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

Mayor Weber convened the meeting at 3:01 p.m.

II. ROLL CALL

Present:
Councilmember Jan C. Harnik
Councilman Sabby Jonathan
Councilmember Kathleen Kelly
Mayor Pro Tem Gina Nestande
Mayor Susan Marie Weber

Also Present:
Lauri Aylaian, City Manager
Robert W. Hargreaves, City Attorney
Rachelle D. Klassen, City Clerk
Lori Carney, Director of Administrative Services
Russell Grance, Director of Building & Safety
Ryan Stendell, Director of Community Development
Martin Alvarez, Director of Economic Development
Janet M. Moore, Director of Finance/City Treasurer
Bo Chen, City Engineer
Stephen Y. Aryan, Risk Manager
Grace L. Rocha, Deputy City Clerk

III. ORAL COMMUNICATIONS - A (CLOSED SESSION ITEMS)

None
IV. ADJOURN TO CLOSED SESSION

Request for Closed Session:

A. Conference with Real Property Negotiator pursuant to Government Code Section 54956.8:
   1) Property: Lease Property - PD iHUB - 37023 Cook Street, Suite 102, Palm Desert
      Negotiating Parties:
      Agency: Lauri Aylaian/Martin Alvarez/City of Palm Desert
      Property Owner: Sinatra and Cook Street Project, LLC
      Under Negotiation: x Price x Terms of Payment
   2) Property: Lease Property - PD iHUB - 37023 Cook Street, Suite 102, Palm Desert
      Negotiating Parties:
      Agency: Lauri Aylaian/Martin Alvarez/City of Palm Desert
      Property Owner: Sinatra and Cook Street Project, LLC
      Other Parties: The Trustees of California State University/CSUSB-Palm Desert Campus
      Under Negotiation: x Price 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

With City Council concurrence, Mayor Weber adjourned the meeting to Closed Session of the City Council at 3:02 p.m. She reconvened the meeting at 4:02 p.m.

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

A. REPORT ON ACTION FROM CLOSED SESSION.

   Mr. Hargreaves reported that direction was given, but no reportable actions were taken.

VI. PLEDGE OF ALLEGIANCE TO THE FLAG OF THE UNITED STATES OF AMERICA - Flag Ceremony by Girl Scout Troop 123
VII. INVOCATION/INSPIRATION - Councilman Sabby Jonathan

VIII. AWARDS AND PRESENTATIONS

A. PRESENTATION TO RECOGNIZE MEMBERS OF GIRL SCOUT TROOP 123 AS BRONZE AWARD RECIPIENTS – TEHYA BURNS, SARAH CHERLIN, LEELA FAYSSOUX, TESS MOLLICA, ARIEL SANFORD, RACHEL SANFORD, AND EMILIE STANSFIELD.

On behalf of the City Council, Mayor Weber presented a Certificate of Recognition to each of the Girl Scout Troop recipients.

Together as a team, they explained that they created a game meant for younger kids to have fun and enjoy. Their piece provides information about how to be safe in the desert environment, especially for those who are out hiking that may encounter a dangerous animal or plant. The intention was to create community involvement and education to others. Their project is currently located at The Living Desert Reserve in Palm Desert.

IX. ORAL COMMUNICATIONS - B

MR. KIM FLOYD, Sorrento Court, Palm Desert, approached the City Council to talk about the following two topics: 1) Consideration of Vote by Districts - he recently signed a petition asking the City to consider vote by districts, stating it was time for the City to address it. If this issue was being addressed, but not publicly, he encouraged Council to do so; 2) Climate Change Emergency - as a representative of the Sierra Club, in the next couple of years there won’t be a discussion about whether climate change is an emergency or not. He said some see it as an emergency today and others will come to that realization sooner rather than later. He believed local elected officials have to participate in the process of dealing with this climate change emergency. The City Council can address it through the Desert Community Energy (DCE) in a more aggressive way to assure it is doing everything possible to minimize the damaging effects of carbon emissions. He believed the opportunity still existed to address it through the DCE, and there will be other opportunities for Council to take a leadership role on this climate change disaster everyone is facing.

MS. PAULINA LARSON, Marketing Director for Palm Springs Life Magazine, announced they have already started putting up the tents on El Paseo for the upcoming two events, Palm Desert Fashion Week and Palm Desert Food & Wine. Tomorrow, they will officially open their Media Booth and Ticket Center, welcoming media, both locally, regionally and nationally, to showcase the facilities as well as processing ticket sales. Marketing and promotions are continuing across various platforms, and she is happy to report this year
they are 20% ahead in ticket sales for Fashion Week El Paseo, and 100% ahead of last year for Palm Desert Food & Wine. For the first time ever, they have sold out the James Beard Gourmet Luncheon of 400 seats, stating it’s the most they have ever hosted on El Paseo at the tents. She noted that last year in 2018, the Palm Desert Food & Wine Festival was invited to the James Beard House in New York City. It’s a very exclusive venue where you can attend by invitation only. It was an opportunity to take five Greater Palm Springs chefs to the event, one of which represented Palm Desert, who is Andrew Copley from the AC3 Restaurant & Bar at Hotel Paseo. The event included east coast media that covered across various publications and media outlets, The event happened in the second week of December, and it was a huge success. Since then, they have seen lots of media impressions across all platforms. She added that without the City’s support, they wouldn’t have been able to see the assimilation in ticket sales. Also, they just received a letter where Palm Desert Food & Wine was invited again, and this year that event is on October 28, 2019, which is all good news. She went on to say that for the second year in a row the Gale Gand’s Chocolate & Cinnamon Event sold out, so they added a second show, expanding their programming. They also added a Champaign and Bloody Mary Brunch that also sold out. There is excitement for the upcoming 2019 events, and in working with the designers and chefs, they have already secured Curtis Stone, Carla Hall, and Elizabeth Falkner for the 2020 event.

