



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

MINUTES

OF A REGULAR MEETING
OF THE

CITY COUNCIL 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

May 22, 2019

5:00 p.m.

6:00 p.m.

1. CALL TO ORDER: — 5:00 P.M.

The Regular Meeting of the City Council of the City of Coachella was called to order at 5:09 p.m. in the Council Chamber at City Hall by Mayor Pro Tem Martinez.

2. ROLL CALL:

Present: Councilmember Bautista, Councilmember Beaman Jacinto, Councilmember Gonzalez (*absent during Closed Session and joined the dais at 6:00 p.m.*), Mayor Pro Tem Martinez, and Mayor Hernandez (*arrived at 5:13 p.m.*).

Absent: None.

Item 8, Approval of the Agenda, was moved up to this point of the meeting:

APPROVAL OF AGENDA:

City Attorney Carlos Campos stated there were two urgency items that came to the City's attention after the posting of the agenda and asked Council to add two items to Closed Session (as Items 4.b. and 4.c.); and City Manager Bill Pattison asked for one item to be added to Presentations as Item 10.e.

Motion: To add to the agenda the two Closed Session and one Presentation items.

Made by: *Mayor Pro Tem Martinez

Seconded by: *Councilmember Bautista

Approved: 3-0, by a unanimous roll call vote:

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

**See notes under Item 7.*

3. PUBLIC COMMENTS (CLOSED SESSION ITEMS):

None.

Mayor Pro Tem Martinez left the meeting at 6:00 p.m.

4. ADJOURN TO CLOSED SESSION:

Mayor Pro Tem Martinez asked Council to convene into Closed Session at 5:10 p.m.

- a. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION
Pursuant to Government Code Section 54956.9(d)(1)
City of Indio v. City of Coachella, et al,
Superior Ct. of California, County of Riverside, Case No. PSC 1804374
- b. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION
Pursuant to Government Code Section 54956.9(d)(1)
Desert Valleys Builders Association V. City Of Coachella, et al,
Superior Ct. of California, County of Riverside, Case No. RIC 1900832
- c. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION
Pursuant to Government Code Section 54956.9(d)(1)
Cesar Manuel Garcia v. City of Coachella, et al,
Superior Ct. of California, County of Riverside, Case No. PSC 1704926

5. RECONVENE REGULAR MEETING: — 6:00 P.M.

The City Council reconvened into open session at 6:02 p.m.

6. PLEDGE OF ALLEGIANCE:

The Pledge of Allegiance was led by Coachella Valley Mosquito and Vector Control District's General Manager Jeremy Wittie.

7. CLOSED SESSION ANNOUNCEMENTS:

*City Attorney Carlos Campos made a clarification for the record [*Approval of the Agenda on page 1*]. We did add two items to Closed Session and we want to clarify that Mayor Pro Tem Martinez called roll call on the vote. We are going to interpret that as motioning the first and Councilmember Bautista made the first vote on adding the two Closed Session items. We are, for the record, stating that as being the second. There was a 3-0 vote to add the two items to the Closed Session agenda.

There was one reportable action on Closed Session. With a motion by Mayor Pro Tem Martinez and a second by Councilmember Beaman Jacinto, the City Council approved with a 4-0 vote the Settlement Agreement in the case of Cesar Manuel Garcia v. City of Coachella, Case No. PSC 1704926. Under the terms of settlement provided a dismissal with prejudice against the City of Coachella. This is essentially a walk away when both parties are responsible for their own choices. A copy of the Settlement Agreement is available in the City Clerk's Office for review.

Item 8, Approval of the Agenda, was moved to the beginning of the meeting following roll call. See page 1.

9. APPROVAL OF THE MINUTES:

- a. Regular Meeting Minutes of May 8, 2019, 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.

Motion: To approve the minutes as presented

Made by: Councilmember Beaman Jacinto

Seconded by: Councilmember Gonzalez

Approved: 4-0, by a unanimous voice vote.

10. PROCLAMATIONS/PRESENTATIONS:

- a. Presentation from the Coachella Valley Mosquito and Vector Control District
- b. Sponsorship Request in the amount of \$32,000.00 for the pilot for the Kiko Television Series
- c. Sponsorship Request in the amount of \$50,000.00 by the Official Latino Film Festival to be held October 31 – November 3, 2019, in Coachella.

Public Comments: Pepe Serna

- d. Sponsorship Request in the amount of \$12,000.00 by Eastern Coachella Valley Pride event to be held October 26, 2019.

- e. Presentation on a proposed Coachella Art & Music Development Center by Culturas and the request for use of the City facility located on Second Street and Vine Avenue.

Public Comments: Irene N. Rodriguez
Keith Engber
Jonathan Becera

The City Council was in recess from 8:26 p.m. to 8:30 p.m.

11. WRITTEN COMMUNICATIONS:

None.

12. CONSENT CALENDAR:

- a. Voucher Listings — Utility Billing Refunds/FY 2018-19 Expenditures as of May 22, 2019, \$1,884,117.46.
- b. Establish the Appropriation Limits for Fiscal Year 2019-20
 - 1. Adopt Resolution No. 2019-26; establishing the appropriation limit for the City of Coachella for fiscal year 2019-20.
 - 2. Adopt Resolution No. SD-2019-02; establishing the appropriations limit for the Coachella Sanitary District for fiscal year 2019-20
 - 3. Adopt Resolution No. FD-2019-02; establishing the appropriations limit for the Coachella Fire Protection District for fiscal year 2019-20.
- c. Resolution No. 2019-28 Authorizing Submittal of Application(s) for All CalRecycle Grants for Which the City of Coachella is Eligible
- d. Resolution No. 2019-31 Approving the Application for Statewide Park Development and Community Revitalization Program Grant Funds (for grant identification purposes, this park site is labeled, "Central Park")
- e. Resolution No. 2019-32 Approving the Application for Statewide Park Development and Community Revitalization Program Grant Funds (Rancho Las Flores Park Phase II)
- f. Resolution No. 2019-33, a Resolution of the City Council of the City of Coachella, California, Amending the Budget for Fiscal Year 2018-2019
- g. Investment Report - February 2019

