

Dana W. Reed
46-146 East Eldorado Drive
Indian Wells, CA 92210
Home 760-779-1466
Cell 213-880-9350

From: unicorndr@aol.com [mailto:unicorndr@aol.com]
Sent: Saturday, May 9, 2015 8:01 PM
To: doug@hansonco.com; danareed Indian Wells; wgmcm@yahoo.com;
wmckinney@indianwells.com
Subject: CV Link....it really is a "Link"

Indian Wells CVLink

Indian Wells relies on its sound reputation as a destination resort to bring visitors from around the world. These visitors pay the TOT that forms the base for our city budget and for the quality of life we enjoy. Our multi million dollar marketing efforts have created the image of a desert paradise, beautiful, elegant, and safe.

That reputation for safety could very easily be tarnished by a project that Indian Wells citizens have not heard much about. The new CV Link has not made detailed plans available to the public concerning the safety of the tourists and users of the facility. Night lighting to recognize the reality of our early sunsets in the winter, and cameras to discourage muggers, gangs, graffiti, and worse, do not appear to be a key consideration in the current plans.

In other cities with this sort of facility, like San Antonio, South Bend, Jupiter Florida, Bradenton, and Augusta, muggings, gangs and violence have forced the cities involved to install cameras with night vision capability, place new lighting and add costs by requiring special shifts of security to protect the users. Indian Wells attractiveness as a destination could be affected by muggings, or worse, anywhere along this link. In short order, an ill thought out amenity could become a major liability for the valley, and for our ability to attract visitors.

It's not only the security within the city boundaries of Indian Wells that is the concern. The Link

certainly does link all the disparate cities of this valley and we then share the bad news of whatever violence or activity is conducted by those who see the easy pickings of the users and tourists and their possessions. Our carefully constructed marketing image is then in the hands of others.

I encourage the City Council to thoroughly review the planned security facilities and considerations as part of a comprehensive report to the citizens. Our standards of security and safety need to be enforced over this new Link, because it is such an easy and soft target for those who would do harm. Our costs to maintain and provide security for our portion of the Link should also be included in this report. Until the City Manager and City Council are satisfied that our TOT is not at risk from shortcomings of safety and security of the Link, and can assure the citizens of Indian Wells of this, I must withhold my support from this dangerous amenity coming through our community.

Ward Fredericks

From: danareed Indian Wells [<mailto:dana@danareed92210.com>]

Sent: Sunday, May 10, 2015 7:41 AM

To: unicorndr@aol.com; doug@hansonco.com; wgmcm@yahoo.com;
wmckinney@indianwells.com

Cc: Ty Peabody; Ted Mertens; Richard Balocco

Subject: RE: CV Link....it really is a "Link"

Good Morning Ward, and Happy Mothers' Day to Pat:

First, thank you for your very thoughtful e-mail concerning the proposed "CV Link."

I have spoken with both Tom Kirk and John Benoit within the last 48 hours and I am convinced that there is no urgency for the City to act at this time. Both Tom and John acknowledged that Mayor Hobart has raised important and serious issues which must be addressed, and that it is incumbent upon them re-think their previous assumptions. For example, it appears that the use of a percentage of future Transient Occupancy Tax receipts to cover maintenance costs of the proposed facility is no longer being considered. That particular issue was of concern to Wade, so that is good news for all of us.

Fewer than 90 days ago, the Council met for a two-day study session to discuss the important issues facing our city and to establish priorities for addressing those issues. To the best of my recollection, CV Link was not even mentioned, let alone made a priority. One can argue that among the five Councilmembers, at least one of us should have spotlighted this issue, but I don't think anyone did.

I mention this because setting the City's priorities based upon ever-changing headlines generated in the Desert Sun can sometimes be counter-productive. CV Link is a product of CVAG in general and the CVAG Transportation Committee in particular. Our representative on the CVAG Transportation Committee is Councilman Doug Hanson. I am 100% positive that Councilman Hanson will adequately represent the City's interest on this matter and that if he needs our help, he will ask the rest of us for assistance.

