



# CITY OF INDIO

## Agenda

### City Council

150 Civic Center Mall  
Indio, California

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*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. Due to COVID-19, the meeting can be viewed via Facebook Live at the City of Indio's Facebook page. Remote public participation is allowed as described below. In addition, 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.*

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**August 19, 2020**

#### **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 3:00 p.m.**

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

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

#### **2. PUBLIC COMMENT**

*This is the time set aside for public comment. General public comments or comments on a specific item may be submitted via email to [cityclerk@indio.org](mailto:cityclerk@indio.org). The City Clerk will read your comment into the record.*

*If you wish to provide oral testimony during the live session, please email your contact information to the City Clerk at the email above, 24-hours in advance. The City Clerk will email you the zoom call-in instructions. 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 or Facebook Live.*

### **3. ADJOURN TO CLOSED SESSION to consider:**

- a.** Conference with Real Property Negotiators, Government Code Section 54956.8; for Assessor Parcel Number 614-130-036, Indio, City of Indio Negotiator: Mark Scott, City Manager; Negotiating Party: PANGE MARC C et. al; Under Negotiation: Price and Terms of Payment.
- b.** Conference with Real Property Negotiators, Government Code Section 54956.8; for Assessor Parcel Numbers 607- 251-024, 025, and 607-230-027, Indio, City of Indio Negotiator: Mark Scott, City Manager; Negotiating Party: Unicars Honda, Inc.; Under Negotiation: Price and Terms of Payment.
- c.** Conference with Real Property Negotiators, Government Code Section 54956.8; for Assessor Parcel Numbers: 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; Indio, City of Indio Negotiator: Mark Scott, City Manager; Negotiating Party: HCL Indio Grand Marketplace, LLC.; Under Negotiation: Price and Terms of Payment.
- d.** Conference with Real Property Negotiators, Government Code Section 54956.8; Assessor Parcel Numbers 611-164-014, 611-172-001, 611-172- 003, 611-172-007, 611-172-017, 611-172-018, 611-172-019, 611-172-020, 611-172-022, 611- 172-023, 611-172-025, 611-172-026, 611-172-027, 611-173-002, 611-173-006, 611-173-008, 611-173-012, 611-173-013, 611-173-015, 611-173-016, 611-173-017, 611-173-018, 611-173- 019, 611-173-020, 611-173-021, 611-212-041, 611-164-011, 611-164-013, 611-164-015, 611- 153-001, 611-153-004, 611-153-007, 611-153-009, 611-153-010, 611-153-011; City of Indio Negotiator: Mark Scott, City Manager; Negotiating Party: PSDG; 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

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

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

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

**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. 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 newly appointed County Fire Chief, Chief Bill Wieser.

**7. APPOINTMENTS**

- a. [Designation of Voting Delegate and Alternate for the League of California Cities Annual Conference, October 7 – 9, 2020.](#)

**8. [CITY MANAGER REPORTS AND INFORMATION](#)**

- a. September City Council Meeting Schedule
- b. Proposed Resolution re Racism and Inequity as a Public Health Crisis
- c. Business License Administrative Cost Waiver for New Businesses
- d. Building Permit/Inspection Fee Waiver for Covid-related Upgrades
- e. Updates on Short-Term Rental Enforcement Policy
- f. Update on CARES Act Funding Options

**9. PUBLIC COMMENT FOR ITEMS NOT ON THE AGENDA**

*This is the time set aside for public comment. General public comments or comments on a specific item may be submitted via email to [cityclerk@indio.org](mailto:cityclerk@indio.org). The City Clerk will read your comment into the record.*

If you wish to provide oral testimony during the live session, please email your contact information to the City Clerk at the email above, 24-hours in advance. The City Clerk will email you the zoom call-in instructions. 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 or Facebook Live.

As it relates to the comments on public hearing items, comments will be accepted to the e-mail address identified above during the public hearing until the hearing is closed.

## 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 the Regular Joint City Council/Indio Water Authority meeting held July 15, 2020](#) (Sabdi Sanchez, City Clerk Administrator) Recommendation: Approve
- b. [Resolution No. 10171, adopting an amended City of Indio Conflict of Interest Code](#) (Sabdi Sanchez, City Clerk Administrator) Recommendation: Approve
- c. [Resolution No. 10174, providing for the appointment to the Offices of City Clerk and City Treasurer that were to be elected on Tuesday, November 3, 2020](#) (Sabdi Sanchez, City Clerk Administrator) Recommendation: Approve
- d. [Report on Investments for Quarter Ending June 30, 2020](#) (Rob Rockwell, Assistant City Manager and Director of Finance) Recommendation: Receive & File
- e. [City Warrants](#) (Rob Rockwell, Assistant City Manager and Director of Finance) Recommendation: Receive & File
- f. [IWA Warrants](#) (Trish Rhay, IWA General Manager) Recommendation: Receive & File
- g. [Professional Services Agreement with Sierra Controls, LLC. in an annual not-to-exceed amount of \\$75,000 for Supervisory Control and Data Acquisition \(SCADA\) system maintenance](#) (Trish Rhay, IWA General Manager) Recommendation: Approve
- h. [Award of a contract in the amount of \\$345,029 to Best Drilling and Pump Inc. for the rehabilitation and flow profiling of Well AA, IWA Project No. WWAA21](#) (Trish Rhay, IWA General Manager) Recommendation: Approve
- i. [Resolution No. 10172, acknowledging receipt of a report from the Indio Fire Department's compliance with California Health & Safety Code Sections 13146.2 and 13146.3](#) (Robert Fish, Fire Chief) Recommendation: Approve
- j. [Professional Services Agreement with BAE Urban Economics for the Highway 111 Corridor Specific Plan funded by the California Department of Housing and Community Development SB 2 Planning Grant](#) (Kevin H. Snyder, Director of Community Development) Recommendation: Approve

## 11. ADMINISTRATIVE ITEMS

- a. [Memorandum of Understanding between the Cities of La Quinta, Coachella, and Indio for the cost-sharing purchase of a Ladder Truck replacement \(Robert Fish, Fire Chief\)](#)  
*Recommendation: Approve*
- b. [Resolution No. 10175 approving the Disposition and Development Agreement \(DDA\) for the sale of an approximately one-acre \("Site"\) \(APN 616-050-010\) between the City of Indio and Sage Las Palmas Indio, LLC, and find that the disposition is in conformance with the General Plan \(Carl S. Morgan, Director of Economic Development\)](#)  
*Recommendation: Approve*

## 12. PUBLIC HEARINGS

- a. [A public hearing to request for a Certificate of Public Convenience or Necessity to allow the sale of beer, wine, and distilled spirits for consumption off the premises where sold \(Type 21 License\) for Vallarta Supermarket located at 42425 Jackson Street, Suite A & B, Indio, CA 92201 \(Kevin H. Snyder, Director of Community Development\)](#)  
*Recommendation: Approve*
- b. [Resolution No. 10173, granting a 12-month time extension for Tentative Tract Map No. 37160 located within the Trilogy Master Plan area \(Kevin H. Snyder, Director of Community Development\)](#)  
*Recommendation: Approve*

## 13. ADJOURN

**Next Council / IWA Meeting: September 16, 2020**

*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).*

*Pursuant to Governor Newsom's Executive Order N-25-20, members of the City Council or staff may participate in this meeting via teleconference. In the interest of maintaining appropriate social distancing, members of the public may participate in the meeting via livestream, or in person at 150 Civic Center Mall, Indio, CA 92201.*

## 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 14, 2020, 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