



CITY OF INDIO

Agenda

City Council

June 16, 2021

150 Civic Center Mall
Indio, California

Pursuant to Governor Newsom's Executive Order N-29-20, in-person participation by the public will not be permitted and no physical location from which the public may observe the meeting will be available.

You may view the meeting via **Livestream** on the City's website at:

https://www.indio.org/your_government/city_clerk/agendas.htm

or via **Facebook Live** at:

<https://www.facebook.com/CityofIndio/>

or via **Zoom** at:

Joint Study Session at 3:00 p.m.

<https://us02web.zoom.us/j/89273533232?pwd=SksxeS85VEd5TENzWGN4RXp5Sm5YUT09>

Webinar ID: 892 7353 3232

Passcode: 310486

Regular Session at 5:00 p.m.

<https://us02web.zoom.us/j/88101274873?pwd=em1QYklnVnErWHBheUtIMjFmQjFIUT09>

Webinar ID: 881 0127 4873

Passcode: 484322

or via **Telephone**

1 408 638 0968

Webinar ID: 881 0127 4873

Passcode: 484322

Consistent with Executive Order N-29-20, members of the Indio City Council and City Staff are permitted to attend the meeting by teleconference and such teleconference locations are not accessible to the public and are not subject to special posting requirements. If you are an individual with a disability and need a reasonable modification or accommodation pursuant to the Americans with Disabilities Act ("ADA") please contact the office of the City Clerk at 760-391-4007 prior to the meeting for assistance.

Members of the public who desire to address the City Council during the meeting may do so either orally or in writing as described below.

Written Comments: Written Public comments on agenda and non-agenda items, or both, may be submitted by email to the City Clerk at ssanchez@indio.org. Please specify on the subject line the agenda item number or if general public comment (i.e. non-agenda item). For example on a specific item, write "agenda item 8a" on the email subject line. **Email/Written comments must be received by the City Clerk no later than 2:00 p.m. on the day of the meeting** and such comments will be distributed to the City Clerk, posted on the agenda landing page and be made part of the agenda packet and public record of the meeting; however, they will not be read during the meeting.

Oral Comments: If you wish to provide oral testimony during the live session, please email your name and phone number in the body of the email to the City Clerk ssanchez@indio.org to obtain the zoom meeting ID and password no later than 5:00 p.m. on the day of the meeting. The City Clerk, however, will facilitate to the extent possible any email requests to provide oral testimony that are sent during the live meeting. Please specify on the subject line of the email "Oral Comment" and note the agenda item number or if general comment (i.e. non-agenda item). The number provided in the email MUST match the number you are calling from, in order to be recognized by the City Clerk. Additionally, to participate during the live session, please keep track of the meeting proceedings by watching the meeting via Livestream, Facebook Live, or Zoom.

Public Hearing Items: Any person may provide oral or written comments to the City Council on public hearing items in the manner prescribed in the notice at the top of this agenda except that comments will be accepted during the public hearing until the hearing is closed.

JUNE 16, 2021

MISSION STATEMENT

THE CITY OF INDIO'S PUBLIC SERVANTS PROVIDE OUTSTANDING MUNICIPAL SERVICES TO ENHANCE THE QUALITY OF LIFE FOR OUR RESIDENTS, VISITORS AND THE BUSINESS COMMUNITY

**JOINT STUDY SESSION
CITY COUNCIL / PLANNING COMMISSION
3:00 p.m.**

1. CALL TO ORDER AND ROLL CALL

CITY COUNCIL:

Mayor Elaine Holmes
Mayor Pro Tem Waymond Fermon
Councilmember Oscar Ortiz
Councilmember Lupe Ramos Amith
Councilmember Glenn Miller

PLANNING COMMISSION:

Chairperson Jacqueline "Jackie" Lopez
Vice Chairperson Nicco Ysiano
Commissioner Christian Rodriguez Ceja
Commissioner Gloria Franz
Commissioner Esperanza "Espe" Valdez

2. PLEDGE OF ALLEGIANCE

3. PUBLIC COMMENT

This is the time set aside for public comment for items not on the agenda. Public comments may be provided in the manner prescribed at the top of this agenda. If the total time of comments extend beyond 30 minutes, the Mayor may defer further public comments for items Not on the Agenda until the end of the Agenda.

