



CITY OF INDIO

Agenda

July 21, 2021

City Council

Council Chamber | 150 Civic Center Mall | Indio, California

The City Council Chamber will be open to the public and City Council meetings will be conducted in person and remotely through Zoom in compliance with Executive Order N-29-20

The Council Chamber will have very limited seating available on a first-come, first-served basis. Members of the public will be required to comply with the California Department of Health Guidance for the Use of Face Coverings which requires unvaccinated individuals to wear a mask in indoor public settings unless otherwise exempt.

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 **YouTube** at:
<https://www.youtube.com/channel/UCnJCb93GZ3LsUSpDYss2oWA>

or view and participate via **Zoom** at:
<https://us02web.zoom.us/j/86310200857?pwd=NzJwNkY2ckw0NzI0Lyt6N0owTWp5dz09>
Webinar ID: 863 1020 0857
Passcode: 801496

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 in person or 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, City Council, 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: Oral testimony can be provided in person or during the virtual live session. Individual speakers are limited to three minutes each, unless, for good cause, the Mayor amends the time limit. To address the Council in person please complete speaker request card located at the entrance and give it to the City Clerk. Your name will be called when it is your turn to speak. To address the Council during the virtual live session via zoom, please email the City Clerk at ssanchez@indio.org. **The City Clerk 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). To participate during the live session, please keep track of the meeting proceedings by watching the meeting via Livestream, Facebook Live, YouTube, or Zoom. Your name will be called when it is your turn to speak.

Public Hearing Items: Any person may provide in-person comments on public hearing items. Oral or written comments will also be accepted 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.

JULY 21, 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

**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 Code Section 54956.8; Property generally located on a parcel located off of Adams Street between Avenue 39 and Avenue 40 (APN Nos. 691-070-028); City of Indio Negotiator: Bryan H. Montgomery, City Manager; Negotiating Party: GID Espana and Coachella Valley Water District; Under Negotiation: Price and Terms of Payment
- b. Conference with Real Property Negotiators, Government Code Section 54956.8; 45265 Fargo Street (APN No. 611-174-020); City of Indio Negotiator: Bryan H. Montgomery, City Manager; Negotiating Party: Victor Coombes; Under Negotiation: Price and Terms of Payment
- c. Conference with Real Property Negotiators, Government Code Section 54956.8; 82-851 and 82-867 Miles Avenue (APN 611-173-001); City of Indio Negotiator: Bryan H. Montgomery, City Manager; Negotiating Party: CV Brewing Co Inc. dba Coachella Valley Brewing Co.; Under Negotiation: Price and Terms of Payment
- d. Conference with Real Property Negotiators, Government Code Section 54956.8; Property generally located on Monroe Street, between Dr. Carreon and John Nobles Avenue (APN No. 614-130-036); City of Indio Negotiator: Bryan H. Montgomery, City Manager; Negotiating Party: PANGE MARC C et. al; Under Negotiation: Price and Terms of Payment.
- e. Conference with Labor Negotiator, Government Code Section 54957.6; City Negotiator: Bryan H. Montgomery, City Manager, Rob Rockwell, Assistant City Manager & Finance Director, Scott Trujillo, Deputy City Manager, and Andrew Ansoorian, Director of Human Resources & Risk Management; 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
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 Elaine Holmes
Mayor Pro Tem/Vice President Waymond Fermon
Councilmember/Commissioner Oscar Ortiz
Councilmember/Commissioner Lupe Ramos Amith
Councilmember/Commissioner 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. REPORT ON CITY COUNCIL EXTERNAL/INTERNAL BOARDS, COMMISSIONS AND COMMITTEE MEETINGS AND REPORT ON MEETINGS ATTENDED PER GOVERNMENT CODE SECTION 53232.3(d)

6. PRESENTATIONS

- a. Introduction of Division Chief Bryan White by Robert M. Fish, CAL FIRE Deputy Chief
- b. Tobacco Retail License Program presentation by Shadow Hills High School Interact Tobacco Task Force

7. APPOINTMENTS

- a. [Designation of Voting Delegate and Alternate for the League of California Cities Annual Conference & Expo, September 22-24, 2021, in Sacramento, CA.](#)

8. CITY MANAGER REPORTS AND INFORMATION

9. 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.

