

**Palm Desert City Council, Successor Agency to the Palm Desert Redevelopment  
Agency, and Housing Authority  
Regular Meeting Minutes**

April 25, 2024, 3:45 p.m.

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

**1. CALL TO ORDER - CLOSED SESSION - 3:45 P.M.**

A Regular Meeting of the Palm Desert City Council was called to order by Mayor Quintanilla on Thursday, April 25, 2024, at 3:45 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**

None.

**3. RECESS TO CLOSED SESSION**

Mayor Quintanilla adjourned to Closed Session at 3:45 p.m.

**4. CLOSED SESSION AGENDA**

The following items were considered in closed session:

**4.a Closed Session Meeting Minutes: March 28, 2024**

**4.b Conference with Real Property Negotiations pursuant to Government Code  
Section 54956.8**

**4.b.1 Property Description: Vacant lot west of Painter's Path, South of Fred  
Waring (APN 640-091-010)**

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

**6. PLEDGE OF ALLEGIANCE**

Councilmember Nestande led the Pledge of Allegiance.

**7. INSPIRATION**

Councilmember Trubee provided words of inspiration.

**8. REPORT OF CLOSED SESSION**

City Attorney Shah stated no reportable actions were taken by the City Council.

**9. AWARDS, PRESENTATIONS, AND APPOINTMENTS**

**9.a RECOGNITION: GERALD DAWSON, PARKS AND RECREATION COMMITTEE**

The City Council expressed their appreciation to Mr. Dawson for 21 years of service on the Parks and Recreation Committee.

**9.b PRESENTATION: WILDFLOWER FESTIVAL UPDATE**

Friends of the Desert Mountains representative Tammy Martin narrated a PowerPoint presentation and responded to City Council inquiries.

**10. CITY MANAGER COMMENTS**

City Manager Hileman introduced Homeless and Support Services Manager Ivan Tenorio and welcomed him to the City's team.

**10.a TOWN HALL MEETINGS**

Finance Director Chavez informed the City Council that a series of town hall meetings were scheduled during the month of May to gather resident input on various topics of interest.

**11. MAYOR/COUNCILMEMBER REPORTS AND REQUESTS FOR ACTION**

Councilmembers reported on their attendance at various meetings and events. Councilmember Kelly requested that staff provide an update at a future City Council meeting regarding the economic impact of upcoming closure and announced bankruptcy of Rite-Aid and 99 cent stores respectively, located in the Palms to Pines shopping center in Palm Desert.

**12. NON-AGENDA PUBLIC COMMENTS**

Sue Townsley, Cathedral City resident, thanked the City of Palm Desert for its support of a recent jazz event in Cathedral City.

Alan Carvalho, Cathedral City resident, displayed a video of the jazz event.

Patrick Cameron, Desert Hot Springs, representing the Cannabis Workers Coalition, spoke about the value of standardized trainings offered by the Coalition and shared their primary objective of advocating for the allocation of cannabis tax revenue for the benefit of cannabis industry workers.

Brad Anderson, Rancho Mirage resident, expressed his desire for public comment to be heard at study sessions.

**13. CONSENT CALENDAR**

**Motion by:** Councilmember Kelly

**Seconded by:** Mayor Pro Tem Harnik

To approve the consent calendar as presented.

**Motion Carried (5 to 0)**

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

Approve the Minutes of April 11, 2024.

**Motion Carried (5 to 0)**

**13.b APPROVAL OF WARRANT REGISTERS**

Approve the warrant registers issued for April 12, 2024.

**Motion Carried (5 to 0)**

**13.c RECEIVE AND FILE APPLICATIONS FOR ALCOHOLIC BEVERAGE LICENSES**

Receive and file applications for alcoholic beverage licenses for:

1. Palm Valley Country Club 76200 Country Club Dr., Palm Desert, California 92211
2. Monterey Country Club 41500 Monterey Ave., Palm Desert, California 92260-2173
3. Mojave Resort 73721 Shadow Mountain Drive, Palm Desert, California 92260-4841

**Motion Carried (5 to 0)**

**13.d ADOPTION OF ORDINANCE NO. 1410 RELATIVE TO THE PURCHASING SYSTEM AND PUBLIC WORKS CONTRACTS AND MAKING FINDINGS UNDER CEQA**

Adopt Ordinance No. 1410 entitled, "AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PALM DESERT, CALIFORNIA, REPLACING CHAPTER 3.30 IN ITS ENTIRETY AND RESCINDING ORDINANCES NO. 224, 423, 586, 927, 928, 986, 1162, 1166, 1204, 1229, 1276, 1317, 1335 AND 1392 RELATIVE TO THE PURCHASING SYSTEM AND PUBLIC WORKS CONTRACTS AND MAKING FINDINGS UNDER CEQA."

