.

7 COMMITTEE CHAIRMAN BAHADORI: That would be really
8 confusing.

9 COMMITTEE MEMBER CICCARELLI: Question for Don. I
10 understand the current practice is to use a solidus, what is
11 commonly known as a forward slash, to separate elements of a
12 fraction. But is there any perceived by sign wizards,
13 misinterpretation of this if it were also allowed to be used
14 to separate things in the way it's colloquially done in
15 texting? NEV/BIKE, what's the downside?

16 MR. HOWE: Well, until we start talking signs that
17 say "LOL" and "OMG" I think we should probably the MUTCD.
18 And it does discuss the solidus.

19 COMMITTEE MEMBER CICCARELLI: Does it really?

20 MR. HOWE: Yes it does.

21 COMMITTEE MEMBER CICCARELLI: Okay, thank you.

22 COMMITTEE CHAIRMAN BAHADORI: Okay, with that
23 comment, (indiscernible) our approval for the signs.
24 Wherever we say --

25 COMMITTEE MEMBER JONES: Have a dash.

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1 COMMITTEE CHAIRMAN BAHADORI: Wherever it says,
2 slash, change it to a dash. Okay.

3 So that is the comment, "EXCEPT NEV --"

4 COMMITTEE MEMBER JONES: Dash.

5 COMMITTEE CHAIRMAN BAHADORI: Dash BIKE. And
6 under "NEV ROUTE". I am pretty sure Lincoln has them
7 already on.

8 MR. HOWE: They are considered experimental signs.

9 COMMITTEE CHAIRMAN BAHADORI: Well, now they can
10 make them official. Okay. Let's make a motion on those two
11 signs also to make it all official. Is there a motion?

12 COMMITTEE MEMBER JONES: I think the motion is
13 "EXCEPT NEV-BIKE".

14 COMMITTEE CHAIRMAN BAHADORI: On two lines.

15 COMMITTEE MEMBER JONES: On two lines. And then
16 we will also throw in the next sign, "NEV ROUTE".

17 COMMITTEE CHAIRMAN BAHADORI: Okay, that is the
18 motion. Is there a second?

19 COMMITTEE VICE CHAIRMAN GREENWOOD: Second.

20 COMMITTEE CHAIRMAN BAHADORI: Discussion?
21 Mr. Walter.

22 COMMITTEE MEMBER WALTER: Would there ever be a
23 time when you would have an exclusive NEV ROUTE versus an
24 NEV-BIKE ROUTE?

25 COMMITTEE MEMBER JONES: Should we have both?

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1 COMMITTEE MEMBER WALTER: We have, BIKE ROUTE now.

2 COMMITTEE CHAIRMAN BAHADORI: We have BIKE ROUTE.

3 COMMITTEE MEMBER WALTER: We have BIKE ROUTE. But
4 I'm wondering if we should combine it, just so you don't end
5 up with, oh, I've got to put two signs on there. Have a
6 combined version, so to speak.

7 COMMITTEE MEMBER JONES: Well, let's create two
8 signs, one where you can combine them and one where you are
9 not. That is a good point. That way we don't have to come
10 back.

11 COMMITTEE CHAIRMAN BAHADORI: Okay. So you want
12 to throw in also an additional sign that says, "NEV-BIKE
13 ROUTE"?

14 COMMITTEE MEMBER JONES: Yes.

15 COMMITTEE CHAIRMAN BAHADORI: Okay.

16 COMMITTEE VICE CHAIRMAN GREENWOOD: I'll still
17 second it.

18 COMMITTEE CHAIRMAN BAHADORI: So that is the
19 motion. And now we are going to be efficient. They are
20 proactive. We are seeing into the future.

21 COMMITTEE MEMBER JONES: This needs to go in the
22 Caltrans yearly update next year that we are becomg
23 proactive.

24 {Laughter.}

25 COMMITTEE CHAIRMAN BAHADORI: We went beyond the

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1 request of the applicant. Okay, so we have the motion is
2 here. Is there a second on that motion?

3 COMMITTEE MEMBER BROWN: Second.

4 COMMITTEE CHAIRMAN BAHADORI: The motion is
5 seconded and any discussion?

6 THE REPORTER: Who is the second?

7 COMMITTEE MEMBER BROWN: I did.

8 COMMITTEE CHAIRMAN BAHADORI: Who did the second?
9 Mr. Brown did the second.

10 Okay, any discussions?

11 All those in favor say aye.

12 (Ayes.)

13 COMMITTEE CHAIRMAN BAHADORI: Opposition?

14 The motion passes unanimously. We are officially
15 done with this, thank you.

16 MR. LIESWYN: Thank you.

17 MR. VELEZ: So for the purposes of moving on to
18 Caltrans with our NEV Plan. Was the action today, is that,
19 does that completes the review and recommendation?

20 COMMITTEE CHAIRMAN BAHADORI: Yes. The Committee
21 only recommends to Caltrans. All the Committee
22 recommendations are subject to Caltrans Director approval.

23 MR. VELEZ: Great.

24 COMMITTEE CHAIRMAN BAHADORI: So once the Caltrans
25 Director approves then the Caltrans sign design people have

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1 to design the technical --

2 MR. HOWE: So, it's an automatic. Actually, yeah.

3 COMMITTEE CHAIRMAN BAHADORI: The process from
4 here on is automatic.

5 MR. HOWE: Thank you for clarifying that.

6 COMMITTEE CHAIRMAN BAHADORI: Okay, we are done.
7 Colleagues, it's 1:00. I have three items that are going to
8 last about an hour. What is your pleasure? Do you want to
9 break for lunch and come back or do you want to proceed and
10 finish by 2:00?

11 COMMITTEE MEMBER CICCARELLI: A quick lunch break.

12 COMMITTEE CHAIRMAN BAHADORI: There is no such
13 thing as a quick lunch break. It is going to go 45. There
14 is nothing around here. It is going to take 45 minutes to
15 an hour to break. If you want we can break and come back
16 and then finish by about 3:00, 3:30 or we can keep on going
17 and finish by 2:00, 2:30. What is your pleasure?

18 COMMITTEE MEMBER MARSHALL: I'd rather have a
19 lunch break.

20 COMMITTEE CHAIRMAN BAHADORI: Let's take a vote.
21 All those in favor of a lunch break raise your hand.

22 (Show of hands.)

23 COMMITTEE CHAIRMAN BAHADORI: Okay. Take a lunch
24 break. Let's make it quick? Let's make it 1:30.

25 (Off the record at 12:57 p.m.)

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Riverside County Transportation Commission Meeting

RIVERSIDE COUNTY TRANSPORTATION COMMISSION	
DATE:	September 9, 2015
TO:	Riverside County Transportation Commission
FROM:	John Standiford, Deputy Executive Director
THROUGH:	Anne Mayer, Executive Director
SUBJECT:	Review of Coachella Valley Association of Governments Neighborhood Electric Vehicle Plan

STAFF RECOMMENDATION:

This item is for the Commission to receive and file the Coachella Valley Association of Governments (CVAG) Neighborhood Electric Vehicle (NEV) Plan.

BACKGROUND INFORMATION:

In 2011, the Governor signed Assembly Bill 61, authored by then-Assemblyman Kevin Jeffries. The new law authorized the county of Riverside or other local jurisdictions to establish NEV Plans. NEVs are defined by law as low-speed vehicles capable of a maximum speed of 25 miles per hour. The bill established a number of standards to be met as part of a plan, requires the entity that adopts a plan to submit a report to the Legislature, and to have the plan reviewed by the Commission.

The approval of the legislation provides agencies with a planning option that complies with previous legislation such as Senate Bill 375 and Assembly Bill 32, which strengthen land use policies that reduce greenhouse gas emissions created by single occupancy vehicles. A number of communities in California have adopted NEV Plans to meet these requirements as a way of encouraging sustainable development.

Over the course of a number of months, CVAG launched an effort to develop a NEV Plan for the Coachella Valley, and the draft NEV Plan is attached for Commission review. Commission staff reviewed the plan, which complies with the law and is the product of considerable research and public outreach.

Additionally, staff reviewed the plan to ensure it is consistent with state and local requirements and does not conflict with countywide transportation priorities. In addition to the Commission review, the law requires CVAG to consult with local law enforcement agencies responsible for traffic enforcement within the plan area and a report will need to be filed with the Legislature. The final approval of the plan falls under the jurisdiction of CVAG.

Attachment: Draft NEV Plan Dated March 2015

Coachella Valley Association of Governments Public Safety Committee Meeting

Item 7C

**Coachella Valley Association of Governments
Public Safety Committee
September 14, 2015**



Staff Report

Subject: Neighborhood Electric Vehicle Plan Review

Contact: LeGrand Velez, Transportation Program Manager (lvelez@cvag.org)

Recommendation: Discussion

Background: A Neighborhood Electric Vehicle (NEV) Plan has been developed in conjunction with the CV Link Master Plan, in compliance with Assembly Bill (AB) 61. According to this legislation several reviews of the NEV Plan are required. These include review by California Traffic Control Devices Committee (CTCDC), the Riverside County Transportation Commission (RCTC), and "any agency having traffic law enforcement responsibilities in an entity included in the plan area." The CTCDC reviewed and approved the plan at their meeting on March 5, 2015. RCTC staff reviewed the NEV Plan to ensure that it is consistent with state and local requirements and does not conflict with countywide transportation priorities. The Commission confirmed this review at their meeting on September 9, 2015. The NEV Plan is now being submitted to the CVAG Public Safety Committee for review and feedback to comply with the required law enforcement agency review.

The NEV Plan is available for review on the CVAG website, and specifically at the following link: http://www.cvag.org/library/pdf_files/trans/CV%20Link%20Docs/CVAG_NEV_Plan_March_2015.pdf. Regulatory, enforcement and public education issues and recommendations are discussed in Section 6 of the NEV Plan.

Attached are the NEV Network Concept Maps for each jurisdiction on pages 39-46 of the plan. Desert Hot Springs is not included because it is not part of the first phase (core) CV Link project. Staff from seven cities were consulted regarding the development of the NEV networks. (The CVAG consultant team was unable to schedule a meeting with staff from Indian Wells.) These concept maps are to be adopted and implemented at the discretion of the local jurisdictions.

;attachment

Coachella Valley Association of Governments Public Safety Committee Meeting Minutes

Item 6A

Coachella Valley Association of Governments PUBLIC SAFETY COMMITTEE Meeting Minutes of September 14, 2015



The audio file for this committee meeting can be found online at: <http://www.cvag.org/minutes.htm>

1. CALL TO ORDER

The Coachella Valley Association of Governments (CVAG) Public Safety Committee meeting was called to order on Monday, September 14, 2015 at 9:00 a.m. by Vice-Chair Betty Sanchez, Councilmember, City of Coachella, at CVAG offices, 73-710 Fred Waring Drive, Conference Room 119, Palm Desert, California 92260-2516.

2. ROLL CALL

Following roll call it was determined that a quorum was present.

MEMBERS PRESENT

Councilmember Ted Mertens
Councilmember Jan Pye
Councilmember Lee Osborne
Mayor Pro Tem Bob Spiegel
Councilmember Ted Weill
Sheriff Stan Sniff
Councilmember Betty Sanchez (Vice-Chair)
Councilmember Mark Carnevale
Councilmember Mike Wilson

AGENCY

City of Indian Wells
City of Desert Hot Springs
City of La Quinta
City of Palm Desert
City of Rancho Mirage
County of Riverside
City of Coachella
City of Cathedral City
City of Indio

EX-OFFICIO MEMBERS PRESENT

Richard Twiss, Police Chief
Sue Trevino, Captain
Dorian Cooley, Deputy Fire Chief
Michael Hestrin, DA
Andrew Shouse, Captain
Laura Quattlebaum, Captain
Steve Foristel, Division Director
Al Franz, Chief
Kevin Nadler, Fire Chief
Dale Mondary, Chief
Scott Garrett, Patrol Agent In-Charge

Indio Police Department
Riverside County Sheriff – PD, RM & IW
Riverside County Fire Department
Riverside County District Attorney
Riverside County Sheriff – Coachella/LQ
California Highway Patrol
Riverside County Probation
Palm Springs Police Department
Palm Springs Fire Department
Desert Hot Springs Police Department
U.S. Border Patrol-Indio Station

MEMBERS AND EX-OFFICIOS NOT PRESENT

Margaret Muhr
Chief George Crum
Chief Paul Wilson
Mayor Pro Tem Paul Lewin

Agua Caliente Band of Cahuilla Indians
Cathedral City Police Department
Cathedral City Fire Department
City of Palm Springs

OTHERS PRESENT

Sue Steading, ADA
Jay K. Keil, DDA
Blake Goetz, Interim Chief

Riverside County District Attorney's Office
Riverside County District Attorney's Office
Palm Springs Fire Department

CVAG STAFF PRESENT

Tom Kirk, Executive Director
Erica Felci, Gov. Programs Manager

Cheryll Dahlin, Management Analyst

3. PLEDGE OF ALLEGIANCE

Councilmember Betty Sanchez led the Pledge of Allegiance.

4. PUBLIC COMMENTS

Michael Harrington spoke about the Human Trafficking Resolution.

Joyce Virtue gave spoke about the CV Link.

5. COMMITTEE MEMBER/DIRECTOR COMMENTS

None.

6. CONSENT CALENDAR

IT WAS MOVED BY MEMBER WILSON AND SECONDED BY MEMBER SPIEGEL TO:

A. APPROVE MINUTES FOR JUNE 8, 2015

B. RECEIVE AND FILE

1. PROCLAMATION OF NATIONAL FIRE PREVENTION WEEK

2. CV LINK OPERATIONS AND MAINTENANCE WORKSHOPS UPDATE

3. COMMITTEE ATTENDANCE REPORT

THE MOTION CARRIED WITH 9 AYES AND 1 ABSENT

COUNCILMEMBER CARNEVALE	AYE
COUNCILMEMBER SANCHEZ	AYE
COUNCILMEMBER PYE	AYE
COUNCILMEMBER MERTENS	AYE
COUNCILMEMBER WILSON	AYE
COUNCILMEMBER OSBORNE	AYE
MAYOR PRO TEM SPIEGEL	AYE
PALM SPRINGS	ABSENT
COUNCILMEMBER WEILL	AYE
SHERIFF STAN SNIFF	AYE

7. DISCUSSION/ACTION ITEMS

A. California State Legislative Update: SB 167 (Gaines and Jackson) Drones—
Assemblyman Chad Mayes

Assemblyman Chad Mayes, 42nd District, is a co-author on SB 167 that will keep drones out of fire zones. He gave an update on the bill and a summary of the last week of the legislative session.

B. Medical Marijuana Dispensary and Cultivation Laws Presentation— Deputy District Attorney Jay K. Kiel, Riverside County District Attorney's Office, Major Narcotics Vertical Prosecution

Deputy District Attorney Jay K. Kiel gave a PowerPoint presentation on Medical Marijuana Laws.

C. Neighborhood Electric Vehicle (NEV) Plan Review—LeGrand Velez

John Lieswyn, Alta Planning, gave a NEV Plan overview presentation, focusing on issues of interest to public safety. Feedback was taken by CVAG staff from the committee.

8. EX-OFFICIO MEMBER UPDATES

A. FIRE CHIEFS-

Deputy Fire Chief Dorian Cooley gave an update on current fires in the state and status of local stations.

The new Palm Springs Fire Chief J. Kevin Nadler introduced himself to the committee.

B. CALIFORNIA HIGHWAY PATROL-

Captain Quattlebaum announced the Tex Wash Bridge opening at the end of September and reported no incidents due the construction of the bridge.

C. BORDER PATROL-

Patrol Agent in Charge Scott Garrett, Indio Station introduced himself to the committee.

D. DISTRICT ATTORNEY'S OFFICE-

District Attorney Hestrin updated on continuing pitfalls AB 109 and Proposition 47. There was a recent incident where an inmate was able to post bail, once released the inmate shot a woman and it paralyzed her.

E. COUNTY PROBATION DEPARTMENT- Update on AB 109-

Steve Foristel gave an update from probation.

F. SHERIFF/POLICE CHIEFS-

Chief Twiss updated the committee on a meeting he had recently with fellow public safety officials and officials at General Patton State Hospital.

Chief Dale Mondary, City of Desert Hot Springs, introduced himself to the committee

8. INFORMATIONAL/ANNOUNCEMENTS

A. Upcoming Meetings at CVAG, 73-710 Fred Waring Drive, Palm Desert:

Public Safety Committee - Monday, November 9, 2015, at 9:00 a.m., Conference Room 119

Executive Committee - Monday, September 28, 2015 at 4:30 p.m., Conference Room 119

There being no further business the meeting was adjourned at 10:09 a.m.

Respectfully submitted,
Cheryll Dahlin
Management Analyst

*The audio file for this committee meeting can be found online at:
<http://www.cvag.org/minutes.htm>*

Appendix G. Caltrans Letter of Concurrence

DEPARTMENT OF TRANSPORTATION

DISTRICT 8
PLANNING (MS 722)
464 WEST 4th STREET, 6th FLOOR
SAN BERNARDINO, CA 92401-1400
PHONE (909) 383-4557
TTY 711
www.dot.ca.gov/dist8



*Serious Drought,
Help save water!*

October 23, 2015

Coachella Valley Association of Governments
Mr. Tom Kirk
Executive Director
73-700 Fred Waring Drive
Palm Desert, CA 92260

Dear Mr. Kirk:

CVAG Neighborhood Electric Vehicle Plan

The California Department of Transportation (Caltrans) has been asked to provide letter of concurrence for Coachella Valley Association of Governments Neighborhood Electric Vehicle Plan (CVAG NEV Plan) per California Assembly Bill no.61, Chapter 170, 2011.

As the owner and operator of the State Highway System (SHS), it is our responsibility to coordinate and consult with local jurisdictions when proposals may impact our facilities. CVAG NEV Plan will cross some sections of Interstate 10, State Route 86 and State Route 111 within certain jurisdictions of the Coachella Valley. Caltrans and CVAG will work together to reduce any impacts that may occur along the routes.

We have no other concerns relative to the approval of the CVAG NEV Plan.

Sincerely,

A handwritten signature in black ink, appearing to read "Mark Roberts".

MARK ROBERTS
Office Chief
Community and Regional Planning

c: LeGrand Velez, CVAG Transportation Program Manager
Haissam Yahya, Office Chief/Operations-Region B

"Provide a safe, sustainable, integrated and efficient transportation system
to enhance California's economy and livability"

Exhibit “D”

AMENDMENT AND RESTATEMENT OF
THE JOINT POWERS AGREEMENT OF
THE COACHELLA VALLEY ASSOCIATION OF
GOVERNMENTS

This agreement is intended to be a restatement and amendment of the Joint Powers Agreement Formation of the Coachella Valley Association of Governments entered into on or about November 1973. This agreement is made and entered into on the 26th day of June, 1989, pursuant to Government Code §6500 et. seq. and other pertinent provisions of law, by and between the following public agencies:

- (a) County of Riverside
- (b) City of Coachella
- (c) City of Indio
- (d) City of La Quinta
- (e) City of Indian Wells
- (f) City of Palm Desert
- (g) City of Rancho Mirage
- (h) City of Cathedral City
- (i) City of Palm Springs
- (j) City of Desert Hot Springs

R E C I T A L S

A. Each member and party to this Agreement is a governmental entity established by law with full powers of

government in legislative, administrative, financial, and other related fields. The purpose of this agreement is to amend and restate the purposes of the JPA entered into on or about November, 1973, which formed the Coachella Valley Association of Governments, hereinafter "CVAG".

B. The purpose of the formation and continued existence of CVAG is to provide an agency to conduct studies and projects designed to improve and coordinate the common governmental responsibilities and services on an area-wide and regional basis through the establishment of an association of governments. CVAG will explore areas of inter-governmental cooperation and coordination of government programs and provide recommendations and solutions to problems of common and general concern.

C. When authorized pursuant to an Implementation Agreement, CVAG shall manage and administer thereunder.

NOW, THEREFORE, in consideration of the mutual promises and covenants herein contained, the parties hereto agree as follows:

I.

PURPOSE AND POWERS

1.1 Agency Created.

There is hereby created a public entity to be known as the "Coachella Valley Association of Governments" ("CVAG"). CVAG is formed by this Agreement pursuant to the provisions of Government Code §6500 et. seq. and other pertinent provisions of law. CVAG shall be a public entity separate from the parties hereto.

1.2 Powers.

1.2.1. CVAG established hereunder shall perform all necessary functions to fulfill the purposes of this Agreement. Among other functions, CVAG shall:

a. Serve as a forum for consideration, study and recommendation on area-wide and regional problems;

b. Assemble information helpful in the consideration of problems peculiar to the Coachella Valley;

c. Explore practical avenues for intergovernmental cooperation, coordination and action in the interest of local public welfare and means of improvements in the administration of governmental services; and

d. Serve as the clearing house review body for Federally-funded projects in accordance with Circular A-95 in conjunction with the Southern California Association of Governments.

1.2.2. When authorized pursuant to an Implementation Agreement, CVAG shall have the power in its own name to do any of the following:

a. To exercise jointly the common powers of its members to manage and administer any Implementation Agreement program;

b. To make and enter into contracts;

c. To contract for the services of engineers, attorneys, planners, financial consultants and separate and apart therefrom to employ such other persons, as it deems necessary;

d. To incur debts, liabilities, obligations, and issue bonds;

e. To adopt rules, regulations, policies, bylaws and procedures governing the operation of CVAG in accordance with an Implementation Agreement;

f. To apply for an appropriate grant or grants under any federal, state, or local programs for assistance in developing an Implementation Agreement program;

g. To receive gifts, contributions and donations of property, funds, services and other forms of financial assistance from persons, firms, corporations and any governmental entity;

h. To acquire, hold, and dispose of property by eminent domain, lease, lease purchase or sale in accordance with the Implementation Agreement and subject to the conditions therein;

i. To lease, acquire, construct, manage, maintain, and operate any buildings, works, or improvements;

j. To sue and be sued in its own name;

k. To the extent not herein specifically provided for, to exercise any powers authorized by an Implementation Agreement in furtherance of said agreement's purpose;

II.

ORGANIZATION OF ASSOCIATION

2.1 Membership.

The parties to CVAG shall be each public entity which has executed or hereafter executes this agreement, or any

addenda, amendment, or supplement thereto, and which has not, pursuant to provisions hereof, withdrawn therefrom.

2.2 Names.

The names, particular capacities and addresses of the parties at any time shall be shown on Exhibit "A" attached hereto, as amended or supplemented from time to time.

2.3 Duties.

CVAG shall do whatever is necessary and required to carry out the purposes of this agreement and when authorized by an Implementation Agreement, to make and enter into such contracts, incur such debts and obligations, assess contributions from the members, and perform such other acts as are necessary to the accomplishment of the purposes of such agreement, within the provisions of Government Code Section 6500 et seq. and as prescribed by the laws of the State of California.

2.4 Governing Body.

2.4.1. CVAG shall be governed by a General Assembly with membership consisting of the County of Riverside and each city which is a signatory to this Agreement. Each member agency of the General Assembly shall have five votes in the General Assembly and each vote shall be vested in and be exercised by a mayor, councilman or county supervisor. The General Assembly shall act only upon a majority of a quorum. A quorum shall consist of a majority of the General Assembly provided that a majority of the member agencies are present. The General Assembly may adopt and amend by-laws for the administration and

management of this agreement, which when adopted and approved shall be an integral part of this agreement. Such by-laws may provide for the management and administration of this Agreement.

2.4.2. There shall be an Executive Committee who exercises the powers of this Agreement between sessions of the General Assembly. Members of the Executive Committee shall be the Mayor, or the Mayor's designee, from each of the member cities and the five members of the Riverside County Board of Supervisors except any City Council, at its discretion, can appoint a Mayor Pro Tem or other city council member in place of the Mayor. The Executive Committee shall act only upon a majority of a quorum. A quorum shall consist of a majority of the member agencies.

2.4.3. Each member of the General Assembly and the Executive Committee shall be a current member of the legislative body such member represents.

2.4.4. Each participating member on the Executive Committee shall also have an alternate, who must also be a current member of the legislative body of the party such alternative represents, with the exception of the alternates to the members representing the County of Riverside. The name of the alternate members shall be on file with the Executive Committee. An alternate member shall assume all rights and duties of the absent member.

2.4.5. Each member and alternate shall hold office from the first meeting of the Executive Committee after

appointment by the City Council or Board of Supervisors until a successor is named. Members and alternates shall be appointed by and serve at the pleasure of their appointing body and may be removed at any time, with or without cause, at the sole discretion of the legislative body of the party such member represents.

2.5 Principal Office.

The principal office of CVAG shall be established by the Executive Committee and shall be located within the Coachella Valley. The Executive Committee is hereby granted full power and authority to change said principal office from one location to another within the Coachella Valley. Any change shall be noted by the Secretary under this section but shall not be considered an amendment to this Agreement.

2.6 Meetings.

The Executive Committee shall meet at the principal office of the agency or at such other place as may be designated by the Executive Committee. The time and place of regular meetings of the Executive Committee shall be determined by resolution adopted by the Executive Committee; a copy of such resolution shall be furnished to each party hereto. Regular adjourned and special meetings shall be called and conducted in accordance with the provisions of the Ralph M. Brown Act, Government Code §54950 et. seq., as it may be amended.

2.7 Powers and Limitations Thereon.

All of the powers and authorities of the agency shall be exercised by the General Assembly and its Executive Committee.

Unless otherwise provided herein, each member or participating alternate shall be entitled to one vote, and a vote of the majority of those present and qualified to vote constituting a quorum may adopt any motion, resolution, or order and take any other action they deem appropriate to carry forward the objectives of the agency.

2.8 Minutes.

The secretary of the agency shall cause to be kept minutes of regular adjourned regular and special meetings of the General Assembly and Executive Committee, and shall cause a copy of the minutes to be forwarded to each member and to each of the members hereto.

2.9 Rules.

The Executive Committee may adopt from time to time such rules and regulations for the conduct of its affairs consistent with this agreement or any Implementation Agreement.

2.10 Vote or Assent of Parties.

The vote, assent or approval of parties in any manner requiring such vote, assent or approval hereunder shall be evidenced by a certified copy of the action of the governing body of such party filed with the agency. It shall be the responsibility of the executive director to obtain certified copies of said actions.

2.11 Officers.

There shall be selected from the membership of the Executive Committee, a chairman and a vice chairman. The

Executive Director shall be the secretary. The Executive Committee shall designate an officer or employee of a member public agency to hold the office of treasurer for CVAG. Such person shall possess the powers of, and shall perform the treasurer functions for, CVAG and perform those functions required by Government Code §§6505, 6505.5 and 6505.6, including any subsequent amendments thereto.

The chairman and vice chairman, shall hold office for a period of one year commencing July 1st of each and every fiscal year; provided, however, the first chairman and vice chairman appointed shall hold office from the date of appointment to June 30th of the ensuing fiscal year. Except for the Executive Director, any officer, employee, or agent of the Executive Committee may also be an officer, employee, or agent of any of the members. The appointment by the Executive Committee of such a person shall be evidence that the two positions are compatible.

2.12 Committees.

The Executive Committee may, as it deems appropriate, appoint committees to accomplish the purposes set forth herein. All committee meetings of CVAG shall be open to all members.

2.13 Additional Officers and Employees.

The Executive Committee shall have the power to appoint such additional officers and to employ such employees and assistants as may be appropriate. Such officers and employees may also be, but are not required to be, officers and employees of the individual members.

2.14 Bonding Requirement.

The officers or persons who have charge of, handle, or have access to any property of CVAG shall be the members of the Executive Committee, the treasurer, the Executive Director, and any other officers or persons to be designated or empowered by the Executive Committee. Each such officer or person shall be required to file an official bond with the Executive Committee in an amount which shall be established by the Executive Committee. Should the existing bond or bonds of any such officer be extended to cover the obligations provided herein, said bond shall be the official bond required herein. The premiums on any such bonds attributable to the coverage required herein shall be appropriate expenses of CVAG.

2.15 Status of Officers and Employees.

All of the privileges and immunities from liability, exemption from laws, ordinances and rules, all pension, relief, disability, worker's compensation, and other benefits which apply to the activity of officers, agents, or employees of any of the members when performing their respective functions shall apply to them to the same degree and extent while engaged in the performance of any of the functions and other duties under this Agreement. None of the officers, agents, or employees appointed by the Executive Committee shall be deemed, by reason of their employment by the Executive Committee, to be employed by any of the members or, by reason of their employment by the Executive Committee, to be subject to any of the requirements of such members.

III

FUNDS AND PROPERTY

3.1. Treasurer. The Executive Committee shall designate one of the member agencies as Treasurer as depository for CVAG and he shall have custody of all funds and shall provide for strict accountability thereof in accordance with Government Code Section 6505.5 and other applicable laws of the State of California. He shall perform all of the duties required by him in Government Code Section 6505 et seq.

3.2. Expenditure of funds. The funds under this Agreement shall be expended only in furtherance of the purposes hereof and in accordance with the laws of the State of California and standard accounting practices shall be used to account for all funds received and disbursed.

3.3. Fiscal year. CVAG shall be operated on a fiscal year basis, beginning on July 1 of each year and continuing until June 30 of the succeeding year. Prior to July 1 of each year, the General Assembly shall adopt a final budget for the expenditures of CVAG during the fiscal year.

3.4. Contributions/Public Funds. In preparing the budget, the General Assembly by majority vote of a quorum shall determine the amount of funds which will be required from its members for the purposes of this Agreement. The funds required from its members after approval of the final budget shall be raised by contributions 50% of which will be assessed on a per capita basis and 50% on an assessed valuation basis, each city paying on the

basis of its population and assessed valuation and the County paying on the basis of the population and assessed valuation within the unincorporated area of Coachella Valley as defined in the by-laws. The parties, when informed of their respective contributions, shall pay the same before August 1st of the fiscal year for which they are assessed.

In addition to the contributions provided, advances of public funds from the parties may be made for the purposes of this Agreement. When such advances are made, they shall be repaid from the first available funds of CVAG.

The General Assembly shall have the power to determine that personnel, equipment or property of one or more of the parties to the Agreement may be used in lieu of fund contributions or advances.

All contributions and funds shall be paid to CVAG and shall be disbursed by a majority vote of a quorum of the Executive Committee, as authorized by the approved budget.

IV

BUDGETS AND DISBURSEMENTS

4.1 Annual Budget.

The General Assembly shall adopt upon the approval of a quorum of the members of the General Assembly, an annual budget, for the ensuing fiscal year, pursuant to procedures developed by the General Assembly. The Executive Committee may at any time amend this budget to incorporate additional income

and disbursements that might become available to CVAG for its purposes during a fiscal year.

4.2 Disbursements.

The Executive Director shall request warrants from the Treasurer in accordance with budgets approved by the General Assembly or Executive Committee subject to quarterly review by the Executive Committee. The Treasurer shall pay such claims or disbursements and such requisition for payment in accordance with rules, regulations, policies, procedures and bylaws adopted by the Executive Committee.

4.3 Accounts.

All funds other than any Implementation Agreement funds will be placed in accounts and the receipt, transfer, or disbursement of such funds during the term of this Agreement shall be accounted for in accordance with generally accepted accounting principles applicable to governmental entities and pursuant to Gov. Code § 6505 et seq. and any other applicable laws of the State of California. There shall be strict accountability of all funds. All revenues and expenditures shall be reported to the Executive Committee.

4.4 Expenditures Within Approved Annual Budget.

All expenditures shall be made within the approved annual budget. No expenditures in excess of those budgeted shall be made without the approval of a majority of a quorum of the Executive Committee.

4.5 Audit.

The records and accounts of CVAG shall be audited annually by an independent certified public accountant and copies of such audit report shall be filed with the County Auditor, State Controller and each party to CVAG no later than fifteen (15) days after receipt of said audit by the Executive Committee.

4.6 Reimbursement of Funds.

Grant funds received by CVAG from any federal, state, or local agency to pay for budgeted expenditures for which CVAG has received all or a portion of said funds from the parties hereto shall be used as determined by CVAG's Executive Committee.

V

LIABILITIES

5.1 Liabilities.

The debts, liabilities, and obligation of CVAG shall be the debts, liabilities, or obligations of CVAG alone and not of the parties to this Agreement.

5.2 Hold Harmless and Indemnity.

Each party hereto agrees to indemnify and hold the other parties harmless from all liability for damage, actual or alleged, to persons or property arising out of or resulting from negligent acts or omissions of the indemnifying party or its employees. Where the General Assembly or Executive Committee itself or its agents or employees are held liable for injuries to persons or property, each party's liability for contribution or

indemnity for such injuries shall be based proportionately upon the contributions (less voluntary contributions) of each member. In the event of liability imposed upon any of the parties to this Agreement, or upon the General Assembly or Executive Committee created by this Agreement, for injury which is caused by the negligent or wrongful act or omission of any of the parties in the performance of this Agreement, the contribution of the party or parties not directly responsible for the negligent or wrongful act or omission shall be limited to One Hundred Dollars (\$100.00). The party or parties directly responsible for the negligent or wrongful acts or omissions shall indemnify, defend, and hold all other parties harmless from any liability for personal injury or property damage arising out of the performance of this Agreement.

VI

ADMISSION AND WITHDRAWAL OF PARTIES

6.1 Admission of New Parties.

It is recognized that public entities, other than the original parties, may wish to participate in CVAG. Additional Coachella Valley public entities may become parties to CVAG upon such terms and conditions as provided by the General Assembly or Executive Committee and the consent of two-thirds (2/3) of the existing parties to CVAG, evidenced by the execution of a written addendum to this Agreement, and signed by all of the parties including the additional party.

6.2 Withdrawal From CVAG.

It is fully anticipated that each party hereto shall participate in CVAG until the purposes set forth in this Agreement are accomplished. The withdrawal of any party, either voluntary or involuntary, unless otherwise provided by the General Assembly or Executive Committee, shall be conditioned as follows:

A. In the case of a voluntary withdrawal following a properly noticed public hearing, written notice shall be given to CVAG, one year and ninety days prior to the effective date of withdrawal;

B. Withdrawal shall not relieve the party of its proportionate share of any debts or other liabilities incurred by CVAG prior to the effective date of the parties' notice of withdrawal;

C. Withdrawal shall result in the forfeiture of that party's rights and claims relating to distribution of property and funds upon termination of CVAG as set forth in Section 7 below;

D. Withdrawal from any Implementation Agreement shall not be deemed withdrawal from membership in CVAG.

VII

TERMINATION AND DISPOSITION OF ASSETS

7.1 Termination of this Agreement.

CVAG shall continue to exercise the joint powers herein until the termination of this Agreement and any extension thereof

or until the parties shall have mutually rescinded this Agreement; providing, however, that CVAG and this Agreement shall continue to exist for the purposes of disposing of all claims, distribution of assets and all other functions necessary to conclude the affairs of CVAG.

Termination shall be accomplished by written consent of all of the parties, or shall occur upon the withdrawal from CVAG of a sufficient number of the agencies enumerated herein so as to leave less than five of the enumerated agencies remaining in CVAG.

7.2 Distribution of Property and Funds.

In the event of the termination of this Agreement, any property interest remaining in CVAG following the discharge of all obligations shall be disposed of as the Executive Committee shall determine with the objective of returning to each party a proportionate return on the contributions made to such properties by such parties, less previous returns, if any.

VIII

IMPLEMENTATION AGREEMENTS

8.1 Execution of Agreement.

Five (5) or more of the public agencies enumerated herein, or if approved by the Executive Committee then two (2) or more of the public agencies enumerated herein, may execute an Implementation Agreement for the purpose of authorizing CVAG to implement, manage and administer area-wide and regional programs in the interest of the local public welfare. The costs

incurred by CVAG in implementing a program including indirect costs, shall be assessed only to those public agencies who are parties to that Implementation Agreement.

8.2 Amendments.

Said Implementation Agreements may be amended from time to time with the approval of not less than two-thirds (2/3) of the members to the Implementation Agreement, or as otherwise provided therein.

IX

MISCELLANEOUS

9.1 Amendments.

This Agreement may be amended with the approval of not less than two-thirds (2/3) of all members.

9.2 Notice.

Any notice or instrument required to be, given or delivered by depositing the same in any United States Post Office, registered or certified, postage prepaid, addressed to the addresses of the parties as shown on Exhibit "A", shall be deemed to have been received by the party to whom the same is addressed at the expiration of seventy-two (72) hours after deposit of the same in the United States Post Office for transmission by registered or certified mail as aforesaid.

9.3 Effective Date.

This Agreement shall be effective and CVAG shall exist at such time as this Agreement has been executed by the public agencies enumerated herein.

9.4 Arbitration.

Any controversy or claim between any two or more

parties to this Agreement, or between any such party or parties and CVAG, with respect to disputes, demands, differences, controversies, or misunderstandings arising in relation to interpretation of this contract, or any breach thereof, shall be submitted to and determined by arbitration. The party desiring to initiate arbitration shall give notice of its intention to arbitrate to every other party to this Agreement and CVAG. Such notice shall designate as "respondents" such other parties as the initiating party intends to have bound by any award made therein. Any party not so designated but which desires to join in the arbitration may, within ten (10) days of service upon it of such notice, file a response indicating its intention to join in and to be bound by the results of the arbitration, and further designating any other parties it wishes to name as a respondent. Within twenty (20) days of the service of the initial demand for arbitration, the initiating party and the respondent shall each designate a person to act as an arbitrator. The two designated arbitrators shall mutually designate a third person to serve as arbitrator.

The three arbitrators shall proceed to arbitrate the matter in accordance with the provisions of Title 9 of Part 3 of the Code of Civil Procedure, Section 1280 et. seq. The parties to this Agreement agree that the decision of the arbitrators will be binding.

9.5 Partial Invalidity.

If any one or more of the terms, provisions, sections, promises, covenants or conditions of this Agreement shall to any extent be adjudged invalid, unenforceable, void or voidable for any reason whatsoever by a court of competent jurisdiction, each and all of the remaining terms, provisions, sections, promises, covenants and conditions of this Agreement shall not be affected thereby and shall be valid and enforceable to the fullest extent permitted by law.

9.6 Successors.

This Agreement shall be binding upon and shall inure to the benefit of the successors of the parties hereto.

9.7 Assignment.

The parties hereto shall not assign any rights or obligations under this Agreement without written consent of all other parties.

9.8 Execution.

The Board of Supervisors of the County of Riverside and the city councils of the cities enumerated herein have each authorized execution of this Agreement, as evidenced by the authorized signatures below, respectively.

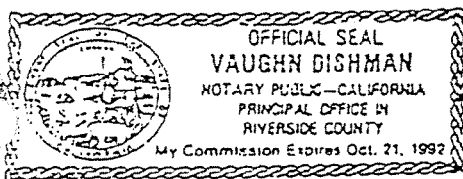
COUNTY OF RIVERSIDE

By Patricia A. Larson
Supervisor Patricia Larson
Authorized representative
of the Board of Supervisors

STATE OF CALIFORNIA)
) ss
COUNTY OF RIVERSIDE)

On June 24, 1989, before me, the undersigned, a Notary Public in and for said State, personally appeared Patricia Larson, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person who executed this instrument as authorized representative of the Board of Supervisors of the County of Riverside and acknowledged to me that the County of Riverside executed it.

WITNESS my hand and official seal.



Vaughn Dishman
NOTARY PUBLIC

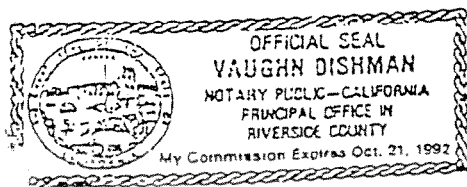
CITY OF COACHELLA

By Charles Ellis
Mayor ~~of the City of Coachella~~ CHARLES ELLIS

STATE OF CALIFORNIA)
) ss
COUNTY OF RIVERSIDE)

On June 24, 1989, before me, the undersigned, a ~~Notary Public~~ ^{CHAR} Notary Public in and for said State, personally appeared ~~Patricia Larson~~ ^{ELLIS} ~~Ellis~~, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person who executed this instrument as Mayor ~~of the City of Coachella~~ ^{of the City of Coachella} and acknowledged to me that the City of Coachella executed it.

WITNESS my hand and official seal.



Vaughn Dishman
NOTARY PUBLIC

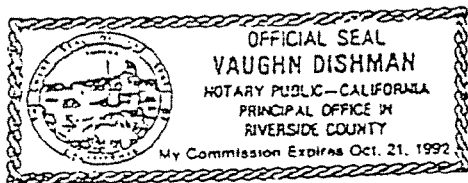
CITY OF INDIO

By Darwin D. Oakley
Mayor Darwin Oakley

STATE OF CALIFORNIA)
) ss
COUNTY OF RIVERSIDE)

On June 26, 1989, before me, the undersigned, a Notary Public in and for said State, personally appeared Darwin Oakley, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person who executed this instrument as Mayor of the City of Indio and acknowledged to me that the City of Indio executed it.

WITNESS my hand and official seal.



Vaughn Dishman
NOTARY PUBLIC

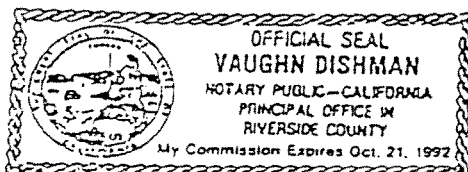
CITY OF LA QUINTA

By John J. Pena
Mayor John Pena

STATE OF CALIFORNIA)
) ss
COUNTY OF RIVERSIDE)

On June 26, 1989, before me, the undersigned, a Notary Public in and for said State, personally appeared John Pena, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person who executed this instrument as Mayor of the City of La Quinta and acknowledged to me that the City of La Quinta executed it.

WITNESS my hand and official seal.



Vaughn Dishman
NOTARY PUBLIC

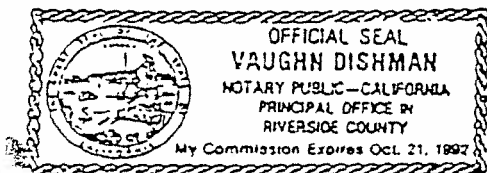
CITY OF INDIAN WELLS

By Richard R. Oliphant
Mayor Richard Oliphant

STATE OF CALIFORNIA)
) ss
COUNTY OF RIVERSIDE)

On June 26, 1989, before me, the undersigned, a Notary Public in and for said State, personally appeared Richard Oliphant, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person who executed this instrument as Mayor of the City of Indian Wells and acknowledged to me that the City of Indian Wells executed it.

WITNESS my hand and official seal.



Vaughn Dishman
NOTARY PUBLIC

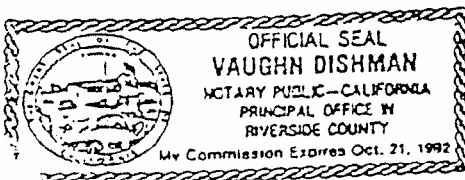
CITY OF PALM DESERT

By Roy Wilson
Mayor Roy Wilson

STATE OF CALIFORNIA)
) ss
COUNTY OF RIVERSIDE)

On June 26, 1989, before me, the undersigned, a Notary Public in and for said State, personally appeared Roy Wilson, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person who executed this instrument as Mayor of the City of Palm Desert and acknowledged to me that the City of Palm Desert executed it.

WITNESS my hand and official seal.



Vaughn Dishman
NOTARY PUBLIC

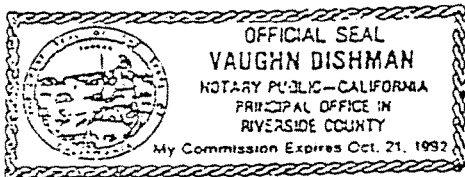
CITY OF RANCHO MIRAGE

By [Signature]
Mayor Jeff Bleaman

STATE OF CALIFORNIA)
) ss
COUNTY OF RIVERSIDE)

On June 26, 1989, before me, the undersigned, a Notary Public in and for said State, personally appeared Jeff Bleaman, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person who executed this instrument as Mayor of the City of Rancho Mirage and acknowledged to me that the City of Rancho Mirage executed it.

WITNESS my hand and official seal.



[Signature]
NOTARY PUBLIC

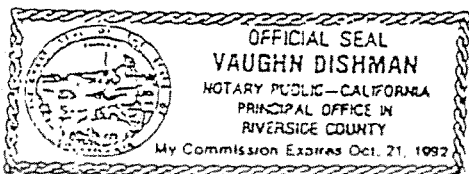
CITY OF CATHEDRAL CITY

By [Signature]
Mayor ROBERT A. HILLERY

STATE OF CALIFORNIA)
) ss
COUNTY OF RIVERSIDE)

On June 26, 1989, before me, the undersigned, a ~~Notary~~ ^{ROBE} Notary Public in and for said State, personally appeared ~~Robert A. Hillery~~ ^{A. Hill}, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person who executed this instrument as Mayor ~~PROTEM~~ of the City of Cathedral City and acknowledged to me that the City of Cathedral City executed it.

WITNESS my hand and official seal.



[Signature]
NOTARY PUBLIC

CITY OF PALM SPRINGS

By Sharon Apfelbaum
Mayor ~~Sharon Apfelbaum~~
SHARON APFELBAUM

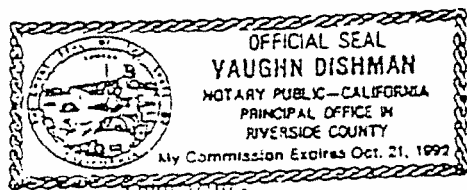
STATE OF CALIFORNIA)

) ss

COUNTY OF RIVERSIDE)

On June 26, 1989, before me, the undersigned, a ~~SHARON APFELBAUM~~ Notary Public in and for said State, personally appeared ~~Sharon Apfelbaum~~ Sharon Apfelbaum, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person who executed this instrument as Mayor of the City of Palm Springs and acknowledged to me that the City of Palm Springs executed it.

WITNESS my hand and official seal.



Vaughn Dishman
NOTARY PUBLIC

CITY OF DESERT HOT SPRINGS

By Daniel Been
Mayor Daniel Been

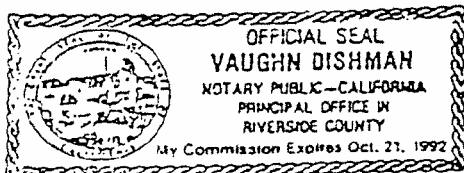
STATE OF CALIFORNIA)

) ss

COUNTY OF RIVERSIDE)

On June 26, 1989, before me, the undersigned, a Notary Public in and for said State, personally appeared Daniel Been, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person who executed this instrument as Mayor of the City of Desert Hot Springs and acknowledged to me that the City of Desert Hot Springs executed it.

WITNESS my hand and official seal.



Vaughn Dishman
NOTARY PUBLIC

Exhibit “E”

ORDINANCE NO. 02-001

RIVERSIDE COUNTY TRANSPORTATION COMMISSION TRANSPORTATION EXPENDITURE PLAN AND RETAIL TRANSACTION AND USE TAX ORDINANCE

PREAMBLE

The transportation system in Riverside County is rapidly deteriorating and our population and economy are growing rapidly. Maintenance and repairs of existing roadways and improvements to relieve congestion cannot be accomplished with available funds. Without additional funds, the system will bog down and pavement will crumble into permanent disrepair. State highway funds are inadequate and competition for funds is increasing. Projects in areas where local sales tax funds are available have been and will continue to be viewed much more favorably in the selection process of the California Transportation Commission. Local governments must either generate revenues to expand our system and maintain our investments or watch the system collapse and endanger the health, welfare and safety of all Riverside County residents.

Continuation of our one-half percent sales tax for transportation to supplement traditional revenues and revenues to be generated through locally-adopted developer fees and assessment districts for transportation improvements is the only way local governments can be sure the transportation system will serve the current and future travel needs of Riverside County. Collection of the one-half percent sales tax will commence upon the expiration of the existing tax.

The Riverside County Transportation Commission will continue to seek maximum funding for transportation improvements through State and federal programs. The Commission will not provide sales tax revenues to any city or to the County unless revenues currently used by that agency for transportation are continued to be used for transportation purposes.

The Riverside County Transportation Commission ordains as follows:

SECTION 1. SUMMARY. This Ordinance provides for the imposition of a retail transaction and use tax of one-half percent for a period of thirty (30) years, the authority to issue bonds secured by such taxes, and the administration of the tax proceeds and a county transportation expenditure plan.

SECTION II. DEFINITIONS. The following definitions shall apply in this ordinance:

- A. Expenditure Plan. "The Expenditure Plan" means the Riverside County Transportation Commission Expenditure Plan (attached as Exhibit B) and adopted as part of this Ordinance including any future amendments thereto.
- B. "County" means the County of Riverside.

- C. "Commission" means the Riverside County Transportation Commission s set forth in Sections 130053, 130053.5 and 130053.7 of the Public Utilities Code.
- D. "TUMF" means Transportation Uniform Mitigation Fee. This fee is charged on new development by local governments to assist with the building and improvement of regional arterials.
- E. "MSHCP" means the Multiple Species Habitat Conservation Plan currently under development by the County of Riverside.
- F. "Existing Tax" means the ½ % retail transactions and use tax adopted pursuant to Ordinance No. 88-01.

SECTION III. AUTHORITY. This Ordinance is enacted, in part, pursuant to the provisions of Division 25 (commencing with Section 240000) of the Public Utilities Code, and Section 7252.22 of the Revenue and Taxation Code.

SECTION IV. IMPOSITION OF RETAIL TRANSACTIONS AND USE TAX. Subject to voter approval of the same, the Commission shall impose, in the incorporated and unincorporated territory of the County of Riverside, a retail transactions and use tax (referred to as the Measure "A" fund tax) at a zero percent (0%) rate until the expiration of the Existing Tax. Thereafter, a tax shall be collected for a thirty (30) year period at the rate of one-half of one percent (0.5%). This tax shall be in addition to any other taxes authorized by law, including any existing or future state or local sales tax or transactions and use tax.

SECTION V. PURPOSES. Measure "A" funds may only be used for transportation purposes including the administration of Division 25, including legal actions related thereto, the construction, capital, acquisition, maintenance, and operation of streets, roads, highways, including state highways and public transit systems and for related purposes. These purposes include expenditures for the planning, environmental reviews, engineering and design costs, and related right-of-way acquisition.

SECTION VI. BONDING AUTHORITY. Upon voter approval of Measure "A" , the Commission shall have the power to sell or issue, from time to time, on or before the collection of taxes, bonds, or other evidence of indebtedness, including, but not limited to, capital appreciation bonds, in the aggregate principal amount at any one time outstanding of not to exceed \$500 million, and to secure such indebtedness solely by way of future collection of taxes, for capital outlay expenditure for the purposes set forth in Section V hereof, including to carry out the transportation projects described in the Expenditure Plan.

SECTION VII. MAINTENANCE OF EFFORT. The Commission, by the enactment of this Ordinance, intends the additional funds provided government agencies by this Chapter to supplement existing local revenues and required developer improvements being used for transportation purposes. The government agencies shall maintain their existing commitment of local funds for street, highway and public transit purposes pursuant to this Ordinance, and the Commission shall enforce this Section by appropriate actions including fiscal audits of the local agencies.

The local cities and the County shall annually submit to the Commission a list of the proposed uses for these funds and a certification that the maintenance of effort requirement is being met. If in any fiscal year the maintenance of effort requirement is not met, the agency shall not be eligible for any Measure "A" funds in the following fiscal year. Such funds shall be distributed to the remaining local governments using the formula for the area.

SECTION VIII. RETURN TO SOURCE. Funds for transportation purposes shall be allocated to the Western County, Coachella Valley, and Palo Verde Valley areas proportionate to the Measure "A" funds generated within these areas.

SECTION IX. ADMINISTRATION OF PLANS. The Commission shall impose and collect Measure "A" funds, shall allocate revenues derived, and shall administer the Expenditure Plan consistent with the authority cited herein.

SECTION X. ADMINISTRATIVE COSTS. The Commission shall expend only that amount of the funds generated from Measure "A" for staff support, audit, administrative expenses, and contract services that are necessary and reasonable to carry out its responsibilities pursuant to Division 25, and in no case shall the funds expended for salaries and benefits exceed one percent (1%) of the annual net amount of revenue raised by Measure "A".

SECTION XI. ANNUAL APPROPRIATIONS LIMIT. The annual appropriations limit has been established pursuant to Ordinance 88-01 pursuant to Article XIII B of the California Constitution and Section 240308(b) of the Public Utilities Code. The appropriations limit has and shall be subject to adjustment as provided by law.

SECTION XII. EFFECTIVE AND OPERATIVE DATES. Subject to voter approval, this Ordinance shall take effect at the close of the polls on November 5, 2002.

SECTION XIII. ELECTION. The Commission requests the Board of Supervisors to call an election for voter approval of Measure "A" (Exhibit A), which election shall be held on November 5, 2002. The election shall be called and conducted in the same manner as provided by law for the conduct of elections by a county. Pursuant to Section 240308 of the Public Utilities Code, the sample ballot to be mailed to the voters shall be the full proposition as set forth in the Ordinance, and the voter information handbook shall include the entire Expenditure Plan. Approval of the attached proposition, and the imposition of the Measure "A" retail sales and use tax described herein, shall require the affirmative vote of 2/3rds of the electors voting on the attached proposition at the election described in this section.

SECTION XIV. EXPENDITURE PLAN AMENDMENTS. The Expenditure Plan for Measure "A" funds may only be amended, if required, in accordance with Public Utilities Code section 240302, as amended. This section currently provides the following process for amendment: (1) initiation of the amendment by the Commission reciting findings of necessity; (2) approval by the Board of Supervisors; and, (3) approval by a majority of the cities constituting a majority of the incorporated population, unless such process is amended in a manner consistent with State legislation.

Commencing in 2019 and at least every ten years thereafter, the Commission shall review and, where necessary propose revisions to the Expenditure Plan. Such revisions shall be submitted for approval according to the procedures set forth in this Section XIV. Until approved, the then existing Expenditure Plan shall remain in full force and effect.

SECTION XV. SEVERABILITY. If any tax or provision of this ordinance is for any reason held invalid or unenforceable by a court of competent jurisdiction, that holding shall not affect the validity or enforceability of the remaining Measure "A" funds or provisions, and the Commission declares that it would have passed each part of this ordinance irrespective of the validity of any other part.

SECTION XVI. THE EXISTING TAX. Nothing in the ordinance is intended to modify, repeal, alter or increase the Existing Tax. The provisions of this ordinance shall apply solely to the retail transactions and use tax adopted herein, and not to the collection or administration of the Existing Tax.

APPROVED AND ADOPTED by the Riverside County Transportation Commission at its meeting on Wednesday, May 8, 2002.

By:

John F. Tavaglione, Chairman
Riverside County Transportation Commission

ATTESTED:

By:

Naty Kopenhaver, Clerk of the Board
Riverside County Transportation Commission

Riverside County Transportation Improvement Plan

GOALS AND OBJECTIVES

MAINTAIN AND IMPROVE THE QUALITY OF LIFE IN RIVERSIDE COUNTY BY SUPPLEMENTING EXISTING FUNDS FOR TRANSPORTATION

Reduce current congestion and provide adequate transportation facilities to accommodate reasonable growth in the future.

Provide funding for the adequate maintenance and improvement of local streets and roads in the cities and unincorporated areas.

Enhance Riverside County's ability to secure state and federal funding for transportation by offering local matching funds.

PROVIDE FOR ACCOUNTABILITY IN THE EXPENDITURE OF TAX PAYER FUNDS

Provides for mandatory dedication of sales tax funds only for the transportation improvements and programs identified in the Expenditure Plan and no other purpose.

