



# CITY OF INDIO

## Agenda

### August 18, 2021

### City Council

Council Chamber | 150 Civic Center Mall | Indio, California

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***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](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:

**STUDY SESSION:**  
<https://us02web.zoom.us/j/83401873756?pwd=K0dLV0t2aHFoTINRTkRtY2NrcXVadz09>  
Webinar ID: 834 0187 3756 | Passcode: 222780

**REGULAR SESSION:**  
<https://us02web.zoom.us/j/82081356208?pwd=VUJTS0E5WE5tUHZ5MG5lOVUyRWtZZz09>  
Webinar ID: 820 8135 6208 | Passcode: 941087

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](mailto: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](mailto: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.

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**AUGUST 18, 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*

**STUDY SESSION  
CITY COUNCIL  
3:00 p.m.**

<https://us02web.zoom.us/j/83401873756?pwd=K0dLV0t2aHFoTINRTkRtY2NrcXVadz09>

Webinar ID: 834 0187 3756 | Passcode: 222780

**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. 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. City Retail Consultant Presentation and Discussion (Austin Farmer and Cary Everitt - The Retail Coach) (*Carl S. Morgan, Director of Economic Development*)

**5. ADJOURN**

**CLOSED SESSION**  
**CITY COUNCIL/SUCCESSOR AGENCY TO THE REDEVELOPMENT AGENCY OF**  
**THE CITY OF INDIO**  
**4:00 p.m.**

**1. CALL TO ORDER AND ROLL CALL**

Mayor/Chair Elaine Holmes  
Mayor Pro Tem/Vice Chair Waymond Fermon  
Councilmember/Director Oscar Ortiz  
Councilmember/Director Lupe Ramos Amith  
Councilmember/Director 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; 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.
- b. 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
- 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 Church; Under Negotiation: Price and Terms of Payment
- d. Conference with Legal Counsel, Anticipated Litigation-Significant Exposure to Litigation, Government Code Section 54956.9(d)(2); Number of potential cases: 1
- 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 HR & 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)

- f. Conference with Labor Negotiator, Government Code Section 54957.6; City Negotiator: Bryan H. Montgomery, City Manager; Unrepresented Employees: Management, Confidential and Unrepresented Employee Group; Assistant Police Chief, Assistant City Manager/Director of Finance, Assistant General Manager, Indio Water Authority, Chief Building Official, Chief of Police, City Clerk Administrator, City Engineer, Deputy City Manager, Director of Communications and Marketing, Director of Community Development, Director of Economic Development, Director of Human Resources and Risk Management, Director of Information Technology, Director of Public Works and General Manager, Indio Water Authority.

**REGULAR JOINT MEETING  
CITY COUNCIL / INDIO WATER AUTHORITY  
5:00 p.m.**

<https://us02web.zoom.us/j/82081356208?pwd=VUJTS0E5WE5tUHZ5MG5lOVUyRWtZZz09>  
Webinar ID: 820 8135 6208 | Passcode: 941087

**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 invocational 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 invocational 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. PRESENTATIONS**

- a. Recognition of Indio High and Shadow Hills High Schools' 5<sup>th</sup> Annual Mayor's Cup
- b. Presentation by Martha's Village
- c. Presentation by Coachella Valley Rescue Mission
- d. Presentation by Coachella Valley History Museum

**6. APPOINTMENTS**

- a. [Appointment of a representative to the Imperial Irrigation District \(IID\) Energy Consumers Advisory Committee \(ECAC\).](#)

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

**8. CITY MANAGER REPORTS AND INFORMATION**

- a. [Presentation by North Star Place Branding + Marketing \(Brooke Beare\)](#)