4. STUDY SESSION ITEMS

- a. [A City Council and Planning Commission Joint Study Session for Discussion and Possible Direction on the following: Housing Element Update Project](#) (Kevin H. Snyder, Director of Community Development)

5. ADJOURN

**CLOSED SESSION
CITY COUNCIL
4:00 p.m.**

1. CALL TO ORDER AND ROLL CALL

Mayor Elaine Holmes
Mayor Pro Tem Waymond Fermon
Councilmember Oscar Ortiz
Councilmember Lupe Ramos Amith
Councilmember Glenn Miller

2. PUBLIC COMMENT

This is the time set aside for public comment for items not on the agenda. Public comments may be provided in the manner prescribed at the top of this agenda. If the total time of comments extend beyond 30 minutes, the Mayor may defer further public comments for items Not on the Agenda until the end of the Agenda.

3. ADJOURN TO CLOSED SESSION to consider:

- a. Conference with Real Property Negotiators, Government Section 54956.8; 81727 Highway 111, Indio (APN 616-120-043); Successor Agency to the Redevelopment Agency of the City of Indio of Indio Negotiator: Bryan H. Montgomery, Executive Director: Negotiating Party: Regency Theatres, Inc.; Under Negotiation: Price and Terms of Payment.
- b. Conference with Real Property Negotiators, Government Section 54956.8; 81727 Highway 111, Indio (APN 616-120-043); Successor Agency to the Redevelopment Agency of the City of Indio Negotiator: Bryan H. Montgomery, Executive Director: Negotiating Party: ME Development Company, LLC; Under Negotiation: Price and Terms of Payment.
- c. Conference with Real Property Negotiators, California Government Code Section 54956.8; 81727 Highway 111, Indio (APN 616-120-043); Successor Agency to the Redevelopment Agency of the City of Indio Negotiator: Bryan H. Montgomery, Executive Director: Negotiating Party: Destiny Ministries Church; Under Negotiation: Price and Terms of Payment.
- d. Conference with Real Property Negotiators, Government Code Section 54956.8; City of Indio property located on the northeast corner of Monroe Street and John Nobles Avenue: APNs: 614-100-001, 614-100-002, 614-100-003, 614-100-004, 614-100-005, 614-100-006, 614-100-007, 614-100-008, 614-100-009, 614-100-010, 614-100-011, 614-100-012, 614-100-013, 614-100-018, 614-100-019, 614-100-020, 614-100-021, 614-100-022, 614-100-023, 614-100-024, 614-101-001, 614-101-002, 614-101-003, 614-101-004, 614-101-005, 614-101-006, 614-101-007, 614-101-008, 614-101-009, 614-101-010, 614-101-011, 614-101-012, 614-101-013, 614-101-014, 614-101-016, 614-101-017, 614-101-018, 614-101-019, 614-101-020, 614-101-021, 614-101-022, 614-101-023, 614-101-024, 614-101-025, 614-101-026, 614-101-027, 614-101-028, 614-101-029, 614-101-030, 614-101-031, 614-101-032, 614-101-033, 614-101-034, 614-101-035, 614-101-036, 614-101-037, 614-101-038, and 614-101-039; City of Indio Negotiator: Bryan H. Montgomery, City Manager; Negotiating Party: HCL Indio Marketplace, LLC; Under Negotiation: Price and Terms of Payment.
- e. Conference with Legal Counsel, Anticipated Litigation-Significant Exposure to Litigation, Government Code Section 54956.9(d)(2); Number of potential cases: 1

- f. Conference with Labor Negotiator, Government Code Section 54957.6; City Negotiator: Bryan H. Montgomery, City Manager, Rob Rockwell, Assistant City Manager & Finance Director, and Scott Trujillo, Deputy City Manager; Employee Organizations: Indio Police Officers Association (IPOA), Police Command Unit Association (PCU), Indio City Employees' Association (ICEA), Indio Water Authority Employees' Association (IWAEA), Service Employees International Union (SEIU)

**REGULAR JOINT MEETING
CITY COUNCIL / INDIO WATER AUTHORITY / INDIO HOUSING AUTHORITY /
SUCCESSOR AGENCY TO THE REDEVELOPMENT AGENCY
OF THE CITY OF INDIO
5:00 p.m.**

***PLEASE NOTE THAT THE CITY COUNCIL
MAY ACT ON ANY ITEM LISTED ON THE AGENDA***

1. CALL TO ORDER AND ROLL CALL

Mayor/President/Chair Elaine Holmes
Mayor Pro Tem/Vice President/Vice Chair Waymond Fermon
Councilmember/Commissioner/Director Oscar Ortiz
Councilmember/Commissioner/Director Lupe Ramos Amith
Councilmember/Commissioner/Director Glenn Miller

2. INVOCATION

The City Council does not endorse the content of the invocation and does not endorse the invitational speaker's particular faith, belief and/or religious denomination. The City Council does not engage in any prior inquiry, review of, or involvement in, the content of the invocation, except to request the speaker to refrain from using the invocation as an opportunity to attempt to convert others to a particular faith or to disparage any faith or belief and for the speaker to face the City Council. The City Council has an established neutral policy for selecting and scheduling invitational speakers. The City Clerk will make the Council's policy on invocations available upon request for public inspection and copying.