I would like to see the process play out. I am told that our hotel partners strongly support the concept of CV Link and that they believe it will increase non-golf tourism in our city. They may be right, or they may be wrong. But by allowing the process to unfold, everything will be discussed and, at the appropriate time the Council, and the public can make its own decisions.

From: doug@hansonco.com
Subject: RE: CV Link....it really is a "Link"
Date: May 10, 2015 at 9:40 AM
To: danareed Indian Wells dana@danareed92210.com, unicorndr@aol.com, wgmcm@yahoo.com, wmckinney@indianwells.com
Cc: Ty Peabody tpeabody@indianwells.com, Ted Mertens tmertens@indianwells.com, Richard Balocco rjbalocco@yahoo.com

Dana,

Thanks for your informative email this morning. I was not aware that Tom and John had backed off their position of using TOT to help pay for the O&M of the proposed CV Link. That is good news. When I met with Tom Kirk four weeks ago (which was the first time I heard that they were planning to use TOT) I informed Tom that I could not support using TOT as a funding mechanism for CV Link. TOT is so vital to Indian Wells' future survivability. We should not do anything that will impact that revenue stream for our city.

The bigger question remains; should the CV Link be constructed at all, and if it is, should "Measure A" funds be used to construct and maintain the Golf Cart/Bike Path/Pedestrian Walkway. As an advocate of transportation, I am sure you are sensitive to the use of Measure A funds for any purpose than its original intent.

For clarification of all, CVAG Transportation Committee will not make the decision on the construction and maintenance of the pathway. That decision will be handled by CVAG Executive Committee made up primarily of Mayors from each of our valley cities, plus two county supervisors and a representative from the Indian Nation. In our city, that responsibility will fall upon Mr. Peabody or you next year when you become Mayor.

Further, I think the reason CV Link was not on our radar screen during the planning session was that we were unaware of the plan to use TOT as a funding mechanism. That issue came to light after our planning session. In my view, the biggest obstacle for CV Link in Indian Wells is; what path will it take if it is constructed. I just don't know where it could be located and no one has presented me with a viable path. Also, the issue was not on the minds of staff either or they would have made it an issue for our planning session.

I agree that Dana Hobart's questions have raised the bar on the issue and all of the surmounting problems on the proposed pathway and highlights the need for more extensive studies.

Have a great Mothers Day.

Regards,
Doug

From: **Tom Conner** tconner100@gmail.com
Subject: FW: CV Link...it really is a "Link"
Date: May 10, 2015 at 11:19 AM
To: Ward Fredericks UnicornDr@aol.com
Cc: **doug@hansonco.com**, Doran Ed edoran@dc.rr.com, Andy ELCHUCK belchuck@msn.com, Dana Reed dana@danareed92210.com, Richard Balocco rjbalocco@yahoo.com, Ted Mertens tmertens@indianwells.com, Ty Peabody tpeabody@indianwells.com, wmckinney@indianwells.com

Ward and all,

Ward, I fully agree with your comments.

Dana, I think it is important that the city agendize this matter for the 5/21/15 meeting as the council directed at the 5/7 meeting. While I am sure Benoit and Kirk would prefer otherwise, I think it is important that the residents of IW be given an opportunity to provide their input to their city council and to learn the views of council based on the project as presently known.