Provides for a mandatory, annual financial audit of program expenditures to insure that all funds are spent in accordance with this voter adopted Plan and associated legal ordinance.

Provides for a Maintenance of Effort requirement in funds made available to city and county governments for local street and road programs to insure the new money for this purpose is adding to current funding levels.

Provides for the strict limitation of administrative staff costs in implementing this Plan, by limiting, in law, funds expended for salaries and benefits to no more than one (1) percent of the annual net amount of revenues raised by Measure "A".

Provides for the Plan to be updated every 10 years for the period it is in effect to insure that the changing needs and priorities of the county are met.

Provides for the mandatory termination of the tax in 2039, requiring additional voter approval for extension at a County General Election according to state law.

PROVIDE FOR EQUITY IN THE DISTRIBUTION OF MEASURE "A" REVENUES

Return funds to the Western County, Coachella Valley and Palo Verde Valley proportionate to the funds generated in those areas.

Adopt a Transportation Improvement Plan, which address the unique needs of each of the areas of the county.

Provide a reasonable balance between competing highway, commuter rail, transit, and local streets and roads needs.

PROVIDE FOR LOCAL CONTROL OF THE TRANSPORTATION IMPROVEMENT PROGRAM

Provide for cost effective, local administration of the program through the existing Riverside County Transportation Commission. No new agency would be required to administer these funds.

Delegates appropriate administrative responsibility to the cities and the county and other local agencies for local programs.

This TRANSPORTATION IMPROVEMENT PLAN, which shall act as the County's Expenditure Plan, was prepared by the Riverside County Transportation Commission for the purpose of extending the current ½ cent local transaction and use tax for transportation to be collected for an additional 30 years, if approved by the voters on November 5, 2002 – Measure "A". This is proposed by the Commission as a means to fill the funding shortfall to: implement necessary highway, commuter rail, and transit projects; secure new transportation corridors through environmental clearance and right of way purchases; provide adequate maintenance and improvements on the local street and road system; promote economic growth throughout the county; and provide specialized programs to meet the needs of commuters and the specialized needs of the growing senior and disabled population.

TAXPAYER ACCOUNTABILITY SAFEGUARDS

LEGAL DEDICATION OF FUNDS

Measure "A" funds may only be used for transportation purposes and described in the local ordinance governing this program, including the construction, environmental mitigation of transportation projects, capital activities, acquisition, maintenance, and operation of streets, roads, highways, including state highways and public transit systems and for related purposes. These purposes include but are not limited to expenditures for the planning, environmental reviews, engineering and design costs, related right-of-way acquisition, and construction, engineering and administration.

MANDATORY ANNUAL FISCAL AUDIT

No less than annually, the RCTC shall conduct an independent fiscal audit of the expenditure of all sales tax funds raised by this measure. The audit, which shall be made available to the public, shall report on evidence that the expenditure of funds is in accordance with the Riverside County Transportation Improvement Plan as adopted by the voters in approving the sales tax measure on November 5, 2002. In addition, the audit shall determine that Maintenance of Effort requirements, other requirements regarding local government participation in Transportation Uniform Mitigation Fee Programs, as well as requirements described in Section 5 of the Plan entitled "Local Streets and Roads" have been complied with. The audit shall also insure that no more than 1 (one) percent of total sales tax expenditures are used for administrative staff salaries and benefits in implementing this Plan.

MANDATORY PLAN UPDATE AND TERMINATION OF SALES TAX

This Plan shall be updated by RCTC every 10 years that the sales tax is in effect to reflect current and changing priorities and needs in the County, as defined by the duly elected local government representatives on the RCTC Board. Any changes to this Plan must be adopted in accordance with current law in effect at the time of the update and must be based on findings of necessity for change by the Commission. The sales tax authorized to be collected by the voters shall be terminated on March 31, 2039, unless reauthorized by the voters to extend the sales tax prior to the termination date as required under state law in effect at the time of the vote for extension.

SPECIFIC TRANSPORTATION PROJECTS TO BE FUNDED

WESTERN RIVERSIDE COUNTY

The Expenditure Plan Map illustrates the Western and Coachella Valley areas. The Western County area includes the cities of Banning, Beaumont, Calimesa, Canyon Lake, Corona, Hemet, Lake Elsinore, Moreno Valley, Riverside, Murrieta, Norco, Perris, San Jacinto, and Temecula. It also includes the unincorporated communities of Jurupa, Mira Loma, Menifee, Wildomar, and Sun City and other more sparsely populated areas, and the reservations of the Pechanga Band of Mission Indians, the Soboba Band of Mission Indians, the Cahuilla Band of Mission Indians, the Ramona Band of Cahuilla Indians, and the Morongo Band of Indians.

1. STATE HIGHWAYS

Many more state highway improvement projects are needed to deal with congestion and safety problems than existing state and federal revenues can fund. Projected formula funds from these sources over the 30 years is estimated to be \$640 million and will fund less than ½ of the improvements needed and identified in the Expenditure Plan, which are estimated to cost \$1.66 billion in current dollars. Measure "A" funds will supplement those funding sources by an estimated \$1.02 billion and will cover the remaining costs estimated to accomplish these improvements.

The Highway projects to be implemented with funding returned to the Western County Area by extending the Measure "A" Program are as follows:

ROUTE	LIMITS	PROJECT	EST. COST
91, 60, I-15, & I-215		Reducing congestion on these routes will require that new transportation corridors are constructed	See Section 2
Rte 91	Pierce Street to Orange County Line	Add 1 lane each direction	\$ 161
91/I-15	Interchange	Add new Connector from I-15 North to 91 West	\$ 243
91/71	Interchange	Improve Interchange	\$ 26
Rte 71	Rte 91 to San Bernardino County Line	Widen to 3 lanes each direction	\$ 68
I-215	60/91/215 to San Bernardino County Line	Add 2 lanes each direction	\$ 231
I-215	Eucalyptus Ave to I-15	Add 1 lane each direction	\$ 210
I-15	Rte 60 to San Diego County Line	Add 1 lane each direction	\$ 359
I-10	San Bernardino County Line to Banning	Add eastbound truck climbing lane	\$ 75
I-10/60	Interchange	Construct new interchange	\$ 129
Rte 60	Badlands area, east of Moreno Valley	Add truck climbing lane	\$ 26
Rte 79	Ramona Expressway to Domenigoni Parkway	Realign highway	\$ 132
SUBTOTAL	Measure "A" Funding State & Federal Formula Funds		\$1.02 Billion \$0.64 Billion
TOTAL			\$1.66 Billion

The Commission may add additional State Highway projects, should additional Measure "A" revenue become available.

An estimated 5% of the total cost for these highway projects (\$83 million) will be used for environmental purposes to mitigate the cumulative and indirect impacts associated with construction of these projects.

2. DEVELOPMENT OF NEW TRANSPORTATION CORRIDORS

State Routes 91 and 60 and Interstate Routes 15 and 215 cannot cost effectively be widened enough to provide for the traffic expected as Riverside County continues to grow. In addition to the specific highway improvements listed in Section 1 above, congestion relief for these highways will require that new north-south and east-west transportation corridors will have to be developed to provide mobility within Riverside County and between Riverside County and its neighboring Orange and San Bernardino Counties.

Four new Transportation Corridors have been identified as necessary through the Community Environmental Transportation Approval Process (CETAP) currently underway. An estimated \$370 million in Measure "A" matching funds to leverage local, state and federal funding will be made available for environmental clearance, right of way, and construction of these new corridors. An estimated \$70 million of these funds will be used to mitigate the cumulative and indirect impacts associated with construction of these projects.

3. PUBLIC TRANSIT

The Transportation Improvement Plan will provide an estimated \$390 million to expand commuter rail, implement intercity bus services and to continue and expand programs to assist the elderly, disabled and commuters.

A. Discount Fares and Transit Services for Seniors and Disabled Persons

Seniors and disabled persons are becoming an increasing percentage of the population each year. They are currently charged a fare on fixed route transit services that is one-half the normal fare for service within the Western County area. In addition a number of specialized transportation programs have been implemented which meet specialized needs for transportation to medical services, social service agencies and programs, shopping and other purposes that cannot be met by conventional transit. A minimum of \$85 million in Measure "A" funds will be used to guarantee these services.

B. Commuter Rail and Intercity Bus Service

Metrolink has provided a viable alternative to the automobile for thousands of daily commuters to Orange and Los Angeles counties and reduces the demand on our freeways. The current service level needs to double in the future and expansion of the system to Moreno Valley and Perris is needed to relieve congestion on I-215. In addition, an intercity express bus service that feeds the Metrolink service and provides a reasonable alternative to the automobile for daily commuters who travel within the region is needed. Measure "A" funds will be made available for operations of these services and to match federal funds for capital.

C. Commuter Services, Ridesharing, Vanpools, Buspools, Park-N-Ride

Commuter traffic created by Riverside County residents traveling to jobs in neighboring Orange, Los Angeles, and San Bernardino counties adds significantly to the peak hour congestion on the freeway and highway system. A number of programs have been implemented to assist commuters to share rides, reduce congestion, and take advantage of travel in the "carpool" lanes. These programs include; rideshare matching services; incentive programs; vanpool "seed money"; buspool subsidies; and park-n-ride lot leasing. These programs will become even more necessary in the future as traffic increases. A minimum of \$50 million in Measure "A" funds will be used for this purpose.

4. REGIONAL ARTERIAL SYSTEM

The freeway and state highway system can no longer be expected to handle the traffic demands for travel between and through the cities of the Western County area, with the development projected for the future. A system of regional arterials (major local roadways) with limited access, freeway interchanges, grade separations, and coordinated traffic signals are needed to supplement the highway backbone system. The Western Riverside Council of Governments (WRCOG), in conjunction with the cities and the County, has developed this system of roadways to meet this need. This roadway system will be periodically updated by the Commission, or the Western Riverside Council of Governments, to reflect actual development trends.

Funding to widen existing roads and construct new roads on this system will be funded by an estimated \$300 million in revenues generated by Measure "A" and by matching revenues to be generated by the cities and County implementing a Transportation Uniform Mitigation Fee (TUMF) administered by the Commission or the Western Riverside Council of Governments (WRCOG).

Examples of the roadways on the regional arterial system that may be eligible to receive Measure "A" and TUMF funding for widening and other improvements to increase capacity and traffic flow are:

- Van Buren Boulevard from I-215 to State Route 60
- Alessandro Boulevard from I-215 westerly to Central Avenue
- Central Avenue from Alessandro Blvd to Van Buren Boulevard
- Arlington Avenue from Central Avenue to Van Buren Boulevard
- Green River Road from Dominguez Ranch Rd to State Route 91
- Foothill Parkway from Lincoln Ave to Green River Road
- Scott Road from State Route 79 to I-215
- Clinton Keith Road from State Route 79 to I-215
- Date Street from State Route 79 to I-15
- State Route 79/I-10 Interchange Improvements and possible bypass to I-10
- Ramsey Street from Banning City Limits to Field Road
- Ramona Expressway from San Jacinto to I-215
- Cajalco Road from I-215 to I-15
- Perris Boulevard from State Route 74 to San Bernardino Co. Line
- Pyrite Street from San Bernardino County Line to State Route 60
- Schleisman Road from San Bernardino County Line to I-15 and Arlington Avenue
- Domenigoni Parkway from State Street to I-215
- Railroad Canyon/Newport Road from I-215 to I-15

The final scope and project limits of all improvements proposed for the regional arterial system will be determined through noticed public hearings, environmental clearance process, and agreement with affected agencies.

5. LOCAL STREETS AND ROADS

The local street and road system is critical to the every day movement of people within the cities and the county. This system is reaching "middle age", with potholes and is in need of continued maintenance and rehabilitation. New local roads adjacent to new residential and business developments will continue to be constructed and paid for by the developers.

Current resources, without the extension of the existing sales tax revenues for transportation, cannot provide adequate funding to maintain the local street and road system at the level necessary to adequately serve the public.

The Transportation Improvement Plan will provide an estimated \$970 million specifically for this purpose. The funds made available in the Western County area will be distributed to the cities and the county by a formula based 75% on proportionate population and 25% on revenues generated by Measure "A". In order to be eligible for these funds, each agency will be required to: 1) File a Five-Year Capital Improvement Program, updated annually, with the Commission; 2) Participate in a Transportation Uniform Mitigation Fee (TUMF) Program to be developed and administered by the Commission or the Western Riverside Council of Governments (WRCOG); and, 3) Participate in the Multi-Species Habitat Conservation Plan (MSHCP) currently under development by the County of Riverside by endorsing the Permit Application and signing the Implementation Agreement.

The TUMF Program shall be adopted according to all applicable laws and shall provide that the first \$400 million of TUMF revenues will be made available to the Commission to fund equally the: 1) Regional Arterial System, as described above; and, 2) Development of New Corridors ("CETAP") described above.

6. ECONOMIC DEVELOPMENT INCENTIVES PROGRAM

The need to attract new commercial and industrial development and jobs to Riverside County to reduce the need for long commutes to Orange and Los Angeles counties is important to the economic vitality and quality of life of Western Riverside County. A greater jobs – housing balance is needed immediately.

The Transportation Improvement Plan will provide an estimated \$40 million for this purpose. These funds will be used to create an Infrastructure Improvement Bank to improve existing interchanges, construct new interchanges, provide public transit linkages or stations, and make other improvements to the transportation system. Given the limited amount of funds available, the RCTC shall develop a program of competitive incentives to attract commercial and industrial development and jobs to locate within the Western Riverside County area.

In particular, the highest priority for these funds shall be for use in attracting key industrial development. For example, Western Riverside County through the provision of a needed interchange or transit service as a part of an overall package of incentives, could attract industrial development, which may have otherwise located elsewhere in California, in the United States or internationally.

7. BOND FINANCING

Construction of the highway and rail projects and implementation of the local streets and roads and other programs identified in the Transportation Improvement Plan are needed as soon as possible. In order to accomplish this, some level of borrowing will be required. The Commission will determine the extent of borrowing that is reasonable as the program is implemented. Up to \$270 million, 8% of the revenues expected to be generated, will be made available for this purpose.

COACHELLA VALLEY AREA

The Coachella Valley area is located in the central part of Riverside County and includes the cities of Cathedral City, Coachella, Desert Hot Springs, Indian Wells, Indio, La Quinta, Palm Desert, Palm Springs, and Rancho Mirage. It also includes the unincorporated areas, and the reservations of the Agua Caliente Band of Cahuilla Indians, the Cabazon Band of Mission Indians, and the Torres Martinez Desert Cahuilla Indians. The Transportation Improvement Plan is designed to give flexibility to adjust to changing circumstances and to:

- Improve Traffic Flow and Reduce Congestion on Highway 111
- Add/Improve Interchanges on Highway 86 and I-10
- Provide funding for Local Streets and Roads Improvements
- Improve Safety and Visibility at Major Intersections and Arterial Roads
- Reduce Congestion by Improving Major Roadways Identified as Important by Local Governments in the Coachella Valley
- Provide Express East-West Transit Routes in the Coachella Valley
- Improve and Expand Public and Specialty Transit Service

1. STATE HIGHWAYS AND MAJOR REGIONAL ROAD PROJECT

Fifty percent (50%) of the Measure "A" revenues will be used for State highways and regional road improvements. The Transportation Project Prioritization Study (TPPS), developed through the Coachella Valley Association of Governments (CVAG), will function as the Plan for future needs. Preventive maintenance of these Measure "A" funded arterials will be allowed, if a majority of the Coachella Valley local governments give approval.

The system improvements will be accomplished with a mix of Measure "A" funds, state and federal highway funds, and the existing Transportation Uniform Mitigation Fee (TUMF) on new development.

This segment of the Measure "A" Expenditure Plan will be implemented through the Coachella Valley Association of Governments.

2. LOCAL STREETS AND ROADS

Thirty-five percent (35%) of the Measure "A" revenues will be returned to the cities and the county in the Coachella Valley and shall be used to assist with the funding local street and road improvements. These funds will supplement existing federal, state, and local funds. Local street improvements adjacent to new residential and business developments will continue to be paid for by the developers.

Cities and the county in the Coachella Valley must participate in the Transportation Uniform Mitigation Fee (TUMF) program to assist in the financing of the priority regional arterial system in order to receive these funds. If a city or the county chooses not to levy the TUMF, the funds they would otherwise receive for local streets and roads will be added to the Measure "A" funds for the Regional Arterial Program.

Allocations of funds to the cities and the county will be based on a formula weighted 50% on proportionate dwelling units and 50% on Measure "A" revenues generated within each jurisdiction. A Five-Year Capital Improvement Program for the use of these funds will be prepared and annually updated with public participation by each city and the county.

3. PUBLIC TRANSIT

Fifteen percent (15%) of the Measure “A” revenues will be used to improve and expand public transit and specialized transportation services.

A. Discount Fares and Expanded Transportation Services for Seniors and Persons with Disabilities

For Seniors (age 60 and older) and persons with disabilities, access to healthcare, social services, shopping, and recreation is a key to quality of life. Sunline Transit Agency offers a full array of public transit and specialized transportation services at reduced prices to individuals in these special groups. Measure “A” funds will guarantee discounts continue for the next 30 years. Funds will also be used to expand services to meet future needs of the growing population of the valley.

B. Specialized Transportation Services

In addition to providing SunBus public transit service, SunDial paratransit service, and SunLink express commuter service to Riverside, the Sunline Transit Agency offers specialized transportation services to Coachella Valley residents and visitors. These services include the Vets Express that provides free transportation to the Veterans Hospital in Loma Linda; SunTrip, that enables those beyond Sunline’s fixed route service area to receive reimbursement they can pay to volunteer drivers; and SunRide that coordinates the transportation services offered by many non-profit social service organizations. All of Sunline’s vehicles operate on clean, alternative fuels thereby preserving the environment and creating a healthier community while increasing access. Measure “A” funds will assist these and other types of specialized transportation services which may be implemented.

C. Bus Replacement and More Frequent Service

Public bus transportation offers communities many benefits – reduced traffic congestion, reduced wear and tear on roads, reduced parking demand, and lower emissions. By providing access to schools, jobs and shopping, it is also a vital force in economic development. This is especially true in the Coachella Valley where nearly 75% of the 4 million annual SunBus riders take a bus to work and/or school. Public

transit buses have a 12-year life. Passage of Measure “A” will enable Sunline’s fleet to be replaced as needed. Funds will also be used to increase frequency of service, which is the single most important factor in use of public transportation.

PALO VERDE VALLEY AREA

The Palo Verde Valley area is located in the far eastern part of Riverside County. It is geographically separated from the Western and Coachella Valley areas. The population within the area is relatively small, and significant growth over the next 30 years is not anticipated.

The Palo Verde Valley is served by Interstate 10 which provides adequate connections to the more westerly portions of Riverside County and easterly to Arizona. Increasing transit needs can be adequately met using existing revenue sources available for that purpose. The greatest need for the Palo Verde Valley is additional funding to adequately maintain and rehabilitate local streets and roads.

All of the funding generated by Measure “A” returned to the Palo Verde Valley is to be used for local streets and roads. Funds shall be distributed to the City of Blythe and the County of Riverside by formula. The formula distribution is based 75% on proportionate population and 25% on sales tax revenues generated in each area.

MEASURE “A” REVENUE ALLOCATIONS

(\$ millions)

Western County Area

Highway Improvements	\$1,020
New Corridors	\$ 370
Commuter Rail / Intercity Bus/ Specialized Transit/ Commuter Services	\$ 390
Regional Arterial Projects	\$ 300
Local Streets and Road Improvements	\$ 970
Bond Finance	\$ 270
Economic Development Projects	\$ 40
TOTAL	\$3,360

Coachella Valley

Highways and Regional Arterials	\$ 628
Local Streets and Roads	\$ 439
Specialized and Public Transit	\$ 188
TOTAL	\$1,255

Palo Verde Valley Area

Local Street and Road Improvements	\$ 47
TOTAL	\$ 47

Click on Link to View
[2002 MEASURE "A" MAP](#)

GENERAL PROVISIONS OF THE TRANSPORTATION IMPROVEMENT PLAN

1. BASIS FOR REVENUE ESTIMATES

Federal and state participation for highways, commuter rail, new corridors, and major non-highway roadway improvements is assumed to be \$40 million per year allocated biannually by the California Transportation Commission through the State Transportation Improvement Program (STIP) process. The Riverside County Transportation Commission currently programs 24.2% of these funds on a discretionary basis for projects. This practice will be continued in order to fund major improvements that will arise and have not been anticipated by this Transportation Improvement Plan.

Measure "A" revenue estimates have not been adjusted to reflect inflation. It is assumed that inflation revenue increases will be offset by inflation costs to deliver the projects. "Real Growth" is assumed to parallel countywide population growth. Based upon these factors Measure "A" revenues over the 30-year period are assumed to be about \$4.665 billion.

2. BASIS FOR COST ESTIMATES

All cost estimates for highway projects were developed by Caltrans based on a specific scope of improvements and are based on 2001 values. Future costs may increase due to inflation or other factors beyond the control of the Commission. The 2001 costs estimates are to be used to determine the proportionate distribution of funds to the categories of projects and programs identified in the transportation program.

3. STATE HIGHWAY AND MAJOR ARTERIAL PROGRAMS

A. Eligible state highway project costs include preliminary engineering, environmental clearances, design engineering, project management, right of way acquisition and long-term leases and construction. Measure "A" funds are intended to supplement and not replace existing federal and state sources. If it is determined by the Commission that Riverside County is not receiving its fair share of existing funds, sales tax funds may be directed to other types of transportation needs.

- B.** The actual scope of the highway, and major arterial projects to be implemented is to be determined through a prioritization process, required environmental analysis, and full consideration of reasonable alternatives. Public participation during the environmental analysis process is required.
- C.** The Commission shall establish a "State Highway Account" for funding capital expenditures for state highway improvements.

4. PUBLIC TRANSIT

- A.** Eligible programs include: special discount fares for the elderly and persons with disabilities; funding for computer assisted rideshare programs; commuter incentive programs; "seed" programs to encourage the creation of vanpools and buspools; bus capital replacement and additional bus service in the Coachella Valley; and capital and operating assistance for commuter rail expansion and intercity bus service implementation in the Western County area.
- B.** Western County area commuter rail services are anticipated to continue to be operated by Metrolink on existing rail lines to Los Angeles, Orange and San Bernardino counties. Increasing the level of services will require negotiation of the appropriate agreements with the railroads and appropriate cost sharing between the counties served. Extension of service to the Moreno Valley area and the City of Perris is anticipated to be along the San Jacinto Branch Line owned by the Commission. Measure "A" funds will be used for operating costs and to match federal and state funds for capital improvements.
- C.** Western County area intercity bus express services to be implemented are intended to specifically target commuters and provide a viable connection to the Metrolink service and transportation between and to key employment centers within the region.
- D.** The Commission shall establish a "Public Transit Account" for funding these programs. The Commission shall determine which public transportation or specialized transportation services operators, and carpool/vanpool facilitating agencies, shall receive funding assistance. The Commission may directly provide or operate these services and programs if it is determined that they are the most appropriate agency to do so in the Western County area. In the Coachella Valley area, the services will be provided by the SunLine Transit Agency. Based on 30 year funding estimates, the amount of funds should be \$340 million for the Western County and \$188 million for the Coachella Valley area.

5. LOCAL STREETS AND ROADS PROJECTS

- A.** Eligible local street and road project costs include any environmental review and mitigation, engineering, right of way acquisition and, capital or maintenance cost. Decisions on projects are to be made by local jurisdictions, but subject to capital Improvement requirements.
- B.** Annual population estimates used for the distribution formula for the Western County and Palo Verde Valley areas shall be from the State Department of Finance. Dwelling unit estimates used for the distribution formula in the Coachella Valley shall be from the Riverside County Planning Department. Actual State Board of Equalization retail sales transactions shall be used for the formula in all three areas. The County Planning Department shall estimate the share for each of the unincorporated areas for the three areas, from the total retail sales transactions for the total unincorporated area.
- C.** The Commission shall assure the cities and the County are in compliance with maintenance of effort requirements before allocating funds for local streets and roads. Further, the Commission shall not allocate funds to an individual city or the County for local streets and roads within the Western County and Coachella Valley areas unless the local agency is certified by the Coachella Valley Association of Governments or in the Western County Area by the Commission or the Western Riverside County Association of Governments as applicable, to be a participant in the Transportation Uniform Mitigation Fee (TUMF) program necessary for the implementation of the Regional Arterial Program in their area. The cities and the county in the Western County Area must participate in the Multi Species Habitat Conservation Plan (MSHCP) by endorsing the Permit Allocation and executing the Implementation Agreement with the resources agencies in order to be eligible to receive local streets and roads funds.
- D.** Funding which is not allocated to a city or the county because it is not a participant in the TUMF program in the Coachella Valley area and the TUMF and the MSHCP in the Western County area shall be allocated to the Regional Arterial Program in the geographic area in which the city or portion of the county is located.

6. FUNDING FLEXIBILITY AND BONDING TO EXPEDITE PROJECTS

The Commission may make maximum use of available funds by temporarily shifting allocations between geographic areas and transportation purposes. However, the proportionate shares for areas and purposes over the 30-year period may not be changed without an amendment of the Transportation Improvement Plan as required by law. Shifts may not be made without previous consultation with the affected agencies and two-thirds majority approval of the Board of Commissioners.

The Commission may also use bonds to speed implementation of some projects. Bonding will not be used without first determining that the benefits of an accelerated program outweigh the additional cost of interest on borrowing funds.

7. INFORMING THE PUBLIC OF LOCAL FUNDING SUPPORT

All state highway, commuter rail, and regional arterial projects using \$1 million or more of sales tax revenues shall be signed to inform the public that local voter approved revenues are being used to support the project.

8. SEVERANCE PROVISIONS

If any provision of this Transportation Improvement Plan is for any reason held invalid and unenforceable by a court of competent jurisdiction, that holding shall not effect the validity or enforceability of the remaining provisions, and the Commission declares that it would have passed each part of the Plan irrespective of the validity of any other part.

Exhibit “F”



League of Women Voters of California

Riverside County, CA

November 5, 2002 Election



Measure A Transportation Tax County of Riverside

203,709 / **69.20%** Yes votes 90,660 / **30.80%** No votes**See Also:** [Index of all Measures](#)

Information shown below:

To relieve traffic congestion, improve safety and air quality shall Measure A (Riverside County Transportation Commission Ordinance No. 02-001) be approved to extend for thirty (30) years the current 1/2 cent sales tax to:

- *Widen/improve routes 10, 15, 60, 71, 79, 86, 91, 111 and 15/91 and 10/60 interchanges*
- *Maintain community streets*
- *Expand transit for seniors and persons with disabilities*
- *Expand Metrolink commuter rail*
- *Conduct independent financial audits and authorize bonds up to \$500 million?*

[Suggest a link related to Measure A](#)

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Created: December 6, 2002 03:14 PST

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The League of Women Voters neither supports nor opposes candidates for public office or political parties.

Exhibit “G”



Table S-3. Other Regional Transportation Project Costs

REGIONAL TRANSPORTATION			
PROJECT DESCRIPTION	FROM	TO	TOTAL PROJECT COST
CV LINK			
CV Link <i>(Refer to CV Link Conceptual Master Plan for details)</i>	Hwy 111 Visitor Center	Airport Blvd (South of Coachella)	\$ 99,400,000
VALLEY-WIDE SIGNAL SYNCHRONIZATION			
VALLEY-WIDE SIGNAL SYNCHRONIZATION			\$ 10,800,000
TOTAL OTHER REGIONAL TRANSPORTATION PROJECT COSTS:			\$ 110,200,000



Exhibit ‘H’

BOARD MEETING DATE: February 3, 2012

AGENDA NO. 26

PROPOSAL: Designation of Environmental Justice and Close Proximity Areas for Coachella Valley and Release RFP for Projects Under AB 1318 Mitigation Fees Fund
(Continued from January 6, 2012 Board Meeting)

SYNOPSIS: AB 1318 established requirements for mitigation funds from the CPV Sentinel Energy Project power plant, including the requirement that at least 30% of the mitigation funding is distributed in Environmental Justice (EJ) areas within the District. AB 1318 made reference to EJ areas as designated in AQMD Rule 1309.1, as adopted in August 2007. While the EJ criteria in Rule 1309.1 were intended for all areas within the District, the map included in the 2007 version of the rule did not include a depiction of the Coachella Valley EJ areas. This action is to approve the Coachella Valley EJ designations and map based on the same Rule 1309.1 criteria referenced in AB 1318. In addition, this action is to also define “close proximity” relative to the power plant for the purpose of allocating an additional 30% of available funds. Finally, this action is to also issue an RFP to solicit projects for funding under the AB 1318 Mitigation Fees Fund.

COMMITTEE: Stationary Source, November 18, 2011, Reviewed; Administrative Committee, January 13, 2012, Recommended for Approval

RECOMMENDED ACTIONS:

1. Approve designation of EJ Areas for the Coachella Valley pursuant to the August 2007 version of Rule 1309.1 – Priority Reserve, as set forth on page 2 of this letter;
2. Approve a definition of “close proximity” to the electrical generating facility as a six-mile radial distance; and
3. Release RFP # 2012-17, attached hereto, to solicit emission reduction projects to be implemented under the AB 1318 Mitigation Fees Fund.

Barry R. Wallerstein, D.Env.
Executive Officer

EC:LT:PF:TG

Background

In June 2011, the Governing Board approved the establishment of the AB1318 Mitigation Fees Fund. This special revenue fund would be used to finance Emission reduction projects, pursuant to the requirements of AB1318 (V.M. Perez). The mitigation fees are for the transfer of emission offsets from AQMD's internal offset accounts to CPV Sentinel, LLC for the construction and operation of the CPV Sentinel Energy Project power plant in Desert Hot Springs. The sum of approximately \$53 million, all of which is from CPV Sentinel, LLC, was placed in the AB 1318 Mitigation Fees Fund and will be used to fund emissions mitigation projects where at least 30% of funding is to be designated for EJ areas. In addition, at least 30% is to be used to fund mitigation projects in "close proximity" to the power plant. The balance is to be used anywhere else within the District's jurisdiction.

AB 1318 was codified into law in Health and Safety Code (H&SC 40440.14) and designates EJ areas as defined in AQMD Rule 1309.1 – Priority Reserve, as adopted in August 2007. In Rule 1309.1, EJ areas are defined as:

- a) Poverty Level: grid cells where at least 10% of the population is below the poverty level (based on 2000 Federal census data); and either
- b) PM₁₀ Exposure: the PM₁₀ exposure is greater than 46 µg/m³ (as determined by the SCAQMD monitoring); or
- c) Air Toxics Exposure: the cancer risk is greater than one thousand in one million (as determined by the SCAQMD Multiple Air Toxics Exposure Study (MATES II)).

The map showing the areas of the District meeting these criteria contained in Rule 1309.1 did not include the majority of the Coachella Valley area. Therefore, staff followed the Rule 1309.1 (August, 2007) definition and methodology to create a "new" map showing EJ areas in the Coachella Valley. As MATES II did not extend into Coachella Valley, EJ areas are defined solely based on poverty and PM₁₀ exposure. The Attachments show those areas of the Coachella Valley that meet the EJ criteria.

Proposal

EJ areas in the Coachella Valley, relative to AB 1318 mitigation funding requirements, are being defined as established by law under H&SC Section 40440.14.

In addition, AB 1318 did not define what was meant relative to use of funds in "close proximity" to the electrical generating facility. However, as a part of its cumulative impacts assessments, the California Energy Commission's examines impacts within a six-mile distance from power plant projects. Therefore, staff recommends using a six-mile radial distance to define "close proximity."

Staff also recommends approval to release a Request for Proposals to solicit emission reduction projects to be implemented under the AB 1318 Mitigation Fees Fund. It should be noted that, although current use of the mitigation fees is not recommended because of ongoing litigation, this process will establish a list of projects to be implemented when funding is released in the near future.

Request for Proposal

Potential applicants will be required to submit proposals within a 90-day time period from the release of the RFP that demonstrate emission reductions. The applicant must specify whether they qualify for the three categories of funding, or combination thereof, that is being requested (a project partially in an EJ Area would qualify for partial EJ funding). AB 1318 requires that each project must reduce air pollutant emissions. AB 1318 specifies the use of mitigation fees as follows:

1. At least 30% with “close proximity” to the power plant project
Projects located within a 6-mile radius of the power plant will be considered close proximity;
2. At least 30% in EJ Areas
Funding for projects in EJ Areas, as described above, will be consistent with that of the August 2007 version of Rule 1309.1 (see Attachments); and
3. Remaining balance anywhere within AQMD jurisdiction at the discretion of the Governing Board.

Approval of projects for funding is at the sole discretion of the AQMD Governing Board. If funding of projects within close proximity of the power plant or in EJ Areas are oversubscribed, projects will be considered with other projects as a part of the remaining mitigation fees.

Various types of emission reduction projects may qualify, including but not be limited to, the following examples:

- School bus retrofit or replacement
- Heavy duty diesel truck replacement
- Agricultural diesel engine (mobile & non-mobile) replacement, and fugitive dust control for fields and roads
- Truck stop electrification
- Air filtration in schools or commercial buildings
- Weatherizing buildings and homes
- Renewable power generation at public buildings
- Renewable distributed power
- Infrastructure improvements
 - Paving of parking lots or unpaved roads

- parkway construction to reduce congestion & promote lower emission vehicles
- electric or CNG refueling)

Other projects will be considered and all projects must result in air pollution emission reductions.

Outreach

In accordance with AQMD's Procurement Policy and Procedure, a public notice advertising the Program Announcement and Application and inviting bids will be published in general circulation newspapers to leverage the most cost-effective method of outreach to the entire South Coast Air Basin.

Additionally, potential bidders may be notified utilizing AQMD's own electronic listing of certified minority vendors. Notice of the Program Announcement and Application will be mailed to the Black and Latino Legislative Caucuses and various minority chambers of commerce and business associations, and placed on the Internet at AQMD's Web site (<http://www.aqmd.gov/> where it can be viewed by making menu selections "Inside AQMD"/"Employment and Business Opportunities"/"Business Opportunities" or by going directly to <http://www.aqmd.gov/rfp/index.html>). Information will also be available on AQMD's bidder's 24-hour telephone message line (909) 396-2724.

Benefits to AQMD

Projects funded through the RFP process will implement the requirements of H&SC Section 40440.14 for the funding of Emissions reduction projects through the AB 1318 Emission Fees Mitigation Fund. Emission reductions realized through projects will benefit air quality and, thus, public health in AQMD's jurisdiction.

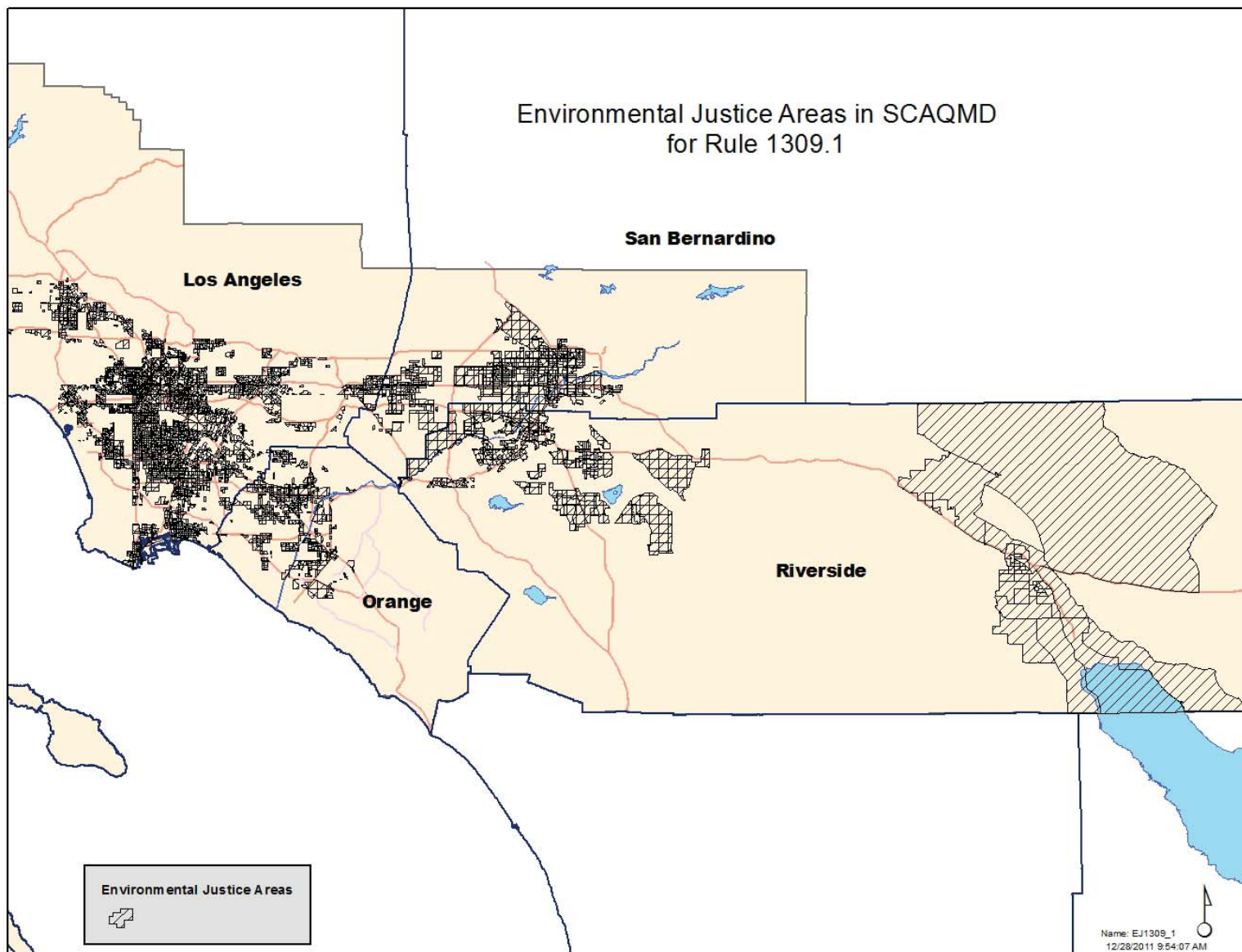
Resource Impacts

All the AB 1318 Mitigation Fee Fund will support funding for approved projects. AQMD is able to recover appropriate administrative expenses.

Attachments

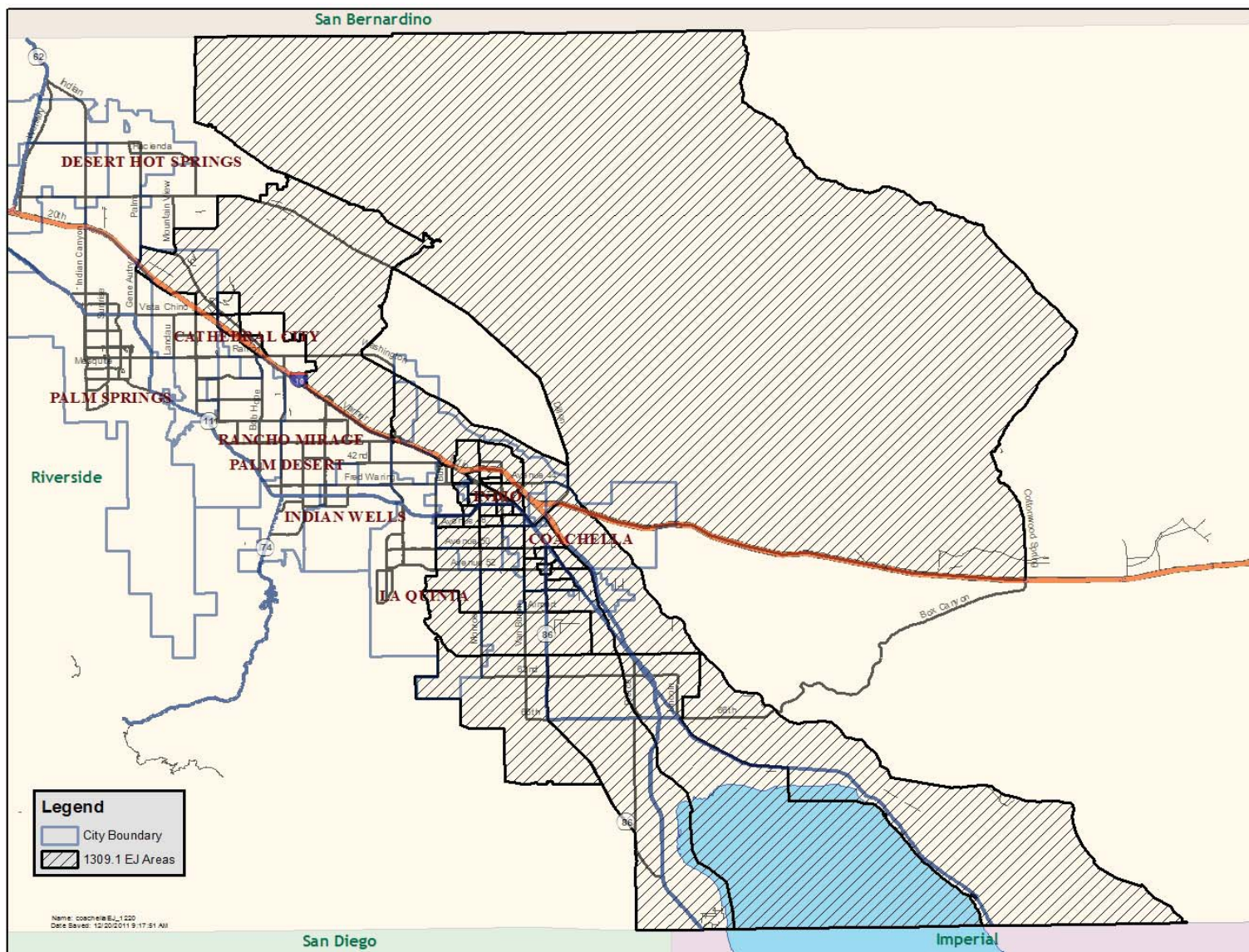
1. SCAQMD EJ Designation Maps Pursuant to AB 1318
2. Coachella Valley-Specific EJ Designation Maps Pursuant to AB 1318
3. Six-Mile Radial Distance from Power Plant Project
4. RFP # 2012-17 - Solicit emission reduction projects to be implemented under the AB 1318 Mitigation Fees Fund

SCAQMD Environmental Justice Areas Pursuant to AB 1318



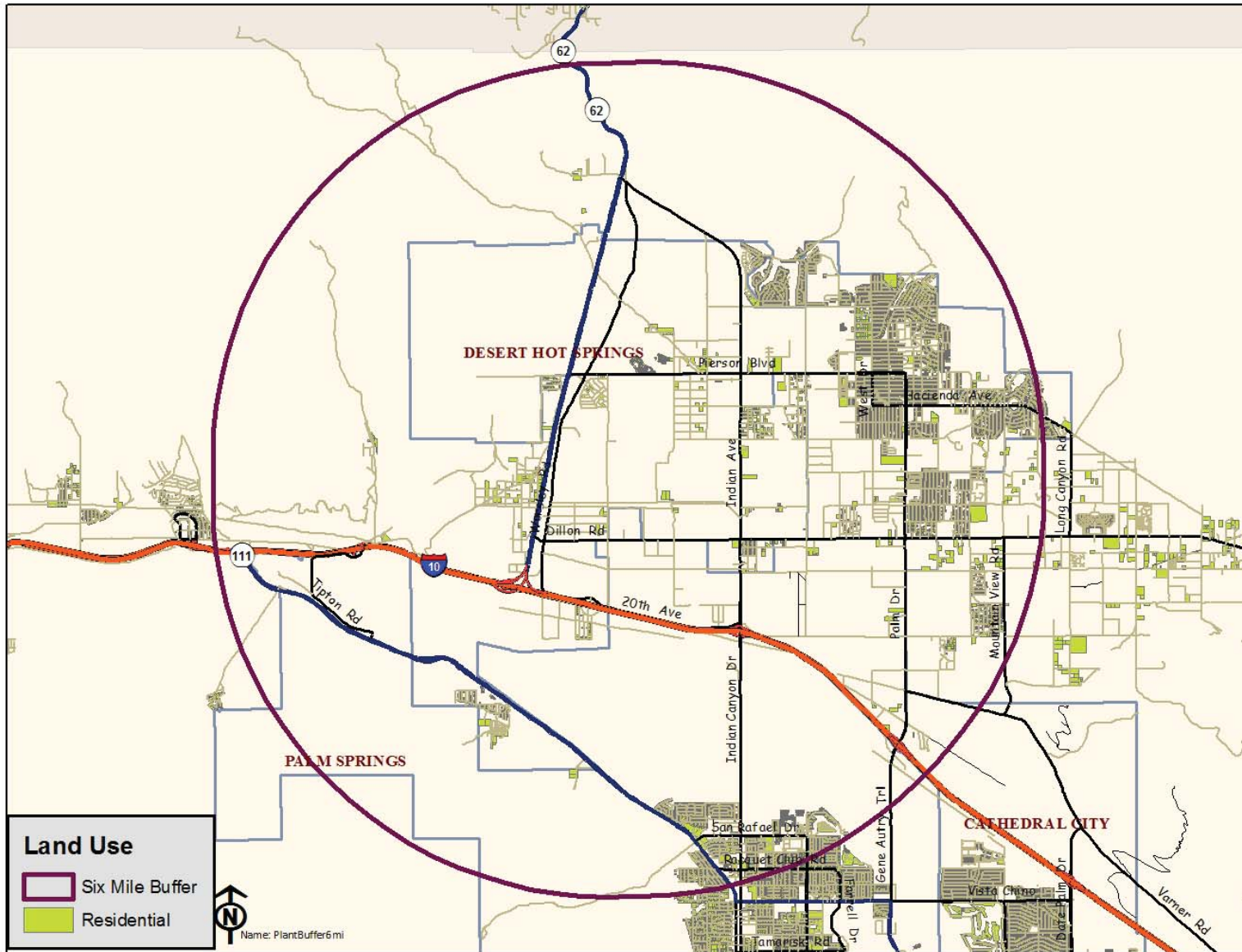
The map is for illustrative purposes only. Qualifying projects must be in areas defined in AB 1318 as being in 10% poverty AND exposure to $46 \mu\text{g}/\text{m}^3$ PM₁₀ concentration OR cancer risk of 1,000:1 Million.

Coachella Valley-Specific Environmental Justice Areas Pursuant to AB 1318



The map is for illustrative purposes only. Qualifying projects must be in areas defined in AB 1318 as being in 10\$ poverty and exposure to 46 $\mu\text{g}/\text{m}^3$ PM 10 concentration.

Six-Mile Radial Distance from Power Plant Projects



SOUTH COAST AIR QUALITY MANAGEMENT DISTRICT

REQUEST FOR PROPOSALS

RFP #P2012-17

Emission Reduction Projects to be Implemented Under the AB 1318 Mitigation Fees Fund

The South Coast Air Quality Management District (AQMD) requests proposals for the following purpose according to terms and conditions attached. In the preparation of this Request for Proposals (RFP) the words "Proposer," "Contractor," "Contractor Team," "Consultant," "Bidder," "Bidding Team," and "Proponent", are used interchangeably.

PURPOSE

The purpose of this RFP is to solicit proposals for emission reduction projects within the jurisdiction of the AQMD. This program is funded by emission offset mitigation funds provided by CPV Sentinel, LLC for the purpose of funding emission reduction projects pursuant to California Assembly Bill 1318 (V.M. Perez), and chaptered as CA Health and Safety Code Section 40440.14.

To qualify for this program, projects must demonstrate real emission reductions. Some examples of potential project areas are listed below, but any project that leads to emission reductions will be considered:

- School bus retrofit or replacement
- Heavy duty diesel truck replacement
- Agricultural diesel engine (mobile & non-mobile) replacement, and fugitive dust control for fields and roads
- Truck stop electrification
- Air filtration in schools or commercial buildings
- Weatherizing buildings and homes
- Renewable power generation at public buildings
- Renewable distributed power
- Infrastructure improvements
 - Paving of parking lots or unpaved roads
 - Parkway/pathway construction to reduce congestion & promote walking, bicycling and/or near-zero or zero emission vehicles
 - electric charging or CNG refueling stations

FUNDING/AWARDS

The projects selected in this program will be funded by the AB 1318 Emission Fees Fund, established to mitigate emissions within the AQMD jurisdiction. Applicants will be expected

to enter into a “Fixed Price” contract with AQMD for specific tasks to implement the emission reduction project. Payments will be based upon task deliverables.

The applicant must specify whether they are seeking to qualify or partially qualify for one or more of three categories of funding (a project partially in an Environmental Justice (EJ) area would qualify for partial EJ funding). AB 1318 specifies the use of mitigation fees as follows:

1. At least 30% with “close proximity” to the power plant project
Projects located within a six-mile radius of the power plant will be considered close proximity;
2. At least 30% in EJ Areas
Funding for projects in EJ Areas, as described above, will be consistent with that of the August 2007 version of Rule 1309.1 (see Attachments); and
3. Remaining balance anywhere within AQMD jurisdiction at the discretion of the Governing Board.

Final approval of projects for funding is at the sole discretion of the AQMD Governing Board. If funding of projects within close proximity of the power plant or in EJ Areas are oversubscribed, projects will be considered with other projects as a part of the remaining mitigation fees.

INDEX - The following are contained in this RFP:

Section I	Background/Information
Section II	Contact Person
Section III	Schedule of Events
Section IV	Participation in the Procurement Process
Section V	Statement of Work/Schedule of Deliverables
Section VI	Required Qualifications
Section VII	Proposal Submittal Requirements
Section VIII	Proposal Submission
Section IX	Proposal Evaluation/Contractor Selection Criteria
Section X	Funding
Section XI	Draft Contract

Attachment A - Certifications and Representations

SECTION I: BACKGROUND/INFORMATION

The AQMD is a regional governmental agency responsible for meeting air quality health standards in Orange County and the non-desert portions of Los Angeles, Riverside, and San Bernardino counties, encompassing 10,743 square miles with over 16 million residents. Despite remarkable improvement in air quality since the 1970's, the air in Southern California is still among the worst in the nation and is far from meeting all federal and state air quality standards. The AQMD faces tremendous challenges to reduce emissions to meet these standards both in the South Coast Air Basin and Coachella Valley.

In June 2011, the Governing Board approved the establishment of the AB1318 Mitigation Fees Fund. This special revenue fund will be used to finance emission reduction projects,

pursuant to the requirements of AB1318 (V.M. Perez). The mitigation fees were received for the transfer of emission offsets from AQMD's internal offset accounts to CPV Sentinel, LLC for the construction and operation of the CPV Sentinel Energy Project power plant in Desert Hot Springs. The sum of approximately \$53 million, all of which is provided by CPV Sentinel, LLC, was placed in the AB 1318 Mitigation Fees Fund and will be used to fund emission reduction projects and program administration. At least 30% of funding is designated for EJ areas, at least 30% is designated for projects within close proximity (six miles) of the power plant, and the balance is to be used anywhere within AQMD jurisdiction.

AB 1318 was codified into California state law in Health and Safety Code (H&SC 40440.14) and designates EJ areas as defined in AQMD Rule 1309.1 – Priority Reserve, as adopted in August 2007. In Rule 1309.1, EJ areas are defined as:

Poverty Level: at least 10% of the population is below the poverty level (based on 2000 Federal census data); AND either

- a) PM₁₀ Exposure: the PM₁₀ exposure is greater than 46 µg/m³ (as determined by the SCAQMD monitoring); OR
- b) Air Toxics Exposure: the cancer risk is greater than one thousand in one million (as determined by the SCAQMD Multiple Air Toxics Exposure Study (MATES II)).

As MATES II did not extend into Coachella Valley, EJ areas are therefore defined solely based on poverty and PM10 exposure. The Attachments show those areas of the Coachella Valley and the South Coast Basin that meet this EJ criteria.

Note that this definition of EJ area is specific to Rule 1309.1 as referenced by AB1318, and therefore is specific to this mitigation program and RFP. This definition does not necessarily apply to any other current or future AQMD programs or those of other agencies that require an EJ definition.

SECTION II: CONTACT PERSON

Questions regarding the content or intent of this RFP, or on procedural matters should be addressed to:

Tracy A. Goss, P.E.**
Program Supervisor
Planning, Rule Development and Area Sources
South Coast Air Quality Management District
21865 Copley Drive
Diamond Bar, CA 91765
Tel: (909) 396-3106
Fax: (909) 396-2254
E-mail: tgoss@aqmd.gov

**Please note: All interested parties in this RFP (#P2012-17), including potential bidders and those seeking to join a bidding team, are encouraged to periodically visit the AQMD web-site, www.aqmd.gov/rfp. Clarifications will be provided to frequently asked questions.

SECTION III: SCHEDULE OF EVENTS

February 3, 2012	Board Approval of RFP
February 3, 2012	RFP Released
February/March, 2012	Bidder's Workshops*
May 2, 2012	Proposals due by 5 p.m.
June 15, 2012	Recommendations to Technology Committee
July 13, 2012	Recommendation to Board

*Participation in the bidder's workshops is optional. Participation would assist in proposal development and notifying potential bidders of any updates or amendments. Any questions from prospective bidders or interested parties should be directed, with reference to this RFP, to Tracy Goss, via tgoss@aqmd.gov. Bidders planning to attend the bidder's workshop's should notify Mr. Goss by email before the close of business the day before the workshop. An initial bidder's workshop will be held in Room CC-2 at the AQMD Headquarters in Diamond Bar, California at 9:00 a.m. on Wednesday, February 15, 2012. Potential bidders should check www.aqmd.gov/rfp or contact Mr. Goss regarding additional workshops in the near future.

SECTION IV: PARTICIPATION IN THE PROCUREMENT PROCESS

A. It is the policy of the South Coast Air Quality Management District to ensure that all businesses including minority business enterprises, women business enterprises, disabled veteran business enterprises and small businesses have a fair and equitable opportunity to compete for and participate in AQMD contracts.

B. Definitions:

The definition of minority or women business enterprise set forth below is included for purposes of determining compliance with the affirmative steps requirement described in Paragraph F below on procurements funded in whole or in part with EPA grant funds which involve the use of subcontractors. The definition provided for disabled veteran business enterprise, local business, small business enterprise, low-emission vehicle business and off-peak hours delivery business are provided for purposes of determining eligibility for point or cost considerations in the evaluation process.

1. "Minority-or-women business enterprise" as used in this policy means a business enterprise that meets all the following criteria:

- a. a business that is at least 51 percent owned by one or more minority persons or women, or in the case of any business whose stock is publicly held, at least 51 percent of the stock is owned by one or more minority persons or women.
- b. a business whose management and daily business operations are controlled by one or more minority persons or women.
- c. a business which is a sole proprietorship, corporation, or partnership with its primary headquarters office located in the United States, which is not a branch or subsidiary of a foreign corporation, foreign organization, or other foreign-based business.