3. PLEDGE OF ALLEGIANCE

4. CITY ATTORNEY REPORT ON CLOSED SESSION

5. APPOINTMENTS

- a. Appointment of a representative to the Imperial Irrigation District Energy Consumers Advocacy Committee.

6. REPORT ON CITY COUNCIL EXTERNAL/INTERNAL BOARDS, COMMISSIONS AND COMMITTEE MEETINGS AND REPORT ON MEETINGS ATTENDED PER GOVERNMENT CODE SECTION 53232.3(d)

7. CITY MANAGER REPORTS AND INFORMATION

- a. [Discussion and direction regarding the conduct of in-person public meetings in light of California's reopening on June 15, 2021 and Executive Order N-29-20.](#)

8. PUBLIC COMMENT FOR ITEMS NOT ON THE AGENDA

This is the time set aside for public comment for items not on the agenda. Public comments may be provided in the manner prescribed at the top of this agenda. If the total time of comments extend beyond 30 minutes, the Mayor may defer further public comments for items Not on the Agenda until the end of the Agenda.

9. CONSENT CALENDAR

Consent calendar items are considered to be routine in nature and will be approved by one motion. Reading of text of Ordinances is waived and Ordinances are adopted as second reading, by title only. Public requests to discuss consent calendar items must be filed with the City Clerk before the consent calendar is called. This is the time for any member of the public wishing to speak on a consent calendar item to do so. Any member of the public wishing to speak shall have a total of three minutes to address any and all items on which he/she wishes to speak. Unless a consent calendar item is pulled for discussion by a council member, there will be no further opportunity to discuss the matter. If a consent calendar item is pulled for Council discussion and a member of the public then wishes to speak, he/she shall limit comments to matters raised during the Council discussion.

- a. [Minutes for City Council/Indio Water Authority meeting held June 2, 2021](#) (Sabdi Sanchez, City Clerk Administrator)
- b. [City Warrants](#) (Rob Rockwell, Assistant City Manager and Director of Finance) Recommendation: Receive & File
- c. [IWA Warrants](#) (Trish Rhay, IWA General Manager) Recommendation: Receive & File
- d. [Award a contract in the amount of \\$1,308,000 to Borden Excavating, Inc. for the Miles Avenue Water Improvement, IWA Project No. WDMA21](#) (Trish Rhay, IWA General Manager) Recommendation: Approve
- e. [Construction Contract with C.S. Legacy Construction, Inc. in the amount of \\$411,752.88 for the Dr. Carreon Park Improvement Project \(Project No. PK2002\)](#) (Timothy T. Wassil, Director of Public Works) Recommendation: Approve
- f. [Resolution No. 10205, adopting a list of projects to be funded by Senate Bill 1, Road Repair and Accountability Act of 2017](#) (Timothy T. Wassil, Director of Public Works) Recommendation: Approve
- g. [Resolution Nos. 10206, 10207, 10208, initiating proceedings for the Landscape and Lighting Districts Numbers 01-22, 24-29, and 31-54, proceedings relative to levying annual assessments for Fiscal Year 2021-22, and setting the public hearing for July 21, 2021](#) (Timothy T. Wassil, Director of Public Works) Recommendation: Approve
- h. [Agreement with the Indio Chamber of Commerce and the Greater Coachella Valley Chamber of Commerce for business and promotional services, and community events in the amount of \\$195,000 for Fiscal Year 2021-22](#) (Brooke Beare, Director of Communications & Marketing) Recommendation: Approve
- i. [Agreement for Professional Services with Tilden-Coil Constructors for Pre-Construction Management Services for the Public Safety Campus in the not-to-exceed amount of \\$78,000](#) (Scott Trujillo, Deputy City Manager) Recommendation: Approve
- j. [Month to Month Lease Agreement with Destiny Church for rental of Successor Agency-owned property located at 81725 Highway 111 \(APN 616-120-043\)](#) (Kevin H. Snyder, Director of Community Development) Recommendation: Approve