Some additional observations:

- 1) Ward's comments about "security and safety" are obviously point on.
- 2) Dana's comments that CVAG is no longer considering the TOT incremental monies to fund the O & M fails to deal with the extremely strong likelihood that CVAG will almost certainly look to the cities to pay some meaningful portion of these costs (whether from TOT or otherwise).
- 3) Dana, "CV Link" was listed on the "Priorities" that I submitted to the council for their consideration prior to the strategic planning sessions earlier this year and I believe I made at least 1 mention of it during the meetings.
- 4) It is "convenient" for the hotels to take a position that they favor the CV Link but we might get a different reaction from them if they were expected to pay some portion of the costs out of their funds. Individuals and entities almost always "prefer" receiving something when it is "free".
- 5) I am also very concerned about combining a "pedestrian/bike" trail with "low speed electrical vehicles". Even the former can be fairly dangerous due to

the different speeds involved; however, add the electrical vehicles and I think the mix will likely be outright dangerous. Obviously, "electric vehicle" use also increases (I suspect substantially) the initial and ongoing costs.

- 6) What other options have been considered for how to (better) utilize the \$50 mil mitigation monies? Is the CV Link the only thing that has been considered? This question is especially something that should be opened to public input.

Please bear in mind that I have not taken a position in favor of or opposition to the CV Link. I want to see a healthy evaluation and discussion of the project. It is obviously a significant proposal which is likely to have correspondingly significant impacts – potentially pro or con – on our city, residents and visitors.

If the IWCC does not agendize this matter and quickly, it is only reasonable that my position will become one of strong opposition and I suspect many others will view it similarly. Let's move forward now with the local city review of this matter. Let's also avoid a potential future scenario whereby the favorable "momentum" and political pressure in favor of this project (e.g. CVAG, other cities) makes it extremely difficult for IW to successfully impact the outcome and/or to take an opposing position.

Tom Conner

From: unicorndr@aol.com [<mailto:unicorndr@aol.com>]

Sent: Sunday, May 10, 2015 8:57 AM

To: dana@danareed92210.com; doug@hansonco.com; wgmcm@yahoo.com; wmckinney@indianwells.com

Cc: tpeabody@indianwells.com; tmertens@indianwells.com; rjbalocco@yahoo.com

Subject: Re: CV Link....it really is a "Link"

Dana.....

Thank you for your reply and your typically wise perspective on this matter.

concept of CV Link and that they believe it will increase non-golf tourism in our city. They may be right, or they may be wrong. But by allowing the process to unfold, everything will be discussed and, at the appropriate time the Council, and the public can make its own decisions.

Just my two cents worth.

Dana

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Sent: Saturday, May 9, 2015 8:01 PM

To: doug@hansonco.com; danareed Indian Wells; wgmcm@yahoo.com;
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That reputation for safety could very easily be tarnished by a project that Indian Wells citizens have not heard much about. The new CV Link has not made detailed plans available to the public concerning the safety of the tourists and users of the facility. Night lighting to recognize the reality of our early sunsets in the winter, and cameras to discourage muggers, gangs, graffiti, and worse, do not appear to be a key consideration in the current plans.

This project appears to be driven by CVAG with a value system and perspective of theirs which may be different from and destructive to the interests of the unique cities along the path.

Some cities have a lot to gain; others may have a lot to lose.

My message on this issue is a desire for Indian Wells leadership to consider the unique consequences for our city business model as a result of this project. Each of the cities involved in this project have a socioeconomic makeup and marketing reputation that differs greatly. The realities of life strongly suggest that gangs will declare territory in those parts of the Link adjoining their home turf. Those who seek to do harm will have a new venue. Sending our visitors on a long trek east or west could be a very unwise suggestion on the part of our hotel people. Early nightfall here in the winter make issues of lighting and monitored camera security important. We do have ample evidence from other cities that robberies, muggings, and violence is a concern on these pathways.

The safe destination resort image of Indian Wells has been developed with millions of dollars of careful cultivation. Security of our guests, visitors, hotel TOT paying tourists is of vital importance to the City and its citizens.

My suggestion is that Indian Wells leadership carefully review the details of this project, and determine the consequences of its key components on our special situation. Security is of concern because it impacts our marketing image, even if serious problems occur in neighboring cities and not in our portion of the link. The planners of the project are assuming it will increase TOT. My concern is that bad publicity stemming from inadequate anticipation and planning will reduce TOT and tarnish a reputation as a destination resort that has been so carefully constructed.

