



City Hall Council Chamber
1515 Sixth Street, Coachella, California
(760) 398-3502 ♦ www.coachella.org

MINUTES

CITY COUNCIL CLOSED SESSION AND REGULAR MEETING OF THE CITY OF COACHELLA

THE COUNCIL SITTING AS THE COACHELLA SANITARY DISTRICT,
COACHELLA FIRE PROTECTION DISTRICT, COACHELLA FINANCING AUTHORITY,
COACHELLA EDUCATIONAL AND GOVERNMENTAL ACCESS CABLE CHANNEL CORPORATION,
COACHELLA WATER AUTHORITY, AND SUCCESSOR AGENCY TO THE COACHELLA REDEVELOPMENT AGENCY

December 08, 2021

5:00 PM Closed Session

6:00 PM Regular Meeting

CALL TO ORDER: - 5:00 P.M.

The Regular Meeting of the City Council of the City of Coachella was called to order at 5:08 p.m. by Mayor Hernandez.

ROLL CALL:

Present: Councilmember Beaman Jacinto (*arrived at 6:04 p.m.*), Councilmember Delgado (*arrived at 5:35 p.m.*), Councilmember Galarza, Mayor Pro Tem Gonzalez, and Mayor Hernandez
City Treasurer Aviles, and City Clerk Zepeda

Absent: None.

Pursuant to Assembly Bill 361, along with the Governor's State of Emergency Declaration issued on March 4, 2020, this meeting was conducted both in-person and via teleconference/electronically.

APPROVAL OF AGENDA:

City Manager Martin asked Council to continue Items 9 and 25, to the City Council Meeting of January 12, 2022.

Motion: To approve the agenda as amended.

Made by: Mayor Pro Tem Gonzalez

Seconded by: Councilmember Galarza

Approved: 3-0, by a unanimous voice vote

PUBLIC COMMENTS (CLOSED SESSION ITEMS):

None.

ADJOURN TO CLOSED SESSION:

Council adjourned into Closed Session at 5:10 p.m. to discuss the following items:

Councilmember Delgado arrived at 5:35 p.m. during Closed Session.

1. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION
Significant Exposure to Litigation, Pursuant to Government Code Section 54956.9(d)(2)/(e)(1)
One (1) potential case
2. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION
Initiation of Litigation, Pursuant to Government Code Section 54956.9(d)(4)
One (1) potential case
3. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION
Pursuant to Government Code Section 54956.9(d)(1)
In re: National Prescription Opiate Litigation
U.S. District Court, Case No. 1:17-CV-2804

RECONVENE REGULAR MEETING: - 6:00 P.M.

The City Council reconvened into open session at 6:00 p.m.

PLEDGE OF ALLEGIANCE:

The retiring City of Coachella employees present in the Council Chamber led the Pledge of Allegiance.

CLOSED SESSION ANNOUNCEMENTS:

City Attorney Campos stated that Council met in Closed Session, and direction was given, but no reportable action was taken.

APPROVAL OF MINUTES:

4. Special Meeting Minutes of a Coachella City Council Study Session held on November 8, 2021.
5. Regular Meeting Minutes of November 10, 2021, of the City Council, Coachella Fire Protection District, Coachella Sanitary District, Coachella Financing Authority, Coachella Educational and Governmental Access Cable Corporation, Coachella Water Authority, and Successor Agency to the Coachella Redevelopment Agency.
6. Special Meeting Minutes of a Coachella City Council Study Session held on November 15, 2021.

Motion: To approve the minutes as presented.

Made by: Councilmember Delgado
Seconded by: Mayor Pro Tem Gonzalez
Approved: 4-0, by a unanimous voice vote

COUNCIL REORGANIZATION:

7. Nomination for the Position of Mayor Pro Tem:

Motion: To nominate **Josie Gonzalez** to the position of **Mayor Pro Tem**

Made by: Mayor Hernandez

Seconded by: Councilmember Galarza

Approved: 4-0, a unanimous voice vote

PROCLAMATIONS/PRESENTATIONS:

Councilmember Beaman Jacinto joined the meeting at 6:04 p.m. during Presentations.

8. Presentation on Coronavirus (COVID-19) Response Efforts

9. In place of the proclamation to congratulate Lee Espinoza for his induction into the West Coast Boxing Hall of Fame, as this item was continued to the next City Council Meeting, Mr. Espinoza presented to the City framed pictures of the recent event.

10. Recognizing Retiring Employees:

- Environmental Regulatory Program Manager Berlinda Blackburn
- Parks Senior Maintenance Worker Paul Carranza
- Sanitary Superintendent Jerry Jimenez
- Information Technology Manager Mark Walwick
- Streets Senior Maintenance Worker Margarito Bautista
- Street Superintendent/Emergency Services Coordinator George Torres

WRITTEN COMMUNICATIONS:

Written communication received will be read when those items come up for vote.

CONSENT CALENDAR:

11. Voucher Listing — EFT's/Utility Billing Refunds/FY 2021-22 Expenditures as of December 8, 2021, \$1,375,093.33.

12. Ordinance No. 1188 (Zoning Ordinance Amendment 21-04) amending the Coachella Municipal Code regarding Interim Outdoor Cannabis Cultivation. City-Initiated (*Second Reading*).

