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 Palm Desert City Council, Successor Agency to the Palm Desert Redevelopment Agency, or Palm Desert 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 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 - Councilmember Kathleen Kelly

VII. INVOCATION/INSPIRATION - Councilman Sabby Jonathan
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 OF PROCLAMATION DECLARING MAY 2019 AS “MENTAL HEALTH MONTH” IN THE CITY OF PALM DESERT.

Action:

B. PRESENTATION TO THE CITY COUNCIL BY PALM DESERT CHARTER MIDDLE SCHOOL STUDENTS AND 8TH GRADE HUMANITIES TEACHER MS. NAN DAVIS-KIRCHEVEL.

Rec: Oral presentation to be made at the meeting.

Action:

C. INFORMATIONAL QUARTERLY REPORT OF ACTIVITIES FROM THE PALM SPRINGS INTERNATIONAL AIRPORT COMMISSION BY CITY OF PALM DESERT’S APPOINTED REPRESENTATIVE MR. ROLF HOEHN.

Rec: Oral report to be provided at the meeting.

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 Palm Desert City Council, Successor Agency to the Palm Desert Redevelopment Agency, or Palm Desert Housing Authority may do so 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 Nestande Committee Reports and General Comments.
   Action:

   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

   Rec: Receive and file.
   Action:
B. City Attorney

C. City Clerk

1. Announcement of Upcoming City Council Study Sessions on the City’s Fiscal Year 2019-2020 Budget in the Administrative Conference Room:
   a) Tuesday, April 30 - 9:00 a.m.
   b) Tuesday, May 7 - 11:30 a.m.

Action:

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 April 11, 2019.

Rec: Approve as presented.


Rec: Approve as presented.

C. CLAIMS AND DEMANDS AGAINST THE CITY/HOUSING TREASURIES - Warrant Dated 4/5/2019 (Joint Consideration with the Palm Desert Housing Authority - Item O below).

Rec: Approve as presented.
D. RESOLUTION NO. 2019 - 17 - 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 Department of Community Development/Planning, to Rely On the Electronic Record as the Official Record - Various Community Development/Planning Files - Exhibit “A.”

Rec: Waive further reading and adopt.

E. RESOLUTION NO. 2019 - 18 - A Resolution of the City Council of the City of Palm Desert, California, Setting Forth Its Findings and Authorizing the Destruction of Records from the Finance Department, as Indicated on the Records Retention Schedule (Adopted October 25, 2018) - Various Finance Department Records - Exhibit “A.”

Rec: Waive further reading and adopt.

F. ART IN PUBLIC PLACES COMMISSION MINUTES for the Meetings of December 12, 2018, and February 13, 2019.

Rec: Receive and file.


Rec: By Minute Motion, approve/authorize: 1) First extension to subject contract with M & M Sweeping, Inc., Thousand Palms, California, in the amount of $29,380.08 for Parking Lot Sweeping Services; 2) City Manager to execute Contract No. C36051, Amendment No. 1 to subject contract, and all related documents; 3) City Manager to approve Change Orders associated with this Amendment and the second and final remaining one-year extension for FY 2020-2021, based on staff’s recommendation – funds are available in the various Building and Business Improvement District Accounts.
H. REQUEST FOR APPROVAL of Amendment No. 2 to Contract No. C35660 with Urban Habitat Environmental Landscapes for Landscape Maintenance Area No. 2 (LMA No. 2) in the Amount of $110,605.68, and Include Repair Work and Services at the Specified Contract Amount of $25,000 (Project No. 902-20).

Rec: By Minute Motion, approve/authorize: 1) A second one-year extension of subject contract with Urban Habitat Environmental Landscapes, La Quinta, California (Contract No. C35662), for LMA No. 2 in the amount of $110,605.68; 2) repair work and services at the specified contract amount of $25,000; 3) City Manager to execute Amendment No. 2 – funds are available in General Fund Account No. 1104614-4337001 - Repair/Maintenance Medians.

I. REQUEST FOR APPROVAL of Amendment No. 1 to Contract No. C36580 – Landscape Maintenance Services for Landscape Maintenance Area No. 6 (LMA No. 6) (Project No. 906-20) (Horizon Professional Landscape, Coachella, CA).

