

PALM DESERT CITY COUNCIL MEETING AGENDA

Thursday, September 26, 2024

4:00 p.m.

Council Chamber, City Hall

73-510 Fred Waring Drive

Palm Desert, California

This is a joint meeting of the Palm Desert City Council, Successor Agency to the Palm Desert Redevelopment Agency, Palm Desert Housing Authority and the Palm Desert Board of Library Trustees. Pursuant to Assembly Bill 2449, this meeting may be conducted as a hybrid meeting allowing public access via teleconference or in person, and up to two Councilmembers may attend remotely.

WATCH THE MEETING LIVE: Watch the City Council meeting live at the City's website: www.palmdesert.gov under the "Council Agenda" link at the top of the homepage, or on the City's [YouTube Channel](#).

OPTIONS FOR PARTICIPATING IN THIS MEETING:

If unable to attend the meeting in person, you may choose from the following options:

OPTION 1: VIA EMAIL

Send your comments by email to: CityClerk@palmdesert.gov.

Emails received prior to 10:00 a.m. on the day of the City Council meeting will be made part of the record and distributed to the City Council. Emails will not be read aloud at the meeting.

OPTION 2: LIVE VIA ZOOM

1. Access via palmdesert.gov/zoom or zoom.us, click "Join Meeting" and enter Webinar ID 833 6744 9572.

OPTION 3: LIVE VIA TELEPHONE

1. (213) 338-8477 and enter Meeting ID 833 6744 9572 followed by #.
 2. Indicate that you are a participant by pressing # to continue.
 3. During the meeting, press *9 to add yourself to the queue and wait for the City Clerk to announce your name/phone number. Press *6 to unmute your line and limit your comments to three minutes.
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1. **CALL TO ORDER**
2. **ROLL CALL**
3. **PLEDGE OF ALLEGIANCE**
Councilmember Trubee
4. **INSPIRATION**
Councilmember Kelly
5. **AWARDS, PRESENTATIONS, AND APPOINTMENTS**
 - 5.a **PROCLAMATION: FIRE PREVENTION AND MINI-MUSTER MONTH** 11
6. **CITY MANAGER COMMENTS**
 - 6.a **PRESENTATION ON CRIME TRENDS AND LAW ENFORCEMENT SERVICE LEVELS** 43
7. **MAYOR/COUNCILMEMBER REPORTS AND REQUESTS FOR ACTION**
8. **NONAGENDA PUBLIC COMMENTS**

This time has been set aside for the public to address the City Council on issues that are not on the agenda for up to three minutes. Speakers may utilize one of the three options listed on the first page of the agenda. Because the Brown Act does not allow the City Council to act on items not listed on the agenda, members may briefly respond or refer the matter to staff for a report and recommendation at a future meeting.
9. **CONSENT CALENDAR**

All matters listed on the Consent Calendar are considered routine and may be approved by one motion. The public may comment on any items on the Consent Agenda within the three-minute time limit. Individual items may be removed by the City Council for a separate discussion.

RECOMMENDATION:
To approve the consent calendar as presented.

 - 9.a **APPROVAL OF CITY COUNCIL, SUCCESSOR AGENCY, AND HOUSING AUTHORITY MINUTES** 45
RECOMMENDATION:
Approve the Minutes of September 12, 2024.
 - 9.b **APPROVAL OF WARRANT REGISTERS** 59
RECOMMENDATION:
Approve the warrant registers issued September 5 - September 13, 2024.
 - 9.c **RESOLUTION TO APPROVE THE ARTIFICIAL TURF/SYNTHETIC GRASS ADMINISTRATIVE POLICY NO. PW-001** 83
RECOMMENDATION:
Adopt a Resolution entitled, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM DESERT, CALIFORNIA, ADOPTING ADMINISTRATIVE POLICY NO. PW-001 TO PROHIBIT THE USE OF ARTIFICIAL TURF/SYNTHETIC GRASS IN PUBLIC RIGHTS-OF-WAY."

9.d APPROVAL OF AGREEMENTS WITH WORKDAY, INC., RELATED TO THE IMPLEMENTATION OF A NEW ENTERPRISE RESOURCE PLANNING (ERP) SYSTEM 91

RECOMMENDATION:

1. Approve Agreements with Workday, Inc., for the acquisition and implementation of a new enterprise resource planning system.
2. Appropriate \$393,353 to the Information Technology Special Programs Account Number 1104190-4390000 from unobligated General Fund Reserves for implementation, training, and 10% contingency.
3. Authorize the City Attorney to make any necessary nonmonetary changes to the agreements.
4. Authorized the City Manager to execute the agreement, future amendments, and any other documents necessary to effectuate this action, in accordance with Section 3.30.170 of the Palm Desert Municipal Code.

