

POSTED AGENDA

REGULAR PALM DESERT CITY COUNCIL MEETING

THURSDAY, FEBRUARY 14, 2019

CIVIC CENTER COUNCIL CHAMBER

73510 FRED WARING DRIVE, PALM DESERT, CA 92260

I. CALL TO ORDER - 3:00 P.M.

II. ROLL CALL

III. ORAL COMMUNICATIONS - A (CLOSED SESSION ITEMS)

Any person wishing to discuss any Closed Session business that is within the subject matter jurisdiction may address the City Council, Successor Agency to the Palm Desert Redevelopment Agency, or Housing Authority Boards at this point by stepping to the lectern and giving his/her name and address for the record. Remarks shall be limited to a maximum of three minutes unless additional time is authorized by the City Council, Successor Agency, or Housing Authority Boards. Because the Brown Act does not allow the City Council, Successor Agency, or Housing Authority Boards to take action on items not on the Agenda, members will not enter into discussion with speakers but may briefly respond or instead refer the matter to staff for report and recommendation at a future City Council, Successor Agency, or Housing Authority meeting.

IV. ADJOURN TO CLOSED SESSION

Request for Closed Session:

A. Conference with Real Property Negotiator pursuant to Government Code Section 54956.8:

1) Property: 45656 Mountain View Avenue, Palm Desert

Negotiating Parties:

Agency: Lauri Aylaian/City of Palm Desert

Property Owner: LeRae Britain Moeller Bush Living Trust

Under Negotiation: x Price x Terms of Payment

2) Property: 45653 Portola Avenue, Palm Desert

Negotiating Parties:

Agency: Lauri Aylaian/City of Palm Desert

Property Owner: LeRae Britain Moeller Bush Living Trust

Under Negotiation: x Price x Terms of Payment

- 3) Property: NEC Country Club Drive/Desert Willow Drive, Palm Desert (APNs 620-370-002, 620-370-003, 620-370-004, 620-370-017, 620-370-018, 620-370-020, 620-370-033, 620-370-043)

Negotiating Parties:

Agency: Lauri Aylaian/Martin Alvarez/City of Palm Desert

Property Owner: City of Palm Desert

Under Negotiation: x Price x Terms of Payment

- 4) Property: 2.84-Acre Land Parcel Located along the South Side of Hovley Lane East/Hill (APNs 634-030-017, -040-006), Palm Desert

Negotiating Parties:

Agency: Lauri Aylaian/Tom Garcia/City of Palm Desert

Property Owner: Coachella Valley Water District

Under Negotiation: x x Terms of Payment

- B. Conference with Legal Counsel regarding significant exposure to litigation pursuant to Government Code Section 54956.9(d)(2):
Number of potential cases: 2

V. RECONVENE REGULAR MEETING - 4:00 P.M.

- A. REPORT ON ACTION FROM CLOSED SESSION.

Action:

VI. PLEDGE OF ALLEGIANCE TO THE FLAG OF

THE UNITED STATES OF AMERICA - Councilman Sabby Jonathan

VII. INVOCATION/INSPIRATION - Councilmember Jan C. Harnik

Reports and documents relating to each of the following items listed on the agenda, including those received following posting/distribution, are on file in the Office of the City Clerk and are available for public inspection during normal business hours, Monday - Friday, 8:00 a.m. - 5:00 p.m., 73510 Fred Waring Drive, Palm Desert, CA 92260, telephone (760) 346-0611.

VIII. AWARDS AND PRESENTATIONS

- A. PRESENTATION TO RECOGNIZE PALM DESERT YOUTH SOCCER LEAGUE FOR WINNING THE 2019 TOURNAMENT OF CHAMPIONS.

