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# City Council Meeting Agenda

Thursday, June 2, 2022

1:30 PM

City Hall Council Chamber

44950 Eldorado Drive, Indian Wells, CA 92210



Welcome to a meeting of the Indian Wells City Council. All documents for public review are available for public inspection at City Hall reception, 44-950 Eldorado Drive, Indian Wells during normal business hours.

Members of the Public who wish to speak during public comment or on a particular item should fill out a blue slip and submit it to the City Clerk. Comments will be limited to 3 minutes. Speaker will be alerted when their time is up. Speakers are then to return to their seats and no further comments will be permitted. In accordance with State Law, remarks during public comment are to be limited to subjects within the City's jurisdiction. Remarks on other agenda items will be limited to those items. Remarks from those seated or standing in the back of the chambers will not be permitted. All those wishing to speak including City and Staff need to be recognized by the Mayor before speaking. Please turn off all communication devices (phones) or put them on non-audible mode (vibrate) so as not to cause a disruption in the Council proceedings.

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## 1. CONVENE THE CITY COUNCIL, PLEDGE OF ALLEGIANCE AND ROLL CALL

MAYOR DANA REED  
MAYOR PRO TEM DONNA GRIFFITH  
COUNCIL MEMBER GREG SANDERS  
COUNCIL MEMBER RICHARD BALOCCO

## 2. APPROVAL OF THE FINAL AGENDA

## 3. COUNCIL VACANCY INTERVIEWS AND APPOINTMENT

### A. [103-22](#) Appointment to Fill City Council Vacancy

#### **RECOMMENDED ACTION:**

Council **INTERVIEWS** interested candidates to temporarily fill the Council vacancy until the 2022 Special Election; and

**APPOINTS** a qualified person to fill the vacancy effective June 2, 2022; and

**ADOPTS** Resolution No. 2022-33 authorizing to fill vacancy on the City Council by appointment pursuant to Government Code 3612.

**Attachments:** [Applications](#)  
[Resolution No. 2022-33](#)

### B. [105-22](#) Appointed Council Member Oath of Office

## 4. PROCLAMATIONS AND PRESENTATIONS

### A. [104-22](#) Proclamation Recognizing Lorne Froats 100th Birthday

### B. [092-22](#) Introduction of Indian Wells City Staff Carmin Torres and Jesse Jimenez

### C. [107-22](#) Energy Efficient Project Update by SitelogIQ Representative Josh Steeber

## 5. PUBLIC COMMENTS

Members of the Public who wish to speak during public comment on a Consent Item or items not listed on the agenda may do so at this time. Members of the public should fill out a blue slip and submit it to the City Clerk, comments will be limited to 3 minutes. Speakers will be alerted when their time is up and are then to return to their seats and no further comments will be permitted.

Please note that while the City Council values your comments, the Council cannot respond nor take action until such time as the matter may appear on the forthcoming agenda.

## 6. CITY MANAGER'S REPORTS

The City Manager or Department Heads may make brief announcements, informal comments, or brief the Council on items of interest.

## 7. CITY ATTORNEY REPORTS AND COMMENTS

## 8. CONSENT CALENDAR

All matters listed on the Consent Calendar are considered to be routine and will be approved by one motion. Reading of text of Ordinances is waived and Ordinances are adopted as second reading, by title only. There will be no separate discussion of these items unless members of the Council or audience request that specific items be removed from the Consent Calendar for separate discussion and action.

- A. [ORD-014-22](#)      **Ordinance Amending Chapter 21.80 of the Municipal Code Regarding Accessory Dwelling Units and Junior Accessory Dwelling Units and Finding the Action to be Exempt from CEQA**

### **RECOMMENDED ACTION:**

Council **ADOPTS** Ordinance by title only and waives further reading, amending Chapter 21.80 of the Municipal Code regarding accessory dwelling units and junior dwelling units and finding the action to be exempt from CEQA.

***Attachments:***    [Ordinance No. 738](#)

- B. [ORD-015-22](#) Ordinance Adding Sections 20.72.070 and 21.20.015 to the City of Indian Wells Municipal Code Relating to Urban Lot Splits and Two-Unit Projects and Finding the Action to be Exempt from CEQA**

**RECOMMENDED ACTION:**

Council **ADOPTS** Ordinance by title only and waives further reading, adding sections 20.72.070 and 21.20.015 to the Municipal Code relating to urban lot splits and two-unit projects and finding the action to be except from CEQA.

***Attachments:*** [Ordinance No. 739](#)

- C. [ORD-016-22](#) Ordinance Replacing Chapter 8.16 of the Municipal Code Regarding Trees and Shrubs and Finding the Action to be Exempt from CEQA**

**RECOMMENDED ACTION:**

Council **ADOPTS** Ordinance by title only and waives further reading, replacing Chapter 8.16 of the Municipal Code regarding trees and shrubs and finding the action to be except from CEQA.

