

**POSTED AGENDA**

**REGULAR PALM DESERT CITY COUNCIL MEETING**

**THURSDAY, MAY 25, 2017**

**CIVIC CENTER COUNCIL CHAMBER**

**73510 FRED WARING DRIVE, PALM DESERT, CA 92260**

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

**II. ROLL CALL**

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

Any person wishing to discuss any item not appearing on the agenda that is within the subject matter jurisdiction of the 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.

**IV. ADJOURN TO CLOSED SESSION**

Request for Closed Session:

A. Conference with Real Property Negotiator pursuant to Government Code Section 54956.8:

1) Property: Lease Property - Parkview Professional Office Complex,  
73710 Fred Waring Drive, Suite No. 118, Palm Desert

Negotiating Parties:

Agency: Lauri Aylaian/Janet M. Moore/City of Palm Desert

Property Owner: City of Palm Desert

Other Parties: ACT for MS

Under Negotiation: x Price x Terms of Payment

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

Number of potential cases: 2

**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  
Tazz Ross**

**VII. INVOCATION - Mayor Jan C. Harnik**

*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 TO THE CITY COUNCIL OF AN UPDATE ON  
PALM DESERT YOUTH COMMITTEE ACTIVITIES BY MEMBER  
TAZZ ROSS.

Rec: Oral report to be made at the meeting.

Action:

**IX. ORAL COMMUNICATIONS - B**

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**X. MAYOR AND COUNCILMEMBER COMMENTS TO THE COMMUNITY**

**XI. CONSENT CALENDAR**

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ALL MATTERS LISTED ON THE CONSENT CALENDAR ARE CONSIDERED TO BE ROUTINE AND WILL BE ENACTED BY ONE ROLL CALL VOTE. THERE WILL BE NO SEPARATE DISCUSSION OF THESE ITEMS UNLESS MEMBERS OF THE CITY COUNCIL OR AUDIENCE REQUEST SPECIFIC ITEMS BE REMOVED FROM THE CONSENT CALENDAR FOR SEPARATE DISCUSSION AND ACTION UNDER SECTION XII, CONSENT ITEMS HELD OVER, OF THE AGENDA.

- A. MINUTES of the Regular City Council Meeting of May 11, 2017.

Rec: Approve as presented.

- B. CLAIMS AND DEMANDS AGAINST THE CITY TREASURY - Warrants Dated 4/28/2017, 5/5/2017 - 2, and 5/12/2017.

Rec: Approve as presented.

- C. CLAIMS AND DEMANDS AGAINST THE CITY/HOUSING TREASURIES - Warrants Dated 4/21/2017 and 4/28/2017 (**Joint Consideration with the Palm Desert Housing Authority**).

Rec: Approve as presented.

- D. COMPLIANCE ANALYSIS AND INVESTMENT REPORTS for the Month of March 2017 (**Joint Consideration with the Successor Agency to the Palm Desert Redevelopment Agency**).

Rec: Receive and file.

- E. APPLICATION FOR ALCOHOLIC BEVERAGE LICENSE by JC's Patio Café, 73200 El Paseo, Suite 1A, Palm Desert (Two [2] Applications).

Rec: Receive and file.

- F. CITY COMMITTEE AND COMMISSION MEETING MINUTES.

1. Audit, Investment & Finance Committee Meeting of March 28, 2017.
2. Youth Committee Meeting of April 3, 2017.

Rec: Receive and file.

- G. LETTER OF RESIGNATION from Heather Horning - Housing Commission.

Rec: Receive with very sincere regret.

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- H. REQUEST FOR APPROVAL of \$35,000 Expenditure for *BrightSide* Newsletter Postage - Fiscal Year 2017-2018.

Rec: By Minute Motion, approve the expenditure of \$35,000 for the United States Postal Service to cover a year's worth of postage for mailing of the bimonthly *BrightSide* Newsletter – funds have been included in the proposed FY 2017-2018 Budget in Account No. 1104417-4302600.

- I. REQUEST FOR APPROVAL of Reimbursement to Friends of the Desert Mountains in the Amount of \$5,000 for Purchase of Palm Desert Hiking Trail System Directional Signs.

Rec: By Minute Motion, approve reimbursement to Friends of the Desert Mountains for purchase of materials to erect directional signs along the Palm Desert Hiking Trail Systems in an amount not to exceed \$5,000 - funds are available in the Civic Center Account for Professional Services under the Memorandum of Understanding (MOU) with the Bureau of Land Management, Account No. 1104610-4309200.

- J. REQUEST FOR AUTHORIZATION of a One-Year Lease Agreement with Christopher Dolan for Operation of a Remote-Controlled Car Racetrack on a Vacant City-Owned Parcel on Painters Path West of Desert Crossing Shopping Center (APN 640-091-010) (Contract No. C29464).