X. MAYOR AND COUNCILMEMBER REPORTS & REMARKS TO THE COMMUNITY

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

1. Connected Communities Collaborative - CityLaunch 2019 - attended the event, stating it focused on the Digital Divide, Goal Directing, and Planning & Design with an emphasis on civic inclusion. There was also discussion on drones and public safety, stating Chula Vista currently has a program where they are working with the FAA (Federal Aviation Administration), which sounded like a promising use of drones for saving lives and creating better public safety.

2. Senate Bill 99 - Active Transportation Program (ATP) - announced that the City of Palm Desert through, SB99, which has an emphasis on public health and reducing greenhouse gases, received $3.2 million for the San Pablo Project. There were 554 applications, and Palm Desert was congratulated on an outstanding application. She said those funds first come through the California Transportation Commission (CTC) and then through the Southern California Association of Governments (SCAG), and Palm Desert ended at the top of the list at SCAG.
3. “Field Day” and “PD Safety Expo” at Civic Center Park - this is the baseball/softball grand opening event that also includes the PD Safety Expo. These events are sponsored by the Palm Desert Youth Sports Association (PDYSA). She said the event was outstanding with more than 2,000 in attendance, stating many came to watch the “Battle of the Broadcaster” where KESQ and KMIR played against police and fire.

4. Riverside County Transportation Commission (RCTC) - reported the topic of call boxes was discussed. She said the program has been declining over the years because of cell phones, but there are people who still don’t use cell phones. There is a need to upgrade call boxes to 4G to avoid them becoming obsolete, but at the same time, the whole program will sunset in five years. However, they are still needed on Interstate 10 toward the Arizona border. She added that Riverside County Supervisor Manuel Perez had a lengthy discussion on this topic and about where they should be kept and are still needed.

B. Councilman Sabby Jonathan Committee Reports and General Comments.

None

C. Councilmember Kathleen Kelly Committee Reports and General Comments.

1. Annual “Fill the Bus” Event - this event is sponsored by SunLine for the benefit of the Galilee Center. There will be a SunLine bus outside Albertson’s Grocery Store at the corner of Highway 111 and Deep Canyon Road on Friday, March 15, 2019. She encouraged everyone to support the good work of the Galilee Center by bringing nonperishable food or toiletry items to that location.

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

None


With City Council concurrence, the Meeting Summaries Report was received and filed.
1. **Student Art & Essay Contest Awards Ceremony** - reported that last Wednesday they held the award ceremony in the City's Council Chamber, which was filled to capacity. She thanked Management Specialist Debbie Thompson for coordinating a flawless event on a yearly basis, adding the ceremony included children, parents, grandparents, and picture taking, and in the end, the room is empty as if nothing had happened. She said Ms. Thompson should be commended for a job well done. Additionally, she received an email from someone she hadn’t seen in a couple of years, who sent her a picture of what had taken place at the ceremony. She is grateful for the program as it is only one of the many great things the City does for the community.

F. **City Council Requests for Action.**

   None

G. **City Council Consideration of Travel Requests/Reports.**

   None

XI. **STAFF REPORTS AND REMARKS**

A. **City Manager**

   1. **City Manager's Meeting Summaries Report** for the Period of February 18 - March 1, 2019.

   With City Council concurrence, the Meeting Summaries Report was received and filed.

   2. **Update** on the Palm Desert Country Club (PDCC) Project.

   Ms. Aylaian noted she provided a written update on the PDCC Project as requested at the last meeting by Councilmember Harnik.

   With City Council concurrence, the Update on the Palm Desert Country Club Project was received and filed.

   3. **“Pi Day”** - pointed out that March 14, every year, is “Pi Day.” Staff held a pie contest at City Hall, and there were 12 entries. She announced and congratulated First Place winner Principal Planner Eric Ceja and Second Place winner Assistant Engineer Christina Canales on, on their win.
B. City Attorney

None

C. City Clerk

None

D. Public Safety

1. Fire Department

None

2. Police Department

None

XII. CONSENT CALENDAR

PALM DESERT CITY COUNCIL

A. MINUTES of the Regular City Council Meeting of February 28, 2019.

Rec: Approve as presented.


Rec: Approve as presented.


Rec: Approve as presented.

D. APPLICATION FOR ALCOHOLIC BEVERAGE LICENSE by Skip’s Little Bar, 73560 Highway 111, Suite B, Palm Desert.

Rec: Receive and file.

E. LIBRARY PROMOTION COMMITTEE Meeting Minutes for December 19, 2018.

Rec: Receive and file.

Rec: By Minute Motion, approve/authorize: 1) First Amendment to subject contract with Desert Air Conditioning, Inc., Palm Springs, California, in the amount of $39,040 for Fiscal Year 2019-2020 (C36371); 2) addition of the Parkview Office Complex to the list of City-owned facilities receiving HVAC preventative maintenance services for the remainder of FY 2018-2019 in the amount of $2,436; 3) City Manager to execute aforementioned contract extension and all related documents, including any Change Orders, and the remaining three, one-year extensions, when and if deemed appropriate by staff – funds are available in the various Building Repair and Maintenance Accounts.


Rec: By Minute Motion, approve/authorize: 1) Amendment No. 1 to subject contract with Michael Baker International, Inc., Palm Desert, California, for City Surveyor Services, extending the term through June 30, 2020 (C36801); 2) payment from the project account for any work directly related to the San Pablo Corridor Improvement Project, which will be reimbursed by bond funds; 3) City Manager to execute Contract Amendment No. 1 – funds are available in the Public Works Administration Account and also available in the San Pablo Corridor Improvements Project Account, which will be reimbursed by bond funds.

H. **CONSIDERATION** of Support for AB 854 (Mayes) – Imperial Irrigation District Retail Electric Service.

Rec: By Minute Motion, approve a letter of support for AB 854 (Mayes).

