

POSTED AGENDA

REGULAR PALM DESERT CITY COUNCIL MEETING

THURSDAY, OCTOBER 10, 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 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

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

Number of potential cases: 2

C. Conference with Labor Negotiator pursuant to Government Code Section 54957.6:

1) Agency: Lauri Aylaian/City of Palm Desert
Employee Organization: Palm Desert Employees Organization

2) Agency: Lori Carney/City of Palm Desert
Employee: Lauri Aylaian, 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 - Mayor Pro Tem Gina Nestande**

VII. INVOCATION/INSPIRATION - Councilmember Kathleen Kelly

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 OCTOBER 2019 AS
"NATIONAL ARTS AND HUMANITIES MONTH" 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 September 14-27, 2019.
Rec: Receive and file.
Action:
- F. City Council Requests for Action.
Action:
- G. City Council Consideration of Travel Requests/Reports.
Action:

XI. STAFF REPORTS AND REMARKS

- A. City Manager
 - 1. City Manager's Meeting Summaries Report for the Period of September 16-27, 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 26, 2019.
Rec: Approve as presented.
- B. CLAIMS AND DEMANDS AGAINST THE CITY TREASURY - Warrants Dated 9/13/2019 and 9/20/2019.
Rec: Approve as presented.
- C. CLAIMS AND DEMANDS AGAINST THE CITY/HOUSING TREASURIES - Warrants Dated 9/20/2019 and 9/27/2019 (**Joint Consideration with the Palm Desert Housing Authority - Item P below**).
Rec: Approve as presented.
- D. COMPLIANCE ANALYSIS AND INVESTMENT REPORTS for the Months of May, June, July, and August 2019 (**Joint Consideration with the Successor Agency to the Palm Desert Redevelopment Agency - Item N below**).
Rec: Receive and file.
- E. FINANCE COMMITTEE MINUTES for the Meeting of May 28, 2019.
Rec: Receive and file.

- F. APPLICATION FOR ALCOHOLIC BEVERAGE LICENSE by Wildest Greens, 72990 El Paseo, Suite 3, 4 & 5, Palm Desert.

Rec: Receive and file.

- G. EMERGENCY SERVICES COORDINATOR'S Monthly Report - August 2019.

Rec: Receive and file.

- H. REQUEST FOR APPROVAL of the Agreement for Exchange of Real Property with Marrakesh Country Club (Contract No. C39450).

Rec: By Minute Motion: 1) Approve the Agreement for Exchange of Real Property with Marrakesh Country Club; 2) authorize the City Manager to execute same.

- I. REQUEST FOR APPROVAL of a One-Year Lease Agreement with Anthony Westergaard for Operation of Remote-Controlled (RC) Racetrack on Vacant City-Owned Parcel – Painters Path (APN 640-091-010) (Contract No. C39460).

Rec: By Minute Motion, authorize the Mayor to execute a one-year Lease Agreement with Anthony Westergaard for operation of remote-controlled (RC) racetrack on a vacant City-owned parcel located on Painters Path (APN 640-091-010).

- J. REQUEST FOR APPROVAL of Change Order No. 1 – Contract No. C38740 with VectorUSA for Local Area Network Cabling Upgrades in City Hall.

Rec: By Minute Motion, approve Change Order No. 1 in the amount of \$22,623.57 to subject contract with VectorUSA, Rancho Cucamonga, California, for additional network drops added to the project – funds are available in Account No. 5304190-4404000.

- K. REQUEST FOR AUTHORIZATION of Payment to Superior, LLC, a CentralSquare Company, for Annual Computer Software Maintenance in the Amount of \$86,894.70.

Rec: By Minute Motion, approve payment to Superior, LLC, a CentralSquare Company, Lake Mary, Florida, in the amount of \$86,894.70 to provide computer software maintenance for one year – funds are available in Account No. 1104190-4336000.

- L. MINUTES of the September 26, 2019, Regular Meeting of the Board of Directors of the Successor Agency to the Palm Desert Redevelopment Agency.

Rec: Approve as presented.

- M. CLAIMS AND DEMANDS AGAINST SUCCESSOR AGENCY TREASURY - Warrant Dated 9/27/2019.

Rec: Approve as presented.

