



# 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 Livestream at [https://www.indio.org/your\\_government/city\\_clerk/agendas.htm](https://www.indio.org/your_government/city_clerk/agendas.htm) or 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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**October 21, 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**

**4:30 p.m.**

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

Mayor Glenn Miller  
Mayor Pro Tem Elaine Holmes  
Councilmember Waymond Fermon  
Councilmember Oscar Ortiz  
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; Assessor Parcel Numbers 607-251-024, 025, and 607-230-027, Indio; City of Indio Negotiator: Mark Scott, Interim City Manager; Negotiating Party: Unicars Honda, Inc.; Under Negotiation: Price and Terms of Payment.
- b. Conference with Real Property Negotiators, Government Code Section 54956.8; 43143 N. Jackson Street, Indio; City of Indio Negotiator: Mark Scott, Interim City Manager; Negotiating Party: ZT Sports; Under Negotiation: Price and Terms of Payment.
- c. Public Employment pursuant to Government Code Section 54957(b); Title: City Manager

**REGULAR JOINT MEETING OF THE  
CITY COUNCIL AND 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 Glenn Miller  
Mayor Pro Tem/Vice President Elaine Holmes  
Councilmember/Commissioner Waymond Fermon  
Councilmember/Commissioner Oscar Ortiz  
Councilmember/Commissioner Lupe Ramos Amith

**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. REPORT ON CLOSED SESSION OF OCTOBER 7, 2020 COUNCIL MEETING AND OCTOBER 21, 2020 COUNCIL MEETING.**

**5. YOUTH ADVISORY COUNCIL**

Denise Campos, Miabella Cansino, Alyssa Garcia, Katherine Escalante, Trinity Hernandez, Stephany Lopez, Kelly Lopez, Kindra Medel, Edna Mora, Jaqueline Orozco, Eliana Perez, Tabitha Ramirez, Sherlyn Rivera, Sienna Rodriguez, Victoria Terriquez, Ellie Thompson, and Tania Valdez

## 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. PRESENTATIONS

- a. Proclamation – Breast Cancer Awareness Month

## 8. CITY MANAGER REPORTS AND INFORMATION

- a. Discussion & Possible Direction — Proposed Alternative Tamale Festival Event

## 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 agenda 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 and that would be the time for any member of the public wishing to speak on a consent calendar item. 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 the consent calendar item that is pulled.*

- a. [Minutes for the Regular Joint City Council/Indio Water Authority meeting held October 7, 2020](#) (Sabdi Sanchez, City Clerk Administrator) Recommendation: Approve
- b. [City Warrants](#) (Rob Rockwell, Assistant City Manager and Director of Finance) Recommendation: Receive & File
- c. [SECOND READING: Ordinance No. 1756](#) approving the Third Amendment to the existing Development Agreement between the City of Indio and Empire II, LLC and find that the proposed Third Amendment is categorically exempt from the California Environmental Quality Act and within the scope of previous environmental review (Kevin H. Snyder, Director of Community Development) Recommendation: Approve
- d. [Authorize the acceptance of 20,277 square feet of domestic water easement dedicated to the Indio Water Authority/City of Indio by Indio Behavioral Health Hospital, LLC within Tract 32163 Parcels 2 & 3](#) (Trish Rhay, IWA General Manager) Recommendation: Approve

- e. [Award of a contract in the amount of \\$330,400 to Ace Fence Company for the construction of perimeter security fencing at the Boe Del Heights and Waller Tract IWA Well Sites, Project No. WPSF20](#) (Trish Rhay, IWA General Manager) Recommendation: Approve
- f. [Agreement with Coachella Animal Network \(CAN\) for animal support services in the amount of \\$30,000 per year from July 1, 2020 to June 30, 2023](#) (Scott Trujillo, Deputy City Manager) Recommendation: Approve
- g. [Resolution No. 10181 of intent to vacate a portion of the north side of Avenue 44 right-of-way between Monroe Street and Fred Waring Drive and set the Public Hearing for November 18, 2020](#) (Timothy T. Wassil, Director of Public Works) Recommendation: Approve
- h. [Accept the street and survey monument improvements and authorize release of the surety for Terra Lago Indio, LLC, Tract Map No. 32341-10 \(Terra Lago Area 2\), generally located north of Avenue 44 and East of Golf Center Parkway](#) (Timothy T. Wassil, Director of Public Works) Recommendation: Approve
- i. [Resolution No. 10182 waiving certain fees for new business in the City for one year due to the COVID-19 pandemic](#) (Rob Rockwell, Assistant City Manager and Director of Finance) Recommendation: Receive & File

## 11. ADMINISTRATIVE ITEMS

- a. [Water Master Plan and Long Range Financial Plan Presentation](#) (Trish Rhay, IWA General Manager)
- b. [Acceptance of Fiscal Year 2020 Edward Byrne Memorial Justice Assistance Grant \(JAG\) funding in the amount of \\$30,344 and approval to use this grant to pay for replacement and maintenance costs relating to the Police Department's Body-Worn Camera \(BWC\) program](#) (Michael Washburn, Chief of Police) Recommendation: Approve

## 12. PUBLIC HEARING

- a. [Ordinance No. 1757, adopt an uncodified ordinance to automatically extend through December 31, 2023 the expiration date of approved Conditional Use Permit and Design Review entitlements that were not expired 30 days from the date of final passage of this uncodified ordinance by the City Council and that the City Council find that the proposed ordinance is exempt from the California Environmental Quality Act \(CEQA § 15061\(c\)\(3\)\)](#) (Kevin H. Snyder, Director of Community Development) Recommendation: Approve

## 13. ADJOURN

**Next Council / IWA Meeting: November 4, 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 October 16, 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