I. **REQUEST FOR RATIFICATION** of Comments on the California Department of Resources Recycling and Recovery’s Proposed Regulations Relating to Senate Bill 1383 – Organic Waste Reduction.

Removed for separate consideration under Section XII, Consent Items Held Over. Please see that portion of the Minutes for Council discussion and action.
J. REQUEST FOR APPROVAL of Out-of-State Travel for Public Art Management Analyst to Attend the 2019 Americans For the Arts Annual Pre-Conference and Convention - June 13-16 - Twin Cities, Minnesota.

Rec: By Minute Motion, authorize out-of-state travel for Public Art Management Analyst to attend the 2019 Americans For the Arts Annual Pre-Conference and Convention, June 13-16, in Twin Cities (Minneapolis/St. Paul), Minnesota – funds in the estimated total amount of $2,700 for this travel are available in Account No. 4364650-4312000.

SUCCESSOR AGENCY TO THE PALM DESERT REDEVELOPMENT AGENCY

K. MINUTES of the February 28, 2019, Regular Meeting of the Board of Directors of the Successor Agency to the Palm Desert Redevelopment Agency.

Rec: Approve as presented.


Rec: Approve as presented.

PALM DESERT HOUSING AUTHORITY

M. MINUTES of the Housing Authority Meeting of February 28, 2019.

Rec: Approve as presented.


Rec: Approve as presented.

Councilman Jonathan requested Item I be removed for separate consideration under Section XIII - Consent Items Held Over.

Upon motion by Kelly, second by Nestande, and 5-0 vote of the City Council (AYES: Harnik, Jonathan, Kelly, Nestande, and Weber; NOES: None), the remainder of the Consent Calendar was approved as presented.
XIII. CONSENT ITEMS HELD OVER


Councilman Jonathan stated this item moved forward without City Council consent and instead its being asked to retroactively ratify the action taken. He added that he was uncomfortable with that policy of the City taking action without previous City Council authorization, adding it was a departure from the norm. He questioned what happened in this instance and what can be done to avoid from happening in the future.

Management Analyst Christopher Gerry responded that the reason for the ratification was simply just a matter of timing. This matter was brought to the City’s attention a week before the guidelines were due, which was March 4. Timing wise, staff was having a Legislative Review Committee that particular week, but with the lack of a City Council meeting in between from when the responses to the guidelines were due, is what happened. Further responding to question about what to do to avoid this from happening in the future, he said he’s seen other organizations, when there is a lack of timing, a city council administratively submits comments. Then that city council ratifies those administrative comments afterwards, more so than ratifying something that was through the Mayor and Mayor Pro Tem. He said that was one option or he could continue to explore others as well.

Councilman Jonathan said he would appreciate it, and suggested staff also check with legal counsel to make sure there is not a violation of the Brown Act, but in this instance, he would have felt better knowing it was coming up and having an opportunity to review and comment. Hopefully this won’t happen too often in the future, but if the City Council can be made aware before the fact for an opportunity to comment, stating that could be part of the solution.

Councilman Jonathan moved to, by Minute Motion, ratify comments on the California Department of Resources Recycling and Recovery’s proposed regulations relating to Senate Bill 1383 (Lara, 2016). Motion was seconded by Harnik and carried by a 5-0 vote (AYES: Harnik, Jonathan, Kelly, Nestande, and Weber; NOES: None).

XIV. RESOLUTIONS

None
XV. ORDINANCES

A. For Introduction:

None

B. For Adoption:

None

XVI. NEW BUSINESS

A. REQUEST FOR APPROVAL OF USA WOMAN’S MARATHON AND HALF MARATHON EVENT – SATURDAY, NOVEMBER 23, 2019 (USA Endurance Events, Applicant).

Management Analyst Vanessa Mager stated this was a new event the Applicant would like to bring to the City of Palm Desert. This is the USA Woman’s Marathon and Half Marathon Event that would take place on Saturday, November 23, 2019. This event would be a Boston and New York qualifying marathon that would come to Palm Desert. She handed out a map that depicts the proposed route for the marathons, stating the two streets marked in red will require street closures, and all other routes in blue represent lane closures. The brown lines depict the City of Indian Wells City limits. The marathon is being marketed as a “Runcation,” with folks coming in on Thursday to pick up their bibs, staying Friday and Saturday, and hopefully a little longer. The event is being proposed for the weekend before Thanksgiving when the City tends to have low traffic and minimal impediments along the route. If the event is approved, she will work with internal City Staff, the local Sheriff’s Department, and the City of Indian Wells to make sure any impacts to businesses or residents are minimal. There will not be any land locks, stating the event will run the same way they have done the half marathons in years past. The plan is to have a Sheriff or Citizens on Patrol (COPs) at each of the different intersections or entrances to residences, allowing runners to run through, and once they pass, traffic will flow as normal. The Applicant is expecting 5,000 to 8,000 runners for this event, with the half marathon creating a 5- to 10-minute traffic impact. With the half marathon, runners are required to run around the loop once, and twice for the full marathon, stating it takes about 20- to 25-minutes to go around the loop once. Out of the 5,000 to 8,000 runners, about 80% of those will do the half marathon and 20% will be reflected to do the full two routes. Staff has been in contact with the City of Indian Wells, since the route goes through their City limits, to see if they would support the event. Their reply was that they would as long at the event was approved by the Palm Desert City Council. Responding to question about whether men would be allowed to enter the marathons, she said they are. Also, if you enter the race, you will
end up winning a Tiffany Finisher Necklace, which is only being designed for this event. The sponsors are Tiffany and LuLu Lemon, two of Palm Desert’s retailers, who are very excited to be a part.

Councilmember Kelly was happy to hear that Palm Desert was selected for this event, particularly since the sponsors will be promoting the event at the Boston Marathon, stating it’s great marketing. She asked what led to Palm Desert being selected.