10. 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 16, 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. [SECOND READING: Ordinance No. 1761, approving the Church at the Red Door Specific Plan](#) (Kevin H. Snyder, Director of Community Development) Recommendation: Approve
- e. [SECOND READING: 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
- f. [Resolution No. 10220, authorizing IWA's General Manager to execute contract amendment No. 1 between the Indio Water Authority and the United States Department of the Interior for a license to construct, own, operate and maintain a waterline crossing of the Coachella Canal at Monroe Street and Avenue 40](#) (Trish Rhay, IWA General Manager) Recommendation: Approve
- g. [Approve the Water Improvement Agreement and performance and payment bonds from Terra Lago Indio LLC, for K. Hovnanian's Four Seasons at Terra Lago, Tract No. 32341, located on the north/west corner of Avenue 44 and Terra Lago Pkwy](#) (Trish Rhay, IWA General Manager) Recommendation: Approve and Accept
- h. [Authorize and accept Water Improvement Agreement and performance and payment bonds from Lennar Homes of California, Inc., for Paradiso Tract No. 31815, located on the north/east corner of Monroe St. and Avenue 41](#) (Trish Rhay, IWA General Manager) Recommendation: Authorize and Accept
- i. [Supplier Agreement with Ferguson Enterprises, LLC \(dba Ferguson Waterworks\) for as-needed water meters and meter parts during Fiscal Year 2021-2022 in an amount not to exceed \\$250,000](#) (Trish Rhay, IWA General Manager) Recommendation: Approve
- j. [Purchase of as-needed waterworks parts and supplies for Fiscal Year 2021-22 for a combined not-to-exceed amount of \\$360,000 in accordance with the approved budget from Ferguson Waterworks, Core & Main, Dangelo Company, United Waterworks, Inc., and Western Waterworks](#) (Trish Rhay, IWA General Manager) Recommendation: Approve
- k. [Construction contract with Powell Constructors, Inc. in the amount of \\$3,685,732.75, for the Channel Lining and Earthquake Retrofit of the eastbound bridge and westbound bridge across](#)

the Coachella Valley Stormwater Channel at Indio Boulevard Project (Project Nos. BR0801/BR0802) (Timothy T. Wassil, Director of Public Works) Recommendation: Approve

- l. Professional Services Agreement with TY Lin International, Inc. in an amount not-to-exceed \$516,579.47 for the construction management and inspection services for the Channel Lining and Earthquake Retrofit of the eastbound bridge and westbound bridge across the Coachella Valley Stormwater Channel at Indio Boulevard Project (Project Nos. BR0801/BR0802), and Amendment No. 11 to the agreement for professional services with Dokken Engineering for construction support in the amount not-to-exceed \$69,769.38 (Timothy T. Wassil, Director of Public Works) Recommendation: Approve
- m. Contract with Demo Unlimited, Inc. in the amount of \$125,256.28 for the demolition of the building located at 82870 Bliss Avenue (Project No. BD2104) (Timothy T. Wassil, Director of Public Works) Recommendation: Approve
- n. Construction Contract with Petrochem Materials Innovation, Inc. in an amount of \$3,000,000 for the Citywide Roadway Maintenance for Fiscal Year 2021-22 with the ability to extend the agreement for two additional one-year terms (Timothy T. Wassil, Director of Public Works) Recommendation: Approve
- o. Final Tract Map for Terra Lago Indio, LLC, Tract Map No. 32287 (Terra Lago, Area 2) located on the north side of Avenue 44 and west of Dillon Road (Timothy T. Wassil, Director of Public Works) Recommendation: Approve
- p. Addendum No. 2 to the Third Amendment and Restatement of the CVAG Joint Powers Agreement, to add the Twenty-Nine Palms Band of Mission Indians as a formal member of the Coachella Valley Association of Governments (Bryan H. Montgomery, City Manager) Recommendation: Approve
- q. First Amendment to the Professional Services Agreement (PSA) between the City of Indio and Raimi + Associates for the Zoning Code Update Project for an amount not to exceed \$120,000 and authorizing the City Manager to execute said Amendment (Kevin H. Snyder, Director of Community Development) Recommendation: Approve