Action:

IX. ORAL COMMUNICATIONS - B

Any person wishing to discuss any item not appearing on the agenda that is within the subject matter jurisdiction of the City Council, Successor Agency to the Palm Desert Redevelopment Agency, or Palm Desert Housing Authority may address them at this point by stepping to the lectern and giving his/her name and address for the record. Remarks shall be limited to a maximum of three (3) minutes unless additional time is authorized by the City Council, Successor Agency, or Housing Authority. Because the Brown Act does not allow the City Council, Successor Agency, or Housing Authority to take action on items not on the Agenda, members will not enter into discussion with speakers but may briefly respond or instead refer the matter to staff for report and recommendation at a future City Council, Successor Agency, or Housing Authority meeting.

X. MAYOR AND COUNCILMEMBER REPORTS & REMARKS TO THE COMMUNITY

A. Councilmember Jan C. Harnik Committee Reports and General Comments.

Action:

B. Councilman Sabby Jonathan Committee Reports and General Comments.

Action:

C. Councilmember Kathleen Kelly Committee Reports and General Comments.

Action:

D. Mayor Pro Tem Gina Nestand Committee Reports and General Comments.

Action:

E. Mayor Susan Marie Weber Meeting Summaries Report for the Period of January 14-27, 2019.

Rec: Receive and file.

Action:

F. City Council Requests for Action.

Action:

G. City Council Consideration of Travel Requests/Reports.

Action:

XI. STAFF REPORTS AND REMARKS

A. City Manager

1. City Manager's Meeting Summaries Report for the Period of January 14 - February 1, 2019.

Rec: Receive and file.

Action:

B. City Attorney

C. City Clerk

D. Public Safety

1. Fire Department
2. Police Department

XII. CONSENT CALENDAR

ALL MATTERS LISTED ON THE CONSENT CALENDAR FOR ALL LEGISLATIVE BODIES CONVENING ON THIS DATE ARE CONSIDERED TO BE ROUTINE AND WILL BE ENACTED BY ONE (1) ROLL CALL VOTE. THERE WILL BE NO SEPARATE DISCUSSION OF THESE ITEMS UNLESS MEMBERS OF THE CITY COUNCIL, SUCCESSOR AGENCY BOARD OF DIRECTORS, HOUSING AUTHORITY BOARD, OR AUDIENCE REQUEST SPECIFIC ITEMS BE REMOVED FROM THE CONSENT CALENDAR FOR SEPARATE DISCUSSION AND ACTION UNDER SECTION XIII, CONSENT ITEMS HELD OVER, OF THE AGENDA.

PALM DESERT CITY COUNCIL

- A. MINUTES of the Regular City Council Meeting of January 24, 2019.

Rec: Approve as presented.

- B. CLAIMS AND DEMANDS AGAINST THE CITY TREASURY - Warrants Dated 12/31/2018, 1/9/2019, 1/11/2019, and 1/18/2019.

Rec: Approve as presented.

- C. CLAIMS AND DEMANDS AGAINST THE CITY/HOUSING TREASURIES - Warrants Dated 1/11/2019, 1/18/2019, and 1/25/2019 (**Joint Consideration with the Palm Desert Housing Authority - Item R below**).

Rec: Approve as presented.

- D. COMPLIANCE ANALYSIS AND INVESTMENT REPORTS for the Months of November 2018 and December 2018 (**Joint Consideration with the Successor Agency to the Palm Desert Redevelopment Agency - Item P below**).

Rec: Receive and file.

- E. APPLICATION FOR ALCOHOLIC BEVERAGE LICENSE by Ristorante Mamma Gina, 73705 El Paseo, 30B, C & D, Palm Desert.

Rec: Receive and file.

- F. RESOLUTION NO. 2019 - 04 - A Resolution of the City Council of the City of Palm Desert, California, Setting Forth Its Findings and Authorizing the Destruction of Paper Records that Have Been Digitally Imaged from the Office of the City Clerk, to Rely on the Electronic Record as the Official Record – Exhibit “A” - Various Records Center Files.

Rec: Waive further reading and adopt.