Ms. Mager explained this group had been to Palm Desert previously when they were considering having the Jack & Jill Marathon that would have taken place up Highway 74, but they had an issue with CalTrans, so it didn’t happen. However, they fell in love with Palm Desert and thought the views for runners were absolutely perfect. She noted the coordinator and director for the USA Endurance Event was in attendance to answer questions.

Councilman Jonathan said he didn’t hear how Palm Desert was selected.

Ms. Mager replied that the City was approached by the Applicant, because they loved the location and appreciated the response they were given by City staff when they were previously looking for a venue. Therefore, when they looked for a new location they wanted it to be in Palm Desert.

Councilman Jonathan said Council is very grateful for that and obviously they were people of great wisdom. He asked if on the map, the red line was simply a demarcation of the Indian Wells boundary.

Ms. Mager answered yes.

Councilman Jonathan offered that safety is an issue on everybody’s minds with mishaps at cycling events, etc. He wondered if cones will be used similar to what is done with the YBeFit Event. In other words, what are the safety precautions on the streets to protect the runners.

Ms. Mager said there will be cones along Monterey Avenue, Country Club, Hovley, and Fred Waring. On Fred Waring there is limited access to sidewalks, which is where staff is requesting the closure of two lanes in order to use one lane as a buffer from the runners. The event will start at 6:30 a.m. for the full marathon and 6:30 a.m. for the half marathon.

Councilman Jonathan encouraged staff to be generous in allocating resources toward safety, because it’s not an area he would want to skimp. So, if the City had choices of getting sufficient deputies and/or all the COPs, etc., but he’s happy to hear that staff was thinking it through.
Ms. Mager agreed, stating it’s the reason for bringing this item to the City Council as soon as possible, so staff can start working on getting sign-ups from the local Sheriff’s Department and COPs, and if they need to reach out to the City of Indian Wells for their share of support, they will.

Councilmember Harnik thanked staff for the presentation, stating it was exciting to have a Boston Marathon qualifier event in Palm Desert. As a point of reference, she wondered how many people participated in the half marathon the City previously held.

Ms. Mager stated that typically there are about 1,000 runners participating. Responding to question, she said she hopes the runners will stay in Palm Desert hotels and eat at local restaurants.

Councilmembers encouraged Mayor Pro Tem Nestande to participate in the event, but she said she was not ready to commit.

Councilman Jonathan stated he went onto the website and the Palm Desert event is already being marketed, almost with the assumption that it will be approved, which is fine. He went on to say the way its being marketed and presented is very much consistent with the vision of Palm Desert as an upscale event and a place where you can have fun, which he felt was unique and special. He couldn’t think of a better fitness life event to come to Palm Desert and grateful to Ms. Mager in working with this group to make it happen.

Councilman Jonathan moved to, by Minute Motion, approve: 1) The USA Woman’s Marathon and Half Marathon Event scheduled for Saturday, November 23, 2019; 2) proposed event route and road closures; 3) temporary waiver of Palm Desert Municipal Code (PDMC) Sections: a) 11.01.140 - Amplified Sound; b) 11.01.080(W) - Possession/Consumption of Alcohol in City Parks, pursuant to PDMC Section 9.58.040; c) 11.01.080(Q) - Prohibited Conduct Generally in City Parks - Vendor Sales. Motion was seconded by Kelly.

Councilmember Kelly said she was equally enthusiastic, but she wished to make a plug for ensuring that affected residents and travelers have ample time and accurate information. Her big beef with the Ironman Marathon was that she dutifully stopped and read the signs and organized her life accordingly – only to discover that what happened was very different from what was noticed. Again, she reiterated that with ample time, accurate information needed to be posted.

Mayor Weber called for the vote and the motion carried by a 5-0 vote (AYES: Harnik, Jonathan, Kelly, Nestande, and Weber; NOES: None).
B. REQUEST FOR APPROVAL OF ACTIONS RELATED TO THE COACHELLA VALLEY ASSOCIATION OF GOVERNMENT’S (CVAG) REGIONAL HOMELESSNESS SERVICES AND FOR AN AGREEMENT WITH THE RIVERSIDE UNIVERSITY HEALTH SYSTEM FOR LOCAL HOMELESSNESS SERVICES.

Management Analyst Christopher Gerry stated he was presenting two potential actions toward mitigating homelessness. The first item is a Resolution approving participation with the Coachella Valley Association of Governments (CVAG) Regional Homeless Program in the amount of $100,000. For reference, it was the formerly the $103,000 annual contribution. Attached to the staff report are some previous regional accomplishments, including the number of street interventions, emergency rental assistance, behavior health support, and Rapid Rehousing (RRH). The City’s proposed contribution is intended to build upon the great work that’s currently being done by CVAG and its partnering agencies, including potentially implementing some of the recommendations made by Barbara Poppe within the Desert Healthcare Funded report. At this time, the total contribution is about $600,000, not including the City of Palm Desert, the County, and another jurisdiction, which will be considering this item later this month. The second item is to approve an agreement with the Riverside University Health System for two full-time County staff positions to provide local homelessness services. The agreement would commence July 1, 2019, through December 31, 2020, and it includes two one-year options. Although, County staff would be spending a substantial amount of time working in the field, the City has office space for them at the Portola Community Center. County staff will be highly engaged with staff and the Police Department to identify individuals and families that are in need of services. In addition, City and County staff will be working together to develop a metric that could be reported to the City Council on a continual basis in order to assess progress made within the proposed program. Both of these requests have been previously budgeted in Fiscal Year 2018-2019. City staff and representatives from CVAG as well as the Riverside University Health System are available to answer questions.

Councilman Jonathan noted that with respect to recommendation No. 1, he understands the City of Rancho Mirage approved the funding in full, and that’s a welcome development.

