

MINUTES

REGULAR PALM DESERT CITY COUNCIL MEETING

THURSDAY, AUGUST 22, 2019

* ADMINISTRATIVE CONFERENCE ROOM *

73510 FRED WARING DRIVE, PALM DESERT, CA 92260

I. CALL TO ORDER - 3:00 P.M. ★

Mayor Weber called the meeting to order at 2:02 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
Andy Firestine, Assistant City Manager
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
Tom Garcia, Director of Public Works
Veronica Tapia, Senior Management Analyst
Ty Davis, Division Chief, Palm Desert Fire/Riverside Co. Fire Dept./Cal Fire
Grace L. Rocha, Deputy City Clerk

III. ORAL COMMUNICATIONS - A (CLOSED SESSION ITEMS) ★

None

IV. ADJOURN TO CLOSED SESSION

- ★ **Please refer to the agenda and minutes of the Special Joint Palm Desert City Council, Successor Agency to the Palm Desert Redevelopment Agency, and Palm Desert Housing Authority Meeting that convened at 2:02 p.m. on August 22, 2019, for the purpose of conducting an expanded Closed Session.**

The Special Joint Meeting was adjourned at 3:45 p.m. and the Regular Meeting was immediately convened at 4:04 p.m.

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

A. REPORT ON ACTION FROM CLOSED SESSION.

Mr. Hargreaves reported the City Council took action on the following Closed Session Items:

- A. Conference with Real Property Negotiator pursuant to Government Code Section 54956.8:
 - 2) Property: SEC Ocotillo Drive/Tumbleweed Lane - 54330 Ocotillo Drive (APN 627-232-005), Palm Desert

The City Council authorized a six-month extension of the Exclusive Negotiating Agreement (ENA) with Encore Properties.

- 4) Property: Lease Property - Palm Desert iHUB, 37023 Cook Street, Suite 102, Palm Desert; Property Owner Sinatra and Cook Project, LLC

The City Council authorized staff to finalize agreements for the Palm Desert iHUB Project with the property owners.

- 5) Property: Lease Property - Palm Desert iHUB, 37023 Cook Street, Suite 102, Palm Desert

The City Council authorized staff to finalize agreements for the Palm Desert iHUB Project with the property owners.

B. Conference with Legal Counsel regarding existing litigation pursuant to Government Code Section 54956.9(d)(1):

- 1) Lorraine Salas and Karina Quintanilla v. City of Palm Desert, Riverside County Superior Court, Case No. PSC 1903800

Mr. Hargreaves explained that the plaintiffs are demanding the City go to district voting, and through its representatives, the City Council has engaged in ongoing settlement negotiations. Before final implementation of any agreement is made, there will be a series of public hearings so that the City's population will have an opportunity to express their views regarding any potential type of elections.

The City Council authorized its Special Counsel to answer on behalf of the City in litigation if it's necessary to do so.

There were no reportable actions taken on the remainder of the Closed Session Items.

VI. PLEDGE OF ALLEGIANCE TO THE FLAG OF THE UNITED STATES OF AMERICA - Councilman Sabby Jonathan

VII. INVOCATION/INSPIRATION - Councilmember Kathleen Kelly

VIII. AWARDS AND PRESENTATIONS

None

IX. ORAL COMMUNICATIONS - B

MR. KIM FLOYD, Sorrento Court, Palm Desert, expressed his appreciation for the work the City Council and staff does to keep the community beautiful and safe. He wished to register his support for district voting and hopes the City acts quickly on this matter. Secondly, he requested the City Council provide leadership on the issue of climate change, stating the best way it can do this is by supporting the Desert Community Energy (DCE), which is to be on a future agenda for consideration. Thirdly, he requested the City Council be careful on the messaging that's coming from the Southern California Gas Company, stating that obviously fossil fuel is a problem, and the gas company will do whatever it needs to do to protect its market share. He said the City had to be careful about its messaging on whether it needs to protect the gas company or its communities from fossil fuel.

MR. GUALBERTO MELENDEZ A.K.A. WALLY stated he will continue to ask the City Council to get involved with the College of Desert (COD) and lend its voice to encourage the College to provide a path toward a bachelor's degree. Further, he heard they hired instructors without a teaching certificate. Secondly, the City

Council has a great opportunity to build a state-of-the-art public library, because it has the wealth to build something better than what currently exists.

X. MAYOR AND COUNCILMEMBER REPORTS & REMARKS TO THE COMMUNITY

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

1. Southern California Association of Governments (SCAG) - reported they are focusing on the Regional Housing Needs Assessment (RHNA), noting this issue is highly controversial and highly debatable, but it's what they have been working on these past summer months.
2. Riverside County Transportation Commission (RCTC) - Construction on State Route 60 - happy to say there are literally moving mountains to create a safer journey through State Route 60. She said the Commission has coordinated a great job, but asked that everyone be careful when traveling in that direction.

Councilmember Kelly added that it's somewhat unique or special that Councilmember Harnik participates at SCAG's Regional Council on behalf of RCTC, and she participates on the Council by representing the Six-cities District. Thankfully, they will have the opportunity to collaborate on the allocation of the housing needs, which is a very critical topic of how housing goals will be allocated to cities for the next period. It's been a big focus of research and discussion, and is currently being hashed out.

B. Councilman Sabby Jonathan Committee Reports and General Comments.

None

C. Councilmember Kathleen Kelly Committee Reports and General Comments.

None

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

None

E. Mayor Susan Marie Weber Meeting Summaries Report for the Period of June 29 - August 16, 2019.

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

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1. First day of School - noted she visited Carter Elementary School along with Wendy Jonathan, President of the Desert Sands Unified School District (DSUSD) Board and Scott Bailey, Superintendent of DSUSD. She said it's always great to see happy students on the first day of school.
 2. CSUSB - Palm Desert Campus. A meet and greet meeting took place at City Hall with the new Dean, Dr. Jake Zhu, which was attended by the Mayor Pro Tem, City Manager, and staff. She was happy to hear how excited Dr. Zhu was to be in Palm Desert, and most appreciated by her, was to hear him say thank you several times for the City of Palm Desert's donation of the property and its participation with the University.

F. City Council Requests for Action.

1. Short-term Rental (STR) - Councilmember Kathleen Kelly requested an update on the STR enforcement, because when the City entered into a contract with the current provider, Council had high hopes that the use of technology would enhance the City's enforcement. She said there was a letter to the editor of *The Desert Sun* in today's paper that questioned that aspect, and she can easily imagine how that person's facts might not bare scrutiny. Therefore, she felt the public would appreciate an update coming from the City.
2. President's Plaza Project - Councilmember Jan C. Harnik requested an update on the project.
3. Finance Committee Vacancies - Councilman Sabby Jonathan stated the restructuring of the Committee has been completed and it has left two vacancies. In his mind, this Committee has important business to transact before January, and he recalled there was an abundance of qualified candidates in the last round of interviews that could be considered for appointment now rather than waiting until January.

Mayor Pro Tem Nestande commented that when she becomes Mayor in December, she would be able to appoint someone to the Finance Committee.