Who pays for this is a concern raised by Dana Hobart. My concern is the huge negative impact for IW specifically if we don't have adequate security for users from the beginning.

Regards,

Ward

WARD FREDERICKS

From: **Andy ELCHUCK** belchuck@msn.com
Subject: Council Members - Protect the City Of Indian Wells' Interests
Date: May 15, 2015 at 2:31 PM
To: Valerie Peabody vepbody@yahoo.com, Ty Peabody tpeabody@indianwells.com, dana@danareed92210.com, Richard Balocco rbalocco@desertarc.org, doug@hansonco.com, Ted Mertens tmertens@indianwells.com, wmckinney@indianwells.com

Mayor and Council Members,

From the start I have been skeptical about the CV Link, mostly because of the lack of information, and the obvious lack of answers to reasonable questions. Such as, how much will it cost to build, to operate and maintain, to guarantee security, what route will it take through our city, at what cost to each city, and more importantly will it be equitable, fiscally feasible, and sustainable for the City Indian Wells?

For the last two years our IW representatives have not briefed or up-dated the residents/taxpayers as to the progress of CV Link. It's not that there was nothing to report. As we are now aware, Rancho Mirage's Mayor, Dana Hobart, was incensed about a number of proposals the Coachella Valley Association of Governments (CVAG) attempted to slip through their committee with no advanced warning. He was especially opposed to the proposed Transient Occupancy Tax (TOT) arrangement CVAG concocted to pay for CV Link's estimated \$1.6M Operating and Maintenance costs.

Now that Mayor Hobart has gone public with his concerns, lo and behold, CVAG has quickly withdrawn its inequitable TOT scheme, which would have negatively impacted Indian Wells. Because of Mayor Hobart's and the Rancho Mirage City Council Members' courage on this issue, the citizens of the Coachella Valley are now aware that all is not well with the CV Link project, and that the costs associated with this project are escalating beyond what most cities in the Coachella Valley imagined, or possibly can afford.

Privately some Indian Wells council members are saying that the CV Link is a done deal and there is nothing they can do to stop it. My response to them is, don't worry about what you cannot control; we elected you to represent and protect the City of Indian

Wells' interests. The residents of Indian Wells expect you to be guardians of our city's sovereignty and our financial viability, as our city moves forward. CVAG's recent demands for the CV Link, and surely more demands will come, are a serious threat to Indian Wells' future financial stability and sustainability.

The cities were misled by CVAG, and now CVAG is changing the rules (contract). The original premise was that there would be no cost for Operations, Maintenance, and Security. CVAG said city budgets would not be affected. They lied to the cities. If the other cities want to accept these new contractual changes, they can do so. The City of Indian Wells should hold firm. The city should clearly state: **Indian Wells will not contribute for building the CV Link, Operations, Maintenance, and Security costs, or any other costs associated with CV Link. If CVAG will accept this condition, we, the city, can work with CVAG and attempt to find a mutually acceptable route through our city.**

Below find an excerpt from one of Dana Hobart's missives on this subject:

"On March 30, 2015, Rancho Mirage was first informed by CVAG of their plan for the Valley cities to pay for the O&M costs (over the decades to come). This is after repeatedly telling the cities that their budgets would not be impacted by future operations and maintenance costs of the CV Link. The CV Link's public relations person is quoted in The Desert Sun on June 30, 2014: "This is a first class facility that's going to require a first class maintenance plan," he said, adding, that it won't mean pulling money away from city budgets.") In the March 2015 Master Plan, it says this about O&M: "Operations will Not Require Local Funding." (The same in the Draft Master Plan of August 2014.)"

Just because CV Link is likely to be built, and other cities will acquiesce to CVAG's coercive tactics, does not mean you, the council members, and we, the citizens of Indian Wells, have to do so.

It is time for our elected officials to stand up and protect our city's financial wellbeing, even if it means not agreeing with Benoit, Kirk, and others. **Your mandate is to represent the city and its residents, first.**

Andy Elchuck.