11. ADMINISTRATIVE ITEMS

- a. Professional Services Agreement with CUSP Agency, LLC in the not-to-exceed amount of \$200,037.50 for event management services for the Indio International Tamale Festival with budget adjustments (Scott Trujillo, Deputy City Manager) Recommendation: Approve
- b. **Resolution No. 10229** Calling and giving notice of the holding of a Special Municipal Election to be held on November 2, 2021 placing a Measure on the ballot entitled “The City of Indio No Tax Increase Safety/Essential City Services Protection Measure” to extend the existing Transactions and Use (Sales) Tax known as Measure X, requesting the City Attorney to prepare an Impartial Analysis and establishing requirements for Ballot Arguments and Rebuttals; and **Resolution No. 10230** requesting the County of Riverside Board of Supervisors to consolidate a Special Municipal Election to be held on November 2, 2021 with the Election to be held on the date pursuant to Section 10403 of the Elections Code (Bryan H. Montgomery, City Manager) Recommendation: Approve

12. PUBLIC HEARINGS

- a. **Resolution No. 10222**, approving Tentative Parcel Map No. 38143 (TPM 21-02-410) to subdivide a parcel of land into four (4) single family residential parcels, a common lot (open space), a private street, and a remainder lot acquired by the Coachella Valley Water District, finding the project is exempt from the California Environmental Quality Act (15315) (Kevin H. Snyder, Director of Community Development) Recommendation: Approve
- b. **Resolution No. 10226**, certifying the Final Environmental Impact Report (FEIR) prepared for the Ventana Project, pursuant to the requirements of the California Environmental Quality Act (CEQA) and adopting a Mitigated Monitoring and Reporting Program; **Resolution No. 10227**, approving General Plan Amendment 20-05-120 to add a new land use designation, Transitional Neighborhood (TN), with a density of 0-3 dwelling units per acre and a concurrent Land Use Map Amendment; **Ordinance No. 1763**, adopting Ventana Specific Plan 20-05-39 to establish zoning regulations and development and design standards for the project site; and **Resolution No. 10228**, approving Tentative Tract Map No. 37884 to subdivide a 45.17-acre vacant parcel located on the north side of Avenue 50, between Jefferson Street and Madison Street into 103 single family residential lots (APNs: 602-070-004-1, 602-080-001-9, and 602-080-002-0) (Kevin H. Snyder, Director of Community Development) Recommendation: Approve
- c. **Resolution No. 10223** approving Engineer's Annual Levy Report for the Landscape and Lighting Districts (Numbers 01-22, 24-29, and 31-54) for Fiscal Year 2021/2022; and **Resolution No. 10224** ordering the levy and collection of assessments within the fifty-two Landscape and Lighting Districts for Fiscal Year 2021-22 (Timothy T. Wassil, Director of Public Works) Recommendation: Approve
- d. **Resolution 10225**, increasing Solid Waste Charges for Residential Properties for Residential Waste for Fiscal Years 2021-22 through 2026-27; and **Resolution No. 10221**, Levying the Annual Waste Charges for Fiscal Year 2021-2022 (Timothy T. Wassil, Director of Public Works) Recommendation: Approve

13. 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.

14. ADJOURN

Next Council / IWA Meeting: August 18, 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 July 16, 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