

POSTED AGENDA

REGULAR PALM DESERT CITY COUNCIL MEETING

THURSDAY, SEPTEMBER 26, 2019

CIVIC CENTER COUNCIL CHAMBER

73510 FRED WARING DRIVE, PALM DESERT, CA 92260

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

II. ROLL CALL

III. ORAL COMMUNICATIONS - A (CLOSED SESSION ITEMS)

Any person wishing to discuss any Closed Session business that is within the subject matter jurisdiction may address the 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 Real Property Negotiator pursuant to Government Code Section 54956.8:

1) Property: SEC Fred Waring Drive/San Pablo Avenue
(APNs 627-101-002, -017, -033, -061, -062), Palm Desert

Negotiating Parties:

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

Property Owner: City of Palm Desert

Under Negotiation: x Price x Terms of Payment

2) Property: Lease Property - McCallum Theatre
73000 Fred Waring Drive, Palm Desert

Negotiating Parties:

Agency: Lauri Aylaian/Janet M. Moore/City of Palm Desert/
Successor Agency to the Palm Desert
Redevelopment Agency

Property Owner: Desert Community College District

Under Negotiation: x Price x Terms of Payment

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

C. Conference with Legal Counsel regarding significant exposure to litigation pursuant to Government Code Section 54956.9(d)(2):

Number of potential cases: 2

D. Public Employment pursuant to Government Code Section 54957:

Title of Position: City Manager

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 - Palm Desert Youth Committee Member
Teana Ross

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 SEPTEMBER 2019 AS "NATIONAL PREPAREDNESS MONTH" IN THE CITY OF PALM DESERT.

Action:

- B. COACHELLA VALLEY DISASTER PREPAREDNESS NETWORK PRESENTATION TO THE CITY COUNCIL.

Rec: Presentation to be made at the meeting.

Action:

- C. PRESENTATION OF PROCLAMATION DECLARING OCTOBER 2019 AS "FIRE PREVENTION & MINI-MUSTER MONTH" IN THE CITY OF PALM DESERT.

Action:

- D. PRESENTATION OF PROCLAMATION DECLARING OCTOBER 6 - 12, 2019, AS "FIRE PREVENTION WEEK" IN THE CITY OF PALM DESERT.

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

X. MAYOR AND COUNCILMEMBER REPORTS & REMARKS TO THE COMMUNITY

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

Action:

- B. Councilman Sabby Jonathan Committee Reports and General Comments.
Action:
- C. Councilmember Kathleen Kelly Committee Reports and General Comments.
Action:
- D. Mayor Pro Tem Gina Nestande Committee Reports and General Comments.
Action:
- E. Mayor Susan Marie Weber Meeting Summaries Report for the Period of August 31 - September 13, 2019.
Rec: Receive and file.
Action:
- F. City Council Requests for Action.
Action:
- G. City Council Consideration of Travel Requests/Reports.
Action:

XI. STAFF REPORTS AND REMARKS

- A. City Manager
 - 1. City Manager's Meeting Summaries Report for the Period of September 3-13, 2019.
Rec: Receive and file.
Action:
- B. City Attorney
- C. City Clerk

- D. Public Safety
 - 1. Fire Department
 - 2. Police Department

XII. CONSENT CALENDAR

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

PALM DESERT CITY COUNCIL

- A. MINUTES of the Regular City Council Meeting of September 12, 2019.
Rec: Approve as presented.
- B. CLAIMS AND DEMANDS AGAINST THE CITY TREASURY - Warrants Dated 8/30/2019, 9/6/2019, and 9/13/2019.
Rec: Approve as presented.
- C. CLAIMS AND DEMANDS AGAINST THE CITY/HOUSING TREASURIES - Warrant Dated 9/6/2019 (**Joint Consideration with the Palm Desert Housing Authority - Item P below**).
Rec: Approve as presented.
- D. APPLICATION FOR ALCOHOLIC BEVERAGE LICENSE by ARZ Ventures, Inc., 74855 Joni Drive, Suite 4, Palm Desert.
Rec: Receive and file.
- E. APPLICATION FOR ALCOHOLIC BEVERAGE LICENSE by Circle K Stores, 44775 San Pablo Avenue, Palm Desert.
Rec: Receive and file.

- F. APPLICATION FOR ALCOHOLIC BEVERAGE LICENSE by Kaiser Grille Palm Desert, 74040 Highway 111, Building A, Suite G1, Palm Desert.

Rec: Receive and file.

- G. CITY COMMITTEE AND COMMISSION MEETING MINUTES.

1. Art In Public Places Commission Meeting of July 10, 2019.
2. Library Promotion Committee Meeting of February 20, 2019.
3. Parks & Recreation Commission Meeting of June 4, 2019.

Rec: Receive and file.

- H. RESOLUTION NO. 2019 - 76A - A Resolution of the City Council of the City of Palm Desert, California, Approving a General Plan Amendment, Reclassifying Painters Path from a "Local Street" to an "Enhanced Secondary Roadway," and Accepting an Addendum to the Certified Environmental Impact Report for the CV Link Project, Case No. GPA 19-0001 (City of Palm Desert, Applicant).

Rec: Waive further reading and adopt.

- I. REQUEST FOR RATIFICATION of Contract No. A37731 – Amendment No. 1 to Contract No. A37730 with Quinn Company, Inc., for Generator Preventive Maintenance Services in the Amount of \$46,551.