9.e UNITE PALM DESERT AUTISM CERTIFICATION REIMBURSEMENT PROGRAM FOR PALM DESERT BUSINESSES 147

RECOMMENDATION:

1. Approve the Unite Palm Desert Autism Certification Reimbursement Program (ACRP).
2. Authorize Director of Finance to transfer \$30,000 from the Business Enhancement Program funds to Account No. 4254430-4393000 for the Autism Certification Reimbursement Program (ACRP).
3. Authorize City Manager to execute all documents required to effectuate the program.

9.f AWARD CONTRACTS TO MULTIPLE CONSULTANTS FOR ON-CALL TRAFFIC CONSULTING AND DESIGN SERVICES 161

RECOMMENDATION:

1. Award Professional Services Agreements with multiple consultants for on-call traffic consulting and design services, with an annual aggregate amount not to exceed \$1,000,000 (per fiscal year) for a three-year term, with two one-year extension options.
2. Authorize the City Attorney to make necessary nonmonetary changes to the agreements.
3. Authorize the City Manager to execute the agreements and to approve up to two additional one-year terms per contract.

- 9.g RESOLUTION TO ADOPT THE CITY OF PALM DESERT CONFLICT OF INTEREST CODE PURSUANT TO THE POLITICAL REFORM ACT** 351
- RECOMMENDATION:
Adopt a Resolution entitled, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM DESERT, CALIFORNIA, ADOPTING THE CITY'S CONFLICT OF INTEREST CODE AND REPEALING RESOLUTION 2022-97."
- 9.h AWARD CONTRACTS TO MULTIPLE CONSULTANTS FOR GRANT WRITING AND ADVOCACY SERVICES** 367
- RECOMMENDATION:
1. Award Contracts to The Criscom Company, Ardurra Group, Inc., and Engineering Solutions Services for the grant writing and advocacy services for an aggregate amount between selected firms, not to exceed \$200,000 per fiscal year.
 2. Authorize the City Attorney to make any necessary nonmonetary changes to the agreements.
 3. Authorize the City Manager to execute the agreements and any other documents necessary to effectuate this action, in accordance with Section 3.30.170 of the Palm Desert Municipal Code.
- 9.i APPROVAL OF THE UNITE PALM DESERT BUSINESS EMERGENCY ASSISTANCE PROGRAM (BEAP)** 571
- RECOMMENDATION:
1. Approve the Unite Palm Desert Business Emergency Assistance Program (BEAP).
 2. Authorize Director of Finance to transfer \$100,000 from the Business Enhancement Program funds to Account No. 4254430-4393000 for the Business Emergency Assistance Program (BEAP).
 3. Authorize the City Manager to modify evaluation guidelines and criteria for BEAP
 4. Authorize City Manager to execute all documents required to effectuate the program.
- 9.j INFORMATIONAL REPORT ON THE COMPREHENSIVE CLIMATE ACTION PLAN** 579
- RECOMMENDATION:
Receive and file an update on the Comprehensive Climate Action Plan.