**Motion Carried (5 to 0)**

**13.e ADOPTION OF ORDINANCE NO. 1411 TO ADOPT A ZONING ORDINANCE AMENDMENT TO IMPLEMENT RESIDENTIAL AND MIXED-USE OBJECTIVE DESIGN STANDARDS AND MAKING A FINDING OF EXEMPTION UNDER CEQA**

Adopt Ordinance No. 1411 entitled, "AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PALM DESERT, CALIFORNIA, APPROVING A ZONING ORDINANCE AMENDMENT OF THE PALM DESERT MUNICIPAL CODE TO ADD CHAPTER 25.42 – MULTIFAMILY AND MIXED-USE OBJECTIVE DESIGN STANDARDS, AMENDING OTHER CHAPTERS OF TITLE 25 TO IMPLEMENT CITY-WIDE MULTIFAMILY AND MIXED-USE RESIDENTIAL OBJECTIVE DESIGN STANDARDS AND MAKING A FINDING OF EXEMPTION UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT, CASE NO. ZOA24-0001"

**Motion Carried (5 to 0)**

**13.f RATIFY A LETTER OF SUPPORT FOR ASSEMBLY BILL 2485: RHNA TRANSPARENCY REFORM ACT**

Ratify issuance of a letter of support for Assembly Bill 2485: Regional Housing Needs Assessment (RHNA) Transparency Reform Act.

**Motion Carried (5 to 0)**

**13.g RESOLUTION NO. 2024-014 TO AUTHORIZE DESTRUCTION OF OBSOLETE RECORDS FROM THE CITY CLERK AND CITY MANAGER DIVISIONS**

Adopt Resolution No. 2024-014 entitled, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM DESERT, CALIFORNIA, SETTING FORTH ITS FINDINGS AND AUTHORIZING THE DESTRUCTION OF PAPER RECORDS FROM THE CITY CLERK AND CITY MANAGER DIVISIONS, AS INDICATED ON THE RECORDS RETENTION SCHEDULE (ADOPTED DECEMBER 15, 2022) RECORDS FROM 2005 THROUGH 2020".

**Motion Carried (5 to 0)**

**13.h ACCEPT CONTRACT NO. C45010 AS COMPLETE FOR THE BRIDGE PREVENTATIVE MAINTENANCE PROGRAM (PROJECT NO. MFA00007)**

1. Accept Contract C45010 with MLC Constructors, Inc., of Corona, California, for the Bridge Preventative Maintenance Program as complete. (Project MFA00007)
2. Authorize the Mayor to execute and the City Clerk to file the Notice of Completion.

**Motion Carried (5 to 0)**

**13.i ACCEPT CONTRACT NO. C45210 AS COMPLETE FOR THE FISCAL YEAR 2022/23 CATCH BASIN AND DRAIN CLEANING PROJECT (PROJECT NO. CDR00002)**

1. Accept Contract No. C45210 with United Storm Water, Inc., of City of Industry, California, for the Fiscal Year 2022/23 Catch Basin and Drain Cleaning Project as complete. (Project No. CDR00002)
2. Authorize the Mayor to execute and the City Clerk to file the Notice of Completion.

**Motion Carried (5 to 0)**

**13.j RECEIVE AND FILE UPDATE ON COMMUNITY HEROES MURAL**

Receive and file update on *Community Heroes* mural to be installed at the City's Corporate Yard.

**Motion Carried (5 to 0)**

**13.k RELEASE THE GRADING BOND FOR THE MILLENNIUM APARTMENTS PROJECT**

Release the Grading Bond for the Millennium Apartments Project in the full amount of \$189,393.50.