From: Tom Conner tconner100@gmail.com
Subject: CV Link - Desert Sun Reporter & Reporting
Date: May 22, 2015 at 2:34 PM
To: Greg Burton Greg.Burton@thedesertsun.com
Cc: Ty Peabody tpeabody@indianwells.com, Dana Reed dana@danareed92210.com, doug@hansonco.com, Ted Mertens tmertens@indianwells.com, Richard Balocco rjbalocco@yahoo.com, Dana Hobart Ddanahobart@aol.com

Mr. Burton,

I have been disappointed with The Desert Sun's recent reporting and editorials concerning the CV Link project. While you are clearly entitled to your opinions (when clearly identified as "editorial" or "our opinion"), your non-editorial reporting and coverage has, in my opinion, clearly been biased in favor of the project and against the positions taken by Mayor Hobart and the Rancho Mirage City Council.

I had planned on writing to you to pass along my observations and objections but other priorities intervened.

However, yesterday at the Indian Wells Council meeting, your reporter Jesse Marx approached and asked me for the source of a reference I made when I addressed the city council in which I indicated my understanding that CVAG has spent \$5.5 mil to date on the CV Link project. I indicated that my source was an email from Mayor Hobart. (By the way, I have never met or spoken with Mayor Hobart.) Marx immediately dismissed (both verbally and via his body language) this information as incorrect. I then proceeded to advise Marx that I thought his article earlier this week re Hobart and the CV Link was, in my opinion very biased and unfair and especially as to Mayor Hobart. He responded by stating "Not so – I revealed his true character." (This is a direct quote.) He then disengaged as the council meeting was being gaveled back into session.

I consider Marx's communication to me to be highly inappropriate generally and more specifically since it was expressed by a reporter about a public official and without any factual foundation. In my view, these kinds of "negative opinions" are inconsistent with his job as a "reporter". Further, his expressed "opinion" appears to have been a clear factor in his biased and unfair reporting.

In bringing this matter to your attention, my purpose is not to get Marx fired or even

reprimanded – though I believe the latter would be entirely warranted.

My purpose is to bring Marx's comment to your attention so that you can deal with it as you deem appropriate and to express my serious disappointment regarding what I believe any reasonable person would agree is the biased and unfair reporting (written and verbally) by The Desert Sun.

Finally, I am pleased that the Indian Wells City Council took action yesterday to support Mayor Hobart's proposed CV Link related agenda items for the CVAG Executive Committee meeting on June 1. I trust The Desert Sun and its reporters will not resort to attacking their character for their actions and the concerns which they expressed.

Tom Conner
Indian Wells

P.S. Please feel free to print my email. Hopefully, it will serve a positive outcome.

From: Michael Wilson mwilson@indio.org
Subject: Re: Executive Committee Vote Re Measure A Funds for CV Link
Date: June 25, 2015 at 11:29 PM
To: Gdanahobart@aol.com
Cc: shenry@cathedralcity.gov, greg@gregpettis.com, jaguilar@cathedralcity.gov, skaplan@cathedralcity.gov, mcarnevale@cathedralcity.gov, shernandez@coachella.org, emartinez@coachella.org, vmperez@coachella.org, bsanchez@coachella.org, mzepeda@coachella.org, asanchez@cityofdhs.org, rbetts@cityofdhs.org, smatas@cityofdhs.org, joemckeedhs@yahoo.com, jpye@cityofdhs.org, tpeabody@indianwells.com, dreed@indianwells.com, rbalocco@indianwells.com, dhanson@indianwells.com, temertens@indianwells.com, Lupe Ramos Watson lramoswatson@indio.org, Glenn_Miller gmiller@indio.org, Elaine Holmes2 eholmesinindio@gmail.com, Troy Strange tstrange@indio.org, levans@la-quinta.org, kristyforlaquinta@gmail.com, losborne@la-quinta.org, jpena@la-quinta.org, rradi@la-quinta.org, smwebe@cityofpalmdesert.org, rspiegel@cityofpalmdesert.org, JHarnik@dc.rr.com, sjonathan@cityofpalmdesert.org, vtanner@cityofpalmdesert.org, steve.pougnnet@palmspringsca.gov, ginny.foat@palmspringsca.gov, chris.mills@palmspringsca.gov, paul.lewin@palmspringsca.gov, rick.hutcheson@palmspringsca.gov