2. "Minority person" for purposes of this policy, means a Black American, Hispanic American, Native American (including American Indian, Eskimo, Aleut, and Native Hawaiian), Asian-Indian American (including a person whose origins are from India, Pakistan, and Bangladesh), Asian-Pacific American (including a person whose origins are from Japan, China, the Philippines, Vietnam, Korea, Samoa, Guam, the United States Trust Territories of the Pacific, Northern Marianas, Laos, Cambodia, and Taiwan).
3. "Disabled veteran" as used in this policy is a United States military, naval, or air service veteran with at least 10 percent service-connected disability who is a resident of California.
4. "Disabled veteran business enterprise" as used in this policy means a business enterprise that meets all of the following criteria:
 - a. is a sole proprietorship or partnership of which is at least 51 percent owned by one or more disabled veterans or, in the case of a publicly owned business, at least 51 percent of its stock is owned by one or more disabled veterans; a subsidiary which is wholly owned by a parent corporation but only if at least 51 percent of the voting stock of the parent corporation is owned by one or more disabled veterans; or a joint venture in which at least 51 percent of the joint venture's management and control and earnings are held by one or more disabled veterans.
 - b. the management and control of the daily business operations are by one or more disabled veterans. The disabled veterans who exercise management and control are not required to be the same disabled veterans as the owners of the business.
 - c. is a sole proprietorship, corporation, or partnership with its primary headquarters office located in the United States, which is not a branch or subsidiary of a foreign corporation, organization, or other foreign-based business.
6. "Local business" as used in the Procurement Policy and Procedure means a company that has an ongoing business within the boundaries of the South Coast AQMD at the time of bid application and performs 90% of the work related to the contract within the boundaries of the AQMD and satisfies the requirements of Paragraph I below.
7. "Small business" as used in this policy means a business that meets the following criteria:
 - a. 1) an independently owned and operated business; 2) not dominant in its field of operation; 3) together with affiliates is either:
 - A service, construction, or non-manufacturer with 100 or fewer employees, and average annual gross receipts of ten million dollars (\$10,000,000) or less over the previous three years, or
 - A manufacturer with 100 or fewer employees.
 - b. Manufacturer means a business that is both of the following:
 - 1) Primarily engaged in the chemical or mechanical transformation of raw materials or processed substances into new products.

- 2) Classified between Codes 311000 and 339000, inclusive, of the North American Industrial Classification System (NAICS) Manual published by the United States Office of Management and Budget, 2007 edition.
8. "Joint ventures" as defined in this policy pertaining to certification means that one party to the joint venture is a DVBE or a small business and owns at least 51 percent of the joint venture.
9. "Low-Emission Vehicle Business" as used in this policy means a company or contractor that uses low-emission vehicles in conducting deliveries to the AQMD. Low-emission vehicles include vehicles powered by electric, compressed natural gas (CNG), liquefied natural gas (LNG), liquefied petroleum gas (LPG), ethanol, methanol, hydrogen and diesel retrofitted with particulate matter (PM) traps.
10. "Off-Peak Hours Delivery Business" as used in this policy means a company or contractor that commits to conducting deliveries to the AQMD during off-peak traffic hours defined as between 10:00 a.m. and 3:00 p.m.
- C. Under Request for Quotations (RFQ), DVBEs, DVBE business joint ventures, small businesses, and small business joint ventures shall be granted a preference in an amount equal to 5% of the lowest cost responsive bid. Low-Emission Vehicle Businesses shall be granted a preference in an amount equal to 5 percent of the lowest cost responsive bid. Off-Peak Hours Delivery Businesses shall be granted a preference in an amount equal to 2 percent of the lowest cost responsive bid. Local businesses (if the procurement is not funded in whole or in part by EPA grant funds) shall be granted a preference in an amount equal to 2% of the lowest cost responsive bid.
- D. Under Request for Proposals, DVBEs, DVBE joint ventures, small businesses, and small business joint ventures shall be awarded ten (10) points in the evaluation process. A non-DVBE or large business shall receive seven (7) points for subcontracting at least twenty-five (25%) of the total contract value to a DVBE and/or small business. Low-Emission Vehicle Businesses shall be awarded five (5) points in the evaluation process. On procurements which are not funded in whole or in part by EPA grant funds local businesses shall receive five (5) points. Off-Peak Hours Delivery Businesses shall be awarded two (2) points in the evaluation process.
- E. AQMD will ensure that discrimination in the award and performance of contracts does not occur on the basis of race, color, sex, national origin, marital status, sexual preference, creed, ancestry, medical condition, or retaliation for having filed a discrimination complaint in the performance of AQMD contractual obligations.
- F. AQMD requires Contractor to be in compliance with all state and federal laws and regulations with respect to its employees throughout the term of any awarded contract, including state minimum wage laws and OSHA requirements.
- G. When contracts are funded in whole or in part by EPA grant funds and if subcontracts are to be let, the Contractor must comply with the steps listed below, which demonstrate a good faith effort to solicit minority and women owned enterprises. Contractor shall submit a certification signed by an authorized official affirming compliance with the steps below at the time of proposal submission. The AQMD reserves the right to request documentation demonstrating compliance with these steps prior to contract execution.

1. Place qualified small-and-minority businesses and women's business enterprises on solicitation lists;
 2. Ensure that small-and-minority businesses, and women's business enterprises are solicited whenever they are potential sources including advertising at least ten days in advance of the bid in a variety of media directed to minority-and women-owned business audiences;
 3. Divide total requirements, when economically feasible, into smaller tasks or quantities to permit maximum participation by small-and-minority business, and women's business enterprises;
 4. Establish delivery schedules, where requirements permit, which encourage participation by small-and-minority business, and women's business enterprises; and
 5. Use the services and assistance of the Small Business Administration and the Minority Business Development Agency of the Department of Commerce.
- H. To the extent that any conflict exists between this policy and any requirements imposed by federal and state law relating to participation in a contract by a certified MBE/WBE/DVBE as a condition of receipt of federal or state funds, the federal or state requirements shall prevail.
- I. When contracts are not funded in whole or in part by EPA grant funds, a local business preference will be awarded. For such contracts that involve the purchase of commercial off-the-shelf products, local business preference will be given to suppliers or distributors of commercial off-the-shelf products who maintain an ongoing business within the geographical boundaries of the AQMD. However, if the subject matter of the RFP or RFQ calls for the fabrication or manufacture of custom products, only companies performing 90% of the manufacturing or fabrication effort within the geographical boundaries of the AQMD shall be entitled to the local business preference.
- J. In compliance with federal fair share requirements set forth in 40 CFR 35.6580, the AQMD shall establish a fair share goal annually for expenditures covered by its procurement policy.

SECTION V: WORK STATEMENT/SCHEDULE OF DELIVERABLES

A. Statement of Work

The purpose of the RFP is to solicit proposals for emission reduction projects. Proposals should address concisely the information requested below in their statement of work in the format specified in Section VII Proposal Submittal Requirements. Proposers are encouraged to pay close attention to Section IX Proposal Evaluation/Contractor Selection Criteria to assess how their bids will be evaluated. Each bid will be evaluated separately. Information provided should be specific enough for evaluation and scoring purposes, and for inclusion into a contract.

In the statement of work, the Proposer must demonstrate that the project will result in emission reductions. The Proposer must state the location of the project and whether funds are being requested for use in an EJ area, in close proximity (six miles) of the power plant project, elsewhere in the AQMD jurisdiction, or a combination thereof (include fractions of each). The most competitive project will effectively address the following elements:

- Demonstration of experience and expertise in the development and implementation of the emission reduction project.
- Complete description of the emission reduction project as well as the potential emission reductions and public health benefits resulting from the project.
- The timeline for implementation of the emission reduction project, including major tasks and milestones.
- How the project meets or further advances the AQMD's regional air quality attainment and public health protection goals.
- Demonstration of effective use of the funds requested, including but not limited to magnitude of emission reductions, job creation, promoting needed long-term emission reduction strategies, public health benefits, secondary benefits (other than jobs), consistency with sub-regional sustainable development activities, or cost-sharing/partnership opportunities. A breakdown of costs per task or milestone over the course of the project should be included.
- Support from the local and/or regional community for the project, including letters of support or other correspondence.

B. Reporting

Contractor shall supply the following reports to the AQMD under the contract agreements. Each submitted report shall be stapled, not bound, printed in black ink, double-sided type, on an 8-1/2 by 11 inch page, and shall include camera-ready originals.

1. Informal updates of program progress to the AQMD's Program Manager at least once every month throughout the proposed project. If there is any failure or delay to meeting the emission reduction project objectives or timeline, proponents shall schedule an immediate meeting with AQMD's Project Manager.
2. Two stapled copies of each quarterly progress report due by the 10th day of each month following the reporting period. Contractor shall submit one copy of each progress report to AQMD's Project Manager and one copy to AQMD's Staff Specialist assigned to contracts, in conjunction with the invoice for the same period. Each progress report shall include, but not be limited to,
 - a. Reference to AQMD contract number and title of project.
 - b. Reporting time period (months, year).
 - c. Description of work completed during the reporting period, including a discussion of problems encountered and how those problems were resolved; and other relevant activities.
 - d. Summary of relevant data and results for each task.
 - e. Discussion of work planned for the next reporting period.
 - f. Discussion of project status with respect to time schedule and steps being taken to resolve any delays.
 - g. Discussion of cost status with respect to original budget, work completed, costs to date, explanation of any overruns, and steps being taken to bring costs back into line.

3. Two bound copies of the draft Final Report regarding completion of the emission reduction project for review, comment, and approval shall be submitted not later than two months after the completion of the proposed project. Contractor shall submit one copy of the draft final report to AQMD's Project Manager and one copy to AQMD's Technology Advancement Staff Specialist assigned to contracts. This document shall be considered in the public domain, in conformance with the California Public Records Act (Government Code Section 6250 et seq.). AQMD shall complete their review of the draft final report within four weeks of its receipt from proponent. The draft final report shall include, but not be limited to, the following:
 - a. Reference to AQMD contract number and title of project.
 - b. Project background and objectives.
 - c. An executive summary up to three pages in length, including a short, definitive statement of the project; objective of the project, description of work performed, resulting emission/exposure reduction, and reference to AQMD Rules if applicable.
 - d. A detailed description of the statement of work.
 - e. Summary of all work completed.
 - f. Results - a discussion of the expected project results versus what was actually achieved.
 - g. Problems - a discussion of any significant problems encountered during the contract and how they were resolved.
 - h. Remaining issues – a discussion of any project components that may require follow-up beyond the project period.
4. Contractor shall submit three stapled originals of the final report to AQMD's Staff Specialist assigned to contracts, incorporating the AQMD's comments, no later than three months after the completion of the proposed project. The final report shall also include acknowledgement of all sponsors and participants in the project. This document shall be considered in the public domain, in conformance with the California Public Records Act (Government Code Section 6250 et seq.).
5. Contractor shall submit a 2-page project synopsis, along with the final report. In addition to a hard copy of this synopsis, Contractor shall provide the synopsis in an electronic version, using Microsoft WORD 97 or compatible version.

SECTION VI: REQUIRED QUALIFICATIONS

- A. Organizations, individuals, technology manufacturers, businesses, government agencies, universities, consultants, or any other entities proposing to bid on this proposal must demonstrate a wide range of knowledge and experience in implementing the proposed emission reduction project.
- B. Proposer must submit the following:
 1. Statement of qualifications of the lead person and key persons assigned to the project. Substitution of project manager or lead person will not be permitted without prior written approval by AQMD.

2. List all key personnel assigned to the project by level, and name, and include qualifications. Specify the estimated time to be spent by the lead person and key persons assigned to the project.
3. List specific portion of the project to be subcontracted. Include all subcontractors and their statement of qualification.
4. Summary of major similar projects handled during the last five years demonstrating experience in the project areas with references.
5. Signed letters of commitment by any proposed project partners along with a description of their level of involvement and any co-funding contributions.

SECTION VII: PROPOSAL SUBMITTAL REQUIREMENTS

Submitted proposals must follow the format outlined below and all requested information must be supplied. Failure to submit proposals in the required format will result in elimination from proposal evaluation.

Each proposal must be submitted in three separate volumes:

- Volume I - Technical Proposal
- Volume II - Cost Proposal
- Volume III - Certifications and Representations included in Attachment A of this RFP executed by an authorized official of the Contractor.

A separate cover letter including the name, address, and telephone number of the contractor, and signed by the person or persons authorized to represent the organization should accompany the proposal submission. Organization contact information as follows should also be included in the cover letter:

1. Address and telephone number of office in, or nearest to, Diamond Bar, California.
2. Name and title of organization's representative designated as contact.

A separate Table of Contents should be provided for Volumes I and II.

A. Technical Proposal

Summary (Section A)

State overall approach to meeting the objectives and satisfying the statement of work to be performed as specified in Section V – Work Statement/Schedule of Deliverables, the sequence of activities, and a description of methodology or techniques to be used.

Please note that AQMD considers information submitted in response to this RFP in the public domain. Any trade secret information may be submitted to the AQMD in a separate document in which the trade secret information is specifically identified. AQMD agrees to

treat such trade secret information in accordance with its Public Records Act guidelines relating to trade secret information.

Project Description (Section B)

This section shall provide a comprehensive description of the proposed emission reduction project, including technical details and specifications. The description shall include, but not be limited to, the following topics:

1. Complete description of the proposed project;
2. Descriptions of the technologies and methods to be implemented;
3. Projected emission or exposure reductions and secondary benefits (such as additional public health benefits, energy efficiency improvements, improving traffic congestion, long-term infrastructure improvements, community development, etc.); and
4. Estimated job creation resulting from the project and portion occurring in the SCAQMD.

Statement of Work (Section C) – This section shall describe technical and operational approach to implement the emission reduction project including the elements specified in the Statement of Work in Section V.

Program Schedule (Section D)

This section shall identify anticipated dates of completion of the project specified in the Statement of Work, including a list of milestones and deliverables. Specifically, this section should include:

1. An overall time schedule;
2. A list of significant milestones, project deliverables, and the projected calendar delivery dates of each. Milestones include project kickoff meetings, task start and completion dates, design documents, demonstration and test plans, progress reports, interim reports, draft and final reports, and project review meetings.

Project Organization (Section E)

Describe the proposed management structure, program monitoring procedures, and organization of the proposed team.

Qualifications (Section F)

Describe the technical capabilities of the organization. Provide references of other similar projects the organization was involved in during the last five years demonstrating ability to successfully complete the project. Include contact name, title, and telephone number for any references listed. Provide a statement of your organization's background and experience in performing similar projects.

Assigned Personnel (Section G)

Provide the following information on the staff to be assigned to this project:

1. List all key personnel assigned to the project by level and name. Provide a statement of the qualifications of the lead person and all persons assigned to the project. Substitution of project manager or lead personnel will not be permitted without prior written approval of AQMD.
2. Provide a spreadsheet of the labor hours proposed for each labor category at the task level.

3. Specify the estimated time to be spent by the lead person and key persons assigned to the project.
4. Provide a statement indicating whether the project qualifies or partially qualifies for the EJ area funding or the close proximity funding, or both, and whether the project is within the geographical boundaries of the AQMD.
5. Provide a summary demonstrating that your organization meets the required qualifications and can fulfill the statement of work, including additional organization personnel and resources beyond those who may be assigned to the project.

Subcontractors (Section H)

This project may require expertise in multiple technical areas. List any subcontractors that may be used and the work to be performed by them.

Conflict of Interest (Section I)

Address possible conflicts of interest with other clients affected by actions performed by the organization on behalf of AQMD. Although the proposer will not be automatically disqualified by reason of work performed for such organizations, AQMD reserves the right to consider the nature and extent of such work in evaluating the proposal.

Rights in Technical Data (Section J)

Identify any technical data that will be delivered under the resultant AQMD contract with restricted rights and explain the basis for the restricted rights.

Additional Information (Section K)

Provide other essential information that may assist in the evaluation of this proposal.

B. Cost Proposal

Name and Address

The Cost Proposal must list the name and complete address of the Proposer in the upper, left-hand corner.

Cost Proposal

A Fixed Price type contract will be awarded. In order to evaluate the reasonableness of the proposed price, the following detailed information must be provided for each task and summarized at the overall project level.

1. Labor – List the number of hours you estimate will be expended on the project and the total dollar amount charged for labor. If available, list the total number of hours and the hourly billing rate for each level of professional staff. A breakdown of the proposed billing rates must identify: the direct labor rate, overhead rate and amount, fringe benefit rate and amount, General and Administrative rate and amount, and proposed profit or fee. Provide a basis of estimate justifying the proposed labor hours and proposed labor mix.
2. Supplies, Hardware, Equipment - Provide an itemized list of supplies, hardware, and equipment to be used or purchased (the name, number, and cost of each).
3. Subcontractor Costs - List subcontractor costs and identify subcontractors by name. Itemize subcontractor charges per hour or per day.

4. Travel Costs - Indicate amount of travel cost and basis of estimate to include trip destination, purpose of trip, length of trip, airline fare or mileage expense, per diem costs, lodging and car rental.
5. Other Direct Costs -This category may include such items as postage and mailing expense, printing and reproduction costs, etc. Provide a basis of estimate for these costs.
6. Payment Schedule – Using the project schedule submitted under Section B of the Technical Proposal (Volume I), provide a proposed payment schedule tied to specific deliverables by task.

C. Certifications and Representations

(see Attachment A to this RFP)

SECTION VIII: PROPOSAL SUBMISSION

All proposals must be submitted according to specifications set forth in the section above. Failure to adhere to these specifications may be cause for rejection of proposal.

Signature

All proposals should be signed by an authorized representative of the Proposer.

Due Date

The Proposer shall submit eight (8) complete copies of the proposal in a sealed envelope, plainly marked in the upper left-hand corner with the name and address of the Proposer and the words "Request for Proposals #P2012-17." All proposals are due no later than 5:00 p.m., May 2, 2012, and should be directed to:

Procurement Unit
South Coast Air Quality Management District
21865 Copley Drive
Diamond Bar, CA 91765-4178

Late bids/proposals will not be accepted. Any correction or resubmission done by the Proposer will not extend the submittal due date.

Grounds for Rejection

A proposal may be immediately rejected if:

- It is not prepared in the format described, or
- It is signed by an individual not authorized to represent the organization.

Disposition of Proposals

AQMD reserves the right to reject any or all proposals. All responses become the property of AQMD. One copy of the proposal shall be retained for AQMD files. Additional copies and materials will be returned only if requested and at the proposer's expense.

Modification or Withdrawal

Once submitted, proposals cannot be altered without the prior written consent of AQMD. All proposals shall constitute organization offers and may not be withdrawn for a period of one-hundred-twenty (120) days following the last day to accept proposals.

SECTION IX: PROPOSAL EVALUATION/ SELECTION CRITERIA

- A. An expert panel selected by the AQMD will evaluate all submitted proposals. This panel may include members outside the AQMD. The panel will make a recommendation to the Executive Officer and/or the Governing Board of the AQMD for final selection and funding of projects. Each member of the evaluation panel shall be accorded equal weight in his or her rating of proposals. The evaluation panel members shall evaluate the proposals according to the specified criteria and numerical weightings set forth below.

The Proposer must demonstrate that the project will result in emission reductions in order to be eligible for funding. The Proposer must state the location of the project and whether funds are being requested for use in an EJ area, in close proximity (six miles) of the power plant, or elsewhere in the AQMD jurisdiction, or any combination thereof (include fractions of the project in each area).

<u>1. Project Evaluation Criteria</u>	<u>Points</u>
Experience and expertise of Proposer	30
Aids in achievement of AQMD's regional air quality goals and/or promotes long-term emission reduction technologies/strategies associated with state/federal regulatory clean air plans	30
Job creation within in the South Coast AQMD, preferably in the Coachella Valley	20
Effective use of funds	10
Secondary benefits, other than jobs	5
Community/government support letters	5
Total	100

Additional Points

Small Business or Small Business joint venture	10
DVBE or DVBE joint venture	10
Use of DVBE or Small Business subcontractors	7
Low-emission vehicle business	5
Local business (Non-EPA funded projects only)	5
Off-peak hours delivery business	2

The cumulative points awarded for small business, DVBE, use of small business or DVBE subcontractors, low-emission vehicle business, local business, and off-peak hours delivery business shall not exceed 15 points.

Note: The award of these additional points shall be contingent upon Proposer completing the Self-Certification section of Attachment A – Certifications and Representations and/or inclusion of a statement in the proposal self-certifying that Proposer qualifies for additional points as detailed above.

2. To receive additional points in the evaluation process for the categories of Small Business or Small Business Joint Venture, DVBE or DVBE Joint Venture or Local Business (for non-EPA funded projects), the proposer must submit a self-certification or certification from the State of California Office of Small Business Certification and Resources at the time of proposal submission certifying that the proposer meets the requirements set forth in Section III. To receive points for the use of DVBE and/or Small Business subcontractors, at least 25 percent of the total contract value must be subcontracted to DVBEs and/or Small Businesses. To receive points as a Low-Emission Vehicle Business, the proposer must demonstrate to the Executive Officer, or designee, that supplies and materials delivered to the AQMD are delivered in vehicles that operate on either clean-fuels or if powered by diesel fuel, that the vehicles have particulate traps installed. To receive points as an Off-Peak Hours Delivery Business, the proposer must submit, at proposal submission, certification of its commitment to delivering supplies and materials to AQMD between the hours of 10:00 a.m. and 3:00 p.m. The cumulative points awarded for small business, DVBE, use of Small Business or DVBE Subcontractors, Local Business, Low-Emission Vehicle Business and Off-Peak Hour Delivery Business shall not exceed 15 points.

The Procurement Section will be responsible for monitoring compliance of suppliers awarded purchase orders based upon use of low-emission vehicles or off-peak traffic hour delivery commitments through the use of vendor logs which will identify the contractor awarded the incentive. The purchase order shall incorporate terms which obligate the supplier to deliver materials in low-emission vehicles or deliver during off-peak traffic hours. The Receiving department will monitor those qualified supplier deliveries to ensure compliance to the purchase order requirements. Suppliers in non-compliance will be subject to a two percent of total purchase order value penalty. The Procurement Manager will adjudicate any disputes regarding either low-emission vehicle or off-peak hour deliveries.

- B. During the selection process the evaluation panel may wish to interview some proposers for clarification purposes only. No new material will be permitted at this time.
- C. The Executive Officer or Governing Board may award the contract to a proposer other than the proposer receiving the highest rating in the event the Governing Board determines that another proposer from among those technically qualified would provide the best value to AQMD considering cost and technical factors. The determination shall be based solely on the Evaluation Criteria contained in the Request for Proposal (RFP), on evidence provided in the proposal and on any other evidence provided during the bid

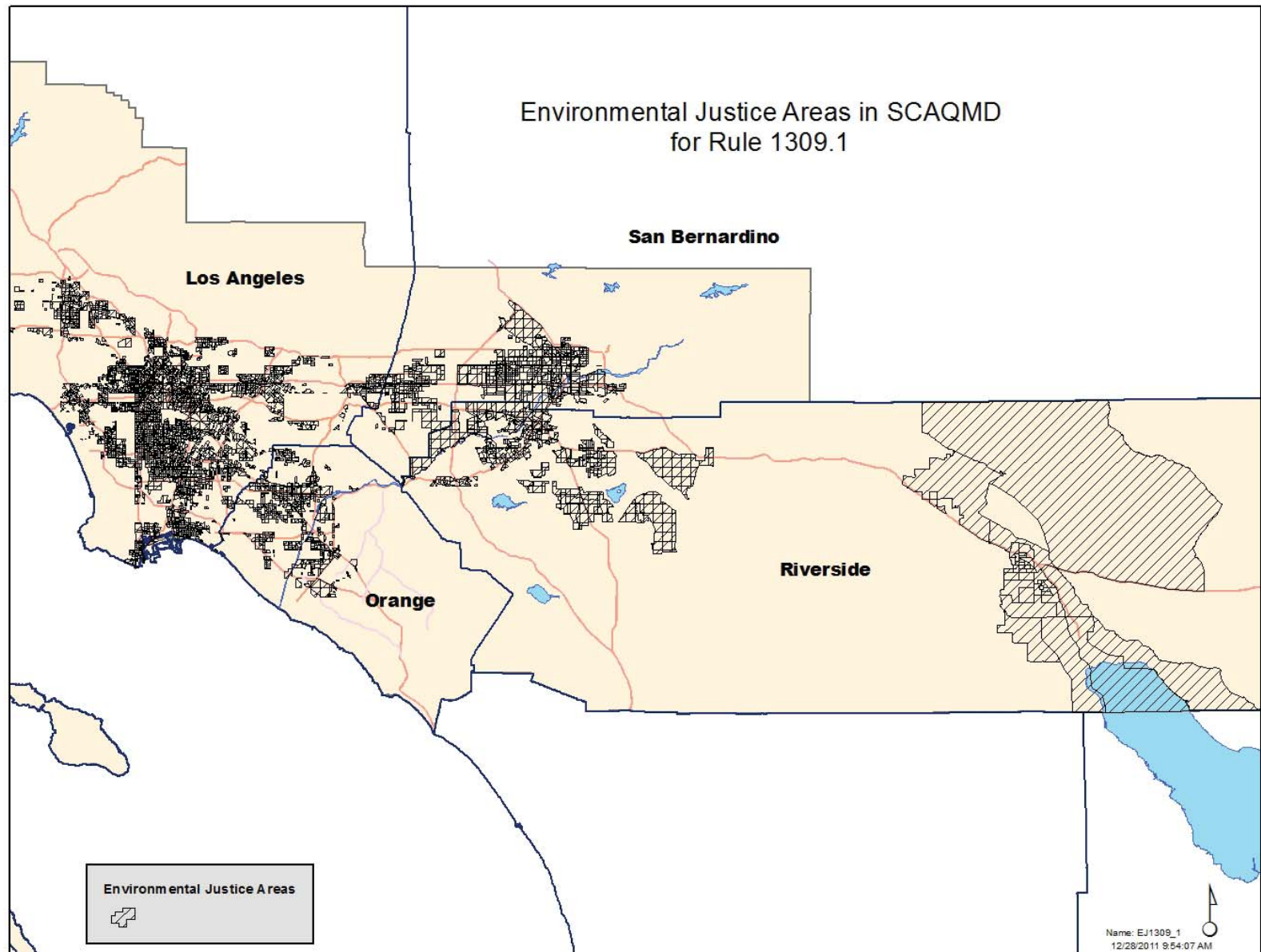
review process. Evidence provided during the bid review process is limited to clarification by the Proposer of information presented in his/her proposal.

- D. Selection will be made based on the above-described criteria and rating factors. The selection will be made by and is subject to Executive Officer or Governing Board approval. Proposers may be notified of the results by letter.
- E. The Governing Board has approved a Bid Protest Procedure which provides a process for a bidder or prospective bidder to submit a written protest to the AQMD Procurement Manager in recognition of two types of protests: Protest Regarding Solicitation and Protest Regarding Award of a Contract. Copies of the Bid Protest Policy can be secured through a request to the AQMD Procurement Department.
- F. The Executive Officer or Governing Board may award contracts to more than one proposer if in (his or their) sole judgment the purposes of the (contract or award) would best be served by selecting multiple proposers.
- G. If additional funds become available, the Executive Officer or Governing Board may increase the amount awarded. The Executive Officer or Governing Board may also select additional proposers for a grant or contract if additional funds become available.
- H. Upon mutual agreement of the parties of any resultant contract from this RFP, the original contract term may be extended.

SECTION X: FUNDING

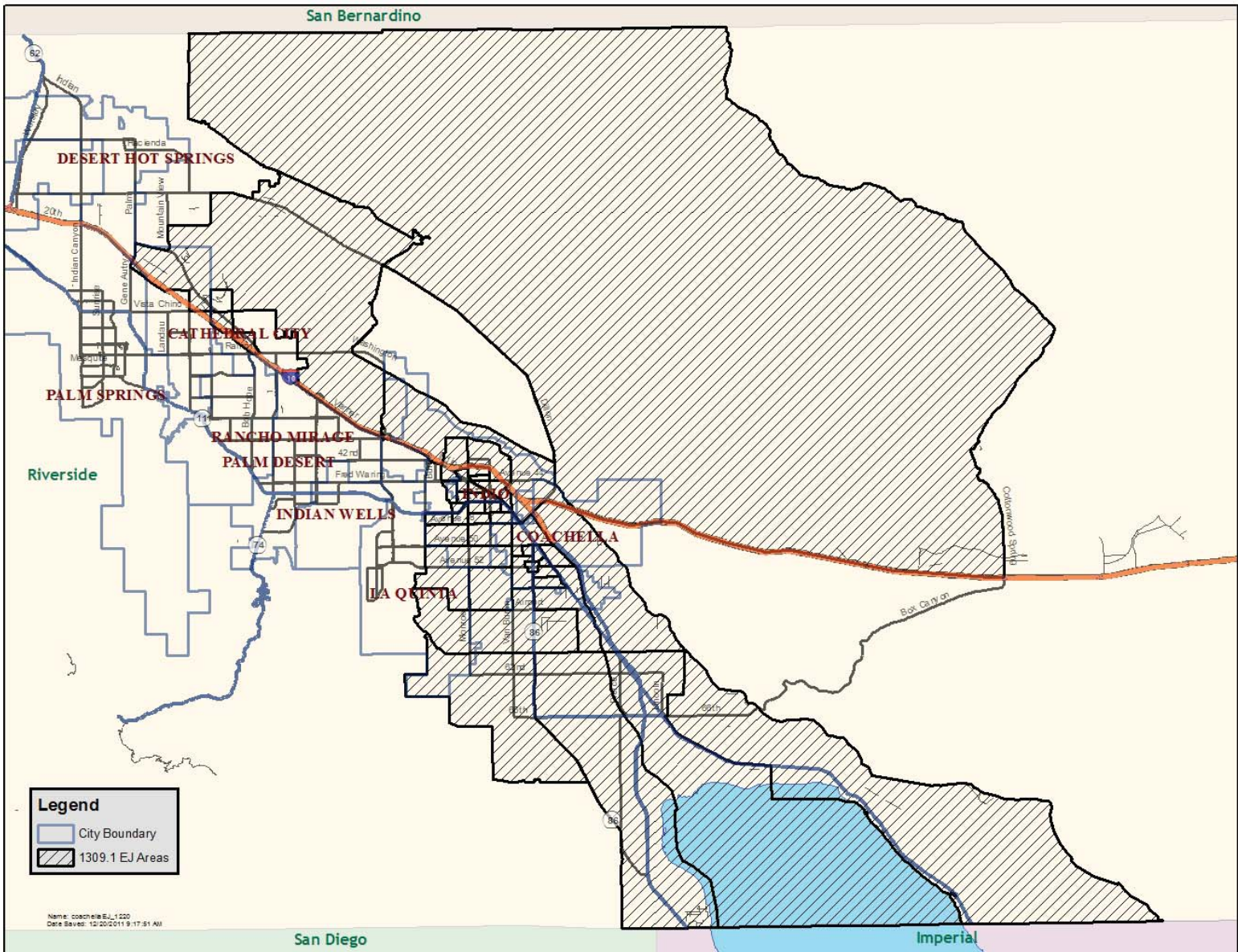
The total funding for the work contemplated by this RFP will be a maximum \$53 Million.

SCAQMD Environmental Justice Areas Pursuant to AB 1318



The map is for illustrative purposes only. Qualifying projects must be in areas defined in AB 1318 as being in 10% poverty AND exposure to $46 \mu\text{g}/\text{m}^3$ PM₁₀ concentration OR cancer risk of 1,000:1 Million.

Coachella Valley-Specific Environmental Justice Areas Pursuant to AB 1318



The map is for illustrative purposes only. Qualifying projects must be in areas defined in AB 1518 as being in 10% poverty AND exposure to 40 µg/m3 PM10 concentration.

Six-Mile Radial Distance from Power Plant Project



DRAFT CONTRACT (Provided as a sample only)



**South Coast
Air Quality Management District**

1. PARTIES - The parties to this Contract are the South Coast Air Quality Management District (referred to here as "AQMD") whose address is 21865 Copley Drive, Diamond Bar, California 91765-4178, and *** (referred to here as "CONTRACTOR") whose address is ***.

2. RECITALS

- A. AQMD is the local agency with primary responsibility for regulating stationary source air pollution in the South Coast Air Basin in the State of California. AQMD is authorized to enter into this Contract under California Health and Safety Code Section 40489. AQMD desires to contract with CONTRACTOR for services described in Attachment 1 - Statement of Work, attached here and made a part here by this reference. CONTRACTOR warrants that it is well-qualified and has the experience to provide such services on the terms set forth here.
- B. CONTRACTOR is authorized to do business in the State of California and attests that it is in good tax standing with the California Franchise Tax Board.
- C. All parties to this Contract have had the opportunity to have this Contract reviewed by their attorney.
- D. CONTRACTOR agrees to obtain the required licenses, permits, and all other appropriate legal authorizations from all applicable federal, state and local jurisdictions and pay all applicable fees.

3. PERFORMANCE REQUIREMENTS

- A. CONTRACTOR warrants that it holds all necessary and required licenses and permits to provide these services. CONTRACTOR further agrees to immediately notify AQMD in writing of any change in its licensing status.
- B. CONTRACTOR shall submit reports to AQMD as outlined in Attachment 1 - Statement of Work. All reports shall be submitted in an environmentally friendly format: recycled paper; stapled, not bound; black and white, double-sided print; and no three-ring, spiral, or plastic binders or cardstock covers. AQMD reserves the right to review, comment, and request changes to any report produced as a result of this Contract.
- C. CONTRACTOR shall perform all tasks set forth in Attachment 1 - Statement of Work, and shall not engage, during the term of this Contract, in any performance of work that is in direct or indirect conflict with duties and responsibilities set forth in Attachment 1 - Statement of Work.
- D. CONTRACTOR shall be responsible for exercising the degree of skill and care customarily required by accepted professional practices and procedures subject to AQMD's final approval which AQMD will not unreasonably withhold. Any costs incurred due to the failure to meet the foregoing standards, or otherwise defective services which require re-performance, as directed by AQMD, shall be the responsibility of CONTRACTOR. CONTRACTOR's failure to achieve the performance goals and objectives stated in Attachment 1- Statement of Work, is not a basis for requesting re-performance unless work conducted by CONTRACTOR is deemed by AQMD to have failed the foregoing standards of performance.
- E. CONTRACTOR shall post a performance bond in the amount of *** Dollars (\$***) from a surety authorized to issue such bonds within the State. **[USE IF REQUIRED]**
- F. AQMD has the right to review the terms and conditions of the performance bond and to request modifications thereto which will ensure that AQMD will be compensated in the event CONTRACTOR fails to perform and also provides AQMD with the opportunity to review the qualifications of the entity

designated by the issuer of the performance bond to perform in CONTRACTOR's absence and, if necessary, the right to reject such entity. [USE IF REQUIRED]

G. CONTRACTOR shall ensure, through its contracts with any subcontractor(s), that employees and agents performing under this Contract shall abide by the requirements set forth in this clause.

4. TERM - The term of this Contract is from the date of execution by both parties (or insert date) to ***, unless further extended by amendment of this Contract in writing. No work shall commence until this Contract is fully executed by all parties.

5. TERMINATION

A. In the event any party fails to comply with any term or condition of this Contract, or fails to provide services in the manner agreed upon by the parties, including, but not limited to, the requirements of Attachment 1 – Statement of Work, this failure shall constitute a breach of this Contract. The non-breaching party shall notify the breaching party that it must cure this breach or provide written notification of its intention to terminate this contract. Notification shall be provided in the manner set forth in Clause 11. The non-breaching party reserves all rights under law and equity to enforce this contract and recover damages.

B. AQMD reserves the right to terminate this Agreement, in whole or in part, without cause, upon thirty (30) days' written notice. Once such notice has been given, CONTRACTOR shall, except as and to the extent or directed otherwise by AQMD, discontinue any Work being performed under this Agreement and cancel any of CONTRACTOR's orders for materials, facilities, and supplies in connection with such Work, and shall use its best efforts to procure termination of existing subcontracts upon terms satisfactory to AQMD. Thereafter, CONTRACTOR shall perform only such services as may be necessary to preserve and protect any Work already in progress and to dispose of any property as requested by AQMD.

C. CONTRACTOR shall be paid in accordance with this Agreement for all work performed before the effective date of termination under Clause 5.B. Before expiration of the thirty (30) days' written notice, CONTRACTOR shall promptly deliver to AQMD all copies of documents and other information and data prepared or developed by CONTRACTOR under this Agreement with the exception of a record copy of such materials, which may be retained by CONTRACTOR.

6. INSURANCE

A. CONTRACTOR shall furnish evidence to AQMD of workers' compensation insurance for each of its employees, in accordance with either California or other states' applicable statutory requirements prior to commencement of any work on this Contract.

B. CONTRACTOR shall furnish evidence to AQMD of general liability insurance with a limit of at least \$1,000,000 per occurrence, and \$2,000,000 in a general aggregate prior to commencement of any work on this Contract. AQMD shall be named as an additional insured on any such liability policy, and thirty (30) days written notice prior to cancellation of any such insurance shall be given by CONTRACTOR to AQMD.

C. CONTRACTOR shall furnish evidence to AQMD of automobile liability insurance with limits of at least \$100,000 per person and \$300,000 per accident for bodily injuries, and \$50,000 in property damage, or \$1,000,000 combined single limit for bodily injury or property damage, prior to commencement of any work on this Contract. AQMD shall be named as an additional insured on any such liability policy, and thirty (30) days written notice prior to cancellation of any such insurance shall be given by CONTRACTOR to AQMD.

D. CONTRACTOR shall furnish evidence to AQMD of Professional Liability Insurance with an aggregate limit of not less than \$5,000,000. [OPTIONAL FOR PROFESSIONAL SERVICES]

- E. If CONTRACTOR fails to maintain the required insurance coverage set forth above, AQMD reserves the right either to purchase such additional insurance and to deduct the cost thereof from any payments owed to CONTRACTOR or terminate this Contract for breach.
- F. All insurance certificates should be mailed to: AQMD Risk Management, 21865 Copley Drive, Diamond Bar, CA 91765-4178. **The AQMD Contract Number must be included on the face of the certificate.**
- G. CONTRACTOR must provide updates on the insurance coverage throughout the term of the Contract to ensure that there is no break in coverage during the period of contract performance. Failure to provide evidence of current coverage shall be grounds for termination for breach of Contract.

7. **INDEMNIFICATION** - CONTRACTOR agrees to hold harmless and indemnify AQMD, its officers, employees, agents, representatives, and successors-in-interest against any and all loss, damage, cost, lawsuits, demands, judgments, legal fees or any other expenses which AQMD, its officers, employees, agents, representatives, and successors-in-interest may incur or be required to pay by reason of any injury or property damage arising from the negligent or intentional conduct or omission of CONTRACTOR, its employees, its subcontractors, or its agents in the performance of this Contract.

8. **CO-FUNDING** **[USE IF REQUIRED]**

- A. CONTRACTOR shall obtain co-funding as follows: ***, *** Dollars (\$***); ***, *** Dollars (\$***); ***, *** Dollars (\$***); ***, *** Dollars (\$***); ***, *** Dollars (\$***); and ***, *** Dollars (\$***).
- B. If CONTRACTOR fails to obtain co-funding in the amount(s) referenced above, then AQMD reserves the right to renegotiate or terminate this Contract.
- C. CONTRACTOR shall provide co-funding in the amount of *** Dollars (\$***) for this project. If CONTRACTOR fails to provide this co-funding, then AQMD reserves the right to renegotiate or terminate this Contract.

9. **PAYMENT**

[FIXED PRICE]-use this one or the T&M one below.

- A. AQMD shall pay CONTRACTOR a fixed price of *** Dollars (\$***) for work performed under this Contract in accordance with Attachment 2 - Payment Schedule, attached here and included here by reference. Payment shall be made by AQMD to CONTRACTOR within thirty (30) days after approval by AQMD of an invoice prepared and furnished by CONTRACTOR showing services performed and referencing tasks and deliverables as shown in Attachment 1 - Statement of Work, and the amount of charge claimed. Each invoice must be prepared in duplicate, on company letterhead, and list AQMD's Contract number, period covered by invoice, and CONTRACTOR's social security number or Employer Identification Number and submitted to: South Coast Air Quality Management District, Attn: ***.
- B. An amount equal to ten percent (10%) shall be withheld from all charges paid until satisfactory completion and final acceptance of work by AQMD. **[OPTIONAL]**
- C. AQMD reserves the right to disallow charges when the invoiced services are not performed satisfactorily in AQMD sole judgment.

[T & M]-use this one or the Fixed Price one above.

- A. AQMD shall pay CONTRACTOR a total not to exceed amount of *** Dollars (\$***), including any authorized travel-related expenses, for time and materials at rates in accordance with Attachment 2 - Cost Schedule, attached here and included here by this reference. Payment of charges shall be made by AQMD to CONTRACTOR within thirty (30) days after approval by AQMD of an itemized invoice prepared and furnished by CONTRACTOR referencing line item expenditures as listed in Attachment 2 and the amount of charge claimed. Each invoice must be prepared in duplicate, on company letterhead,

and list AQMD's Contract number, period covered by invoice, and CONTRACTOR's social security number or Employer Identification Number and submitted to: South Coast Air Quality Management District, Attn: ***.

- B. CONTRACTOR shall adhere to total tasks and/or cost elements (cost category) expenditures as listed in Attachment 2. Reallocation of costs between tasks and/or cost category expenditures is permitted up to One Thousand Dollars (\$1,000) upon prior written approval from AQMD. Reallocation of costs in excess of One Thousand Dollars (\$1,000) between tasks and/or cost category expenditures requires an amendment to this Contract.
- C. AQMD's payment of invoices shall be subject to the following limitations and requirements:
 - i) Charges for equipment, material, and supply costs, travel expenses, subcontractors, and other charges, as applicable, must be itemized by CONTRACTOR. Reimbursement for equipment, material, supplies, subcontractors, and other charges shall be made at actual cost. Supporting documentation must be provided for all individual charges (with the exception of direct labor charges provided by CONTRACTOR). AQMD's reimbursement of travel expenses and requirements for supporting documentation are listed below.
 - ii) CONTRACTOR's failure to provide receipts shall be grounds for AQMD's non-reimbursement of such charges. AQMD may reduce payments on invoices by those charges for which receipts were not provided.
 - iii) AQMD shall not pay interest, fees, handling charges, or cost of money on Contract.
- D. AQMD shall reimburse CONTRACTOR for travel-related expenses only if such travel is expressly set forth in Attachment 2 – Cost Schedule of this Contract or pre-authorized by AQMD in writing.
 - i) AQMD's reimbursement of travel-related expenses shall cover lodging, meals, other incidental expenses, and costs of transportation subject to the following limitations:
 - Air Transportation - Coach class rate for all flights. If coach is not available, business class rate is permissible.
 - Car Rental - A compact car rental. A mid-size car rental is permissible if car rental is shared by three or more individuals.
 - Lodging - Up to One Hundred Fifty Dollars (\$150) per night. A higher amount of reimbursement is permissible if pre-approved by AQMD.
 - Meals - Daily allowance is Fifty Dollars (\$50.00).
 - ii) Supporting documentation shall be provided for travel-related expenses in accordance with the following requirements:
 - Lodging, Airfare, Car Rentals - Bill(s) for actual expenses incurred.
 - Meals - Meals billed in excess of \$50.00 each day require receipts or other supporting documentation for the total amount of the bill and must be approved by AQMD.
 - Mileage - Beginning each January 1, the rate shall be adjusted effective February 1 by the Chief Financial Officer based on the Internal Revenue Service Standard Mileage Rate
 - Other travel-related expenses - Receipts are required for all individual items.
- E. AQMD reserves the right to disallow charges when the invoiced services are not performed satisfactorily in AQMD sole judgment.

10. INTELLECTUAL PROPERTY RIGHTS - Title and full ownership rights to any software, documents, or reports developed under this Contract shall at all times remain with AQMD. Such material is agreed to be AQMD proprietary information.

- A. Rights of Technical Data - AQMD shall have the unlimited right to use technical data, including material designated as a trade secret, resulting from the performance of services by CONTRACTOR under this Contract. CONTRACTOR shall have the right to use technical data for its own benefit.

B. Copyright - CONTRACTOR agrees to grant AQMD a royalty-free, nonexclusive, irrevocable license to produce, translate, publish, use, and dispose of all copyrightable material first produced or composed in the performance of this Contract.

11. NOTICES - Any notices from either party to the other shall be given in writing to the attention of the persons listed below, or to other such addresses or addressees as may hereafter be designated in writing for notices by either party to the other. Notice shall be given by certified, express, or registered mail, return receipt requested, and shall be effective as of the date of receipt indicated on the return receipt card.

AQMD: South Coast Air Quality Management District
21865 Copley Drive
Diamond Bar, CA 91765-4178
Attn: ***

CONTRACTOR: ***

Attn: ***

12. EMPLOYEES OF CONTRACTOR

- A. AQMD reserves the right to review the resumes of any of CONTRACTOR employees, and/or any subcontractors selected to perform the work specified here and to disapprove CONTRACTOR choices. CONTRACTOR warrants that it will employ no subcontractor without written approval from AQMD. CONTRACTOR shall be responsible for the cost of regular pay to its employees, as well as cost of vacation, vacation replacements, sick leave, severance pay and pay for legal holidays.
- B. CONTRACTOR, its officers, employees, agents, representatives or subcontractors shall in no sense be considered employees or agents of AQMD, nor shall CONTRACTOR, its officers, employees, agents, representatives or subcontractors be entitled to or eligible to participate in any benefits, privileges, or plans, given or extended by AQMD to its employees.
- C. AQMD requires Contractor to be in compliance with all state and federal laws and regulations with respect to its employees throughout the term of this Contract, including state minimum wage laws and OSHA requirements.

13. CONFIDENTIALITY - It is expressly understood and agreed that AQMD may designate in a conspicuous manner the information which CONTRACTOR obtains from AQMD as confidential. CONTRACTOR agrees to:

- A. Observe complete confidentiality with respect to such information, including without limitation, agreeing not to disclose or otherwise permit access to such information by any other person or entity in any manner whatsoever, except that such disclosure or access shall be permitted to employees or subcontractors of CONTRACTOR requiring access in fulfillment of the services provided under this Contract.
- B. Ensure that CONTRACTOR's officers, employees, agents, representatives, and independent contractors are informed of the confidential nature of such information and to assure by agreement or otherwise that they are prohibited from copying or revealing, for any purpose whatsoever, the contents of such information or any part thereof, or from taking any action otherwise prohibited under this clause.
- C. Not use such information or any part thereof in the performance of services to others or for the benefit of others in any form whatsoever whether gratuitously or for valuable consideration, except as permitted under this Contract.

- D. Notify AQMD promptly and in writing of the circumstances surrounding any possession, use, or knowledge of such information or any part thereof by any person or entity other than those authorized by this clause.
- E. Take at CONTRACTOR expense, but at AQMD's option and in any event under AQMD's control, any legal action necessary to prevent unauthorized use of such information by any third party or entity which has gained access to such information at least in part due to the fault of CONTRACTOR.
- F. Take any and all other actions necessary or desirable to assure such continued confidentiality and protection of such information.
- G. Prevent access to such information by any person or entity not authorized under this Contract.
- H. Establish specific procedures in order to fulfill the obligations of this clause.
- I. Notwithstanding the above, nothing herein is intended to abrogate or modify the provisions of Government Code Section 6250 et seq. (Public Records Act).

14. PUBLICATION

- A. AQMD shall have the right of prior written approval of any document which shall be disseminated to the public by CONTRACTOR in which CONTRACTOR utilized information obtained from AQMD in connection with performance under this Contract.
- B. Information, data, documents, or reports developed by CONTRACTOR for AQMD, pursuant to this Contract, shall be part of AQMD public record unless otherwise indicated. CONTRACTOR may use or publish, at its own expense, such information provided to AQMD. The following acknowledgment of support and disclaimer must appear in each publication of materials, whether copyrighted or not, based upon or developed under this Contract.

"This report was prepared as a result of work sponsored, paid for, in whole or in part, by the South Coast Air Quality Management District (AQMD). The opinions, findings, conclusions, and recommendations are those of the author and do not necessarily represent the views of AQMD. AQMD, its officers, employees, contractors, and subcontractors make no warranty, expressed or implied, and assume no legal liability for the information in this report. AQMD has not approved or disapproved this report, nor has AQMD passed upon the accuracy or adequacy of the information contained herein."

- C. CONTRACTOR shall inform its officers, employees, and subcontractors involved in the performance of this Contract of the restrictions contained herein and require compliance with the above.

15. NON-DISCRIMINATION - In the performance of this Contract, CONTRACTOR shall not discriminate in recruiting, hiring, promotion, demotion, or termination practices on the basis of race, religious creed, color, national origin, ancestry, sex, age, or physical or mental disability and shall comply with the provisions of the California Fair Employment & Housing Act (Government Code Section 12900 et seq.), the Federal Civil Rights Act of 1964 (P.L. 88-352) and all amendments thereto, Executive Order No. 11246 (30 Federal Register 12319), and all administrative rules and regulations issued pursuant to said Acts and Order. CONTRACTOR shall likewise require each subcontractor to comply with this clause and shall include in each such subcontract language similar to this clause.

16. SOLICITATION OF EMPLOYEES - CONTRACTOR expressly agrees that CONTRACTOR shall not, during the term of this Contract, nor for a period of six months after termination, solicit for employment, whether as an employee or independent contractor, any person who is or has been employed by AQMD during the term of this Contract without the consent of AQMD.

17. PROPERTY AND SECURITY - Without limiting CONTRACTOR obligations with regard to security, CONTRACTOR shall comply with all the rules and regulations established by AQMD for access to and activity in and around AQMD premises.
18. ASSIGNMENT - The rights granted hereby may not be assigned, sold, licensed, or otherwise transferred by either party without the prior written consent of the other, and any attempt by either party to do so shall be void upon inception.
19. NON-EFFECT OF WAIVER - The failure of CONTRACTOR or AQMD to insist upon the performance of any or all of the terms, covenants, or conditions of this Contract, or failure to exercise any rights or remedies hereunder, shall not be construed as a waiver or relinquishment of the future performance of any such terms, covenants, or conditions, or of the future exercise of such rights or remedies, unless otherwise provided for herein.
20. ATTORNEYS' FEES - In the event any action is filed in connection with the enforcement or interpretation of this Contract, each party shall bear its own attorneys' fees and costs.
21. FORCE MAJEURE - Neither AQMD nor CONTRACTOR shall be liable or deemed to be in default for any delay or failure in performance under this Contract or interruption of services resulting, directly or indirectly, from acts of God, civil or military authority, acts of public enemy, war, strikes, labor disputes, shortages of suitable parts, materials, labor or transportation, or any similar cause beyond the reasonable control of AQMD or CONTRACTOR.
22. SEVERABILITY - In the event that any one or more of the provisions contained in this Contract shall for any reason be held to be unenforceable in any respect by a court of competent jurisdiction, such holding shall not affect any other provisions of this Contract, and the Contract shall then be construed as if such unenforceable provisions are not a part hereof.
23. HEADINGS - Headings on the clauses of this Contract are for convenience and reference only, and the words contained therein shall in no way be held to explain, modify, amplify, or aid in the interpretation, construction, or meaning of the provisions of this Contract.
24. DUPLICATE EXECUTION - This Contract is executed in duplicate. Each signed copy shall have the force and effect of an original.
25. GOVERNING LAW - This Contract shall be construed and interpreted and the legal relations created thereby shall be determined in accordance with the laws of the State of California. Venue for resolution of any disputes under this Contract shall be Los Angeles County, California.
26. CITIZENSHIP AND ALIEN STATUS
 - A. CONTRACTOR warrants that it fully complies with all laws regarding the employment of aliens and others, and that its employees performing services hereunder meet the citizenship or alien status requirements contained in federal and state statutes and regulations including, but not limited to, the Immigration Reform and Control Act of 1986 (P.L. 99-603). CONTRACTOR shall obtain from all covered employees performing services hereunder all verification and other documentation of employees' eligibility status required by federal statutes and regulations as they currently exist and as they may be hereafter amended. CONTRACTOR shall have a continuing obligation to verify and

document the continuing employment authorization and authorized alien status of employees performing services under this Contract to insure continued compliance with all federal statutes and regulations.

- B. Notwithstanding paragraph A above, CONTRACTOR, in the performance of this Contract, shall not discriminate against any person in violation of 8 USC Section 1324b.
- C. CONTRACTOR shall retain such documentation for all covered employees for the period described by law. CONTRACTOR shall indemnify, defend, and hold harmless AQMD, its officers and employees from employer sanctions and other liability which may be assessed against CONTRACTOR or AQMD, or both in connection with any alleged violation of federal statutes or regulations pertaining to the eligibility for employment of persons performing services under this Contract.

- 27. FEDERAL FAIR SHARE POLICY - As a recipient of Environmental Protection Agency (EPA) grant funds, AQMD is required to flow down to all of its contractors the provisions of 40 CFR Section 31.36(e) which addresses affirmative steps for contracting with small-and-minority firms, women's business enterprises, and labor surplus area firms. CONTRACTOR agrees to comply with these provisions.
- 28. REQUIREMENT FOR FILING STATEMENT OF ECONOMIC INTERESTS - In accordance with the Political Reform Act of 1974 (Government Code Sec. 81000 et seq.) and regulations issued by the Fair Political Practices Commission (FPPC), AQMD has determined that the nature of the work to be performed under this Contract requires CONTRACTOR to submit a Form 700, Statement of Economic Interests for Designated Officials and Employees, for each of its employees assigned to work on this Contract. These forms may be obtained from AQMD's District Counsel's office. **[USE IF REQUIRED]**
- 29. COMPLIANCE WITH SINGLE AUDIT ACT REQUIREMENTS **[OPTIONAL - TO BE INCLUDED IN CONTRACTS WITH FOR-PROFIT CONTRACTORS WHICH HAVE FEDERAL PASS-THROUGH FUNDING]** - During the term of the Contract, and for a period of three (3) years from the date of Contract expiration, and if requested in writing by the AQMD, CONTRACTOR shall allow the AQMD, its designated representatives and/or the cognizant Federal Audit Agency, access during normal business hours to all records and reports related to the work performed under this Contract. CONTRACTOR assumes sole responsibility for reimbursement to the Federal Agency funding the prime grant or contract, a sum of money equivalent to the amount of any expenditures disallowed should the AQMD, its designated representatives and/or the cognizant Federal Audit Agency rule through audit exception or some other appropriate means that expenditures from funds allocated to the CONTRACTOR were not made in compliance with the applicable cost principles, regulations of the funding agency, or the provisions of this Contract.

[OPTIONAL - TO BE INCLUDED IN CONTRACTS WITH NON-PROFIT CONTRACTORS WHICH HAVE FEDERAL PASS-THROUGH FUNDING] - Beginning with CONTRACTOR's current fiscal year and continuing through the term of this Contract, CONTRACTOR shall have a single or program-specific audit conducted in accordance with the requirements of the Office of Management and Budget (OMB) Circular A-133 (Audits of States, Local Governments and Non-Profit Organizations), if CONTRACTOR expended Five Hundred Thousand Dollars (\$500,000) or more in a year in Federal Awards. Such audit shall be conducted by a firm of independent accountants in accordance with Generally Accepted Government Audit Standards (GAGAS). Within thirty (30) days of Contract execution, CONTRACTOR shall forward to AQMD the most recent A-133 Audit Report issued by its independent auditors. Subsequent A-133 Audit Reports shall be submitted to the AQMD within thirty (30) days of issuance.

CONTRACTOR shall allow the AQMD, its designated representatives and/or the cognizant Federal Audit Agency, access during normal business hours to all records and reports related to the work performed under this Contract. CONTRACTOR assumes sole responsibility for reimbursement to the Federal Agency funding

the prime grant or contract, a sum of money equivalent to the amount of any expenditures disallowed should the AQMD, its designated representatives and/or the cognizant Federal Audit Agency rule through audit exception or some other appropriate means that expenditures from funds allocated to the CONTRACTOR were not made in compliance with the applicable cost principles, regulations of the funding agency, or the provisions of this Contract.

