

Palm Desert City Council, Successor Agency to the Palm Desert Redevelopment Agency, and Housing Authority

Regular Meeting Minutes

January 25, 2024, 3:30 p.m.

Present: Mayor Karina Quintanilla, Mayor Pro Tem Jan Harnik,
Councilmember Kathleen Kelly, Councilmember Gina Nestande,
Councilmember Evan Trubee

1. CALL TO ORDER - CLOSED SESSION - 3:30 P.M.

A Regular Meeting of the Palm Desert City Council was called to order by Mayor Quintanilla on Thursday, January 25, 2024, at 3:30 p.m. in the Council Chamber, City Hall, located at 73-510 Fred Waring Drive, Palm Desert, California.

2. PUBLIC COMMENT FOR CLOSED SESSION ITEMS ONLY

3. RECESS TO CLOSED SESSION

Mayor Quintanilla adjourned to Closed Session at 3:30 p.m.

4. CLOSED SESSION AGENDA

The following items were considered in closed session:

4.a Closed Session Meeting Minutes: January 11, 2024

4.b Conference with Legal Counsel regarding Significant Exposure to Litigation pursuant to Government Code Section 54956.9(b)

5. ROLL CALL - REGULAR MEETING - 4:00 P.M.

6. PLEDGE OF ALLEGIANCE

Councilmember Nestande led the Pledge of Allegiance.

7. INSPIRATION

Mayor Quintanilla provided words of inspiration.

8. REPORT OF CLOSED SESSION

City Attorney Shah stated that in the closed session, the City Council unanimously authorized staff and the City Attorney to pursue abatement of public nuisance conditions on real property known as Site B of the property formerly known as the Executive Course at Palm Desert Country Club and now owned by Villas PD, LLC. The City Council's actions includes actions including but not limited to recording any necessary notices and liens against the property, obtaining inspection and abatement orders to abate unlawful stockpiling of dirt or other materials on the property, and any necessary cost recovery actions related thereto.

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9. AWARDS, PRESENTATIONS, AND APPOINTMENTS

None.

10. CITY MANAGER COMMENTS

City Manager Hileman recognized and congratulated Finance Director Chavez and the Finance Department for receiving the Government Finance Officers Association's Distinguished Budget Award for the first time.

Community Facilities Manager Muir provided a staff report relative to the operations of the new Civic Center pickleball courts in their first six months of operation.

10.a CERTIFIED AUTISM CENTER DESIGNATION

Human Resources Manager Staehle narrated a PowerPoint presentation relative to the Certified Autism Center designation and responded to City Council inquiries.

11. MAYOR/COUNCILMEMBER REPORTS AND REQUESTS FOR ACTION

The Mayor and Councilmembers reported on their attendance at various meetings and events.

Councilmember Trubee congratulated the YMCA Under 10 Flag Football team on their recent qualification to represent the Coachella Valley at the Pro Bowl in Florida.

Mayor Pro Tem Harnik thanked Congressman Calvert for arranging meetings with Union Pacific relative to Riverside County Transportation Commission's CV Rail project.

Councilmember Kelly encouraged residents to review the video of the City Council's study session to learn more about the Cotino development in Rancho Mirage and its possible impacts to Palm Desert residents.

Mayor Quintanilla shared information on the Olive Crest's mission to prevent child abuse and assisting families in crisis, noting their recent opening of a location in Palm Desert.

12. NON-AGENDA PUBLIC COMMENTS

David Bryan, expressed his opposition to and negative experience with CV Link routes throughout Palm Desert.

Barbara Wasserkrug, Palm Desert resident, reported on on the negative side effects of being a "15 Minute Smart City".

Nancy Gutierrez, Palm Desert resident, spoke against smart cities and redistricting.

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13. CONSENT CALENDAR

City Clerk Mejia noted a staff modification to Item 13e as demonstrated in the Q & A Memorandum.

Motion by: Mayor Pro Tem Harnik

Seconded by: Councilmember Nestande

To approve the consent calendar as presented.

Motion Carried (5 to 0)

13.a APPROVAL OF CITY COUNCIL, SUCCESSOR AGENCY, AND HOUSING AUTHORITY MINUTES

Motion by: Mayor Pro Tem Harnik

Seconded by: Councilmember Nestande

Approve the Minutes of January 11, 2024.