13. American Desert LLC Multi-tenant Microbusiness Project:

Ordinance No. 1189 (Change of Zone No. 21-03) to add the Industrial Park Overlay zone (IP) and change the existing zone from M-H (Heavy Industrial) to the M-S (Manufacturing Service) Zone on a 1.29 acre developed parcel located at 86695 Avenue 54. (*Second Reading*)

14. Ordinance No. 1190 (Zoning Ordinance Amendment 21-03) amending Sections 17.72.010 and 17.74.050 of Title 17 (ZONING) of the Coachella Municipal Code to regulate time extension requests for Architectural Review and Conditional Use Permits (*Second Reading*).
15. Resolution No. 2021-76, opting into Settlement Agreements with Distributors of opioids, Amerisource Bergan, Cardinal Health, and Mckesson, and Opioid Manufacturer Janssen (Owned by Johnson & Johnson)
16. Approval of the execution of a Maintenance Agreement with Yunex LLC for the Traffic Signal Maintenance Project No. 093021, in the amount not to exceed \$180,000 for a three-year term.
17. Annual Purchase/Renewal of Billboard Advertisement from Lamar Advertising
18. Approval to execute a Memorandum of Understanding for Integrated Regional Water Management Planning and Funding in the Colorado River Basin Funding Area
19. Resolution No. 2021-77, authorizing the City Manager to Accept a Proposition 56 Tobacco Grant Award from the State of California Department of Justice in the Amount of \$611,655 to hire a Community Service Officer
20. Authorization for the City Manager to enter into an Agreement in an amount not to exceed \$31,000.00 with Reliable Translations, Inc. to provide Simultaneous Interpreting and Translation Services

Motion: To approve per staff recommendation, Consent Calendar Items 11 through 20.

Made by: Mayor Pro Tem Gonzalez
Seconded by: Councilmember Beaman Jacinto
Approved: 5-0, by a unanimous voice vote

NEW BUSINESS CALENDAR (LEGISLATIVE AND ADMINISTRATIVE):

21. Mayor's Appointments to Various Council Subcommittees, Coachella Valley Association of Government (CVAG) Committees, Other Agencies, etc.

Motion: To approve with the modification to remove Councilmembers Delgado and Galarza from the Energy Consumers Advisory Committee and replace with Assistant to the City Manager Jacob Alvarez.

Made by: Councilmember Delgado
Seconded by: Councilmember Galarza
Approved: 5-0, by the following roll call vote:

AYES: Councilmember Beaman Jacinto, Councilmember Delgado, Councilmember Galarza, Mayor Pro Tem Gonzalez, and Mayor Hernandez.

NOES: None.

ABSTAIN: None.

ABSENT: None.

22. Updates to the City's Purchasing & Procurement Ordinance:

- a) Ordinance No. 1191, an Ordinance of the City Council of the City of Coachella, California, Replacing the City's Purchasing Ordinance as Set Forth in Chapter 4.08 of the City of Coachella Municipal Code (*First Reading*); and
- b) Resolution No. 2021-75, a Resolution of the City Council of the City of Coachella, California, Electing to Become Subject to the Uniform Public Construction Cost Accounting Act.

(City Attorney Campos stated Resolution No. 2021-74, will come back for vote with the ordinance's second reading.)

Motion: To approve per staff recommendation, and to read title only and pass to second reading Ordinance No. 1191

Made by: Councilmember Delgado

Seconded by: Mayor Pro Tem Gonzalez

Approved: 5-0, by the following roll call vote:

AYES: Councilmember Beaman Jacinto, Councilmember Delgado, Councilmember Galarza, Mayor Pro Tem Gonzalez, and Mayor Hernandez.

NOES: None.

ABSTAIN: None.

ABSENT: None.

Councilmember Galarza stepped away from the meeting at 7:17 p.m. and returned at 7:27 p.m.

23. Appointment of One Coachella Resident to fill One Planning Commission Vacancy.

Motion: To appoint Miguel Leal to the position of Planning Commissioner

Made by: Mayor Hernandez

Seconded by: Mayor Pro Tem Gonzalez

Approved: 2-1-1-0, by the following roll call vote:

AYES: Mayor Pro Tem Gonzalez, and Mayor Hernandez.

NOES: Councilmember Beaman Jacinto.

ABSTAIN: Councilmember Delgado.

ABSENT: Councilmember Galarza.

(The appointed Planning Commission nominee from Councilmember Beaman Jacinto remains vacant; the Alternate position remains vacant as well.)

24. Construction Contract with Jones Bros. Construction Co. in the amount of \$2,031,522.30 and an amount of \$203,152.23 for contingency for the construction of 48th Ave and Harrison Street Sewer Improvements, City Project S-24.

Motion: To approve per staff recommendation

Made by: Mayor Pro Tem Gonzalez

Seconded by: Mayor Hernandez

Approved: 4-0, by the following roll call vote:

AYES: Councilmember Beaman Jacinto, Councilmember Delgado, Mayor Pro Tem Gonzalez, and Mayor Hernandez.