Is it just me or are others on this mail list tiring of the continuous drama and personal attacks waged under the guise of an O & M argument. We have a process and system that has worked under CVAG for as long as I can remember. I have never seen such a constant attack and barrage of accusations/allegations by one City in my 18 years in the organization as I have seen over CV Link. Each City is represented on CVAG by one representative of each elected City Council. It is that representatives responsibility to share with their elected colleagues on their Council the pertinent information. It is also that representatives responsibility to carry their Cities position back to CVAG thru the various committees and on the Executive Committee. It is a tried and true system that works and has worked well. It is not and never been the process of CVAG to gain positions and votes from every elected official in the Valley for a project. That's why we have a representative form of government. The CVAG staff have worked hard, just as each of our City staffs have, and are professionals in every way and should be treated as such. It is time to stop the lawyering and so that we can move forward with the facts using the process we have always used. We have almost a 100 mil. dollar project practically given to us and we are allowing \$1mil. to \$1.6mil. annually from all agencies valley wide combined to cause such major disruption. It's like cutting off your nose to spite your face. My last question is, "is Rancho Mirage going to pay for this legal opinion from this major law firm?" RCTC and CVAG have built billions of dollars in projects Countywide using the legal findings and opinions of BB&K. The Director of RCTC stood in front of us backing the legal opinion strongly. It's time to move on to further the project. Should we understand the O & M? Sure we should. But before the different committee's have even begun that work RM started attacking the process and findings that were barely in draft mode. Let's bring this drama back under control so that we can methodically work through the

established CVAG process and direct this project through to completion. If a City doesn't want CV Link in their City, than so be it.

Michael Wilson
Council Member
City of Indio
82557 Lordsburg Dr.
Indio, Ca. 92203
760-404-7715

Sent from my iPad

On Jun 25, 2015, at 9:04 PM,
"Gdanahobart@aol.com<mailto:Gdanahobart@aol.com>"
<Gdanahobart@aol.com<mailto:Gdanahobart@aol.com>> wrote:

PLEASE DO NOT RESPOND TO THIS EMAIL TO ALL OR TO ME

Dear Fellow Council Members:

On the June 29th CVAG Executive Committee Agenda, Rancho Mirage has placed a Motion to authorize retaining an outside, independent law firm from a nearby major metropolitan city to give us an objective opinion regarding the legality of using Measure A funds for CV Link construction or operations and/or maintenance — which is currently the CVAG plan. (RM previously withdrew this motion because we had not yet read the BB&K opinion, and believed we should read it to see if an independent legal opinion was still needed.)

The CV Link's Alta Planning & Design team projected that CV Link's operations and maintenance costs would start a shade above \$1.6 million dollars in the first full year of use. (See p.15 in the March 2015 Master Plan.) They calculated this to be \$33,600 per mile. In the same Master Plan we were told "OPERATIONS AND MAINTENANCE WILL NOT REQUIRE LOCAL FUNDING," which is what the cities had been told for three years. This promise has been abandoned completely with

nobody taking responsibility for this catastrophic planning failure.

Who will pay this \$1.6 million in O&M expenses every year for the coming decades? Nine cities, that's who. Mr. Kirk's substitute plan is to use a sizable portion of each city's TOT revenues. However, Mr. Kirk and his team soften the blow by telling us that "Measure A sales tax revenues could fund over 40% of the overall CV Link operations and maintenance budget." (Master Plan, p.155).

