

## ITEM 8e



Tom Kirk  
Executive Director  
Coachella Valley Association of Governments  
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Dear Mr. Kirk:

At the request of the Coachella Valley Association of Governments ("CVAG"), the California Joint Powers Insurance Authority ("California JPIA") analyzed certain liability exposures associated with the CV Link project. According to the official CV Link website, CV Link is a multi-modal transportation corridor that creates a new spine for alternative transportation through the entire Coachella Valley.

The California JPIA takes no position on whether CVAG member agencies should, or should not, participate in CV Link.

The general areas considered as part of the analysis were:

- Liability exposure associated with bicyclist use of a multi-modal pathway, versus bicyclist use of a roadway shared with motor vehicles
- Liability exposure associated with any CVAG member agency choosing to not participate in CV Link
- The effect of CV Link on CVAG and CVAG member contributions (i.e. coverage costs) to the California JPIA

In general, there is less liability exposure for CVAG and its member agencies with bicyclists travelling on a reasonably designed, multi-modal pathway, and using that pathway with due care in a reasonably foreseeable manner, than on a roadway shared with motor vehicles. Reasonable design of a multi-modal pathway goes a long way towards mitigating the associated liability exposure.

It is unknown whether a CVAG member agency's decision to not participate in CV Link will create additional liability exposure.

The two factors used to calculate member contributions to the California JPIA liability program are payroll and claims. As such, construction of CV Link in and of itself will not directly affect CVAG or other California JPIA member agency contributions.

If you have any questions, please do not hesitate to contact me directly.

Yours Sincerely,



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