



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

April 28, 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 5:04 p.m. by Mayor Hernandez.

ROLL CALL:

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

City Treasurer Aviles, City Clerk Zepeda (*arrived at 5:10 p.m.*).

Absent: None.

Pursuant to Executive Order N-29-20 pertaining to the coronavirus/COVID-19, this meeting was conducted entirely by teleconference/electronically with no in-person public access to the meeting location.

APPROVAL OF AGENDA:

There were no modifications to the agenda.

Motion: To add to the agenda by 4/5 vote as Item 21a, an item that came to the City after the posting of the agenda.

Made by: Mayor Pro Tem Gonzalez

Seconded by: Mayor Hernandez

Approved: 5-0, by a unanimous roll call vote:

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

NOES: None.

ABSTAIN: None.

ABSENT: None.

There were no further modifications to the agenda.

Motion: To approve the agenda as **amended**.
Made by: Mayor Pro Tem Gonzalez
Seconded by: Councilmember Galarza
Approved: 5-0, by a unanimous voice vote.

PUBLIC COMMENTS (CLOSED SESSION ITEMS):

None.

ADJOURN TO CLOSED SESSION:

Council adjourned into Closed Session at 5:07 p.m.

1. PUBLIC EMPLOYEE APPOINTMENT
Title: City Manager
2. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION
Pursuant to Government Code Section 54956.9(d)(1)
Western Growers Association, et al. v. City of Coachella, et al.
Riverside County Superior Court, Case No. CVPS2101162
3. 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
4. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION
Initiation of Litigation, Pursuant to Government Code Section 54956.9(d)(4)
One (1) potential case

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

The City Council reconvened into open session at 6:45 p.m. Mayor Pro Tem Gonzalez presiding.

(Mayor Hernandez was not present when Council reconvened the regular meeting.)

PLEDGE OF ALLEGIANCE:

City Attorney Campos led the Pledge of Allegiance.

CLOSED SESSION ANNOUNCEMENTS:

City Attorney Campos stated that Council met in Closed Session on Items 1, 2 and 4, and direction was given, but no reportable action was taken.

APPROVAL OF MINUTES:

5. Special Meeting Minutes of April 8, 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.

Motion: To approve the minutes as presented.

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.

6. Regular Meeting Minutes of April 14, 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.

Motion: To approve the minutes as presented.

Made by: Councilmember Delgado

Seconded by: Councilmember Galarza

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

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

NOES: None.

ABSTAIN: Councilmember Beaman Jacinto.

ABSENT: Mayor Hernandez.

PROCLAMATIONS/PRESENTATIONS:

(Mayor Hernandez returned to the meeting at this time.)

7. Presentation on Coronavirus (COVID-19) Response Efforts
8. Summer Internship Program

WRITTEN COMMUNICATIONS:

City Clerk Zepeda announced that one written communication was received in support of Item 22 from Bruce T Bauer with Slovak Baron Empey Murphy & Pinkney LLP (representing the applicant). The email was received on April 27, 2021, and forwarded to Council.

CONSENT CALENDAR:

9. Voucher Listing — EFT's/Manual Checks/Permit Refunds/FY 2020-21 Expenditures as of April 28, 2021, \$2,797,673.87.
10. Ordinance No. 1176 Amending Sections 16.12.110 and 17.70.050 of the Municipal Code Regarding Notices of Public Hearing Related to Tentative Subdivision Maps and the Processing of Applications on Planning and Zoning Matters. City – Initiated. (*Second Reading*)
11. Ordinance No. 1179 Amending Section 16.12.110, Subsection B, of the Coachella Municipal Code to Require that Subdividers Post On-Site Notices of Public Hearing and to Provide Uniform Posting Standards. City-Initiated. (*Second Reading*)
12. Resolution No. 2021-18, Approving the Preliminary Engineer’s Report for Levy of Annual Assessments for Fiscal Year 2021/2022 for the City of Coachella Landscaping and Lighting Maintenance District Number 1 through 38 Resolution No. 2021-18 and Setting a time and place for the Public hearing to Levy and Collect Assessments for Fiscal year 2021/2022.
13. Resolution No. 2021-30, Authorizing Examination of Sales or Transactions and Use Tax Records
14. Quarterly Reports
15. Maintenance of Effort Certification Statements Fiscal Year 2021/2022, the Local Streets and Roads Revenue Projections, as well as the Projected Five Year Measure A Capital Improvement Plans Budget for Measure A Funding
16. Investment Report – February 2021
17. Approve a Community Based Grant to Angel View in the Amount of \$1,000.00 to Support its Outreach Program for Children
18. Approve a Community Based Grant to the American Outreach Foundation in the Amount of \$1,000.00 to Help Pay for Electric Wheelchairs for Veterans and Other Low-Income Persons in Coachella
19. Memorandum of Understanding (MOU) among the Coachella Valley Regional Water Management Group (CVRWMG) for the implementation of the CV Water Counts Regional Conservation Program funded through the Proposition 1 Round 1 Integrated Regional Water Management (IRWM) Implementation Grant from Department of Water Resources (DWR) – Grant Agreement No. 4600013805