Mayor Weber disagreed, stating she has discussed this issue with the City Clerk, and the question was how soon can annual interviews be set up for all the Committee/Commissions and whether it was reasonable to interview for only one Committee.

Ms. Klassen offered that the City Council can do whatever the Council wishes and direct staff accordingly. However, for staff's purposes, this

is typically the time when staff gears up its recruitment efforts with an article in the next *BrightSide* Newsletter announcing the City's vacancies (Finance Committee, Parks & Recreation Commission, Rent Review Commission, and Sustainability Committee) and encouraging residents to apply. And of course, the City accepts applications year-round for all of its advisory bodies, and they are kept on file for at least two years.

Mayor Pro Tem Nestande thought she read a change in the bylaws where the Mayor could appoint someone to the Finance Committee.

Ms. Klassen clarified the language is that the Mayor can appoint subject to the concurrence of the entire City Council, adding that the new bylaws were adopted on June 27, 2019.

Councilman Jonathan asked if any other committees went through a restructuring that created new vacancies.

Ms. Klassen said she couldn't recall any for this year.

Councilman Jonathan believed there was a purpose in restructuring the Finance Committee, but until it's populated pursuant to the new bylaws, the task hasn't been completed. He understood that generally Council does want to wait until January, but it has made exceptions when there are vacancies in unusual circumstances such as this one, especially when it's about to do important work. He didn't necessary want to do a round of interviews, but perhaps consider past applicants that were deemed qualified. Therefore, from a process standpoint, this item can be placed on the next agenda for consideration.

Mr. Hargreaves concurred with placing this item on the next agenda.

4. CSUSB - Palm Desert Campus - Mayor Pro Tem Gina Nestande reported she and the Mayor met with the new Dean and they brought up the issue of officially naming this campus "Palm Desert," instead of having the hyphen after San Bernardino. Dr. Zhu said it would require for the campus to have a population of 5,000 students and it's currently 1,200. She also brought up the fact that she knew of at least two local students that requested to transfer into the Palm Desert Campus but were denied for technical reason, which she felt were invalid. She requested staff coordinate with the new Dean and obtain data on how many local students were denied access to the Cal State University, San Bernardino - Palm Desert Campus.

Ms. Aylaian added that Dr. Zhu will be coming to a future City Council meeting and potentially holding a study session to be able to go into greater depth on items if Council so wished.

Councilmember Kelly offered that President Morales from CSUSB made an extensive presentation to the Advancement Board around this topic, which stressed not simply how many students are available, but how many students the State has funded and what their capacity is to increase that number on an annual basis. The other topic that came up was the need for more facilities on campus, such as a student center in order to accomplish a better conversion ratio of students accepted who actually matriculate, because they are considered an attractive place to be. It could well be a fruitful topic for a study session.

5. Desert Community Energy (DCE) - Mayor Susan Marie Weber requested staff provide answers to the following questions: 1) Options for remaining in the DCE; 2) cost to exit the DCE and what would it require to exit; 3) the amount of funds remaining in the pool and how much would be returned, and to whom; 4) how could the City get the information from Southern California Edison (SCE) - specifically the "Green Programs" that are offered by SCE, and the programs that assist people financially with the electric bills; 5) is it realistically possible to have comparisons between DCE and SCE rates with regard to regular and green rates for both utilities; 6) the cost the City is at risk for continued CalPERS involvement with the DCE.

Responding to question about holding a study session, Ms. Aylaian believed one was in order, because she things have changed since the City's last study session on the DCE. In fact, already in progress is an item for the next City Council meeting where Councilman Jonathan requested the City consider enrolling municipal accounts into the DCE. Therefore, she would rather hold a study session on all the questions relating to the DCE and then ask for Council direction. She will work with Director of Community Development who is the staff liaison for the DCE to see how long it will take to put the requested information together. She also suggested staff be the ones providing the presentation rather than individual utility providers, because each of them has a different perspective on the issues, and Council would get a more consistent treatment of the options coming from staff.

Mayor Pro Tem Nestande stated she liked the idea of changing the format in order to hear from both DCE and SCE.

Ms. Aylaian said staff can certainly have representatives from both the DCE and SCE to answer technical questions, but having an uninterested third party take a look at the information available from each of the utilities providers will give Council a more consistent unbiased treatment of the subject matter.

Mayor Weber said it sounded like Council was leaning toward a study session first before putting it on the agenda.

Councilman Jonathan asked if the item scheduled for the next City Council to consider enrolling municipal accounts into the DCE would be postponed.

Ms. Aylaian replied that it would be appropriate to postpone the item, because there are still Councilmembers who are gathering information and considering what to do. Therefore, she felt staff should first hold a study session and then consider the City accounts.

Councilman Jonathan agreed, but he was concerned about deadlines and the City's ability to participate.

Mr. Stendell explained that the City was currently under no pressure or deadline at this point, as acknowledge by the DCE. The load forecast for anyone that wanted to go live for March 2020 was due this past summer. If the cities of Cathedral City and Palm Desert wanted to go with DCE with municipal accounts, they would be looking for a live launch in 2021. At the last DCE meeting, it was announced that the load forecast for the initial launch has been submitted for Palm Springs and any future city additions would count for future launch dates. Therefore, the launch date is March 2020 for Palm Springs. Further responding, he confirmed that Palm Desert was not included in the initial launch.

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 July 1 - August 9, 2019.

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

2. Update on the 2019 City Goals.

Ms. Aylaian stated her memorandum provides an update on the status of the top 16 City goals for 2019, adding staff has made great progress on some exciting projects.

Councilman Jonathan thanked Ms. Aylaian for the report and encouraged the public to read it, because they will learn what the City's priorities are, which are consistent with the General Plan. He said this was a process that is done annually.

With City Council concurrence, the Update on the 2019 City Goals was received and filed.

3. Introduction of new Assistant City Manager Andy Firestine - He comes to Palm Desert from Centennial, Colorado, but he is originally from southern California. Mr. Firestine started with the City on August 12, and so far the hot climate has not scared him off. In his capacity, he will be responsible for oversight of Community Development, Public Works, and Building and Safety. He will also be coordinating interdepartmental projects and programs of which there are many.

B. City Attorney

None

C. City Clerk

1. Request for Approval of an Updated 2019 City Council Liaison Assignments Roster.

Ms. Klassen reported that her office was requested to update a couple of the liaison assignments, including some time changes. Those that are being modified have a red star in the line item.