**Motion Carried (5 to 0)**

**13.l AUTHORIZE AND AWARD CONTRACT NO. C47460 TO TKE ENGINEERING, INC., AS AN ADDITIONAL CONSULTANT TO THE ON-CALL CONSTRUCTION MANAGEMENT CONTRACT IN AN AGGREGATE AMOUNT NOT TO EXCEED \$11,739,394**

1. Authorize and award Contract No. C47460 to TKE Engineering, Inc., as an additional consultant to the On-Call Construction Management Contract in an aggregate amount not to exceed \$11,739,394.
2. Authorize the City Manager to execute said agreements and subsequent task orders.
3. Direct the City Attorney, Director of Finance, and Director of Public Works/Capital Projects to review annual expenditures and performance of the vendors under said Agreement.

**Motion Carried (5 to 0)**

**13.m RATIFY CHANGE ORDER NO. 1 TO CONTRACT NO. C46150 WITH THE VAN DYKE CORPORATION FOR HILARY STORM REPAIRS IN THE AMOUNT NOT TO EXCEED \$609,760**

1. Ratify Change Order No. 1 to Contract No. C46150 with the Van Dyke Corporation for Hilary Storm Repairs in an amount not to exceed \$609,760.
2. Authorize the Director of Finance to set aside a contingency in an amount not to exceed \$30,488.
3. Authorize the City Manager to review and approve written requests for the use of contingency per Section 3.30.170 B of the Palm Desert Municipal Code.
4. Authorize City Manager to execute the change order and any documents necessary to effectuate the actions taken herewith.

**Motion Carried (5 to 0)**

**13.n AWARD CONTRACT NO. C47470 TO WESTERN STATE BUILDERS FOR PALMA VILLAGE PARK IMPROVEMENTS IN AN AMOUNT NOT TO EXCEED \$381,437 (PROJECT NO. MPK00007)**

1. Waive any minor proposal irregularities and award Contract No. C47470 to Western State Builders, Inc., of Escondido, California, in an amount not to exceed \$381,437 to construct improvements at Palma Village Park.
2. Authorize the Director of Finance to set aside \$78,000 in contingency for unforeseen circumstances.
3. Appropriate \$176,000 to CDBG Account No. 2204649-4400100, Palm Village Park Capital Project.
4. Authorize the City Manager to review and approve change orders for any unforeseen circumstances per Palm Desert Municipal Code Section 3.30.170.
5. Authorize the City Attorney to make any necessary, non-monetary changes to the Agreement.
6. Authorize the City Manager to execute said agreement and contract amendments as needed to complete said work.

**Motion Carried (5 to 0)**

**13.o APPROVE FISCAL YEAR 2024/25 WORK PLAN FOR THE CULTURAL RESOURCE PRESERVATION COMMITTEE**

Approve the Fiscal Year 2024/25 Annual Work Plan for the Cultural Resources Preservation Committee.

**Motion Carried (5 to 0)**

**14. ACTION CALENDAR**

**14.a INTRODUCE ORDINANCE NO. 1412 ADDING CHAPTER 9.71 TO TITLE 9 (PUBLIC PEACE, MORALS AND WELFARE) OF THE PALM DESERT MUNICIPAL CODE, ESTABLISHING REGULATIONS PROHIBITING THE UNLAWFUL POSSESSION OF CATALYTIC CONVERTERS**

Public Safety Analyst Hurtado narrated a PowerPoint presentation and responded to City Council inquiries.

Daryl Terrell, Moreno Valley resident, expressed his support for the proposed ordinance prohibiting unlawful possession of catalytic converters.

Brad Anderson, Rancho Mirage resident, expressed his opposition to creating an ordinance to address the theft of catalytic converters.

**Motion by:** Councilmember Kelly

**Seconded by:** Mayor Pro Tem Harnik

Introduce Ordinance No. 1412 entitled, "AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PALM DESERT, CALIFORNIA, ADDING CHAPTER 9.71 (UNLAWFUL POSSESSION OF A CATALYTIC CONVERTER PROHIBITED) TO TITLE 9 (PUBLIC PEACE, MORALS AND WELFARE) OF THE PALM DESERT MUNICIPAL CODE, ESTABLISHING REGULATIONS PROHIBITING THE UNLAWFUL POSSESSION OF CATALYTIC CONVERTERS IN THE CITY."