If Tom Kirk deals with this current Rancho Mirage motion like he did our City's four motions on the June 1, 2015, Executive Committee agenda, you will again read his reasons why we should not be guided by an independent attorney before you read the Rancho Mirage presentation of why we should. Everywhere in the American judicial and parliamentary procedural systems the party with the burden of convincing always presents first. That process was trashed in CVAG's Executive Committee, with the victim being honest dialog.

You have already received the Best Best & Krieger legal brief. Attached is the legal brief prepared by the Law Offices of Steve Quintanilla. If you take the time to read it I believe it will unsettle you about CVAG's planned grab for Measure A funds for the CV Link.

In my view the Best Best and Krieger brief does its best to identify a "strong argument" to support using Measure A funds, but in my legal opinion (JD USC School of Law, 1963) it is not strong enough to give us (the cities) confidence that a court would eventually agree with that argument. If a court strikes down this potential misuse of Measure A Funds, you can be sure that the loss of those funds will be covered by the only other possible source – your city and mine. (Any taxpayer would likely have standing to challenge such use of Measure A funds, and if they prevail would likely receive an Order to recover their attorney fees.)

The reliance of CVAG on BB&K, the general counsel for RCTC, is somewhat strange. When asked about using Measure A funds for maintenance of the CV Link, this is what BB&K attorney Beverly Bradshaw said in an email dated

November 22, 2011:

“As for whether CVAG can use Measure A revenues to maintain the proposed route in the future, it does not appear that this is permitted. Measure A revenues may only be used for capital improvements of regional roads. We have never interpreted the Plan as allowing Measure A regional highway or regional road funds to be used for the operation or maintenance of regional roads.”

The attached legal brief does not qualify as being from an “outside independent law firm” any more than Best Best and Krieger does. They are general counsel for Riverside County Transportation Committee. The Quintanilla law firm represents the City of Rancho Mirage. You might think that RM can afford to retain an independent outside law firm. However, there is no point for Rancho Mirage to do so because it would never be accepted as truly independent. I urge you to read it before Monday’s meeting.

The opinions stated in the Quintanilla brief address the importance of not counting on Measure A funds to relieve what will otherwise become the cities’ burden to carry if Measure A funds are unavailable. Again, why is Mr. Kirk so adamantly opposed to getting an independent analysis?

Even if a court did hold that some Measure A funds could be used for some aspect of CV Link, is this what we consider responsible fiscal policy? Those monies were intended for the 247 dilapidated and dangerous road projects in varying states of considerable disrepair that are currently on the TPPS list. That is what has historically qualified roadways for Measure A funding in the Coachella Valley. Because Mr. Kirk may be able to convince 6-votes out of the Executive Committee to designate the CV Link an “arterial roadway” and somehow leap to the front of the TPPS priority money line, that does not justify such conduct.

Using Measure A funds for the CV Link is an issue that sooner or later every city council should consider and vote on — before any Executive Committee vote. The system we are operating under allows 6 votes out of the 54 valley wide council

members to control the outcome of this gigantic \$100 million project and millions upon millions of dollars in future operations and maintenance expenses. Mr. Kirk wants you to reject hiring an independent law firm. Read the Quintanilla law firm opinion attached below. It will provide insight concerning what Mr. Kirk fears.

Best personal regards.

Dana Hobart

Mayor, Rancho Mirage

PS: The attorney-client privilege attached to the Quintanilla legal opinion has been waived by our city manager, Randy Bynder.

<CV Link-Measure A Brief SQ Law Firm (06.23.15).pdf>

From: **Gail McQuary** mizmcq@dc.rr.com

Subject: CV Link!

Date: June 29, 2015 at 3:05 PM

To: **Ty Peabody** tpeabody@indianwells.com, **Doug Hanson** dhanson@indianwells.com, **Ted Mertens** tmertens@indianwells.com, **Dana Reed** dreed@indianwells.com, **Richard Balocco** rbalocco@indianwells.com

Mayor and Council,

The CV Link is going to be a nightmare. Who at CVAG, was the nitwit that proposed this project? Whoever it was, needs to get a life.