## 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 July 21, 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. [Report of Investments for the quarter ending June 30, 2021](#) (Rob Rockwell, Assistant City Manager and Director of Finance) Recommendation: Receive & File
- e. [SECOND READING: Ordinance No. 1763, adopting Ventana Specific Plan 20-05-39 to establish zoning regulations and development and design standards for the project site](#) (Kevin H. Snyder, Director of Community Development) Recommendation: Approve
- f. [Professional Services Agreement with KYLE Groundwater, Inc., in the amount of \\$244,670 to provide hydrogeological and engineering consulting services to construct a new production well](#) (Trish Rhay, IWA General Manager) Recommendation: Approve
- g. [Water Improvement Agreement, performance, and payment bonds, and Grant of Easement from AutoZone Parts Inc., and Can Do LLC, for AutoZone 3363 expansion, located on the north/east corner of Jackson St. and Avenue 42](#) (Trish Rhay, IWA General Manager) Recommendation: Authorize and Accept
- h. [Agreement for special services with the law firm of Liebert Cassidy Whitmore in an amount not to exceed \\$350,000 each fiscal year](#) (Andrew Ansoorian, Director of Human Resources & Risk Management) Recommendation: Approve
- i. [Addition of an IWA Senior Customer Service Technician job classification to the City's list of allowable job classifications](#) (Andrew Ansoorian, Director of Human Resources & Risk Management) Recommendation: Approve
- j. [Implementation of terms of a Tentative Agreement with the Service Employees International Union, Local 721 bargaining unit, and authorization for the City Manager to execute a successor Memorandum of Understanding](#) (Andrew Ansoorian, Director of Human Resources & Risk Management) Recommendation: Approve

- k. [Management, Confidential and Unrepresented employee Compensation and Benefit Plan and Resolution No. 10232](#) related to the salaries, benefits, and terms and conditions of employment for “At-Will” employees (Andrew Ansoorian, Director of Human Resources & Risk Management) Recommendation: Approve
- l. [Amendment No. 2 to the consulting contract with Winbourne Consulting LLC for Computer Aided Dispatch and Records Management System project management in the amount of \\$86,625](#) (Ian Cozens, Director of Information Technology) Recommendation: Approve
- m. [Approval of a Subdivision Improvement Agreement with Lennar Homes of California, Inc., for street and survey monument improvements for Tract Map No. 31601 \(Lido at Terra Lago\) and release of agreement and current bonds posted by Veritas Lido, LLC.](#) (Timothy T. Wassil, Director of Public Works) Recommendation: Approve
- n. [Fuel purchase in the amount of \\$355,000 from Soco Group, Inc., for the City’s bulk fuel needs](#) (Timothy T. Wassil, Director of Public Works) Recommendation: Approve
- o. [Use of American Rescue Plan Act \(ARPA\) funds to procure one \(1\) used 2016 Elgin Crosswind Street Sweeper, in the amount of \\$203,906.25](#) (Timothy T. Wassil, Director of Public Works) Recommendation: Approve
- p. [Use of American Rescue Plan Act \(ARPA\) funds to procure one \(1\) new 2021 replacement John Deere 5075M utility tractor with attachments for the Public Works Department, Street Maintenance Division, in the amount of \\$80,314.39](#) (Timothy T. Wassil, Director of Public Works) Recommendation: Approve
- q. [Professional Services Agreement with Magellan Advisors, LLC in the amount of \\$124,650 for the preparation of a Fiber Master Plan for the City of Indio](#) (Kevin H. Snyder, Director of Community Development & Ian Cozens, Director of Information Technology) Recommendation: Approve

## 11. PUBLIC HEARING

- a. [Ordinance No. 1764](#) approving the Second Amendment to the Development Agreement between the City of Indio and Goldenvoice, LLC and Coachella Music Festival, LLC to extend the term of the agreement to 2050; [Ordinance No. 1765](#) amending provisions of the Major Music Festival Overlay Zone related to the extension of the term; [Resolution No. 10231](#) approving an amendment to the Major Music Festival Permit; and finding that the Project is [Categorically Exempt from the California Environmental Quality Act \(Class 1 and Class 23\)](#) (Kevin H. Snyder, Director of Community Development) Recommendation: Approve

## 12. 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.

## 13. ADJOURN

**Next Council / IWA Meeting: August 30, 2021 at 3:00 p.m.**

Agenda packets are available on the city’s website at [www.indio.org](http://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 August 13, 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](http://www.indio.org)*

*Sabdi Sanchez*

SABDI SANCHEZ, CMC  
CITY CLERK ADMINISTRATOR