Motion Carried (5 to 0)

13.b APPROVAL OF WARRANTS

Motion by: Mayor Pro Tem Harnik

Seconded by: Councilmember Nestande

Approve the warrants issued for the period 1/9/2024 to 1/12/2024.

Motion Carried (5 to 0)

13.c ACCEPT REASSIGNMENT OF CITY COUNCIL LIAISON TO CULTURAL RESOURCE PRESERVATION COMMITTEE

Motion by: Mayor Pro Tem Harnik

Seconded by: Councilmember Nestande

Appoint Mayor Pro Tem Harnik as the City Council Liaison to the Cultural Resource Preservation Committee for the remainder of 2024.

Motion Carried (5 to 0)

13.d APPROPRIATE FUNDS TO COVER COSTS ASSOCIATED WITH VARIOUS NECESSARY LIBRARY IMPROVEMENTS

Motion by: Mayor Pro Tem Harnik

Seconded by: Councilmember Nestande

Authorize Director of Finance to appropriate funds to Account No. 4524136-4400100 in the amount of \$692,000.

Motion Carried (5 to 0)

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13.e ADOPT RESOLUTION NO. 2024-001 UPDATING COMMUNITY EVENT SPONSORSHIP GUIDELINES

Motion by: Mayor Pro Tem Harnik

Seconded by: Councilmember Nestande

Adopt Resolution No. 2024-001 entitled, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM DESERT, CALIFORNIA, UPDATING THE COMMUNITY EVENT SPONSORSHIP POLICY", as amended.

Motion Carried (5 to 0)

13.f ADOPT RESOLUTION NO. 2024-002 UPDATING OUTSIDE AGENCY FUNDING PROGRAM GUIDELINES

Motion by: Mayor Pro Tem Harnik

Seconded by: Councilmember Nestande

Adopt Resolution No. 2024-002 entitled, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM DESERT, CALIFORNIA, UPDATING THE OUTSIDE AGENCY FUNDING PROGRAM GUIDELINES."

Motion Carried (5 to 0)

13.g AUTHORIZE PURCHASE OF PARAMEDIC UNIT FOR NEW FIRE STATION 102

Motion by: Mayor Pro Tem Harnik

Seconded by: Councilmember Nestande

1. Authorize the purchase of a new paramedic unit for the new Fire Station 102 in an amount not to exceed \$303,449.02, pursuant to sections 3.30.160(I) and 3.30.160(J) of the Palm Desert Municipal Code.
2. Authorize Directory of Finance to set aside a 20% contingency in the amount of \$60,689.80.
3. Authorize the City Attorney to make any necessary non-monetary changes to the agreement.
4. Authorize the City Manager to execute all documents necessary to effectuate this action.

Motion Carried (5 to 0)

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13.h ACCEPTANCE OF A RESIGNATION FROM THE CIVIC ENGAGEMENT COMMITTEE

Motion by: Mayor Pro Tem Harnik

Seconded by: Councilmember Nestande

With regret, accept the resignation of Scott Warmuth from the Civic Engagement Committee.

Motion Carried (5 to 0)

13.i RECEIVE AND FILE THE ANNUAL LOW- AND MODERATE-INCOME HOUSING ASSET FUND REPORT RELATIVE TO SB 341

Motion by: Mayor Pro Tem Harnik

Seconded by: Councilmember Nestande

Receive and file the annual Low- and Moderate-Income Housing Asset Fund report relative to SB 341 for the 2022/2023 fiscal year.

Motion Carried (5 to 0)

14. ACTION CALENDAR

14.a PALM DESERT REDISTRICTING 2023: ADOPT ORDINANCE NO. 1406 ESTABLISHING CITY COUNCIL ELECTION DISTRICT BOUNDARIES AND SCHEDULING ELECTIONS WITHIN THE DISTRICTS AND INTRODUCE ORDINANCE NO. 1407 ELIMINATING USE OF RANKED CHOICE VOTING

City Clerk Mejia presented a staff report and responded to City Council inquiries.