Mr. Gerry concurred, stating the City of La Quinta approved their funding on March 5, and the City of Rancho Mirage on March 7.

Councilman Jonathan stated one of the challenges in bringing in a special team is that there is Path of Life, the Sheriff’s Department, Code Compliance, and when you hear from residents that they are experiencing problems associated with homelessness, they either don’t know who to call and/or get
directed to another place, and so forth. Now bringing in these two specialists into the equation, he questions how the City will coordinate their activity and wondered if there was a way to make it easier for residents to get a response.

Mr. Gerry replied it was something that can be explored, especially after reading the Barbara Poppe report about how important collaboration is to mitigating homelessness. He agreed it would be important for residents to have a telephone number or that front line contact to report any particular issue.

MR. MARCUS CANNON, Behavioral Health Services Supervisor with the Riverside University Health System, responding to Councilman Jonathan’s question, stated he could speak to a contract they currently have with the City of Palm Springs and what he’s seen work well there. His County staff has regular meetings with both sworn personnel and the Community Service Officers there in the City of Palm Springs to ensure good collaboration and communication, so that those Officers there, when they receive calls to the department, often they seem to be the first point of contact for citizens that have concerns and know how to reach County staff immediately to have them respond. In other areas they serve, they provide rubber wristbands with the County telephone number printed on them. He said those wristbands are distributed pretty extensively to citizens at community events as well as the homeless on the streets. With the anticipated inception of a Coachella Valley Homeless Collaborative, the County already has working relationships with many of the entities that will be involved. From a County level, their Deputy/CEO is working on a Countywide Encampment Response Protocol, and he and his office are very involved in the planning work there. He said the County knows all the parties at play. Again, the City of Palm Springs has taken their business cards and just walked Indian Canyon and Sunrise and given their card to every single business owner, informing them that if they have issues with homelessness, to just call the number on the business cards. They haven’t done this so much in residential area, but at Palm Desert’s City Council’s discretion, they are open about how to get the word out about their services.

Councilmember Kelly stated that when referring to a wristband or a card to put a specific telephone number, in Palm Desert, would that number get the caller directly to Palm Desert’s outreach people so that there could be a reasonably prompt response. MR. CANNON answered yes.

Councilman Jonathan stated there is a concern that this program, if implemented, will be as effective as possible. The concern comes from two perspectives, the first, and the most important one is to help the homeless people themselves. We have learned that when we see homeless people, especially if they are asking for money, that is probably more
damaging than helpful. For example, if that person who wants to help a homeless person, provides that one local number to put things in motion to get help, he believes will be very useful. Secondly, with regard to residents who are experiencing adverse impacts, similarly, if there was a direct number, because part of their frustration is that they call and get the runaround, etc. Therefore, if the City can use this Program to resolve some of these frustrations and deficiencies, it would be great.

Mayor Pro Tem Nestande stated she currently only has one telephone number to call, which is for Path of Life, but it would be helpful if she could have cards with information on it to hand out to a homeless, because almost all of them have cell phones.

MR. CANNON asked if Mayor Pro Tem Nestande was talking about consolidating all the service providers number onto one card.

Mayor Pro Tem Nestande said she was thinking of something small that could be handed out, because a wristband was not large enough to put all that information on it.

Councilmember Kelly didn’t want all service providers listed, because the whole point is that if someone is not coping well, you don’t want to give that individual ten phone numbers. She is talking about one telephone number where this can be triage.

MR. CANNON replied that Countywide they have attempted to do that, and there is a centralized telephone number for the whole County through the County Coordinated Entry System, but he’s hearing Palm Desert wants it to be local. He offered that they can print their County number, whether it’s on a resource card or wristband, but if Palm Desert is trying to incorporate CVAG, County Staff, and anyone else to be reached by one number, they are certainly open to talking with the City Council, CVAG, and whatever comes to be with the CV Collaborative, on how Palm Desert can have one centralized number.

Councilman Jonathan offered that he views these two positions will be the individuals for the initial contact. If that number can be publicized to the residents and business owners so that if they have an issue with a homeless person and/or want to help them, they can use that one telephone number. Also, that telephone number is something that can be published in the City’s newsletter and through social media, so that the process starts there. The people that Palm Desert would be hiring, will be conducting the actual outreach, evaluating, triage, and connecting the caller with the appropriate resource, whether that be the new collaborative, Path of Life, County services, police, etc. The point is that Council doesn’t want them calling
Riverside, but just calling one number to start the process, which he felt was the most effective way to do it. He asked if that was a possibility at this point.

MR. CANNON said he would work with the City Manager’s Office and law enforcement, because if you cast a white net, you can end up with a lot of things in that net where some call may need to be sent back to law enforcement, but they are open to having a centralized number. Anticipated in this agreement would be for two full-time staff members working normal business hours of 40 hours a week, so that would be part of the conversation of what to do if a resident calls at 5:01 p.m.

Councilman Jonathan believed they will walk through that discussion and perhaps there could be an after hours’ telephone number. He felt it was very important to have a discussion with Palm Desert Police Department, Lt. Martello, the Captain, and possibly the Sheriff, because they get the daily updates about police activity and so much of their time is devoted to homeless and homeless related issues. The hope is that deputies will deal with what they were trained to do, which is to deal with real crime instead of trying to be social workers and behavioral specialists. Once this step is taken, he hopes it will lead to the next, which is to figure out what is the police department’s reaction and how they will coordinate their response so that deputies won’t have to go out on as many of these calls.

Councilmember Kelly stated that in reading the scope of services, one of the activities listed for our contracted outreach folks is to visit local homeless service providers. She’s aware of one service in Palm Desert up Highway 74 at St. Margaret’s where there is food distribution once a week. A large number of the recipients have homes, but there are some who don’t. Because they are predictably coming to that site once a week, would that be a location where the outreach workers could be requested to come and engage with those who don’t have homes.