- 9.k APPROVAL OF THE 2024 PALM DESERT GOLF CART PARADE** 597
- RECOMMENDATION:
1. Permit the sale, possession, and consumption of alcoholic beverages on Public Property Pursuant to Palm Desert Municipal Code 9.58.040.
 2. Waive Palm Desert Municipal Code Section 11.01.140 – Amplified Sound.
 3. Authorize the City Manager to execute any documents that may be necessary to facilitate the event.
- 9.l HOUSING AUTHORITY RESOLUTIONS TO AMEND AND RESTATE THE BYLAWS OF THE PALM DESERT HOUSING AUTHORITY AND PALM DESERT HOUSING COMMISSION** 599
- RECOMMENDATION:
1. Adopt a Resolution entitled, “A RESOLUTION OF THE PALM DESERT HOUSING AUTHORITY OF THE CITY OF PALM DESERT, CALIFORNIA, AMENDING AND RESTATING THE BYLAWS OF THE PALM DESERT HOUSING AUTHORITY.”
 2. Adopt a Resolution entitled, “A RESOLUTION OF THE PALM DESERT HOUSING AUTHORITY OF THE CITY OF PALM DESERT, CALIFORNIA, AMENDING AND RESTATING THE BYLAWS OF THE PALM DESERT HOUSING COMMISSION.”
- 9.m RATIFY TKE ENGINEERING, INC., FOR ON-CALL CONSTRUCTION MANAGEMENT SERVICES FOR THE HOUSING AUTHORITY PROPERTIES** 611
- RECOMMENDATION:
1. Ratify the award of contract to TKE Engineering, Inc., as an additional consultant to the On-Call Construction Management Services contract for the Housing Authority properties in a shared aggregate amount with the City in an amount not to exceed \$11,739,394.
 2. Authorize the City to administer the contract on behalf of the Housing Authority and authorize the City Manager to execute contract and subsequent task orders.
 3. Direct the Directors of Finance, Public Works, and Capital Projects to review annual expenditures and performance of the vendor under this contract.
- 9.n REJECT ALL PROPOSALS SUBMITTED FOR COURTESY PATROL SERVICES AT HOUSING AUTHORITY PROPERTIES** 613
- RECOMMENDATION:
1. Reject all proposals submitted for Courtesy Patrol Services at Palm Desert Housing Authority owned properties.
 2. Authorize staff’s request to solicit proposals for camera system installation and off-site monitoring services.

- 9.o AUTHORIZE PARTICIPATION AND FUNDING COMMITMENT FOR IMPERIAL IRRIGATION DISTRICT ENERGY PARTNERSHIP TO DEVELOP NEW SUBSTATION** 615
- RECOMMENDATION:
1. Authorize the City’s participation in the Imperial Irrigation District Energy Partnership for the development of a new substation, including a commitment to funding and reservation of energy capacity, and authorize the City Manager to execute all necessary agreements.
 2. Appropriate \$950,000 from General Fund reserves and transfer out to Capital Project Budget North Sphere Electric Substation Account 4004258-4400100.
- 9.p RATIFY AMENDMENT NOS. 1, 2, AND 3 TO CONTRACT NO. C44200 WITH HERMANN DESIGN GROUP FOR THE DESERT WILLOW GREENS AND TEE BOX RENOVATION AND TURF REDUCTION (MLS00005)** 631
- RECOMMENDATION:
1. Ratify Amendment Nos. 1, 2, and 3 to Contract No. C44200 with Hermann Design Group for the Desert Willow Greens and Tee Box Renovation and Turf Reduction Project for a total amount of \$31,085.
 2. Authorize the City Manager to execute the amendment and any documents necessary to effectuate the actions taken herewith.
- 9.q RESOLUTION APPROVING FINAL PARCEL MAP 37234 AND ASSOCIATED SUBDIVISION IMPROVEMENT AGREEMENT** 677
- RECOMMENDATION:
1. Adopt Resolution entitled, “A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM DESERT, CALIFORNIA, APPROVING THE FINAL SUBDIVISION MAP OF PARCEL MAP NO. 37234”
 2. Authorize the City Attorney to make necessary nonmonetary changes to the agreement.
 3. Authorize the City Manager to execute the Subdivision Improvement Agreement.
- 9.r RESOLUTION ADOPTING POLICY CLRK-002: THREATS OF VIOLENCE DIRECTED TOWARDS COUNCIL MEMBERS AND CANDIDATES** 755
- RECOMMENDATION:
Adopt a Resolution entitled, “A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM DESERT, CALIFORNIA, ADOPTING POLICY CLRK-002: THREATS OF VIOLENCE DIRECTED TOWARDS COUNCIL MEMBERS AND CANDIDATES.”
- 9.s STREET SWEEPING UPDATE** 765
- RECOMMENDATION:
Receive and file an update on street sweeping.

10. ACTION CALENDAR

The public may comment on individual Action Items within the three-minute time limit. Speakers may utilize one of the three options listed on the first page of the agenda.