Councilmember Kelly moved to, by Minute Motion, approve the 2019 City Council Liaison Assignments Roster Update as proposed. Motion was seconded by Harnik and carried by a 5-0 vote (AYES: Harnik, Jonathan, Kelly, Nestande, and Weber; NOES: 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 July 11, 2019.
Rec: Approve as presented.
- B. CLAIMS AND DEMANDS AGAINST THE CITY TREASURY - Warrants Dated 6/21/2019 (Two), 6/28/2019, 7/16/2019, 7/26/2019, and 7/31/2019.
Rec: Approve as presented.
- C. CLAIMS AND DEMANDS AGAINST THE CITY/HOUSING TREASURIES - Warrants Dated 6/28/2019, 7/12/2019, 7/19/2019, 7/26/2019, and 8/2/2019 **(Joint Consideration with the Palm Desert Housing Authority - Item GG below)**.
Rec: Approve as presented.
- D. APPLICATION FOR ALCOHOLIC BEVERAGE LICENSE by French Rotisserie Café, 44489 Town Center Way, Suite G, Palm Desert.
Rec: Receive and file.
- E. APPLICATION FOR ALCOHOLIC BEVERAGE LICENSE by Grindhouse Burgers, 73850 Highway 111, Suite B, Palm Desert.
Rec: Receive and file.
- F. APPLICATION FOR ALCOHOLIC BEVERAGE LICENSE by Mastros Steakhouse, 73405 El Paseo, Suite 120, Palm Desert.
Rec: Receive and file.
- G. CITIZENS' SUSTAINABILITY COMMITTEE MINUTES for the Meeting of April 22, 2019.
Rec: Receive and file.

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- H. RESIGNATION of Brian Holcombe - Finance Committee.
- Rec: Receive with very sincere regret.
- I. REQUEST FOR DECLARATION of Various Pieces of Office Furniture and Electronic Items as Surplus and Authorization for Disposal.
- Rec: By Minute Motion, declare various pieces of office furniture and electronic items as surplus, and authorize disposal as recommended.
- J. REQUEST FOR ADOPTION of Resolutions - Authorizing the Destruction of Paper Records that Have Been Digitally Imaged and to Rely on the Electronic Record as the Official Record for the Department of Building and Safety - Records Dated August-December 2017 and January-August 2018.
- Rec: Waive further reading and adopt the following Resolution Nos. for records dated: 1) 2019 - 53 - August 2017; 2) 2019 - 54 - September 2017; 3) 2019 - 55 - October 2017; 4) 2019 - 56 - November 2017; 5) 2019 - 57 - December 2017; 6) 2019 - 58 - January 2018; 7) 2019 - 59 - February 2018; 8) 2019 - 60 - March 2018; 9) 2019 - 61 - April 2018; 10) 2019 - 62 - May 2018; 11) 2019 - 63 - June 2018; 12) 2019 - 64 - July 2018; 13) 2019 - 65 - August 2018.
- K. RESOLUTION NO. 2019 - 66 - 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 Office of the City Clerk, as Indicated on the Records Retention Schedule (Adopted October 25, 2018) - Records from 1990 - 2016 (Exhibit "A").
- Rec: Waive further reading and adopt.
- L. RESOLUTION NO. 2019 - 67 - 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 Office of the City Clerk, as Indicated on the Records Retention Schedule (Adopted October 25, 2018) - Records from 1998 - 2016 (Exhibit "A").
- Rec: Waive further reading and adopt.

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- M. RESOLUTION NO. 2019 - 68 - 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 – Records from 2004 - 2014 (Exhibit “A”).

Rec: Waive further reading and adopt.

- N. RESOLUTION NO. 2019 - 69 - 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 – Records Dated 1997 - 2016.

Rec: Waive further reading and adopt.

- O. REQUEST FOR ADOPTION of Resolution, Amending the Distribution Policy of Tickets and/or Passes, to Conform with Section 18944.1 of Title 2, California Code of Regulations, as Amended by the Fair Political Practices Commission (FPPC).

Removed for separate consideration under Section XIII, Consent Items Held Over. Please see that portion of the Minutes for Council discussion and action.

- P. REQUEST FOR APPROVAL of the Fiscal Year 2019-2020 City-Produced Events Authorized Vendor List.

Rec: By Minute Motion: 1) Grant an exception to bidding requirements, as provided for in Section 3.30.160(K) of the Palm Desert Municipal Code, not to exceed \$25,000 for any one vendor during FY 2019-2020; 2) approve the FY 2019-2020 City-Produced Events Authorized Vendor List.

- Q. REQUEST FOR AUTHORIZATION to Reject All Bids Submitted for Tenant Improvements for the State Department of Rehabilitation Office at the Parkview Office Complex (Contract No. C38330, Project No. 774-18).

Rec: By Minute Motion, reject all bids submitted for the Parkview Office Complex offices occupied by the State Department of Rehabilitation for Tenant Improvements.

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- R. REQUEST FOR APPROVAL of the Use of Four (4) Specific Contractors for Heating, Ventilation, and Air Conditioning (HVAC) Services and Repairs up to \$25,000 Per Contractor for Fiscal Year 2019-2020 (Contract Nos. C39150A-D).

Rec: By Minute Motion: 1) Grant an exception to bidding requirements, as provided for by Section 3.30.160(C.1) and (K) of the Palm Desert Municipal Code for FY 2019-2020; 2) approve use of specific local HVAC services and repairs from Desert Air Conditioning, Inc., Pacific West Air Conditioning, H&H Air Conditioning, and A#1 Service Heroes Air Conditioning up to \$25,000 per contractor; 3) authorize the City Manager to execute associated agreements for same – funds are available in various General Fund Accounts for R/M Buildings.

- S. REQUEST FOR AUTHORIZATION for Purchase of a Dump Truck from Downtown Ford Sales, Sacramento, California, in the Amount of \$86,715.89.

Rec: By Minute Motion, authorize purchase of a dump truck from Downtown Ford Sales of Sacramento, California, in the amount of \$86,715.89 – funds are available in Account No. 5304310-4403000 - Equipment Replacement.

- T. REQUEST FOR AUTHORIZATION of the Purchase of a Traffic Signal Boom Truck from Altec Industries, Inc., in the Amount of \$125,890.

Rec: By Minute Motion, authorize the purchase of boom truck from Altec Industries, Inc., Dixon, California, in the amount of \$125,890 – funds are available in Account No. 5304310-4403000 - Equipment Replacement.

- U. REQUEST FOR AWARD OF CONTRACT in the Amount of \$47,000 to Southwest Coating, Inc., for the Desert Willow Golf Resort Clubhouse Exterior Painting (Contract No. C39160, Project No. 867-20).

Rec: By Minute Motion: 1) Waive clerical irregularity in bid submitted by the apparent low bidder, Southwest Coating, Inc., Rancho Palos Verdes, California; 2) award subject contract in the amount of \$47,000 to Southwest Coating, Inc., for the Desert Willow Golf Resort Clubhouse Exterior Painting; 3) authorize Finance Director to set aside a 10% contingency for the project in the amount of \$4,700; 4) authorize the Mayor to execute said contract – funds are available in Desert Willow Golf Resort Capital Fund 441.

- V. REQUEST FOR APPROVAL of Amendment No. 1 to Contract with Wurm's Janitorial Service, Inc. -- Janitorial Services for the Palm Desert Sheriff Substation in the Amount of \$29,383.92 (Contract No. C35601).