NOES: None.

ABSTAIN: None.

ABSENT: Councilmember Galarza.

25. *This item was removed during the agenda approval process.*

Councilmember Galarza returned to the meeting at this time.

Mayor Hernandez recused himself from the following item and left the dais:

26. Resolution No. 2021-78, Authorizing Staff to Advertise the Fire Station #79 Rehabilitation and Expansion Project (F-7) and Appropriate Funds for the Project

Public Comments: Bryan White, in-person, in support
Jason Ronda, in-person, in support
Cesar Garcia, in-person, in support
Frankee Morales, in-person, in support
Erik Castellanes, in-person, in support
John Emerson, via Zoom, in support

Motion: To approve per staff recommendation

Made by: Councilmember Delgado

Seconded by: Councilmember Galarza

Approved: 4-0, by the following roll call vote:

AYES: Councilmember Beaman Jacinto, Councilmember Delgado, Councilmember Galarza, and Mayor Pro Tem Gonzalez.

NOES: None.

ABSTAIN: None.

ABSENT: Mayor Hernandez.

Mayor Hernandez returned to the dais following the previous item's vote.

Public Comments were moved up to this portion of the meeting being after the 8:00 hour:

1. James R.

(After Public Comments, the City Council returned to the regular agenda at this point.)

27. Resolution No. 2021-79 Prepayment and Loan Agreement Amendments for CFD 2005-1 Special Assessments – Coachella Valley I Affordable Housing Project

Public Comments: Vince Nicholas, via Zoom, in support
James R., via Zoom

Motion: To approve per staff recommendation

Made by: Mayor Pro Tem Gonzalez

Seconded by: Mayor Hernandez

Approved: 5-0, by the following roll call vote:

AYES: Councilmember Beaman Jacinto, Councilmember Delgado, Councilmember Galarza, Mayor Pro Tem Gonzalez, and Mayor Hernandez.

NOES: None.

ABSTAIN: None.

ABSENT: None.

PUBLIC HEARING CALENDAR (QUASI-JUDICIAL):

Councilmember Beaman Jacinto left the meeting at 8:28 p.m.

28. Resolution of the Board of Directors of the Coachella Water Authority Authorizing Resolution No. WA-2021-10 Adoption of the 2022 Indio Subbasin Water Management Plan Update: SGMA Alternative Plan

Written Communication: Received from Gary Gray with Sierra Club, via email on 12/7/2021 at 4:11 PM, and forwarded to Council

Mayor Hernandez opened the Public Hearing for Item 28 at 8:31 p.m.

Public Comment: None.

Mayor Hernandez closed the Public Hearing for Item 28 at 8:31 p.m.

Motion: To approve per staff recommendation

Made by: Councilmember Galarza

Seconded by: Mayor Pro Tem Gonzalez

Approved: 4-0, by the following roll call vote:

AYES: Councilmember Delgado, Councilmember Galarza, Mayor Pro Tem Gonzalez, and Mayor Hernandez.
NOES: None.
ABSTAIN: None.
ABSENT: Councilmember Beaman Jacinto.

SUCCESSOR AGENCY:

29. Resolution No. SA-2021-05 Approving and Authorizing the Conveyance to the City by Grant Deed the Successor Agency's Interest in APN 763-131-001

Motion: To approve per staff recommendation

Made by: Chair Hernandez
Seconded by: Agency Member Delgado
Approved: 4-0, by the following roll call vote:

AYES: Agency Member Delgado, Agency Member Galarza, Chair Gonzalez, and Chair Hernandez.
NOES: None.
ABSTAIN: None.
ABSENT: Agency Member Beaman Jacinto.

30. Approving the Execution by the Successor Agency to the Coachella Redevelopment Agency of the Consent to Release and Termination of Right of First Refusal Regarding Real Property Owned by DVD Facility LLC, and Recommending to the Countywide Oversight Board for the County of Riverside the Approval of the Execution by the Successor Agency to the Coachella Redevelopment Agency of said Consent to Release and Termination of Right of First Refusal

Motion: To approve per staff recommendation

Made by: Chair Hernandez
Seconded by: Vice Chair Gonzalez
Approved: 4-0, by the following roll call vote:

AYES: Agency Member Delgado, Agency Member Galarza, Chair Gonzalez, and Chair Hernandez.
NOES: None.
ABSTAIN: None.
ABSENT: Agency Member Beaman Jacinto.

PUBLIC COMMENTS (NON-AGENDA ITEMS):

With the time being after the 8:00 hour and per Resolution No. 2019-34, Public Comments were moved up (see page 7). There were no further comments at this time.

REPORTS AND REQUESTS:

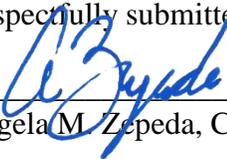
Council Comments/Report of Miscellaneous Committees.

City Manager's Comments.

ADJOURNMENT:

There being no further business to come before the City Council and the Agencies, Mayor Hernandez adjourned the meeting at 9:02 p.m.

Respectfully submitted,



Angela M. Zepeda, City Clerk