***Attachments:*** [Ordinance No. 740](#)

- D. [ORD-017-22](#) Ordinance Adding Section 12.03 to the Municipal Code to Establish a Pavement Cut Moratorium and Finding the Action to be Exempt from CEQA**

**RECOMMENDED ACTION:**

Council **ADOPTS** Ordinance by title only and waives further reading, adding section 12.03 to the Municipal Code to establish a pavement cut moratorium and finding the action to be except from CEQA.

***Attachments:*** [Ordinance No. 741](#)

- E. [ORD-018-22](#)      **Ordinance Amending Code Sections 21.06.100 and 21.10.030 to Streamline Public Hearing Notice Procedure for Development and Zoning Matters and Finding and Finding the Action to be Exempt from CEQA**

**RECOMMENDED ACTION:**

Council **ADOPTS** Ordinance by title only and waives further reading, amending the Municipal Code sections 21.06.100 and 21.10.030 to streamline public hearing notice procedure for development and zoning matters and finding the action to be except from CEQA.

***Attachments:***    [Ordinance No. 742](#)

- F. [ORD-019-22](#)      **Ordinance Adding Section 1.16.030 to the Municipal Code to Address Application-Processing and Code Violations and Finding the Action to be Exempt from CEQA**

**RECOMMENDED ACTION:**

Council **ADOPTS** Ordinance by title only and waives further reading, adding section 1.16.030 to the Municipal Code to address application-processing and code violations and finding the action to be except from CEQA.

***Attachments:***    [Ordinance No. 743](#)

- G. [093-22](#)      **Findings to Hold Remote Teleconference/Virtual Meetings and Hybrid (i.e., In-Person and Teleconference/Virtual) Meetings for All City Legislative Bodies, in Accordance with Assembly Bill 361**

**RECOMMENDED ACTION:**

Council **APPROVES** remote teleconference/virtual and hybrid meetings for all City legislative bodies by finding that a statewide state of emergency is currently in place and that state and local officials have imposed or recommended measures to promote social distancing in connection with COVID-19; and

**AUTHORIZES** City Manager to implement teleconference/virtual or hybrid public meetings as needed in accordance with Assembly Bill 361.

H. [094-22](#) **Voting Delegate to Annual League Conference in Sacramento**

**RECOMMENDED ACTION:**

Council **DESIGNATES** Mayor Dana Reed as the Voting Delegate for the City of Indian Wells at the 2022 League of California Cities Annual Conference held on September 7-9, 2022, in Long Beach.

I. [106-22](#) **Resolution in Support of Ocean Water Import for the Salton Sea**

**RECOMMENDED ACTION:**

Council **ADOPTS** Resolution No. 2022-34 declaring the City Council's continued support for a comprehensive analysis of all water import alternatives as part of the long-term solution for the Salton Sea.

***Attachments:*** [Resolution No. 2022-34](#)

J. [095-22](#) **Annual Appointments to Commission, Committees, and Boards**

**RECOMMENDED ACTIONS:**

The Interview Ad Hoc Committees recommends the Council **APPOINTS** the following residents to serve on the various City Commissions, Committees, and Boards as outlined in this report commencing on July 1, 2021.

K. [096-22](#) **City Council Golf Resort Ad-Hoc Committee**

**RECOMMENDED ACTION:**

Council **AUTHORIZES** the formation of a Golf Resort Ad-Hoc Committee comprised of Mayor Pro Tem Griffith and Councilmember Sanders.

L. [108-22](#) **Professional Auditing Services Contract**

**RECOMMENDATION ACTION:**

Council **APPROVES** five-year contract with Davis Farr for Professional Auditing Services.

***Attachments:*** [Agreement](#)

M. [109-22](#) **City's Appropriation Limitation for Fiscal Year  
2022-23**

**RECOMMENDED ACTION:**

Council **ADOPTS** Resolution No. 2022-30 establishing of the City's Appropriations Limitation for Fiscal Year 2022-23.

**Attachments:** [Resolution 2022-30](#)  
[Price Factor and Population Information](#)

N. [098-22](#) **Supplemental Appropriation for Sidewalk  
Construction along Indian Wells Lane**

**RECOMMENDED ACTION:**

Council **APPROVES** supplemental appropriation for \$20,500 for the Indian Wells Lane Sidewalk Improvement Project; and

**AUTHORIZES** the City Manager, or designee, to transfer funds into the appropriate account.

## 9. PUBLIC HEARINGS

For each of the items listed under PUBLIC HEARING ITEMS, the public will be provided an opportunity to speak. After a staff report is provided, the Mayor will open the public hearing. At that time the applicant will be allowed five (5) minutes to make a presentation on the case. Members of the public will then be allowed three (3) minutes each to speak, unless there are a number of person's wishing to speak and then the Mayor will allow only two (2) minutes, to accommodate for more persons.