30. OPTION TO EXTEND THE TERM OF THE CONTRACT - AQMD reserves the right to extend the contract for a one-year period commencing ***** (enter date) at the (option price or Not-to-Exceed Amount) set forth in Attachment 2. In the event that AQMD elects to extend the contract, a written notice of its intent to extend the contract shall be provided to CONTRACTOR no later than thirty (30) days prior to Contract expiration. **[USE IF REQUIRED]**
31. KEY PERSONNEL - *insert person's name* is deemed critical to the successful performance of this Contract. Any changes in key personnel by CONTRACTOR must be approved by AQMD. All substitute personnel must possess qualifications/experience equal to the original named key personnel and must be approved by AQMD. AQMD reserves the right to interview proposed substitute key personnel. **[USE IF REQUIRED]**
32. PREVAILING WAGES – **[USE FOR INFRASTRUCTURE PROJECTS]** CONTRACTOR is alerted to the prevailing wage requirements of California Labor Code section 1770 et seq. Copies of the prevailing rate of per diem wages are on file at the AQMD's headquarters, of which shall be made available to any interested party on request. Notwithstanding the preceding sentence, CONTRACTOR shall be responsible for determining the applicability of the provisions of California Labor Code and complying with the same, including, without limitation, obtaining from the Director of the Department of Industrial Relations the general prevailing rate of per diem wages and the general prevailing rate for holiday and overtime work, making the same available to any interested party upon request, paying any applicable prevailing rates, posting copies thereof at the job site and flowing all applicable prevailing wage rate requirements to its subcontractors. CONTRACTOR shall indemnify, defend and hold harmless the South Coast Air Quality Management District against any and all claims, demands, damages, defense costs or liabilities based on failure to adhere to the above referenced statutes.
33. APPROVAL OF SUBCONTRACT
 - A. If CONTRACTOR intends to subcontract a portion of the work under this Contract, written approval of the terms of the proposed subcontract(s) shall be obtained from AQMD's Executive Officer or designee prior to execution of the subcontract. No subcontract charges will be reimbursed unless such approval has been obtained.
 - B. Any material changes to the subcontract(s) that affect the scope of work, deliverable schedule, and/or cost schedule shall also require the written approval of the Executive Officer or designee prior to execution.
 - C. The sole purpose of AQMD's review is to insure that AQMD's contract rights have not been diminished in the subcontractor agreement. AQMD shall not supervise, direct, or have control over, or be responsible for, subcontractor's means, methods, techniques, work sequences or procedures or for the safety precautions and programs incident thereto, or for any failure of subcontractor to comply with any local, state, or federal laws, or rules or regulations.
34. ENTIRE CONTRACT - This Contract represents the entire agreement between the parties hereto related to CONTRACTOR providing services to AQMD and there are no understandings, representations, or

warranties of any kind except as expressly set forth herein. No waiver, alteration, or modification of any of the provisions herein shall be binding on any party unless in writing and signed by the party against whom enforcement of such waiver, alteration, or modification is sought.

IN WITNESS WHEREOF, the parties to this Contract have caused this Contract to be duly executed on their behalf by their authorized representatives.

SOUTH COAST AIR QUALITY MANAGEMENT DISTRICT ***

By:_____	By:_____
Barry R. Wallerstein, D.Env., Executive Officer	Name:_____
Dr. William A. Burke, Chairman, Governing Board	Title:_____

Date:_____	Date:_____
------------	------------

ATTEST:
Saundra McDaniel, Clerk of the Board

By:_____

APPROVED AS TO FORM:
Kurt R. Wiese, General Counsel

By:_____

ATTACHMENT A

CERTIFICATIONS AND REPRESENTATIONS

SCAQMD Environmental Justice Areas Pursuant to AB 1318



South Coast Air Quality Management District

21865 Copley Drive, Diamond Bar, CA 91765-4178
(909) 396-2000 • www.aqmd.gov

Business Information Request

Dear SCAQMD Contractor/Supplier:

The South Coast Air Quality Management District (SCAQMD) is committed to ensuring that our contractor/supplier records are current and accurate. If your firm is selected for award of a purchase order or contract, it is imperative that the information requested herein be supplied in a timely manner to facilitate payment of invoices. In order to process your payments, we need the enclosed information regarding your account. **Please review and complete the information identified on the following pages, complete the enclosed W-9 form, remember to sign both documents for our files, and return them as soon as possible to the address below:**

**Attention: Accounts Payable, Accounting Department
South Coast Air Quality Management District
21865 Copley Drive
Diamond Bar, CA 91765-4178**

If you do not return this information, we will not be able to establish you as a vendor. This will delay any payments and would still necessitate your submittal of the enclosed information to our Accounting department before payment could be initiated. Completion of this document and enclosed forms would ensure that your payments are processed timely and accurately.

If you have any questions or need assistance in completing this information, please contact Accounting at (909) 396-3777. We appreciate your cooperation in completing this necessary information.

Sincerely,

Michael B. O'Kelly
Chief Financial Officer

DH:tm

Enclosures: Business Information Request
Disadvantaged Business Certification
W-9
Federal Contract Debarment Certification
Campaign Contribution Disclosure



South Coast Air Quality Management District

21865 Copley Drive, Diamond Bar, CA 91765-4178

(909) 396-2000 • www.aqmd.gov

BUSINESS INFORMATION REQUEST

Business Name	
Division of	
Subsidiary of	
Website Address	
Type of Business <i>Check One:</i>	<input type="checkbox"/> Individual <input type="checkbox"/> DBA, Name _____, County Filed In _____ <input type="checkbox"/> Corporation, ID No. _____ <input type="checkbox"/> LLC/LLP, ID No. _____ <input type="checkbox"/> Other _____

REMITTING ADDRESS INFORMATION

Address			
City/Town			
State/Province		Zip	
Phone	() - Ext	Fax	() -
Contact		Title	
E-mail Address			
Payment Name if Different			

All invoices must reference the corresponding Purchase Order Number(s)/Contract Number(s) if applicable and mailed to:

Attention: Accounts Payable, Accounting Department
South Coast Air Quality Management District
21865 Copley Drive
Diamond Bar, CA 91765-4178

DISADVANTAGED BUSINESS CERTIFICATION

Federal guidance for utilization of disadvantaged business enterprises allows a vendor to be deemed a small business enterprise (SBE), minority business enterprise (MBE) or women business enterprise (WBE) if it meets the criteria below.

- is certified by the Small Business Administration or
- is certified by a state or federal agency or
- is an independent MBE(s) or WBE(s) business concern which is at least 51 percent owned and controlled by minority group member(s) who are citizens of the United States.

Statements of certification:

As a prime contractor to the SCAQMD, _____ (name of business) will engage in good faith efforts to achieve the fair share in accordance with 40 CFR Section 31.36(e), and will follow the six affirmative steps listed below **for contracts or purchase orders funded in whole or in part by federal grants and contracts.**

1. Place qualified SBEs, MBEs, and WBEs on solicitation lists.
2. Assure that SBEs, MBEs, and WBEs are solicited whenever possible.
3. When economically feasible, divide total requirements into small tasks or quantities to permit greater participation by SBEs, MBEs, and WBEs.
4. Establish delivery schedules, if possible, to encourage participation by SBEs, MBEs, and WBEs.
5. Use services of Small Business Administration, Minority Business Development Agency of the Department of Commerce, and/or any agency authorized as a clearinghouse for SBEs, MBEs, and WBEs.
6. If subcontracts are to be let, take the above affirmative steps.

Self-Certification Verification: Also for use in awarding additional points, as applicable, in accordance with SCAQMD Procurement Policy and Procedure:

Check all that apply:

- ☐ Small Business Enterprise/Small Business Joint Venture ☐ Women-owned Business Enterprise
☐ Local business ☐ Disabled Veteran-owned Business Enterprise/DVBE Joint Venture
☐ Minority-owned Business Enterprise

Percent of ownership: _____ %

Name of Qualifying Owner(s): _____

I, the undersigned, hereby declare that to the best of my knowledge the above information is accurate. Upon penalty of perjury, I certify information submitted is factual.

NAME	TITLE

TELEPHONE NUMBER	DATE

DEFINITIONS

Disabled Veteran-Owned Business Enterprise means a business that meets all of the following criteria:

- is a sole proprietorship or partnership of which is at least 51 percent owned by one or more disabled veterans, or in the case of any business whose stock is publicly held, at least 51 percent of the stock is owned by one or more disabled veterans; a subsidiary which is wholly owned by a parent corporation but only if at least 51 percent of the voting stock of the parent corporation is owned by one or more disabled veterans; or a joint venture in which at least 51 percent of the joint venture's management and control and earnings are held by one or more disabled veterans.
- the management and control of the daily business operations are by one or more disabled veterans. The disabled veterans who exercise management and control are not required to be the same disabled veterans as the owners of the business.
- is a sole proprietorship, corporation, partnership, or joint venture with its primary headquarters office located in the United States and which is not a branch or subsidiary of a foreign corporation, firm, or other foreign-based business.

Joint Venture means that one party to the joint venture is a DVBE and owns at least 51 percent of the joint venture. In the case of a joint venture formed for a single project this means that DVBE will receive at least 51 percent of the project dollars.

Local Business means a business that meets all of the following criteria:

- has an ongoing business within the boundary of the SCAQMD at the time of bid application.
- performs 90 percent of the work within SCAQMD's jurisdiction.

Minority-Owned Business Enterprise means a business that meets all of the following criteria:

- is at least 51 percent owned by one or more minority persons or in the case of any business whose stock is publicly held, at least 51 percent of the stock is owned by one or more minority persons.
- is a business whose management and daily business operations are controlled or owned by one or more minority person.
- is a business which is a sole proprietorship, corporation, partnership, joint venture, an association, or a cooperative with its primary headquarters office located in the United States, which is not a branch or subsidiary of a foreign corporation, foreign firm, or other foreign business.

"Minority" person means a Black American, Hispanic American, Native American (including American Indian, Eskimo, Aleut, and Native Hawaiian), Asian-Indian American (including a person whose origins are from India, Pakistan, or Bangladesh), Asian-Pacific American (including a person whose origins are from Japan, China, the Philippines, Vietnam, Korea, Samoa, Guam, the United States Trust Territories of the Pacific, Northern Marianas, Laos, Cambodia, or Taiwan).

Small Business Enterprise means a business that meets the following criteria:

- a. 1) an independently owned and operated business; 2) not dominant in its field of operation; 3) together with affiliates is either:
 - **A service, construction, or non-manufacturer with 100 or fewer employees, and average annual gross receipts of ten million dollars (\$10,000,000) or less over the previous three years, or**
 - A manufacturer with 100 or fewer employees.
- b. Manufacturer means a business that is both of the following:
 - 1) Primarily engaged in the chemical or mechanical transformation of raw materials or processed substances into new products.
 - 2) Classified between Codes 311000 to 339000, inclusive, of the North American Industrial Classification System (NAICS) Manual published by the United States Office of Management and Budget, 2007 edition.

Small Business Joint Venture means that one party to the joint venture is a Small Business and owns at least 51 percent of the joint venture. In the case of a joint venture formed for a single project this means that the Small Business will receive at least 51 percent of the project dollars.

Women-Owned Business Enterprise means a business that meets all of the following criteria:

- is at least 51 percent owned by one or more women or in the case of any business whose stock is publicly held, at least 51 percent of the stock is owned by one or more women.
- is a business whose management and daily business operations are controlled or owned by one or more women.
- is a business which is a sole proprietorship, corporation, partnership, or a joint venture, with its primary headquarters office located in the United States, which is not a branch or subsidiary of a foreign corporation, foreign firm, or other foreign business.

**Request for Taxpayer
Identification Number and Certification**

**Give Form to the
requester. Do not
send to the IRS.**

Print or type See Specific Instructions on page 2.	Name (as shown on your income tax return)	
	Business name/disregarded entity name, if different from above	
	Check appropriate box for federal tax classification (required): <input type="checkbox"/> Individual/sole proprietor <input type="checkbox"/> C Corporation <input type="checkbox"/> S Corporation <input type="checkbox"/> Partnership <input type="checkbox"/> Trust/estate <input type="checkbox"/> Limited liability company. Enter the tax classification (C=C corporation, S=S corporation, P=partnership) ▶ _____ <input type="checkbox"/> Other (see instructions) ▶ _____	
	<input type="checkbox"/> Exempt payee	
	Address (number, street, and apt. or suite no.)	Requester's name and address (optional)
	City, state, and ZIP code	
List account number(s) here (optional)		

Part I Taxpayer Identification Number (TIN)

Enter your TIN in the appropriate box. The TIN provided must match the name given on the "Name" line to avoid backup withholding. For individuals, this is your social security number (SSN). However, for a resident alien, sole proprietor, or disregarded entity, see the Part I instructions on page 3. For other entities, it is your employer identification number (EIN). If you do not have a number, see *How to get a TIN* on page 3.

Note. If the account is in more than one name, see the chart on page 4 for guidelines on whose number to enter.

Social security number									
				-					
Employer identification number									
				-					

Part II Certification

Under penalties of perjury, I certify that:

1. The number shown on this form is my correct taxpayer identification number (or I am waiting for a number to be issued to me), and
2. I am not subject to backup withholding because: (a) I am exempt from backup withholding, or (b) I have not been notified by the Internal Revenue Service (IRS) that I am subject to backup withholding as a result of a failure to report all interest or dividends, or (c) the IRS has notified me that I am no longer subject to backup withholding, and
3. I am a U.S. citizen or other U.S. person (defined below).

Certification instructions. You must cross out item 2 above if you have been notified by the IRS that you are currently subject to backup withholding because you have failed to report all interest and dividends on your tax return. For real estate transactions, item 2 does not apply. For mortgage interest paid, acquisition or abandonment of secured property, cancellation of debt, contributions to an individual retirement arrangement (IRA), and generally, payments other than interest and dividends, you are not required to sign the certification, but you must provide your correct TIN. See the instructions on page 4.

Sign Here	Signature of U.S. person ▶	Date ▶
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General Instructions

Section references are to the Internal Revenue Code unless otherwise noted.

Purpose of Form

A person who is required to file an information return with the IRS must obtain your correct taxpayer identification number (TIN) to report, for example, income paid to you, real estate transactions, mortgage interest you paid, acquisition or abandonment of secured property, cancellation of debt, or contributions you made to an IRA.

Use Form W-9 only if you are a U.S. person (including a resident alien), to provide your correct TIN to the person requesting it (the requester) and, when applicable, to:

1. Certify that the TIN you are giving is correct (or you are waiting for a number to be issued),
2. Certify that you are not subject to backup withholding, or
3. Claim exemption from backup withholding if you are a U.S. exempt payee. If applicable, you are also certifying that as a U.S. person, your allocable share of any partnership income from a U.S. trade or business is not subject to the withholding tax on foreign partners' share of effectively connected income.

Note. If a requester gives you a form other than Form W-9 to request your TIN, you must use the requester's form if it is substantially similar to this Form W-9.

Definition of a U.S. person. For federal tax purposes, you are considered a U.S. person if you are:

- An individual who is a U.S. citizen or U.S. resident alien,
- A partnership, corporation, company, or association created or organized in the United States or under the laws of the United States,
- An estate (other than a foreign estate), or
- A domestic trust (as defined in Regulations section 301.7701-7).

Special rules for partnerships. Partnerships that conduct a trade or business in the United States are generally required to pay a withholding tax on any foreign partners' share of income from such business. Further, in certain cases where a Form W-9 has not been received, a partnership is required to presume that a partner is a foreign person, and pay the withholding tax. Therefore, if you are a U.S. person that is a partner in a partnership conducting a trade or business in the United States, provide Form W-9 to the partnership to establish your U.S. status and avoid withholding on your share of partnership income.

The person who gives Form W-9 to the partnership for purposes of establishing its U.S. status and avoiding withholding on its allocable share of net income from the partnership conducting a trade or business in the United States is in the following cases:

- The U.S. owner of a disregarded entity and not the entity,
- The U.S. grantor or other owner of a grantor trust and not the trust, and
- The U.S. trust (other than a grantor trust) and not the beneficiaries of the trust.

Foreign person. If you are a foreign person, do not use Form W-9. Instead, use the appropriate Form W-8 (see Publication 515, Withholding of Tax on Nonresident Aliens and Foreign Entities).

Nonresident alien who becomes a resident alien. Generally, only a nonresident alien individual may use the terms of a tax treaty to reduce or eliminate U.S. tax on certain types of income. However, most tax treaties contain a provision known as a "saving clause." Exceptions specified in the saving clause may permit an exemption from tax to continue for certain types of income even after the payee has otherwise become a U.S. resident alien for tax purposes.

If you are a U.S. resident alien who is relying on an exception contained in the saving clause of a tax treaty to claim an exemption from U.S. tax on certain types of income, you must attach a statement to Form W-9 that specifies the following five items:

1. The treaty country. Generally, this must be the same treaty under which you claimed exemption from tax as a nonresident alien.
2. The treaty article addressing the income.
3. The article number (or location) in the tax treaty that contains the saving clause and its exceptions.
4. The type and amount of income that qualifies for the exemption from tax.
5. Sufficient facts to justify the exemption from tax under the terms of the treaty article.

Example. Article 20 of the U.S.-China income tax treaty allows an exemption from tax for scholarship income received by a Chinese student temporarily present in the United States. Under U.S. law, this student will become a resident alien for tax purposes if his or her stay in the United States exceeds 5 calendar years. However, paragraph 2 of the first Protocol to the U.S.-China treaty (dated April 30, 1984) allows the provisions of Article 20 to continue to apply even after the Chinese student becomes a resident alien of the United States. A Chinese student who qualifies for this exception (under paragraph 2 of the first protocol) and is relying on this exception to claim an exemption from tax on his or her scholarship or fellowship income would attach to Form W-9 a statement that includes the information described above to support that exemption.

If you are a nonresident alien or a foreign entity not subject to backup withholding, give the requester the appropriate completed Form W-8.

What is backup withholding? Persons making certain payments to you must under certain conditions withhold and pay to the IRS a percentage of such payments. This is called "backup withholding." Payments that may be subject to backup withholding include interest, tax-exempt interest, dividends, broker and barter exchange transactions, rents, royalties, nonemployee pay, and certain payments from fishing boat operators. Real estate transactions are not subject to backup withholding.

You will not be subject to backup withholding on payments you receive if you give the requester your correct TIN, make the proper certifications, and report all your taxable interest and dividends on your tax return.

Payments you receive will be subject to backup withholding if:

1. You do not furnish your TIN to the requester,
2. You do not certify your TIN when required (see the Part II instructions on page 3 for details),
3. The IRS tells the requester that you furnished an incorrect TIN,
4. The IRS tells you that you are subject to backup withholding because you did not report all your interest and dividends on your tax return (for reportable interest and dividends only), or
5. You do not certify to the requester that you are not subject to backup withholding under 4 above (for reportable interest and dividend accounts opened after 1983 only).

Certain payees and payments are exempt from backup withholding. See the instructions below and the separate Instructions for the Requester of Form W-9.

Also see *Special rules for partnerships* on page 1.

Updating Your Information

You must provide updated information to any person to whom you claimed to be an exempt payee if you are no longer an exempt payee and anticipate receiving reportable payments in the future from this person. For example, you may need to provide updated information if you are a C corporation that elects to be an S corporation, or if you no longer are tax exempt. In addition, you must furnish a new Form W-9 if the name or TIN changes for the account, for example, if the grantor of a grantor trust dies.

Penalties

Failure to furnish TIN. If you fail to furnish your correct TIN to a requester, you are subject to a penalty of \$50 for each such failure unless your failure is due to reasonable cause and not to willful neglect.

Civil penalty for false information with respect to withholding. If you make a false statement with no reasonable basis that results in no backup withholding, you are subject to a \$500 penalty.

Criminal penalty for falsifying information. Willfully falsifying certifications or affirmations may subject you to criminal penalties including fines and/or imprisonment.

Misuse of TINs. If the requester discloses or uses TINs in violation of federal law, the requester may be subject to civil and criminal penalties.

Specific Instructions

Name

If you are an individual, you must generally enter the name shown on your income tax return. However, if you have changed your last name, for instance, due to marriage without informing the Social Security Administration of the name change, enter your first name, the last name shown on your social security card, and your new last name.

If the account is in joint names, list first, and then circle, the name of the person or entity whose number you entered in Part I of the form.

Sole proprietor. Enter your individual name as shown on your income tax return on the "Name" line. You may enter your business, trade, or "doing business as (DBA)" name on the "Business name/disregarded entity name" line.

Partnership, C Corporation, or S Corporation. Enter the entity's name on the "Name" line and any business, trade, or "doing business as (DBA) name" on the "Business name/disregarded entity name" line.

Disregarded entity. Enter the owner's name on the "Name" line. The name of the entity entered on the "Name" line should never be a disregarded entity. The name on the "Name" line must be the name shown on the income tax return on which the income will be reported. For example, if a foreign LLC that is treated as a disregarded entity for U.S. federal tax purposes has a domestic owner, the domestic owner's name is required to be provided on the "Name" line. If the direct owner of the entity is also a disregarded entity, enter the first owner that is not disregarded for federal tax purposes. Enter the disregarded entity's name on the "Business name/disregarded entity name" line. If the owner of the disregarded entity is a foreign person, you must complete an appropriate Form W-8.

Note. Check the appropriate box for the federal tax classification of the person whose name is entered on the "Name" line (Individual/sole proprietor, Partnership, C Corporation, S Corporation, Trust/estate).

Limited Liability Company (LLC). If the person identified on the "Name" line is an LLC, check the "Limited liability company" box only and enter the appropriate code for the tax classification in the space provided. If you are an LLC that is treated as a partnership for federal tax purposes, enter "P" for partnership. If you are an LLC that has filed Form 8832 or a Form 2553 to be taxed as a corporation, enter "C" for C corporation or "S" for S corporation. If you are an LLC that is disregarded as an entity separate from its owner under Regulation section 301.7701-3 (except for employment and excise tax), do not check the LLC box unless the owner of the LLC (required to be identified on the "Name" line) is another LLC that is not disregarded for federal tax purposes. If the LLC is disregarded as an entity separate from its owner, enter the appropriate tax classification of the owner identified on the "Name" line.

Other entities. Enter your business name as shown on required federal tax documents on the "Name" line. This name should match the name shown on the charter or other legal document creating the entity. You may enter any business, trade, or DBA name on the "Business name/disregarded entity name" line.

Exempt Payee

If you are exempt from backup withholding, enter your name as described above and check the appropriate box for your status, then check the "Exempt payee" box in the line following the "Business name/disregarded entity name," sign and date the form.

Generally, individuals (including sole proprietors) are not exempt from backup withholding. Corporations are exempt from backup withholding for certain payments, such as interest and dividends.

Note. If you are exempt from backup withholding, you should still complete this form to avoid possible erroneous backup withholding.

The following payees are exempt from backup withholding:

1. An organization exempt from tax under section 501(a), any IRA, or a custodial account under section 403(b)(7) if the account satisfies the requirements of section 401(f)(2),
 2. The United States or any of its agencies or instrumentalities,
 3. A state, the District of Columbia, a possession of the United States, or any of their political subdivisions or instrumentalities,
 4. A foreign government or any of its political subdivisions, agencies, or instrumentalities, or
 5. An international organization or any of its agencies or instrumentalities.
- Other payees that may be exempt from backup withholding include:
6. A corporation,
 7. A foreign central bank of issue,
 8. A dealer in securities or commodities required to register in the United States, the District of Columbia, or a possession of the United States,
 9. A futures commission merchant registered with the Commodity Futures Trading Commission,
 10. A real estate investment trust,
 11. An entity registered at all times during the tax year under the Investment Company Act of 1940,
 12. A common trust fund operated by a bank under section 584(a),
 13. A financial institution,
 14. A middleman known in the investment community as a nominee or custodian, or
 15. A trust exempt from tax under section 664 or described in section 4947.

The following chart shows types of payments that may be exempt from backup withholding. The chart applies to the exempt payees listed above, 1 through 15.

IF the payment is for . . .	THEN the payment is exempt for . . .
Interest and dividend payments	All exempt payees except for 9
Broker transactions	Exempt payees 1 through 5 and 7 through 13. Also, C corporations.
Barter exchange transactions and patronage dividends	Exempt payees 1 through 5
Payments over \$600 required to be reported and direct sales over \$5,000 ¹	Generally, exempt payees 1 through 7 ²

¹ See Form 1099-MISC, Miscellaneous Income, and its instructions.

² However, the following payments made to a corporation and reportable on Form 1099-MISC are not exempt from backup withholding: medical and health care payments, attorneys' fees, gross proceeds paid to an attorney, and payments for services paid by a federal executive agency.

Part I. Taxpayer Identification Number (TIN)

Enter your TIN in the appropriate box. If you are a resident alien and you do not have and are not eligible to get an SSN, your TIN is your IRS individual taxpayer identification number (ITIN). Enter it in the social security number box. If you do not have an ITIN, see *How to get a TIN* below.

If you are a sole proprietor and you have an EIN, you may enter either your SSN or EIN. However, the IRS prefers that you use your SSN.

If you are a single-member LLC that is disregarded as an entity separate from its owner (see *Limited Liability Company (LLC)* on page 2), enter the owner's SSN (or EIN, if the owner has one). Do not enter the disregarded entity's EIN. If the LLC is classified as a corporation or partnership, enter the entity's EIN.

Note. See the chart on page 4 for further clarification of name and TIN combinations.

How to get a TIN. If you do not have a TIN, apply for one immediately. To apply for an SSN, get Form SS-5, Application for a Social Security Card, from your local Social Security Administration office or get this form online at www.ssa.gov. You may also get this form by calling 1-800-772-1213. Use Form W-7, Application for IRS Individual Taxpayer Identification Number, to apply for an ITIN, or Form SS-4, Application for Employer Identification Number, to apply for an EIN. You can apply for an EIN online by accessing the IRS website at www.irs.gov/businesses and clicking on Employer Identification Number (EIN) under Starting a Business. You can get Forms W-7 and SS-4 from the IRS by visiting IRS.gov or by calling 1-800-TAX-FORM (1-800-829-3676).

If you are asked to complete Form W-9 but do not have a TIN, write "Applied For" in the space for the TIN, sign and date the form, and give it to the requester. For interest and dividend payments, and certain payments made with respect to readily tradable instruments, generally you will have 60 days to get a TIN and give it to the requester before you are subject to backup withholding on payments. The 60-day rule does not apply to other types of payments. You will be subject to backup withholding on all such payments until you provide your TIN to the requester.

Note. Entering "Applied For" means that you have already applied for a TIN or that you intend to apply for one soon.

Caution: A *disregarded domestic entity that has a foreign owner* must use the appropriate Form W-8.

Part II. Certification

To establish to the withholding agent that you are a U.S. person, or resident alien, sign Form W-9. You may be requested to sign by the withholding agent even if item 1, below, and items 4 and 5 on page 4 indicate otherwise.

For a joint account, only the person whose TIN is shown in Part I should sign (when required). In the case of a disregarded entity, the person identified on the "Name" line must sign. Exempt payees, see *Exempt Payee* on page 3.

Signature requirements. Complete the certification as indicated in items 1 through 3, below, and items 4 and 5 on page 4.

1. Interest, dividend, and barter exchange accounts opened before 1984 and broker accounts considered active during 1983. You must give your correct TIN, but you do not have to sign the certification.

2. Interest, dividend, broker, and barter exchange accounts opened after 1983 and broker accounts considered inactive during 1983. You must sign the certification or backup withholding will apply. If you are subject to backup withholding and you are merely providing your correct TIN to the requester, you must cross out item 2 in the certification before signing the form.

3. Real estate transactions. You must sign the certification. You may cross out item 2 of the certification.

4. Other payments. You must give your correct TIN, but you do not have to sign the certification unless you have been notified that you have previously given an incorrect TIN. "Other payments" include payments made in the course of the requester's trade or business for rents, royalties, goods (other than bills for merchandise), medical and health care services (including payments to corporations), payments to a nonemployee for services, payments to certain fishing boat crew members and fishermen, and gross proceeds paid to attorneys (including payments to corporations).

5. Mortgage interest paid by you, acquisition or abandonment of secured property, cancellation of debt, qualified tuition program payments (under section 529), IRA, Coverdell ESA, Archer MSA or HSA contributions or distributions, and pension distributions. You must give your correct TIN, but you do not have to sign the certification.

What Name and Number To Give the Requester

For this type of account:	Give name and SSN of:
1. Individual	The individual
2. Two or more individuals (joint account)	The actual owner of the account or, if combined funds, the first individual on the account ¹
3. Custodian account of a minor (Uniform Gift to Minors Act)	The minor ²
4. a. The usual revocable savings trust (grantor is also trustee) b. So-called trust account that is not a legal or valid trust under state law	The grantor-trustee ³ The actual owner ⁴
5. Sole proprietorship or disregarded entity owned by an individual	The owner ³
6. Grantor trust filing under Optional Form 1099 Filing Method 1 (see Regulation section 1.671-4(b)(2)(i)(A))	The grantor ⁴
For this type of account:	Give name and EIN of:
7. Disregarded entity not owned by an individual	The owner
8. A valid trust, estate, or pension trust	Legal entity ⁴
9. Corporation or LLC electing corporate status on Form 8832 or Form 2553	The corporation
10. Association, club, religious, charitable, educational, or other tax-exempt organization	The organization
11. Partnership or multi-member LLC	The partnership
12. A broker or registered nominee	The broker or nominee
13. Account with the Department of Agriculture in the name of a public entity (such as a state or local government, school district, or prison) that receives agricultural program payments	The public entity
14. Grantor trust filing under the Form 1041 Filing Method or the Optional Form 1099 Filing Method 2 (see Regulation section 1.671-4(b)(2)(i)(B))	The trust

¹ List first and circle the name of the person whose number you furnish. If only one person on a joint account has an SSN, that person's number must be furnished.

² Circle the minor's name and furnish the minor's SSN.

³ You must show your individual name and you may also enter your business or "DBA" name on the "Business name/disregarded entity" name line. You may use either your SSN or EIN (if you have one), but the IRS encourages you to use your SSN.

⁴ List first and circle the name of the trust, estate, or pension trust. (Do not furnish the TIN of the personal representative or trustee unless the legal entity itself is not designated in the account title.) Also see *Special rules for partnerships* on page 1.

***Note.** Grantor also must provide a Form W-9 to trustee of trust.

Note. If no name is circled when more than one name is listed, the number will be considered to be that of the first name listed.

Secure Your Tax Records from Identity Theft

Identity theft occurs when someone uses your personal information such as your name, social security number (SSN), or other identifying information, without your permission, to commit fraud or other crimes. An identity thief may use your SSN to get a job or may file a tax return using your SSN to receive a refund.

To reduce your risk:

- Protect your SSN,
- Ensure your employer is protecting your SSN, and
- Be careful when choosing a tax preparer.

If your tax records are affected by identity theft and you receive a notice from the IRS, respond right away to the name and phone number printed on the IRS notice or letter.

If your tax records are not currently affected by identity theft but you think you are at risk due to a lost or stolen purse or wallet, questionable credit card activity or credit report, contact the IRS Identity Theft Hotline at 1-800-908-4490 or submit Form 14039.

For more information, see Publication 4535, Identity Theft Prevention and Victim Assistance.

Victims of identity theft who are experiencing economic harm or a system problem, or are seeking help in resolving tax problems that have not been resolved through normal channels, may be eligible for Taxpayer Advocate Service (TAS) assistance. You can reach TAS by calling the TAS toll-free case intake line at 1-877-777-4778 or TTY/TDD 1-800-829-4059.

Protect yourself from suspicious emails or phishing schemes.

Phishing is the creation and use of email and websites designed to mimic legitimate business emails and websites. The most common act is sending an email to a user falsely claiming to be an established legitimate enterprise in an attempt to scam the user into surrendering private information that will be used for identity theft.

The IRS does not initiate contacts with taxpayers via emails. Also, the IRS does not request personal detailed information through email or ask taxpayers for the PIN numbers, passwords, or similar secret access information for their credit card, bank, or other financial accounts.

If you receive an unsolicited email claiming to be from the IRS, forward this message to phishing@irs.gov. You may also report misuse of the IRS name, logo, or other IRS property to the Treasury Inspector General for Tax Administration at 1-800-366-4484. You can forward suspicious emails to the Federal Trade Commission at: spam@uce.gov or contact them at www.ftc.gov/idtheft or 1-877-IDTHEFT (1-877-438-4338).

Visit IRS.gov to learn more about identity theft and how to reduce your risk.

Privacy Act Notice

Section 6109 of the Internal Revenue Code requires you to provide your correct TIN to persons (including federal agencies) who are required to file information returns with the IRS to report interest, dividends, or certain other income paid to you; mortgage interest you paid; the acquisition or abandonment of secured property; the cancellation of debt; or contributions you made to an IRA, Archer MSA, or HSA. The person collecting this form uses the information on the form to file information returns with the IRS, reporting the above information. Routine uses of this information include giving it to the Department of Justice for civil and criminal litigation and to cities, states, the District of Columbia, and U.S. possessions for use in administering their laws. The information also may be disclosed to other countries under a treaty, to federal and state agencies to enforce civil and criminal laws, or to federal law enforcement and intelligence agencies to combat terrorism. You must provide your TIN whether or not you are required to file a tax return. Under section 3406, payers must generally withhold a percentage of taxable interest, dividend, and certain other payments to a payee who does not give a TIN to the payer. Certain penalties may also apply for providing false or fraudulent information.

SCAQMD Environmental Justice Areas Pursuant to AB 1318



CAMPAIGN CONTRIBUTIONS DISCLOSURE

California law prohibits a party, or an agent, from making campaign contributions to AQMD Governing Board Members or members/alternates of the Mobile Source Pollution Reduction Committee (MSRC) of \$250 or more while their contract or permit is pending before the AQMD; and further prohibits a campaign contribution from being made for three (3) months following the date of the final decision by the Governing Board or the MSRC on a donor's contract or permit. Gov't Code §84308(d). For purposes of reaching the \$250 limit, the campaign contributions of the bidder or contractor plus contributions by its parents, affiliates, and related companies of the contractor or bidder are added together. 2 C.C.R. §18438.5.

In addition, Board Members or members/alternates of the MSRC must abstain from voting on a contract or permit if they have received a campaign contribution from a party or participant to the proceeding, or agent, totaling \$250 or more in the 12-month period prior to the consideration of the item by the Governing Board or the MSRC. Gov't Code §84308(c). When abstaining, the Board Member or members/alternates of the MSRC must announce the source of the campaign contribution on the record. *Id.* The requirement to abstain is triggered by campaign contributions of \$250 or more in total contributions of the bidder or contractor, *plus* any of its parent, subsidiary, or affiliated companies. 2 C.C.R. §18438.5.

In accordance with California law, bidders and contracting parties are required to disclose, at the time the application is filed, information relating to any campaign contributions made to Board Members or members/alternates of the MSRC, including: the name of the party making the contribution (which includes any parent, subsidiary or otherwise related business entity, as defined below), the amount of the contribution, and the date the contribution was made. 2 C.C.R. §18438.8(b).

The list of current AQMD Governing Board Members can be found at the AQMD website (www.aqmd.gov). The list of current MSRC members/alternates can be found at the MSRC website (<http://www.cleantransportationfunding.org>).

SECTION I. Please complete Section I.

Contractor:

RFP #: 2012-17

List any parent, subsidiaries, or otherwise affiliated business entities of Contractor: (*See definition below*).

SECTION II

Has contractor and/or parent, subsidiary, or affiliated company, or agent thereof, made a campaign contribution(s) totaling \$250 or more in the aggregate to a current member of the South Coast Air Quality Management Governing Board or members/alternates of the MSRC in the 12 months preceding the date of execution of this disclosure?

☐ Yes ☐ No **If YES, complete Section II below and then sign and date the form.
If NO, sign and date below. Include this form with your submittal.**

Campaign Contributions Disclosure, *continued*:

Name of Contributor _____

_____	_____	_____
Governing Board Member or MSRC Member/Alternate	Amount of Contribution	Date of Contribution

Name of Contributor _____

_____	_____	_____
Governing Board Member or MSRC Member/Alternate	Amount of Contribution	Date of Contribution

Name of Contributor _____

_____	_____	_____
Governing Board Member or MSRC Member/Alternate	Amount of Contribution	Date of Contribution

Name of Contributor _____

_____	_____	_____
Governing Board Member or MSRC Member/Alternate	Amount of Contribution	Date of Contribution

Name of Contributor _____

_____	_____	_____
Governing Board Member or MSRC Member/alternate	Amount of Contribution	Date of Contribution

I declare the foregoing disclosures to be true and correct.

By: _____

Title: _____

Date: _____

DEFINITIONS

Parent, Subsidiary, or Otherwise Related Business Entity.

- (1) Parent subsidiary. A parent subsidiary relationship exists when one corporation directly or indirectly owns shares possessing more than 50 percent of the voting power of another corporation.*
- (2) Otherwise related business entity. Business entities, including corporations, partnerships, joint ventures and any other organizations and enterprises operated for profit, which do not have a parent subsidiary relationship are otherwise related if any one of the following three tests is met:*
 - (A) One business entity has a controlling ownership interest in the other business entity.*
 - (B) There is shared management and control between the entities. In determining whether there is shared management and control, consideration should be given to the following factors:*
 - (i) The same person or substantially the same person owns and manages the two entities;*
 - (ii) There are common or commingled funds or assets;*
 - (iii) The business entities share the use of the same offices or employees, or otherwise share activities, resources or personnel on a regular basis;*
 - (iv) There is otherwise a regular and close working relationship between the entities; or*
 - (C) A controlling owner (50% or greater interest as a shareholder or as a general partner) in one entity also is a controlling owner in the other entity.*

2 Cal. Code of Regs., §18703.1(d).

Exhibit “I”

APPENDIX A

Assembly Bill 1318

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BILL NUMBER: AB 1318 CHAPTERED
BILL TEXT

CHAPTER 285

FILED WITH SECRETARY OF STATE OCTOBER 11, 2009
APPROVED BY GOVERNOR OCTOBER 11, 2009
PASSED THE SENATE SEPTEMBER 11, 2009
PASSED THE ASSEMBLY SEPTEMBER 11, 2009
AMENDED IN SENATE SEPTEMBER 11, 2009
AMENDED IN SENATE SEPTEMBER 11, 2009
AMENDED IN SENATE SEPTEMBER 1, 2009
AMENDED IN ASSEMBLY JULY 6, 2009
AMENDED IN ASSEMBLY MAY 14, 2009
AMENDED IN ASSEMBLY MAY 4, 2009

INTRODUCED BY Assembly Member V. Manuel Perez
 (Principal coauthors: Senators Ducheny and Benoit)
 (Coauthor: Assembly Member Nestande)

FEBRUARY 27, 2009

An act to add Section 39619.8 to, and to add and repeal Section 40440.14 of, the Health and Safety Code, and to amend Section 21080 of the Public Resources Code, relating to the South Coast Air Quality Management District.

LEGISLATIVE COUNSEL'S DIGEST

AB 1318, V. Manuel Perez. South Coast Air Quality Management District: emission reduction credits: California Environmental Quality Act.

(1) Under existing law, every air pollution control district or air quality management district governing board, except as specified, is required to establish by regulation a system by which all reductions in the emission of air contaminants that are to be used to offset certain future increases in the emission of air contaminants are required to be banked prior to use to offset future increases in emissions, as provided.

The California Environmental Quality Act (CEQA) requires a lead agency, as defined, to prepare, or cause to be prepared, and certify the completion of, an environmental impact report (EIR) on a project that it proposes to carry out or approve that may have a significant effect on the environment or to adopt a negative declaration if it finds that the project will not have that effect. CEQA also requires a lead agency to prepare a mitigated negative declaration for a project that may have a significant effect on the environment if revisions in the project would avoid or mitigate that effect and there is no substantial evidence that the project, as revised, would have a significant effect on the environment. CEQA exempts certain specified projects from its requirements.

This bill would require the executive officer of the South Coast Air Quality Management District, upon making a specified finding, to transfer emission reduction credits for certain pollutants from the south coast district's internal emission credit accounts to eligible

electrical generating facilities, as described. By imposing these duties on the South Coast Air Quality Management District, the bill would impose a state-mandated local program. The bill would exempt from CEQA certain actions of the district undertaken pursuant to the bill. These provisions would be repealed on January 1, 2012.

The bill would require the State Air Resources Board, in consultation with specified agencies, to prepare and submit to the Governor and the Legislature a report that evaluates the electrical system reliability needs of the South Coast Air Basin and recommends the most effective and efficient means of meeting those needs while ensuring compliance with state and federal law.

(2) This bill would state the findings and declarations of the Legislature concerning the need for special legislation.

(3) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

SECTION 1. (a) The Legislature finds and declares all of the following:

(1) Sufficient rotating electrical generation capacity is required within the Los Angeles Basin Local Reliability Area to ensure stable operation of the power grid.

(2) Energy efficiency and renewable resources, which are primarily located outside of the Los Angeles Basin Local Reliability Area, may not be sufficient to satisfy the in-basin rotating electrical generation capacity need.

(3) In October 2005, the Public Utilities Commission and the State Energy Resources Conservation and Development Commission (commission) adopted the Energy Action Plan II, which establishes a policy that the state will rely on clean and efficient fossil fuel-fired generation to the extent energy efficiency and renewable resources are unsuitable.

(4) The Energy Action Plan II establishes a policy that the state will encourage the development of cost-effective, highly efficient, and environmentally sound supply resources to provide reliability and consistency with the state's energy priorities.

(5) Executive Order S-14-08, signed by the Governor on November 17, 2008, calls for a new, more aggressive renewable energy target, increasing the current goal of obtaining 20 percent of the energy used by electrical corporations from clean, renewable sources by the year 2010 to 33 percent by the year 2020.

(6) New electrical generating capacity in the Los Angeles Basin Local Reliability Area is required to meet best available control technology (BACT) standards and is required to fully offset any remaining emissions of nonattainment pollutants, including sulfur oxides and particulate matter with emission credits.

(b) The South Coast Air Quality Management District shall have the full authority to carry out the provisions of this act.

SEC. 2. Section 39619.8 is added to the Health and Safety Code, to read:

39619.8. On or before July 1, 2010, the state board, in

consultation with the Public Utilities Commission, the State Energy Resources Conservation and Development Commission, the State Water Resources Control Board, and the Independent System Operator, shall prepare and submit to the Governor and the Legislature a report that evaluates the electrical system reliability needs of the South Coast Air Basin and recommends the most effective and efficient means of meeting those needs while ensuring compliance with state and federal law, including, but not limited to, all of the following policies and requirements:

(a) The California Global Warming Solutions Act of 2006 (Division 25.5 (commencing with Section 38500)).

(b) Section 316(b) of the federal Clean Water Act, and any policies and regulations adopted by the State Water Resources Control Board as these regulations applied to thermal powerplants within the basin.

(c) State and federal air pollution laws and regulations, including, but not limited to, any requirements for emission reductions credits for new and modified sources of air pollution.

(d) Renewable energy and energy efficiency requirements adopted pursuant to Division 1 (commencing with Section 201) of the Public Utilities Code and Division 15 (commencing with Section 25000) of the Public Resources Code.

(e) Division 13 (commencing with Section 21000) of the Public Resources Code.

(f) The resource adequacy requirements for load-serving entities established by the Public Utilities Commission pursuant to Section 380 of the Public Utilities Code.

SEC. 3. Section 40440.14 is added to the Health and Safety Code, to read:

40440.14. (a) The executive officer of the south coast district, upon finding that the eligible electrical generating facility proposed for certification by the State Energy Resources Conservation and Development Commission meets the requirements of the applicable new source review rule and all other applicable district regulations that must be met under Section 1744.5 of Title 20 of the California Code of Regulations, shall credit to the south coast district's internal emission credit accounts and transfer from the south coast district's internal emission credit accounts to eligible electrical generating facilities emission credits in the full amounts needed to issue permits for eligible electrical generating facilities to meet requirements for sulfur oxides (SOx) and particulate matter (PM2.5 and PM10) emissions.

(b) (1) In implementing subdivision (a), the south coast district shall rely on the offset tracking system used prior to the adoption of Rule 1315 of the South Coast District until a new tracking system is approved by the United States Environmental Protection Agency and is in effect, at which point that new system shall be used by the south coast district.

(2) In addition to using the prior offset tracking system, the district shall also make use of any emission credits that have resulted from emission reductions and shutdowns from minor sources since 1990. The district shall make any necessary submissions to the United States Environmental Protection Agency with regard to the crediting and use of emission reductions and shutdowns from minor sources.

(c) Within 60 days of the effective date of this section, for each eligible electrical generating facility, the south coast district

shall report to the State Energy Resources Conservation and Development Commission the emission credits to be credited and transferred pursuant to subdivision (a). The State Energy Resources Conservation and Development Commission shall determine whether the emission credits to be credited and transferred satisfy all applicable legal requirements. In the exercise of its regulatory responsibilities under its power facility and site certification authority, the State Energy Resources Conservation and Development Commission shall not certify an eligible electrical generation facility if it determines that the credit and transfer by the south coast district do not satisfy all applicable legal requirements.

(d) In order to be eligible for emission reduction credits pursuant to this section, an electrical generating facility shall meet all of the following requirements:

(1) Be subject to the permitting jurisdiction of the State Energy Resources Conservation and Development Commission.

(2) Have a purchase agreement, executed on or before December 31, 2008, to provide electricity to a public utility, as defined in Section 216 of the Public Utilities Code, subject to regulation by the Public Utilities Commission, for use within the Los Angeles Basin Local Reliability Area.

(3) Be under the jurisdiction of the south coast district, but not within the South Coast Air Basin.

(e) The executive officer shall not transfer emission reduction credits to an electrical generating facility pursuant to this section until the receipt of payment of the mitigation fees set forth in the south coast district's Rule 1309.1, as adopted on August 3, 2007. The mitigation fees shall only be used for emission reduction purposes. The south coast district shall ensure that at least 30 percent of the fees are used for emission reductions in areas within close proximity to the electrical generating facility and at least 30 percent are used for emission reductions in areas designated as "Environmental Justice Areas" in Rule 1309.1.

(f) This section shall be implemented in a manner consistent with federal law, including the Clean Air Act (42 U.S.C. Sec. 7401 et seq.).

(g) This section shall remain in effect only until January 1, 2012, and as of that date is repealed, unless a later enacted statute, that is enacted before January 1, 2012, deletes or extends that date.

SEC. 4. Section 21080 of the Public Resources Code is amended to read:

21080. (a) Except as otherwise provided in this division, this division shall apply to discretionary projects proposed to be carried out or approved by public agencies, including, but not limited to, the enactment and amendment of zoning ordinances, the issuance of zoning variances, the issuance of conditional use permits, and the approval of tentative subdivision maps unless the project is exempt from this division.

(b) This division does not apply to any of the following activities:

(1) Ministerial projects proposed to be carried out or approved by public agencies.

(2) Emergency repairs to public service facilities necessary to maintain service.

(3) Projects undertaken, carried out, or approved by a public agency to maintain, repair, restore, demolish, or replace property or

facilities damaged or destroyed as a result of a disaster in a disaster-stricken area in which a state of emergency has been proclaimed by the Governor pursuant to Chapter 7 (commencing with Section 8550) of Division 1 of Title 2 of the Government Code.

(4) Specific actions necessary to prevent or mitigate an emergency.

(5) Projects which a public agency rejects or disapproves.

(6) Actions undertaken by a public agency relating to any thermal powerplant site or facility, including the expenditure, obligation, or encumbrance of funds by a public agency for planning, engineering, or design purposes, or for the conditional sale or purchase of equipment, fuel, water (except groundwater), steam, or power for a thermal powerplant, if the powerplant site and related facility will be the subject of an environmental impact report, negative declaration, or other document, prepared pursuant to a regulatory program certified pursuant to Section 21080.5, which will be prepared by the State Energy Resources Conservation and Development Commission, by the Public Utilities Commission, or by the city or county in which the powerplant and related facility would be located if the environmental impact report, negative declaration, or document includes the environmental impact, if any, of the action described in this paragraph.

(7) Activities or approvals necessary to the bidding for, hosting or staging of, and funding or carrying out of, an Olympic games under the authority of the International Olympic Committee, except for the construction of facilities necessary for the Olympic games.

(8) The establishment, modification, structuring, restructuring, or approval of rates, tolls, fares, or other charges by public agencies which the public agency finds are for the purpose of (A) meeting operating expenses, including employee wage rates and fringe benefits, (B) purchasing or leasing supplies, equipment, or materials, (C) meeting financial reserve needs and requirements, (D) obtaining funds for capital projects necessary to maintain service within existing service areas, or (E) obtaining funds necessary to maintain those intracity transfers as are authorized by city charter. The public agency shall incorporate written findings in the record of any proceeding in which an exemption under this paragraph is claimed setting forth with specificity the basis for the claim of exemption.

(9) All classes of projects designated pursuant to Section 21084.

(10) A project for the institution or increase of passenger or commuter services on rail or highway rights-of-way already in use, including modernization of existing stations and parking facilities.

(11) A project for the institution or increase of passenger or commuter service on high-occupancy vehicle lanes already in use, including the modernization of existing stations and parking facilities.

(12) Facility extensions not to exceed four miles in length which are required for the transfer of passengers from or to exclusive public mass transit guideway or busway public transit services.

(13) A project for the development of a regional transportation improvement program, the state transportation improvement program, or a congestion management program prepared pursuant to Section 65089 of the Government Code.

(14) Any project or portion thereof located in another state which will be subject to environmental impact review pursuant to the National Environmental Policy Act of 1969 (42 U.S.C. Sec. 4321 et

seq.) or similar state laws of that state. Any emissions or discharges that would have a significant effect on the environment in this state are subject to this division.

(15) Projects undertaken by a local agency to implement a rule or regulation imposed by a state agency, board, or commission under a certified regulatory program pursuant to Section 21080.5. Any site-specific effect of the project which was not analyzed as a significant effect on the environment in the plan or other written documentation required by Section 21080.5 is subject to this division.

(16) The selection, credit, and transfer of emission credits by the South Coast Air Quality Management District pursuant to Section 40440.14 of the Health and Safety Code, until the repeal of that section on January 1, 2012, or a later date.

(c) If a lead agency determines that a proposed project, not otherwise exempt from this division, would not have a significant effect on the environment, the lead agency shall adopt a negative declaration to that effect. The negative declaration shall be prepared for the proposed project in either of the following circumstances:

(1) There is no substantial evidence, in light of the whole record before the lead agency, that the project may have a significant effect on the environment.

(2) An initial study identifies potentially significant effects on the environment, but (A) revisions in the project plans or proposals made by, or agreed to by, the applicant before the proposed negative declaration and initial study are released for public review would avoid the effects or mitigate the effects to a point where clearly no significant effect on the environment would occur, and (B) there is no substantial evidence, in light of the whole record before the lead agency, that the project, as revised, may have a significant effect on the environment.

(d) If there is substantial evidence, in light of the whole record before the lead agency, that the project may have a significant effect on the environment, an environmental impact report shall be prepared.

(e) (1) For the purposes of this section and this division, substantial evidence includes fact, a reasonable assumption predicated upon fact, or expert opinion supported by fact.

(2) Substantial evidence is not argument, speculation, unsubstantiated opinion or narrative, evidence that is clearly inaccurate or erroneous, or evidence of social or economic impacts that do not contribute to, or are not caused by, physical impacts on the environment.

(f) As a result of the public review process for a mitigated negative declaration, including administrative decisions and public hearings, the lead agency may conclude that certain mitigation measures identified pursuant to paragraph (2) of subdivision (c) are infeasible or otherwise undesirable. In those circumstances, the lead agency, prior to approving the project, may delete those mitigation measures and substitute for them other mitigation measures that the lead agency finds, after holding a public hearing on the matter, are equivalent or more effective in mitigating significant effects on the environment to a less than significant level and that do not cause any potentially significant effect on the environment. If those new mitigation measures are made conditions of project approval or are otherwise made part of the project approval, the deletion of the

former measures and the substitution of the new mitigation measures shall not constitute an action or circumstance requiring recirculation of the mitigated negative declaration.

(g) Nothing in this section shall preclude a project applicant or any other person from challenging, in an administrative or judicial proceeding, the legality of a condition of project approval imposed by the lead agency. If, however, any condition of project approval set aside by either an administrative body or court was necessary to avoid or lessen the likelihood of the occurrence of a significant effect on the environment, the lead agency's approval of the negative declaration and project shall be invalid and a new environmental review process shall be conducted before the project can be reapproved, unless the lead agency substitutes a new condition that the lead agency finds, after holding a public hearing on the matter, is equivalent to, or more effective in, lessening or avoiding significant effects on the environment and that does not cause any potentially significant effect on the environment.

SEC. 5. Due to unique circumstances concerning the South Coast Air Quality Management District, the Legislature finds and declares that a general statute cannot be made applicable within the meaning of Section 16 of Article IV of the California Constitution.

SEC. 6. No reimbursement is required by this act pursuant to Section 6 of Article XIII B of the California Constitution because a local agency or school district has the authority to levy service charges, fees, or assessments sufficient to pay for the program or level of service mandated by this act, within the meaning of Section 17556 of the Government Code.

Exhibit “J”

ITEM 7D

Coachella Valley Association of Governments Energy & Environmental Resources Committee February 9, 2012



Staff Report

Subject: Authorize a Regional Application for South Coast AQMD Emissions Reduction funding in Support of the Whitewater Parkway 1e11 Project and related programs

Contact: Tom Kirk, Executive Director (tkirk@cvag.org)

RECOMMENDATION: Executive Committee:

- 1) Authorize submittal of an application for grant funds from the South Coast Air Quality Management District for the AB 1318 Mitigation Fees Fund for Emissions Reduction Projects related to the CPV Sentinel Energy Project;**
- 2) Authorize the Executive Director to complete all actions necessary to develop and submit this grant application; and**
- 3) Request letters of support, commitment, or participation from member agencies, signed by the City Manager, or as required by the grant program.**

BACKGROUND: Based on direction from the CVAG Executive Committee at their January 30 meeting, CVAG staff is actively developing proposals for various grants that are available for the Parkway 1e11 project for a neighborhood electric vehicle/bicycle/walking path along the Whitewater River corridor. The South Coast Air Quality Management District (AQMD) is expected to release a Request for Proposals (RFP) in early 2012 for Emissions Reduction Projects under AB 1318 (the "Sentinel funds"), funded with \$53 million in mitigation fees from the CPV Sentinel Energy Project power plant between the cities of Palm Springs and Desert Hot Springs. The Sentinel power plant is now under construction. Although the plant will have state of the art emissions control technology, it will produce PM₁₀ emissions requiring the power plant, through AB 1318 (Perez), to pay a mitigation fee to the AQMD.

The schedule for the draft RFP shows that it is expected to be released on February 3, 2012 with a deadline of May 2, 2012. CVAG staff plans to attend the February 3rd AQMD Governing Board meeting where this item will be heard and more information will be available following that meeting. Pending release of the RFP, staff is requesting authorization to complete actions necessary to prepare this application for submittal, in anticipation of release of the RFP. Staff will work closely with our member agencies in this process. Letters of support are being solicited from member agencies and local, state and federal partners.

