



City Hall Council Chambers  
1515 Sixth Street, Coachella, California  
(760) 398-3502 ♦ [www.coachella.org](http://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 08, 2019**

5:00 p.m.

6:00 p.m.

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**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 5:01 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 Martinez, and Mayor Hernandez.

Absent: None.

**3. PUBLIC COMMENTS (CLOSED SESSION ITEMS):**

None.

**4. ADJOURN TO CLOSED SESSION:**

City Attorney Robert Hargreaves asked Council to convene into Closed Session at 5:02 p.m.

- a. CONFERENCE WITH LEGAL COUNSEL REGARDING EXISTING LITIGATION pursuant to Government Code Section 54956.9(d)(1).  
City of Coachella v. Reliable Tree Care  
Superior Ct. of California, County of Riverside, Case No PSC 1901063

- b. CONFERENCE WITH LEGAL COUNSEL REGARDING EXISTING LITIGATION pursuant to Government Code Section 54956.9(d)(1).  
Tanner Altizer v City of Coachella, et al,  
Superior Ct. of California, County of Riverside, Case No PSC 1902390
- c. 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
- d. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION  
Initiation of Litigation, Pursuant to Government Code Section 54956.9(d)(4)  
One (1) potential case
- e. 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

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

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

**6. PLEDGE OF ALLEGIANCE:**

The Pledge of Allegiance was led by former Mayor Sylvia Montenegro.

**7. CLOSED SESSION ANNOUNCEMENTS:**

City Attorney Hargreaves stated that in regards to Item 4.a., Council voted 5-0 to accept the settlement offer. On all other items, direction was given, but no reportable action was taken.

**8. APPROVAL OF AGENDA:**

City Manager Bill Pattison asked Council to move Public Hearing Item 14.c. to before Item 14.a. on the agenda. *[This change resulted in a re-lettering of all Public Hearing Items.]*

Motion: To approve the agenda as modified

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.

**9. APPROVAL OF THE MINUTES:**

- a. Regular Meeting Minutes of April 10, 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 minutes as presented.

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

**10. PROCLAMATIONS/PRESENTATIONS:**

- a. Recognition of Retired Treatment Plant Operator Dale Sparks  
b. Presentation on Regional Homelessness Efforts by Path of Life Ministries  
c. Presentation from the Coachella Valley Association of Governments (CVAG) on CV Link

*Councilmember Bautista stepped away from the dais at 6:49 p.m. and returned at 6:50 p.m.*

- d. 2019-2020 Budget Presentation

**11. WRITTEN COMMUNICATIONS:**

None.

**12. CONSENT CALENDAR:**

- a. Voucher Listings — Manual Checks/Utility Billing Refunds/FY 2018-19 Expenditures as of May 8, 2019, \$3,043,919.38.  
b. Quarterly Reports

- c. Resolution No. 2019-09, approving the Preliminary Engineer's Report for Levy of Annual Assessments for Fiscal Year 2019/2020 for the City of Coachella Landscaping and Lighting Maintenance District Number 1 through 38 Resolution No. 2019-09 and Setting a time and place for the Public hearing to Levy and Collect Assessments for Fiscal year 2019/2020.
- d. Coachella Permit Center:
  - 1) Resolution No. 2019-24, a Resolution of the City Council of the City of Coachella, California, Authorizing an Intra Fund Transfer in the Amount of \$81,000.00 from the General Fund to the General Government Impact Fee Fund for the Development of a New Coachella Permit Center Located at 53-990 Enterprise Way, Coachella CA 92236
  - 2) Contract Change Order No. 3 in an amount not to exceed \$31,247.47 with ORR Builders for City Project F-28 Permit Center
  - 3) Accept City Project F-28 Permit Center as complete and direct the City Clerk to record the Notice of Completion.
- e. Resolution No. 2019-25, a resolution to set a July 10, 2019 public hearing for Municipal Solid Waste Rates for fiscal year 2019/2020.
- f. Approval of a Community Based Grant to Read With Me Volunteer Programs in the Amount of \$1000 to Purchase 4,050 Books for 2,512 Elementary School Students
- g. Approval of the Third Amendment and Restatement of the Joint Powers Agreement of the Coachella Valley Association of Governments.
- h. Approval of a Community Based Grant to El Sol Neighborhood Educational Center in the Amount of \$891.25 to Support a One-Day Workshop About Indigenous Perspectives for Women and Teenage Girls
- i. Authorization for the Mayor to sign letter in support of Assemblymembers Mayes and Garcia's request for state funding to combat homelessness in Coachella Valley.
- j. Notice of Completion - Northeast Corner of Cesar Chavez and Sixth Street City Project P-25, Etherea Sculpture
- k. Approval of the operation of a Beer Garden for the Suavecito Sunday event series from 4:00 p.m. - 9:00 p.m. at Veterans' Memorial Park.
- l. Approval of the execution of a revised Communications Site License Agreement between the City of Coachella and New Cingular Wireless PCS, LLC, to place a wireless communication facility at Bagdouma Park.