MR. CANNON answered yes, stating they already do that in other parts of the County. He added that the agreement starts July 1, 2019, but they could staff it sooner if that is the direction of the City Council.

Mayor Weber asked for clarification, because she understood there would be one number for businesses and another for the homeless, because she liked the idea of the wristband.

MR. CANNON said he understood the City wanted for everyone to have the one same local telephone number, which he felt was very feasible.

Councilmember Kelly said that was correct.
Councilmember Harnik said this was such a complicated issue, because you can have a homeless person that has the Palm Desert localized number, but then goes to Cathedral City and calls for help. She’s afraid the City may be getting somewhat parochial in its view, because this was a regional effort and that has already been established. Council now feels it’s the City’s part to provide those two social workers to assist, and of course, get the money asked. She wondered if it made more sense to have the County’s centralized number, because someone in crisis doesn’t want to be put on hold while they are redirected.

MR. CANNON agreed, stating he could see the merits of both arguments. In the City of Palm Springs, how it works is that the number that is available throughout the County for the County Coordinated Entry System has been printed on wristbands and given broadly almost everywhere. He said that number is staffed 7 days a week during normal business hours 8:00 a.m. to 5:00 p.m., with a live person always answering the call. The good news is that it’s under the umbrella and services that he supervises, so there should be fast communication between those two. Again, in the City of Palm Springs, they have provided this Countywide number, so if a homeless person moves to a different city, they can still call that same number. With County staff meeting weekly, if not more frequently, with law enforcement and them becoming physically known to the business community, they often provide their direct cell phone number to those businesses, adding this has been the hybrid approach in Palm Springs.

Councilmember Harnik said her greatest concern is the homeless person who then is able to call that centralized number. She asked if County staff is able to direct that phone call to the appropriate person without having to say “hang up and dial this number.” In other words, connect them to the number where they can reach the two Palm Desert workers.

MR. CANNON said they can. Further responding, he said this service is available 7 days a week/8:00 a.m. to 5:00 p.m.

Councilman Jonathan saw potential problems with that avenue, yet Council was not here this evening to solve that issue as much as to give direction about where the City wants to go. For example, by calling the Coordinated Entry System, it would bypass Path of Life, and they are local with boots on the ground. It is the City’s hope that Path of Life is involved in that process, but the two service workers in Palm Desert serve a different purpose, so it could be that one number can be provided, whether that is Path of Life Hotline or Coordinated Entry System, to the homeless individual, but as far as residents, he is seeing an issue. He believed it can be figured out, but the objective is to make it as simple as possible for residents and businesses to have direct access to this particular resource that Palm Desert is paying for in our City and let the process proceed from there.
MR. CANNON said he is happy to work with the City Council, City Manager and law enforcement to figure out what process to follow. He certainly didn’t want to say they know it all and has it figured out, because they are open to trying a new way. With regard to Path of Life, currently the way it works, if someone in the Coachella Valley or somewhere else in the County calls that centralized number, the staff there at the hotline, knowing the whole landscape of providers throughout the County, they know where to direct the call. For example, if you are in Palm Desert and call the number saying you need domestic violence service, they are directed to Shelter from the Storm, but if you call in and say you are in another City, they are directed accordingly, so they are already directing people to Path of Life.

Councilmember Harnik moved to: 1) Waive further reading and adopt Resolution No. 2019 - 10, approving participation with the Coachella Valley Association of Governments to provide regional homelessness services in the amount of $100,000 for Fiscal Year 2018-2019; 2) By Minute Motion, approve an agreement in the amount of $252,000 with the Riverside University Health System for two full-time County staff positions to primarily provide local homelessness services from July 1, 2019, through December 31, 2020 – funds are included in the FY 2018-2019 budget for this purpose (Contract No. C38300). Motion was seconded by Nestande.

Councilmember Kelly expressed gratitude to Councilman Jonathan who has worked so hard on this issue as Chair on the CVAG Homelessness Committee. He’s been extremely effective about bringing collaborative solutions, and also bringing forward the extra initiative that’s being proposed for Palm Desert. Additionally, she acknowledged that this issue is of compelling important to Palm Desert residents, because everywhere she goes community members ask how the City can achieve more progress. She said homelessness is one of those issues that people recognize is too complex for an individual to impact no matter how good that person’s intentions are, and they really want government to step up and collaboratively coordinate a response they can support. She’s extremely pleased to see that Palm Desert is taking some extra initiative to have outreach workers who can assist those folks on our turf who is struggling to access the myriad of services. The obvious is that people who have encountered homelessness are struggling to cope, so there is a need for that extra outreach to connect them with services. She thanked everyone who has worked to get the City this far.

Councilman Jonathan added that solving homelessness is one person at a time, and it always starts with outreach. It starts with the right people engaging with that homeless individual and informing them they have choices, options, and resources. Sometimes, it may take 70, 100, or more attempts, but eventually, there is often success. What Council is attempting to do in this City is to “Turbo Charge” that process by increasing the engagement and outreach. There are so many other resources that exist
here, some argue, almost too many that it invites homeless from the western Riverside County. It’s really a matter of boosting the outreach and the engagement, and he has cautious optimism that what Council is attempting to do will be effective, at least in Palm Desert.

Mayor Weber called for the vote and the motion carried by a 5-0 vote (AYES: Harnik, Jonathan, Kelly, Nestande, and Weber; NOES: None).