- G. RESOLUTION NO. 2019 - 05 - A Resolution of the City Council of the City of Palm Desert, California, Setting Forth Its Findings and Authorizing the Destruction of Paper Records that Have Been Digitally Imaged from the Finance Department to Rely on the Electronic Record as the Official Record – Exhibit “A” - Various Finance Department Records.

Rec: Waive further reading and adopt.

- H. CITY COMMITTEE AND COMMISSION MEETING MINUTES.

1. Audit, Investment & Finance Committee Meetings of September 25, 2018, and November 27, 2018.
2. Citizens’ Sustainability Committee Meeting of October 15, 2018.
3. Cultural Resources Preservation Committee Meeting of October 30, 2018.
4. Parks & Recreation Commission Meeting of December 4, 2018.

Rec: Receive and file.

I. LETTER OF RESIGNATION from Steve Nash - Housing Commission

Rec: Receive with sincere regret.

J. REQUEST FOR AUTHORIZATION for City Manager to Enter into Agreement with Environmental Systems Research Institute, Inc. (ESRI), for an Enterprise Advantage Program in the Amount of \$89,000 (Contract No. C38180).

Rec: By Minute Motion, authorize City Manager to enter into an agreement with Environmental Systems Research Institute, Inc. (ESRI), Redlands, California, for an Enterprise Advantage Program in the amount of \$89,000 to provide consulting, training, and technical assistance for GIS (Geographic Information Systems) initiatives – funds are available in Account No. 5304190-4404000.

K. REQUEST FOR APPROVAL of the 2019 Autism Walk on Saturday, April 6, in Civic Center Park (Juanita Hernandez, Applicant).

Rec: By Minute Motion, approve: 1) 2019 Autism Walk scheduled for Saturday, April 6; 2) temporary waiver of Palm Desert Municipal Code Sections: a) 11.01.140 - Amplified Sound in City Parks; b) 11.01.080(Q) - Vendor Sales in City Parks.

L. REQUEST FOR APPROVAL of the LiveWell Festival's Run of the Desert Charities Scheduled for Saturday, May 18, 2019, in Civic Center Park (Seth Cash/MyCityEveryday, Applicant).

Rec: By Minute Motion, approve: 1) LiveWell Festival's Run of the Desert Charities scheduled for Saturday, May 18, 2019, to take place in Civic Center Park; 2) temporary waiver of Palm Desert Municipal Code Sections: a) 11.01.140 - Amplified Sound in City Parks; b) 11.01.080(O) - Placement of Advertising Signage in City Parks; c) 11.01.080(Q) - Vendor Sales in City Parks.

M. REQUEST FOR AWARD OF CONTRACT to Urban Habitat in the Amount of \$55,944 for the Santa Rosa Community Garden Renovations (Contract No. C37910, Project No. 997-19).

Rec: By Minute Motion: 1) Award subject contract in the amount of \$55,944 to Urban Habitat, La Quinta, California, for the Santa Rosa Community Garden Renovations; 2) authorize the Director of Finance to set aside a 10% contingency for the project in the amount of \$5,594.40; 3) authorize the Mayor to execute said contract – Park Funds are not available for this project; however, funds are available in Unobligated General Fund Account No. 1104618-4400100.

SUCCESSOR AGENCY TO THE PALM DESERT REDEVELOPMENT AGENCY

- N. MINUTES of the January 24, 2019, Regular Meeting of the Board of Directors of the Successor Agency to the Palm Desert Redevelopment Agency.

Rec: Approve as presented.

- O. CLAIMS AND DEMANDS AGAINST SUCCESSOR AGENCY TREASURY - Warrant Dated 1/25/2019.

Rec: Approve as presented.

- P. COMPLIANCE ANALYSIS AND INVESTMENT REPORTS for the Months of November 2018 and December 2018 (**Joint Consideration with the Palm Desert City Council - Item D above**).

Rec: Receive and file.