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

- K. REQUEST FOR AWARD OF CONTRACT for Parking Lot Sweeping Services Fiscal Year 2017-2018 through 2018-2019 to M & M Sweeping in the Amount of \$29,380 (Contract No. C36050).

Rec: By Minute Motion: 1) Award subject contract for Parking Lot Sweeping Services FY 2017-2018 through 2018-2019 to M & M Sweeping, Thousand Palms, California, in the amount of \$29,380; 2) authorize Mayor to execute the contract – funds are available in the various Building and Business Improvement District Accounts.

- L. REQUEST FOR APPROVAL of Change Order No. 1 in the Amount of \$35,000 – Contract No. C34281 – Mechanical Maintenance and Chemical Acquisition at the Palm Desert Aquatic Center by Knorr, Inc.

Rec: By Minute Motion, approve Change Order No. 1 in the amount of \$35,000 to the subject contract with Knorr Systems, Inc., Santa Ana, California, for Mechanical Maintenance Services and Chemical Acquisition at the Palm Desert Aquatic Center – funds are available in Fund 242 Accounts in the FY 2016-2017 Operating Budget.

- M. REQUEST FOR AUTHORIZATION to Release Certificates of Deposit for the De Anza Well Site (Bighorn Development, LLC, Applicant).

Rec: By Minute Motion, authorize release Certificates of Deposit on file for the De Anza Well Site.

- N. REQUEST FOR AUTHORIZATION to Release Bonds for the Spanish Walk Bike Path (DR Horton, Applicant).

Rec: By Minute Motion, authorize release of the Bonds on file for the Spanish Walk Bike Path.

Action:

## **XII. CONSENT ITEMS HELD OVER**

## **XIII. RESOLUTIONS**

- A. RESOLUTION NO. 2017 - 40 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM DESERT, CALIFORNIA, TERMINATING THE DAYCARE DEDICATION ON LOT 14 OF TRACT 33837-1, AS SHOWN BY MAP ON FILE IN BOOK 402, PAGES 4 THROUGH 8 OF MAPS, RECORDS OF RIVERSIDE COUNTY, CALIFORNIA.

Rec: Waive further reading and adopt.

Action:

**XIV. ORDINANCES**

A. For Introduction:

None

B. For Adoption:

None

**XV. NEW BUSINESS**

- A. REQUEST FOR APPROVAL OF THE PURCHASE OF GAS AND DIESEL FUEL FOR THE CITY'S FLEET AND EQUIPMENT, AND FOR DESERT WILLOW GOLF RESORT'S MAINTENANCE VEHICLES AND EQUIPMENT, FROM BECK OIL, INC., FOR FISCAL YEAR 2017-2018 IN AN AMOUNT NOT TO EXCEED \$245,000.

Rec: By Minute Motion, approve purchase of gas and diesel fuel from Beck Oil, Inc., Coachella, California, FY 2017-2018, for: 1) City's Fleet and Equipment in an amount not to exceed \$145,000; 2) Desert Willow Maintenance Facility in an amount not to exceed \$100,000 – funds are available in General Fund Account No. 1104331-4217000 - Auto Fleet-Supply Automotive Gas and in Account No. 5204195-4803100 - Desert Willow Maintenance Facility.

Action:

- B. REQUEST FOR APPROVAL OF A ONE-YEAR CONTRACT EXTENSION WITH FAMILY YMCA OF THE DESERT FOR MANAGEMENT AND OPERATIONS SERVICES AT THE PALM DESERT AQUATIC CENTER FOR FISCAL YEAR 2017-2018 (CONTRACT NO. C33471).

Rec: By Minute Motion: 1) Approve subject contract extension with Family YMCA of the Desert (YMCA) for Management and Operations Services at the Palm Desert Aquatic Center; 2) authorize Mayor to execute same – funds are available in Fund 242 Accounts and have been included in the FY 2017-2018 Operating Budget.

Action:

- C. REQUEST FOR APPROVAL OF A ONE-YEAR CONTRACT EXTENSION WITH KNORR SYSTEMS, INC., FOR MECHANICAL MAINTENANCE AND CHEMICAL ACQUISITION AT THE PALM DESERT AQUATIC CENTER FOR FISCAL YEAR 2017-2018 IN THE AMOUNT OF \$83,596 (CONTRACT NO. C34282).

Rec: By Minute Motion: 1) Approve subject contract extension with Knorr Systems, Inc., Santa Ana, California, for Mechanical Maintenance Services and Chemical Acquisition at the Palm Desert Aquatic Center for FY 2017-2018 in the amount of \$83,596; 2) authorize additional repair work and services at the specified contract amount, not to exceed 20% thereof (\$16,700); 3) authorize Mayor to execute same – funds are available in Account Nos. 242-4549-454-2111 and 242-4549-454-3311 in the proposed FY 2017-2018 Operating Budget.