- h. Approval of the execution of Amendment No. 1 to the Bagdouma Park Landscape Maintenance Agreement with Vintage Landscape, for a one year term extension in the amount of \$149,666.52.
- i. Approval of the execution of Amendment No. 1 to the City Medians and Downtown Sixth Street Landscape Maintenance Agreement with Vintage Landscape, for a one year term extension in the amount of \$51,071.04.
- j. Approval of Increasing the Community Based Grant Program Fund by \$5,000 in order to Support Additional Nonprofit Funding Requests

Motion: To approve per staff recommendation, Consent Calendar Items 12.a. through 12.j.

Made by: Councilmember Beaman Jacinto
Seconded by: Councilmember Gonzalez
Approved: 4-0, by the following roll call vote:

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

13. NEW BUSINESS CALENDAR (LEGISLATIVE AND ADMINISTRATIVE):

- a. Fiscal Year 2019-2020 Budget Adoption
 - 1. Resolution No. 2019-27, Approving the Fiscal Year 2019-2020 City of Coachella Annual Budget
 - 2. Resolution No. CBL-2019-02, Approving the Fiscal Year 2019-2020 Coachella Educational and Governmental Access Cable Corporation Annual Budget
 - 3. Resolution No. SD-2019-03, Approving the Fiscal Year 2019-2020 Coachella Sanitary District Annual Budget
 - 4. Resolution No. WA-2019-02, Approving the Fiscal Year 2019-2020 Coachella Water Authority Annual Budget
 - 5. Resolution No. FD-2019-03, Approving the Fiscal Year 2019-2020 Coachella Fire Protection District Annual Budget

Motion: To approve per staff recommendation.

Made by: Councilmember Bautista
Seconded by: Councilmember Gonzalez
Approved: 4-0, by the following roll call vote:

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

- b. Resolution No. 2019-29 authorizing a Reduced Park User Fee for Memorandum of Understanding (MOU) Youth Sport Leagues through June 30, 2020.

Motion: To approve per staff recommendation with the caveat that the Parks and Recreation Commission consider a reduction in adult fees.

Made by: Councilmember Bautista
Seconded by: Mayor Hernandez
Approved: 4-0, by the following roll call vote:

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

- c. Resolution No. 2019-30 of the City Council of the City of Coachella, California, Objecting to the Public Sale of a Developed Parcel of Land Located at 85-811 Grapefruit Boulevard (Assessor Parcel Number 778-061-001-4), and Authorizing the Purchase of the Parcel From the Riverside County Treasurer-Tax Collector.

Motion: To approve per staff recommendation.

Made by: Mayor Hernandez
Seconded by: Councilmember Bautista
Approved: 4-0, by the following roll call vote:

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

- d. Resolution No. 2019-34, a Resolution of the City Council of the City of Coachella Amending the "City of Coachella City Council Policies, Rules and Procedures" Pertaining to the Order of Business and Public Comments.

Motion: To set time of **8:00 p.m.** for **Public Comments** and move **Approval of the Agenda to Item 3** after Roll Call.

Made by: Councilmember Gonzalez

Seconded by: Mayor Hernandez

Approved: 3-1-0, by the following roll call vote:

AYES: Councilmember Beaman Jacinto, Council-member Gonzalez and Mayor Hernandez

NOES: Councilmember Bautista.

ABSTAIN: None.

ABSENT: Mayor Pro Tem Martinez.

14. PUBLIC HEARING CALENDAR (QUASI-JUDICIAL):

- a. Roots Retail Cannabis Microbusiness and Café Project

1. Resolution No. 2019-20, Conditional Use Permit (CUP 306) to allow a 4,080 square foot retail cannabis microbusiness consisting of retail space, coffee shop, delivery office, conference rooms, offices, manufacturing space and a parking lot in a vacant building located at 791 Orchard Avenue.

2. Ordinance No. 1139, Change of Zone (CZ 18-04) to add the RC (Retail Cannabis) overlay zone to the existing R-M (Multiple Family Residential) zone at 791 Orchard Avenue.

Public Comments: None.

Motion: To **continue** item to the City Council Meeting of June 12, 2019

Made by: Councilmember Beaman Jacinto

Seconded by: Councilmember Bautista

Approved: 3-0-1, by the following roll call vote:

AYES: Councilmember Bautista, Councilmember Beaman Jacinto and Mayor Hernandez

NOES: None.

ABSTAIN: Councilmember Gonzalez.

ABSENT: Mayor Pro Tem Martinez.

15. **PUBLIC COMMENTS (NON-AGENDA ITEMS):**

- a. Maria Esperanza Guzman
- b. Brad Anderson

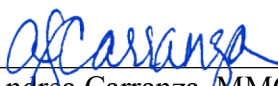
16. **REPORTS AND REQUESTS:**

- a. Council Comments/Report of Miscellaneous Committees.
- b. City Manager's Comments.

17. **ADJOURNMENT:**

There being no further business to come before the City Council and the Agencies, Mayor Hernandez adjourned the meeting at 9:50 p.m. in honor of Eduardo Vega Garcia, Sr., the father of former Coachella Mayor and current Assemblymember Garcia; and the aunt (Sofia Prieto) and uncle (Jose Prieto) of Mayor Pro Tem Martinez who were killed as a result of a recent street racing accident in Coachella.

Respectfully Submitted,



Andrea Carranza, MMC
Deputy City Clerk