10. PUBLIC HEARINGS

- a. [Resolution No. 10219](#), approving the issuance of tax-exempt revenue bonds by CMFA for financing of the Arroyo Crossing Affordable Housing Project, pursuant to the Tax Equity Financial Responsibility Act (TEFRA) (Kevin H. Snyder, Director of Community Development)
- b. [Resolution No. 10214](#), adopting a Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program, [Ordinance No. 1761](#) approving the Church at the Red Door Specific Plan, and [Resolution No. 10215](#), approving Tentative Parcel Map No. 37899 (TPM 20-03-403) to subdivide the 13.07-acre Project Site into two (2) lots to accommodate a worship center to be located at the southwest corner of Jefferson Street and Avenue 49 (APNs: 602-060-001 and 602-060-002) (Kevin H. Snyder, Director of Community Development) Recommendation: Approve
- c. [Request for a Certificate of Public Convenience and Necessity to allow the sale of beer and wine for consumption off the premises requested by Chandi Empire, Inc., for a convenience store \(within the Chandi Plaza\) located at 81965 Indio Boulevard \(Type 20 License\)](#) (Kevin H. Snyder, Director of Community Development) Recommendation: Approve
- d. [Resolution No. 10209](#), approving Tentative Parcel Map No. 37826 (TPM 20-11-409) to subdivide an existing parcel of land generally located west of Jefferson Street and south of Avenue 40 into four (4) parcels and designate a remainder and finding the project is exempt from the California Environmental Quality Act (15315) (Kevin H. Snyder, Director of Community Development) Recommendation: Approve
- e. [Resolution Nos. 10216, 10217, and 10218](#), adopting the 2020 Coachella Valley Regional Urban Water Management Plan, the Water Shortage Contingency Plan and Appendix L as an Addendum to the 2015 Urban Water Management Plan (Trish Rhay, IWA General Manager) Recommendation: Approve
- f. [Ordinance No. 1762](#), amending sections of Chapter 54 of the Indio Municipal Code regarding Water Conservation to align with the 2020 Coachella Valley Regional Urban Water Management Plan (Trish Rhay, IWA General Manager) Recommendation: Approve
- g. [City Council/Indio Water Authority \(IWA\) Joint Resolution No. 10210 and IWA Resolution No. 2021-77](#), adopting the Fiscal Year 2021-2022 Operating and Capital Improvement Budget and Program and Supplemental Water Supply Program (Trish Rhay, IWA General Manager) Recommendation: Approve
- h. [Resolution Nos. 10211, 10212, 10213, and IHA Resolution No. 2021-12](#), adopting the Fiscal Year 2021-2022 Appropriations Limit and Operating and Capital Improvement Budget and Program for the City of Indio and the Operating Budget for the Indio Housing Authority (Rob Rockwell, Assistant City Manager and Director of Finance) Recommendation: Approve

11. PUBLIC COMMENTS FOR ITEMS NOT ON THE AGENDA (IF NECESSARY)

This comment period is only if public comments for items not on the agenda from the beginning of the meeting were deferred to the end because the 30 minute period was reached and there were additional speakers at that time. This is not a new public comment period.

12. ADJOURN

Next Council / IWA Meeting: July 21, 2021

Agenda packets are available on the city's website at www.indio.org and at the public counter in City Hall at 100 Civic Center Mall, Indio, California. Materials related to an item on this Agenda submitted to the City Council after distribution of the agenda packet are available for public inspection at the front counter of the lobby of the City Hall Administration Building at 100 Civic Center Mall, Indio, during normal City business hours and during the meeting.

PUBLIC NOTICE

The Indio City Council Chamber is accessible to person(s) with disabilities. If special equipment is needed, for the hearing impaired, please call the City Clerk's office. Persons with disabilities can receive this agenda in an alternative format and should call the City Clerk's office at 391-4007. Notification 48 hours prior to a meeting will enable the City to make reasonable arrangements to ensure accessibility to the meeting (28 CFR 35.102.35.104 ADA Title 11).

RULES OF DECORUM

To help conduct the business of the City Council in an orderly fashion, the City Council has adopted rules pertaining to decorum and order, as provided for in Ordinance No. 1205. The City Council will strictly enforce these rules in order to allow full expression of ideas and opinions by councilmembers, staff and the public. Generally, the City's rules of decorum prohibit comments or actions which willfully disrupt the meeting. All remarks and questions shall be addressed to the Council as a whole and not to any particular member. No individual Councilmember or member of the City staff shall be questioned without first obtaining permission from the Presiding Officer. The City Council asks that all persons - including councilmembers, staff and the public - act and speak respectfully.

DECLARATION OF POSTING

I, Sabdi Sanchez, City Clerk Administrator of the City of Indio, California, do hereby declare that the foregoing agenda was posted on June 11, 2021, at least seventy-two (72) hours prior to the meeting per Government Code 54954.2, at the following locations:

*City of Indio Council Chamber, 150 Civic Center Mall, Indio, CA 92201
City of Indio website www.indio.org*

Sabdi Sanchez

**SABDI SANCHEZ, CMC
CITY CLERK ADMINISTRATOR**