Rec: By Minute Motion: 1) Approve first amendment to Contract No. C35600, extending the contract with Wurm's Janitorial Service, Inc., Corona, California, for janitorial services for the Palm Desert Sheriff Substation in the amount of \$29,383.92 for one year; 2) authorize the City Manager to execute said extension, including any Change Orders up to the amount of \$10,000, and the remaining one-year extension when and if deemed appropriate by staff – funds are available in General Fund Account No. 5104195-4369500 - Miscellaneous Expenses - Sheriff Substation.

- W. REQUEST FOR APPROVAL of Amendment No. 1 to Contract with Interwest Consulting Group, Inc., for On-Call Traffic/Transportation Engineering Consultant Services (Contract No. C37391B).

Rec: By Minute Motion: 1) Approve subject Contract Amendment No. 1 with Interwest Consulting Group, Inc., Palm Springs, California, for on-call traffic/transportation engineering consultant services, extending the term through June 30, 2020; 2) authorize any remaining funds in the contract as of August 31, 2019, to be carried over and applied to the remainder of the extended contract term – funds are available in General Fund Account No. 1104300-4301000 - Prof-Architectural/Eng.

- X. REQUEST FOR ACCEPTANCE OF WORK for Contract No. C37290 – Street Light Conduit Installation (Project No. 599-17) (Elecnor Belco Electric, Inc., Chino, CA).

Rec: By Minute Motion, accept work as complete for the subject project and authorize City Clerk to file a Notice of Completion for same.

- Y. REQUEST FOR APPROVAL of the Updating, Reprinting, and Mailing of a Special Edition of the City's *BrightSide* Newsletter, Focusing on Earthquake Preparedness, and to Authorize the Translation into Spanish of that Newsletter and Other Key Municipal Communications.

Rec: By Minute Motion: 1) Approve the updating, reprinting, and mailing of the earthquake preparedness special edition of the City's *BrightSide* Newsletter; 2) authorize the City Manager to enter into agreements with vendors to accomplish the aforementioned tasks, as well as the translation of the earthquake preparedness newsletter into Spanish and translation/production services for other key City communications; 3) appropriate \$25,000 from Unobligated General Fund Reserves to pay for said work.

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- Z. REQUEST FOR APPROVAL of Mills Act Contract for Property Located at 72485 El Paseo, Unit #1116, in Sandpiper Condominiums - El Paseo (APN 640-200-009) (Bruce Nickerson and Beverly B. Nickerson of the Candlewood RE Holdings, LLC, Applicant).

Rec: By Minute Motion: 1) Approve the Mills Act Contract for 72485 El Paseo, Unit #1116, in Sandpiper Condominiums (APN 640-200-009), in accordance with Section 29.70.030 of the Palm Desert Municipal Code; 2) authorize the Mayor and City Attorney to execute said contract.

- AA. CONSIDERATION of the Submission of a Letter Response to Southern California Association of Governments (SCAG) on the Three Methodology Options for the Regional Housing Needs Assessment (RHNA) October 2021-October 2029 Planning Cycle.

Removed for separate consideration under Section XIII, Consent Items Held Over. Please see that portion of the Minutes for Council discussion and action.

- BB. REQUEST FOR APPROVAL of Palm Desert Charter Middle School's 2020 Panther 5K (Mr. Chris Geyer, Assistant Principal, Palm Desert Charter Middle School, Applicant).

Rec: By Minute Motion, approve: 1) Palm Desert Charter Middle School's Panther 5K scheduled for Saturday, January 25, 2020; 2) road closures on El Paseo between Highway 74 and Portola Avenue.

- CC. REQUEST FOR APPROVAL of Out-of-State Travel for Human Resources Management Specialist to Attend the 2019 NeoGov Connect User Conference in Las Vegas, Nevada - October 9-10.

Rec: By Minute Motion, approve the out-of-state travel for Human Resources Management Specialist to attend the 2019 NeoGov Connect User Conference, October 9-10, in Las Vegas, Nevada – funds are available in Account No. 1104154-4312101.

SUCCESSOR AGENCY TO THE PALM DESERT REDEVELOPMENT AGENCY

- DD. MINUTES of the July 11, 2019, Regular Meeting of the Board of Directors of the Successor Agency to the Palm Desert Redevelopment Agency.

Rec: Approve as presented.

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- EE. CLAIMS AND DEMANDS AGAINST SUCCESSOR AGENCY TREASURY - Warrants Dated 6/28/2019, 7/12/2019, 7/19/2019, 7/26/2019, and 8/2/2019.

Rec: Approve as presented.

PALM DESERT HOUSING AUTHORITY

- FF. MINUTES of the Housing Authority Meeting of July 11, 2019.

Rec: Approve as presented.

- GG. CLAIMS AND DEMANDS AGAINST THE CITY/HOUSING TREASURIES - Warrants Dated 6/28/2019, 7/12/2019, 7/19/2019, 7/26/2019, and 8/2/2019 (Joint Consideration with the Palm Desert City Council - Item C above).

Rec: Approve as presented.

- HH. HOUSING COMMISSION MINUTES for the Meeting of June 12, 2019.

Rec: Receive and file.

Councilmember Harnik requested Item O be removed for separate consideration and Councilmember Kelly requested Item AA.

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

XIII. CONSENT ITEMS HELD OVER

- O. REQUEST FOR ADOPTION of Resolution, Amending the Distribution Policy of Tickets and/or Passes, to Conform with Section 18944.1 of Title 2, California Code of Regulations, as Amended by the Fair Political Practices Commission (FPPC).

Councilmember Harnik requested that on Page 7, under Exhibit A - Item 30, the language needed to be revised with the word "former" to be added in front of City employees.

Councilmember Harnik moved to waive further reading and adopt Resolution No. 2019 - 70 - amending the Distribution Policy of Tickets and/or Passes to conform with Section 18944.1 of Title 2, California Code of Regulations, as amended by the FPPC, with the modification noted at this meeting. Motion was seconded by Nestande and carried by a 5-0 vote (AYES: Harnik, Jonathan, Kelly, Nestande, and Weber; NOES: None).

- AA. CONSIDERATION of the Submission of a Letter Response to Southern California Association of Governments (SCAG) on the Three Methodology Options for the Regional Housing Needs Assessment (RHNA) October 2021-October 2029 Planning Cycle.

Councilmember Kelly stated this item refers to the Regional Housing Needs Assessment that both she and Councilmember Harnik discussed under Councilmembers Reports and Remarks. The proposal is to delegate to the Affordable Housing Subcommittee approval of a response to SCAG's proposed methods. The only question she had is that the way this is phrased, it seems to presume there will be a response, and her own perspective is that once all the dust settles, Council may not have anything to say. She thought it would be appropriate for the subcommittee to make that decision on whether a formal response is necessary.

Senior Management Analyst Jessica Gonzales explained the intent was that in the event there was a need to respond, because there are modifications that can take place between now and the approaching deadline, staff wanted to ensure there was an opportunity should one would be necessary.

Councilmember Kelly pointed out that the deadline has been extended, which is helpful, but it's probably still useful for the subcommittee to make that decision.

