

ATTACHMENT 1

December 11, 2019

FROM: Mayor and Members of the Coachella City Council
TO: General Public
RE: Report on Measures Taken to Alleviate the Conditions Which Led to the Adoption of Ordinance No. 1149, an Interim Urgency Ordinance that Temporarily Suspends the City's Approval of New Applications for the Construction or Operation of Prisons, Jails, Correctional Facilities, and Detention Centers Within City Limits

On November 20, 2019, the Coachella City Council adopted Ordinance No. 1149, an interim urgency ordinance that temporarily suspends the City's approval of new applications for the construction or operation of prisons, jails, correctional facilities, and detention facilities within city limits. The moratorium was established to allow the City the opportunity to consider amendments to the General Plan or Zoning Code to better regulate the location of prisons or detention facilities within the City, and address how these land uses impact the health, safety, and welfare of Coachella residents.

Ordinance No. 1149 was adopted pursuant to California Government Code Section 65858 and provides that the ordinance shall expire 45 days from the date of its adoption (January 4, 2020), unless the ordinance is extended by the Coachella City Council after additional notice and a public hearing.

At a noticed public hearing to be held on December 11, 2019, the Coachella City Council will be asked to consider extending the interim urgency ordinance for an additional period of ten (10) months and fifteen (15) days, as authorized by Government Code Section 65858. The interim moratorium, if extended, would automatically expire November 19, 2020.

Government Code Section 65858(d) requires that at least 10 days prior to the expiration of the interim urgency ordinance, the City Council must issue a written report describing the measures taken to alleviate the conditions which led to the adoption of the ordinance. This is that required written report.

Since the adoption of the interim ordinance, the City Attorney has been working with the Planning Department to address the current and immediate threat to the public health, safety, and welfare created by the lack of appropriate regulations for the siting of prisons and detention facilities. Measures taken to date include: (1) reviewing and researching draft ordinance language to better regulate the siting of prisons and detention facilities, including any facility used to provide foster services to separated minors, (2) soliciting public feedback, and (3) researching conflicting Federal and State laws and policies applicable to the proposed ordinance.

Although Staff has started to take the measures outlined above, more research and study is necessary. Staff will therefore also be presenting to City Council at the December 11 meeting a

request to extend the moratorium for an additional period of ten (10) months and fifteen (15) days.

Respectfully submitted,

Mayor and Members of the Coachella City Council