Rec: By Minute Motion: 1) Ratify Amendment No. 1 to Contract No. A37730 with Quinn Company, Inc., City of Industry, California, in the amount of \$46,551 for Fiscal Year 2019-2020; 2) authorize extra work and services up to \$15,000 for FY 2019-2020; 3) authorize City Manager to execute the second extension and all related documents, including extra work and services up to \$15,000, for FY 2020-2021, when and if deemed appropriate by staff – funds are available in R/M Buildings, Account Nos. 1104330-4331000 - Corporation Yard, 1104340-4331000 - City Hall, and 2304220-4331000 - Fire Stations.

- J. REQUEST FOR APPROVAL of Alcohol Concessions at the 2019 Fall Concerts in the Park.

Rec: By Minute Motion, approve a temporary waiver of Palm Desert Municipal Code Section 11.01.080(W) - Possession/Consumption of Alcohol on City-owned property, pursuant to P.D.M.C. Section 9.58.040 for the 2019 Fall Concerts in the Park.

- K. CONSIDERATION of a Temporary Waiver of Palm Desert Municipal Code Sections 9.58.010 and 9.58.020 - Consumption and Possession of Alcoholic Beverages on Public Property - at the Palm Springs Art Museum in Palm Desert Located at 72567 Highway 111 for Fiscal Year 2019-2020 (Palm Springs Art Museum in Palm Desert, Applicant).

Rec: By Minute Motion: 1) Approve a temporary waiver of P.D.M.C. Sections 9.58.010 and 9.58.020 - Consumption and Possession of Alcoholic Beverages on Public Property - for the Palm Springs Art Museum in Palm Desert to hold up to 18 events during FY 2019-2020; 2) authorize City Manager to execute California Department of Alcoholic Beverage Control permits, as required.

- L. REQUEST FOR APPROVAL of Out-of-State Travel for Director of Economic Development to Attend the 2019 Broadband Communities Conference - October 30-31, in Washington, DC.

Rec: By Minute Motion, approve the out-of-state travel for Director of Economic Development to attend the 2019 Broadband Communities Conference from October 30-31 in Washington, DC – funds are available in Account No. 1104430-4312000.

SUCCESSOR AGENCY TO THE PALM DESERT REDEVELOPMENT AGENCY

- M. MINUTES of the September 12, 2019, Regular Meeting of the Board of Directors of the Successor Agency to the Palm Desert Redevelopment Agency.

Rec: Approve as presented.

- N. CLAIMS AND DEMANDS AGAINST SUCCESSOR AGENCY TREASURY - Warrants Dated 9/6/2019 and 9/13/2019.

Rec: Approve as presented.

PALM DESERT HOUSING AUTHORITY

- O. MINUTES of the Housing Authority Meeting of September 12, 2019.

Rec: Approve as presented.

- P. CLAIMS AND DEMANDS AGAINST THE CITY/HOUSING TREASURIES - Warrant Dated 9/6/2019 (Joint Consideration with the Palm Desert City Council - Item C above).

Rec: Approve as presented.

- Q. HOUSING COMMISSION MINUTES for the Meeting of July 10, 2019.

Rec: Receive and file.

Action:

XIII. CONSENT ITEMS HELD OVER

XIV. RESOLUTIONS

- A. RESOLUTION NO. 2019 - 77 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM DESERT, CALIFORNIA, ADOPTING A POLICY ON COMMUNITY EVENT SPONSORSHIPS.

Rec: Waive further reading and adopt.

Action:

XV. ORDINANCES

- A. For Introduction:

None

- B. For Adoption:

None

XVI. NEW BUSINESS

- A. INFORMATIONAL REPORT ON PROPOSED SCULPTURES MAIZ GODDESS, STANDING FIGURE, AND BIG SKULL AND HORN IN TWO PARTS IV FOR DISPLAY IN THE FAYE SARKOWSKY SCULPTURE GARDEN AT THE PALM SPRINGS ART MUSEUM IN PALM DESERT LOCATED AT 72567 HIGHWAY 111 (Palm Springs Art Museum in Palm Desert, Applicant).

Rec: By Minute Motion, receive and file informational report on proposed sculptures *Maiz Goddess, Standing Figure, and Big Skull and Horn in Two Parts IV* for display in the Faye Sarkowsky Sculpture Garden at the Palm Springs Art Museum in Palm Desert – no further action is required at this time.

Action:

XVII. CONTINUED BUSINESS

None

XVIII. OLD BUSINESS

None

XIX. PUBLIC HEARINGS

None

XX. ADJOURNMENT

FUTURE MEETINGS:

October 1, 2019	8:30 a.m.	Parks & Recreation Commission <u>Administrative Conference Room</u>
	3:00 p.m.	Marketing Committee <u>Administrative Conference Room</u>
	6:00 p.m.	Planning Commission <u>Civic Center Council Chamber</u>
October 2, 2019	3:30 p.m.	Housing Commission <u>Development Services Conference Room</u>
	4:00 p.m.	Hotel & Signature Events Committee <u>North Wing Conference Room</u>
October 8, 2019	12:30 p.m.	Architectural Review Commission <u>Development Services Conference Room</u>
October 9, 2019	9:00 a.m.	Art In Public Places Commission <u>Development Services Conference Room</u>
	3:30 p.m.	Public Safety Commission <u>Administrative Conference Room</u>
October 10, 2019	3:00 p.m.	Reg. City Council/Successor-RDA Mtgs. <u>Civic Center Council Chamber</u>

I hereby certify, under penalty of perjury under the laws of the State of California, that the foregoing agenda for the Palm Desert City Council was posted on the City Hall bulletin board not less than 72 hours prior to the meeting. Dated this 19th day of September, 2019. Note: This agenda is subject to amendment up to 72 hours in advance of the meeting.

Rachelle D. Klassen, City Clerk