

ITEM 7D

Coachella Valley Association of Governments Executive Committee December 2, 2019



Staff Report

Subject: Torres Martinez Band of Cahuilla Indians Request to Rejoin CVAG

Contact: Tom Kirk, Executive Committee (tkirk@cvaq.org)

Recommendation: Approve the addendum to the Third Amendment and Restatement of the CVAG Joint Powers Agreement, which establishes the Torres Martinez Desert Cahuilla Indians as formal members, and direct the Executive Director to distribute to member jurisdictions for approval.

Background: CVAG was formed in November 1973 with the approval of the first Joint Powers Agreement (JPA). In 1989 – after voters passed Measure A – CVAG amended and restated the JPA to specify its role as the regional transportation authority. In 1998, the JPA was amended again to include the City of Blythe as a member. CVAG’s members have since authorized separate JPA agreements for the Coachella Valley Conservation Commission and for Desert Community Energy.

In April 2018, the Executive Committee approved the Third Amendment to the Joint Powers Authority, which better reflected CVAG’s mission and organizational structure and included the Agua Caliente Band of Cahuilla Indians and the Cabazon Band of Mission Indians. The governments in the Coachella Valley have long benefited from a unique relationship with the local tribal nations, whose reservations span across several local cities.

Prior to becoming full members of the JPA, the Agua Caliente and Cabazon tribes joined CVAG through a Memorandum of Understanding (MOU) approved by the Executive Committee in October of 1998. The Torres Martinez Desert Cahuilla Indians Tribe’s joined CVAG in October 2000. After years of successful participation, the Torres Martinez Tribe underwent internal changes that caused their participation to wane. The Torres Martinez also went two years without paying dues. In February 23, 2009, the Executive Committee elected to discontinue the Tribe’s membership with CVAG. In a letter sent to then Tribal Chair Mary Resvaloso, then-Interim Executive Director Larry Parrish indicated that if the Tribe chooses to re-join CVAG in the future, CVAG would welcome the discussion.

As mentioned at the September 30, 2019 Executive Committee meeting, CVAG staff was approached by current Torres Martinez Councilmembers about the process of re-joining CVAG. A letter is attached. CVAG Legal Counsel has drafted an addendum to the JPA to add this membership however Section 2 would be deleted if no conditions are added. Once approved by the Executive Committee, CVAG staff will re-circulate the JPA addendum to all its member jurisdictions for their approval and signature.

Fiscal Analysis: There is no fiscal impact to the JPA addendum. The costs involved in recirculating the JPA will be covered under existing staff time. Upon membership, representatives of the Torres Martinez will receive per diems for attending meetings.

The Torres Martinez will also be required to pay dues. These assessments are based on the lowest dues paid by jurisdictions. In fiscal year 2019/20, the assessment was \$8,863 for both the Agua Caliente and the Cabazon tribes.

As previously noted, under their previous involvement with CVAG, there were two years in which Torres Martinez did not pay membership dues. The amounts for fiscal years 2007/08 and 2008/09 totaled \$14,865.

Attachments: Letter from Torres Martinez Tribal Council
Draft Addendum to the CVAG JPA