Councilmember Harnik offered that she and Councilmember Kelly have been attending these meetings, and at best, it's confusing, but SCAG is open to public comments. She said it's an important topic to weigh-in, because one of the options is to exclude local input. Therefore, there are items that will catch your attention and it's worth going online to offer input by going to the SCAG website and then to the RHNA tab.

Councilmember Kelly moved to, by Minute Motion, direct staff to continue monitoring the RHNA October 2021-October 2029 planning cycle methodology options proposed by SCAG, with the intent to submit a letter of response by the deadline of September 3, 2019 – final form and content to be reviewed and approved by the City Council's Affordable Housing Subcommittee prior to submission. Motion was seconded by Harnik and carried by a 5-0 vote (AYES: Harnik, Jonathan, Kelly, Nestande, and Weber; NOES: None).

XIV. RESOLUTIONS

- A. RESOLUTION NO. 2019 - 71 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM DESERT, CALIFORNIA, APPROVING THE FINAL SUBDIVISION MAP OF PARCEL NO. 37512 (Palm Desert SR Development, LP, Applicant).

Mr. Garcia stated this was the final map for a senior living project on Country Club Drive between Portola Avenue and Cook Street. The map is in substantial conformance, and it was approved by the Planning Commission on September 18, 2018. He offered to answer questions.

Councilmember Kelly moved to waive further reading and adopt Resolution No. 2019 - 71. Motion was seconded by Harnik and carried by a 5-0 vote (AYES: Harnik, Jonathan, Kelly, Nestande, and Weber; NOES: None).

XV. ORDINANCES

- A. For Introduction:

None

- B. For Adoption:

None

XVI. NEW BUSINESS

- A. REQUEST FOR AWARD OF CONTRACT IN THE AMOUNT OF \$605,349 TO ELEC NOR BELCO ELECTRIC, INC., FOR TRAFFIC SIGNAL MODIFICATIONS AND INTERCONNECT IMPROVEMENTS (CONTRACT NO. C36710A, PROJECT NO. 550-18).

Project Manager Randy Bowman stated this project is in the budget and it's to upgrade the two traffic signals noted on the staff report. The project will also provide conduit and fiber optic cable connections to help the City manage its traffic signal system.

Councilman Jonathan questioned if this project will impact planned improvements on El Paseo and CV Link.

Mr. Bowman responded that he was lucky to be the project manger for all the mentioned projects, so he is coordinating them in a way that ensures that while one project installs, it won't be uninstalled by the next project. He said staff is intensely coordinating these projects.

Mayor Pro Tem Nestande inquired about Country Club Drive and whether it was part of the scope of this project, because a constituent was concerned that the City did a traffic study at some point on Country Club Drive to get the signals synchronize, but it never happened.

Councilmember Harnik offered that Coachella Valley Association of Governments (CVAG) is working on a larger scope for synchronization of traffic signals regionally.

Mr. Bowman concurred, stating it was a Valley-wide Synchronization Project that includes consideration for synchronization in the second phase for Country Club Drive.

Councilmember Kelly moved to, by Minute Motion: 1) Award subject contract in the amount of \$605,349 to Elecnor Belco, Inc., Chino, California, for the Traffic Signal Modifications and Interconnect Improvements Project; 2) authorize the Director of Finance to set aside a 10% contingency in the amount of \$60,534.90; 3) authorize the City Manager or designee to review and approve written requests for use of contingency for unanticipated conditions, per Section 3.30.170 of Ordinance No. 1335; 4) authorize Mayor to execute said contract – funds are available in Measure “A” Fund Account Nos. 2134250-5000901, 2134292-4400100, and 2134594-4400100, and in Traffic Signal Fund Account Nos. 2344250-4400100 and 2344250-5000902. Motion was seconded by Harnik and carried by a 5-0 vote (AYES: Harnik, Jonathan, Kelly, Nestande, and Weber; NOES: None).

B. REQUEST FOR AWARD OF CONTRACT TO CAL-STRIPE, INC., FOR THE 2019 CITYWIDE STRIPING PROJECT IN THE AMOUNT OF \$289,999 (CONTRACT NO. C38090, PROJECT NO. 564-19).

Project Manager Randy Bowman stated staff was recommending award of contract to Cal-Stripe, Inc., for the City’s annual striping effort. This project will refresh pavement markings throughout the City, except those noted in the staff report. Also, staff is coordinating internally this project with the slurry seal project.

Councilman Jonathan recalled that previously another contract was approved at a higher price due to the use of a new and special type of material for striping and wondered if that same material would be used here.

Mr. Bowman explained that this contract will refresh the skip dashes that separate travel lanes, the hard lines for right- and left-turn lanes, including the bike and golf cart lanes. The previous mentioned slurry seal project with the new type of material is being tested to see if it’s acceptable for future city projects.

Councilmember Kelly stated that previously the topic was raised about utilizing green paint, as many cities do, to mark the path intended for

bicycles, especially at intersections where there could be some confusion or failure of motorists making a right turn to respect bicycles. She's wondering what the status is in connection with the restriping project.

Mr. Bowman replied that the technical standards the City issued in May 2019, include the different materials that Councilman Jonathan referred to. However, the standards for Manual Uniform Traffic Control Devices, which is the bible for stops signs throughout the State, and calls for certain type of treatment for bike lanes, and the City are embracing them and including them into the new specs. The specs show a personal bike symbol with an arrow that will have a green rectangular background. He said there is a green component to the new biking standards and staff hopes to see them in place with the slurry seal project on Portola Avenue and Frank Sinatra Drive.

Councilmember Harnik moved to by Minute Motion: 1) Award subject contract in the amount of \$289,999 to Cal-Stripe, Inc., Colton, California, for the 2019 Citywide Striping Project; 2) authorize the Director of Finance to set aside a 10% contingency in the amount of \$29,000; 3) authorize the City Manager or designee to review and approve written requests for use of contingency for unanticipated conditions; 4) authorize the Mayor to execute said contract – funds are available in Measure “A” Fund Account No. 2134315-4332000 - R/M Streets - Citywide Striping. Motion was seconded by Kelly and carried by a 5-0 vote (AYES: Harnik, Jonathan, Kelly, Nestande, and Weber; NOES: None).

- C. REQUEST FOR AWARD OF CONTRACT IN THE AMOUNT OF \$453,624 TO DHS CONSULTING, LLC, FOR CONSTRUCTION MANAGEMENT SERVICES FOR THE CV LINK IMPROVEMENTS PROJECT (CONTRACT NO. C38840, PROJECT NO. 707-20).

Ms. Aylaian requested this item be continued to the next meeting due to the myriad of other items dealing with the CV Link on the next agenda, and staff would like to include this item with those items.

Councilmember Harnik questioned why this the staff report did not include the bid amounts, yet on the previous two items the bid amounts were listed.

Ms. Aylaian explained that when you select consultants, technically, the bid amounts are not provided in the staff report because you select based on qualifications. The two previous items were hard bids for construction contracts, and this one is where consultants submit their qualifications to be reviewed and ranked, and then you can open up the dollar amount associated with the high-ranking qualifier.

