



CITY OF INDIO

Agenda

City Council

150 Civic Center Mall
Indio, California

September 18, 2019

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 CLOSED SESSION CITY COUNCIL / SUCCESSOR AGENCY 4:00 p.m.

1. CALL TO ORDER AND ROLL CALL

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

2. PUBLIC COMMENT

This is the time set aside for public comment. If you wish to speak, please complete a "request to speak" form and limit your comments to three minutes (forms are located in the lobby of the Council Chamber). 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 Legal Counsel, Anticipated Litigation-Initiation of Litigation, Government Code Section 54956.9(d)(4); Number of potential cases: 1
- b. Conference with Real Property Negotiators, Government Code Section 54956.8, City of Indio APN 607-260-058; Negotiator: Mark Scott, City Manager; Negotiating Party, Shadow Hills RV Resort, David B. Turner Owner, Under Negotiation; Price and Terms
- c. Conference with Real Property Negotiators, pursuant to California Government Code Section 54956.8; 79370 Varner Road (APN's 607-251-024, 607-251-025, and 607-230-027); City of Indio Negotiator; Mark Scott, City Manager; Negotiating Parties: Unicars Honda. Negotiation: Price and Terms of payment
- d. Conference with Labor Negotiator, Government Code Section 54957.6; City Negotiators: Rob Rockwell, Assistant City Manager and Finance Director, Scott Trujillo, Deputy City Manager,

Terry Deeringer, Director of Human Resources & Risk Management, and Mark Scott, Chief Negotiator. Employee Organizations: Services Employees International Union (SEIU), Indio City Employees' Association (ICEA) and Indio Water Authority Employees' Association (IWAEA)

- e. Conference with Real Property Negotiators (City Council and Successor Agency), Government Code Section 54956.8; City of Indio and Successor Agency properties with APN's 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 and City of Indio Successor Agency Negotiator: Mark Scott, City Manager/Executive Director; Negotiating Party: PSDG; Under Negotiation: Price and Terms of Payment

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

1. CALL TO ORDER AND ROLL CALL

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

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. YOUTH ADVISORY COUNCIL

Licett Alvarado, Natalia Banuelos, Denise Campos, Andrew Cervantes, Aracely Garza, Katherine Escalante Gomez, Ashley Gonzalez, Jade Heredia-Salas, Edna Isbel Mora-Luque, Anna Perez, Irie Quintessa Carmona, Victoria Terriquez, Rogelio Torres, and Tania Valdez.

5. REPORT ON CLOSED SESSION

6. PRESENTATIONS

- a. Certificate of Recognition to CVCT

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

9. EXCUSE YOUTH ADVISORY COUNCIL

10. PUBLIC COMMENT FOR ITEMS NOT ON THE AGENDA

This is the time set aside for public comment. If you wish to speak, please complete a "request to speak" form and limit your comments to three minutes (forms are located in the lobby of the Council Chamber). 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.

11. CONSENT CALENDAR

Note: 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 City Council meeting held August 21, 2019](#) (Sabdi Sanchez, City Clerk Administrator) Recommendation: Approve
- b. [SECOND READING: Ordinance No. 1741](#) amending Chapter 32 of Title III of the Indio Municipal Code (Rob Rockwell, Assistant City Manager and Finance Director) Recommendation: Approve
- c. [City Warrants](#) (Rob Rockwell, Assistant City Manager and Finance Director) Recommendation: Receive & File
- d. [IWA Warrants](#) (Trish Rhay, IWA General Manager) Recommendation: Receive & File
- e. [Resolution adopting a Public Art Deaccession policy for the City of Indio's Arts in Public Places collection](#) (Kevin H. Snyder, Community Development Director) Recommendation: Adopt **Resolution No. 10113**
- f. [Approve a Management Agreement between the City of Indio and Landmark Golf LP](#) (Scott Trujillo, Deputy City Manager) Recommendation: Approve
- g. [Purchase replacement laptops for Police Patrol and Code Enforcement vehicles, from LEHR Auto in the amount of \\$241,629.89](#) (Ian Cozens, IT Director) Recommendation: Approve
- h. [Approve Change Order No. 3 in the amount of \\$48,909 to Borden Excavating, Inc., for payment of encroachment permit fees related to the Water Tract Water Improvements project](#) (Trish Rhay, IWA General Manager) Recommendation: Approve
- i. [Authorize the acceptance of 150 square feet of water easement from RDS, Indio LLC within APN 614-020-026](#) (Trish Rhay, IWA General Manager) Recommendation: Approve