Motion by: Mayor Pro Tem Harnik

Seconded by: Councilmember Trubee

1. Adopt Ordinance No. 1406 entitled, "AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PALM DESERT, CALIFORNIA, AMENDING SECTION 2.38.040 OF THE PALM DESERT MUNICIPAL CODE RELATED TO BY-DISTRICT ELECTIONS, DEFINING DISTRICT BOUNDARIES, AND SCHEDULING ELECTIONS WITHIN THE DISTRICTS."
2. Introduce Ordinance No. 1407 entitled, "AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PALM DESERT, CALIFORNIA, REPEALING SECTION 2.38.050 OF CHAPTER 2.38 ("GENERAL MUNICIPAL ELECTIONS") OF TITLE 2 ("ADMINISTRATION AND PERSONNEL") OF THE PALM DESERT MUNICIPAL CODE TO IN ORDER TO ELIMINATE RANKED CHOICE VOTING FOR THE ELECTION OF MEMBERS OF THE CITY COUNCIL."

Motion Carried (5 to 0)

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14.b INTRODUCTION OF ORDINANCE NO. 1408 ADDING CHAPTER 2.74 TO TITLE 2 OF THE PALM DESERT MUNICIPAL CODE, ESTABLISHING A MUNICIPAL LIBRARY FOR THE CITY, AND MAKING A FINDING OF EXEMPTION UNDER CEQA

Director of Library Services Shaffer presented a staff report and responded to City Council inquiries.

Motion by: Councilmember Trubee

Seconded by: Mayor Pro Tem Harnik

Introduce Ordinance No. 1408 entitled, "AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PALM DESERT, CALIFORNIA, ADDING CHAPTER 2.74 TO TITLE 2 OF THE PALM DESERT MUNICIPAL CODE, ESTABLISHING A MUNICIPAL LIBRARY FOR THE CITY, AND MAKING A FINDING OF EXEMPTION UNDER CEQA."

Motion Carried (5 to 0)

14.c AUTHORIZE THE CITY MANAGER TO EXECUTE ANY AND ALL DOCUMENTS NECESSARY FOR THE SALE OF 45-656 MOUNTAIN VIEW AVENUE, PALM DESERT

Mayor Pro Tem Harnik recused herself due to proximity to her home and left the Council Chamber.

Management Analyst Glickman presented a staff report and responded to City Council inquiries.

Motion by: Councilmember Trubee

Seconded by: Councilmember Nestande

Authorize the City Manager to execute any and all documents necessary for the sale of 45-656 Mountain View Avenue, Palm Desert.

RECUSED (1): Mayor Pro Tem Harnik

Motion Carried (4 to 0)

Mayor Pro Tem Harnik returned to the Council Chamber.

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15. PUBLIC HEARINGS

15.a APPROVE THE SECOND AMENDMENT TO DEVELOPMENT AGREEMENT 98-1 BETWEEN THE CITY OF PALM DESERT AND MARRIOTT OWNERSHIP RESORTS, INC.

Mayor Quintanilla opened the public hearing.

Economic Development Director Ceja narrated a PowerPoint presentation and responded to City Council inquiries.

Mayor Quintanilla closed the public hearing, there being no member of the public wishing to speak.

Motion by: Councilmember Kelly

Seconded by: Councilmember Nestande

1. Adopt Resolution No. 2024-003 entitled, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM DESERT, CALIFORNIA, APPROVING THE SECOND AMENDMENT TO THE DEVELOPMENT AGREEMENT BETWEEN THE CITY OF PALM DESERT AND MARRIOTT OWNERSHIP RESORTS, INC., CASE NO. DA 98-1, AMENDMENT NO. 2."
2. Approve the Second Amendment to the Development Agreement (DA 98-1) between the City of Palm Desert and Marriott Ownership Resorts, Inc.
3. Authorize the City Manager to execute the Second Amendment to the Development Agreement.
4. Authorize the City Attorney to make necessary, non-monetary changes to the Second Amendment to the Development Agreement.
5. Authorize adjustment of \$1,600,000 to Timeshare Mitigation Revenue Account Number 1100000-3122900.

Motion Carried (5 to 0)

16. INFORMATION ITEMS

None.

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17. ADJOURNMENT

The City Council adjourned at 4:45 p.m.

Respectfully submitted,

Níamh M. Ortega

Assistant City Clerk/Assistant Secretary

Anthony J. Mejia, MMC

City Clerk/Secretary