The City will receive an annual rent of \$35,000.00.

Motion: To approve per staff recommendation, Consent Calendar Items 12.a. through 12.l. and a request to correct the typo on the staff report on Item 12.l. [removing “monthly” and keeping “\$35,000 annually”].

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.

**13. NEW BUSINESS CALENDAR (LEGISLATIVE AND ADMINISTRATIVE):**

- a. Authorization for the City Manager to execute a Construction Contract with Universal Concrete Construction in the amount of \$144,755 and an amount of \$14,475.50 for contingency for the construction of Araby Avenue Sidewalk Improvement Project, CDBG Project No. 4.CO.17-18, City Project ST-110.

Motion: To approve per staff recommendation.

Made by: Councilmember Beaman Jacinto  
Seconded by: Councilmember 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.

- b. Amendment to Committee Member assignment to the Imperial Irrigation District (IID) Energy Consumers Advisory Committee (ECAC), with a term ending December 2020.

Motion: To put out applications for community participation and appoint Jacob Alvarez as the Interim Committee Member

Made by: Mayor Hernandez  
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. Coachella History Book:

- Approve a translation review of the Coachella History Book;
- Move forward with graphic designer to set the document into a book format (which will also include placing photos);
- Acquire an International Standard Book Number (ISBN);
- Publish a small number of books.

Motion: To approve per staff recommendation.

Made by: Councilmember Beaman Jacinto  
Seconded by: Councilmember Martinez  
Approved: 5-0, by the following roll call vote:

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

*Mayor Pro Tem Martinez stepped away from the dais at 7:57 p.m. and returned at 7:59 p.m.*

*Councilmember Beaman Jacinto stepped away from the dais at 7:59 p.m.*

d. Authorization for the City Manager to Execute a Professional Service Agreement with Angenious to provide Engineering Services in an amount not to exceed \$1,196,103.56, for the Dillon Road Bridge over the Coachella Valley Storm Water Channel, Project # 2019-ST-109.

Motion: To approve per staff recommendation.

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

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

*Councilmember Beaman Jacinto returned to the dais at 8:02 p.m.*

- e. Approve cooperative agreement between the City of Coachella, Greater Coachella Valley Chamber of Commerce, Mexican Consulate and Telemundo for the 2019 Fiestas Patrias Event and authorize the Greater Coachella Valley Chamber of Commerce to manage a Beer Garden for the Fiestas Patrias Event.

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.

- f. Approve execution of Amendment No. 1 to the Vintage Landscape Maintenance Agreement for installation of landscape at the Coachella Permit Center, increasing compensation in the amount of \$56,862.00, and authorizing appropriation of \$30,862.00 from public facilities development impact fees to authorize award of Amendment No. 1.

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.

**14. PUBLIC HEARING CALENDAR (QUASI-JUDICIAL):**

*Item 14.c. (re-lettered to 14.a.) was moved up to this point of the agenda during Approval of the Agenda, resulting in a renumbering of all Public Hearing Items.*

- a. Ordinance No. 1140 amending zoning regulations regarding commercial cannabis activity facilities and retail cannabis businesses in order to expand the allowable locations and increase the number of allowable retailers, modify current zoning regulations for cannabis activity facilities, and make conforming amendments.

