



CITY OF INDIO

Agenda

City Council

150 Civic Center Mall
Indio, California

March 04, 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

4:00 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*

****Councilmember Ramos Amith will be participating via teleconference from 49143 Gila River Street, Indio, CA 92201***

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, Existing Litigation, Government Code Section 54956.9(d)(1), Drill Tech Drilling & Shoring, Inc. v. Future DB International Inc., et al.; Los Angeles Superior Court Case No. BC711033
- b. Conference with Real Property Negotiators, Government Code Section 54956.8; City of Indio Properties with with Assessor Parcel Numbers (APNs) 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

- c. Conference with Legal Counsel, Anticipated Litigation-Significant Exposure to Litigation, Government Code Section 54956.9(d)(2); Number of Cases: 1. The City Council finds, based on advice from legal counsel, there are facts and circumstances that might result in litigation but which are not yet known to a potential plaintiff and said facts and circumstances need not be disclosed.
- d. Conference with Real Property Negotiators, Government Code Section 54956.8; with Assessor Parcel Numbers (APNs) 692-670-001, 692-670-004, 692-670-005, 692-670-009, 692-670-011, and 692-670-012; City of Indio Negotiator: Mark Scott, City Manager; Negotiating Party: CAN DO LLC; Under Negotiation: Price and Terms of Payment.
- e. Conference with Real Property Negotiators, pursuant to California Government Code Section 54956.8; 79370 Varner Road with Assessor Parcel Numbers (APNs) 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
- f. Conference with Real Property Negotiators, Government Code Section 54956.8; with Assessor Parcel Numbers (APNs) 607-251-024, APN 607-230-027, and APN 607-251-025, City of Indio Negotiator: Mark Scott, City Manager; Negotiating Parties: JKC Palm Springs, LLC. Negotiation: Price and Terms of Payment.
- g. Conference with Legal Counsel, Anticipated Litigation-Initiation of Litigation, Government Code Section 54956.9(d)(4); 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*
Youth Advisory Councilmember

****Councilmember Ramos Amith will be participating via teleconference from 49143 Gila River Street, Indio, CA 92201***

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. PRESENTATIONS

- a. Proclamation – Census 2020 (*Mayor Miller*)

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. APPOINTMENTS

- a. Appointments by Mayor Miller:
 - 1. Appointment to the Palm Springs International Airport Commission
 - 2. Appointment to the Citizens' Finance Advisory Commission
 - 3. Appointment to the Community Services Commission
- b. Appointments by Councilmember Ramos Amith:
 - 1. Appointment to the Citizens' Finance Advisory Commisison
 - 2. Appointment to the Sustainability Commission
 - 3. Appointment to the Public Arts and Historic Preservation Commisison

8. YOUTH ADVISORY COUNCIL

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

9. CITY MANAGER REPORTS AND INFORMATION

10. EXCUSE THE YOUTH ADVISORY COUNCIL

11. 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.

12. 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 Joint City Council/Indio Water Authority meeting held February 19, 2020 \(Sabdi Sanchez, City Clerk Administrator\) Recommendation: Approve](#)

- 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. Approval of IWA improvement agreement with D.R. Horton for the remaining portion of the Shadow Ranch residential development (Tract No. 32149) and acceptance of the three related water utility easements within Tract No. 32149 (Trish Rhay, IWA General Manager) Recommendation: Approve
- e. Accept the Street and Survey Monument Improvements and authorize release of the Surety for Terra Lago Indio, LLC, Tract Map Nos. 32341-4 and 32341-7 (Terra Lago Area 2), generally located north of Avenue 44 and west of Dillon Road (Timothy T. Wassil, Public Works Director) Recommendation: Approve
- f. Agency Reimbursement Agreement by and between the Coachella Valley Association of Governments (CVAG) and the City of Indio for work related to the ATP Arts and Music Line (Timothy T. Wassil, Public Works Director) Recommendation: Approve
- g. Updated Project Delivery Agreement between the City of Indio and the California Department of Transportation for the Northbound Indio Boulevard Bridge over the Whitewater River Seismic Retrofit Project (Timothy T. Wassil, Public Works Director) Recommendation: Approve
- h. Amendment No. 1 to the existing Professional Services Agreement with Albert A. Webb Associates to prepare the Plans, Specifications, and Engineer's Estimate (PS&E) for the Herbert Hoover Elementary Safe Routes to School Improvement for a total not-to-exceed contract amount of \$330,058.68 (Timothy T. Wassil, Public Works Director) Recommendation: Approve

13. ADMINISTRATIVE ITEMS

- a. Purchase and Sale Agreement for a property located on the northwest corner of Jefferson Street and Varner Road (a portion of APN 607-260-058) between the City of Indio ("City") and Dakota Dunes, Inc., for the sale of a City-owned parcel of 1.74 acres and finding of General Plan conformity (Carl S. Morgan, Economic Development Director) Recommendation: Approve
- b. Approve an Exclusive Negotiating Agreement ("ENA") between the City of Indio ("City") and PSDG INDIO, LLC ("PSDG") for the sale and development of 23 City-owned parcels ("Site") in Downtown Indio (Carl S. Morgan, Economic Development Director) Recommendation: Approve

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

15. ADJOURN

Next Council / IWA Meeting: March 18, 2020

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 February 28, 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
49143 Gila River Street, Indio, CA 92201*

Sabdi Sanchez

SABDI SANCHEZ, CMC
CITY CLERK ADMINISTRATOR