Rec: By Minute Motion, approve/authorize: 1) First one-year extension to subject contract with Horizon Professional Landscape, Coachella, California, in the amount of $88,992 for LMA No. 6; 2) City Manager to approve extra repair work and services in an amount not to exceed $25,000; 3) City Manager to execute Contract No. C36581 - Amendment No. 1 – funds are available in Account No. 4414195-4332000 - R/M Desert Willow.

J. REQUEST FOR APPROVAL of Amendment No. 2 to Contract No. C35680 with Kirkpatrick Landscaping Services, Inc., for Landscape Maintenance Area No. 7 (LMA No. 7) in the Amount of $108,707.64, and Include Repair Work and Services at the Specified Contract Amount of $25,000 (Project No. 907-20).

Rec: By Minute Motion, approve/authorize: 1) A second one-year extension of subject contract with Kirkpatrick Landscaping Services, Inc., Indio, California (Contract No. C35682), for LMA No. 7 in the amount of $108,707.64; 2) repair work and services at the specified contract amount of $25,000; 3) City Manager to execute Amendment No. 2 – funds are available in the respective Landscape and Lighting District Accounts.
K. REQUEST FOR APPROVAL of Amendment No. 3 to Contract No. C34860 with Conserve LandCare, Inc., for Landscape Maintenance Area No. 18 (LMA No. 18) in the Amount of $89,271.72, and Include Repair Work and Services at the Specified Amount of $20,000 (Project No. 918-20).

Rec: By Minute Motion, approve/authorize: 1) A third, one-year extension of subject contract with Conserve LandCare, Inc., Thousand Palms, California (Contract No. C34863), in the amount of $89,271.72; 2) repair work and services at the specified amount of $20,000; 3) City Manager to execute Amendment No. 3 – funds are available in General Fund Account No. 1104611-4332001 - Repair/Maintenance Landscaping Services.


Rec: By Minute Motion, approve/authorize: 1) Amendment No. 1 to subject Professional Services Agreement with PlanetBids for an additional total amount of $24,020.55 paid over three years, adding the Contract Management Module with up to five (5) user license and an additional Full User License to the Vendor Management and Bid Management with Advanced e-Bidding Module, bringing the total user licenses for that module to three (3); 2) City Manager, or her designee, to make any necessary budget adjustments, appropriations, and transfers for this purpose; 3) City Manager to execute Amendment No. 1 and any future amendments to the three-year Professional Services Agreement – funds are available in the Information Technology Software and Maintenance Account, No. 1104190-4336000.

M. REQUEST FOR AUTHORIZATION to Release Maintenance Bond No. 4403376-M for Bella Villagio in the Amount of $20,665 (WL Palm Desert Property, LLC, Applicant).

Rec: By Minute Motion, authorize release of the Maintenance Bond for Bella Villagio in the amount of $20,665.
N. REQUEST FOR REAPPOINTMENT of Margaret (Peggy) Leo as the City of Palm Desert’s Representative on the Joslyn Center Board of Directors for a Two-Year Term, July 1, 2019 - June 30, 2021.

Rec: By Minute Motion, reappoint City of Palm Desert representative Margaret (Peggy) Leo to the Joslyn Center Board of Directors for a two-year term, July 1, 2019 - June 30, 2021, pursuant to Joslyn Center Bylaws, Article VI, Section 2, and Article VII, Section 3, respectively.

SUCCESSOR AGENCY TO THE PALM DESERT REDEVELOPMENT AGENCY

O. MINUTES of the April 11, 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

Q. MINUTES of the Housing Authority Meeting of April 11, 2019.

Rec: Approve as presented.

R. CLAIMS AND DEMANDS AGAINST THE CITY/HOUSING TREASURIES - Warrant Dated 4/5/2019 (Joint Consideration with the Palm Desert City Council - Item C above).

Rec: Approve as presented.


Rec: Receive and file.

Action:

XIII. CONSENT ITEMS HELD OVER
XIV. RESOLUTIONS


Rec: Waive further reading and adopt.

Action:


Rec: Waive further reading and adopt.

Action:

XV. ORDINANCES

A. For Introduction:

None

B. For Adoption:

None
XVI. NEW BUSINESS

A. REQUEST FOR APPROVAL OF AN AMENDMENT TO CONTRACT NO. C35950 WITH CONSERVE LANDCARE FOR LANDSCAPE MAINTENANCE AREA NO. 1 (LMA NO. 1) IN THE AMOUNT OF $126,570.60, AND INCLUDE REPAIR WORK AND SERVICES AT THE SPECIFIED CONTRACT AMOUNT NOT TO EXCEED 20% THEREOF (PROJECT NO. 901-20).