*(Continued on next page.)*

*(Ordinance No. 1140 continued from previous page.)*

Mayor Hernandez opened the Public Hearing for Item 14.a. at 8:15 p.m.

Public Comment: Paul Pavo  
Carmen Manriquez  
Roger Hernandez *(spoke at this time regarding Item 14.c.)*  
Rosalio Avila  
Daniel Gutierrez *(spoke at this time regarding Item 14.c.)*

Mayor Hernandez closed the Public Hearing for Item 14.a. at 8:24 p.m.

Motion: To approve per staff recommendation, **with modifications, and to return for first reading.**

Made by: Councilmember Bautista  
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.

***Re-lettered from 14.a. to 14.b.***

b. HOTN/Sinsemilla Dispensary and Pub Project

- 1) Resolution No. 2019-18 approving Conditional Use Permit No. 299 to allow an 1,839 square foot retail cannabis dispensary on the first floor of an existing vacant building located at 1694 Sixth Street.
- 2) Resolution No. 2019-19 approving Conditional Use Permit No. 300 to allow a 1,432 square foot bar/pub including alcohol sales and a sidewalk café on the first floor of an existing vacant building adjacent to the HOTN Dispensary at 1694 6th Street.
- 3) Ordinance No. 1138 approving Change of Zone No. 18-03 to add the RC (Retail Cannabis) overlay zone to the existing CG (General Commercial) zone at 1694 6th Street. *(First Reading)*

Mayor Hernandez opened the Public Hearing for Item 14.b. at 9:12 p.m.

Public Comment: Pedro Toñez  
Robert *(last name not provided)*  
Manny *(last name not provided)*

*(Continued on next page)*



*(Item 14.b., HOTN/Sinsemilla Dispensary and Pub Project, Resolution Nos. 2019-18, 2019-19, and Ordinance No. 1138 (first reading) continued from previous page.)*

Mayor Hernandez closed the Public Hearing for Item 14.b. at 9:20 p.m.

Motion: To read title only and pass to second reading; and  
To approve per staff recommendation, **with added conditions.**

Made by: Councilmember Bautista  
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.

*Re-lettered from 14.b. to 14.c.*

c. Roots Retail Cannabis Microbusiness and Café Project

- 1) Resolution No. 2019-20 approving Conditional Use Permit No. 306 to allow a 4080 square foot retail cannabis microbusiness consisting of retail space, coffee shop, delivery office, conference rooms, offices, manufacturing and a parking lot on an 11,250 square foot lot (90' x125') at the northwest corner of Orchard Street and 5th Street (791 Orchard Avenue).
- 2) Introduce for 1st Reading, by title only, Ordinance No. 1139 approving Change of Zone (CZ 18-04) to add the RC (Retail Cannabis) overlay zone to the existing R-M (Residential Multiple Family) zone at 791 Orchard Avenue.

The following Public Comments were made during Item 14.a.

- 1) Roger Hernandez, applicant, asked to have this item postponed.
- 2) Daniel Gutierrez

Motion: To **continue** item to the next meeting

Made by: Mayor Hernandez  
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-2019-02 approving the disposition of Vacant Industrial Real Property owned by the Former Coachella Redevelopment Agency, for a sales price of \$67,752, to California Artichoke & Vegetables Growers Corporation, consisting of one 1.82-acre parcel located at 86-789 Avenue 52 (APN 763-131-016).

Motion: To **continue** item.

Made by: Chair Hernandez

Seconded by: Agency Member Bautista

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

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

NOES: None.

ABSTAIN: None.

ABSENT: None.

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

- a. Saul Chavez  
b. Alberto Martinez  
c. Sylvia Montenegro

7. **REPORTS AND REQUESTS:**

- a. Council Comments/Report of Miscellaneous Committees.

*Councilmember Bautista stepped away from the dais at 9:53 p.m. and returned at 9:56 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 10:10 p.m.

Respectfully submitted,



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Angela M. Zepeda  
City Clerk