I've read the pros and cons, but to me it's between logic and emotions. Logically it's a waste of money since there are other pressings problems to be taken care of. IE: Salton Sea. Repair our roads etc. If we had all the projects done and paid for, and everything was wonderful, maybe.

Emotionally. How wonderful it would be to see all those wonderful people riding their bikes, walking, etc. with smiles on their faces enjoying the wonderful desert. Please don't let emotions rule this problem. You must think logically. (how do all these people GET to the link to walk on, parking etc.)

This will be a money pit for sure. Put it to a vote for each city. ALL would have to be on board. Maybe an independent review of funds use would be wise.

Besides, we already have a CV Link. It's called HIGHWAY 111. Thank you.

Sincerely,

Gail McQuary

Gail S. McQuary
Broker Associate
Coldwell Banker Residential Brokerage
760-285-4572
mizmcq@dc.rr.com
CaIBRE# 01297868



From: wmckinney@indianwells.com
Subject: Received last night
Date: June 30, 2015 at 8:18 AM
To: City Council CityCouncil@indianwells.com
Cc: Anna Grandys agrandys@indianwells.com

From: wjchussey@gmail.com [<mailto:wjchussey@gmail.com>]

Sent: Monday, June 29, 2015 4:51 PM

To: Community

Subject: Today's CVAG meeting on RM request for independent legal review of use of Measure A funds for CV link

How can we or any of the Valley cities consider proceeding without knowing all the facts, and we don't, especially as we went from no maintenance responsibilities to now being on the hook for them, which means potential huge future loss of our tax revenues/increased taxes. If after an independent review it found this project has merit, then we can consider proceeding, but the situation sounds like pure politics to me. Meanwhile, why are not Measure A funds being used for what they were intended? Hard to believe, since I drive all around the Valley, that there are not roads and other projects that merit attention first, not to mention the Salton Sea, which sometime in the not too distant future when our Valley is ruined by the awful smell and dust emanating from this disaster, all will wring their hands and exclaim they just didn't realize how awful it might be? If that happens I will be out of here fast, and I suspect, many will follow, and many others will not come. First things first.



Wade McKinney
City Manager

44-950 Eldorado Drive
Indian Wells, California 92210-7497
www.IndianWells.com
wmckinney@IndianWells.com
V (760) 776-0222 F (760) 346-0407

From: 4tmjm@verizon.net
Subject: Fwd: CV Link - Pulic Safety
Date: July 13, 2015 at 11:30 AM
To: Valerie Peabody vepbody@yahoo.com

-----Original Message-----

From: Ted Mertens
Date: Jul 11, 2015 12:10:10 PM
Subject: CV Link - Pulic Safety
To: "ladyiris@gmail.com" <ladyiris@gmail.com>
Cc: "Ted Mertens (home)" <4tmjm@verizon.net>

Iris:

As you probably know, Tom Kirk has asked each city to determine its level of anticipated Public Safety costs relating to the CV Link. As we move forward with any effort to identify such costs, I caution that we keep in mind the costs for the ENTIRE 50 miles of the roadway. Individual city costs may vary widely but the ultimate total costs for Public Safety along the roadway will be most certainly divided among all the cities.

Is it realistic to expect each city to provide for any needed or anticipated law enforcement patrol activity in that specific city or will that be a responsibility that is undertaken for the entire length of the roadway? There will need to be enforcement activity relating to licensing, equipment, etc. for NEV's. Further, the conflicts between NEV's, bicyclists and pedestrians (along with roller blades and skateboards) will have to regularly monitored.

So, as we attempt to identify costs specific to each city, we should be cognizant that a number of costs will have to be borne across all jurisdictions to ensure adequate safety.

Just some thoughts as we move forward.