

**MEMORANDUM OF UNDERSTANDING REGARDING REIMBURSEMENT AGREEMENT  
BETWEEN CVAG AND THE CITY OF PALM DESERT  
FOR THE  
PORTOLA AVENUE INTERCHANGE AT 1-10 PROJECT**

The Coachella Valley Association of Governments ("CVAG") and the City of Palm Desert ("Palm Desert") are entering into this Memorandum of Understanding (this "MOU") dated as of May 26, 2022 with reference to the following facts:

RECITALS:

- A. In furtherance of that certain CVAG-City of Palm Desert, Future (Fiscal Year 2012/2013) Reimbursement Agreement, Portola Avenue/Interstate 10 Interchange Design, Right-of-Way & Construction (the "Reimbursement Agreement"), dated February 28, 2008, as amended, and supplemented by that certain Bond Proceeds Funding Agreement Regarding Portola Avenue/I-10 Interchange Project, dated April 24, 2015, Palm Desert paid to CVAG the amount of \$15,000,000 and CVAG deposited such amount into an interest bearing trust account, to be drawn upon by CVAG for purposes of paying costs of the Interchange Project.
- B. As of the date of this MOU, the amount remaining in such trust account is \$14,856,463.49. Work on the Interchange Project has been suspended and CVAG desires to return such amount remaining to Palm Desert.

NOW, THEREFORE, CVAG and Palm Desert agree as follows:

1. Within 30 days of the date of this MOU, CVAG shall pay to Palm Desert the amount remaining in such trust account (\$14,856,463.49), plus any accrued interest through the date of transfer. Thereafter, upon receipt of an invoice from CVAG for final design costs of the Interchange Project, Palm Desert shall pay such costs in accordance with the Reimbursement Agreement, as amended.
2. CVAG and Palm Desert shall continue their efforts to complete the Interchange Project pursuant to and in accordance with the Reimbursement Agreement, as amended.

**[SIGNATURES ON NEXT PAGE]**

IN WITNESS WHEREOF, the parties hereto have caused this Memorandum of Understanding to be executed by their duly authorized representatives on this date:

ATTEST

By:   
L. Todd Hileman  
City Manager

CITY OF PALM DESERT

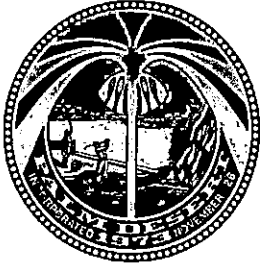
By:   
Jan C. Harnik  
Mayor

ATTEST

By:   
Tom Kirk  
Executive Director

CVAG

By:   
Christy Gilbert Holstege, Esq.  
CVAG Chair



# CITY OF PALM DESERT

73-510 FRED WARING DRIVE  
PALM DESERT, CALIFORNIA 92260-2578  
TEL: 760 346-0611  
info@cityofpalmdesert.org

June 23, 2022

Mr. Tom Kirk  
Executive Director  
Coachella Valley Association of Governments  
73710 Fred Waring Drive, Suite 200  
Palm Desert, California 92260

**Subject: Amendment Number Three to the Reimbursement Agreement (Contract No. C27330B) With the Coachella Valley Association of Governments (CVAG) and the County of Riverside and Memorandum of Understanding (C27330B1) With Coachella Valley Association of Government for the Design, Right-of-Way, and Construction Phases of the Portola Avenue/Interstate 10 (I-10) Interchange Project No. 637-02**

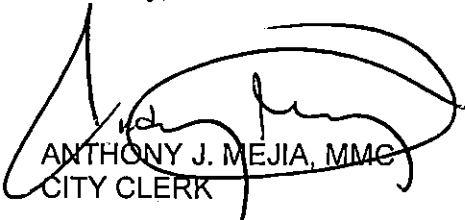
Dear Mr. Kirk:

At its regular meeting of May 26, 2022, the Palm Desert City Council, by Minute Motion, authorized: 1) Amendment No. 3 (C27330B) to the Reimbursement Agreement with CVAG and the County of Riverside for the design, right-of-way, and construction phases of the Portola Avenue/I-10 Interchange project; 2) Memorandum of Understanding (C27330B1) between CVAG and the City regarding Reimbursement Agreement for the Portola Avenue/I-10 Interchange project; and 3) the Mayor to execute the Agreements.

Enclosed are three original MOUs as executed by the City of Palm Desert. Once the MOU is fully executed by your agency, please forward one original for our file. However, once the Amendments are executed by your agency, please forward all three originals to our office and we will ensure the County receives them for the final signatures.

If you have any question or require additional information, please do not hesitate to contact my office.

Sincerely,



ANTHONY J. MEJIA, MMC  
CITY CLERK

AJM/mgs

Enclosures (as noted)

cc/enc: Andy Firestine, Director of Public Works