



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

January 23, 2019

5:00 p.m. Closed Session

6:00 p.m. Regular Meeting

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 5:14 p.m. in the Council Chamber at City Hall by Mayor Hernandez.

2. ROLL CALL:

Present: Councilmember Bautista, Councilmember Beaman Jacinto, Councilmember Gonzalez, Mayor Pro Tem, and Mayor Hernandez.

Absent: None.

3. PUBLIC COMMENTS (CLOSED SESSION ITEMS):

None.

4. ADJOURN TO CLOSED SESSION:

City Attorney Campos asked Council to add to the agenda by four fifths vote one item under Closed Session as Item 4.f.

Motion: **To add to the agenda by 4/5 vote as Item 4.f.**

Made by: Mayor Pro Tem Martinez

Seconded by: Councilmember Bautista

Approved: 5-0, 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.

Mayor Hernandez asked Council to convene into Closed Session at 5:16 p.m. to discuss the following items:

- a. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION
Pursuant to Government Code Section 54956.9(d)(1)
City of Coachella v. Mao Sung Ku
Superior Ct. of California, County of Riverside, Case No. PSC 1805140
- b. 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
- c. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION
Pursuant to Government Code Section 54956.9(d)(1)
Citizens for Responsible Cannabis Development v. City of Coachella, et al,
Superior Ct. of California, County of Riverside, Case No. RIC 1900596
- d. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION
Significant Exposure to Litigation, Pursuant to Government Code Section 54956.9(d)(2)/(e)(1)
Two (2) potential cases
- e. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION
Initiation of Litigation, Pursuant to Government Code Section 54956.9(d)(4)
One (1) potential case
- f. 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

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

The City Council reconvened into open session at 6:18 p.m.

Mayor Pro Tem Martinez was absent from the dais upon reconvening the regular meeting.

6. PLEDGE OF ALLEGIANCE:

The Pledge of Allegiance was led by visiting students from Coral Mountain Academy.

7. CLOSED SESSION ANNOUNCEMENTS:

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

8. APPROVAL OF AGENDA:

City Manager Pattison stated that regarding Item 14.b., the Public Hearing item will be opened and then continued to the next meeting. There were no modifications to the agenda.

Motion: To approve agenda as presented.

Made by: Councilmember Bautista
Seconded by: Councilmember Gonzalez
Approved: 4-0, by a unanimous voice vote.

9. APPROVAL OF THE MINUTES:

a. Regular Meeting of December 12, 2018, 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 minutes as presented.

Made by: Councilmember Bautista
Seconded by: Councilmember Beaman Jacinto
Approved: 4-0, by a unanimous voice vote.

10. PROCLAMATIONS/PRESENTATIONS:

- a. Presentation from Lift to Rise by Its President & CEO Heather Vaikona.
- b. Certified Annual Financial Report, Results of the FY 2017-18 Audit by Frances Kuo with the Pun Group.

11. WRITTEN COMMUNICATIONS:

Written communication was received from:

- Sam Bayless, dated January 23, 2019, with California Fuels & Convenience Alliance regarding Consent Item 12.d.; and
- Three letters were received regarding Public Hearing Item 14.a. (*See page 7*)

The letters were entered into record and copies were placed on the dais for Council.

12. CONSENT CALENDAR:

- a. Voucher Listings — Manual Checks/Permit Refunds/Utility Billing Refunds/FY 2018-19 Expenditures as of January 23, 2019, \$3,118,469.16.
- b. Quarterly Reports
- c. Ordinance No. 1130 Denying the Appeals and Upholding the Planning Commission Approval of Change of Zone 18-09 from M-H (Heavy Industrial) to MS-IP (Manufacturing Service - Industrial Park) on 10 acres of land located at the northeast corner of Avenue 54 and Polk Street. Peter Solomon & Ron Qurashi, Applicants. (*Second Reading*)
- d. Ordinance No. 1131 amending Chapter 5.64 of the Coachella Municipal Code (Title 5 - Business Licenses & Regulations) to adopt Riverside County Ordinance No. 838 (as amended by Ordinance No. 838.2) of the Riverside County Board of Supervisors relating to tobacco businesses. (*Second Reading*)
- e. Authorize City Manager to resubmit a revised trademark application for Fiestas Patrias event name and recommended logo.
- f. Approve execution of a Master Right-of-Way Use Agreement between the City of Coachella and Mobilite, LLC.
- g. Approve a Community Based Grant to the Coachella Valley Housing Coalition in the Amount of \$1,000 to support its College Scholarship Program
- h. Approve a Community Based Grant to Alternatives for Youth in the amount of \$1,000.00 to support its Life Skills Course offered in the City of Coachella
- i. Approve a Community Based Grant to the Coachella Youth Sports Association Soccer League in the Amount of \$1,000 to Help Pay for Temporary Lighting
- j. Approve 2019 Temporary Use Agreement between City and Coachella Valley Soccer League.
- k. Investment Report - October 2018; November 2018.
- l. Notice of Completion ST-70-2017-02 Calhoun Street Widening and Rehabilitation.
- m. Authorize the City Manager to execute a Letter Agreement to Zambelli Fireworks Manufacturing Co. for special event pyrotechnic programming, for the City's 2019 Fourth of July Event, in the amount of \$33,500.
- n. Accept Public Improvements and exonerate the Improvement Bonds for Parcel Map No. 36481.

- o. Updated Library Facilities Use Agreement with the College of the Desert.
- p. Memorandum of Understanding with the Coachella Valley Water District to share cost in the preparation of a Storm Water Master Plan, City Project No. SD-03, for the City of Coachella.