Mr. Garcia offered that for professional services contracts, the bid amounts can be negotiated based on the level of services the consultant indicated they would provide, so those prices can fluctuate up or down. Federal requirements are that bidders that are unsuccessful have their sealed

envelopes returned. Therefore, the City is precluded from referencing those amounts in staff's negotiations with the winning bid.

Councilmember Harnik moved to, by Minute Motion, continue this item to the meeting of September 12, 2019. Motion was seconded by Kelly.

Councilman Jonathan remarked that Council had hoped that CV Link would be under construction by the end of 2018, then it was moved to the end of 2019, and now were looking at starting construction in 2020. He wondered if staff was continuing this item out of convenience, because what's being presented is a comprehensive staff report.

Mr. Garcia responded that the CV Link project has expanded in scope for the various areas that CVAG will be funding and designing, mainly the Painter's Path Extension and the El Dorado/Hovely Streets Extension, which has caused some delays to the engineering of the project. Staff is attempting to get a firm number on the Construction Management (CM) Services in order to do a quality control and availability on the plan set, but unfortunately, those plans are not available. Rather than enter into a contract for CM Services that the City will be reimbursed for once the Co-op Agreement is approved, staff preferred delaying until all the ambiguities are resolved as to what services are funded by CVAG and which ones are by Palm Desert, adding that staff is trying to get all CM Services covered by CVAG. Further responding, he confirmed this item and a host of other CV Link items, including a General Plan Amendment, approval of an environmental document, approval of the Co-op Agreement, and approval of the CM Services will come before the City Council for consideration at the September 12, meeting.

Councilman Jonathan commented that he will continue to try to be patient.

Mayor Pro Tem Nestande called for the vote, and the motion carried by a 4-0 vote (AYES: Harnik, Jonathan, Kelly, and Nestande; NOES: None; ABSENT: Weber).

- D. REQUEST FOR AWARD OF CONTRACT TO ABM ELECTRICAL AND LIGHTING SOLUTIONS, INC., FOR THE DESIGN AND INSTALLATION OF NEW ELECTRIC VEHICLE CHARGING STATIONS AT CITY HALL (CONTRACT NO. C39110, PROJECT NO. 701-20).

Project Manager Emily Roethler stated this contract is for installation of new electric vehicle charging stations at City Hall.

Councilman Jonathan inquired about the financial impact, because the numbers were not adding up.

Ms. Roethler explained that the rebate was awarded in February 2019, and the City has one year to expend the funds. The rebate is 75% of the cost of the project or \$140,000. The City is eligible for \$140,000 since 75% of the cost of the project exceeded that amount. The City did a Design Build Request for Proposals (RFP) and received three. Staff was able to negotiate with the top proposal, which came in at \$244,225. The budget for this project was \$210,000, which is why staff is requesting to appropriate additional funds. The \$36,600 represents the contingency in case there are unforeseen issues during this project. Further responding, she explained that as long as all the paperwork and the project is 100% operational and turn-key ready to go before the funds expire, the City will be reimbursed \$140,000.

Councilman Jonathan asked if the City will know that it will be reimbursed before Council commits to an expenditure of \$210,000.

Ms. Roethler stated the schedule provides for the contractor to be completed by December 2019, which should provide ample time to submit all the required paperwork and to get a response.

Councilmember Kelly moved to, by Minute Motion: 1) Award subject contract to ABM Electrical and Lighting Solutions, Inc., Tustin, California, for the design and installation of new electric vehicle charging stations at City Hall in the amount of \$244,225; 2) authorize the Director of Finance to set aside a 15% contingency for the project in the amount of \$36,600; 3) appropriate \$34,225 from the Air Quality Management Distribution (AQMD) Fund for the difference of the approved budget and the total contract award, and authorize the appropriation of \$36,600 from the General Fund Unobligated Reserves for the contingency, should it be needed; 4) authorize the City Manager or designee to review and approve written requests for use of contingency for unforeseen conditions; 5) authorize the City Manager to execute the Agreement and any necessary Change Orders – upon approval of the above, funds will be available in Account No. 2384515-44001000 - AQMD Fund. Motion was seconded by Harnik and carried by a 5-0 vote (AYES: Harnik, Jonathan, Kelly, Nestande, and Weber; NOES: None).

XVII. CONTINUED BUSINESS

- A. MINUTES OF THE REGULAR PALM DESERT CITY COUNCIL MEETING OF JUNE 27, 2019 (Continued from the meeting of July 11, 2019).

Councilmember Harnik moved to approve the Minutes of June 27, 2019, as presented. Motion was seconded by Nestande and carried by a 5-0 vote (AYES: Harnik, Jonathan, Kelly, Nestande, and Weber; NOES: None).

XVIII. OLD BUSINESS

- A. REQUEST FOR AUTHORIZATION AND DIRECTION FOR PUBLIC WORKS DIRECTOR TO REQUEST AND NEGOTIATE PRICE PROPOSALS FOR

CONSTRUCTION OF THE EL PASEO PEDESTRIAN IMPROVEMENTS PROJECT (CONTRACT NO. C38830, PROJECT NO. 810-20).

Project Manager Randy Bowman noted staff went out to bid on July 11, and there were five contractors that purchased bids, which seemed like there was interest in the project, but none were submitted. Staff contacted the five plan holders and inquired as to why they didn't submit a bid. Some of the reasons given were that it was a smaller project and/or they were too busy. The scope requires a lot of electrical components with the lighting in the pavement and rectangular flashing beacons, and small contractors mainly focus on concrete or asphalt, so they were concerned, because they maintain a majority of the contract, which is a requirement based on the City's specifications. He's happy that it wasn't due to technicalities or complications in the contract or due to the aggressive schedule. Declining to submit a bid had more to do with availability and capability of doing the project. Staff conferred as to what would be the next step, and the Palm Desert Municipal Code (PDMC) contemplates this scenario if no bids are received, the City Council then may have the project done in any manner that it directs without further complying with this chapter. Staff believes in competition that encourages good pricing, therefore, they are recommending authorization to the Director of Public Works to solicit and receive price proposals from contractors. Should the City receive prices that are close to the engineer's estimate and are competitive, staff will bring back for Council consideration at the September 12 meeting. Also, at the July meeting, the City Council directed staff to meet with the El Paseo Business Improvement District (BID) to review the project, and this was done on August 15. The parklets and elements of this project were presented, and he would characterize that it was a positive engagement with the Business Improvement District. Suggestions were made for improving the project, which may potentially be considered in the second phase. Staff emphasized with the Business Improvement District that this was a demonstration project, so the scope of the improvements was limited, because the main focus is to see how they are received by motorists, public, pedestrians, visitors, businesses, and of course, the City Council, before expanding the work. He noted Councilmember Harnik was also in attendance at this meeting and she could offer her perspective.