XVII. CONTINUED BUSINESS

None

XVIII. OLD BUSINESS

None

XIX. PUBLIC HEARINGS

A. REQUEST FOR APPROVAL OF A THIRD AMENDMENT TO DEVELOPMENT AGREEMENT NO. 02-01 AND A TENTATIVE PARCEL MAP, SUBDIVIDING A 7.7-ACRE PARCEL INTO FOUR RESIDENTIAL LOTS THAT WILL BE PART OF THE STONE EAGLE DEVELOPMENT, LOCATED WEST OF THE PALM VALLEY STORM CHANNEL (PVSC) AT THE TERMINATION OF OLD STONE TRAIL (APN 652-090-002); AND ADOPTION OF A MITIGATED NEGATIVE DECLARATION IN ACCORDANCE WITH THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA), Case Nos. DA 02-01 Amendment No. 3 and TPM 37336 (Eagle 605, LLC, Applicant) (Continued from the meeting of February 28, 2019).

Associate Planner Kevin Swartz stated the property is west of the Palm Valley Storm Channel (PVSC) at the southern termination of Old Stone Trail within Stone Eagle, and on 7.7-acres. He displayed an Aerial map highlighting access to the parcel, which is directly through Stone Eagle, and it outlines the City and County boundaries. Currently, the property is zoned Hillside Planned Residential (HPR), and as part of this request, the Applicant is proposing to annex this parcel into the existing Development Agreement. If approved, most of the hillside development standards would not apply, along with the density of 1 unit per five acres. One standard that would apply is building on the ridgeline, which would be prohibited. Again, it is 7.7-acres and it is five lots, four residential and one access road. The Applicant is amending the Development Agreement and the development standards would apply. Stone Eagle currently has 17 remaining lots, which have not been plotted at this time. As part of this application, they are essentially trading four lots within that 17 lots for these four lots, so if approved, there will be 13 remaining lots. Using the map displayed, he pointed out where the
temporary clubhouse is located and where the future clubhouse would be. He noted Lot A was the access road, stating the smallest pad is shy of 13,000 square feet and the largest pad is a little more than 15,000 square feet. In working with the Applicant/Developer, staff worked on the positioning of the pads to put them in the best location to preserve as much of the hillside in the area. He said they are leaving as many outcroppings as possible and they are identified throughout the parcel map. As part of the Planning Commission Hearing, staff noticed residents within 4,000 feet and only one showed up in opposition. Staff also received letters from residents within the County about their concern about access road, but once they learned that access didn’t have anything to do with the County, they didn’t have an issue. In conclusion, he said staff recommended approval.

Mayor Weber noted the public hearing was open since the last City Council meeting.

Councilman Jonathan said he walked the property a couple of weeks ago and thought it would be nice to have a bicycle walking path there. He wondered if that was going to happen, because the response seemed so loose, in that the developer would think about it.

Mr. Swartz explained the City couldn’t force the developer to obtain the easement through Coachella Valley Water District (CVWD), so staff suggested they work with best practices. Staff had some initial conversations with CVWD, so he believed they will get there. Further responding, he confirmed it was suggested to the developer.

Responding to question about where the bicycle walking path was located, Mr. Stendell said it was on the other side, and it was a Legacy condition. In the original development of Stone Eagle, there was discussion of this bike path on the west side, unfortunately, it never got installed as a permanent condition. As already mentioned, staff couldn’t force it, but the developers have already produced meetings, legal descriptions, and has made helpful progress toward getting a legitimate bike path on that side of the wash.

Councilmember Kelly stated that in exploring this topic prior to the meeting, staff mentioned there could be protective conditions added, such as requiring a staff person to be on site at various critical stages like when the grading is being done. She asked if those sorts of protective conditions were included in the draft resolution.

Mr. Swartz said they were not. However, as part of his PowerPoint presentation, he provided examples of what those conditions can be. He displayed one for grading and one for renaturalization.
Councilmember Kelly stated the first bullet point states “developer shall notify staff when it commences and be on site.” She said the phrasing of the sentence requires the developer to be on site, but not necessarily staff.

Mr. Swartz replied that it was meant for staff to be on site, so he could reword it.

Councilmember Kelly was troubled to move forward this evening without refinement of this language, which seems to be key to achieving the purposes of the hillside zoning.

Mayor Pro Tem Nestande asked if the concern was that the developer won’t follow the plan as outlined or that he would grade higher up the mountain.

Councilmember Kelly stated that in the actual implementation there are constant decisions to be made about what’s preserved and what’s lost.

Councilmember Harnik asked if there was an anticipated limit to home size on those pads.

Mr. Swartz answered no, stating that if the project was under the Hillside Planned Residential, the answer would be yes. In this case, they are under Stone Eagle’s existing Homeowners Association (HOA).

Councilman Jonathan stated that short of having staff on site, whether its grading or planting, what’s the normal procedure when an applicant applies for a grading permit where the grading has to comply with an approved plan. He understood there is an inspection after to ensure developers have complied with staff’s expectation.

Mr. Swartz agreed, stating there is a series of inspections performed by a Public Works inspector. This condition can include a public works inspector and a planning staff member.

Councilman Jonathan commented that the norm is not necessarily to be on site, but to inspect the work during and after to ensure compliance.

Mayor Weber questioned what was then the point of adding these conditions.

Mr. Swartz explained that it will ensure that planning staff is out on the site along with Public Works. Further responding, he confirmed staff was not adding the condition, but only showing the City Council an option if it wanted to implement it.

Mayor Weber invited public testimony on the matter.
MR. TOM CULLINAN, Representing the Applicant, thanked the City Council for their time on the proposed Resolution. He said they spent a lot of time with staff over the last two years refining their plan numerous times, and he believed it was a project and land plan that takes into consideration the topography and hillside. The sites are in the shallow areas and staying away from all ridgelines. This project is beneficial to Stone Eagle, because they need product and diversity, which gives an option to some of the members of the club and others who want a larger home with more privacy. New people would support local businesses on El Paseo and bring some additional jobs to the community. There are some characteristics of the site that are different from most of the hillside properties seen there. First of all, this property was annexed into the HOA of Stone Eagle in March 2010, and it’s governed by CC&R’s (Covenants, Conditions & Restrictions) and Architectural Guidelines that are part of the Stone Eagle community. Also, when the Palm Valley Storm Channel was constructed, which is an eyesore, it dramatically impacted that side of the hillside that is part of Stone Eagle. They were very careful to place the pads below the lots and below the ridgelines. He pointed out that if you have seen their other projects and what they have done with Stone Eagle and The Reserve, you know they use materials that blend with the surrounding mountainside, including the use of Permian and indigenous landscaping. Hopefully, when they are finished, you won’t even know there are homes there. Stone Eagle was approved for 61 properties and only 44 have been built. This request is not increasing density, but they are adding additional acreage and probably reducing the number of homes per acre. In the end, they will be left with 13 sites for Stone Eagle to build near the clubhouse complex.