- N. COMPLIANCE ANALYSIS AND INVESTMENT REPORTS for the Months of May, June, July, and August 2019 (**Joint Consideration with the Palm Desert City Council - Item D above**).

Rec: Receive and file.

PALM DESERT HOUSING AUTHORITY

- O. MINUTES of the Housing Authority Meeting of September 26, 2019.

Rec: Approve as presented.

- P. CLAIMS AND DEMANDS AGAINST THE CITY/HOUSING TREASURIES - Warrants Dated 9/20/2019 and 9/27/2019 (Joint Consideration with the Palm Desert City Council - Item C above).

Rec: Approve as presented.

Action:

XIII. CONSENT ITEMS HELD OVER

XIV. RESOLUTIONS

None

XV. ORDINANCES

A. For Introduction:

None

B. For Adoption:

None

XVI. NEW BUSINESS

A. REQUEST FOR APPROVAL OF CITY OF PALM DESERT MEDIA PLAN FOR FISCAL YEAR 2019-2020.

Rec: By Minute Motion:

- 1) Approve the Media Plan for Fiscal Year 2019-2020.
- 2) Authorize media buy expenditures with IdeaPeddler, Austin, Texas, per Contract No. C37181 in an amount not to exceed \$409,000 – funds are available in Advertising Media Buys, Account No. 1104417-4322100.

Action:

B. REQUEST FOR AUTHORIZATION AND APPROVAL OF VARIOUS ACTIONS RELATING TO IMPLEMENTATION OF THE PALM DESERT IHUB PROJECT.

Rec: By Minute Motion, acknowledge/authorize:

- 1) City Council's approval of a seven-year lease with Sinatra and Cook Project, LLC, located at 37023 Cook Street, Suite 102, to establish the Palm Desert iHUB (PD iHUB) (Contract No. C39440A).
- 2) City Council's approval of a seven-year sublease with California State University, San Bernardino (CSUSB), at 37023 Cook Street, Suite 102 (Contract No. C39440B).
- 3) Project budget of \$1,400,000 to design and construct tenant improvements at the PD iHUB.
- 4) City Manager to approve required change orders relating to the PD iHUB tenant improvements up to the authorized 10% contingency totaling \$140,000 – funds are available in Economic Development Fund, Account No. 4254430-4395000.

Action:

XVII. CONTINUED BUSINESS

None

XVIII. OLD BUSINESS

None

XIX. PUBLIC HEARINGS

- A. REQUEST FOR APPROVAL OF A ZONING ORDINANCE AMENDMENT, AMENDING THE EL PASEO OVERLAY DISTRICT AND THE DOWNTOWN DISTRICT TO ALLOW PROFESSIONAL OFFICE USES ON THE GROUND FLOOR FRONTING EL PASEO, SUBJECT TO A CONDITIONAL USE PERMIT, AND FOR ADOPTION OF A NOTICE OF EXEMPTION IN ACCORDANCE WITH THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA), Case No. ZOA 19-0002 (City of Palm Desert, Applicant).

- Rec: 1) Waive further reading and pass Ordinance No. 1350A to second reading, approving Zoning Ordinance Amendment ZOA 19-0002, amending Section 25.28.040 - El Paseo Overlay District (EPOD) and Section 25.18.040 - Downtown District (DD) of the Palm Desert Municipal Code (PDMC), to allow professional office uses on the ground floor fronting El Paseo, subject to a Conditional Use Permit (CUP) and the criteria on which the CUP will be reviewed.
- 2) By Minute Motion, adopt a Notice of Exemption in accordance with CEQA.

Action:

XX. ADJOURNMENT

FUTURE MEETINGS:

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|------------------|------------|--|
| October 14, 2019 | 6:00 p.m. | Youth Committee <u>Administrative Conference Room</u> |
| October 15, 2019 | 6:00 p.m. | Planning Commission <u>Civic Center Council Chamber</u> |
| October 16, 2019 | 3:00 p.m. | Library Promotion Committee <u>Administrative Conference Room</u> |
| October 22, 2019 | 12:30 p.m. | Architectural Review Commission <u>Development Services Conference Room</u> |
| October 24, 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 3rd day of October, 2019. Note: This agenda is subject to amendment up to 72 hours in advance of the meeting.

Rachelle D. Klassen, City Clerk