

F. Amendment Six to AB 2766 Memorandum of Understanding (MOU) Between CVAG and Member Jurisdictions to Provide Sustainable Funding of the Regional PM10 Street Sweeping Program

Recommendation: To approve Amendment Six to AB 2766 Memorandum of Understanding (MOU) between the Coachella Valley Association of Governments (CVAG) and member jurisdictions to maintain contributions from the cities and the County at 75% to provide sustainable funding of the regional PM10 Street Sweeping Program through June 30, 2026; and authorize the City Manager to execute Amendment Six to the AB 2766 Memorandum of Understanding (MOU).

ITEM 7J

**Coachella Valley Association of Governments
Executive Committee
April 29, 2024**



STAFF REPORT

Subject: Amendment Six to AB 2766 Memorandum of Understanding

Contact: Gustavo Gomez, Transportation Management Analyst (ggomez@cvag.org)

Recommendation: Approve Amendment Six to the AB 2766 Memorandum of Understanding between CVAG and the member jurisdictions to maintain the contributions at 75% for the Regional PM 10 Street Sweeping Program, through June 30, 2026

Energy & Sustainability Committee: Concurred (Meeting of April 11)

Background: Since the early 1990s, CVAG and its member agencies have cooperated on the Regional PM 10 Street Sweeping Program. This program is the best available control measure to reduce PM 10 (particulate matter of less than 10 microns), which originates from dust-generated activities such as vehicle traffic and construction. PM 10 is a criteria air pollutant and poses a significant risk to public health if left unabated. As such, CVAG member agencies have participated in the AB 2766 Memorandum of Understanding (MOU), where they contribute 75% of their AB 2766 funds to CVAG for the program. This program is a key component of the Coachella Valley's State Implementation Plan to address high levels of PM 10, which places the Coachella Valley in non-attainment.

In June 2020, the CVAG Executive Committee approved Amendment Number 5 to the MOU for a term of four years. It is set to expire on June 30, 2024. Staff is now recommending Amendment 6 to the MOU, which retains the same contribution level but for a shorter, two-year term. This will allow CVAG staff time to assess the impact that the increasingly frequent and severe blowsand events have on regional roads.

Weather events like the Valentine's Day storm in February 2019 and Tropical Storm Hilary in August 2023 were unprecedented for the desert. Tropical Storm Hilary brought an excessive amount of mud and sediment runoff, which compounded by severe winds has resulted in a substantial increase in the volume of dirt needing to be swept. As these events become more frequent, CVAG staff recognizes the need to take a proactive approach to assess the situation and associated program costs more frequently than every four years. Based on the assessment and findings over the next two years, CVAG staff will provide a recommendation on the current 75% commitment or if adjustments are warranted.

CVAG staff recommends that Amendment Six to the MOU to maintain the 75% commitment of AB 2766 funds from CVAG member jurisdictions be continued for the next two fiscal years through June

30, 2026. With approval by the CVAG Executive Committee, Amendment Six will be circulated to all participating member agencies for approval by their respective governing bodies.

Fiscal Analysis: AB 2766 funds are allocated to CVAG's individual jurisdictions as a percentage of vehicle license plate renewals. Through the MOU, these funds are redirected to the Regional PM 10 Street Sweeping Program.

Currently CleanStreet is under contract to conduct the regional street sweeping program for CVAG. The program is a cost-effective approach to keeping all the major streets in the Coachella Valley clean due to economies of scale, which results in low per-mile cost. Additionally, the program has historically received support from the South Coast Air Quality Management District (SCAQMD). In January 2019 the SCAQMD awarded CVAG a grant in the amount of \$1,150,000 for five years of the street sweeping program. The grant is in year three with an allocation amount of \$220,000 per year. The program is also supported through funding from the Coachella Valley Air Quality Enhancement Program Fund (COLMAC), which allocates \$150,000 per year to the program. The COLMAC funding is approved by the County of Riverside Board of Supervisors and current funding from this source is approved from FY 20/21 through 24/25. CVAG staff will work with the County of Riverside to request an extension of this grant, to continue to support dust mitigation in the Coachella Valley.

The City of Palm Springs also holds an agreement with Caltrans for the sweeping of State Highway 111 within City limits. Since 2005 CVAG has facilitated the inclusion of State Highway 111 in the City Palm Springs into the Regional PM10 Street Sweeping Program and receives an estimated \$27,000.

Attachment:

1. Amendment Six to AB 2766 Memorandum of Understanding

**AMENDMENT SIX
TO
AB 2766 MEMORANDUM OF UNDERSTANDING (MOU)
BETWEEN
COACHELLA VALLEY ASSOCIATION OF GOVERNMENTS
AND
CVAG MEMBER JURISDICTIONS
JULY 1, 2024**

The AB 2766 Memorandum of Understanding (MOU) is made and entered into by and between the Coachella Valley Association of Governments (CVAG) and the CVAG member jurisdictions. The parties acknowledge that this Amendment shall be for the period starting July 1, 2024, and shall bind the parties hereunder for the entire term of the two-year amendment; through June 30, 2026.

The AB 2766 MOU is hereby amended through this Amendment Six as follows:

- 1) At their April 29, 2024, meeting, the Executive Committee approved to maintain CVAG's AB 2766 formula at **75%** to provide sustainable funding of the Regional PM 10 Street Sweeping Program and related activities starting July 1, 2024 through June 30, 2026;
- 2) All other terms and conditions shall remain the same.

COACHELLA VALLEY ASSOCIATION OF GOVERNMENTS

By: _____

Title: Scott Matas, CVAG Chair

Date: _____

CITY OF CATHEDRAL CITY

By: _____

Title: Charles P. McClendon, City Manager

Date: _____