As described at the January 12 meeting, discussions continue between CVAG staff and the AQMD concerning the proposed Parkway project. The proposed Parkway will have many benefits in addition to emissions reduction. One significant benefit would be positioning our region to meet the requirements of the RTP/Sustainable Communities Strategy (SCS) being developed by Southern California Association of Governments. The SCS will be discussed at the meeting under item 7C.

FISCAL ANALYSIS: If the grant application is successful, costs of implementing the grant would be covered by grant funding.

Exhibit “K”



WHITEWATER RIVER/PARKWAY 1e11 NEV/BIKE/PEDESTRIAN CORRIDOR PRELIMINARY STUDY REPORT



Prepared by

LSA Associates, Palm Springs CA
Alta Planning + Design
RBF Consulting



January 2012

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EXECUTIVE SUMMARY

The Coachella Valley Association of Governments (CVAG) conducted this Preliminary Study Report (PSR) in order to assess the viability of building an alternative transportation corridor along the Whitewater River for Neighborhood Electric Vehicles (NEVs), golf carts, bicyclists, joggers, pedestrians, and mobility device-reliant persons. The proposed project would be the largest such facility in the United States and would bring attention to the Coachella Valley as a leader in green transportation infrastructure. This PSR builds upon the findings of the Whitewater River, All American Canal and Dillon Road Regional Trails Corridor Study (Dangermond 2009).

The conceptual alignment for the multi-modal (NEV/Bicycle/Pedestrian) Whitewater River Parkway/Parkway 1e11 (Parkway), includes 52 miles of trail comprised of the following segments:

- Parkway Trunk Line: Palm Canyon/Highway 111 at Chino Wash in Palm Springs to Avenue 56 in Coachella, including side paths to the College of the Desert main campus and La Quinta High School (38 miles)
- Desert Hot Springs Connector (9 miles)
- Tahquitz Creek Trail Connector (5 miles)

The proposed Parkway will serve as the backbone for a larger regional trail network that will extend throughout the Coachella Valley. Additional segments that are envisioned for later implementation include, but are not limited to, the following:

- Salton Sea Extension: From Avenue 56 along the Whitewater to the Sea (10 miles)
- Mecca/North Shore Bikeway Connector: From Avenue 66 at the Whitewater River along Hammond Road and Avenue 70 to the North Shore Yacht Club (12 miles)

The PSR concludes that the proposed Parkway is viable. The greatest challenges facing the project are: right-of-way/easement clearance; crossings of arterials and drainages; existing golf course and country club developments along and within the Whitewater River channel; and restricting gas fueled vehicles from using the Parkway. Maintenance and management responsibilities will need to be planned and provided for as well.

The preliminary cost estimate to construct the 52 miles of Parkway 1e11 currently proposed is approximately \$77 Million. This estimate includes \$4.5 Million for nine charging stations, and a \$15.5 Million (25%) contingency fund.

The PSR provides five sample Parkway cross sections. These include four versions of a Class I path (separate from roadway) cross-section and one Class II (on roadway) cross section. Preliminary design guidelines and implementation recommendations are also presented.

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1.0 INTRODUCTION

Residents of the Coachella Valley have been discussing the idea of a bike path along the Whitewater River, which transects the entire valley, for decades. In the last five years, this idea has gained traction through the advocacy efforts of the Coachella Valley Community Trails Alliance, a grass-roots non-profit organization dedicated to local urban trail development. The Coachella Valley Association of Governments (CVAG), Riverside County Supervisor John Benoit (and his predecessor, the late Roy Wilson); the Riverside County Regional Parks and Open-Space District (RivCo Parks), and the Desert Recreation District (DRD) have all contributed to exploring and advancing the vision of a Whitewater River Urban Trail that extends without interruption from Palm Springs to the Salton Sea. CVAG updated the Coachella Valley Non-Motorized Transportation Plan in 2010. RivCo Parks and DRD jointly funded the Whitewater River, All American Canal and Dillon Road Regional Trails Corridor Study (Regional Trails Study), which was completed by The Dangermond Group in December 2009, and was adopted by the DRD Board of Directors in April, 2011.

Recently the vision of a Whitewater River urban trail has received renewed impetus from CVAG. Assembly Bill (AB) 1318 (South Coast Air Quality Management District: Emission Reduction Credits: California Environmental Quality Act), authored by California Assembly Member V. Manuel Perez (80th District), and coauthored by California Assembly Member Brian Nestande (64th District) and former State Senator John Benoit (37th District), enabled the Competitive Power Ventures' (CPV) Sentinel Natural Gas Power Plant to proceed with construction in Desert Hot Springs. The legislation required that CPV pay \$53 million in air quality mitigation fees to the South Coast Air Quality Management District (SCQMD). CVAG proposes to use a portion of these mitigation fees to plan and build a modified version of the Whitewater River urban trail. CVAG's proposal is to expand the paved path proposed in the Regional Trails Study so that golf carts and neighborhood electric vehicles (NEVs) can share the path with bicyclists, and to also include an adjacent soft surface path for pedestrians and joggers.

A revised urban trail vision for the Coachella Valley, a multi-modal (NEV/bicycle/pedestrian) Whitewater River Parkway/Parkway 1e11 (Parkway) is now being considered. CVAG issued a Request for Proposals (RFP) in November 2011 to review the Regional Trails Study and investigate the possibility of integrating a golf cart/NEV component into the proposed alignment. Specifically, CVAG wanted to make sure there were no fatal, or cost-prohibitive, flaws to the new vision for a multi-modal trail. This document, the Parkway Preliminary Study Report (PSR), is the product of the RFP issued by CVAG. This PSR builds on the findings of the Regional Trails Study to assess the viability of the Whitewater Parkway concept. Although the PSR's primary objectives are to estimate project costs and identify potential obstacles, other pertinent issues are explored, including legal requirements, conceptual alignments, preliminary cross-sections, parkway design guidelines, and implementation recommendations. Most of the analyses presented are preliminary and will be refined through additional research, evaluation, planning, public input, and regional coordination. Coordination with all incorporated and unincorporated communities affected by Parkway proposal will be particularly important.

2.0 NEIGHBORHOOD ELECTRIC VEHICLES

2.1 NEIGHBORHOOD ELECTRIC VEHICLES DEFINED

In order to assess whether the proposed Whitewater Trail alignment proposed in the Regional Trails Study would be suitable for neighborhood electric vehicles (NEVs), the laws, requirements, operational issues, and other aspects NEVs must be understood. NEVs are small, electric-powered personal vehicles. They have a limited range and can travel up to speeds of 25 mph. They are a viable transportation alternative for short (up to 30 miles) trips. While they may look like golf carts, they are regulated like motor vehicles, requiring a driver's license and registration. California cities with NEV Plans generally allow conventional golf carts to utilize designated NEV corridors. In such cases, speed limits can be lowered to improve safety.

Examples of NEVs are provided in Figure 2-1. NEVs such as the Chrysler GEM are specifically designed to meet federal safety standards for low-speed vehicles as defined in Section 571.500, Title 49 Code of Federal Regulations. An NEV corridor can be defined as having the necessary infrastructure to accommodate NEV travel safely, including charging facilities, striping, signage, parking, and educational elements. The City of Lincoln, California, north of Sacramento, has one of the premier NEV programs in the country. The following section includes excerpts from the City of Lincoln NEV Transportation Plan (2006) and other sources.

Low Speed Vehicle

A Low Speed Vehicle (LSV) is defined as a motor vehicle other than a motor truck, having four wheels on the ground and an unladen weight of 1,800 pounds or less, that is capable of propelling itself at a minimum speed of 20 miles per hour and a maximum speed of 25 miles per hour on a paved, level surface. An LSV is not considered a golf cart except when operated pursuant to Section 21115 or 21115.1 of the California Vehicle Code (CVC) pertaining to operations within a golf course facility/community (CVC Section 385.5). LSV is a relatively new motor vehicle classification created by the National Highway Traffic Safety Administration (NHTSA) in 1998. This new classification is codified as Section 571.500 Title 49 code of Federal Regulations and as California Vehicle Code Section 385.5.

Neighborhood Electric Vehicle

A Neighborhood Electric Vehicle (NEV) is an electrically-powered LSV. They are manufactured by car companies and meet federal safety standards for low speed vehicles. Examples include the Daimler Chrysler "GEM" car. While "low-speed vehicle" is technically the correct term, NEV is the more popularly used and recognized term. NEVs are required to have California license plates in order to utilize public roads.

Golf Carts

A conventional golf cart is a motor vehicle having not less than three wheels in contact with the ground, weighs less than 1,300 pounds, operates at no more than 15 miles per hour. They are designed to carry golf equipment and not more than two persons, including the driver (CVC Section 345). A conventional-golf cart is not technically a low speed vehicle. However, speed-modified golf carts are designed to travel at not more than 20 miles per hour and must have a California license plate to utilize public roads.



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2.2 LEGISLATION

Existing law (Chapter 6, Streets and Highways Code, Section 1950 – 1965) authorizes a city or county to establish a golf cart transportation plan subject to the review of the appropriate transportation planning agency and traffic law enforcement agency. Assembly Bill 61 (Riverside County [AB 61 (Appendix A)]) adds Chapter 7 (commencing with Section 1963) to Division 2.5 of the Streets and Highways Code to authorize Riverside County and its local agencies to establish an NEV transportation plan subject to the same review process established for a golf cart transportation plan. The bill defines “neighborhood electric vehicle (NEV)” the same as a “low speed vehicle” (LSV). Within California, only electric powered LSVs can be sold. Therefore, all LSVs in the State of California are NEVs.

Legislation allowing NEV plans and systems to be implemented has been authorized by the State legislature on a request-by-community basis, with the first request and authorization coming in 2005 from the cities of Lincoln and Rocklin, CA (AB 2353). The legislation requires local agencies to develop an NEV Transportation Plan that includes the following elements:

- Route selection
- Transportation interfacing
- Provision for NEV-related facilities, parking, road markings/signage, and charging stations
- Specific categories of facility types
- Traffic and safety
- Maintenance, security, liability

Additional Regulations for NEVs are presented below:

- NEVs must comply with all the rules and regulations for motor vehicle as set forth in the California Vehicle Code. Vehicle Code §21251 provides in part that:

[A] low-speed vehicle is subject to all the provisions applicable to a motor vehicle, and the driver of a low-speed vehicle is subject to all the provisions applicable to the driver of a motor vehicle or other vehicle, when applicable, by this code or any other code, with the exception of those provisions which, by their very nature, can have no application.
- NEVs must be registered with the State Department of Motor Vehicles, and the driver must hold a valid California driver's license and be insured.
- NEVs may travel on any street with a posted speed limit of 35 miles per hour or less. However, a city, by local ordinance or resolution, may restrict or prohibit the use of NEVs [CVC §21266(a)]. Approved NEV travel routes should be clearly designated to direct NEV traffic to the safest available route.
- NEVs may cross state-highways at controlled intersections only. Crossing at uncontrolled intersections is permitted with the approval of the agency with primary responsibility for that intersection [CVC §21260(2)].

In 2010, several jurisdictions requested and received approval to develop NEV plans, including the cities of Jackson, Sutter Creek, Amador City, and Fresno. Riverside County and all cities contained within Riverside County received legislative authorization to establish NEV transportation plans through Assembly Bill 61(AB 61), as amended on March 8, 2011. The full text of AB 61 is shown in Appendix A. It remains in effect until January 1, 2017.

An NEV transportation plan in Riverside County must be reviewed by the Riverside County Transportation Commission, any agency having law enforcement responsibilities in an entity included in the plan, and the California Traffic Control Devices Committee. Following these reviews, the plan would need to be submitted to the California Department of Transportation for approval. AB61 also has legislative reporting requirements.

2.3 UNIQUE CONSIDERATIONS FOR NEV CORRIDORS

Operating Issues

The organization and management of users will be critical to maintaining a high level of safety on the NEV/Bike/Pedestrian Parkway. Introducing a 1,800-pound vehicle at 25 miles per hour onto a non-motorized facility, where people may stop unpredictably or are bicycling with young children, requires education and management. Police or rangers should be trained to supervise conditions and use.

Controlling Access

One of the greatest challenges of the NEV Parkway is finding an effective way to keep cars off the facility. Traditional bollards used on Class I bike paths will not work due to the width of NEVs. One design solution would be the introduction of speed humps with cuts designed to allow NEVs and bicycles to pass through, but to slow cars with regular wheel bases. However, this approach may have ADA and emergency access implications. Another possibility is to have control gates that are opened by NEV owners with methods similar to those used on toll bridges.

Class I-II Transitions

Unlike bicyclists and pedestrians who can transition from a Class I bike path to sidewalks, streets, and bike lanes by taking a variety of legal means of crossing and walking/riding along streets, NEVs are subject to the California Vehicle Code and operate more like cars than like bicycles. Intersections may have to be re-designed in some cases, especially where the NEV Class I bike path emerges within 200 feet of a signalized intersection.

Re-Charge and Sharing/Rental Facilities

NEVs as well as golf carts are likely to require public re-charge facilities. Re-charge facilities would most likely be located at staging/trailhead areas, parks, and destination points. One or more centralized NEV rental/sharing centers would be an excellent support facility for the Parkway, providing residents and visitors alike with opportunities to travel without using traditional cars.

3.0 REVIEW OF REGIONAL TRAILS STUDY (DANGERMOND GROUP 2009)

3.1 GENERAL DESCRIPTION

The *Whitewater River, All American Canal and Dillon Road Regional Trails Corridor Study* (Regional Trails Study) was completed by The Dangermond Group in December 2009 and was adopted by the DRD Board of Directors in April, 2011. This study was jointly funded by the RivCo Parks and DRD. It provides a comprehensive analysis of and recommendations for a Class I bike path and equestrian/hiking trail system along the Whitewater River, All American Canal, and Dillon Road. The Study builds on previous regional trail planning efforts, including the CVAG Non-Motorized Transportation Plan (2001) and the Riverside County General Plan Regional Trails Plan (Draft 2009).

The Regional Trails Study proposes a paved bike path and an earthen surface equestrian path. The bike path is primarily proposed on the right bank (looking downstream towards the Salton Sea); however, it is proposed for the left bank in the following locations: 1) from Portola Avenue to Adams Street, and 2) downstream of Avenue 64. South of Avenue 64, the paved trail is proposed on the left bank based on future developments that are expected to provide bank reinforcement. The equestrian path is generally proposed on the opposing bank from the bike path. The Regional Trails Study proposes a path that extends to the Whitewater Preserve, utilizing Highway 111, Tipton Road and Whitewater Canyon Road. It does not propose a direct connection between the Whitewater Trail and the City of Desert Hot Springs (DHS).

The Whitewater Corridor is managed by the Coachella Valley Water District (CVWD) and Riverside County Flood Control and Water Conservation District. The property along the Whitewater River is divided among public owners, tribal owners, private owners, and homeowner associations. The Regional Trails Study discovered numerous discrepancies in ownership and parcel number information between CVWD data and the County Assessor's records. Ownership and easement status will have to be clarified for an unknown number of parcels. Trail easements will be required along the length of the Whitewater River. Developing a process for obtaining these easements should be initiated early. In addition, ROW boundaries will need to be identified in the field, which may require formal land surveys in some areas.

The Regional Trails Study proposes on-street bypasses of seven golf courses that traverse the bed and banks of the Whitewater River. While routing around some key golf courses is not a fatal flaw, it does represent a diversion for trail users. Bicycle/pedestrian trails and golf courses are not mutually exclusive though people often assume otherwise.

3.2 INTEGRATING NEVS INTO PROPOSED BIKEWAY

The proposed cross sections used in the Regional Trails Study are for exclusive use of bicyclists and pedestrians, not NEVs. As such, the recommended widths (12 feet for Class I bike path) are narrower than the recommended minimum NEV/Class I bike path (14 feet). Based on a review of the Regional Trails Study detailed maps, opportunities and constraints section, and other materials, the proposed alignment is similar to what would be required for a Parkway that accommodates NEV/golf cart users, as well as bicyclists and pedestrians.

Roadway Crossings

The Regional Trails Study identifies new at-grade mid-block crossings, some requiring new signals, as well as new undercrossings. Adequate traffic and speed data, roadway and bridge configurations, flood data, etc., are required in order to identify the types of specific improvements required. A preliminary review of the crossing locations does not indicate any crossings where a signal would not be feasible.

Class II and Roadway Adjacent Class I NEV Facilities

The use of Class II (on-street) facilities and Class I NEV facilities adjacent to roadways may be problematic if right-of-way is limited. This problem can at times be overcome by reducing the width of car lanes. Roadways with high speeds and volumes may also be problematic.

Staging/Parking/Passing Areas

While the Regional Trails Study shows numerous staging/trailhead areas, a Class I NEV/bike path will require additional parking and staging facilities due to the new vehicle type. Occasional passing areas may be needed, depending on future volumes, allowing NEVs to pass slower-moving vehicles.

3.3 FATAL FLAW ANALYSIS

Based on the available information and on our knowledge of the corridor, the proposed NEV/Bicycle/Pedestrian Parkway does not have any fatal flaws that would prevent it from being constructed and operated effectively. Key issues such as intersection and access control need to be resolved, as do issues related to the available right-of-way to accommodate the wider paved section required of a NEV Class I facility. Access through key golf courses will help make the Parkway a more functional facility, but the alternatives around them do not represent fatal flaws.

4.0 PRELIMINARY PARKWAY PROPOSAL

4.1 COMMUNITY BENEFITS

The potential benefits from an NEV/Bicycle/Pedestrian path in the Coachella Valley include:

- Air quality improvements
- Community cohesion
- Energy saving
- Less expensive transportation for low-income populations
- Improved mobility and independence for aging and disabled drivers
- Health benefits from active transportation and recreation (bicycling and walking).
- Job generation and economic stimulus

Air Quality Improvements: First and foremost, enabling people to travel safely by bicycle or electric vehicle will reduce the emissions that would have been generated if these trips had been done with internal combustion-powered vehicles. NEVs are zero emission vehicles that eliminate toxic emissions that result from traditional automobiles. They are ideal for short distance trips which generate disproportionate levels of air pollution due to the starting, stopping and restarting engines.

The South Coast Air Quality Management District (SCAQMD) has designated the Coachella Valley as a serious PM₁₀ (Particulate Matter) nonattainment area. The Whitewater River transforms into a “river of blowing dust and sand” during strong wind events. Paving dirt maintenance roads along one levee of the Whitewater River for an NEV/Bike/Pedestrian corridor will help to alleviate some of the particulate matter generated when strong winds funnel through the Whitewater River channel.

Community Cohesion: The limited driving range of NEVs will encourage people to shop locally. The lower transportation speeds will foment community interaction and cohesion. The corridor, along with amenities such as interpretive sites and charging stations, will create public space where people can interact with one another.

Energy Savings: According to the City of Lincoln NEV Transportation Plan, the average energy consumption of a standard automobile is 27.5 miles per gallon. NEVs operate on average at 0.223 kilowatt hours/ mile or the equivalent of 150 miles per gallon. Annual operating costs are estimated to be 1/5th of an automobile.

Less Expensive Transportation: A new NEV retails for approximately \$7,500, and used NEVs are available for less. Golf Carts are less expensive and bicycles are substantially less expensive. Providing the infrastructure to use these vehicles will avail low-income families of a relatively inexpensive option for transportation. In addition, bicycle and NEV rental/sharing facilities are envisioned that would enable people to use these modes of transportation without having to purchase one themselves.

Improved Mobility: Many seniors and disabled individuals are no longer able (or no longer feel safe) to operate an automobile. Loss of the ability to drive a car can lead to isolation or dependence on others for mobility. NEVs and golf carts have long been used in retirement communities to prolong mobility. Creating a safe NEV/golf cart infrastructure beyond retirement communities will expand these mobility benefits to those who otherwise would not have access.

Health Benefits: Today most people drive their children to school due to safety concerns. This factor, coupled with the increasing reliance on electronic forms of entertainment, has contributed to a childhood obesity crisis in the Coachella Valley and the entire nation. A study conducted by the Desert Healthcare District in 2009 documented this crisis. Creating safe corridors for children to walk and ride bicycles to school would promote more exercise. This approach is part of the larger concept of creating “healthy communities” by design. The air quality improvements expected from Parkway implementation will contribute to improved health for residents and visitors, especially those suffering from respiratory ailments such as asthma.

Economic Stimulus: Planning, engineering and construction of the 1e11 Parkway will create local jobs. The NEV/Bike infrastructure will create more demand for bicycles, golf carts and NEVs to be purchased from local businesses. The local businesses that service these vehicles are also expected to see increased demand. The Parkway is expected to become a central alternative transportation corridor. Businesses located along the corridor are likely to experience an increase in customers (Parkway Users). Tourism and the Spa Industry are cornerstones of the Coachella Valley economy. The Parkway is sure to attract more visitors seeking safe places for outdoor recreation and will complement the local Spa Industry.

4.2 CONCEPTUAL ALIGNMENT

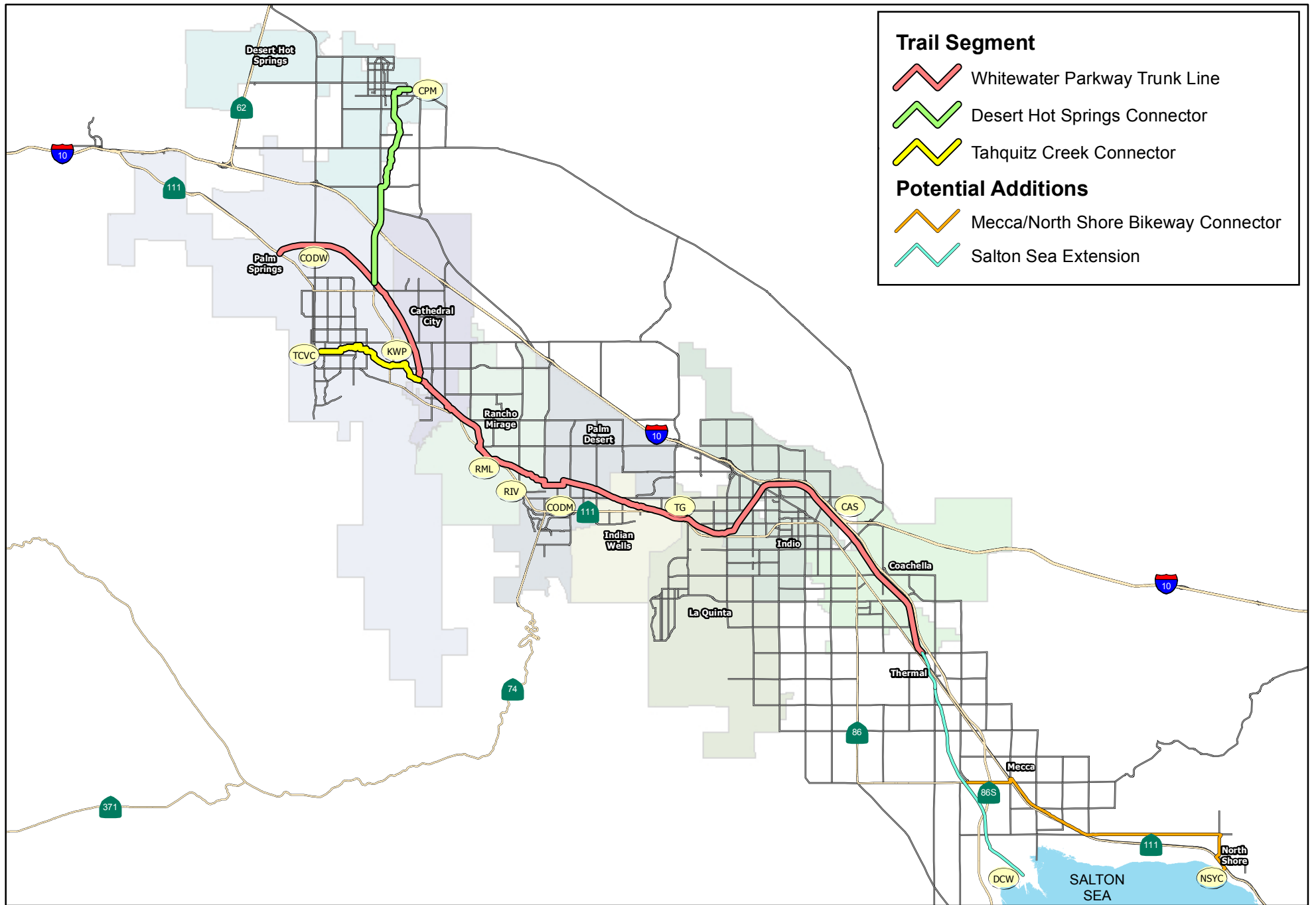
The conceptual alignments developed in collaboration with CVAG staff are presented in Figure 4-1 on the following page. Additional alignment detail is available on the CVAG website. The segments presented here are understood to be the backbone for a regional NEV/Bike/Pedestrian path system that will extend throughout the Coachella Valley, and will include many branches that are not discussed within this report.

Parkway Trunk Line

The bike path alignment proposed in the Regional Trails Study was used as the basis to develop conceptual alignments and alternate routes for the NEV/Bicycle/Pedestrian Parkway. The trunk line of the Parkway is proposed to extend from Palm Canyon Drive (at the intersection with Chino Canyon Wash)¹ in Palm Springs, to Avenue 56 in Coachella, approximately 36 miles. The trunk line includes a dual bank path between Adams Street and Dune Palms Road that will provide a direct link to La Quinta High School. A side path is also proposed to provide a direct connection to the College of the Desert (COD) main campus and adjacent Civic Center Park in Palm Desert. Additional side paths may be proposed as the project moves forward and could include nearby destinations such as The River retail/entertainment complex in Rancho Mirage, the Tennis Garden in Indian Wells, and the Fantasy Springs and Spotlight 29 Casinos in Indio and Coachella.

¹ The right bank levee for Chino Canyon Wash blends seamlessly with the right bank levee for the Whitewater River west of Gene Autry Trail.

Figure 4-1: Whitewater Parkway Conceptual Alignment



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Desert Hot Springs Connector

The Regional Trails Study did not include a direct link between Desert Hot Springs (DHS) and the Whitewater River Bike Path. It did propose to connect to the Whitewater River Preserve with a Class II (bike lane) facility using the Highway 111, Tipton Road and Whitewater Canyon Road. However, Whitewater Canyon Road is far west of DHS and is separated by a small mountain range. Representatives from DHS proposed a Parkway connection to DHS utilizing Gene Autry Trail, Palm Drive, Desert Dunes Golf Course, the Verbena Wash, Desert View Avenue, and terminating at the Cabot Pueblo Museum (nine miles). This locally developed alignment avoids Conservation Areas and serves a populated area of DHS.

Tahquitz Creek Connector

The Tahquitz Creek Trail in Palm Springs is an existing Class I Bike Path with Class II and Class III segments. It runs continuously between Calle Palo Fierro (one block east of South Palm Canyon Drive) to Tahquitz Creek's confluence with the Whitewater River (east of Golf Club Drive). This existing trail already connects seamlessly to an existing segment of the Whitewater River Bike Path and provides an established right-of-way that can be relatively easily upgraded to the Golf Cart/NEV-inclusive standards considered for Parkway 1e11. This trail was not addressed in the Regional Trails Study.

Re-charge Facilities and Rental/Share Stations

Nine re-charge facilities, possibly solar power-assisted, are proposed and included in the cost estimate: seven along the Parkway Trunk Line, and one each for the DHS and Tahquitz Creek Connectors. Two NEV rental/share stations are also being considered. Locations in Rancho Mirage adjacent to the Rancho Mirage Library, and a location in the East Valley are envisioned. The rental/share stations are not included in the cost estimate.

The following Parkway segments are envisioned for later implementation and are not considered part of the proposed project at this time.

Whitewater Parkway Salton Sea Extension

The Parkway is proposed to be extended from Avenue 56 in Coachella to the Salton Sea, which is approximately 10 miles. This route may initially be constructed as a bikeway, and later be upgraded to accommodate golf carts and NEVs. The Torres Martinez Desert Cahuilla Indians have developed a wetland restoration area at the mouth of the Whitewater River Delta to the Salton Sea. The Tribe has plans for a nature interpretive center. This future nature center would make an ideal final destination point for the Whitewater Extension to the Salton Sea.

Mecca/North Shore Bikeway Connector

A Whitewater Parkway Connector is proposed for the Mecca and North Shore areas, once the Salton Sea Parkway Extension is constructed. The conceptual bikeway alignment begins on Avenue 66 and the Whitewater River. It would follow Avenue 66 into Mecca, head south on Hammond Road and then east on Avenue 70 into North Shore. The bikeway would head south on Vander Veer Road, then use Bay Drive, Highway 111, and Marina Drive to terminate at the North Shore Yacht Club Community Center. This facility would make a good destination point for the connector path. The majority of the alignment is along Hammond Road and Avenue 70. These roadways would require widening in order to accommodate the proposed bikeway.

4.3 DESIGN GUIDELINES

Design standards for NEV facilities are currently developed by each authorized local agency, as part of their NEV Transportation Plan. Design guidelines for bikeways and trails in the Coachella Valley are detailed in the California Highway Design Manual (Chapter 1000) and other sources, including the Americans with Disabilities Act (ADA), the Coachella Valley Non-motorized Transportation Plan, the Riverside County Regional Trails Plan, and other sources.

General design guidelines for Parkway 1e11 along the Whitewater River and other corridors include the following:

- Paved path for NEVs, golf carts, bicycles and mobility assistance devices
- Compacted earthen path for pedestrians, joggers, hikers and dog walkers
- Clear connections to adjacent destination points and neighborhoods
- Frequent access points, no less than two per mile, more where warranted
- Distinctive design (such as colored concrete) and iconic logo
- Safety rail when warranted by slope steepness and grade change
- Lane striping and path type differentiation where possible
- Directional, location and distance signage
- Landscaping where allowable
- Public art and aesthetic elements
- Interpretive /educational sites

4.4 PRELIMINARY CROSS SECTIONS

The conceptual cross sections for Parkway 1e11 are presented here. The cross sections will be refined with additional analysis and input from local jurisdictions, and will vary according to the actual right-of-way (ROW) available in a given location. Final cross sections/design standards will need to be approved by CVAG and the California Traffic Control Devices Committee. Five conceptual cross sections are presented.

Class I Parkway

A Class I NEV/Bike/Pedestrian Parkway is defined as a transportation corridor that is separate from streets, has a paved path for NEVs, golf carts and bicycles, and an adjacent compacted earth path for pedestrians, joggers, and hikers. A minimum width of 16 feet, including shoulders, is required. A 12-foot-wide paved path is deemed necessary to allow NEVs to pass safely in the opposite direction considering their size and speed.

Four types of Class I Parkway are considered:

- **Restricted ROW Class 1 Path:** This cross section is for areas where the ROW is restricted to between 16 and 20 feet. It includes a paved path for NEVs, golf carts and bicyclists plus a compacted soft surface path for pedestrians and hikers. In this narrow cross section, an NEV would need to pull into the opposing lane by at least two (2) feet to safely pass a bicyclist. Refer to Figure 4-2.

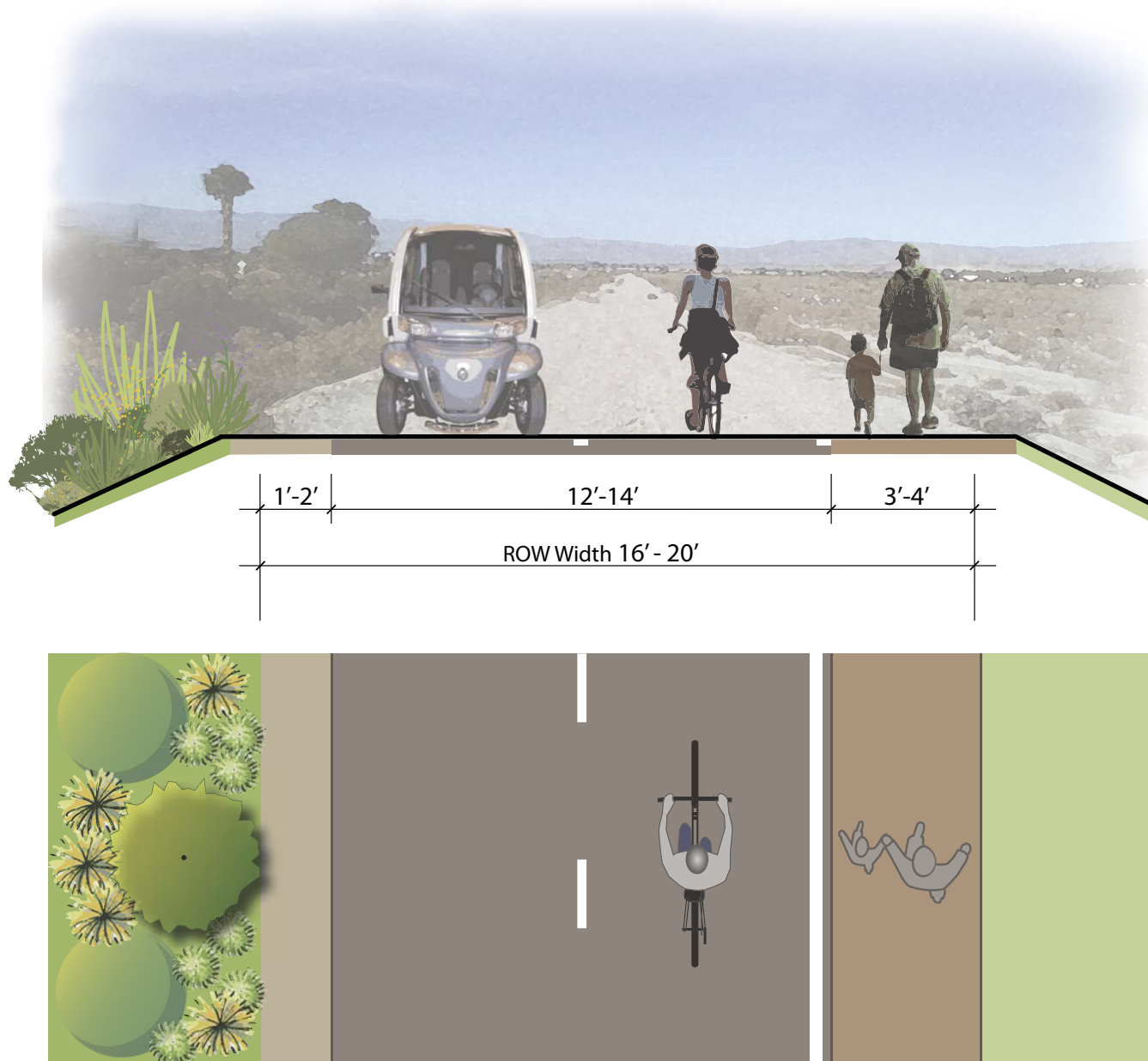


Figure 4-2: Restricted ROW Class I Path
 Whitewater Trail Preliminary Assessment Project

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- **Restricted ROW Divided Class 1 Path:** This cross section is for areas where the ROW is restricted to between 16 and 20 feet but separate, adjacent ROW is available. The divided path includes a paved path for NEVs, golf carts and bicycles and a separate, nearby, compacted soft surface path for pedestrians/hikers. The pedestrian path would typically be located on a second tier of levee embankment. Refer to Figure 4-3.
- **Optimum Class 1 Path:** This cross section is for areas where the ROW is not restricted. It includes a paved path for NEVs, golf carts and bicyclists plus a compacted soft surface path for pedestrians and hikers that would be separated by a landscaped buffer. Refer to Figure 4-4.
- **Roadway Adjacent Class 1 Path:** This cross-section is for areas where the Parkway must be placed adjacent to a roadway with high speeds limits. This two-way path would be clearly separated from the roadway with a landscaped buffer or an aesthetically appealing wall. Refer to Figure 4-5.

Class II Parkway

Class II sections will be provided where the Parkway needs to be located on-street, either in the short- or long-term. Class II NEV/bike lanes are portions of public roadways that are designated by signs and pavement striping for NEV/bike travel. NEV/bike lanes should be 7 feet wide and allow NEVs, bikes, and golf carts to travel adjacent to automobile traffic, but within a striped separated space. NEV/bike lanes are appropriate on arterials and collector streets that have road design speeds of 45 miles per hour or less and are capable of providing a high level of service to insure that adequate capacity exists for automobiles, bicyclists and NEVs. This is a one-way facility that would be installed on both sides of a street. Pedestrians would use an adjacent sidewalk. Refer to Figure 4-6.

Class III Parkway

Class 3 paths provide for shared use by NEVs, Golf Carts and Bicycles with conventional vehicle traffic on streets with a posted speed limit of 35 miles per hour or less. Pedestrians would use an adjacent sidewalk. These routes would be clearly marked with signs and/or sharrows. Sharrows are directional arrows painted on roadways, along with large bike stencils, to direct bicycle traffic. An example of a sharrow is presented below.



Roadway Sharrow

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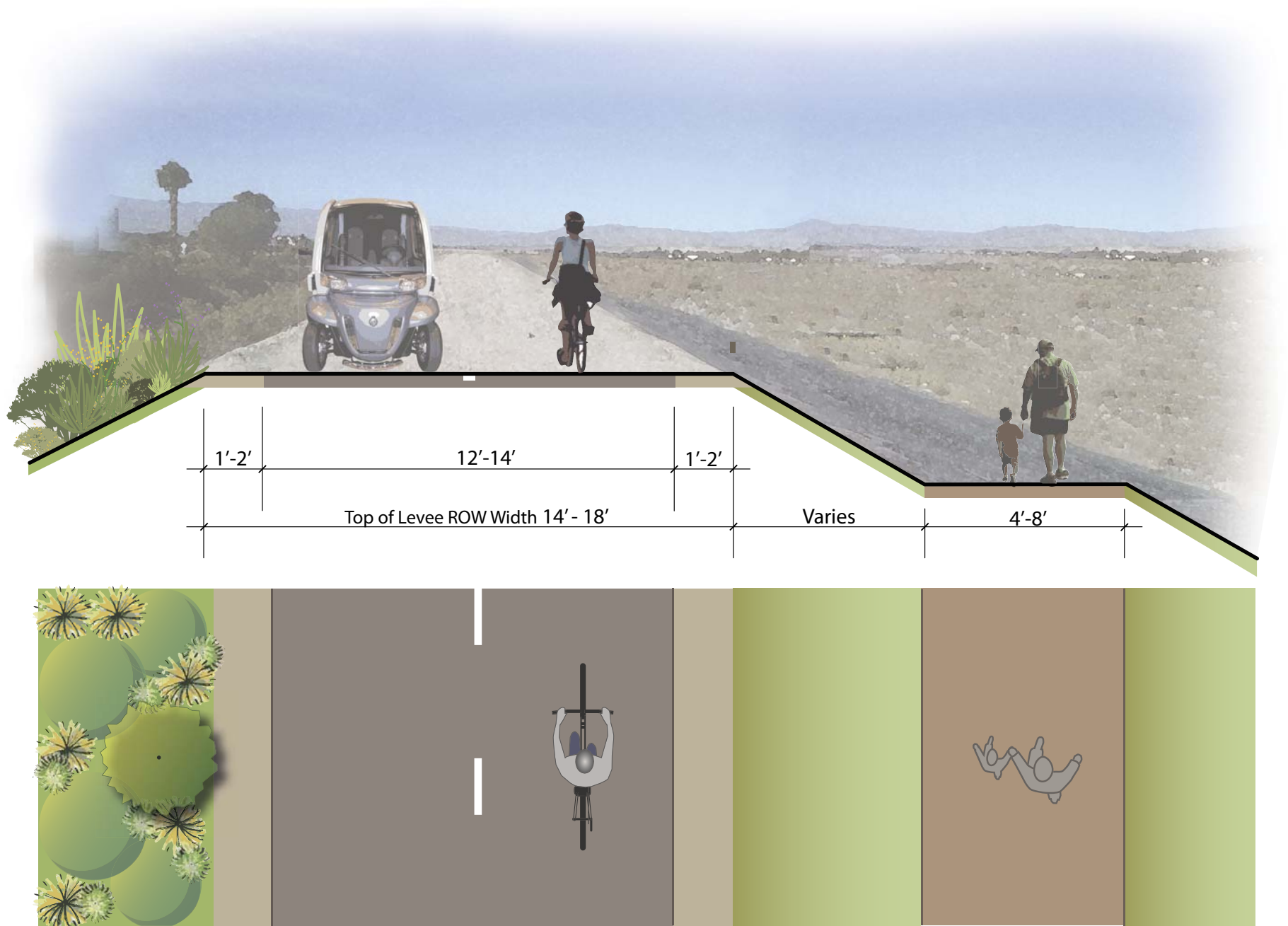


Figure 4-3: Restricted ROW Divided Class I Path

Whitewater Trail Preliminary Assessment Project

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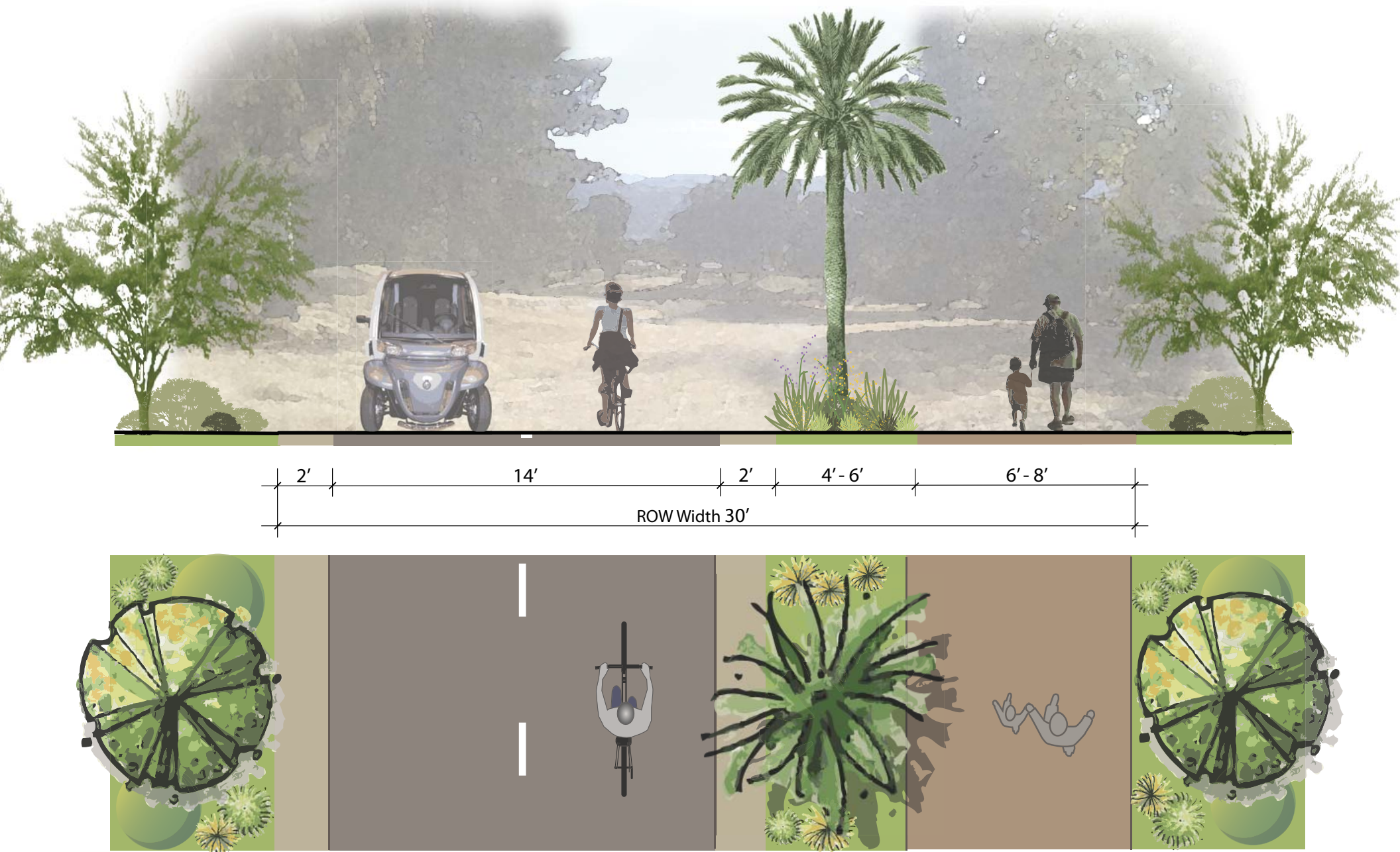


Figure 4-4: Optimum Class I Path

Whitewater Trail Preliminary Assessment Project

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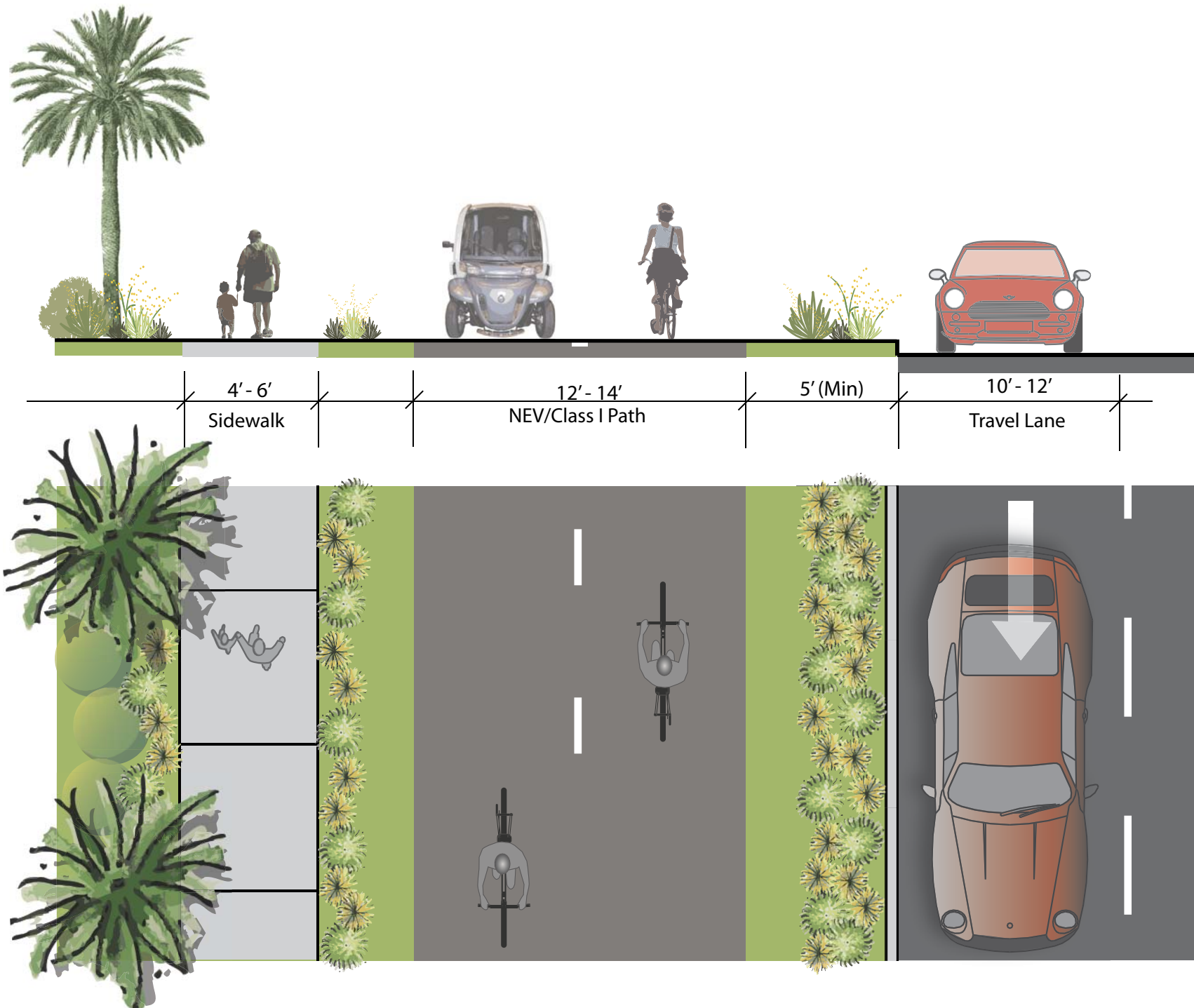


Figure 4-5: Roadway Adjacent Class I Path

Whitewater Trail Preliminary Assessment Project

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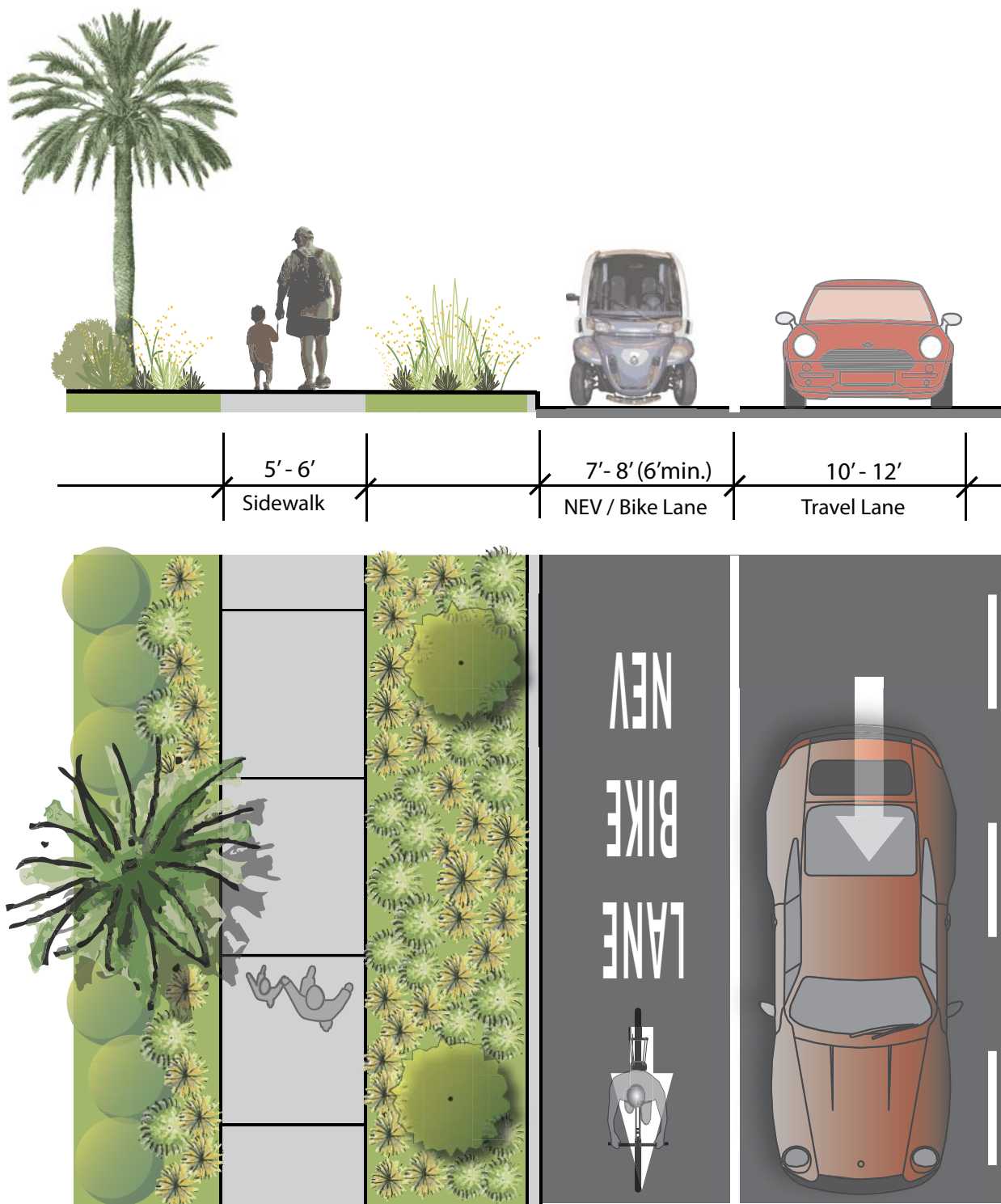


Figure 4-6: Class II Path

Whitewater Trail Preliminary Assessment Project

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4.5 DRAINAGE CROSSINGS

The conceptual alignment for the Parkway will need to provide crossings of the drainages listed in Table 4-A below. The American (aka Coachella) Canal crosses the Whitewater River in Indio. Crossing the canal is simple because it is below ground of the Whitewater River.

Table 4-A: Drainage Crossings

	Drainage	Confluence (facing downstream)	Jurisdiction
1	Cathedral Canyon Wash 1	Right Bank	Cathedral City
2	Cathedral Canyon Wash 2	Right Bank	Cathedral City
3	Magnesia Spring Drainage	Right Bank	Rancho Mirage
4	Palm Valley Drainage	Right Bank	Palm Desert
5	Deep Canyon Wash	Right Bank	Indian Wells
6	La Quinta Wash	Right Bank	La Quinta

The specific roadway and drainage crossings for the conceptual alignments of the Whitewater River, the Tahquitz Creek Trail Connector, and the Desert Hot Springs Connector are presented in Appendix B.

4.6 GOLF COURSES

The conceptual alignment for the Whitewater Parkway traverses all Golf Courses along the route, except for two: Thunderbird and Monterey Country Clubs. These two courses have fairways running perpendicular to the Parkway, increasing the likelihood of conflicts, as opposed to all the other courses, which have fairways that run parallel to the proposed Parkway. On-street routes are proposed as the conceptual alignment in these two locations, but alternate alignments are proposed that traverse the golf courses. This may become more viable if in the future, the fairways are redesigned to run parallel to the proposed Parkway.

The conceptual alignments for the Parkway traverse, are adjacent to, or are within a short distance of as many as 25 operating and abandoned golf courses. Furthermore, seven golf courses have sections within the Whitewater River bed and bank. These are listed in Table 4-B below. In addition, the cities of Palm Desert, Rancho Mirage, La Quinta and Indio have golf cart transportation programs with designated corridors where these types of vehicles are permitted. The City of Palm Springs has produced a map indicating the streets where NEVs are allowed. The Whitewater Parkway proposal should be consistent with and build upon these existing golf cart/NEV programs and resources.

Table 4-B: Golf Courses in Whitewater River

	Name	Jurisdiction	Fairway Orientation
1	Cimarron	Cathedral City	Parallel
2	Cathedral Canyon	Cathedral City	Parallel
3	Morningside	Rancho Mirage	Parallel
4	Thunderbird	Rancho Mirage	Perpendicular
5	Rancho Las Palmas	Rancho Mirage	Parallel
6	Monterey	Palm Desert	Perpendicular
7	Indian Wells	Indian Wells	Parallel

4.7 COACHELLA VALLEY MULTIPLE SPECIES HABITAT CONSERVATION PLAN

The Coachella Valley Multiple Species Habitat Conservation Plan (CVMSHCP) is a regional biological resources conservation plan developed over more than 10 years and eventually adopted by eight local jurisdictions and by Riverside County in 2007.² It provides a regional vision for balanced growth while conserving the Coachella Valley's rich natural heritage. The CVMSHCP protects 240,000 acres of open space and 27 species; ensures the survival of endangered species; enhances critical infrastructure improvements; and provides opportunities for recreation, tourism and job creation.