Councilmember Harnik agreed that the reaction was positive from the BID, and she was glad Councilman Jonathan requested staff go back to them for their input. As the conversation evolved, there was one thing that came up a few times, which was that the City had concentrated those improvements solely to one area; it was also a comment made previously by Councilman Jonathan. She too, felt the other end of the street was being neglected, but she didn't want to do anything to slow this project down. However, there is a speed table in front of Hotel Paseo, a crossing on San Pablo, and a mid-block crossing at The Gardens and Larkspur. She's

wondering if the Larkspur crosswalk could be moved to Ocotillo, because then you are including the entire street. She said it was important not to concentrate all the trials in one area in order to get a true reading on how successful the demonstrations will be.

Councilmember Kelly said she had not thought of that notion, but she found it very appealing because she uses the Ocotillo corner a great deal and it's very observable that the traffic on El Paseo ignores pedestrians and ignores cross traffic. Therefore, she felt it would be an ideal location for this type of treatment that features the path of pedestrians.

Councilman Jonathan concurred, but he knew staff is trying to get this done before the Golf Cart Parade and questioned if such a change would impact the timeline.

Mr. Bowman replied that these are great ideas and a spot-on concern by Councilmembers, but when the City restripes the crosswalks, it kicks in the requirement to examine existing corners for Americans with Disabilities Act (ADA) accessibility. It means the traffic consultant used to produce the plan set for the project, which are the exhibits seen at the July 11 meeting, will have to examine the corner at Ocotillo to see if it will require a removal and replacement of the wheelchair ramps as part of striping at Ocotillo. He's not saying it's impossible, but it's an effort that will take a certain amount of time and energy to put together a plan set sheet for that intersection. If the City added Ocotillo to this first round, it would drag down the schedule for the rest of the project. If Ocotillo is done separately or as a follow-up, he asked the City Council to consider it. He offered that the City Council could ask staff to non-perform the Larkspur intersection and consider substituting a second intersection as part of additional work beyond this contract.

Councilmember Kelly said it didn't have to be an either/or, stating the most attractive option is to be prepared to follow-up with a quick stage two, which is to do Ocotillo right after the golf cart parade.

Mayor Pro Tem Nestande offered she would like to keep the Larkspur crossing and add Ocotillo for later.

Councilmember Harnik pointed out that the parade ends before the Ocotillo intersection, so it won't have an impact on the parade. However, the ADA ramps on that corner are new, but she also knew their requirements are moving targets. She went on to say that with the striping and slurry seal projects being done, coordinating efforts while doing some of the painting, can staff be coordinating the ADA compliance requirements also at the same time in order to move forward seamlessly into the other.

Mr. Garcia said anything can be done with enough time and money, and Council has given staff the time to do phase two, and now they will have to ask for money. There will have to be a budget allocation to do phase two, and staff will do their due diligence to come up with some estimates for Council to consider by the September 12.

Mr. Bowman explained that in order for staff to have a chance of having the improvements started prior to the golf cart parade date, they will need Council approval for Director of Public Works to solicit bids from contractors directly, and if there is a valid bid, it will be presented to the City Council on September 12. Further responding, he reiterated that staff has to conduct its due diligence on Ocotillo.

Councilman Jonathan stated he had previously expressed a desire to expand the experiment to the farther reaches of El Paseo, so he supports that goal, but is concerned that timing is tight. He felt there is a lot that has to be done between now and then, and he wants to see this project completed with parklets, bulb outs, and mid-block crossings to see how it works and how it's received. He believed the City needed to move forward, but at the same time, expanding improvements to the west and east is very much a priority, but Council has to live with what has been presented to meet the current timeline.

Councilman Jonathan moved to, by Minute Motion, authorize and direct the Public Works Director to request proposals and negotiate price for construction of the El Paseo Pedestrian Improvements Project, with instructions to staff to develop a proposal for the Ocotillo intersection as soon as possible without delaying this project. Motion was seconded by Nestande.

Mr. Garcia said staff will make every effort to have all the improvements in by the golf cart parade, but there are some that may not make it, specifically, the electrical and in-ground lighting, which is the most complicated part of this project. He added that staff will do its best to have all the visible aspects in place by the golf cart parade.

Councilman Jonathan said he understood the timeline, but the in-ground lighting and flashing beacons are what's exciting about the improvements for pedestrian safety, and he may be somewhat disappointed if they are not ready in time, but hopefully it won't be too long a delay after the parade.

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. INFORMATIONAL REPORT ON PROPOSED UPDATES TO THE EL PASEO COURTESY CART PROGRAM AND A REQUEST FOR

DIRECTION ON AN ADVERTISING PROGRAM FOR THE PALM DESERT COURTESY CARTS.

Business Advocate Deborah Glickman stated that at the June 13, 2019, meeting, the City Council approved a contract for the operator for the courtesy carts and also directed staff to come back with an update on the various aspects of the Courtesy Cart Program. Staff went to bid for the second time, because apparently the City has been having difficulty getting bids lately, for signage that will be physically on top of the courtesy carts.

Councilmember Harnik asked if they will be illuminated.

Ms. Glickman replied that bids were received for illuminated signage this time around, which was the problem the first time it went out to bid. Staff is moving forward with that portion of the project and it's something the City Manager can sign off as part of her dollar amount purview. Additionally, she is moving forward with SunLine on the Memorandum of Understanding (MOU) for the app for the courtesy carts. SunLine's legal team is looking at the City's draft agreement, which has been going back and forth, so she anticipates it will be finalized soon. The idea is that both the signage and the App will be installed by October, and these two elements should be up and running by the start of the season. The third element she has been working on is the advertising policy for the program. As part of the staff report, she put together some advertising guidelines for the program, should the City Council wished to go forward. The main highlights of the guidelines are that the program would be limited to businesses on El Paseo and affiliated with the El Paseo Business Improvement District, including other organizations as approved by the City Manager or her designee. This will open up the door for The Living Desert, the McCallum Theatre, and other nonprofit cultural organizations around the City for an opportunity to advertise. The other element, which will not be allowed, is political, inflammatory, or illegal advertising, and any logical items that would not be allowed. The advertising she's talking about is for the interior of the cart as Council had talked about upgrading and adding technology to the carts. It would be an audio visual system, which she also bid at the same time she bid out for the signage. The City received one bid for \$10,000 to outfit two carts. This signage will be for three carts, but the AV will only be for two carts. It will include two screens in each cart that are 11x6 inches, which is basically the size of an iPad that would be mounted internally on the roof of the cart. It will also include four speakers and its mechanism. In speaking with Desert Willow and other organizations that have these kinds of advertising programs, she learned there is opportunity for a static ad that would move similar to a PowerPoint presentation or a video ad that could run for about 10 seconds for each video. There is special software that may be required to keep these programs running with a potential cost of \$3,000 for the software in the initial year, including \$1,000 cost to put together a media kit for soliciting advertisers for the program.