Motion: To approve per staff recommendation, Consent Calendar Items 9 through 19
Made by: Councilmember Galara
Seconded by: Mayor Pro Tem Gonzalez
Approved: 5-0, by a unanimous voice vote

NEW BUSINESS CALENDAR (LEGISLATIVE AND ADMINISTRATIVE):

20. Direction on the Advertisement of Open Commission/Committee Seats

Motion: To extend the commission/committee application period to the end of day on Friday, May 7, 2021, and to bring to the City Council for vote on Wednesday, May 12, 2021.

Made by: Councilmember Galarza
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.

21. Authorization of award of purchase to Quick Crete Products Corp. for City Hall fountain bowl replacement, for \$21,697.80 and authorize appropriation of \$21,697.80 from undesignated general fund reserves for this purchase.

Motion: To approve per staff recommendation

Made by: Mayor Hernandez
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.

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

1. Eric Lemus via Zoom

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

21a. Authorization of a Community Based Grant to Culturas Music and Arts in the Amount of \$1,000 to Support the Primero de Mayo Arte de Barrio Art Event, to be held at and around Veterans' Memorial Park on May 1, 2021, from 4:00 p.m. – 9:00 p.m.

Motion: To approve per staff recommendation
Made by: Mayor Hernandez
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.

PUBLIC HEARING CALENDAR (QUASI-JUDICIAL):

22. Coachella Canna Club Project

- a) Resolution No. 2021-24 approving Conditional Use Permit No. 330 that proposes to establish a 7170 square foot retail cannabis business and consumption lounge within the existing building located at 46156 Dillon Road; and Conditional Use Permit No. 331 that proposes to modify the interior of the existing building to create a commercial kitchen, and take-out window with indoor and outdoor seating (Chick Next Door) located at 46156 Dillon Road
- b) Ordinance No. 1178 approving Change of Zone No. 20-04 that proposes to add the Retail Cannabis Overlay zone (R-C) to the existing C-G (General Commercial) Zone on the project site.

Written Communication: Bruce Bauer, representing the applicant

Mayor Hernandez opened the Public Hearing for Item 22 at 8:17 p.m.

Public Comment: Bruce Bauer, representing the applicant

Mayor Hernandez closed the Public Hearing for Item 22 at 8:29 p.m.

Motion: To adopt Resolution No. 2021-24 approving Conditional Use Permit No. 330 and Conditional Use Permit 331 with the findings and attached conditions of approval; and

Introduce for the First Reading, by title only, Ordinance No. 1178 approving Change of Zone 20-04 with the attached findings; and

Direct Staff and the City Attorney to review the existing Coachella Municipal Code sections relative to sexually-oriented businesses and return to the City Council in 60 days regarding what revisions and amendments are recommended.

Made by: Councilmember Beaman Jacinto
Seconded by: Councilmember Delgado
Approved: 3-1-1, by the following roll call vote:

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

23. Resolution No. 2021-27, Purchase and Sale Agreement – Sale of City Surplus Land to D.R. Horton Los Angeles Holding Company, Inc. located at the southeast corner of Avenue 50 and Calhoun Street, for a contract amount of \$3,870,000.00.

Mayor Hernandez opened the Public Hearing for Item 23 at 8:53 p.m.

Public Comment: None

Mayor Hernandez closed the Public Hearing for Item 23 at 8:54 p.m.

Motion: To approve per staff recommendation.

Made by: Councilmember Galarza

Seconded by: Mayor Hernandez

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

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

NOES: Councilmember Beaman Jacinto.

ABSTAIN: Councilmember Delgado.

ABSENT: None.

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 5). There were no further comments at this time.

REPORTS AND REQUESTS:

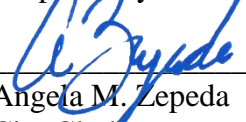
Council Comments/Report of Miscellaneous Committees.

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 9:12 p.m.

Respectfully submitted,



Angela M. Lepeda
City Clerk