The CVMSHCP establishes Conservation Areas where new development, unless previously authorized under the adopted CVMSHCP, is highly restricted. Every possible effort has been made to avoid, skirt the edge of, and/or use existing easements through Conservation Areas with the proposed Whitewater Parkway alignments. The following Conservation Areas would be crossed by the Conceptual Alignment on previously disturbed and approved easements:

- Willow Hole Conservation Area (on Palm Drive)
- Whitewater Floodplain Conservation Area (on Gene Autry Trail and Chino Wash Levee)
- Coachella Valley Stormwater Channel and Delta Conservation Area (on Whitewater River Levees)

The conceptual alignment proposes no new disturbance of pristine Conservation Area lands. The CVMSHCP is not considered to be an obstacle to Whitewater Parkway development.

² The City of Desert Hot Springs is in the process of adopting the CVMSHCP.

5.0 COST ESTIMATE

The preliminary cost estimate to construct the 52 miles of Parkway 1e11 currently proposed is approximately \$77 Million. This estimate includes \$4.5 Million for nine charging stations, and a \$15.5 Million (25%) contingency fund. Approximately 92% of total project costs can be attributed to NEV facilities and 8% of costs can be attributed to pedestrian facilities. Additional costs for bicycle facilities are negligible because the NEV facilities provide sufficient right of way for bicycle use. Cost details are provided in Table 5-A. Projected costs for specific drainage and roadway crossings are presented in Appendix B.

Table 5-A: Cost Estimate

ITEM	SEGMENT			
	WHITEWATER PARKWAY TRUNK LINE	DESERT HOT SPRINGS CONNECTOR	TAHQUITZ CREEK CONNECTOR	TOTAL
DESCRIPTION	38 Miles: Palm Springs (Chino Wash @ 111) to Coachella (Ave 56)	9 Miles: Gene Autry @ WW to Cabot's Museum	5 Miles: WW @ TC to Palm Canyon @ TC	52 Miles
Planning/Design				
Planning and Environmental (3%)	1,230,000	259,000	155,000	1,644,000
Engineering and Design (10%)	4,100,000	862,000	517,000	5,479,000
Subtotal Planning/Design	5,330,000	1,121,000	672,000	7,123,000
Construction				
Parkway Construction	17,549,000	4,221,000	2,154,000	23,924,000
Roadway/Drainage Crossings	10,500,000	1,600,000	1,300,000	13,400,000
Hard Infrastructure/ Amenities (10%)	2,805,000	582,000	345,000	3,732,000
Soft Infrastructure/ Aesthetics (2%)	561,000	116,000	69,000	746,000
Charging Stations (\$500,000 each)	3,500,000	500,000	500,000	4,500,000
Right of Way Allowance	6,080,000	1,600,000	800,000	8,480,000
Subtotal Construction	40,995,000	8,620,000	5,168,000	54,783,000
Contingency (25%)	11,581,000	2,435,000	1,460,000	15,476,000
TOTAL BUDGET	57,906,000	12,176,000	7,300,000	77,382,000

The proposed Parkway is intended to serve as the backbone for a larger regional trail network that will extend throughout the Coachella Valley. Additional segments that are envisioned for later implementation include, but are not limited to, a 10-mile NEV/Bike/Pedestrian extension along the Whitewater River to the Salton Sea and a 12-mile Mecca/North Shore bikeway connector. These additional facilities are not included in the cost estimate above.

6.0 IMPLEMENTATION RECOMMENDATIONS

The Whitewater Parkway proposal faces many potential obstacles, including localized opposition to changes to adjacent infrastructure (often referred to as “NIMBYism”); existing private golf courses and country clubs that are within and/or adjacent to the Whitewater River; complicated land ownership, lease and easement arrangements; tribal lands; sensitive biological habitat; and numerous intersections with major arterials and drainages. However, with strong leadership and local support, this ambitious vision can overcome all obstacles to become an iconic symbol of the Coachella Valley’s commitment to green transportation and provide an alternative route to Highway 111 that would link the entire Coachella Valley.

The proposed Coachella Valley Whitewater River Parkway would be the most ambitious NEV project in the United States to date. With its golf cart culture, existing golf cart programs in the cities of Indio, La Quinta, Palm Desert and Rancho Mirage, and the Palm Springs NEV Route Map, the Coachella Valley is an optimal location for such a project. In addition to the project’s air quality and transportation benefits, it would provide a safe corridor for non-motorized transportation, offer a mobility option for seniors who are no longer able to drive a car, and provide recreational, community-building, and economic opportunities for many generations. Providing safe routes for children to walk and bike to school will help stem the childhood obesity crisis facing the Coachella Valley.

6.1 IMPLEMENTATION RECOMMENDATIONS

The following tasks are recommended for immediate action in order to move the proposal forward expeditiously and deliver a final product of the highest quality.

Prepare and Submit Proposal to SCAQMD

The mitigation funds made available by AB1318 provide a rare opportunity to make a large investment in the Whitewater Parkway Proposal. A project down payment of many millions of dollars is likely to attract additional funding and support. The South Coast Air Quality Management District (SCAQMD) will soon publish application guidelines. Once the guidelines and application process is made clear, CVAG should dedicate resources to preparing an outstanding application that clearly identifies the air quality benefits of the project and demonstrates the broad support the proposal has received throughout the Coachella Valley. Additional funding sources will be needed to complete the entire project.

Designate a Full-Time Project Manager

CVAG is a natural entity to coordinate and lead the Whitewater River Parkway initiative. All Coachella Valley cities, Riverside County, and local Tribal Groups are participants in this regional planning body. A full-time project manager is needed to oversee a proposal of this magnitude, as well as designated support staff. Many jurisdictions and metropolitan transportation agencies have staff dedicated to non-motorized transportation. CVAG should plan to hire or contract someone to manage development and implementation of the Parkway proposal.

Research Right-of-Way / Easement Conditions

One of the most challenging issues facing Parkway development is the complicated land ownership and numerous easements that characterize the Whitewater River and immediate environs. Shortly after a project manager is in place, a land title specialist should be contracted to sort out the requisite ownership, easement and right-of-way conditions. Once existing conditions are known, a plan and process can be established to modify and acquire easements as needed to construct and manage the Parkway. The Regional Trails Study contains relevant information for sorting out land ownership. A land survey crew will likely be needed to determine the on-ground location of some boundaries.

Establish a Design Driven Process

Establishing a design-driven process for Parkway development is necessary in order to create an outstanding facility, with attractive landscaping, distinctive character, and desirable amenities. Too often, large transportation projects are driven by engineering considerations, with aesthetic appeal being only an afterthought. Project development should contract with a landscape architect early in the process who can translate the Parkway vision into a blue-print plan. Once the design plan is completed, then an engineer should be hired to figure out how to cost-effectively build it.

Create a Project Identity

A design firm should be hired to create a catchy name for the Parkway, a distinct logo, and recognizable aesthetic characteristics early on in the project development process. This will be critical to the marketing, promotion, and ultimate success of the project. An initial up-front investment to “brand” the Whitewater Parkway would pay off in the short and the long terms by acquainting people with the proposed project, and enabling them to locate and identify completed segments. Furthermore, categorizing the project as a transportation corridor initiative is critical for gaining access to the funds designated for federal and State transportation improvements. Working names include Whitewater River Parkway and Parkway 1e11. The latter is a play on Highway 111, the principal automobile corridor through the Coachella Valley, with the “e” standing for “electric”.

Develop a Coachella Valley NEV Transportation Plan

Development and approval of an NEV Transportation Plan for the Coachella Valley is necessary, per California statute. AB 31 (presented in Appendix A) authorizes Riverside County jurisdictions to develop NEV Transportation Plans. The City of Lincoln, California, NEV Transportation Plan could be used as a model. The aforementioned maintenance and management plan should be a component of the NEV Transportation Plan. This plan will need to be approved by the State Legislature.

Prepare for Parkway Management and Maintenance

Once the project is implemented, a funded body to oversee management and maintenance of the Parkway will be necessary. Setting up an agreement and funding mechanism will be a long, negotiated process; work on a management/maintenance structure should begin as soon as possible. This responsibility could be shared by the various jurisdictions, Riverside County, the Desert Recreation District, or provided by a new Parkway Management District. Shared management runs the risk of different design standards and maintenance levels occurring on Parkway sections. A jointly funded central management, maintenance and enforcement entity could avoid these risks. Enforcement of Parkway rules will be important for user safety. Rangers would likely be required to police the over 50 miles of proposed Parkway.

Stakeholder Input

Building a broad base of support is critical to the successful implementation of the Parkway proposal. Participatory planning will result in a better final product and general local support and interest. CVAG has an organizational structure that can be utilized. For example, the CVAG Transportation Committee could form a Whitewater Parkway Subcommittee or simply assign the Non-Motorized Transportation Subcommittee to fulfill this function. All nine incorporated jurisdictions in the Coachella Valley are CVAG members.

A list of major stakeholders and a mechanism for participatory planning should be established as soon as possible. In addition, a list of stakeholders should be compiled as soon as possible, including. Likely stakeholders include, but are not limited to, the following entities:

- Coachella Valley Water District
- Riverside County Flood Control District
- Unincorporated communities of Thermal, Oasis, Mecca and North Shore
- Agua Caliente Band of Cahuilla Indians
- Cabazon Band of Mission Indians
- 29 Palms Band of Mission Indians
- Torres-Martinez Desert Cahuilla Indians
- The College of the Desert
- Desert Sands Unified School District
- Coachella Valley Unified School District
- Palm Springs Unified School District
- Desert Chapel School
- Desert Recreation District
- Riverside County Regional Parks and Open-Space District
- All golf courses located on or near the Whitewater River Parkway
- Knotts Water Park
- Cabot Pueblo Museum
- Coachella Valley Wild Bird Center
- Indian Wells Tennis Garden
- Desert Bicycle Club
- Electric Automobile Association
- Bicycle supplies and touring businesses
- Coachella Valley SPIN (Tour de Palm Springs)
- Coachella Valley Community Trails Alliance
- Desert Hiking Club
- Chambers of Commerce
- Coachella Valley Economic Partnership (CVEP)
- Desert Alliance for Community Empowerment (DACE)
- Desert Health Care District
- Building Healthy Communities Collaborative / California Endowment
- Golf cart and NEV businesses
- Palm Springs Desert Resorts Convention and Visitors Authority

6.2 PROJECT PHASING

A proposal of this scope will need to be constructed in phases. Given the complicated nature of this long corridor, CVAG should designate those areas with the fewest obstacles and greatest public support for the Parkway proposal for earliest implementation. The first segments to actually be constructed will be determined over time as unforeseeable opportunities and obstacles arise. To date, west valley jurisdictions have expressed greater support while the City of Coachella and community groups in the unincorporated far southeast valley have been less enthusiastic. Planning for all segments of the proposed Parkway should begin simultaneously, with ultimate construction occurring in those areas with the fewest obstacles and greatest community support.

A preliminary list of Parkway segments for near-term construction is provided below. The list is based on the greatest opportunities, fewest obstacles, and critical connections. The Mid-Coachella Valley will be the most challenging section due to the existing development along and within the Whitewater River Channel. In addition, jurisdictions that are willing to contribute funding and/or in-kind donations to Parkway development could receive priority. The following sections of the proposed Whitewater Parkway are preliminarily identified for near-term implementation:

Whitewater - Tahquitz Creek to Country Club Drive Bikeway Upgrade: An existing, though discontinuous, Bicycle/Pedestrian path extends along the right bank of the Whitewater River from the confluence with Tahquitz Creek (east of Golf Club Drive) to Country Club Road in Rancho Mirage. The section between Date Palm Drive and Frank Sinatra Drive was on the bottom of the Whitewater River, as opposed to the bank, and has regularly washed out.

Tahquitz Creek Trail Connector: This existing stretch of combined Class I, Class II and Class III bike/pedestrian trail is one of the finest existing roadway separated paths in the Coachella Valley. It travels through densely populated areas and is adjacent to destinations including Knott's Water Park, Desert Chapel School, Demuth Park and Community Center, and Tahquitz Creek Public Golf Course. However, this trail is poorly signed and poorly maintained. Without a guide familiar with the route, it would be very difficult for a first time user to follow the path. Upgrading this segment of existing path, including expanding the ROW as needed for NEV use, would be an easy place to begin. The route travels through two golf courses so it sets an example of golf course and NEV/Bike/Pedestrian path compatibility.

The City of Palm Springs has developed a Tahquitz Creek Trail Master Plan (2009) for the section between Belardo Road and the western boundary of Mesquite Country Club, east of Sunrise. In addition, the Palm Springs Sustainability Commission is in the process of researching how best to improve this existing resource.

Whitewater - Palm Canyon Drive to Dinah Shore Drive: Cathedral City has plans for three segments of bike trail along the right bank of the Whitewater River. Funding has been received for the Phase I (Vista Chino to 30th Avenue) and Phase II (30th Avenue to Ramon Road). Cathedral City will submit a grant application for Phase III (Ramon Road to Dinah Shore Drive). Given this initiative by Cathedral City, the plans for the West Valley Campus of the College of the Desert adjacent to the right bank of the Whitewater River west of Indian Canyon, and the City of Palm Springs support for the Parkway Proposal and the commitment to improving non-motorized transportation infrastructure, this segment is opportune for development.

Desert Hot Springs Connector: As previously discussed, the Dangermond Study did not provide a link between the Whitewater River Path and Desert Hot Springs. Desert Hot Springs elected leaders and community trail activists have expressed strong support for the Parkway Proposal. Local leaders and City staff conducted the ground research for the DHS connector path proposed in this document. In addition, the Sentinel Natural Gas Peaker Plant is located near DHS, so building this section of the Parkway early would be appropriate. In order for the DHS segment to connect with the rest of the Parkway, the Whitewater section between Palm Canyon Drive and Dinah Shore Drive, discussed in the previous paragraph, would need to be constructed.

Dinah Shore to Tahquitz Creek: Although this segment is not necessarily easy, it is critical for connectivity between the existing Tahquitz Creek Trail, the existing Whitewater River Trail between the Creek and Date Palm Drive, and the planned Whitewater River Trail between the Creek and Palm Canyon Drive. The area between the Dinah Shore Bridge and Tahquitz Creek is leased and managed by the Cathedral Canyon Country Club (though underlying ownership is the Agua Caliente Band of Mission Indians). This stretch of the right bank and right side of the Whitewater River bottom is currently an abandoned nine-hole golf course. It has paved paths, mature trees, and a functional restroom facility. This area could be retrofitted as a park/parkway very easily and would provide the critical link between existing and planned trail segments.

Washington Street to Avenue 56: The stretch of NEV Parkway proposed between the western border of La Quinta and Avenue 56 in Coachella is an optimal place to focus initial efforts. No current development exists within the Whitewater River in this stretch, with the exception of the left bank east of Jefferson Street. (The Parkway is proposed for the right bank.). In addition, the City of La Quinta has expressed support for a Whitewater Trail for several years and has begun preliminary research into alignment options. The City of Indio completed the Indio Trails Feasibility Study (2009), which includes preliminary engineering for a bike path along the right bank of the Whitewater River. The City of Coachella has prepared preliminary plans for a staging area at Sierra Vista Park. In addition, the ownership and lease arrangements in this section of the Whitewater River are largely under the purview of the Coachella Valley Water District.

APPENDIX A

STATE OF CALIFORNIA ASSEMBLY BILL 61

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BILL NUMBER: AB 61
AMENDED BILL TEXT

AMENDED IN ASSEMBLY MARCH 8, 2011

INTRODUCED BY

Assembly Member Jeffries (Coauthor: Senator Emmerson)

DECEMBER 7, 2010

An act to add and repeal Chapter 6.2 (commencing with Section 1962) of Division 2.5 of the Streets and Highways Code, and to amend Sections 21251 and 21260 of the Vehicle Code, relating to neighborhood electric vehicles.

LEGISLATIVE COUNSEL'S DIGEST

AB 61, as amended, Jeffries. Neighborhood electric vehicles. Existing law defines "low-speed vehicle" for purposes of the Vehicle Code as a motor vehicle, other than a motor truck, with 4 wheels that is capable of a minimum speed of 20 miles per hour and a maximum speed of 25 miles per hour on a paved level surface and that has a gross vehicle weight rating of less than 3,000 pounds. Existing law imposes certain restrictions on the use of low-speed vehicles on public streets and highways, and generally requires an operator of a low-speed vehicle to have a driver's license. A low-speed vehicle is also known as a neighborhood electric vehicle (NEV). A violation of the Vehicle Code is an infraction, unless otherwise specified.

Existing law authorizes certain local agencies to establish a NEV transportation plan subject to certain requirements. A person operating a NEV in a plan area in violation of certain provisions is guilty of an infraction punishable by a fine not exceeding \$100.

This bill would authorize the County of Riverside or any city in the county to establish a similar NEV transportation plan for a plan area that may include any applicable portion of the county or ~~cities in the county that elect to be included in the plan~~ city, as specified, subject to the same penalties. The bill would require the plan to be submitted to the department for review and approval. The bill would require a report to the Legislature by January 1, 2016, if the county adopts a plan. The bill would repeal these provisions on January 1, 2017. Because the bill would create a new crime, it would impose a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement. This bill would provide that no reimbursement is required by this act for a specified reason.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: yes.

THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

SECTION 1. Chapter 6.2 (commencing with Section 1962) is added to Division 2.5 of the Streets and Highways Code, to read:

CHAPTER 6.2. NEIGHBORHOOD ELECTRIC VEHICLE TRANSPORTATION PLAN
FOR THE COUNTY OF RIVERSIDE

1962. It is the intent of the Legislature, in enacting this chapter, to authorize the County of Riverside *or any city in the county* to establish a neighborhood electric vehicle (NEV) transportation plan. The purpose of this NEV transportation plan is to further the vision of creating a sustainable development that reduces gasoline demand and vehicle emissions by offering a cleaner, more economical means of local transportation within the plan area. It is the further intent of the Legislature that this NEV transportation plan be designed and developed to best serve the functional travel needs of the plan area, to have the physical safety of the NEV driver's person and property as a major planning component, and to have the capacity to accommodate NEV drivers of every legal age and range of skills.

1962.1. The following definitions apply to this chapter:

(a) "Plan area" means any portion of the County of Riverside, *or any portion of any city in the county*, and any streets and roads under the jurisdiction of the county *or city*, to the extent the county *or city* has adopted a NEV transportation plan pursuant to Section 1962.2, including the privately owned land of any owner that consents to its inclusion in the plan. ~~"Plan area" may also include cities or portions of cities in the county that have elected to be included in the plan, and applicable street and roads under the jurisdiction of the participating city.~~

(b) "Neighborhood electric vehicle" or "NEV" means a low-speed vehicle as defined by Section 385.5 of the Vehicle Code.

(c) "NEV lanes" means all publicly or privately owned facilities that provide for NEV travel, including roadways designated by signs or permanent markings that are shared with pedestrians, bicyclists, and other motorists in the plan area.

1962.2.

(a) The County of Riverside *or any city in the county* may, by ordinance or resolution, adopt a NEV transportation plan for the plan area *within its jurisdiction. Two or more jurisdictions may jointly adopt a NEV transportation plan for all or a portion of the territory under their respective jurisdictions.*

(b) The transportation plan shall have received a prior review and the comments of the Riverside County Transportation Commission and any agency having traffic law enforcement responsibilities in an entity included in the plan area.

(c) The transportation plan may include the use of a state highway, or any crossing of the highway, subject to the approval of the Department of Transportation.

1962.3. The transportation plan shall include, but need not be limited to, all of the following elements:

(a) Route selection, which includes a finding that the route will accommodate NEVs without an adverse impact upon traffic safety and will consider, among other things, the travel needs of commuters and other users.

(b) Transportation interfacing, which shall include, but not be limited to, coordination with other modes of transportation so that a NEV driver may employ multiple modes of transportation in reaching a destination in the plan area.

(c) Provision for NEV-related facilities, including, but not limited to, special access points, special NEV turnouts, and NEV crossings.

(d) Provisions for parking facilities at destination locations, including, but not limited to, community commercial centers, golf courses, public areas, and parks.

(e) Provisions for special paving, road markings, signage, and striping for NEV travel lanes, road crossings, parking, and circulation, as appropriate.

(f) Provisions for NEV electrical charging stations.

(g) NEV lanes for the purposes of the transportation plan shall be classified as follows:

(1) Class I NEV routes provide for a completely separate right-of-way for the use of NEVs.

(2) Class II NEV routes provide for a separate striped lane adjacent to roadways with speed limits of 55 miles per hour or less.

(3) Class III NEV routes provide for shared use by NEVs with conventional vehicle traffic on streets with speed limits of 35 miles per hour or less.

1962.4. If the County of Riverside *or any city in the county* adopts a NEV transportation plan for the plan area pursuant to Section 1962.2, it shall do all of the following:

(a) Establish minimum general design criteria for the development, planning, and construction of separated NEV lanes, including, but not limited to, the design speed of the facility, the space requirements of the NEV, and roadway design criteria, if the plan envisions separated NEV lanes.

(b) In cooperation with the department, establish uniform specifications and symbols for signs, markers, and traffic control devices to control NEV traffic; to warn of dangerous conditions, obstacles, or hazards; to designate the right-of-way as between NEVs, other vehicles, and bicycles, as may be applicable; to state the nature and destination of the NEV lane; and to warn pedestrians, bicyclists, and motorists of the presence of NEV traffic.

(c) Submit the transportation plan to the director for approval following a review and recommendation by the California Traffic Control Devices Committee.

1962.5. If the County of Riverside *or any city in the county* adopts a NEV transportation plan for the plan area pursuant to this chapter, it shall also adopt all of the following as part of the plan:

(a) NEVs eligible to use NEV lanes shall meet the safety requirements for low-speed vehicles as set forth in Section 571.500 of Title 49 of the Code of Federal Regulations.

(b) Minimum safety criteria for NEV operators, including, but not limited to, requirements relating to NEV maintenance and NEV safety. Operators shall be required to possess a valid California driver's license and to comply with the financial responsibility requirements established pursuant to Chapter 1 (commencing with Section 16000) of Division 7 of the Vehicle Code.

(c) (1) Restrictions limiting the operation of NEVs to NEV routes identified in the transportation plan, and allowing only those NEVs that meet the safety equipment requirements specified in the plan to be operated on those routes.

(2) Any person operating a NEV in the plan area in violation of this subdivision is guilty of an infraction punishable by a fine not exceeding one hundred dollars (\$100).

1962.7.

(a) If the County of Riverside *or any city in the county* adopts a NEV transportation plan for the plan area pursuant to this chapter, the county *or city* shall submit a report to the Legislature on or before January 1, 2016, in consultation with the Department of Transportation, the Department of the California Highway Patrol, and any applicable local law enforcement agency.

(b) The report shall include all of the following:

(1) A description of the NEV transportation plan and its elements that have been authorized up to that time.

(2) An evaluation of the effectiveness of the NEV transportation plan, including its impact on traffic flows and safety.

(3) A recommendation as to whether this chapter should be terminated, continued in effect, or expanded statewide.

1962.8. This chapter shall remain in effect only until January 1, 2017, and as of that date is repealed, unless a later enacted statute, that is enacted before January 1, 2017, deletes or extends that date.

SEC. 2. Section 21251 of the Vehicle Code is amended to read:

21251. Except as provided in Chapter 6.2 (commencing with Section 1962), Chapter 7 (commencing with Section 1963), Chapter 7.1 (commencing with Section 1964), Chapter 8 (commencing with Section 1965), and Chapter 8.1 (commencing with Section 1966) of Division 2.5 of the Streets and Highways Code, and Sections 4023, 21115, and 21115.1, a low-speed vehicle is subject to all the provisions applicable to a motor vehicle, and the driver of a low-speed vehicle is subject to all the provisions applicable to the driver of a motor vehicle or other vehicle, when applicable, by this code or another code, with the exception of those provisions that, by their very nature, can have no application.

SEC. 3. Section 21260 of the Vehicle Code is amended to read:

21260.

(a) Except as provided in paragraph (1) of subdivision (b), or in an area where a neighborhood electric vehicle transportation plan has been adopted pursuant to Chapter 6.2 (commencing with Section 1962), Chapter 7 (commencing with Section 1963), Chapter 7.1 (commencing with Section 1964), Chapter 8 (commencing with Section 1965), or Chapter 8.1 (commencing with Section 1966) of Division 2.5 of the

Streets and Highways Code, the operator of a low-speed vehicle shall not operate the vehicle on any roadway with a speed limit in excess of 35 miles per hour.

(b) (1) The operator of a low-speed vehicle may cross a roadway with a speed limit in excess of 35 miles per hour if the crossing begins and ends on a roadway with a speed limit of 35 miles per hour or less and occurs at an intersection of approximately 90 degrees.

(2) Notwithstanding paragraph (1), the operator of a low-speed vehicle shall not traverse an uncontrolled intersection with any state highway unless that intersection has been approved and authorized by the agency having primary traffic enforcement responsibilities for that crossing by a low-speed vehicle.

SEC. 4. No reimbursement is required by this act pursuant to Section 6 of Article XIII B of the California Constitution because the only costs that may be incurred by a local agency or school district will be incurred because this act creates a new crime or infraction, eliminates a crime or infraction, or changes the penalty for a crime or infraction, within the meaning of Section 17556 of the Government Code, or changes the definition of a crime within the meaning of Section 6 of Article XIII B of the California Constitution.

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APPENDIX B

ROADWAY AND DRAINAGE CROSSING FOR WHITEWATER RIVER, TAHQUITZ CREEK CONNECTOR, AND DESERT HOT SPRINGS CONNECTOR

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Whitewater River Trunk Line Roadway and Drainage Crossings

Name	Existing Structure	Proposed Trail Crossing	Long Term Plans	COMMENT	COST
Palm Canyon US Hwy 111	Bridge	At-Grade with Pedestrian Signal		Located at Chino Channel Levee and 111	200,000
Indian Canyon	At-Grade	Overpass	Bridge	Cost out alternative at-grade signalized crossing with street improvements (median, etc.)	1,000,000
Gene Autry Tr.	At-Grade	Overpass	Bridge	Cost out alternative at-grade signalized crossing with street improvements (median, etc.)	1,000,000
Vista Chino	At-Grade	Overpass	Bridge	Cost out alternative at-grade singalized crossing at Clubhouse View Rd	1,000,000
Ramon Rd.	Bridge	Underpass	Bridge Replacement		100,000
Dinah Shore Dr.	High Bridge - Existing Lining	Underpass			100,000
Cathedral Canyon Dr.	At-Grade	Underpass w. Bridge Project			100,000
Date Palm Dr.	High Bridge - Existing Lining - Trail Underpass	Underpass w. Bridge Improvement Project		Current trail underpass is on riverbed and washes out at the inlet to the east	100,000
Cathedral Canyon Channel West		Bike/Ped/NEV Bridge			500,000
Cathedral Canyon Channel East		Bike/Ped/NEV Bridge			500,000
Frank Sinatra Dr.	At-Grade	Underpass w. Bridge Project		Existing trail has at grade crossing to left bank, trail will be moved to right bank	100,000
Country Club Dr.	At-Grade	No crossing - Trail users directed to HWY 111 to avoid Thunderbird Golf Course		Need Class 1 (two-directions) on Country Club between trail and 111. Trail returns to WWR using Paxton	--
Magnesia Canyon Channel		Bike/Ped/NEV Bridge			500,000
Bob Hope	Medium High Bridge - Trail Near River Bed	Underpass			100,000
Palm Valley Channel		At-Grade using existing Avenida Las			--
Monterey Ave.	Medium High Bridge - Trail Near River Bed	At-grade - New signal at Avenida Las Palmas - Trail users directed to Monterey to avoid Monterey Golf Course		Need Class 1 (two-directions) on Monterey between Avenida Las Palmas and Magnesia. Trail returns to WWR using drainage east of Castellana	--
Portola Ave.	High Bridge - Existing Lining	Underpass			100,000
Cook St.	At-Grade	Overpass	Bridge	Bank stabilization project underway. Estimate cost of at-grade alternative.	100,000
Fred Waring Dr. (West)	At-Grade	Overpass		Estimate cost of at-grade alternative	100,000
El Dorado Dr.	High Bridge - Existing Lining	Underpass		East of El Dorado there is a bridge over the WWR for internal circulation of Indian Wells Golf Resort.	100,000
Miles Ave. (West)	High Bridge - Existing Lining	Underpass			100,000
Deep Canyon Channel		Bike/Ped/NEV Bridge			500,000
Washington St.	High Bridge - Existing Lining	Underpass		West of Washington there is rock outcrop that needs to be circumvented. Cost estimate is based on a cantilevered path.	500,000
Adams St.	New High Bridge - Existing Lining	Underpass			100,000
Dune Palms Rd.	At-Grade	At-Grade - New Ped Signal	Bridge		1,000,000
Jefferson St.	High Bridge - Existing Lining	Underpass			100,000
La Quinta Channel		Bike/Ped/NEV Bridge			500,000
Miles Ave. (East)	High Bridge - Existing Lining	Underpass			100,000
Fred Waring Dr. (East)	Medium High Bridge - Trail Near River Bed	Underpass			100,000
Indio Blvd.	High Bridge - Existing Lining	Underpass			100,000
Monroe St.	Medium High Bridge - Trail Near River Bed	Underpass			100,000
Jackson St.	Medium High Bridge - Trail Near River Bed	Underpass			100,000
Ave. 44	At-Grade	Underpass w. Bridge Project			100,000
Golf Center Parkway	High Bridge - Existing Lining	Underpass			100,000
Dillon Rd.	High Bridge - Existing Lining	Underpass			100,000
Tyler Street/Ave. 50	At-Grade	At-Grade with Pedestrian Signal	Bridge		1,000,000
Ave. 52	Medium High Bridge - Trail Near River Bed	Underpass			100,000
Airport Blvd. (Ave. 56)	Medium High Bridge - Trail Near River Bed	Underpass			100,000
TOTAL					\$ 10,500,000

**Tahquitz Creek
Roadway and Drainage Crossings**

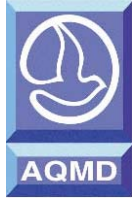
Name	Existing Structure	Proposed Trail Crossing	Long Term Plans	COMMENT	COST
Sunrise Way	Bridge	Undercrossing		Alternate path from east side of Sunrise Way to Mesquite C.C. in Tahquitz Creek Master Plan	100,000
Drainage between Desert Chapel and Mesquite CC	Wooden Pedestrian Bridge	Bridge Replacement		This bridge is in very poor condition and should be replaced ASAP	500,000
Farrell Drive	At-grade, no signal	At-grade pedestrian signal			200,000
El Cielo Road	At-grade, no signal	At-grade Signal	Signal installation planned by City		200,000
Gene Autry Trail	Undercrossing	Same		Needs ingress/egress ramps to Gene Autry	100,000
Golf Club Drive	At-grade, no signal	At-grade pedestrian signal			200,000
TOTAL					\$ 1,300,000

**Desert Hot Springs
Roadway and Drainage Crossings**

Name	Existing Structure	Proposed Trail Crossing	Long Term Plans	COMMENT	COST
Whitewater River	At-grade	At-grade	Bridge	Path is parallel to and separate from Gene Autry	200,000
Railroad	Bridge	Exsiting Overpass			N/A
I-10	Bridge and Interchange	Existing Overpass			N/A
Varner Road	Singalized IC	Singalized IC			200,000
18th Avenue	At-grade	At-grade with signage			100,000
Dillon Road	At-grade	Singalized IC at Manzana			200,000
Camino Idilio	At-grade	At-grade with signage			100,000
Camino Aventura	At-grade	At-grade with signage			100,000
Camino Campanero	At-grade	At-grade with signage			100,000
Two Bunch Palms	At-grade	Signalized IC at Verbena			200,000
Hacienda	At-grade	Signalized IC at Verbena			200,000
Desert View	At-grade	Siganl at Entrance to Cabots			200,000
TOTAL					\$1,600,000

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Exhibit “L”



South Coast

Air Quality Management District

21865 Copley Drive, Diamond Bar, CA 91765-4182

(909) 396-2000 • <http://www.aqmd.gov>

BOARD MEETING DATE: January 4, 2013

AGENDA NO. 20

PROPOSAL: Execute Contracts for Emission Reduction Projects in the Coachella Valley with Mitigation Fees from the CPV Sentinel Project Provided Pursuant to AB 1318 (V.M. Perez)

SYNOPSIS: AB 1318 established requirements for the expenditure of mitigation funds from the CPV Sentinel Energy Project power plant for emissions reductions projects, including the requirement that at least 30% of the mitigation funding is spent within “close proximity” of the power plant and at least 30% is spent in Environmental Justice (EJ) areas as defined in Rule 1309.1. The remaining 40% can be spent anywhere within the District, including areas outside of the Coachella Valley. In February 2012, however, the Board directed all funded projects be located in the Coachella Valley, and defined the “close proximity” and EJ criteria. The Board also released an RFP #P2012-17 to announce the availability of funds and solicit proposals for emission reduction projects in the Coachella Valley. Seventy-five proposals were received totaling over \$375 million in requested funding. This action is to execute contracts in total amount not to exceed the funds received from CPV Sentinel, less 5% administrative costs, from the AB 1318 Mitigation Fees Fund (Fund 58).

COMMITTEE: Administrative, October 16 and December 14, 2012

RECOMMENDED ACTION:

1. Authorize the Executive Officer to execute initial contracts in accordance with Attachment 2, Table 2-1, for emission reduction projects in the Coachella Valley pursuant to AB 1318 from the AB 1318 Mitigation Fees Fund (Fund 58) in total amount not to exceed the funds received from CPV Sentinel, less 5% administrative costs. Attachment 2 reflects the project rankings with an additional award of five (5) points to local public agencies and schools doing at least 90% percent of their business within the AQMD jurisdiction.

2. Authorize the Executive Officer to negotiate contract awards for the selected projects consistent with Attachment 2, Table 2-1, while ensuring the overall geographical minimum funding requirements of AB 1318 are met.
3. Authorize the Executive Officer to reallocate funding for contracts that are not executed for any reason to back-up projects according to the ranking in Attachment 2, Table 2-2, while ensuring the overall geographical minimum funding requirements of AB 1318 are met. Report to the Governing Board's Administrative Committee any such action prior to transfer of funds for new contract execution.
4. Utilize the interest earned from the Mitigation Fees Fund to fund additional emission reduction projects within the Coachella Valley consistent with Attachment 2, Table 2-2. Report to the Governing Board's Administrative Committee any such action prior to transfer of funds for new contract execution.
5. Allocate and transfer a portion of the AB 1318 Mitigation Fees Fund to the General Fund to reimburse contractor services to date and for actual administrative costs subsequent to January 1, 2013, not to exceed 5 percent of total actual expenditures.
6. Direct the AQMD staff to present semi-annual progress reports to the Administrative Committee beginning no less than every six months from the execution of the first contract, or more frequently if needed to provide updates on changes to projects or funding.

Barry R. Wallerstein, D.Env.
Executive Officer

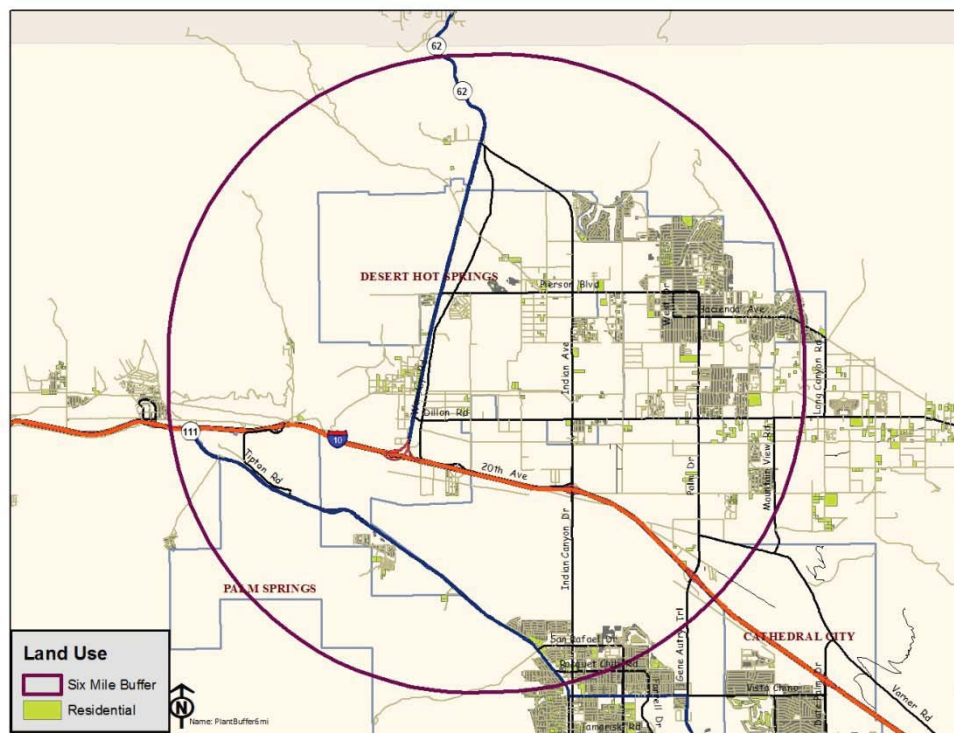
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Background

In June 2011, the Governing Board approved the establishment of the AB 1318 Mitigation Fees Fund. This special revenue fund is to be used to finance emission reduction projects, pursuant to the requirements of AB1318 (V.M. Perez), which was codified into law in Health and Safety Code (H&SC 40440.14). The mitigation fees are for the transfer of emission offsets from AQMD's internal offset accounts to CPV Sentinel, LLC, for the construction and operation of the CPV Sentinel Energy Project power plant located in Desert Hot Springs. The sum of \$53,318,358.30, all of which is from CPV Sentinel, LLC, was placed in the AB 1318 Mitigation Fees Fund to be used to fund emissions mitigation projects where, according to the requirements of AB 1318, at least 30% of funded projects are to be located in "close proximity" to the power plant and at least 30% are to be located in EJ areas pursuant to District Rule 1309.1 – Priority Reserve. The balance was to be used anywhere else within the District's jurisdiction. As

AB 1318 did not define “close proximity” and Rule 1309.1 (as adopted in August 2007) did not clearly distinguish environmental justice (EJ) areas for all portions of the District’s jurisdiction (i.e., the Coachella Valley), the Board took steps in February 2012, in conjunction with the release of an RFP, to establish criteria for the use of the mitigation fund pursuant to AB 1318. Specifically, the Board directed that all funds be used for emissions reductions projects in the Coachella Valley, the location of the CPV Sentinel Plant. The Board also defined “close proximity” as a 6-mile radial distance from the property boundaries of the power plant. Figure 1 shows the geographical boundaries of the “close proximity” region.

Figure 1
6-Mile Radial Distance from the Sentinel Power Plant



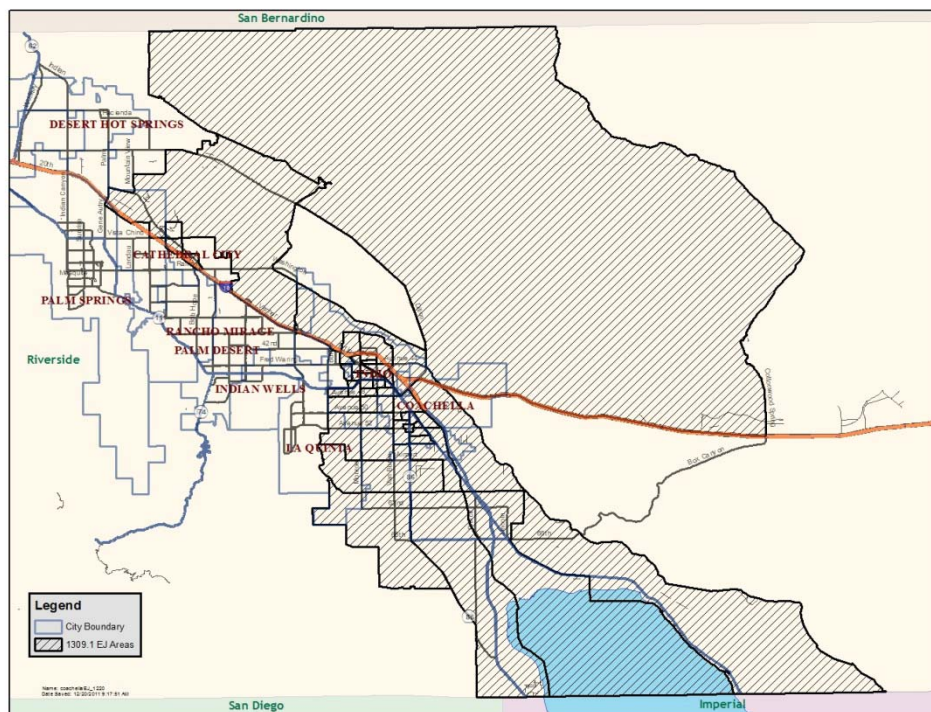
In addition, the EJ map in Rule 1309.1 which showed the areas of the District meeting the criteria contained in Rule 1309.1 did not include the majority of the Coachella Valley area. Therefore, staff followed the Rule 1309.1 (August, 2007) definition and methodology to create an extended map showing EJ areas in the Coachella Valley. EJ areas as specified in the rule are defined as:

- At least 10% of the population is below the poverty level (based on 2000 Federal census data); AND
- PM10 exposure is greater than 46 $\mu\text{g}/\text{m}^3$ (as determined by the SCAQMD monitoring), OR

- The cancer risk is greater than one thousand in one million (as determined by the SCAQMD Multiple Air Toxics Exposure Study (MATES II).

As the MATES II area of study did not extend into Coachella Valley, EJ areas are defined solely based on poverty and PM10 exposure. Figure 2 shows those areas of the Coachella Valley that meet the EJ criteria. The Governing Board approved this revised map, and thus the EJ criteria for the expenditure of AB 1318 Mitigation funding, at the February 2012 Board meeting.

Figure 2
Environmental Justice Areas within the Coachella Valley Pursuant to AB 1318



Request for Proposals

On February 3, 2012, the Board approved the release of RFP #P2012-17 to announce the availability of funds and solicit proposals for emission reduction projects in the Coachella Valley in order to meet the funding requirements of AB 1318. In development of the RFP, prior to the February Board meeting, staff held two public consultation meeting in the Coachella Valley to solicit input on the development of the RFP. Both meetings were held on January 5th at the Desert Hot Springs City Council Chambers and at the College of the Desert satellite campus in Mecca.

The RFP was formally released on February 9th and, given the scope of the RFP and wide range of potential project proponents, the Board approved an extended submittal period

of 120 days, which closed on June 8, 2012. The RFP was opened to any project in the Coachella Valley that could demonstrate emission reductions.

Outreach

Due to the scope of the RFP and the wide range of potential applicants, a significantly enhanced effort was made to conduct outreach to potential applicants in the Coachella Valley, with the goal of providing information and assistance to potential applicants, including those who may not have previous proposal development experience.

In accordance with AQMD's Procurement Policy and Procedure, a public notice advertising the RFP/RFQ and inviting bids was published in newspapers specific to the Inland Empire. Notices were posted in both English and Spanish print newspapers, including the San Bernardino Sun, Riverside Press Enterprise, Desert Sun, La Prensa Hispana, and El Informador. Staff held an initial Bidder's Workshop at its headquarters in Diamond Bar on February 15th. Public notices were published three times, with the latter three newspapers simultaneously publishing ¼-page advertisements about the funding opportunity as well as notice of a second Bidder's Workshop on March 15th held at the UCR campus in Palm Desert.

Staff also held a series of four "office hours" where AQMD technical staff covering a variety of potential project topics were available during typical work and non-work hours to help members of the public, community groups, organizations, local governments and industry in the development of proposals. The dates, times, and locations for office hours were as follows:

Date	Time	Location
Friday, March 16	2:00 to 8:00 p.m.	La Quinta Embassy Suites Hotel & Spa 50777 Santa Rosa Plaza La Quinta, CA 92253
Saturday, March 17	9:00 a.m. to 2:00 p.m.	
Friday, March 23	2:00 to 8:00 p.m.	Mecca Boys & Girls Club 91-391 Avenue 66 Mecca, CA 92254
Saturday, March 24	9:00 a.m. to 2:00 p.m.	
Friday, April 13	2:00 to 8:00 p.m.	Desert Hot Springs Senior Center 11-777 West Drive Desert Hot Springs, CA 92240
Saturday, April 14	9:00 a.m. to 2:00 p.m.	
Friday, May 18	2:00 to 8:00 p.m.	Palm Desert University of California, Riverside 75080 Frank Sinatra Drive Palm Desert, CA 92211
Saturday, May 19	9:00 a.m. to 2:00 p.m.	

Including the Bidder's Workshops, up to seven technical staff were made available for up to 50 hours of one-on-one consultations with prospective applicants. Staff also fielded numerous telephone calls and emails to respond to questions regarding the development of proposals. None of the AQMD staff that participated in these "office hours" were involved in the core evaluation and scoring of proposals.

Staff also developed a website specific to the RFP process. This site included the RFP, a schedule of outreach events, a Bidder's Checklist, Frequently Asked Questions, and an informational video on the AB1318 and RFP process. To the extent feasible, materials on the website were provided in Spanish, including the video.

Additionally, notice of the RFP was sent to the Black and Latino Legislative Caucuses and various minority chambers of commerce and business associations, and placed on the Internet at AQMD's website (<http://www.aqmd.gov>). Information was also available on AQMD's bidder's 24-hour telephone message line (909) 396-2724.

On October 16, 2012, a special meeting of the Board's Administrative Committee was held in the Coachella Valley at the Coachella Valley Water District to consider staff's initial recommendations. As described in the following sections, revised recommendations are being made based on Committee direction and the public comments received.

Proposals Received

By the 5:00PM PST submittal deadline on June 8, 2012, 75 proposals were received. A list of proposals received by the filing deadline are provided in Attachment 1. Submitted proposals, excluding the cost sections of the proposals (Volume II), may be viewed online at: www.aqmd.gov

A total of more than \$375 million in mitigation fees funding was requested. The topic areas and approximate total funds requested were: solar (~\$132M); alternative fueled vehicles and infrastructure (~\$41M); air filters (~\$22.5M); paving (~\$27M); gardens and open space (~\$12.5M), weatherization (~\$20.5M); and others (~\$121M).

Project proponents were required to specify the project location for the purpose of identifying projects that qualified under the "close proximity" and EJ area minimum funding requirements of AB 1318. Projects located within or partially within the 6-mile radius of the power plant totaled approximately \$173 million. Projects located within or partially within EJ Areas totaled about \$190 million.

Evaluation of Proposals

The RFP contained a point scoring system with the following maximum points available:

Project Evaluation Criteria	
Experience and expertise of Proposer or other evidence of capacity to complete the project	30
Aids in achievement of AQMD's regional air quality goals in Coachella Valley and/or promotes long-term emission reduction technologies/strategies associated with state/federal regulatory clean air plans	30
Job creation within in the Coachella Valley	20
Effective use of funds	10
Secondary benefits, other than jobs	5
Community/government support	5
Total	100
Additional Points (15 maximum)	
Small Business or Small Business joint venture	10 additional points possible
DVBE or DVBE joint venture	10 additional points possible
Use of DVBE or Small Business subcontractors	7 additional points possible
Low-emission vehicle business	5 additional points possible
Local business (Non-EPA funded projects only)	5 additional points possible
Off-peak hours delivery business	2 additional points possible

All proposals were reviewed and evaluated by a three-member panel in accordance with established AQMD guidelines, using criteria as outlined in the RFP and above. The three-member evaluation panel consisted of: one AQMD Deputy Executive Officer, one AQMD Director, and one outside technical expert in Coachella Valley air quality related issues specific to emission sources and controls. The panel members were all male, and included one Asian/Pacific Islander and two Caucasians.

Proposals were scored and ranked based on their categorization pursuant to AB 1318 geographical minimum funding requirements, i.e. projects located in "close proximity" to the power plant, projects located in EJ areas, and projects located in other areas of the Coachella Valley. The categorization is necessary to ensure the minimum AB 1318 requirements were met regarding funding of projects

Due to the RFP being open to any project that reduced emissions, it was anticipated that some proposals would come from applicants that may not have implemented similar projects themselves, such as members of the public or community groups. Therefore, applicants needed to either show they either had the experience to execute the project or had the capacity to complete the project (i.e., managed through sub-contractors, even if

not yet identified). In addition, proposals needed to demonstrate emission reductions, although quantification of the reductions was not mandatory.

Proposals received points if implementation of the project resulted in the creation of jobs in the Coachella Valley. Both short-term and long-term job creation was examined. Demonstration of effective use of the funds requested was also evaluated. This included, but was not limited to the magnitude of emission reductions, job creation, promoting needed long-term emission reduction strategies, public health benefits, secondary benefits (other than jobs), consistency with sub-regional sustainable development activities, or cost-sharing/partnership opportunities.

A final, but important, project evaluation criterion is that applicants were asked to show their support from the local and/or regional community for the project, such as letters of support or other correspondence. This would aid in demonstrating the benefit of the project to the community as well as the region.

Lastly, a maximum of 15 additional points were available for certain business categories through self certification by completing the necessary forms. For example, extra points were given to those proposals that demonstrated that the primary or sub-contractor was a disabled veteran business enterprise, small or local businesses joint venture. Additional points were also given to project proponents who certified their local business status as defined in the RFP. In the interest of fairness and public benefit, and given the large number of proposals received from local government agencies, the scoring includes an alternative ranking of proposals where five additional “local business” points were applied to cities, counties, public schools, transit agencies, and regional governments doing at least 90% of their business in the AQMD jurisdiction.

As stated in the RFP, the Executive Officer or Governing Board may award a contract to a proposer rather than the proposer receiving the highest rating in the event the Governing Board determines that another proposer from among those technically qualified would provide the best value to AQMD considering cost and technical factors. The determination shall be based solely on the evaluation criteria contained in the RFP, on evidence provided in the proposal, and on any other evidence provided during the bid review process. Evidence provided during the bid review process is limited to clarification by the Proposer of information presented in his/her proposal.

As stated earlier, on October 16, 2012, a special meeting of the Board’s Administrative Committee was held in the Coachella Valley at the Coachella Valley Water District to consider staff’s initial funding recommendations. The Committee heard 5 ½ hours of testimony from 55 individuals representing project proponents and interested members of the public. At the direction of the Committee, staff revisited the scoring of vehicle replacement requests from school districts and charity organizations, energy efficiency from weatherization and alternative fueling projects, as well as others. This reassessment

resulted in the additional separation of several proposals into multiple projects, which were each evaluated on their own merit and scored separately. Also, at the direction of the Committee and based on public comments received, staff reviewed the additional points awarded (i.e., small and local business) and some scores were adjusted accordingly.

At the conclusion of the October 16 meeting, the Committee provided direction to staff to provide new recommendations without the two grid-scale power projects located in close proximity to the power plant project and without the school air filtration projects if the proponent could not secure letters of support from the three school districts listed in the proposal. Letters of commitment were not received by the time staff prepared the final recommendations and thus, combined with funds previously recommended for the grid-scale power projects, nearly \$8.6 million in the 6-mile vicinity and \$3.3 million in EJ areas become available for other project recommendations. The funding recommendations were revised to reflect these changes while taking into consideration the reassessment of the proposals and separation of certain projects. As a result, 3 projects were no longer recommended for funding (as noted above) and 9 additional projects were recommended for funding.

The revised recommendations, with changes noted above, were presented to the Administrative Committee at its regular meeting on December 14, 2012. The meeting was attended by a number of project proponents and community members. Over a three hour period, the Committee heard testimony from approximately 50 individuals. Among those were several community members speaking in opposition to a project to pave internal roads and parking areas at the Cabazon Resource Recovery Park. At the conclusion of public comments, the Committee directed staff to remove funding from the project and reallocate the funds to partially fund school air filtration at the EJ Area schools most impacted by air quality within the Coachella Valley Unified School District. Letters of commitment from school districts were received for the air filtration project. Attachment 2 reflects this funding recommendation change.

Attachment 2 provides the scoring results and rankings for all proposals as determined by the evaluation panel with the recommended five additional points for businesses, local governmental agencies, and schools doing at least 90% of their business in the AQMD's jurisdiction. Table 2-1 provides a summary of the revised recommendations ranked by total score. Table 2-2 provides an overall summary of the final scoring and funding recommendations, including back-up projects if funding were to become available. Cumulative totals for total funding and for the two geographical minimum funding criteria are provided.

Proposed Awards and Recommendations

The objective of the RFP is to implement the requirements of AB 1318, that is, to utilize the funds for emission reduction projects, and meet the minimum 30% funding

requirements for close proximity to the power plant and EJ Areas. The 30% minimum funding level of \$15,195,732.12 is based on the original mitigation fee fund deposit of \$53,318,358.30, less 5% administrative costs. Interest earned in the Mitigation Fees Fund account will be used for project contingencies and/or funding of additional projects under this program as approved by the Governing Board.

Staff recommends that the Board approve the project list contained in Attachment 2. Staff also recommends that projects that did not result in a minimum technical score of 70 points be eliminated for consideration for funding. The evaluation panel believes that project proposals below this threshold lack information demonstrating a likelihood of success in achieving emissions reductions and thus should not be considered for funding at this time.

As several proposals contained multiple independent and separate projects within one submittal, each were evaluated on their own merit and considered separately. These are identified based on the proposal number and sequential lettering, such as 41a, 41b, and 41c. Also, some proposals consisted of multiple, but distinct, sub-projects for which the evaluation panel felt partial funding was warranted. Therefore, some recommended awards represent partial funding of the total amount requested in a proposal. For example, Coachella Valley and Desert Sands Unified School Districts have applied for the replacement of their school bus fleet with new natural gas buses. The replacement or retrofit of these buses are recommended for partial funding and AQMD will try to fund their remaining school buses separately under the Lower-Emission School Bus Program funded with the Carl Moyer Program AB 923 funds.

Tables contained in Attachment 2 (with the 5 additional local business points for local governments and schools) present projects eligible for funding that meet the AB 1318 requirements, projects that did not meet the minimum technical score of 70 points, and projects that were disqualified because they failed to meet the minimum submittal requirements.

Furthermore, the following actions are recommended regarding the implementation, administration, and contract execution for emission reduction projects in the Coachella Valley.

- Due to the broad scope of the RFP, project proponents were not required to have contractors or subcontractors in place at the time of funding award. There may also be some unforeseen additional or unnecessary costs that arise during contract execution. It is also possible some contracts may not be executed for a variety of unforeseen reasons. Therefore, staff recommends authorizing the Executive Officer to negotiate contract funding for the awarded projects consistent with Attachment 2, Table 2-1, while ensuring the overall geographical minimum funding requirements of AB 1318 are met.

- Staff recommends authorizing the Executive Officer to reallocate funding that becomes available due to unexecuted or reduced-cost contracts to back-up projects according to the rankings in Attachment 2, Table 2-2, while continuing to ensure the overall geographical minimum funding requirements of AB 1318 are met.
- Staff recommends funding for a charity organization to replace 5 vehicles whose principal operation is not primarily located within close proximity to the power plant project nor EJ areas, totaling approximately \$270,000 from the interest earned on the AB 1318 Mitigation Fees Fund. As with the funding amount for emission reduction projects, the interest earned is likewise subject to the same $\geq 30\%$, $\geq 30\%$, and $\leq 40\%$ allocation. Accordingly, the balance of funds from the interest will be held for 6-mile and EJ area project proposals until all contracts are executed to ensure adequate funding. Interest earned through the end of this year is estimated to be approximately \$610,000. As the interest continues to accrue, staff will ensure that the total funding allocation requirements of AB 1318 are met with the potential funding of subsequent proposals.
- As referenced in the June 2011 Board action that established the AB 1318 Mitigation Fees Fund, pursuant to Rule 1309.1, the AQMD is authorized to charge up to 10% of the fund amount for administrative costs. While some allocation of funds is necessary to cover the administrative costs to AQMD, staff is trying to implement this program efficiently so that the maximum amount of funding can be used for project proposals. Therefore, it is recommended that the Board designate a portion of the AB 1318 Mitigation Fees Fund to the General Fund to reimburse for contractor services to date and for actual administrative costs subsequent to January 1, 2013, not to exceed 5 percent of total expenditures. Staff has spent considerable time and resources in conjunction with the RFP process, and this is expected to continue given future contract management responsibilities.