Action:

- D. REQUEST FOR APPROVAL OF AN AGREEMENT BETWEEN KOFF & ASSOCIATES AND THE CITY OF PALM DESERT IN THE AMOUNT OF \$131,975 FOR THE PREPARATION OF A COMPREHENSIVE CLASSIFICATION AND COMPENSATION STUDY (CONTRACT NO. C36160).

Rec: By Minute Motion: 1) Approve subject agreement between Koff & Associates, Berkeley, California, in the amount of \$131,975 for preparation of a comprehensive Classification and Compensation Study, subject to non-substantive changes approved by the City Attorney; 2) authorize Mayor to execute said agreement and City Manager to take any actions necessary to facilitate the actions taken herewith; 3) appropriate \$131,975 from the Unobligated General Fund to Account No. 1104154-4309000 for this purpose.

Action:

- E. INFORMATIONAL REPORT REGARDING SUBMITTAL OF TWO GRANT APPLICATIONS RELATED TO BICYCLE AND PEDESTRIAN SAFETY IMPROVEMENTS.

Rec: By Minute Motion, receive and file the report regarding submittal of two grant funding applications related to bicycle and pedestrian safety improvements.

Action:

**XVI. CONTINUED BUSINESS**

- A. CONSIDERATION OF THE APPLICATION FOR REIMBURSEMENT OF ART IN PUBLIC PLACES FEE IN THE AMOUNT OF \$17,500 FOR TH-225 CUPIDS ON DOME BY JACOB DAGAN FOR THE VENUS DE FIDO BUILDING LOCATED AT 73600 ALESSANDRO DRIVE, PALM DESERT (Lindi Biggi/Venus de Fido, Applicant) (Continued from the meetings of March 23 and April 13, 2017).

Rec: By Minute Motion, continue this matter to the meeting of June 22, 2017.

Action:

**XVII. OLD BUSINESS**

None

**XVIII. PUBLIC HEARINGS**

- A. REQUEST FOR APPROVAL OF A MITIGATED NEGATIVE DECLARATION, SPECIFIC PLAN, PRECISE PLAN, CONDITIONAL USE PERMIT, AND TENTATIVE PARCEL MAP 37157 FOR MONTEREY CROSSING, AN 18-ACRE COMMERCIAL DEVELOPMENT LOCATED AT THE NORTHEAST CORNER OF MONTEREY AVENUE AND DINAH SHORE DRIVE, Case Nos. SP/PP/CUP/EA 16-188 and TPM 37157 (Fountainhead Shrugged, LLC, Applicant) (Continued from the meeting of May 11, 2017).

Rec: Waive further reading and:

- 1) Pass Ordinance No. 1323 to second reading, approving the Monterey Crossing Specific Plan document and a Mitigated Negative Declaration of Environmental Impact.
- 2) Adopt Resolution No. 2017 - 38, approving a Precise Plan and a Conditional Use Permit for the Monterey Crossing commercial development, subject to conditions.
- 3) Adopt Resolution No. 2017 - 39, approving Tentative Parcel Map 37157, subject to conditions.

Action:

**XIX. REPORTS AND REMARKS**

A. CITY MANAGER

1. City Manager's Meeting Summaries Report for the Period of May 1-12, 2017.

Rec: Receive and file.

Action:

2. Request for Appointment of Two Councilmembers to an Ad Hoc Subcommittee to Study Potential Medical Transport Services Cost Recovery Program.

Rec: By Minute Motion, appoint two (2) Councilmembers to serve on the ad hoc subcommittee to study potential Medical Transport Services Cost Recovery Program in the City.

Action:

B. CITY ATTORNEY

C. CITY CLERK

D. PUBLIC SAFETY

1. Fire Department
2. Police Department

E. MAYOR AND MEMBERS OF THE CITY COUNCIL

1. Councilmember Susan Marie Weber's Meeting Summaries Report for April 24 - May 12, 2017.

Rec: Receive and file.

Action:

2. City Council Requests for Action:
3. City Council Consideration of Travel Requests and Reports:

**XX. ADJOURNMENT**

**FUTURE MEETINGS:**

May 30, 2017	9:00 a.m.	Cultural Resources Preservation Cmte. <u>Administrative Conference Room</u>
June 5, 2017	1:30 p.m.	Oversight Board <u>-CANCELED-</u>
	6:00 p.m.	Youth Committee <u>Administrative Conference Room</u>
June 6, 2017	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>
June 7, 2017	4:00 p.m.	Hotel & Signature Events Committee <u>North Wing Conference Room</u>
June 8, 2017	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 May, 2017. Note: This agenda is subject to amendment up to 72 hours in advance of the meeting.

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Rachelle D. Klassen, City Clerk