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

Made by: Councilmember Bautista
Seconded by: Councilmember Beaman Jacinto
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. Approve Resolution 2019-04 establishing a user fee for the Coachella Library Conference Rooms 1-3 and adopting a policy for Coachella Library Conference Room Rentals.

Mayor Pro Tem Martinez returned to the dais during this portion of the meeting at 7:01 p.m.

Motion: To approve per staff recommendation.

Made by: Councilmember Bautista
Seconded by: Councilmember Gonzalez
Approved: 5-0, 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.

b. Traffic Signal Installation, Project No. ST-106:

- 1) Authorize the City Manager to Execute a Contract with DBX Inc. in an amount of \$255,363.00 for a New Traffic Signal at Van Buren and Coral Mountain School, and authorize an additional 10% Construction Contingency for the Project; and
- 2) Authorize an additional budget of \$106,000 to fund the Traffic Signal Installation. Project No. ST-106

Public Comments: Frida Arriaga
Manuel Arriaga

Motion: To approve per staff recommendation.

Made by: Councilmember Bautista
Seconded by: Councilmember Beaman Jacinto
Approved: 5-0, 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. Authorize the City Manager to Execute a Professional Service Agreement with Northwest Hydraulic Consultants to prepare the Existing Condition Assessment for the City of Coachella Stormwater Master Plan, City Project No. SD-03, in an amount not to exceed \$150,975.00

Motion: To approve per staff recommendation.

Made by: Councilmember Beaman Jacinto
Seconded by: Mayor Pro Tem Martinez
Approved: 5-0, 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.

14. PUBLIC HEARING CALENDAR (QUASI-JUDICIAL):

- a. Resolution No. 2019-05, **denying** the appeal of Planning Commission's decision regarding Architectural Review No. 18-06 ("Prado by D. R. Horton") to allow construction of 61 new single-family homes on existing vacant lots inside the Prado Gated Community (Lots 47 - 50, 60 - 85 and 88 - 118 of Tract 32075-1) located on the south side of Avenue 50 between Van Buren Street and Via Prado. Better Neighborhoods, Inc., Appellant.

The following three letters were received on this item:

Two in favor of denying the appeal:

- David Watson, dated January 9, 2019, with Duane Morris LLP; and
- Erica R. Harnick, dated January 22, 2019, with the Building Industry Association of Southern California (BIA); and

One from the Appellant:

- (J. Michael Goolsby, dated January 23, 2019, with Better Neighborhoods, Inc.)

All letters were entered into record. Letters were distributed to Council and copies placed on the dais.

Mayor Hernandez opened the Public Hearing for Item 14.a. at 7:42 p.m.

Public Comment: Gurjit Singh
David Watson
Dan Boyd

Mayor Hernandez closed the Public Hearing for Item 14.a. at 7:52 p.m.

Motion: To **deny** the appeal.

Made by: Mayor Hernandez
Seconded by: Councilmember Bautista
Approved: 5-0, 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.

- b. Desert Research Park #2 Commercial Cannabis Project Modification, including the following applications:
- 1) Resolution No. 2019-01, approving an Addendum to Environmental Assessment (EA 17-02) adopting an Addendum to the Mitigated Negative Declaration in accordance with the California Environmental Quality Act (CEQA) Guidelines;
 - 2) Resolution No. 2019-02, approving Conditional Use Permit (CUP 280) Modification No. 1 and Architectural Review (AR 17-04) Modification to allow six freestanding buildings totaling 505,520 square feet including 98,520 square feet of indoor grow building area and 404,308 of greenhouse building area and a total of 668 parking spaces;
 - 3) Resolution No. 2019-03 approving Variance No. 18-05 to allow increased roof heights on two buildings from 45 ft. to 54 ft. and the top parapet height from 50 ft. to 59 ft. and from 54 ft. to 61 ft.;
 - 4) Ordinance No. 1133, approving a Development Agreement between the City of Coachella and Desert Rock Development LLC for the Desert Research Park #2 Project. (First Reading)

Mayor Hernandez opened the Public Hearing for Item 14.b. at 8:03 p.m.

Public Comment: None.

The Public Hearing Item remained open.

Motion: To **continue** the item to the next meeting of February 13, 2019.

Made by: Mayor Pro Tem Martinez

Seconded by: Councilmember Beaman Jacinto

Approved: 5-0, 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.

15. SUCCESSOR AGENCY:

- a. Resolution No. SA-2019-01, Approving the Recognized Obligation Payment Schedule (ROPS) 19-20.

Motion: To approve per staff recommendation.

Made by: Chair Hernandez

Seconded by: Vice Chair Martinez

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

AYES: Agency Member Bautista, Agency Member Beaman Jacinto, Agency Member Gonzalez, Vice Chairman Martinez and Chairman Hernandez

NOES: None.

ABSTAIN: None.

ABSENT: None.

16. PUBLIC COMMENTS (NON-AGENDA ITEMS):

None.

17. REPORTS AND REQUESTS:

- a. Council Comments/Report of Miscellaneous Committees.

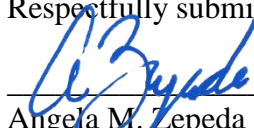
Councilmember Bautista stepped away from the dais at 8:10 p.m. and returned at 8:14 p.m.

- b. City Manager's Comments.

18. ADJOURNMENT:

There being no further business to come before the City Council and the Agencies, Mayor Hernandez adjourned the meeting at 8:42 p.m.

Respectfully submitted,



Angela M. Lepeda
City Clerk