Overall award funding was structured to achieve the AB 1318 requirements. Projects further down the list in Attachment 2, Table 2-2 will be funded until all minimum funding requirements are met, less the administrative costs set forth above.

Benefits to AQMD

The AB 1318 Emissions Mitigation Fees Fund was established by the transfer of funds for certified emission offsets. These funds will be used to implement emission reduction projects in the Coachella Valley that will have a direct impact on the air quality and health of residents, while aiding in regional air quality goals. The proposed projects support AQMD's key air quality attainment strategy for the Coachella Valley area of the AQMD's jurisdiction. Supporting projects that have a long-term positive impact on air quality is a goal of the AQMD. As required by AB 1318, the recommended projects will all result in emissions reductions.

Resource Impacts

The total cost for these projects is estimated not to exceed \$53,318,358.30, less reimbursement for actual administrative costs, not to exceed 5% of total actual expenditures. Staff will manage and track contracts. Semi-annual progress reports will be made to the Board's Administrative Committee, or more frequently if needed to update changes to projects or funding. Up to 5% of expenditures for administrative fees is recommended to reimburse costs incurred by the AQMD.

Attachment

- Attachment 1: List of Proposals as Received
- Attachment 2: AB 1318 Mitigation Projects with Local Business Points for Local Public Agencies and Schools

Attachment 1: List of Proposals as Received

Table 1-1

Project #	Project Proponent	Project Type	Requested Funding Amount (\$)
1	Coachella Valley USD	Letter of Commitment Only	--
2	Eco Master	Eliminate biosolid waste pile	\$2,795,000.00
3	EF Grafx Advertising & Design	R&D project for leaf blowers	\$3,289,609.00
4	PAAC	Garden project	\$750,000.00
5	Angel View	CNG vehicles (5)	\$270,818.00
6	Clean Street	Street sweepers	\$500,000.00
7	City of Cathedral City	Replace diesel sewer truck with CNG	\$400,000.00
8	Eco Master	Improve dumpsite	\$4,995,000.00
9	City of Indian Wells	Solar	\$2,707,272.00
10a	City of Rancho Mirage	Paving	\$650,000.00
10b	City of Rancho Mirage	Solar	\$1,301,177.00
11	Power tube California	Geothermal demo and facility	\$3,947,207.00
12	Shelter from the Storm	Building energy efficiency improvements	\$1,007,366.00
13a	St. Elizabeth's of Hungary Food Pantry	Solar	\$117,060.00
13b	St. Elizabeth's of Hungary Food Pantry	CNG Vehicles	\$53,995.00
14	CVAG	Parkway 1e11 (main trunk)	\$38,000,000.00
15	Renova Energy	Solar	\$1,572,917.00
16	Renova Energy	Solar	\$1,189,633.00
17	Renova	Solar project	\$1,070,574.00
18	Summit Insulation	Weatherization	\$4,196,151.00
19	Summit Insulation	Weatherization	\$4,196,151.00
20	Torres Martinez Desert Cahuilla Indians	Paving & dust control	\$999,989.00
21	Trans Power	Zero emission recycled electric buses	\$1,598,836.00
22	City of Desert Hot Springs	CNG vehicles & station upgrade	\$1,024,641.00
23	City of La Quinta	Solar & EV charging station	\$2,084,000.00
24a	City of Palm Springs	Solar Visitor Center, train station, fire station and Unity Center buildings	\$1,175,225.00
24b	City of Palm Springs	Cool roof incentive	\$6,174,000.00
25	Camp of Champions	Purchase two vehicles	\$105,029.00
26a	City of Indio	Paving	\$1,282,120.00
26b	City of Indio	Solar	\$3,471,160.00
26c	City of Indio	NGV	\$146,750.00
26d	City of Indio	CNG station	\$554,631.00
27	Mountain View Solar	Grid based solar 10.5 MW project	\$3,000,000.00
28	Renovitas	Paving	\$1,842,477.00
29	Agua Caliente Band of Cahuilla Indians	Solar	\$1,246,055.00
30	Share Kitchen	Solar	\$175,000.00
31	Coachella Valley RC Club	Paving	\$362,056.00
32	Riverside County	I-10 Lifeline project	\$8,910,000.00
33	Riverside County	Paving & dust control	\$5,089,011.00
34	Clean Street	Street sweepers	\$204,450.00
36a	FIND Food Bank	Gas to Gas replacement	\$164,623.00
36b	FIND Food Bank	Gas to Diesel Fleet Replacement	\$164,623.00
35	Sun Power	Solar at College of the Desert	\$2,000,000.00
37	Sunline Transit Agency	Increased transit	\$3,212,565.00
38	Quality Interiors	Weatherization	\$7,950,000.00
39a	Desert View Power	Vehicle/equipment, replacement; refueling facility, paving	\$10,466,163.00
39b	Desert View Power	Replacement to Cleaner Diesel dozers	\$1,622,124.00
40	Joseph Chiriaco	CNG and EV charging stations	\$828,000.00
41a-1	Coachella Valley USD	Replacement of school buses (8) & Retrofit of school buses (49)	\$175,900.00
41a-2	Coachella Valley USD	CNG Buses (7)	\$12,994,700.00
41b	Coachella Valley USD	CNG Fueling Facility	\$1,618,400.00
41c	Coachella Valley USD	Air filtration at schools Mecca and Saul Martinez elementary schools	\$337,200.00
42	City of Desert Hot Springs	Culvers/curb/gutters	\$8,184,428.00
43	City of Desert Hot Springs	Solarization & weatherization of homes	\$7,847,080.00

Attachment 1: List of Proposals as Received

Table 1-1

Project #	Project Proponent	Project Type	Requested Funding Amount (\$)
44	City of Desert Hot Springs	Ped/bike beltway	\$2,010,480.00
45	City of Desert Hot Springs	Solar	\$1,484,329.00
46	City of Desert Hot Springs	Dust control	\$2,000,000.00
47	Palm Springs USD	Solar project at high school	\$13,168,818.00
48	Foundation for CA Community Colleges	Vehicle repair, retirement, replacement	\$23,500,000.00
49	Kyriakos Christian Center	Solar project & paving	\$614,633.00
50	OC Sunny	Solar project	\$19,903.00
51	OC Sunny	Solar	\$297,518.00
52	OC Sunny	Solar project	\$54,310.00
53	OC Sunny	Solar project	\$71,305.00
54	OC Sunny	Solar	\$16,901.00
55	OC Sunny	Solar project	\$71,305.00
56	Pacific Stihl	Electric garden equipment	\$417,703.00
57a	City of Coachella	Signal synchronization	\$3,000,000.00
57b	City of Coachella	Weatherization	\$826,955.00
57c	City of Coachella	CNG station/solar carport	\$2,120,000.00
58	MTD	Riding Mower Technology Development	\$8,770,611.00
59	CV Motorcycle Training	Electric motorcycles	\$160,500.00
60	VPI Enterprises	Refurbish & upgrade wind turbines	\$4,833,211.00
61	IQ Air	Air filtration for schools in 6-mile zone and EJ areas (49 schools)	\$7,088,865.00
61a	IQ Air	Air filtration at schools in EJ area	\$13,698,732.00
62	Mission Springs Water District	3 MW solar project	\$9,800,000.00
64	Desert Water Agency	Solar	\$2,555,800.00
63a	Desert Sands USD	Envision Education	\$3,107,900.00
63b	Desert Sands USD	Lighting, solar, PV, thermal, and mechanical equipment energy efficiency	\$20,124,203.00
63c-1	Desert Sands USD	CNG/Propane Buses (5)	\$3,535,500.00
63c-2	Desert Sands USD	CNG station upgrade and school bus replacements (only CNG station upgrade recommended)	\$3,889,250.00
63c-3	Desert Sands USD	Replacement of 13 retrofit buses	\$1,878,500.00
63c-4	Desert Sands USD	Bus retrofits	Unknown
65	US Solar	Build solar manufacturing facility; install at non-profits	\$10,000,000.00
66a	Access Solar	Hydrogen plant/facility	\$25,808,890.00
66b	Access Solar	Solar PV on 20 businesses	\$7,893,600.00
66c	Access Solar	Solar PV on 213 homes	\$8,569,390.00
66d	Access Solar	Bus retrofit/hydrogen fuel cell	Unknown
66e	Access Solar	Hydrogen plant greenbelt	Unknown
67	UCR	Integrating PVs, energy storage and EVs	\$1,970,102.00
68	Alternate Energy Contractors	1MW solar panels	\$4,998,485.00
69	Border Valley Trading	LNG/CNG stations	\$900,000.00
70	CURE	Wetlands project	\$5,996,417.00
71	California Vanpool Authority	Vanpooling	\$1,948,585.00
72	Titan LED	Replace street lights with LEDs	\$4,754,957.00
73	Titan LED	Replace school lighting with LEDs	\$4,170,055.00
74	Sun Wize	Solar at Boys and Girls Clubs	\$1,232,696.00
75	Friends of Palm Springs Mountains	Oasis water project	\$5,875,000.00

Attachment 2: AB 1318 Mitigation Projects with 5 Points for Local Public Agencies and Local Schools

Table 2-1: Projects Recommended for Funding

Project #	Project Proponent	Project Type	Requested Funding Amount (\$)	Recommended Award			Changes in Recommendations Since October 16 and December 14, 2012 Administrative Committee Meetings
				w/in 6-Mile Vacinity (\$)	w/in EJ Areas (\$)	Award in Other Areas (\$)	
69	Border Valley Trading	LNG/CNG stations	\$900,000.00	\$900,000.00			
15	Renova Energy	Solar	\$1,572,917.00			\$314,584.00	
33	Riverside County	Paving & dust control	\$5,089,011.00		\$4,097,114.00		
22	City of Desert Hot Springs	CNG vehicles & station upgrade	\$1,024,641.00	\$594,290.00		\$430,351.00	
63c-1	Desert Sands USD	CNG/Propane Buses (5)	\$3,535,500.00		\$650,000.00		New Funded Project
41a-2	Coachella Valley USD	CNG Buses (7)	\$12,994,700.00		\$1,235,500.00		New Funded Project
41c	Coachella Valley USD	Air filtration at schools Mecca and Saul Martinez elementary schools	\$337,200.00		\$337,200.00		
41b	Coachella Valley USD	CNG Fueling Facility	\$1,618,400.00		\$300,000.00		New Funded Project
35	Sun Power	Solar at College of the Desert	\$2,000,000.00			\$2,000,000.00	
57c	City of Coachella	CNG station/solar carport	\$2,120,000.00		\$1,895,000.00		MSRC Funds (\$225,000) to Fund Balance
63c-2	Desert Sands USD	CNG station upgrade and school bus replacements (only CNG station upgrade recommended)	\$3,889,250.00		\$174,250.00		
24a	City of Palm Springs	Solar Visitor Center, train station, fire station and Unity Center buildings	\$1,175,225.00	\$1,175,225.00			
14	CVAG	Parkway 1e11 (main trunk)	\$38,000,000.00			\$17,400,000.00	
61a	IQ Air	Air Filtration for schools in EJ area	\$13,698,732.00		\$921,235.00		Funding recommended per Admin. Committee 12/14/12
5	Angel View	CNG vehicles (5)	\$270,817.50			\$270,817.50	New Project to be Funded with AB 1318 Mitigation Fund Interest only
20	Torres Martinez Desert Cahuilla Indians	Paving & dust control	\$999,989.00		\$999,989.00		
74	Sun Wize	Solar at Boys and Girls Clubs	\$1,232,696.00		\$785,881.00		
57a	City of Coachella	Signal synchronization	\$3,000,000.00		\$3,000,000.00		Increase to Full Requested Funding (+\$450,000)
47	Palm Springs USD	Solar project at high school	\$13,168,818.00	\$3,000,000.00			New Funded Project
38	Quality Interiors	Weatherization	\$7,950,000.00	\$1,554,164.00	\$800,000.00		New Funded Project
18	Summit Insulation	Weatherization	\$4,196,151.00	\$1,054,164.00			New Funded Project
46	City of Desert Hot Springs	Dust control	\$2,000,000.00	\$2,000,000.00			
13b	St. Elizabeth's of Hungary Food Pantry	CNG Vehicles	\$53,995.00	\$53,995.00			
45	City of Desert Hot Springs	Solar	\$1,484,329.00	\$1,484,329.00			New Funded Project
62	Mission Springs Water District	3 MW solar project	\$9,800,000.00	\$3,330,546.00			Increased Funding Amount (+\$1,444,971)
36a	FIND Food Bank	Gas to Gas replacement	\$164,623.00	\$164,623.00			New Funded Project
61	IQ Air	Air Filtration for schools within 6-mile area	\$7,088,865.00	\$0.00			Not Recommended for Funding*
27	Mountain View Solar	Grid based solar 10.5 MW	\$3,000,000.00	\$0.00			Not Recommended for Funding*
60	VPI Enterprises	Refurbish and upgrade wind turbines	\$4,833,211.00	\$0.00			Not Recommended for Funding*
28	Renovitas	Paving at Cabazon RR park	\$1,842,477.00		\$0.00		Not Recommended for Funding**
			Total	\$15,311,336.00	\$15,196,169.00	\$20,415,752.50	
			Grand Total	\$50,923,257.50			

* Not recommended for funding based on Administrative Committee review on October 16, 2012.

** Not recommended for funding based on Administrative Committee review on December 14, 2012.

Table 2-2: Complete Ranking of All Projects, Including Back-up Projects, and Cumulative Totals for Award Categories
A minimum of 70 points is required to qualify for technical score and be further evaluated for award

Project #	Project Proponent	Project Type	Requested Funding Amount (\$)	Recommended Award (\$)	Cumulative Recommended Award (\$)	Cumulative Total w/in 6-Mile Vacinity (\$)	Cumulative Total w/in EJ Areas (\$)	Cumulative Total in Other Areas (\$)	Average Technical Score	Additional Points	Total Score
The projects in the white-shaded area below are recommended for award, and the projects in the shaded area are back-up.											
69	Border Valley Trading	LNG/CNG stations	\$900,000.00	\$900,000.00	\$900,000.00	\$900,000.00			84.7	15	99.7
15	Renova Energy ¹	Solar	\$1,572,917.00	\$314,584.00	\$1,214,584.00			\$314,584.00	77.3	15	92.3
33	Riverside County	Paving & dust control	\$5,089,011.00	\$4,097,114.00	\$5,311,698.00		\$4,097,114.00		87	5	92.0
22	City of Desert Hot Springs ²	CNG vehicles & station upgrade	\$1,024,641.00	\$1,024,641.00	\$6,336,339.00	\$1,494,290.00		\$744,935.00	85.3	5	90.3
63c-1	Desert Sands USD	CNG/Propane Buses (5)	\$3,535,500.00	\$650,000.00	\$6,986,339.00		\$4,747,114.00		85	5	90.0
41a-2	Coachella Valley USD	CNG Buses (7)	\$12,994,700.00	\$1,235,500.00	\$8,221,839.00		\$5,982,614.00		85	5	90.0
41c	Coachella Valley USD ³	Air filtration at schools Mecca and Saul Martinez elementary schools	\$337,200.00	\$337,200.00	\$8,559,039.00		\$6,319,814.00		84.3	5	89.3
41b	Coachella Valley USD	CNG Fueling Facility	\$1,618,400.00	\$300,000.00	\$8,859,039.00		\$6,619,814.00		84	5	89.0
35	Sun Power	Solar at College of the Desert	\$2,000,000.00	\$2,000,000.00	\$10,859,039.00			\$2,744,935.00	88.7		88.7
57c	City of Coachella	CNG station/solar carport	\$2,120,000.00	\$1,895,000.00	\$12,754,039.00		\$8,514,814.00		83.7	5	88.7
63c-2	Desert Sands USD ³	CNG station upgrade and school bus replacements (only CNG station upgrade recommended)	\$3,889,250.00	\$174,250.00	\$12,928,289.00		\$8,689,064.00		83.7	5	88.7
24a	City of Palm Springs	Solar Visitor Center, train station, fire station and Unity Center buildings	\$1,175,225.00	\$1,175,225.00	\$14,103,514.00	\$2,669,515.00			83.3	5	88.3
14	CVAG	Parkway 1e11 (main trunk)	\$38,000,000.00	\$17,400,000.00	\$31,503,514.00			\$20,144,935.00	83	5	88.0
61a	IQ Air	Air filtration at schools in EJ area	\$13,698,732.00	\$921,235.00	\$32,424,749.00		\$9,610,299.00		83	5	88.0
5	Angel View ⁴	CNG vehicles (5)	\$270,818.00	\$270,818.00	\$32,695,567.00			\$20,415,753.00	82.7	5	87.7
20	Torres Martinez Desert Cahuilla Indians	Paving & dust control	\$999,989.00	\$999,989.00	\$33,695,556.00		\$10,610,288.00		87.7		87.7
74	Sun Wize	Solar at Boys and Girls Clubs	\$1,232,696.00	\$785,881.00	\$34,481,437.00		\$11,396,169.00		82.3	5	87.3
57a	City of Coachella	Signal synchronization	\$3,000,000.00	\$3,000,000.00	\$37,481,437.00		\$14,396,169.00		81	5	86.0
47	Palm Springs USD	Solar project at high school	\$13,168,818.00	\$3,000,000.00	\$40,481,437.00	\$5,669,515.00			73.3	12	85.3
38	Quality Interiors ⁵	Weatherization	\$7,950,000.00	\$2,354,164.00	\$42,835,601.00	\$7,223,679.00	\$15,196,169.00		70.3	15	85.3
16	Renova Energy	Solar	\$1,189,633.00	\$1,189,633.00	\$52,112,981.00			\$21,605,386.00	70	15	85.0
18	Summit Insulation	Weatherization	\$4,196,151.00	\$1,054,164.00	\$43,618,947.00	\$8,277,843.00			70.0	15	85.0
19	Summit Insulation	Weatherization	\$4,196,151.00	\$1,000,000.00	\$53,112,891.00		\$16,196,169.00		70.0	15	85.0
46	City of Desert Hot Springs	Dust control	\$2,000,000.00	\$2,000,000.00	\$45,618,947.00	\$10,277,843.00			79.0	5	84.0
67	UCR	Integrating PVs, energy storage and EVs	\$1,970,102.00	\$1,970,102.00	\$55,082,993.00			\$23,575,488.00	77.7	5	82.7
13b	St. Elizabeth's of Hungary Food Pantry	CNG Vehicles	\$53,995.00	\$53,995.00	\$45,672,942.00	\$10,331,838.00			82.3		82.3

Table 2-2: Complete Ranking of All Projects, Including Back-up Projects, and Cumulative Totals for Award Categories
A minimum of 70 points is required to qualify for technical score and be further evaluated for award

Project #	Project Proponent	Project Type	Requested Funding Amount (\$)	Recommended Award (\$)	Cumulative Recommended Award (\$)	Cumulative Total w/in 6-Mile Vacinity (\$)	Cumulative Total w/in EJ Areas (\$)	Cumulative Total in Other Areas (\$)	Average Technical Score	Additional Points	Total Score
39b	Desert View Power	Replacement to Cleaner Diesel dozers	\$1,622,124.00	\$400,000.00	\$55,482,993.00		\$16,596,169.00		77	5	82.0
64	Desert Water Agency	Solar	\$2,555,800.00	\$2,555,800.00	\$58,038,793.00			\$26,131,288.00	76.7	5	81.7
7	City of Cathedral City	Replace diesel sewer truck with CNG	\$400,000.00	\$400,000.00	\$58,438,793.00		\$16,996,169.00		76.3	5	81.3
57b	City of Coachella	Weatherization	\$826,955.00	\$826,995.00	\$59,265,788.00		\$17,823,164.00		75.7	5	80.7
26a	City of Indio	Paving	\$1,282,120.00	\$1,282,120.00	\$60,547,908.00		\$19,105,284.00		75.7	5	80.7
45	City of Desert Hot Springs	Solar	\$1,484,329.00	\$1,484,329.00	\$47,157,271.00	\$11,816,167.00			75.3	5	80.3
9	City of Indian Wells	Solar	\$2,707,272.00	\$2,707,272.00	\$63,255,180.00			\$28,838,560.00	75.0	5	80.0
62	Mission Springs Water District	3 MW solar project	\$9,800,000.00	\$3,330,546.00	\$50,487,817.00	\$15,146,713.00			73.7	5	78.7
36a	FIND Food Bank	Gas to Gas replacement	\$164,623.00	\$164,623.00	\$50,652,440.00	\$15,311,336.00			78.7		78.7
63b	Desert Sands USD ³	Lighting, solar, PV, thermal, and mechanical equipment energy efficiency	\$20,124,203.00	\$20,124,203.00	\$83,379,383.00		\$39,229,487.00		72.7	5	77.7
71	California Vanpool Authority	Vanpooling	\$1,948,585.00	\$1,948,585.00	\$85,327,968.00		\$41,178,072.00		77.0		77.0
10a	City of Rancho Mirage	Paving	\$650,000.00	\$650,000.00	\$85,977,968.00			\$29,488,560.00	71.0	5	76.0
37	Sunline Transit Agency	Increased transit	\$3,212,565.00	\$3,212,565.00	\$89,190,533.00			\$32,701,125.00	70.7	5	75.7
17	Renova	Solar project	\$1,070,574.00	\$1,070,574.00	\$90,261,107.00		\$42,248,646.00		70.3	5	75.3
44	City of Desert Hot Springs	Ped/bike beltway	\$2,010,480.00	\$2,010,480.00	\$92,271,587.00	\$17,321,816.00			70.3	5	75.3
39a	Desert View Power	Vehicle/equipment, replacement; refueling facility, paving	\$10,466,163.00	\$10,466,163.00	\$102,737,750.00	\$27,787,979.00			70.3	5	75.3
10b	City of Rancho Mirage	Solar	\$1,301,177.00	\$1,301,177.00	\$104,038,927.00			\$34,002,302.00	70.0	5	75.0
29	Agua Caliente Band of Cahuilla Indians	Solar	\$1,246,055.00	\$1,246,055.00	\$105,284,982.00			\$35,248,357.00	72.3		72.3
48	Foundation for CA Community Colleges	Vehicle repair, retirement, replacement	\$23,500,000.00	\$23,500,000.00	\$128,784,982.00	\$51,287,979.00			72.0		72.0
The projects in the white-shaded area below received less than 70 points in technical score, thus they are not considered for awards.											
24b	City of Palm Springs	Cool roof incentive	\$6,174,000.00						69.0		
66a	Access Solar	Hydrogen plant/facility	\$25,808,890.00						65.7		
66b	Access Solar	Solar PV on 20 businesses	\$7,893,600.00						68.3		
66c	Access Solar	Solar PV on 213 homes	\$8,569,390.00						66.9		
23	City of La Quinta	Solar & EV charging station	\$2,084,000.00						67.7		
34	Clean Street	Street sweepers	\$204,450.00						67.7		
4	PAAC	Garden project	\$750,000.00						67.7		
26d	City of Indio	CNG station	\$554,631.00						66.7		
51	OC Sunny	Solar	\$297,518.00						66.3		
42	City of Desert Hot Springs	Culvers/curb/gutters	\$8,184,428.00						66.3		
32	Riverside County	I-10 Lifeline project	\$8,910,000.00						66.0		
11	Power tube California	Geothermal demo and facility	\$3,947,207.00						65.7		

Table 2-2: Complete Ranking of All Projects, Including Back-up Projects, and Cumulative Totals for Award Categories
A minimum of 70 points is required to qualify for technical score and be further evaluated for award

Project #	Project Proponent	Project Type	Requested Funding Amount (\$)	Recommended Award (\$)	Cumulative Recommended Award (\$)	Cumulative Total w/in 6-Mile Vacinity (\$)	Cumulative Total w/in EJ Areas (\$)	Cumulative Total in Other Areas (\$)	Average Technical Score	Additional Points	Total Score
43	City of Desert Hot Springs	Solarization \$ weatherization of homes	\$7,847,080.00						65.7		
13a	St. Elizabeth's of Hungary Food Pantry	Solar	\$117,060.00						65.7		
49	Kyriakos Christian Center	Solar project & paving	\$614,633.00						65.3		
65	US Solar	Build solar manufacturing facility; install at non-profits	\$10,000,000.00						64.7		
26c	City of Indio	NGV	\$146,750.00						64.3		
8	Eco Master	Improve dumpsite	\$4,995,000.00						63.7		
26b	City of Indio	Solar	\$3,471,160.00						63.7		
2	Eco Master	Eliminate biosolid wate pile	\$2,795,000.00						63.3		
73	Titan LED	Replace school lighting with LEDs	\$4,170,055.00						62.0		
55	OC Sunny	Solar project	\$71,305.00						61.3		
53	OC Sunny	Solar project	\$71,305.00						61.3		
12	Shelter from the Storm	Building energy efficiency improvements	\$1,007,366.00						61.3		
56	Pacific Stihl	Electric garden equipment	\$417,703.00						61.3		
50	OC Sunny	Solar project	\$19,903.00						61.0		
52	OC Sunny	Solar project	\$54,310.00						60.3		
63a	Desert Sands USD	Envision Education	\$3,107,900.00						60.3		
6	Clean Street	Street sweepers	\$500,000.00						60.0		
72	Titan LED	Replace street lights with LEDs	\$4,754,957.00						59.7		
21	Trans Power	Zero emission recycled electric buses	\$1,598,836.00						59.3		
75	Friends of Palm Springs Mountains	Oasis water project	\$5,875,000.00						59.3		
58	MTD	Riding Mower Technology Development	\$8,770,611.00						56.3		
31	Coachella Valley RC Club	Paving	\$362,056.00						53.3		
70	CURE	Wetlands project	\$5,996,417.00						52.3		
25	Camp of Champions	Purchase two vehicles	\$105,029.00						45.0		
3	EF GrafX Advertising & Design	R&D project for leaf blowers	\$3,289,609.00						36.0		
The following project proposals marked with DNQ under the Total Score column are disqualified due to not adhering to the RFP requirements.											
59	CV Motorcycle Training	Electric motorcycles		Additional new equipment, not replacement							DNQ
36b	FIND Food Bank	Gas to Diesel Fleet Replacement		Net increase of diesel particulate emissions for buses with gasoline-to-diesel replacements							DNQ
40	Joseph Chiriaco	CNG and EV charging stations		Fails to demonstrate emissions reduction							DNQ
30	Share Kitchen	Solar		Certifications required as Volume 3 was missing							DNQ
54	OC Sunny	Solar		Conflict of interest by proposal proponent							DNQ

Table 2-2: Complete Ranking of All Projects, Including Back-up Projects, and Cumulative Totals for Award Categories
A minimum of 70 points is required to qualify for technical score and be further evaluated for award

Project #	Project Proponent	Project Type	Requested Funding Amount (\$)	Recommended Award (\$)	Cumulative Recommended Award (\$)	Cumulative Total w/in 6-Mile Vacinity (\$)	Cumulative Total w/in EJ Areas (\$)	Cumulative Total in Other Areas (\$)	Average Technical Score	Additional Points	Total Score
68	Alternate Energy Contractors	1MW solar panels		Certifications required as Volume 3 was missing							DNQ
63c-3	Desert Sands USD	Replacement of 13 retrofit buses		Buses retrofitted with AQMD funding							DNQ
66d	Access Solar	Bus retrofit/hydrogen fuel cell		Project cost not provided							DNQ
66e	Access Solar	Hydrogen plant greenbelt		Project cost not provided							DNQ
The following project proposals are not recommended for funding based on Administrative Committee review on October 16, 2012.											
61	IQ Air	mile zone and EJ areas (49 schools)		Not recommended for funding based on Administrative Committee review on October 16, 2012							DNQ
27	Mountain View Solar	Grid based solar 10.5 MW project		Not recommended for funding based on Administrative Committee review on October 16, 2012							DNQ
60	VPI Enterprises	Refurbish & upgrade wind turbines		Not recommended for funding based on Administrative Committee review on October 16, 2012							DNQ
28	Renovitas	Paving at Cabazon RR park		Not recommended for funding based on Administrative Committee review on December 14, 2012							DNQ
The following project proposals are recommended to be funded through AB 923.											
63c-4	Desert Sands USD	Bus retrofits	From AB 923 Funds								
41a-1	Coachella Valley USD	Replacement of school buses (8) & Retrofit of school buses (49)	From AB 923 Funds								

¹ Renova Energy, proposed contractor to Sunline Transit Agency, informed that 80% of their proposal received federal funds after submittal of their proposal.

² City of Desert Hot Springs award of \$1,024,641 is distributed in the amounts of \$594,290 within the Vicinity and \$430,351 within the Other categories.

³ School Bus Projects with Coachella Valley USD and Desert Sands USD will be considered separately under the AQMD's AB 923 funding opportunity within the near future.

⁴ Staff recommends funding of five CNG vehicles to Angel View in the amount of \$270,818 from the accrued interest.

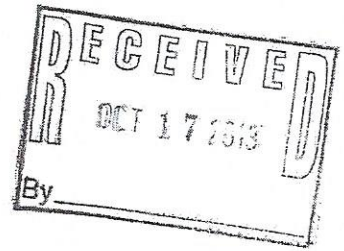
⁵ Quality Interior award of \$2,354,164 is distributed in the amounts of \$1,554,164 within the Vicinity and \$800,000 within the EJ categories.

Exhibit “M”



South Coast Air Quality Management District

21865 Copley Drive, Diamond Bar, CA 91765-4178
(909) 396-2000 • www.aqmd.gov



October 16, 2013

Mr. Tom Kirk, Executive Director
Coachella Valley Association of Governments
73-710 Fred Waring Dr. Suite 200
Palm Desert, CA 92260

RE: SCAQMD Contract 13459

Dear Mr. Kirk:

Enclosed please find one fully executed original of the above mentioned Contract for the project entitled, *AB 1318 – Parkway 1e11 or CV Link*.

Future correspondence, including invoices and progress reports, for this contract should be sent to my attention and Ms. Connie Day. If you have any questions, please do not hesitate to contact me at (909) 396-3259 or Mr. Day at (909) 396-3055.

Sincerely,

Michelle A. White, Staff Assistant
Technology Advancement
mwhite@aqmd.gov

MAW

FedEx
Enclosures

Approved CE
Dept of Finance
Date 10/3/3



**South Coast
Air Quality Management District**

Contract No. 13459
AB 1318

This Contract consists of 16 pages.

1. **PARTIES** - The parties to this Contract are the South Coast Air Quality Management District (referred to here as "SCAQMD") whose address is 21865 Copley Drive, Diamond Bar, California 91765-4178, and the Coachella Valley Association of Governments (referred to here as "CONTRACTOR") whose address is 73-710 Fred Waring Drive, Suite 200, Palm Desert, California 92260.
2. **RECITALS**
 - A. SCAQMD is the local agency with primary responsibility for regulating stationary source air pollution within the geographical boundaries of the South Coast Air Quality Management District in the State of California. SCAQMD is authorized to enter into this Contract under California Health and Safety Code Section 40489. SCAQMD desires to contract with CONTRACTOR for services described in Attachment 1 - Statement of Work, attached here and made a part here by this reference. CONTRACTOR warrants that it is well-qualified and has the experience to provide such services on the terms set forth here.
 - B. In June 2011, the SCAQMD Governing Board approved the establishment of the AB 1318 Mitigation Fees Fund (Fund 58). This special revenue fund is to be used to finance emission reduction projects, pursuant to the requirements of AB1318 (V.M. Perez), which was codified into law at California Health and Safety Code section 40440.14. The mitigation fees are for the transfer of emission offsets from SCAQMD's internal offset accounts to CPV Sentinel, LLC, for the construction and operation of the CPV Sentinel Energy power plant located in Desert Hot Springs. CONTRACTOR was awarded a grant to implement an emission reduction project in the Coachella Valley that will have a direct impact on the air quality and health of residents, while aiding in regional air quality goals.
 - C. CONTRACTOR is authorized to do business in the State of California and attests that it is in good tax standing with the California Franchise Tax Board.
 - D. All parties to this Contract have had the opportunity to have this Contract reviewed by their attorney.
 - E. "Equipment," as used in this Contract, means the equipment described in Attachment 1 - Statement of Work and funded in whole or in part by AB 1318 Mitigation Fees Funds, which may include, but is not limited to, vehicles, retrofit devices, fueling stations, and electrification infrastructure, as applicable.
3. **PERFORMANCE REQUIREMENTS**
 - A. CONTRACTOR agrees to obtain and maintain the required licenses, permits, and all other appropriate legal authorizations from all applicable federal, state and local jurisdictions and pay all applicable fees. CONTRACTOR further agrees to immediately notify SCAQMD in writing of any change in its licensing status which has a material impact on the CONTRACTOR's performance under this Contract.
 - B. CONTRACTOR shall submit reports to SCAQMD as outlined in Attachment 1 - Statement of Work. All reports shall be submitted in an environmentally friendly format: recycled paper; stapled, not bound; black and white, double-sided print; and no three-ring, spiral, or plastic binders or cardstock covers. SCAQMD reserves the right to review, comment, and request changes to any report produced as a result of this Contract.

- C. CONTRACTOR shall perform all tasks set forth in Attachment 1 - Statement of Work, and shall not engage, during the term of this Contract, in any performance of work that is in direct or indirect conflict with duties and responsibilities set forth in Attachment 1 - Statement of Work.
 - D. CONTRACTOR must ensure that the project, including the Equipment to be purchased or installed, is in compliance with all applicable federal, state, and local air quality rules and regulations, and that it will maintain compliance for the full Contract term.
 - E. CONTRACTOR shall be responsible for exercising the degree of skill and care customarily required by accepted professional practices and procedures subject to SCAQMD's final approval which SCAQMD will not unreasonably withhold. Any costs incurred due to the failure to meet the foregoing standards, or otherwise defective services which require re-performance, as directed by SCAQMD, shall be the responsibility of CONTRACTOR. CONTRACTOR's failure to achieve the performance goals and objectives stated in Attachment 1- Statement of Work, is not a basis for requesting re-performance unless work conducted by CONTRACTOR is deemed by SCAQMD to have failed the foregoing standards of performance.
 - F. CONTRACTOR shall require its subcontractors to abide by the requirements set forth in this Contract.
4. TERM - The term of this Contract is for eleven (11) years from the date of execution by both parties, unless further extended by amendment of this Contract in writing.
5. TERMINATION
- A. In the event any party fails to comply with any term or condition of this Contract, or fails to provide services in the manner agreed upon by the parties, including, but not limited to, the requirements of Attachment 1 - Statement of Work, this failure shall constitute a breach of this Contract. The non-breaching party shall notify the breaching party that it must cure this breach or provide written notification of its intention to terminate this contract. Notification shall be provided in the manner set forth in Clause 16. The non-breaching party reserves all rights under law and equity to enforce this contract and recover damages.
 - B. SCAQMD reserves the right to terminate this Contract, in whole or in part, without cause, upon thirty (30) days' written notice. Once such notice has been given, CONTRACTOR shall, except as and to the extent or directed otherwise by SCAQMD, discontinue any Work being performed under this Contract and cancel any of CONTRACTOR's orders for materials, facilities, and supplies in connection with such Work, and shall use its best efforts to procure termination of existing subcontracts upon terms satisfactory to SCAQMD. Thereafter, CONTRACTOR shall perform only such services as may be necessary to preserve and protect any Work already in progress and to dispose of any property as requested by SCAQMD.
 - C. CONTRACTOR shall be paid in accordance with this Contract for all Work performed before the effective date of termination under Clause 5.B. Before expiration of the thirty (30) days' written notice, CONTRACTOR shall promptly deliver to SCAQMD all copies of documents and other information and data prepared or developed by CONTRACTOR under this Contract with the exception of a record copy of such materials, which may be retained by CONTRACTOR.
6. STOP WORK - SCAQMD may, at any time, by written notice to CONTRACTOR, require CONTRACTOR to stop all or any part of the work tasks funded under this Contract. A stop work order may be issued for reasons including, but not limited to, the project exceeding the budget, out of scope work, delay in project schedule, or misrepresentations. Upon receipt of the stop work order, CONTRACTOR shall immediately take all necessary steps to comply with the order. CONTRACTOR

agrees and understands that if CONTRACTOR continues to perform work while the stop work order is in effect, SCAQMD will not have any obligation to pay for said work, unless it agrees to do so in writing.

7. INSURANCE

- A. CONTRACTOR shall furnish evidence to SCAQMD of workers' compensation insurance for each of its employees, in accordance with either California or other states' applicable statutory requirements prior to commencement of any work on this Contract.
- B. CONTRACTOR shall furnish evidence to SCAQMD of general liability insurance with a limit of at least \$1,000,000 per occurrence, and \$2,000,000 in a general aggregate prior to commencement of any work on this Contract. SCAQMD shall be named as an additional insured on any such liability policy, and thirty (30) days written notice prior to cancellation of any such insurance shall be given by CONTRACTOR to SCAQMD.
- C. CONTRACTOR shall furnish evidence to SCAQMD of automobile liability insurance with limits of at least \$100,000 per person and \$300,000 per accident for bodily injuries, and \$50,000 in property damage, or \$1,000,000 combined single limit for bodily injury or property damage, prior to commencement of any work on this Contract. SCAQMD shall be named as an additional insured on any such liability policy, and thirty (30) days written notice prior to cancellation of any such insurance shall be given by CONTRACTOR to SCAQMD.
- D. If CONTRACTOR fails to maintain the required insurance coverage set forth above, SCAQMD reserves the right either to purchase such additional insurance and to deduct the cost thereof from any payments owed to CONTRACTOR or terminate this Contract for breach.
- E. All insurance certificates should be mailed to: SCAQMD Risk Management, 21865 Copley Drive, Diamond Bar, CA 91765-4178. **The SCAQMD Contract Number must be included on the face of the certificate.**
- F. CONTRACTOR must provide updates on the insurance coverage throughout the term of the Contract to ensure that there is no break in coverage during the period of contract performance. Failure to provide evidence of current coverage shall be grounds for termination for breach of Contract.

- 8. INDEMNIFICATION - CONTRACTOR agrees to hold harmless, defend and indemnify SCAQMD, its officers, employees, agents, representatives, and successors-in-interest against any and all loss, damage, costs, lawsuits, claims, demands, causes of action judgments, attorney's fees, or any other expenses arising from or related to any third party claim against SCAQMD, its officers, employees, agents, representatives, or successors in interest that arise or result in whole or in part, from any actual or alleged negligent or intentional act or omission of CONTRACTOR, its employees, subcontractors, agents or representatives in the performance of this Contract.
- 9. ON-SITE INSPECTIONS AND AUDIT - SCAQMD, or its designee(s), shall have the right to conduct on-site inspections of the project and to audit records related to this project during the term of the Contract and for a period of three years thereafter, unless SCAQMD notifies CONTRACTOR that a longer period of record retention is necessary. Upon written request from SCAQMD, CONTRACTOR shall provide detailed documentation of all expenses incurred on the project, at any time throughout the records retention period. CONTRACTOR agrees to include a similar right for SCAQMD to conduct on-site inspections and audits in any subcontract.

10. RECORDS AND RECORDS RETENTION – CONTRACTOR shall maintain records related to this project and retain these records for at least three years beyond the Contract term.
11. REPORTING REQUIREMENTS - CONTRACTOR shall submit reports in accordance with Attachment 1, attached here and incorporated herein by reference. Non-compliance with the reporting requirements of this Contract may result in the implementation of on-site monitoring by the SCAQMD.
12. CO-FUNDING – The total cost of this project is estimated at \$70 million. CONTRACTOR shall provide co-funding in the amount of **Twenty Six Million Four Hundred Thousand Dollars (\$26,400,000)** for this project. If CONTRACTOR fails to provide this co-funding, then SCAQMD reserves the right to renegotiate or terminate this Contract.
13. PAYMENT
 - A. SCAQMD shall reimburse CONTRACTOR up to a total amount of Seventeen Million Four Hundred Thousand Dollars (\$17,400,000) in accordance with Attachment 2 – Payment Schedule, expressly incorporated herein by this reference and made a part hereof of this Contract.
 - B. In no event shall the reimbursement for the total of all project costs, including all subcontractor costs, administrative costs, and other direct and indirect costs, exceed Seventeen Million Four Hundred Thousand Dollars (\$17,400,000). In addition, if the actual costs are less than this amount, SCAQMD's total reimbursement commitment will be limited to that of the actual documented costs of the project, unless CONTRACTOR provides, at least 30 days prior to the termination date of this Contract, a request to expand the scope of the project up to the not-to-exceed reimbursement level. If the request is approved by the SCAQMD Executive Officer or his designee, the parties shall enter into an amendment to this Contract. However, no work within the expanded scope of the project shall be done prior to execution of the amendment.
 - C. Any funds not expended upon early contract termination or contract completion shall revert back to the AB Mitigation Fees 1318 Fund. Payment of charges shall be made by SCAQMD to CONTRACTOR within thirty (30) days after approval by SCAQMD of an itemized invoice prepared and furnished by CONTRACTOR, referencing the task completed or a percent of work accomplished and detailing line item expenditures as listed in Attachment 2 - Payment Schedule, and the amount of charge claimed.
 - D. An invoice submitted to SCAQMD for payment must be prepared in duplicate, on company letterhead, and list SCAQMD's contract number, period covered by invoice, and CONTRACTOR'S social security number or Employer Identification Number and submitted to:

South Coast Air Quality Management District
21865 Copley Drive
Diamond Bar, CA 91765-4178
Attn: Michelle White, Technology Advancement

- E. SCAQMD's payment of invoices shall be subject to the following limitations and requirements:
 1. Charges for equipment, material, and supply costs, travel expenses, subcontractors, and other charges, as applicable, must be itemized by CONTRACTOR. Reimbursement for equipment, material, supplies, subcontractors, and other charges shall be made at actual cost. Supporting documentation must be provided for all individual charges (with the exception of direct labor charges provided by CONTRACTOR).

2. CONTRACTOR'S failure to provide receipts shall be grounds for SCAQMD's non-reimbursement of such charges. SCAQMD may reduce payments on invoices by those charges for which receipts were not provided.
- F. SCAQMD shall pay CONTRACTOR for travel-related expenses only if such travel is expressly set forth in Attachment 2 - Payment Schedule of this Contract or pre-authorized by SCAQMD in writing. CONTRACTOR must submit final invoice no later than ninety (90) days after the termination date of this Contract or invoice may not be paid.
- G. SCAQMD agrees to separately track the interest earned on the balance of the Contract amount over the life of the Contract for possible SCAQMD Governing Board consideration of augmenting the Contract amount. Such augmentation, if approved, shall be effectuated by a formal contract modification which will be executed by both parties.
14. SECURITY INTEREST - CONTRACTOR hereby grants SCAQMD a security interest in any and all Equipment, including vehicles purchased in whole or in part with funding provided by SCAQMD pursuant to this Contract. CONTRACTOR acknowledges and agrees that SCAQMD shall have all lien rights as a secured creditor on any and all Equipment and/or vehicles purchased in whole or in part by the CONTRACTOR, under this Contract or any amendments thereto. The SCAQMD shall have lien rights in effect until the CONTRACTOR satisfies all terms under the Contract, including but not limited to, the use and reporting requirements. **Accordingly, CONTRACTOR further agrees that SCAQMD is authorized to file a UCC filing statement or similar security instrument to secure its interests in the Equipment and/or vehicles that are the subject of the Contract.** In the event CONTRACTOR files for bankruptcy protection, CONTRACTOR shall notify SCAQMD within 10 business days of such filing.
15. INTELLECTUAL PROPERTY RIGHTS - Title and full ownership rights to any documents, or reports developed under this Contract shall at all times remain with SCAQMD. Such material is agreed to be SCAQMD proprietary information.
- A. Rights of Technical Data - SCAQMD shall have the unlimited right to use technical data, including material designated as a trade secret, resulting from the performance of services by CONTRACTOR under this Contract. CONTRACTOR shall have the right to use technical data for its own benefit.
- B. Copyright - CONTRACTOR agrees to grant SCAQMD a royalty-free, nonexclusive, irrevocable license to produce, translate, publish, use, and dispose of all copyrightable material first produced or composed in the performance of this Contract.
16. NOTICES - Any notices from either party to the other shall be given in writing to the attention of the persons listed below, or to other such addresses or addressees as may hereafter be designated in writing for notices by either party to the other. Notice shall be given by certified, express, or registered mail, return receipt requested, or by electronic mail and shall be effective as of the date of receipt. For notices given by electronic mail, the same notice shall be sent within five (5) days by certified, express, or registered mail, return receipt requested.

SCAQMD: South Coast Air Quality Management District
21865 Copley Drive
Diamond Bar, CA 91765-4178
Attn: Connie Day, cday@aqmd.gov

CONTRACTOR: Coachella Valley Association of Governments
73-710 Fred Waring Dr., Suite 200
Palm Desert, CA 92260
Attn: Tom Kirk, tkirk@cvag.org

17. INDEPENDENT CONTRACTOR – CONTRACTOR is an independent contractor. CONTRACTOR, its officers, employees, agents, representatives, or subcontractors shall in no sense be considered employees or agents of SCAQMD, nor shall CONTRACTOR, its officers, employees, agents, representatives, or subcontractors be entitled to or eligible to participate in any benefits, privileges, or plans, given or extended by SCAQMD to its employees. SCAQMD will not supervise, direct, or have control over, or be responsible for, CONTRACTOR's or subcontractor's means, methods, techniques, work sequences or procedures or for the safety precautions and programs incident thereto, or for any failure by them to comply with any local, state, or federal laws, or rules or regulations, including state minimum wage laws and OSHA requirements. CONTRACTOR shall promptly notify SCAQMD of any material changes to subcontracts that affect the Contract's scope of work, deliverable schedule, and/or payment/cost schedule.
18. USE OF SCAQMD NAME - CONTRACTOR shall not use any name, trade name, trademark, logo, or other designation of the SCAQMD (including contraction, abbreviation or simulation) in advertising, publicity, promotional, or any other activities or context without the express written consent of the SCAQMD in each case.
19. MEDIA/PUBLICATION
- A. The parties shall work cooperatively on any communications to the media, including press statements and press conferences related to this Contract. The Parties agree that announcements, news releases and other communication materials describing the project shall acknowledge "The project was made possible by a grant from the South Coast Air Quality Management District AB 1318 Mitigation Fees Fund to reduce or mitigate emissions within Coachella Valley."
- B. Information, data, documents, or reports developed by CONTRACTOR for SCAQMD, pursuant to this Contract, shall be part of SCAQMD public record unless otherwise indicated. Upon written approval of SCAQMD, CONTRACTOR may use or publish, at its own expense, such information, data, documents, or reports provided to SCAQMD. The following acknowledgment of support and disclaimer must appear in each publication of materials, whether copyrighted or not, based upon or developed under this Contract.
- "This report was prepared as a result of work paid for, in whole or in part, by a grant from the South Coast Air Quality Management District (SCAQMD). The opinions, findings, conclusions, and recommendations are those of the author and do not necessarily represent the views of SCAQMD. SCAQMD, its officers, employees, contractors, and subcontractors make no warranty, expressed or implied, and assume no legal liability for the information in this report. SCAQMD has not approved or disapproved this report, nor has SCAQMD passed upon the accuracy or adequacy of the information contained herein."
- C. CONTRACTOR shall inform its officers, employees, and subcontractors involved in the performance of this Contract of the restrictions contained herein and require compliance with the above.

20. NON-DISCRIMINATION - In the performance of this Contract, CONTRACTOR shall not discriminate in recruiting, hiring, promotion, demotion, or termination practices on the basis of race, religious creed, color, national origin, ancestry, sex, age, or physical or mental disability and shall comply with the provisions of the California Fair Employment & Housing Act (Government Code Section 12900 et seq.), the Federal Civil Rights Act of 1964 (P.L. 88-352) and all amendments thereto, Executive Order No. 11246 (30 Federal Register 12319), and all administrative rules and regulations issued pursuant to said Acts and Order.
21. ASSIGNMENT - The rights granted hereby may not be assigned, sold, licensed, or otherwise transferred by either party without the prior written consent of the other, and any attempt by either party to do so shall be void upon inception.
22. NON-EFFECT OF WAIVER - The failure of CONTRACTOR or SCAQMD to insist upon the performance of any or all of the terms, covenants, or conditions of this Contract, or failure to exercise any rights or remedies hereunder, shall not be construed as a waiver or relinquishment of the future performance of any such terms, covenants, or conditions, or of the future exercise of such rights or remedies, unless otherwise provided for herein.
23. ATTORNEYS' FEES - In the event any action is filed in connection with the enforcement or interpretation of this Contract, each party shall bear its own attorneys' fees and costs.
24. FORCE MAJEURE - Neither SCAQMD nor CONTRACTOR shall be liable or deemed to be in default for any delay or failure in performance under this Contract or interruption of services resulting, directly or indirectly, from acts of God, civil or military authority, acts of public enemy, war, strikes, labor disputes, shortages of suitable parts, materials, labor or transportation, or any similar cause beyond the reasonable control of SCAQMD or CONTRACTOR.
25. SEVERABILITY - In the event that any one or more of the provisions contained in this Contract shall for any reason be held to be unenforceable in any respect by a court of competent jurisdiction, such holding shall not affect any other provisions of this Contract, and the Contract shall then be construed as if such unenforceable provisions are not a part hereof.
26. HEADINGS - Headings on the clauses of this Contract are for convenience and reference only, and the words contained therein shall in no way be held to explain, modify, amplify, or aid in the interpretation, construction, or meaning of the provisions of this Contract.
27. DUPLICATE EXECUTION - This Contract is executed in duplicate. Each signed copy shall have the force and effect of an original.
28. GOVERNING LAW - This Contract shall be construed and interpreted and the legal relations created thereby shall be determined in accordance with the laws of the State of California. Venue for resolution of any disputes under this Contract shall be Los Angeles County, California.
29. PRE-CONTRACT COSTS - Any costs incurred by CONTRACTOR prior to CONTRACTOR receipt of a fully executed Contract shall be incurred solely at the risk of the CONTRACTOR. In the event that a formal Contract is not executed, the SCAQMD shall not be liable for any amounts expended in anticipation of a formal Contract. If a formal Contract does result, pre-contract cost expenditures

authorized by the Contract will be reimbursed in accordance with the cost schedule and payment provision of the Contract.

30. CITIZENSHIP AND ALIEN STATUS

- A. CONTRACTOR warrants that it fully complies with all laws regarding the employment of aliens and others, and that its employees performing services hereunder meet the citizenship or alien status requirements contained in federal and state statutes and regulations including, but not limited to, the Immigration Reform and Control Act of 1986 (P.L. 99-603). CONTRACTOR shall obtain from all covered employees performing services hereunder all verification and other documentation of employees' eligibility status required by federal statutes and regulations as they currently exist and as they may be hereafter amended. CONTRACTOR shall have a continuing obligation to verify and document the continuing employment authorization and authorized alien status of employees performing services under this Contract to insure continued compliance with all federal statutes and regulations. Notwithstanding the above, CONTRACTOR, in the performance of this Contract, shall not discriminate against any person in violation of 8 USC Section 1324b.
- B. CONTRACTOR shall retain such documentation for all covered employees for the period described by law. CONTRACTOR shall indemnify, defend, and hold harmless SCAQMD, its officers and employees from employer sanctions and other liability which may be assessed against CONTRACTOR or SCAQMD, or both in connection with any alleged violation of federal statutes or regulations pertaining to the eligibility for employment of persons performing services under this Contract.

31. PREVAILING WAGES – CONTRACTOR is alerted to the prevailing wage requirements of California Labor Code section 1770 et seq. Copies of the prevailing rate of per diem wages are on file at the SCAQMD's headquarters, of which shall be made available to any interested party on request. Notwithstanding the preceding sentence, CONTRACTOR shall be responsible for determining the applicability of the provisions of California Labor Code and complying with the same, including, without limitation, obtaining from the Director of the Department of Industrial Relations the general prevailing rate of per diem wages and the general prevailing rate for holiday and overtime work, making the same available to any interested party upon request, paying any applicable prevailing rates, posting copies thereof at the job site and flowing all applicable prevailing wage rate requirements to its subcontractors. CONTRACTOR shall indemnify, defend and hold harmless the South Coast Air Quality Management District against any and all claims, demands, damages, defense costs or liabilities based on failure to adhere to the above referenced statutes.

32. SUBCONTRACTOR APPROVAL – If CONTRACTOR intends to subcontract all or a portion of the work under this Contract, then CONTRACTOR must first obtain written approval from SCAQMD's Executive Officer or designee prior to subcontracting any work. Any material changes to the subcontract(s) that affect the scope of work, deliverable schedule, and/or payment/cost schedule shall also require the prior written approval of the Executive Officer or designee. No subcontract charges will be reimbursed unless the required approvals have been obtained from SCAQMD.

33. TAX IMPLICATIONS FROM RECEIPT OF AB 1318 FUNDS – CONTRACTOR is advised to consult a tax attorney regarding potential tax implications from receipt of AB 1318 funds.

34. DISCLAIMER OF WARRANTY - The decision to participate in this project and to purchase Equipment is CONTRACTOR's decision. **SCAQMD does not make any express or implied warranty of merchantability, fitness for a particular purpose or otherwise, quality or usefulness of the technology or Equipment.** SCAQMD will not be financially responsible or otherwise liable for the installation or performance of the Equipment.
35. ENTIRE CONTRACT - This Contract represents the entire agreement between the parties hereto related to CONTRACTOR providing services to SCAQMD and there are no understandings, representations, or warranties of any kind except as expressly set forth herein. No waiver, alteration, or modification of any of the provisions herein shall be binding on any party unless in writing and signed by the party against whom enforcement of such waiver, alteration, or modification is sought.

IN WITNESS WHEREOF, the parties to this Contract have caused this Contract to be duly executed on their behalf by their authorized representatives.

SOUTH COAST AIR QUALITY MANAGEMENT DISTRICT

By: _____

Berry R. Wallerstein, B-Env., Executive Officer

Date: _____

10/9/2013

COACHELLA VALLEY
ASSOCIATION OF GOVERNMENTS

By: _____

Name: _____

Title: _____

TOM KIRK

EXECUTIVE DIRECTOR

Date: _____

10/1/13

APPROVED AS TO FORM:

Kurt R. Wiese, General Counsel

By: _____

Barker Baud

//AB1318 Boilerplate
Revised: April 18, 2013

**ATTACHMENT 1
STATEMENT OF WORK FOR
COACHELLA VALLEY ASSOCIATION OF GOVERNMENTS**

PARKWAY 1e11 / CV LINK

The purpose of this contract is to reduce on-road emissions through the construction and use of an approximately 46-mile long, grade separated, corridor that would accommodate Neighborhood Electric Vehicles, bicycles and pedestrians, called Parkway 1e11 (also referred to herein as the "CV Link"). The Parkway will connect all nine Coachella Valley cities with a neighborhood electric vehicle/bicycle/walking path. The Parkway will extend along the Whitewater River from Palm Springs to Coachella with a connection to Desert Hot Springs.