- j. [Amendment No. 2 to the professional services agreement in the amount of \\$18,990 with Hazen and Sawyer for Water Master Plan and Hydraulic Model Update](#) (Trish Rhay, IWA General Manager) Recommendation: Approve
- k. [Authorize the City Manager/Executive Director to execute a contract with GL Gayler Construction, Inc. in the amount of \\$156,360 for on-call maintenance for pavement and concrete repairs, and establish a 10% contingency in the amount of \\$15,636 for unforeseen site conditions](#) (Trish Rhay, IWA General Manager) Recommendation: Approve
- l. [Conservation Program Update and Recommendation of Revisions to the Turf Removal Rebate Program](#) (Trish Rhay, IWA General Manager) Recommendation: Approve
- m. [Month-to-month rental agreement with RG2 Management, LLC \(dba\) All the Right Connections located at 45-149 Smurr Street, Suite B \(a portion of APN 611-173-007\)](#) (Carl S. Morgan, Economic Development Director) Recommendation: Approve
- n. [Conditionally approve Subordination Agreement with the Peter Livreri, former owner of property, located at 79050 Varner Road, and authorize the City Manager to execute said Subordination Agreement](#) (Carl S. Morgan, Economic Development Director) Recommendation: Approve

12. ADMINISTRATIVE ITEMS

- a. [Approve Exclusive Negotiating Agreement \(ENA\) between the City of Indio \(“City”\) and Coachella Valley Development Partners, for the sale and development of four City owned parcels \(“Site”\)](#) (Carl S. Morgan, Economic Development Director) Recommendation: Approve
- b. [Construction contract with Desert Concepts Construction, Inc., in the amount of \\$541,491 for the Park Renovation Projects \(Project No. PK1707\) to be performed at six \(6\) City parks](#) (Timothy T. Wassil, Public Works Director) Recommendation: Approve
- c. [Approve a Management Agreement between the City of Indio and Kevaworks, Inc.](#) (Mark Scott, City Manager) Recommendation: Approve

13. PUBLIC HEARINGS

- a. [A public hearing to accept the Fiscal Year 2018-2019 Supplemental Law Enforcement Services Account \(SLESA\) funds in the amount of \\$133,567 and approve the expenditure plan, with budget adjustments](#) (Michael Washburn, Police Chief) Recommendation: Approve
- b. [A public hearing to adopt Resolution No. 10106 Certifying the Final Environmental Impact Report, Adopting CEQA Findings and a Mitigation Monitoring and Reporting Program and Adopting a Statement of Overriding Consideration for the City of Indio 2040 General Plan and Climate Action Plan; Resolution No. 10107 adopting the City of Indio 2040 General Plan; and Resolution No. 10108 adopting the Climate Action Plan](#) (Kevin H. Snyder, Community Development Director) Recommendation: Adopt **Resolution Nos. 10106, 10107, 10108**
- c. [A public hearing to adopt Resolution No. 10111 approving a one \(1\) year time extension for Tentative Tract Map 37075 for the project located south of Avenue 42, west of Jefferson Street and Resolution No. 10112 approving a one \(1\) year time extension for Tentative Tract Map No.](#)

[37076 for the project located south of Avenue 42, east side of Jefferson Street and west of Burr Street \(Arroyo Vista Partners, LLC\)](#) (Kevin H. Snyder, Community Development Director)
Recommendation: Adopt **Resolution Nos. 10111, 10112**

14. PUBLIC COMMENTS CONTINUED, IF NEEDED, FOR ITEMS NOT ON THE AGENDA

15. ADJOURN

Next Council Meeting: October 9, 2019

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).

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 September 13, 2019, 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