Therefore, year one would cost about \$14,000 to get this type of advertising program up and running for both carts. Before going down further on these items, she wanted to make sure Council is interested in this process. Additionally, it would require staff time or a consultant to run the advertising program to help secure the advertising, as well as ensuring it meets the standards of Palm Desert and El Paseo, which would be the next step in exploration if the City Council is interested in moving forward with this aspect of the program. In talking extensively with the City's Tourism and Marketing Manager that based on research, he determined that it's unrealistic that the corporate businesses on El Paseo would be advertising, because they do more regional or national level advertising. However, the smaller and local stores may be interested. With those two ideas in mind, the primary advertiser would be the City of Palm Desert for branding purposes and advertising of local events. Therefore, she sees the City as the primary advertiser at the beginning of the program, and with time, others will follow. Staff has not determined pricing at this time, because at this time it's premature, but she envisions that people would be able to buy into a monthly or seasonal package, depending on how long it will be on the screen and whether it's a video or static ad. She presented these elements to the Marketing Committee and the El Paseo Business Improvement District. The Marketing Committee didn't provide much feedback, but they were fine with it either way. The El Paseo BID had a much more lively discussion in that some were interested in the technology, but others were concerned that the technology would stop people from looking and engaging with the environment around them. A suggestion was to GPS the ad as it moved through El Paseo, but after discussing it, they realized that it probably wouldn't work. The other detractor is that the courtesy cart drivers are so knowledgeable on our community and street, so the concern is that people will lose out on the one-to-one experience they would get by talking to the drivers. She added that these drivers have gone through the Certified Tourism Ambassador training for the Convention and Visitors Bureau (CVB) and they have a lot of information to offer about the City.

Councilman Jonathan stated he hadn't considered audio on the advertising program, but wondered if that was an option.

Ms. Glickman replied that the bid came in with an option for video and an option for audio. Further responding, she believed that if Council didn't want audio, it's an option staff can decline, but she will have to check with the vendor.

Councilman Jonathan inquired about being able to advertise events outside of Palm Desert such as tennis tournaments, Coachella Festivals, Stage Coach, Modernism Week, etc.

Ms. Glickman said that would be under the City Manager's purview that falls into the guidelines where other ads can be approved or go up to the City Council as well. She added that the guidelines would not exclude outside the City events, stating there is a provision that allows for special events it wants to advertise.

Councilman Jonathan said staff mentioned the potential cost of \$14,000, but not the potential revenue, because it hasn't been priced out.

Ms. Glickman said that was correct.

Councilman Jonathan recalled a discussion about signage on the street to let people know about the courtesy carts and the app.

Ms. Glickman responded that she understood the El Paseo BID will continue to do the same signage they've done before, and that is to place stops on the street, which will have courtesy cart information, including rack cards with the app information. Additionally, FG Creative will get the information out to the business owners, who will be the primary users of the app. They will be able to say to their customers that a courtesy cart is arriving in five minutes.

Councilman Jonathan understood the concern about the BID diverting attention from the stores and the driver engagement. He asked if staff considered a more subdued type of advertising program. For example, skin wraps as seen on trolleys and/or exterior signage that doesn't move, but as it drives up and down the street it is seen.

Ms. Glickman said staff has internally discussed this issue, but she had focused more on the technology type of advertising. However, the guidelines would allow for that type of advertising as well.

Councilmember Harnik noted that as the Council's liaison for the El Paseo BID, she attends these meetings. She said the BID loves the app, but as discussions evolved, they were less and less happy about having advertising and screens. As already mentioned, visitors and shoppers would be taking their eyes off the stores, the art, and beauty and character of El Paseo. Whether it's the lights at night or art and mountains during the day, it's a beautiful district. When the City conducted the Positioning Study, it was about getting away from the screens, so she felt the City might be imposing these screens on visitors and shoppers. A good point was made this evening about the courtesy car operators, because they are so engaging. One member stated there were better ways to spend the money and suggested a kiosk, which she thought was a great idea. After sitting through both the Marketing Committee and BID meetings, she agrees with them. Additionally, for those stores who cannot afford to advertise, they are left out of the game.

Councilmember Kelly said she was persuaded by those perspectives that putting this kind of advertising on courtesy carts would be akin to reinventing the flat tire. In other words, it looks like a technological advancement, but it takes us backwards instead of forward. For starters, the expert opinion from Tourism and Marketing is that the City should not expect to generate revenue, so Council needs to look at this as a \$14,000 investment that isn't necessarily going to generate revenue. Everything learned about what attracts tourists to the Coachella Valley is a sense of ease and escape from a fast pace world. Not having constant input from technology is part of that sense of ease for which people come to the Coachella Valley for, and something else learned, folks are looking for experiential encounters that are distinct. What could be more experiential than an interaction with a courtesy cart driver who is actually knowledgeable and pays some attention to your particular interest and can adapt the conversation instead of just getting a feed that is generic for the public at large. For all the reasons she stated, and with the perspective of the merchants that they would rather have people looking up and noticing the storefronts, her preference would be to shelf this element.

Mayor Pro Tem Nestande offered that it sounded like all were in agreement that it wants the first two options: 1) Development of an application that allows users to track courtesy cart locations in realtime; 2) cart identification signage for the Courtesy Carts, and do away with the onboard advertising program, and she is convinced as well.

Mayor Weber agreed with Councilman Jonathan about the skin wraps, because that would be a way to recover some costs. She said skins are used on SunLine buses and they advertise for The Living Desert. She concurred with the rest of the comments that having screens would be a distraction.

Councilman Jonathan agreed the City should stay away from active advertisement, but believed passive advertisement has potential if it's done correctly, which can be an enhancement to the street. For example, if The Living Desert wants to announce a special date or exhibit - wrapping a courtesy cart with a skin wrap of a giraffe can be very attractive. The direction he would give is for staff to at least explore passive advertising and perhaps limiting it to special events in and outside of Palm Desert. He said it can be a fun and creative wrap that is consistent with El Paseo.

Councilmember Kelly said she would agree with the caveat that the skin wrap is selective, artistic, and consistent with the upscale sense of the street. She would find it tacky and disruptive in making it universally available for commercial wraps of any type, stating it was hard to argue with a giraffe wrap.

Councilmember Harnik requested Council get away from using SunLine advertising as an example, because it's hard to equate a large public bus to a courtesy cart on El Paseo, and she was not enamored with the idea of a skin wrap because it would be more visual clutter, but she was in favor of staff continuing to explore passive advertising.

Councilman Jonathan moved to, by Minute Motion receive and file report on the El Paseo Courtesy Cart Program with authorization to staff to implement the following: 1) The development of an application (app) that allows users to track cart locations in realtime; 2) cart identification signage for the Courtesy Carts; 3) explore an onboard advertising program with a skin wrap on the courtesy carts that is selective, artistic, and consistent with the upscale sense of the street. Funds are available in the FY 2019-2020 Budget, Account No. 1104416-4368100 - Courtesy Carts. Motion was seconded by Kelly and carried by a 5-0 vote.

XIX. PUBLIC HEARINGS

None

XX. ADJOURNMENT

With City Council concurrence, Mayor Weber adjourned the meeting at 5:44 p.m.

SUSAN MARIE WEBER, MAYOR

ATTEST:

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