PALM DESERT HOUSING AUTHORITY

- Q. MINUTES of the Housing Authority Meeting of January 24, 2019.

Rec: Approve as presented.

- R. CLAIMS AND DEMANDS AGAINST THE CITY/HOUSING TREASURIES - Warrants Dated 1/11/2019, 1/18/2019, and 1/25/2019 (**Joint Consideration with the Palm Desert City Council - Item C above**).

Rec: Approve as presented.

Action:

XIII. CONSENT ITEMS HELD OVER

XIV. RESOLUTIONS

- A. RESOLUTION NO. 2019 - 06 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM DESERT, CALIFORNIA, IN SUPPORT OF THE MEMORANDUM OF UNDERSTANDING BETWEEN THE COUNTY OF IMPERIAL AND THE COUNTY OF RIVERSIDE CONCERNING THE SALTON SEA.

Rec: Waive further reading and adopt.

Action:

XV. ORDINANCES

A. For Introduction:

None

B. For Adoption:

1. ORDINANCE NO. 1345 - AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PALM DESERT, CALIFORNIA, AMENDING AND UPDATING VARIOUS SECTIONS OF THE PALM DESERT MUNICIPAL CODE – CHAPTERS 2.52, 5.10, AND 8.23.

Rec: Waive further reading and adopt.

Action:

XVI. NEW BUSINESS

- A. REQUEST FOR REAPPOINTMENT OF 10 MEMBERS, ACCEPTANCE OF THREE (3) RESIGNATIONS, AND APPOINTMENT OF TWO (2) NEW MEMBERS TO THE PALM DESERT YOUTH COMMITTEE.

Rec: By Minute Motion: 1) Reappoint Umair Ahmad, Zachary Berenbaum, Alan Cho, Tim Fitzpatrick, Ismael Haile, Lily Kim, Erin Kulas, Teana Ross, Jacqueline Scibona, and Todd Shaw to the Palm Desert Youth Committee each for a one (1)-year term (1/1/19 - 12/31/19); 2) accept the resignations of Palm Desert Youth Committee Members Marco Capobianco, Hailey Dewegeli, and Savannah Duckworth; 3) appoint Daphnie Driza and Kyna Huang to the Palm Desert Youth Committee each for a one (1)-year term (1/1/19 - 12/31/19).

Action:

- B. REQUEST FOR DESIGNATION OF MAYOR PRO TEM GINA NESTANDE AS THE CITY'S LIAISON TO ASSIST IN COORDINATION OF FUTURE IRONMAN TRIATHLONS IN THE CITIES OF INDIAN WELLS AND LA QUINTA.

Rec: By Minute Motion, designate Mayor Pro Tem Gina Nestande as the City's liaison to assist in the coordination of future Ironman Triathlons in the cities of Indian Wells and La Quinta.

Action:

XVII. CONTINUED BUSINESS

- A. REQUEST FOR APPOINTMENTS TO VARIOUS VACANCIES AND REAPPOINTMENTS TO TERMS AS ARE REFLECTED ON THE CITY'S ESTABLISHED COMMITTEES AND COMMISSIONS (Continued from the meeting of January 24, 2019).

Rec: By Minute Motion:

- 1) Architectural Review Commission - Appoint Jim Schmid to the vacant term formerly held by Doug Brewer (12/31/20).
- 2) Art In Public Places Commission - Appoint Elizabeth Hauer to the vacant term formerly held by Maureen Thompson (12/31/21); appoint Susan Myrland to the term formerly held by Katherine Hough (1/1/19-12/31/22); reappoint Maureen Boren to a four-year term (1/1/19-12/31/22).
- 3) Audit, Investment & Finance Committee - Appoint Karen Alexander to the vacant term formerly held by Stan Sperling (1/1/19-12/31/22).
- 4) Building Board of Appeals & Condemnation - Appoint Joseph S. Gaugush to the term formerly held by Denise Poeltler (1/1/19-12/31/22); reappoint Pamela Martin to a four-year term (1/1/19-12/31/22).
- 5) Cultural Resources Preservation Committee - Appoint David R. Toltzmann to the vacant term formerly held by Pamela Williams (1/1/19-12/31/22); reappoint Kim Housken to a four-year term (1/1/19-12/31/22).
- 6) Hotel & Signature Events Committee - Reappoint Arnold Kirschenbaum (Inn at Deep Canyon), Tom Tabler (JW Marriott Desert Springs), and Scott White (Greater Palm Springs CVB) each to a four-year term (1/1/19-12/31/22).
- 7) Housing Commission - Appoint Arthur P. Katz (Resident) to the term formerly held by Robert Nevares (1/1/19-12/31/22), appoint Melody J. Morrison (Resident) to the term formerly held by J. Wade Tucker (12/31/19), appoint Dennis Guinaw to the vacant term formerly held by Beverly Fitzgerald (12/31/21), appoint Jann Buller to the vacant term formerly held by Steve Nash (1/1/19-12/31/22), appoint Donna Ault to the vacant term formerly held by Joy Whitehurst (1/1/19-12/31/22); reappoint Greg Ballard to a four-year term (1/1/19-12/31/22).
- 8) Library Promotion Committee - Appoint Anne Berman to the vacant term formerly held by Joan Beasley (1/1/19-12/31/22) and appoint Heather Greenwood to the term formerly held by Lois Cardona (1/1/19-12/31/22); reappoint Louise Kermode to a four-year term (1/1/19-12/31/22).
- 9) Marketing Committee - Reappoint Rolf Hoehn (IW Tennis Gardens) and Ray Rodriguez Jr. (Casuelas Cafe/Cork Tree) each to four-year terms (1/1/19-12/31/22).
- 10) Parks & Recreation Commission - Reappoint Mike Hardin to a four-year term (1/1/19-12/31/22).

(Continued on the next page)

(XVII. CONTINUED BUSINESS - continued Item A from page 9)

- 11) Planning Commission - Reappoint John Greenwood and Joseph Pradetto each to a four-year term (1/1/19-12/31/22).
- 12) Public Safety Commission - Reappoint Terry Kramer and Doug Luhning each to a four-year term (1/1/19-12/31/22).
- 13) Citizens' Sustainability Committee - Appoint Melinda (Mel) Robertson, Vincent Heuring, and James Henderson to fill the vacant terms of Bruce Kassler, David Mourhess, and Oxana Wolfson, respectively (12/31/19); appoint Evan Trubee to fill the vacant term of Luke Taylor (12/31/21); appoint Berlinda Blackburn to fill the vacant term of Courtney Lingle (1/1/19-12/31/22).

Action:

XVIII. OLD BUSINESS

None

XIX. PUBLIC HEARINGS

None

XX. ADJOURNMENT

FUTURE MEETINGS:

February 19, 2019	6:00 p.m.	<u>Planning Commission</u> <u>Civic Center Council Chamber</u>
February 20, 2019	3:00 p.m.	<u>Library Promotion Committee</u> <u>Administrative Conference Room</u>
February 26, 2019	9:00 a.m.	<u>Cultural Resources Preservation Cmte.</u> <u>Administrative Conference Room</u>
	12:30 p.m.	<u>Architectural Review Commission</u> <u>Development Services Conference Room</u>
February 28, 2019	3:00 p.m.	<u>Reg. City Council/Successor-RDA Mtgs.</u> <u>Civic Center Council Chamber</u>

I hereby certify, under penalty of perjury under the laws of the State of California, that the foregoing agenda for the Palm Desert City Council was posted on the City Hall bulletin board not less than 72 hours prior to the meeting. Dated this 7th day of February, 2019. Note: This agenda is subject to amendment up to 72 hours in advance of the meeting.

Rachelle D. Klassen, City Clerk