

Final Report - City of Indio - Planning and Code Enforcement

Background

The 1996-97 Grand Jury began an investigation into the City of Indio's planning and code enforcement policies. The jury reviewed reports, correspondence, applicable regulations and interviewed city officials, members of the city staff and Indio residents. In July 1997, the 1997-98 Grand Jury continued the investigation by reviewing the 1996-97 file, touring the subject property and reinterviewing city officials and city staff.

In 1991, the City of Indio annexed an area known as Indio Ranchos. This report deals with parcels and structures within this annexed area.

In 1994, the City of Indio Planning Commissioners were notified that structures that did not meet city standards had been built within the annexed area without obtaining permits, review by city staff, or public hearings before the Indio Planning Commission and the city council. In March 1994, the City of Indio and the property owner entered into an agreement authorizing temporary occupancy of those structures with the knowledge that they would be used by the public, and the provision that several safety violations needed to be corrected before receiving final approval.

In 1995, the city council granted a thirty-five-year development agreement for said properties. However, at a city council meeting in June 1995, evidence was presented that certain additional structures were constructed without building permits, and that red tags (stop notices) issued by the building inspectors were being ignored by the property owner. On September 1, 1995, the City of Indio building official, a city building inspector and the property owner toured the parcels in question. This review resulted in a six-page memorandum of violations by parcel number that would require corrections to bring structures into compliance with the building and fire safety codes.

In September 1996, the 1996-97 Grand Jury requested a status report on the violations from the city manager. In response, the city council formed an ad hoc committee that toured the property. An updated status report was forwarded to the jury indicating that there were many infractions of the building and safety code, some of which were contained in the previous report. Although the 1994 Uniform Building Code authorizes and directs the building official to enforce the provisions of the code, the Indio City Council instructed the city building official to take no further action on the violations. The council instead would negotiate compliance with the owner.

Findings

1. The public has been allowed the use of a facility that does not meet current building codes or safety standards:
 - a. A party facility, with a maximum capacity of 300 people, had doors that opened inward and lacked panic hardware.

- b. A tile-roofed patio structure is beginning to show failure.
 - c. Several public areas such as the grandstand and restrooms were not accessible to the disabled.
 - d. A disabled viewing platform was completed without necessary inspections.
2. At a September 1996 open city council meeting, the city council voted to create an ad hoc committee to oversee and resolve the Empire Polo Grounds code enforcement problems. This action bypassed regular administrative requirements and normal appeal processes carried out by staff and council in open session.
3. The Indio City Council has failed to enforce city building and safety codes in the Indio Ranchos area.

Recommendations

1. All Empire Polo Grounds preannexation facilities and structures be brought into compliance with Riverside County building and fire safety code requirements.
2. Discontinue public use of the Empire Polo Grounds party facility until all safety violations have been corrected.
3. Comply with the City of Indio building and fire safety codes by obtaining all necessary permits for Empire Polo Grounds' post-annexation construction.
4. The City of Indio develop and implement administrative procedures to ensure that preparation for future annexations include a thorough inspection and inventory of all structures, facilities and permits prior to annexation.
5. The Indio City Council refrain from creating ad hoc committees intended to bypass normal staff administrative and appeal processes.