MR. TED LENNON, Applicant, said he wasn’t planning on speaking, but seeing the City’s logo prompted him to make some comments. He offered that in 1972, their company got involved with Palm Desert before it was incorporated with the Shadow Mountain Resort & Recreation Club, and in 1974 he took over the Shadow Mountain Resort Club as a developer, hotel manager, and night auditor, stating he kind of did it all. In fact, he watched the logo being designed in 1974, stating there was a young Filipino man who worked for the City for a long time who helped design it, which was an interesting experience. He went on to say his company has been involved in half a dozen projects in the Valley for more than 45 years, adding he knew Palm Desert was a great City.

Councilmember Harnik thanked Mr. Stendell for taking her on a field trip of the site, recognizing it was the second time she had been up there, because a couple of years ago they were looking at another project. In looking at the lot pads, it seemed almost natural and a good use of the pads. She said she wouldn’t mind having staff on site when the grading happens to avoid any problems. She recalled at one time a new ridgeline map was created, because there had been errors made. The boulders and ridgelines are all
beautiful and would hate to see them destroyed, because they are nothing short of magnificent. She also drove down Highway 74, and she didn’t think these new homes will destroy the mountain views. She asked about the max square footage of the homes.

MR. CULLINAN didn’t know if there was a maximum square footage put in the Architectural Guidelines, but he knew there were minimums. Further responding, he confirmed the height requirement for the homes was around 25 feet.

Councilmember Kelly asked if color choice was addressed in the Architectural Guidelines.

MR. CULLINAN said the color palette is addressed, and what you see up there on the roofs are very natural looking colors.

Mayor Pro Tem Nestande said it makes for a great project that also protects the hillsides, stating she too wouldn’t vote for a project that would disturb the ridgelines.

Councilman Jonathan believed this was a win-win situation, because the project is not increasing density, but basically just moving four lots. He couldn’t ask for a better location, because down below the hill, they are not visible to the rest of the community and minimally impactful. He loves the Cahuilla Hills, so he wants to make sure the City takes care of the mountain. What is encouraging to him is that there is a proven tract record with The Reserve and Stone Eagle, which are exemplary in setting the bar for how to be sensitive to existing environment, so he couldn’t imagine them doing anything different. He added he has a level of confidence that he might not otherwise with other developers new to the desert. It appears that staff has procedures in place to ensure the developer does what is intended, but he would not mind an added level of assurance, because he understood the concern. He wondered if by simply directing staff, within their discretion and judgement, to have a physical presence on site during sensitive points of development would satisfy the concern.

Councilmember Kelly believed Council needed to back them up with conditions that gives them authority when they exercise their discretion. Everyone perceives the Applicant’s product is superior, which is beyond debate. The bottom line is that once the bulldozer clears, it can’t be undone. Despise the fact that Council really appreciates the Applicant’s product, this was a hard issue for her to conceptualize an exception just because the City’s approach to hillside zoning was well thought out and has existed for some time. Therefore, she wants to be extremely careful with any variance, and the language that staff has offered to the Council was helpful, because
it achieves it within a framework and where it's a matter of record about what staff's authority is.

Councilman Jonathan asked if it can be added as a condition this evening from a legal standpoint, because it's not making any changes, but making a procedural addition.

Mr. Hargreaves said it was okay.

Councilman Jonathan asked the Applicant if they had a chance to read the suggested conditions, which basically requires staff to be present on site.

MR. CULLINAN confirmed they were okay with it.

Councilmember Harnik asked about the process for approval

MR. CULLINAN explained that the project will go through the HOA first, and they would have to sign off before it moves forward to the City.

Councilmember Harnik said she wanted to make sure the City had a say, including what will be planted, because some of the other homes there had landscaping that has nothing to do with desert native plants.

MR. CULLINAN commented they were not interested in creating Hawaii in the Desert.

Councilmember Harnik reiterated she wouldn’t mind having the bullet points inserted with the added text correction.

Councilmember Kelly said the bullet points need to state, “Developer shall notify staff when initial grading commences, and staff shall be on-site to inspect . . .”

With no further testimony offered, Mayor Weber declared the public hearing closed.

Councilmember Kelly moved to waive further reading and: 1) Pass to second reading Ordinance No. 1346, approving Amendment No. 3 to Development Agreement No. 02-01; 2) adopt Resolution No. 2019 - 09, approving Development Agreement No. 02-01 Amendment No. 3, Tentative Parcel Map 37336, and a Mitigated Negative Declaration for CEQA purposes, subject to the conditions of approval as amended with insertion of staff’s two draft bullet points under grading and re-naturalization/landscaping as presented at this meeting with the syntax correction as discussed, namely inclusion of the words “staff shall be on site” in each. Motion was seconded by Nestande and carried by a 5-0 vote (AYES: Harnik, Jonathan, Kelly, Nestande, and Weber; NOES: None).
XX. ADJOURNMENT

With City Council concurrence, Mayor Weber adjourned the meeting at 5:34 p.m.

SUSAN MARIE WEBER, MAYOR

ATTEST:

RACHELLE D. KLASSEN, CITY CLERK
CITY OF PALM DESERT, CALIFORNIA