10.a APPROVE AN AFFORDABILITY RESTRICTION AND REGULATORY AGREEMENT (DENSITY BONUS) WITH BRAVO GARDEN APARTMENTS, LLC, INCLUDING A CONCESSION PROVIDING FOR REIMBURSEMENT OF IMPACT FEES FROM THE CITY'S HOUSING MITIGATION FEES

RECOMMENDATION:

1. Adopt a Resolution entitled, "A RESOLUTION OF THE CITY OF PALM DESERT, CALIFORNIA, APPROVING (1) AFFORDABILITY RESTRICTIONS AND REGULATORY AGREEMENT (DENSITY BONUS) WITH BRAVO GARDEN APARTMENTS, LLC REGARDING A MULTI-FAMILY RESIDENTIAL DEVELOPMENT WITH 388 TOTAL APARTMENTS, WITH 20% RESTRICTED TO VERY LOW INCOME AND LOW INCOME HOUSEHOLDS; AND (2) A DEVELOPMENT FEE AGREEMENT FOR THE USE OF HOUSING MITIGATION FEES IN AN AMOUNT NOT TO EXCEED \$180,000 AS REIMBURSEMENT TO DEVELOPER IN EXCHANGE FOR RESTRICTING 5 UNITS TO QUALIFYING HOUSEHOLDS WITH LOCAL EMPLOYEES."
2. Approve the Affordability Restriction and Regulatory Agreement by and between the City of Palm Desert and Bravo Garden Apartments, LLC, in accordance with the conditions of approval adopted by Resolution No. 2018-18, for the development of 388 units known as Bravo Garden Apartments, a multifamily rental housing project located at located on Hovley Lane, Palm Desert, California, substantially as to form.
3. Authorize the Development Fee Agreement for the use of Housing Mitigation fees up to \$180,000 to reimburse the developer for the fees attributable to five units restricted for occupancy for qualifying residents who work within the Palm Desert city limits.
4. Authorize the City Manager or his designee, and/or legal counsel to negotiate and finalize the Agreement, and the documents described in the Agreement or otherwise deemed necessary or proper to effectuate the conditions of approval, with such changes thereto as the City Manager or his designee, in consultation with the City's legal counsel, may deem appropriate or necessary and consistent with the purposes of the Agreement and conditions of approval, with such approval to be conclusively evidenced by the execution and delivery thereof.
5. Authorize the Mayor and/or City Manager to execute and deliver the finalized Agreement, for and in the name of the City, the Agreement and other documents, as described in Recommendation No. 2, and authorize the City Clerk to record the Agreement.

11. PUBLIC HEARINGS

The public may comment on individual Public Hearing Items within the three-minute time limit. The applicant or appellant will be provided up to five minutes to make their presentation. Speakers may utilize one of the three options listed on the first page of this agenda.

**11.a HOUSING AND URBAN DEVELOPMENT COMMUNITY DEVELOPMENT
BLOCK GRANT – PUBLIC HEARING TO RECEIVE PUBLIC COMMENTS
ON FISCAL YEAR 2023/24 COMPREHENSIVE ANNUAL
PERFORMANCE AND EVALUATION REPORT**

823

RECOMMENDATION:

Conduct a public hearing to receive public comments on the City's Fiscal Year 2023/24 Comprehensive Annual Performance and Evaluation Report (CAPER).

12. INFORMATION ITEMS

13. ADJOURNMENT

14. PUBLIC NOTICES

Agenda Related Materials: Pursuant to Government Code §54957.5(b)(2) the designated office for inspection of records in connection with this meeting is the Office of the City Clerk, Palm Desert Civic Center, 73-510 Fred Waring Drive, Palm Desert. Staff reports for all agenda items considered in open session, and documents provided to a majority of the legislative bodies are available for public inspection at City Hall and on the City's website at www.palmdesert.gov by clicking "*Council Agenda*" at the top of the page.

Americans with Disabilities Act: It is the intention of the City of Palm Desert to comply with the Americans with Disabilities Act (ADA) in all respects. If, as an attendee or a participant at this meeting, or in meetings on a regular basis, you will need special assistance beyond what is normally provided, the city will attempt to accommodate you in every reasonable manner. Please contact the Office of the City Clerk, (760) 346-0611, at least 48 hours prior to the meeting to inform us of your needs and to determine if accommodation is feasible.

AFFIDAVIT OF POSTING

I, Níamh M. Ortega, Assistant City Clerk of the City of Palm Desert, do hereby certify, under penalty of perjury under the laws of the State of California, that the foregoing agenda for the Palm Desert City Council, Successor Agency for the Palm Desert Redevelopment Agency, and Housing Authority, was posted on the City Hall bulletin board and City website www.palmdesert.gov no less than 72 hours prior to the meeting.

/s/ Níamh M. Ortega, CMC
Assistant City Clerk