The City Council may ask the speakers questions relative to the case and the testimony provided. The question period will not count against your time limit. After all persons have spoken, the applicant will be allowed three minutes to summarize or rebut any public testimony. The Mayor will then close the public hearing portion of the hearing and deliberate the matter.

A. [099-22](#) **Residential and Commercial Rates for Refuse Collection and Recycling Services and Annual Levy of Residential Parcels**

**RECOMMENDED ACTIONS:**

Council **OPENS** the public hearing, takes any public testimony, **CLOSES** the public hearing; and

**APPROVES** the annual levy of residential parcels for refuse collection and recycling services; and

**ADOPTS** Resolution No. 2022-32 ordering the levy and collection of fees for refuse collection and recycling services from residential and commercial properties within the City pursuant to Indian Wells Municipal Code section 8.04.190.

***Attachments:*** [Resolution No. 2022-32](#)  
[Rubbish Rates Schedules](#)

B. [100-22](#) **City Developer Fee Updates**

**RECOMMENDED ACTIONS:**

Finance Committee recommends Council **AMENDS** the City's Developer Fees as presented in the Development Impact Fee Nexus Study.

***Attachments:*** [Impact Fee Nexus Study](#)  
[DVBA Letter of support](#)



- C. [101-22](#)                    **Resolution Recommending Approval of General Plan Amendment No. 2022-01 for Adoption of the 2021-2029 Housing Element, and Finding the Action to be Exempt under the California Environmental Quality Act (CEQA)**

**RECOMMENDED ACTIONS:**

Council **OPENS** the Public Hearing, takes any public testimony, and **CLOSES** the Public Hearing; and

**ADOPTS** Resolution No. 2022-31, approving General Plan Amendment No. 2022-01 for the 6th Cycle 2021-2029 Housing Element; and

**FINDS** the action exempt from the California Environmental Quality Act (CEQA) in accordance with Section 15061(b)(3) of the CEQA Guidelines.

**Attachments:**    [Resolution 2022-31](#)  
[Draft 2021-2029 Housing Element](#)

## 10. GENERAL BUSINESS

The Mayor will call upon the members of the public to address the Council regarding the agenda item being considered. After the public has provided comment, the item is closed to further comment and brought to the Council for discussion and action.

- A. [102-22](#)                    **Supplemental Appropriation for Indian Wells Holiday Experience**

**RECOMMENDED ACTIONS:**

Council **DISCUSSES** and **DIRECTS** staff regarding Indian Wells Holiday experience; and

**AUTHORIZES** to finalize the Indian Wells Holiday experience; and

**APPROVES** a supplemental appropriation of the Indian Wells Holiday experience in the amount of \$70,000.

**Attachments:**    [Decor Examples](#)

## 11. COUNCIL MEMBERS' REPORTS AND COMMENTS

On their own initiative, Council Members may make a brief announcement or a brief report on their own activities. Council Members may ask a question for clarification, make a referral to staff, or take action to have staff place a matter of business on a future agenda. The Council may take action on items listed on the Agenda.

**A. Council Member Balocco**

Coachella Valley Energy Commission  
Cove Communities Services Commission  
Indian Wells Golf Resort Advisory Committee  
Indian Wells Finance & Legal Services Oversight Committee  
Indian Wells Marketing Committee  
Indian Wells Public Safety

**B. Council Member Sanders**

Coachella Valley Mountains Conservancy  
Coachella Valley Economic Partnership  
CVAG Public Safety Committee  
Desert Sands Unified School District  
Indian Wells Public Safety Committee  
Visit Greater Palm Springs

**C. Mayor Pro Tem Griffith**

CVAG Coachella Valley Conservation Commission  
CVAG Energy & Environmental Resources Committee  
Indian Wells Grants In Aid Committee  
Indian Wells Finance & Legal Services Oversight Committee  
Indian Wells Personnel Committee  
Indian Wells Tee Committee

**D. Mayor Reed**

California Joint Powers Insurance Authority  
Riverside County Transportation Commission  
CVAG Executive Committee  
CVAG Transportation Committee  
Indian Wells Marketing Committee  
Indian Wells Personnel Committee  
Indian Wells Tee Committee  
Sunline Transit Agency

**12. ADJOURNMENT**

To a special meeting of the City Council to be held at 1:30 p.m. on June 8, 2022 in the City Hall Council Chamber.

In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the City Clerk at (760) 346-2489. Notification 48 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to this meeting. 128 CFR 35.102.35.104 ADA Title III

Affidavit of Posting

I, Angelica Avila, certify that on May 27, 2022, I caused to be posted a notice of a City Council Meeting to be held on June 2, 2022 at 1:30 p.m. in the City Hall Council Chamber.

Notices were posted at Indian Wells Civic Center and City's Website  
[[www.cityofindianwells.org](http://www.cityofindianwells.org)]

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Angelica Avila, CMC  
City Clerk