Rec: By Minute Motion, approve/authorize: 1) A second one-year extension of subject contract with Conserve LandCare, Inc., Thousand Palms, California (Contract No. C35952), for LMA No. 1 in the amount of $126,570.60; 2) repair work and services at the specified contract amount not to exceed 20% (or $25,314); 3) City Manager to execute Amendment No. 2 – funds are available in General Fund Account No. 1104614-4337001 - Repair/Maintenance Medians, and in Assessment District Account No. 2764374-4332000 - Haystack Drainage Channel.

Action:

B. REQUEST FOR APPROVAL OF AMENDMENT NO. 2 TO CONTRACT NO. C35670 WITH KIRKPATRICK LANDSCAPING SERVICES, INC., FOR LANDSCAPE MAINTENANCE AREA NO. 4 (LMA NO. 4) IN THE AMOUNT OF $132,923.52, AND INCLUDE REPAIR WORK AND SERVICES AT THE SPECIFIED CONTRACT AMOUNT OF $30,000 (PROJECT NO. 904-20).

Rec: By Minute Motion, approve/authorize: 1) A second one-year extension of subject contract with Kirkpatrick Landscaping Services, Inc., Indio, California (Contract No. C35672), for LMA No. 4 in the amount of $132,923.52; 2) repair work and services at the specified contract amount of $30,000; 3) City Manager to execute Amendment No. 2 – funds are available in General Fund Account No. 1104614-4337001 - Repair/Maintenance Medians.

Action:

C. REQUEST FOR APPROVAL OF AMENDMENT NO. 1 TO CONTRACT NO. C36590 WITH MARIPOSA LANDSCAPES, INC., FOR LANDSCAPE MAINTENANCE AREA NO. 9 IN THE AMOUNT OF $218,030.40, AND INCLUDE REPAIR WORK AND SERVICES AT THE SPECIFIED AMOUNT OF $40,000 (PROJECT NO. 909-20).

Rec: By Minute Motion, approve/authorize: 1) First extension of subject contract with Mariposa Landscapes, Inc., Irwindale, California (Contract No. C36591), in the amount of $218,030.40; 2) City Manager to approve extra repair work and services up to the specified amount of $40,000; 3) City Manager to execute Amendment No. 1 – funds are available in General Fund Account No. 1104614-4337001 - R/M Medians.

Action:
D. REQUEST FOR APPROVAL OF AMENDMENT NO. 3 TO CONTRACT NO. C34850 WITH CONSERVE LANDCARE, INC., FOR LANDSCAPE MAINTENANCE AREA NO. 16 (LMA NO. 16) IN THE AMOUNT OF $172,079.16, AND INCLUDE REPAIR WORK AND SERVICES AT THE SPECIFIED AMOUNT OF $30,000 (PROJECT NO. 916-20).

Rec: By Minute Motion, approve/authorize: 1) A third, one-year extension of subject contract with Conserve LandCare, Inc., Thousand Palms, California (Contract No. C34853), for LMA No. 16 in the amount of $172,079.16; 2) City Manager to approve extra repair work and services up to the specified amount of $30,000; 3) City Manager to execute Amendment No. 3 – funds are available in General Fund Account No. 1104611-4332001 - Repair/Maintenance Landscaping Services.

Action:

E. REQUEST FOR APPROVAL OF AMENDMENT NO. 1 TO CONTRACT NO. C36600 WITH EXCEL LANDSCAPE, INC., FOR LANDSCAPE MAINTENANCE AREA NO. 17 (LMA NO. 17) IN THE AMOUNT OF $299,730, AND INCLUDE REPAIR WORK AND SERVICES AT THE SPECIFIED AMOUNT OF $50,000 (PROJECT NO. 917-20).

Rec: By Minute Motion, approve/authorize: 1) First extension of subject contract with Excel Landscape, Inc., Corona, California (Contract No. C36601), for LMA No. 17 in the amount of $299,730; 2) extra repair work and services for the specified amount of $50,000; 3) City Manager to execute Amendment No. 1 – funds are available in General Fund Account Nos. 1104610-4332001 - R/M Civic Center Park, 1104610-4337100 - Tri-Cities Sports Facility, and 1104611-4332001 - R/M Parks.