The Parkway development and construction will be managed by CONTRACTOR. CV Link is a multi-year, multi-agency project that will require CONTRACTOR to secure additional funding to complete. Specific funding awarded under this Contract will utilize AB1318 funds for construction-related costs only. Such costs will begin to be incurred starting with Phase B of the project (Phase B is defined in CONTRACTOR's Technical Proposal, dated June 5, 2012, beginning on page C-13), and SCAQMD's funding is expected to be expended approximately halfway through completion of Phase 2 (as defined in CONTRACTOR's Technical Proposal, dated June 5, 2012, beginning on page C-16) of the CV Link Project. These phases are briefly outlined below.

For purposes of determining eligible reimbursement costs under this Contract, construction related costs include construction, construction management, materials testing, staking/surveying and inspections. Construction related costs do not include planning and design consultants, engineering consultants, right of way, and agency staffing/overhead. Charging stations are not eligible for funding under this Contract.

Prior to commencing any work that requires SCAQMD funding, CONTRACTOR shall provide a work plan demonstrating full funding for each task/section, as outlined in the proposal, for approval by SCAQMD staff. Funding will not be committed until the work plan is approved by SCAQMD. The work plan must consist of, but not be limited to: all sources of secured funding including contractual sources, construction schedule, cost schedule, and plans of anticipated and completed work. The work plan may be submitted for each Phase of the Contract, but must contain all required documentation.

Tasks set forth in this Contract are subject to the due dates specified. Adjustments to timelines may be approved by SCAQMD, based on project development, bids and on-going project development.

Figure A: Master Planning

The Master Plan is a long-range plan for the entire Parkway project. It is a conceptual design for the entire project. The Master Plan will encompass all project goals, and will provide a vision for the project's future. The Master Plan will also provide a framework for the project's future development and will serve as a guide for the project's future development. The Master Plan will also provide a framework for the project's future development and will serve as a guide for the project's future development.

construction management oversight, preliminary engineering plans, assessment of air quality benefits, programmatic environmental compliance, and establish reporting requirements. Development of a Coachella Valley Neighborhood Electric Vehicle Transportation Plan and an Early Action Segment Recommendation Report, which identifies Parkway sections that can be easily retrofitted for near-term construction, will also be completed in this phase. The Master Planning, Planning and Construction Phases, including the Early Action Section, outlined in this Statement of Work is preliminary and subject to change after completion of the Master Plan, preliminary engineering, and environmental documents. This Statement of Work may be amended after completion of the Master Planning Phase subject to discussions and agreement between CONTRACTOR and SCAQMD.

- A.1 CONTRACTOR shall provide all development and design work documents including plans, RFQs, bids, design review etc., to SCAQMD staff, upon request.
- A.2 CONTRACTOR shall complete all tasks of this Phase as outlined in CONTRACTOR's Technical Proposal, dated June 5, 2012.
- A.3 CONTRACTOR shall be responsible for providing documentation of all approved final plans, reports and approvals by CVAG and partner cities in reference to this project.

Phase B: Early Action Section

Under Phase B, as outlined in CONTRACTOR's June 5, 2012 Technical Proposal, CONTRACTOR shall review and provide oversight of preliminary plans, environmental compliance documents, public outreach efforts, construction documents, construction of the Early Action Parkway segment and construction evaluation.

- B.1 CONTRACTOR shall submit a work plan and cost-schedule with deliverables to SCAQMD for this phase, prior to commencing any work. CONTRACTOR shall provide all development and design work documents including plans, RFQ, bids, design review etc., to SCAQMD staff, upon request. Funds shall be withheld if SCAQMD does not approve the submitted work plan.
- B.2 CONTRACTOR shall complete construction of this Phase.
- B.3 CONTRACTOR shall provide SCAQMD staff full access to all work sites and shall, upon request, accompany SCAQMD staff to review on-site work in progress.

Phase 1: Planning and Construction

Phase 1 will encompass all related construction, oversight, and construction evaluation of three preliminarily planned Parkway segments as follows: Phase 1A – Tahquitz Creek to Bob Hope Drive (6 miles); Phase 1B – Tahquitz Creek Trail Connector Retrofit (5 miles); and Phase 1C – Truck Line – Vista Chino to Tahquitz Creek (4 miles).

- 1.1 CONTRACTOR shall submit a work plan and cost-schedule with deliverables to SCAQMD for this phase, prior to commencing any work. CONTRACTOR shall provide all development and design work documents including plans, RFQ, bids, design review etc., to SCAQMD staff, upon request. Funds shall be withheld if SCAQMD does not approve the submitted work plan.

- 1.2 CONTRACTOR shall complete construction of this Phase.
- 1.3 CONTRACTOR shall provide SCAQMD staff full access to all work sites and shall, upon request, accompany SCAQMD staff to review on-site work in progress.

Phase 2: Planning and Construction

Phase 2 will encompass all related construction, oversight, and construction evaluation of three preliminarily planned Parkway segments as follows: Phase 2A – Truck Line – Washington Street to Golf Center Parkway (7.9 miles); Phase 2B – Truck Line – Tramway Road to Vista Chino (6.3 miles); and Phase 2C – Truck Line – Monterey Avenue to Washington Street (8.3 miles).

- 2.1 CONTRACTOR shall submit a work plan and cost-schedule with deliverables to SCAQMD for this phase, prior to commencing any work. CONTRACTOR shall provide all development and design work documents including plans, RFQ, bids, design review etc., to SCAQMD staff, upon request. Funds shall be withheld if SCAQMD does not approve the submitted work plan.
- 2.2 CONTRACTOR shall complete construction of this Phase.
- 2.3 CONTRACTOR shall provide SCAQMD staff full access to all work sites and shall, upon request, accompany SCAQMD staff to review on-site work in progress.

Phase 3: Planning and Construction

Phase 3 will encompass all related construction, oversight, and construction evaluation of two preliminarily planned Parkway segments as follows: Phase 3A – Truck Line – Bob Hope Drive to Monterey Avenue (1.2 miles); and Phase 3B – Truck Line – Golf Center Parkway to Avenue 56 (7 miles).

- 3.1 CONTRACTOR shall provide all development and design work documents including a work plan and cost-schedule with deliverables, plans, RFQ, bids, design review etc., to SCAQMD staff, upon request.
- 3.2 CONTRACTOR shall complete construction of this Phase.
- 3.3 CONTRACTOR shall provide SCAQMD staff full access to all work sites and shall, upon request, accompany SCAQMD staff to review on-site work in progress.

TIME SCHEDULE

Milestone	Estimated Completion from Contract Start Date
Phase A: Master Planning	2 years
Phase B: Early Action Section	3 ½ years
Phase 1: Planning & Construction	6 ½ years
Phase 2: Planning & Construction	8 years
Phase 3: Planning & Construction	9 years

<u>Milestone</u>	<u>Due Date</u>
Phase A: Master Planning	December 15, 2015
Phase B: Early Action Section Construction Completion	June 15, 2017
Phase 1: Construction Completion	June 15, 2020
Phase 2: Construction Completion	December 15, 2023
Phase 3: Construction Completion	December 15, 2024
Quarterly Progress Reports	Ongoing for life of Contract
Annual Reports	Ongoing for life of Contract
Draft Final Report	February 15, 2024
Final Report and 2-Page Project Synopsis	March 15, 2024

DELIVERABLES

In addition to the deliverables set forth in the above-referenced statement of work, CONTRACTOR shall supply the following reports to the SCAQMD under this Contract. Each submitted report shall be stapled, not bound, printed in black ink, double-sided type, on an 8-1/2 by 11 inch page, and shall include camera-ready originals.

1. CONTRACTOR shall submit quarterly progress reports due by the 10th day of the month following the reporting period. During the Master Planning Phase, CONTRACTOR may submit quarterly progress reports required by other funding sources in lieu of preparation and submittal of a separate quarterly progress report. Once the Master Planning Phase is completed, CONTRACTOR shall submit a separate quarterly progress report as outlined in this section. SCAQMD may request additional information during the Master Planning Phase. CONTRACTOR shall submit each progress report to SCAQMD's Contracts Administrator-Technology Advancement. **Invoices will not be paid if reporting is not up to date.** Each progress report shall include, but not be limited to, the following:
 - a. Reference to SCAQMD contract number and title of project.
 - b. Reporting time period (months, year).
 - c. Description of work completed during the reporting period, including:
 - A discussion of problems encountered and how those problems were resolved;
 - Task / Milestone completion or percentage thereof;
 - Jobs created as a result of the project including:
 - Short term (i.e. construction)
 - Length of employment; and
 - Other relevant activities.
 - d. Summary of relevant data and results for each task.
 - e. Discussion of work planned for the next reporting period.
 - f. Discussion of project status with respect to time schedule and steps being taken to resolve any delays.
 - g. Discussion of cost status with respect to budget status and work completed to date, costs to date, explanation of any overruns, and steps being taken to bring costs back into line.
 - h. Color photographs in a digital format, such as .ppt, .tif, or .jpg on a CD or sent electronically of all work invoiced and any equipment funded by the AB1318 Program if equipment is modified from the original.
2. CONTRACTOR shall submit annual reports due by the 10th day of the month following the reporting period, to begin one year after the completion of Phase B: Early Action Section. CONTRACTOR shall submit each annual report to SCAQMD's Contracts Administrator-Technology Advancement. Each annual report shall include, but not be limited to, the following:
 - a. Reference to SCAQMD contract number and title of project.
 - b. Reporting time period (year).
 - c. Summary of work completed during the reporting period, including:
 - A discussion of problems encountered and how those problems were resolved;
 - Task / Milestone completion or percentage thereof;
 - Jobs created as a result of the project including:
 - Short term (i.e. construction)

- Long term (sustainable jobs associated with completed contract)
 - Length of employment;
 - Estimated emission reductions as a result of the phases completed; and
 - Other relevant activities.
3. CONTRACTOR shall submit two copies of the draft final report regarding completion of the emission reduction project for review, comment, and approval, not later than two months after the completion of Phase 2: Planning and Construction. CONTRACTOR shall submit one copy of the draft final report to SCAQMD's Project Officer and one copy to SCAQMD's Contracts Administrator-Technology Advancement. This document shall be considered in the public domain, in conformance with the California Public Records Act (Government Code Section 6250 et seq.). SCAQMD shall complete their review of the draft final report within four weeks of its receipt from proponent. The draft final report shall include, but not be limited to, the following:
- a. Reference to SCAQMD contract number and title of project.
 - b. Project background and objectives.
 - c. An executive summary up to three pages in length, including a short, definitive statement of the project; objective of the project, description of work performed, resulting emission/exposure reduction, and reference to SCAQMD Rules if applicable.
 - d. A detailed description of the statement of work.
 - e. Summary of all work completed.
 - f. Jobs created as a result of the project including:
 - Short term (i.e. construction)
 - Long term (sustainable jobs associated with completed contract)
 - Length of employment;
 - g. Emission reductions as a result of the project;
 - h. Results - a discussion of the expected project results versus what was actually achieved.
 - i. Problems - a discussion of any significant problems encountered during the contract and how they were resolved.
 - j. Remaining issues - a discussion of any project components that may require follow-up beyond the project period.
 - k. Color photographs in a digital format, such as .ppt, .tif, or .jpg on a CD or sent electronically, of all work invoiced and any equipment funded by the AB1318 Program if equipment is modified from the original.
4. CONTRACTOR shall submit three stapled originals of the final report to SCAQMD's Contracts Administrator-Technology Advancement, incorporating the SCAQMD's comments, no later than three 3 months after the draft final report. The final report shall also include acknowledgement of all sponsors and participants in the project. This document shall be considered in the public domain, in conformance with the California Public Records Act (Government Code Section 6250 et seq.).
5. CONTRACTOR shall submit a 2-page project synopsis, along with the final report. In addition to a hard copy of this synopsis, CONTRACTOR shall provide the synopsis in an electronic version, using Microsoft WORD 97 or compatible version.

**ATTACHMENT 2
PAYMENT SCHEDULE FOR
COACHELLA VALLEY ASSOCIATION OF GOVERNMENTS**

PARKWAY 1e11 / CV LINK

The total cost of this project is approximately \$70 million. CONTRACTOR shall be reimbursed for the construction and operation of CV Link in an amount not to exceed \$17,400,000.

Funds will be reimbursed upon receipt of invoices from CONTRACTOR. Invoices shall be accompanied by: supporting documentation showing time and materials expended including invoices from CONTRACTOR's subcontractors; proof of payment by CONTRACTOR; a corresponding report documenting completion of each Task / Milestone or percentage thereof; and color photographs in a digital format, such as .ppt, .tif, or .jpg on a CD or sent electronically which documents all work, or percentage thereof, completed under the invoice period. In addition, copies of all signed-off permits, and documentation of operation shall be required prior to final payment.

Milestone	Funding Not to Exceed*
Phase A: Master Planning	\$0
Phase B: Early Action Section	\$2,495,000
Phase 1: Planning & Construction	\$11,638,000
Phase 2: Planning & Construction	\$3,267,000
Phase 3: Planning & Construction	\$0
TOTAL NOT-TO-EXCEED AMOUNT	\$17,400,000

*Funds not expended in a specific phase may be moved to another phase with SCAQMD prior approval.

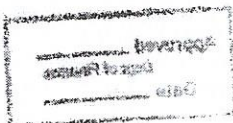


Exhibit “N”



CERTIFICATION

STATE OF CALIFORNIA)
COUNTY OF RIVERSIDE) ss.
CITY OF DESERT HOT SPRINGS)

I, JERRYL SORIANO, City Clerk of the City of Desert Hot Springs, California, do hereby certify and attest the following to be a true and correct copy of the original "Staff Report regarding South Coast Air Quality Management District (SCAQMD) Grant Contract Modification (PM-10 Dust Mitigation Projects) for Re-Allocation of Funds Back to SCAQMD," dated December 6, 2016, on file in the Office of the City Clerk.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the City of Desert Hot Springs, this 2nd day of October, 2017.


Jerryl Soriano, CMC
City Clerk



REPORT TO THE CITY COUNCIL AND SUCCESSOR AGENCY



DATE: December 6, 2016

TITLE: South Coast Air Quality Management District (SCAQMD) Grant Contract Modification (PM-10 Dust Mitigation Projects) for Re-allocation of Funds Back to SCAQMD

Prepared by: Linda Kelly, Finance Manager

Reviewed by: Daniel Porras, P.E., Public Works Manager

RECOMMENDATION

Authorize the City Manager to execute the modification to the South Coast Air Quality District Grant Number 134483 reducing the scope of the Contract by deleting Project 2 (Vacant Land Stabilization Program) totaling \$1,478,957.00.

BACKGROUND

In June 2011, the SCAQMD Governing Board ("The Board") approved the establishment of the AB 1318 Mitigation Fees Fund. The special revenue fund was to be used to finance emission reduction projects, pursuant to the requirements of AB 1318 (V.M. Perez), which was codified into law in Health and Safety Code (H&SC 40440.14). The mitigation fees are for the transfer of emission offsets from SCAQMD's internal offset accounts to CPV Sentinel, LLC, for the construction and operation of the CPV Sentinel Energy Project power plant located in Desert Hot Springs. The Sum of 53 million, all of which is from the CPV Sentinel, LLC, was placed in the AB 1318 Mitigation Fees Fund to be used to fund emission mitigation projects. Specifically, the Board directed that all funds be used for emission reductions projects in the Coachella Valley, the location of the CPV Sentinel Plant.

On February 3, 2012, the Board approved the release of RFP #P2012-17 to announce the availability of funds and solicit proposals for emission reduction projects in the Coachella Valley in order to meet the funding requirements of AB 1318.

The RFP was formally released on February 9, 2012. Given the scope of the RFP and wide range of potential project proponents, the Board approved an extended submittal period of 120 days, which closed on June 8, 2012. The RFP was opened to any project in the Coachella Valley that could demonstrate emission reductions.

DISCUSSION

The City submitted a total of four separate RFP's for projects that would reduce emissions in the City of Desert Hot Springs, along with one submission under the City's name which was completed by Clean Energy for a grand total of five RFP grant submissions.

On January 12, 2013 the City received notification from SCAQMD that the City was to receive grant approval and funding for three of those five submissions consisting of Building Solar Project, CNG Fueling Station, and the PM-10 Dust Mitigation grant for two separate projects – Cabot's Museum Paving and Vacant Land Stabilization.

The CNG Fueling Station/CNG vehicle(s) project and the Cabot's Museum Paving project have been completed and the grant funding has been exhausted. The City is in the process of installation of the building solar project and anticipates that project will be completed within the next (90) days.

City Staff and SCAQMD have been working together for the last three years to modify the original PM-10 Dust Mitigation Vacant Land Project as approved by the grantor (which was completed by prior management and staff). The original project scope or work had a defined area within the City for qualifying projects, the total funding available was a 50% match paid for by SCAQMD up to \$20,000/lot, to be reimbursed after project completion. After only a limited number of applications were received, SCAQMD agreed to expand the defined area to include the entire City Limits, increase the match to 100% for Chemical Stabilizing Projects, remove the maximum of \$20,000/lot to unlimited, and include City and Successor Agency owned properties/projects, as long as the total amount of acreage for mitigation was 60 acres or more.

The City made every effort to find viable projects to meet the (60) acre requirement with the following outreach:

- City sent out two separate mailers to all property owners in English and Spanish
- City posted the information and the PM-10 application on the City's Website
- Staff provided updated PM-10 grant information at several City Council meetings
- Staff provided the PM-10 grant information on the City's cable television channel
- PM-10 grant information was on the public table at the City Council Meetings
- Staff responded to (7) applicants that were interested in the grant
- Staff met and reviewed with the City Council all of the proposed City/SA projects

Unfortunately even with all of the City's outreach, Staff was only able to come up with projects that would meet approximately 20 acres, which is 40 acres short of the minimal requirements as approved in the grant modification. There was only a total of (7) private property owners that applied and completed the preliminary paperwork and pre-application.

After much deliberation on their part with SCAQMD Management Staff, the SCAQMD Board Members, and discussions with Supervisor John Benoit, SCAQMD contacted the City and advised that given all of the issues with the original approved scope of work, the time elapse of four years, and the minimal total acreage and end effect of the PM10 Dust Mitigation Measures, SCAQMD needed to re-allocate the \$1.4 million in funding to another qualified applicant, to meet their ultimate PM10 Dust Mitigation goals and needs. SCAQMD did state that they would keep the funding in the same area so that there would be a direct benefit to the City of Desert Hot Springs. SCAQMD also iterated that the City of Desert Hot Springs was not the only City that had to have their funding re-allocated. The City of Coachella also had funding re-allocated as they could not get their approved project off the ground.

In early November the City received the contract amendment from South Coast Air Quality Management District which deleted the PM-10 Mitigation Vacant Land Stabilization Project areas in its entirety and re-allocated a total of 1.4 million dollars back to the grantor for future funding for another project.

FISCAL IMPACT

The City will not receive the PM-10 Mitigation Vacant Land Stabilization Project funding and the funding will be re-allocated to another project which will benefit the City of Desert Hot Springs.

EXHIBIT(S)

- 1) SCAQMD Modification of Contract 134483.



South Coast Air Quality Management District

21865 Copley Drive, Diamond Bar, CA 91765-4178
(909) 396-2000 • www.aqmd.gov

November 1, 2016

Ms. Linda Kelly
Program & Financial Analyst
City of Desert Hot Springs
65-950 Pierson Blvd.
Desert Hot Springs, CA 92240

RE: SCAQMD AB1318 Contract 13448 Amendment

Dear Ms. Kelly:

As discussed, enclosed please find two originals of the above-mentioned Contract amendment.

After receiving the appropriate approvals, please return both originals to me for final execution.

If you have any questions, please do not hesitate to contact me at (909) 396-3066.

Sincerely,

/s/

Michael Laybourn
Air Quality Specialist

Enclosures



South Coast Air Quality Management District

Contract No. **134483**
Modification

MODIFICATION TO CONTRACT

This modification consists of 14 pages.

1. RECITALS

- A. South Coast Air Quality Management District (hereinafter "SCAQMD") and the City of Desert Hot Springs (hereinafter "CONTRACTOR") have previously executed a Contract No. 13448 for dust mitigation projects; and modified by Contract No. 134481 and Contract No. 134482 to modify the Statement of Work and Payment Schedule.
- B. CONTRACTOR has informed the SCAQMD that no landowners have chosen to participate in Project 2 (Vacant Land Stabilization Program). CONTRACTOR and SCAQMD have discussed the situation, and have agreed to reduce the scope of the Contract by deleting Project 2 (Vacant Land Stabilization Program). Therefore, a modification to this Contract is necessary to reduce the total amount payable and modify the work.

2. MODIFICATION - The parties therefore agree to modify the existing Contract, as follows:

- A. The amount payable for performance under this modification is decreased by One Million Four Hundred Seventy Eight Thousand Nine Hundred Fifty Seven Dollars (\$1,478,957). The total amount payable by SCAQMD shall not exceed Five Hundred Twenty One Thousand Forty Three Dollars (\$521,043), inclusive of the original award as shown in the table below:

Contract No.	Term	Amount	Cumulative Amount
13448	6/28/13 – 12/27/17	\$2,000,000	\$2,000,000
134481	-	-	\$2,000,000
134482	-	-	\$2,000,000
134483	-	-\$1,478,957	\$521,043

- B. Attachment 1C - Statement of Work, attached hereto and included herein by this reference, supersedes the original Statement of Work and any modifications thereof.
- C. Appendix B – Vacant Land Stabilization Project Areas, is hereby deleted in its entirety.
- D. Attachment 2C – Payment Schedule, attached hereto and included herein by this reference, supersedes the original Payment Schedule and any modifications thereof.
- E. All other provisions of the above-referenced Contract shall remain in full force and effect.

SOUTH COAST AIR QUALITY MANAGEMENT DISTRICT

CITY OF DESERT HOT SPRINGS


By: _____
Wayne Nastri, Acting Executive Officer

By: _____
Name: _____
Title: _____

Date: _____

Date: _____

APPROVED AS TO FORM:
Kurt R. Wiese, General Counsel

By:  _____

//Modification
Revised May 21, 2015

ATTACHMENT 1C
STATEMENT OF WORK FOR
CITY OF DESERT HOT SPRINGS

DUST MITIGATION PROJECTS

In June 2011, the Governing Board approved the establishment of the AB 1318 Mitigation Fees Fund. This special revenue fund is to be used to finance emission reduction projects, pursuant to the requirements of AB1318 (V.M. Perez), which was codified into law in Health and Safety Code (H&SC 40440.14). The mitigation fees are for the transfer of emission offsets from SCAQMD's internal offset accounts to CPV Sentinel, LLC, for the construction and operation of the CPV Sentinel Energy Project power plant located in Desert Hot Springs. The sum of \$53,318,358.30, all of which is from CPV Sentinel, LLC, was placed in the AB 1318 Mitigation Fees Fund to be used to fund emissions mitigation projects. Specifically, the Board directed that all funds be used for emissions reductions projects in the Coachella Valley, the location of the CPV Sentinel Plant.

On February 3, 2012, the Board approved the release of RFP #P2012-17 to announce the availability of funds and solicit proposals for emission reduction projects in the Coachella Valley in order to meet the funding requirements of AB 1318. In development of the RFP, prior to the February Board meeting, SCAQMD staff held two public consultation meeting in the Coachella Valley to solicit input on the development of the RFP. Both meetings were held on January 5th at the Desert Hot Springs City Council Chambers and at the College of the Desert satellite campus in Mecca.

The RFP was formally released on February 9th and, given the scope of the RFP and wide range of potential project proponents, the Board approved an extended submittal period of 120 days, which closed on June 8, 2012. The RFP was opened to any project in the Coachella Valley that could demonstrate emission reductions.

At the January 12, 2013, SCAQMD Board Meeting staff recommended the approval of specific projects including this PM10 dust mitigation project for the City of Desert Hot Springs.

The goal of this project is to reduce exposure to harmful PM10 emissions through the two following PM10 reduction projects:

- Project 1 – Cabot Museum Parking Lot involves the paving of an existing unpaved parking lot located at 67-616 Desert View Drive, Desert Hot Springs, CA.
- ~~Project 2 – Vacant Land Stabilization represents a program that would provide private property owners up to \$20,000 or 50% of approved expenses, whichever is less, to co-fund stabilization projects within a specified project area.~~

CONTRACTOR shall perform the following tasks:

Project 1 – Cabot Museum Parking Lot

Task 1 Request for Quotes (RFQ)/Contractor Selection/Contract Development

Task 1.1 – Request for Quotes

Release a request for quotes (RFQ) for design/engineering/construction of a three tier parking lot located at Cabot's Museum in Desert Hot Springs (see Appendix A). The project shall consist of clearing, grubbing, grading and leveling, drainage, and the installation of six inches of Class II aggregate base and three inches of asphalt pavement. Pavement alternatives such as, but not limited to, interlocking pavers and finish can be used as a final site treatment provided that a demonstration is made that such alternative would have an equivalent useful life and can be constructed within the costs specified in Attachment 2, Payment Schedule. Prior written SCAQMD approval is needed for use of pavement alternatives. The parking lot will be striped or otherwise delineated to accommodate approximately 90 parking places.

Task 1.2 – Contractor Selection

Review the bids received in response to the RFQ and select the lowest bid that is determined by CONTRACTOR to have adequately met the RFQ specifications. Once a paving subcontractor (PSc) is selected, CONTRACTOR shall notify SCAQMD in writing of the subcontractor chosen and upon receipt of SCAQMD's written acknowledgment, CONTRACTOR shall prepare a staff report to the City of Desert Hot Springs City Council for approval of award to the PSc.

Task 1.3 – Contract Execution

Execute a contract with the PSc. CONTRACTOR shall ensure that project is built in accordance with all applicable federal, State and local laws (including County of Riverside construction standards) and that the construction activities incorporate Best Available Control Measures for all fugitive dust sources as identified in the most recently approved Coachella Valley Dust Control Handbook.

Task 2 Preconstruction Planning

Task 2.1 – Project Plans

Meet with the PSc to determine the best course of action for executing the paving project. Project plans will be produced resulting from meetings between the CONTRACTOR and the PSc as to recommendations and methods of operation and these plans shall be made available to SCAQMD upon request. The project shall be designed and implemented to provide a service life of 20 years or more under normal use.

Task 2.2 – Permitting

Obtain the necessary permits and complete the required CEQA documents.

Task 3 Construction Work

Subsequent to contract execution with the PSc, CONTRACTOR shall ensure compliance with the following tasks:

Task 3.1 – Project Clearing

Removal of all unusable rock, vegetation and debris from the project area. Existing asphalt and sand and gravel materials on the parking area shall then be excavated

and stockpiled for use in subsequent project activities, as feasible. CONTRACTOR shall ensure that sufficient watering is employed during clearing, grubbing, and grading activities to ensure the prevention of visible emissions.

Task 3.2 – Project Grading and Drainage

The site shall be rough graded and fine graded in accordance with project plans. Drainage shall be installed as specified in the approved building plans.

Task 3.3 – Surface Improvement

Six inch Class II aggregate base shall be applied to the fine graded site and then covered with three inches of asphalt pavement in accordance with all applicable County of Riverside construction standards. The parking and travel areas shall be paved as listed in the project specifications listed in Task 1 above, accommodating approximately 90 parking spaces. Pavement alternatives can be used as a substitute for the asphalt pavement with prior SCAQMD written approval as specified in Task 1 above.

Task 3.4 – Vehicle Area Striping

After paving is completed parking stalls shall be painted on the pavement or delineated by other means by the PSc to facilitate traffic flow and direct parking.

Project 2—Vacant Land Stabilization Program

Task 1—Establish Project Area/List of Acceptable Mitigation Projects

Task 1.1—Project Limits

~~Establish eligible project area defined as Cholla Drive to Verbena Drive from east to west, and Two Bunch Palms Trail to Mission Lakes Boulevard from south to north. A map showing the program area is included as Appendix B.~~

Task 1.2—Mitigation Strategies

~~Develop a list of acceptable mitigation projects including, but not limited to, trees, drought resistant plants, irrigation, dust suppressant (glue), pavers, permeable concrete etc. CONTRACTOR shall provide the list to SCAQMD for written approval and must obtain such approval before proceeding with project implementation. Mitigation effort requirements shall include compliance with all local and regional environmentally sensitive best practices for particle mitigation. For example, land owners shall be required to use drought resistant and low water plants, concrete that is permeable to minimize runoff, etc. All projects shall comply with Mission Springs Water District (MSWD) Landscape Documentation Package MSED Code 0.00.030 Section A, and refer to the specific portions of the MSWD Landscape Documentation Package to demonstrate compliance.~~

Task 2—Project Forms

Task 2.1—Development of Project Forms

~~Creation of application forms for vacant land owner participation in the program. Such forms must include a disclaimer that applicants are advised to consult a tax attorney regarding potential tax implications from receipt of AB 1318 funds. Applicants shall be required to submit proof of ownership.~~

~~Task 2.2—Approval of Forms~~

~~The application forms shall be submitted to SCAQMD for review and written approval prior to public distribution.~~

~~Task 3—Project Implementation~~

~~Task 3.1—Outreach~~

~~Local media, the City Council and the CONTRACTOR'S web page shall be used to publicize the program. All media related outreach related materials shall be subject to prior written approval by SCAQMD. The program will be available until funds are exhausted. Application forms shall be made available at CONTRACTOR'S City Hall and on the CONTRACTOR'S web site.~~

~~Task 3.2—Project Evaluations~~

~~Applicants shall be required to provide a brief scope of work that describes what approved mitigation procedures will be used. Project applications, including the scope of work, shall be evaluated for legitimacy based on Task 1.2 parameters and inspected by CONTRACTOR to verify the application material. Applicants accepted into the program shall be notified in writing. Such notification must include a statement that applicants will be required to complete and submit W9 tax forms in order to receive payment. CONTRACTOR shall enter into a legally binding agreement with the applicant to perform the work, obtain the necessary permits, agree to inspections and record audits, and perform maintenance (as specified in Task 3.4). Once the agreement is fully executed and all necessary permits have been obtained, work may commence.~~

~~Task 3.3—Project Inspection~~

~~Upon project completion, CONTRACTOR shall send an inspector to the site to inspect and determine if the project is in fact complete in accordance with the approved scope of work. A report shall be prepared by the CONTRACTOR that must include before and after photographs documenting the project inspection for completeness as compared to the scope of work. The project completion report, along with applicant's CONTRACTOR approved invoice and applicable W9 tax forms, shall be submitted by CONTRACTOR to SCAQMD prior to SCAQMD direct payment to applicant.~~

~~Task 3.4—Maintenance~~

~~CONTRACTOR shall require applicants to perform maintenance on the project site to ensure that it remains stabilized pursuant to the approved mitigation procedures until the land is sold or developed. CONTRACTOR shall also require applicants to ensure the applicant's maintenance responsibilities are assigned by any and all subsequent owners of the undeveloped land. CONTRACTOR shall include these requirements in the agreement described in Task 3.2.~~

Task 3.5 — Payment

~~CONTRACTOR shall forward to SCAQMD the items listed in Task 3.3 (Project Inspection) so that SCAQMD can directly reimburse applicants 50% of approved eligible project mitigation expenses, up to \$20,000 per assessor parcel number. As part of the reimbursement process, the CONTRACTOR shall ensure that the applicant has: 1) signed the agreement described in Task 3.2, 2) presented a paid itemized invoice for the completed project, and 3) passed the post-construction inspection under Task 3.3.~~

Task 3.6 — Project Monitoring

~~CONTRACTOR shall annually inspect each project that receives program funding for the term of the agreement described under Task 3.2. Such term shall encompass at least three years of monitoring after completion of each project.~~

TIME SCHEDULE

CONTRACTOR shall adhere to the master schedule included below.

Task	Task Name	Schedule (after contract execution)
Project 1 – Cabot Museum Parking Lot		
1	Request for Quotes/Contractor Selection	1-2 months
2	Preconstruction Planning/Engineering	2-3 months
3	Construction Work	3-6 months
Project 2 – Vacant Land Stabilization Program		
4	Establishment of Project Area/List of Acceptable Mitigation Projects	1-month
2	Project Forms	1-3 months
3	Project Implementation	6-18 months
	Monthly Status Reports	Ongoing
	Quarterly Status Reports	Ongoing
	Final Report & 2-Page Project Synopsis	Six months after project completion
	Annual Performance Monitoring	Ongoing for three years after each stabilization project's completion

DELIVERABLES

In addition to any deliverables set forth in the above referenced Tasks, CONTRACTOR shall supply the following reports to the SCAQMD under this contract. Each submitted report shall be stapled, not bound, except where indicated, double-sided, on 8-1/2 by 11 inch pages, and shall include camera-ready originals.

1. CONTRACTOR will prepare monthly e-mail status reports with photographs of the paving project attached to be delivered by the 10th day of each month to Michael Laybourn at SCAQMD starting on the second month after the contract with SCAQMD is executed. Conference calls will be initiated within one week after delivery of the monthly status report to review the monthly report and to discuss planned activities.
2. CONTRACTOR will prepare two stapled copies of each quarterly progress report, with photographs of the project, to be submitted to SCAQMD by the 10th of each month following the quarterly period. CONTRACTOR will submit one copy of each progress report to SCAQMD along with necessary invoices for the same quarter. Each progress report shall include, but not be limited to, the following:
 - a. Reference to SCAQMD contract number and title of project;
 - b. Reporting time period (months, year);
 - c. Description of work completed during the reporting period, including a discussion of problems encountered and how those problems were resolved, summarize and analyze project results, achievement of milestones, preliminary findings, and recommendations for completion of the project and other relevant activities;
 - d. Discussion of work planned for the next reporting period;
 - e. Discussion of project status with respect to time schedule and steps being taken to resolve any delays;
 - f. Discussion of cost status with respect to budget status and work completed to date, cost to date, explanation of any overruns, and steps being taken to bring costs back into line; and
 - g. All reports shall include photographs showing progress of the paving and other projects.
3. CONTRACTOR will prepare and submit to Mike Laybourn at SCAQMD a draft outline for the final project report, and upon SCAQMD's approval, CONTRACTOR will prepare a draft final report. Four stapled copies of the draft shall be submitted to SCAQMD's Project Manager. CONTRACTOR understands this document to be considered in the public domain in accordance with the California Public Records Act, Government Code Section 6250. The draft final report shall include:
 - a. Contract number and project title.
 - b. Project background and objectives.
 - c. An executive summary including a brief statement of the project objectives, emission reductions achieved conclusions and recommendations.
 - d. Results of each task.
 - e. Project results, including photographs of completed paving project and all vacant land stabilization projects.

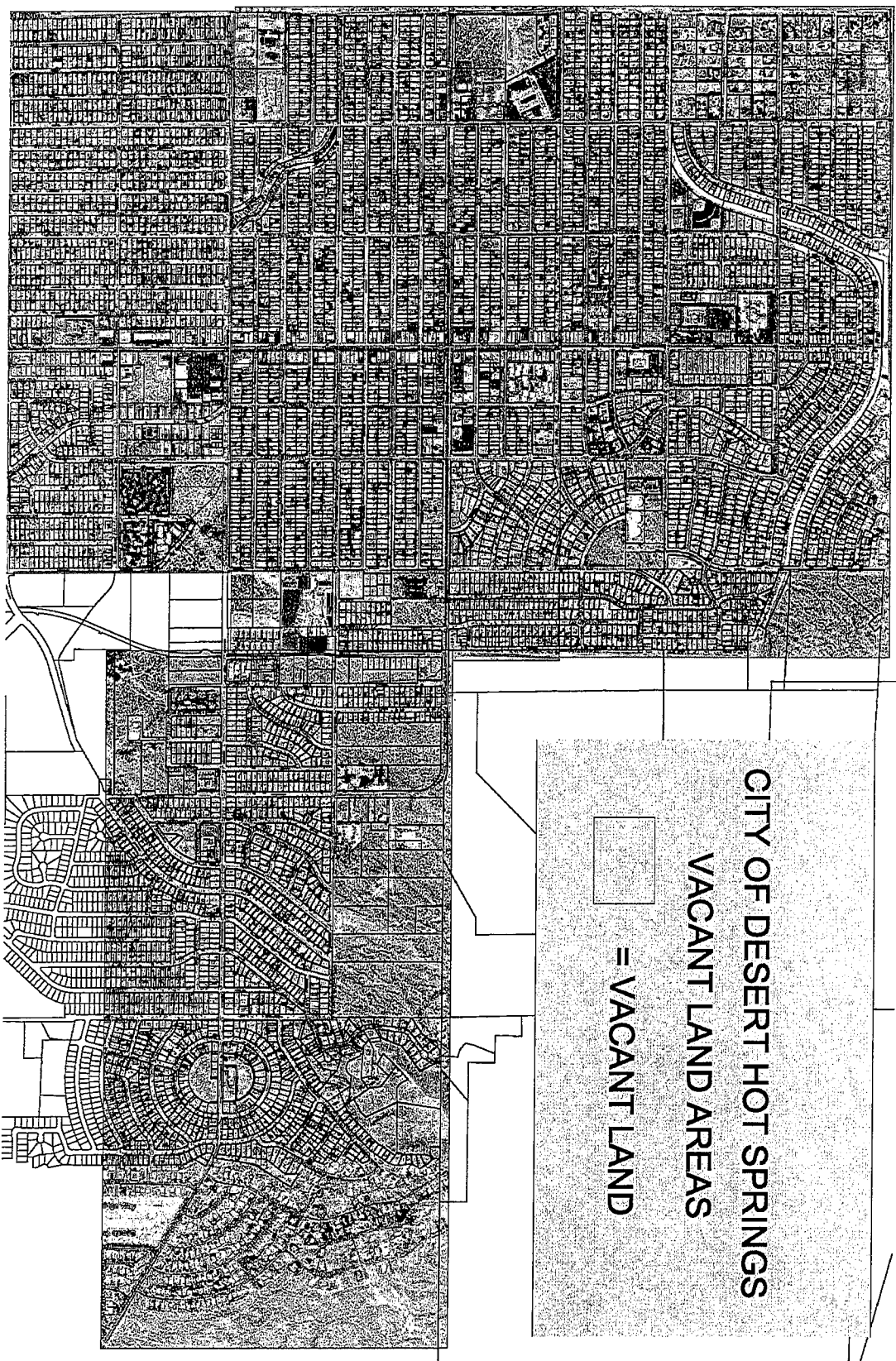
- f. Discussion of any significant problems and how they were resolved.
 - g. Description of the measurement methods used, frequency and duration.
5. CONTRACTOR shall submit one stapled and four bound originals, one electronic version of the final report, with SCAQMD's comments from the draft version, no later than six months after project completion including acknowledgements of all participants in the project. This document shall be considered in the public domain in accordance with the California Public Records Act (Government Code section 6250).
 6. In addition, CONTRACTOR shall submit a 2 page project synopsis along with the final report in hard copy and electronic pdf format.
 7. CONTRACTOR shall monitor, evaluate and record the following system performance on a yearly basis for a period of at least three years: Visual inspection of museum parking area and each stabilization project identifying project conditions. CONTRACTOR shall provide an annual report to SCAQMD documenting the findings.

APPENDIX A
Cabot's Museum Parking Lot Site Plan



APPENDIX B

Vacant Land Stabilization Project Areas



**ATTACHMENT 2C
PAYMENT SCHEDULE FOR
CITY OF DESERT HOT SPRINGS**

DUST MITIGATION PROJECTS

SCAQMD shall pay under this Contract an amount not-to-exceed \$2,000,000 521,043.

The following payment schedule is provided pursuant to Paragraph 12, "Payment."

Project 1 – Cabot's Museum Parking Lot

Deposit Payment:

If the paving subcontractor requires a deposit prior to initiating work, CONTRACTOR may submit an invoice from the subcontractor specifying the deposit amount and the anticipated work to be done with the deposit. The deposit request shall not exceed 10% of the total amount of the paving contract with the CONTRACTOR. The invoice shall be on the subcontractor's company letterhead and shall include its Employer Identification Number or Social Security Number or a completed W9 tax form shall be attached. Upon receipt and approval of a complete invoice SCAQMD shall pay the deposit invoice to the paving subcontractor.

CONTRACTOR shall ensure that paving subcontractor maintains an itemized accounting of the use of the deposited amount under item 1 above and such information shall be made available to the SCAQMD upon request.

Project 1 – Cabot's Museum Parking Lot and ~~Project 2 – Vacant Land Stabilization Program~~

1) Invoice Submission:

Subcontractors for Cabot's Museum Parking Lot Paving and ~~Vacant Land Stabilization Projects~~ shall submit invoices and supporting information for work (including before and after photographs of each project) to CONTRACTOR for review and approval. CONTRACTOR shall then forward approved subcontractor invoices to SCAQMD with the request for the SCAQMD to reimburse the subcontractor the invoiced amount.

Invoices shall include all receipts, itemized labor, and other documentation required to be submitted by CONTRACTOR in accordance with the provisions of Paragraph 12, "Payment".

2) Final Payment:

The final invoice payment will be paid upon receipt of invoice from CONTRACTOR indicated as "Final Invoice," AND after acceptance by SCAQMD of the final project report.

3) Limit of Project Costs:

Total amount to be paid under this contract shall not exceed ~~\$2,000,000~~ 521,043.

However, if the total actual costs are less than this amount, SCAQMD's total commitment will be limited to that of the actual documented costs of the project.

The cost breakdown for this project is specified below.

Tasks	Payment
Project 1 – Cabot Museum Parking Lot Paving	
Total Project 1	\$462,400 <u>486,146¹</u>
Project 2 Vacant Land/Stabilization – 50% of approved expenses per property or \$20,000, whichever is less.	
Total Project 2	\$1,429,972¹
Program/Grant Administration	
Total Administration Cost	\$107,628 <u>34,897</u>
Total Contract Not-to-Exceed Amount	\$2,000,000 <u>521,043</u>

¹ Payment of funds between these categories can be shifted up to a maximum of 15% of category totals based on CONTRACTOR-demonstrated project needs and subject to SCAQMD approval. In no case shall total SCAQMD project costs exceed ~~\$2,000,000~~ 521,043.

Exhibit “O”

CV Link plan raises questions of fairness

Barrett Newkirk, The Desert SunPublished 7:03 p.m. PT Dec. 11, 2014 | Updated 3:50 p.m. PT Dec. 12, 2014

CV Link - future green pathway across the valley



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, Jay Calderon/The Desert Sun

When Coachella Valley leaders asked the state to chip in for the ambitious CV Link project, a significant part of the sales pitch was the promise that the 50-plus-mile recreational path would help the desert's poorest residents.

"In the Coachella Valley, we have many pockets of wealth, but we also have underserved communities of extreme poverty, some of the poorest communities in California," Palm Desert Councilwoman Jan Harnik told members of the California Transportation Commission as they met in a San Jose hotel to consider grant requests from around the state.

"CV Link takes down barriers," Harnik continued. "It creates access to entertainment, to recreation, to employment, to education and to exercise."

But months after the state of California promised to cover about 10 percent of the \$100 million price tag, concerns persist that the pathway won't reach into those low-income communities that stand to benefit the most from major investments in local infrastructure — particularly the city of Desert Hot Springs and communities in the eastern Coachella Valley.

"Right now, we don't have a safe bike path and not giving the youth of Desert Hot Springs the opportunity for it, it's just horrible," said 17-year-old Leon Garcia, a Desert Hot Springs resident who is part of a growing group voicing concerns to city officials and other valley leaders.



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(Photo: Jay Calderon/The Desert Sun)

CV Link — now three years in the making with no construction date announced — is a bold plan to create a paved pathway that winds from north Palm Springs to Coachella, largely along the Whitewater River wash.

The pathway is billed as a future amenity for tourists and locals, who can use it for walking, biking, running and traveling on low-speed electric vehicles.

But when the estimated decade-long construction is done, it would connect only eight of nine valley cities, failing to reach Desert Hot Springs because it does not lie along the wash.

Leaders in both Desert Hot Springs and Coachella have long questioned whether the pathway plan was the best use of money that the region received to offset air pollution from the west valley's Sentinel power plant.



(Photo: Courtesy of CVAG)

And in recent months, a growing number of community members have echoed those concerns, recently submitting hundreds of signatures to the Coachella Valley Association of Governments in hopes that valley leaders will reconsider the CV Link design.

"We feel they should start that trail with Desert Hot Springs considering where the funding came from," said Anayeli Zavala, a Bermuda Dunes resident who grew up in Desert Hot Springs.

Officials with the Coachella Valley Association of Governments, the agency spearheading CV Link, have responded to the community concerns by saying the plan does not rule out a north expansion to Desert Hot Springs or one east that could reach as far as the Salton Sea.

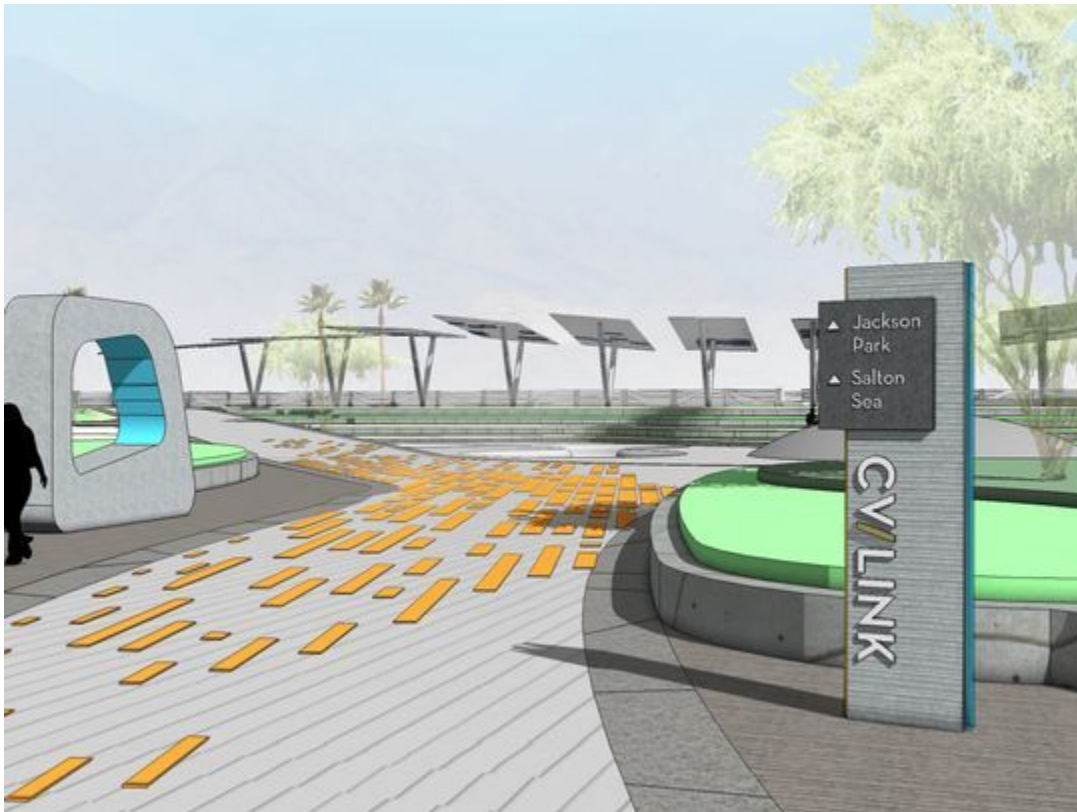
But there is no date for those extensions.

On a hunt for money

CV Link started as a brainchild of Riverside County Supervisor John Benoit and CVAG executive director Tom Kirk, who were looking for creative ways to secure some of the \$50-plus million in air pollution mitigation funds they knew was coming to the region.

The state legislation that helped fast-track the Sentinel project also forced the developer to set aside money to offset any environmental impacts from the project.

A regular walking or hiking trail likely wouldn't qualify for the funds. But one that allowed golf carts and neighborhood electric vehicles could.



(Photo: Courtesy of CVAG)

Kirk at the time described it as the new "spine to the valley" and touted it as a potential way to ease congestion along Highway 111.

Benoit promised it would be "something dramatic, something iconic" that generations would use.

"There's all kinds of potential," Benoit said when unveiling the project to The Desert Sun in December 2011.

The plan received \$17.4 million in Sentinel funding when the South Coast Air Quality Management District announced nearly \$51 million in grants in January 2013.

When added to the other funding sources that have been secured — including the \$10.9 million state grant and a \$10 million promise from the Desert Healthcare District — officials have \$76 million of the roughly \$100 million they need to make CV Link a reality.

Critics have raised few complaints about the financial resources — except for the use of mitigation funding.

Assembly Bill 1318, the same state legislation that established the Sentinel mitigation program, also required that at least 30 percent go to projects within six miles of the power plant that would help curb air pollution.



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(Photo: Jay Calderon/The Desert Sun)

Another 30 percent was required to go to disadvantaged areas.

Of that \$51 million pool, AQMD awarded \$15.3 million — or 30.2 percent — to projects considered within a six-mile radius of Sentinel. Not one of them was CV Link. Those grants included funding for solar panels on school and government buildings, and dust-control efforts and alternative-fuel vehicles for the city of Desert Hot Springs.

Benoit — an AQMD board member who co-authored AB 1318 when he was a state senator — said early discussions about CV Link envisioned Desert Hot Springs as the starting point.

But because of objections from some city officials, Desert Hot Springs chose to seek Sentinel money for other projects.

"CV Link was not funded out of the money for that area," Benoit said of Desert Hot Springs.

He noted that the Sentinel plant is south of Desert Hot Springs, and that while not all projects within six miles of the plant are in the city, the city did receive funding for some of its own projects.

Growing battle

Survey data show Desert Hot Springs lags behind much of the valley in terms of health and economic vitality.

One-third of all adults in the city are obese, compared to about one-fifth of adults across the entire Coachella Valley, according to 2013 surveys by the Health Assessment Resource Center, or HARC.

And the city's average household annual income of \$42,939 is the lowest of the nine cities, according to U.S. Census estimates.

Desert Hot Springs Mayor Adam Sanchez was one of three council members — joining Mayor Pro Tem Russell Betts and Councilwoman Jan Pye — who voted in February 2012 to withhold the city's support for a request for state money to study the possibility of creating the path.

Sanchez and Betts said at the time they wanted the project to undergo more public scrutiny.

"It just seems to me that CVAG is really focused on the middle cities, whether it's Rancho Mirage, Indian Wells and Palm Desert," Sanchez said recently. "But Desert Hot Springs needs to be in at the beginning, as does Coachella."

In recent weeks, Sanchez has pushed for CVAG to revisit the trail's path.

Kirk said recently he spent "countless hours" in Desert Hot Springs trying to work out a plan that included the city. But Kirk insists that pushback from Desert Hot Springs leaders is what led to the project to move forward without a connection to that city.

"Certainly from CVAG staff's standpoint, we wanted to connect every city in the Coachella Valley," he said.

One concern raised in 2012 was that Desert Hot Springs would compete with CVAG for Sentinel money designated to be spent within six miles of the power plant.

Betts appeared to hold nothing back when discussing his concerns about CV Link in an email sent to a Desert Hot Springs resident in 2012.

"Without commenting on the value of the parkway through the rest of the Coachella Valley, for the part that is proposed for Desert Hot Springs, the best words to describe it are unworkable boondoggle," Betts said in the email, which Kirk shared with The Desert Sun.

"No thinking person after seeing those details can come to a reasonable conclusion that the parkway as proposed in Desert Hot Springs is a wise or proper use of the mitigation funds or funds from any other source," Betts went on to say in the email. "We have far greater needs, can accomplish the same for less and for those portions that would connect us to the rest of the valley cities, it is simply not a workable plan."

In a recent phone interview, Betts said he was questioning funding priorities and not trying to fully dismiss the project.



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(Photo: Jay Calderon/The Desert Sun)

He stressed that Desert Hot Springs council members supported the plan at the time, even sending a letter to Kirk saying the city "wants to be included with the rest of the Coachella Valley cities."

"If the question is 'does Desert Hot Springs want to be left out of a major project involving the rest of the valley?' The answer is — and always has been — no," Betts said.

Desert Hot Springs submitted its own grant application to AQMD seeking \$2 million in Sentinel mitigation money for a pedestrian and bicycle trail "connecting Cabot's Museum, three schools, multiple parks and the neighborhoods that they serve."

But Desert Hot Springs leaders did not get the money they wanted for the city-specific trail project.

The request included a letter from Kirk supporting the city's vision and saying the project was "consistent" with CVAG's project, then known as Parkway 1e11.

"Ultimately such a corridor (in Desert Hot Springs) could connect to the regional system," Kirk said.

Looking east

Residents in Desert Hot Springs are not the only ones who feel left out of a plan that's supposed to connect the desert.

Coachella Mayor Steve Hernandez, who was the only member of CVAG's executive committee to oppose CV Link when it was first proposed, has said "we're really only building a trail for one percent."

Christian Mendez, a 23-year-old social worker from Desert Shores, looks forward to someday cycling from Palm Springs to Coachella on the CV Link.

"The further you go down to the east end of the valley, there are less and less bike lanes designated," he said.

A recreational cyclist who wants to try competitions, Mendez said he understood that living in a smaller, far-out community means CV Link won't reach him, at least not at first.

He supports the path but would prefer it run through the central areas of Coachella and Indio, rather than next to Interstate 10 and the freeway's traffic and pollution.

"You're trying to promote health, but you're also exposing yourself to all the chemicals," he said. "But generally I think it's a great project."

Kirk told The Desert Sun that plans don't prohibit a future east valley project, but that it would be more recreational than economical.

"CV Link is currently the largest active transportation project in the nation. We have our hands full in building and designing and environmentally permitting a 50-mile long project. We can't do it all," Kirk said.

"Can we build and design another 30 miles? Yes, one day. ... The project's designed to address air-quality issues, health issues and promote recreation. It's most cost-effective to do those things where people will use it."



(Photo: Courtesy of CVAG)

Michele Hasson is a regional director with the Leadership Council for Justice and Accountability, which advocates for transportation spending in disadvantaged areas.

Hasson noted that the proposed route does a good job of reaching directly into low-income areas in other cities, particularly Palm Springs. But she raised concerns about how it helps similar populations in communities such as Indio and Coachella.

Her organization wants CVAG to adopt an agreement requiring that workers hired to maintain CV Link will come from low-income areas.

"That's how you ensure economic development, and there was nothing like that in their application," Hasson said of CVAG's request for a state grant.

She also fears that CV Link is forcing cities to build projects related to the pathway instead of putting the money into the neighborhoods that really need it most.

"When you're saying all roads lead to CV Link, what do you do to those communities that don't connect to CV Link?" Hasson said. "Do they not get roads?"

The city of Coachella recently won \$1.8 million from California's Active Transportation Program to improve streets that will feed into CV Link, particularly near schools.

Coachella City Manager David Garcia said CV Link has so far not changed the city's transportation planning.

While he thinks the path will be popular, especially for recreational users, he expressed doubts about it doing much to relieve traffic congestion around the city.

"I think there are people in Coachella who will use it. I also think there are a lot of people who will come through Coachella to use it," Garcia said.

Kirk said Coachella was under no obligation to seek funding to projects connected to CV Link, and he had faith that the city sought money for improvements that would bring the greatest benefit.

"Three years ago, we were hearing 'We don't want this project,'" Kirk said. "Now we're hearing 'We want this project to do more.' And that's a welcomed refrain."

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