Action:

XVII. CONTINUED BUSINESS

None
XVIII. OLD BUSINESS

A. REQUEST TO ADOPT THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) NOTICE OF EXEMPTION FOR THE SAN PABLO PHASE 1 AND PHASE 2 STREETSCAPE IMPROVEMENTS PROJECTS; AND TO AWARD CONTRACT NO. C35520C IN THE AMOUNT OF $7,941,158 TO GRANITE CONSTRUCTION COMPANY FOR THE SAN PABLO AVENUE PHASE 1 STREETSCAPE IMPROVEMENTS PROJECT; AND TO AWARD CONTRACT NO. C35520D IN THE AMOUNT OF $56,446 TO LEIGHTON CONSULTING, INC., FOR MATERIALS TESTING AND SPECIAL INSPECTION SERVICES ASSOCIATED WITH THE PROJECT (PROJECT NO. 691-16).

Rec:  By Minute Motion:

1) Adopt the CEQA Notice of Exemption for the San Pablo Phase 1 and Phase 2 Street Improvements Projects.

2) Award Contract No. C35520C in the amount of $7,941,158, based upon base bid value, to Granite Construction Company, Indio, California, for the San Pablo Avenue Phase 1 Streetscape Improvements Project.

3) Authorize the Director of Finance to set aside a 20% contingency in the amount of $1,588,232 from Unobligated Measure “A” funds for Contract No. C35520C.

4) Award Contract No. C35520D in the amount of $56,446 to Leighton Consulting, Inc., Temecula, California, for Materials Testing and Special Inspection Services.

5) Authorize the Director of Finance to set aside a 20% contingency in the amount of $11,289 from Unobligated Measure “A” funds for Contract No. C35520D.

6) Authorize the City Manager, or her designee, to review and approve written requests for use of the contingencies for unanticipated conditions, per Section 3.30.170(A) of Ordinance No. 1335.

7) Appropriated $5,300,826.50 from the following Accounts: Unobligated Measure “A” Fund 213 - $2,655,966.50; Drainage Facility Fund 232 - $1,011,555; Park Fund 233 - $155,060; Recycling Fund 236 - $132,000; Gas Tax Fund 211 - $1,346,245.

8) Authorize the Mayor to execute the aforementioned agreements.
XIX. PUBLIC HEARINGS

A. REQUEST FOR APPROVAL OF A ZONING ORDINANCE AMENDMENT, AMENDING THE CITY’S ZONING MAP TO EXPAND THE DOWNTOWN CORE OVERLAY DISTRICT TO SELECT PARCELS LOCATED ALONG EL PASEO AND HIGHWAY 111, AND REQUIRING CITY COUNCIL REVIEW AND APPROVAL FOR BUILDINGS ABOVE FOUR STORIES IN HEIGHT; AND FOR ADOPTION OF A NOTICE OF EXEMPTION IN ACCORDANCE WITH THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA), Case No. ZOA 19-0001 (City of Palm Desert, Applicant).

Rec: Waive further reading and pass to second reading Ordinance No. 1347A, approving Zoning Ordinance Amendment 19-0001, including:

1) Applying the Downtown Core Overlay Zoning District to parcels identified in Exhibit “A” of the Ordinance.

2) Amending Section 25.18.050 Table 25.18-2 Downtown District Development Standards, requiring City Council review and approval for buildings over four stories in height, as shown in Exhibit “B” of the Ordinance; and adopting a Notice of Exemption in accordance with CEQA.

Action:

XX. ADJOURNMENT
FUTURE MEETINGS:

April 30, 2019  9:00 a.m.  Cultural Resources Preservation Cmte.  
-CANCELED-

May 7, 2019  8:30 a.m.  Parks & Recreation Commission  
-CANCELED-
6:00 p.m.  Planning Commission  
Civic Center Council Chamber

May 8, 2019  9:00 a.m.  Art In Public Places Commission  
Development Services Conference Room
3:30 p.m.  Housing Commission  
North Wing Conference Room
3:30 p.m.  Public Safety Commission  
Administrative Conference Room

May 9, 2019  3:00 p.m.  Reg. City Council/Successor-RDA Mtgs.  
Civic Center Council Chamber

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 18th day of April, 2019. Note: This agenda is subject to amendment up to 72 hours in advance of the meeting.

________________________________________
Rachelle D. Klassen, City Clerk