**Motion Carried (5 to 0)**

**14.b REQUEST FOR OUT-OF-STATE TRAVEL FOR MAYOR QUINTANILLA TO ATTEND THE NALEO ANNUAL CONFERENCE IN LAS VEGAS, NEVADA**

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

**Motion by:** Councilmember Kelly  
**Seconded by:** Councilmember Nestande

Authorize out-of-state travel for Mayor Quintanilla to attend the National Association of Latino Elected and Appointed Officials (NALEO) Annual Conference held on June 17-20, 2024, in Las Vegas, Nevada, with the understanding that she will forgo her attendance at the 2024 International Council of Shopping Centers (ICSC) Annual Conference in Las Vegas, Nevada.

NOES (1): Councilmember Trubee

**Motion Carried (4 to 1)**

**14.c ADOPT THE PALM DESERT RAIL STATION FEASIBILITY STUDY**

Management Analyst Mager and Kimley Horn representative Darryl DePencier narrated a PowerPoint presentation and responded to City Council inquiries.

**Motion by:** Councilmember Kelly  
**Seconded by:** Mayor Pro Tem Harnik

1. Adopt the Palm Desert Rail Station Feasibility Study.
2. Direct staff to submit the study to Riverside County Transportation Commission (RCTC) for their consideration to include in the Tier 2 study.

**Motion Carried (5 to 0)**

**14.d INTRODUCTION OF ORDINANCE NO. 1413 OF THE CITY COUNCIL, AMENDING CHAPTER 2.74 OF THE PALM DESERT MUNICIPAL CODE TO ESTABLISH A PALM DESERT LIBRARY BOARD OF TRUSTEES AND LIBRARY ADVISORY COMMITTEE 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 Kelly  
**Seconded by:** Councilmember Trubee

Introduce Ordinance No. 1413 entitled, "AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PALM DESERT, CALIFORNIA, AMENDING CHAPTER 2.74 OF THE PALM DESERT MUNICIPAL CODE TO ESTABLISH A LIBRARY BOARD OF TRUSTEES AND LIBRARY ADVISORY COMMITTEE, AND MAKING A FINDING OF EXEMPTION UNDER CEQA."



**Motion Carried (5 to 0)**

**14.e APPROVE RECOMMENDATIONS FOR UNIVERSITY DOG PARK PARKING AND EL PASEO MID-BLOCK CROSSWALKS**

Deputy Director of Public Works Chavez narrated a PowerPoint presentation and responded to City Council inquiries.

**Motion by:** Mayor Quintanilla

Consider the University Dog Park Parking and El Paseo Crosswalks items separately due to differences in the project type and geographical locations.

**Motion Fails**

**Motion by:** Councilmember Kelly

**Seconded by:** Councilmember Nestande

1. Approve additional street parking and a standard crosswalk with a Rectangular Rapid Flashing Beacon (RRFB) system on University Park Drive.
2. Approve the replacement of three RRFB systems at mid-block crosswalks on El Paseo and Larkspur Lane.
3. Approve two new mid-block crosswalks with RRFB systems on El Paseo.
4. Approve asphalt finish with decorative art on all five mid-block crosswalks.
5. Authorize the removal of multi-colored decorative crosswalk painting.

NOES (1): Mayor Quintanilla

**Motion Carried (4 to 1)**

**15. PUBLIC HEARINGS**

**15.a CONSIDER MAKING A FINDING OF EXEMPTION UNDER CEQA AND APPROVE A STREET VACATION OF AN 8,582 SQUARE FOOT PORTION OF SHADOW LAKE DRIVE IN FAVOR OF A PROPERTY AT 73745 SHADOW LAKE DRIVE**

*Mayor Pro Tem Harnik recused herself from this item due to proximity to her residence, and left the Council Chamber.*

Mayor Quintanilla opened the public hearing.

Principal Planner Flores 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.

*Following the close of the vote, Mayor Pro Tem Harnik returned to the Council Chamber.*

**Motion by:** Councilmember Kelly

**Seconded by:** Councilmember Nestande

1. Direct staff to prepare a resolution of denial for the City Council's consideration at a future meeting.
2. Direct staff and City Attorney to explore potential next steps.

RECUSED (1): Mayor Pro Tem Harnik

**Motion Carried (4 to 0)**

**16. INFORMATION ITEMS**

None.

**17. ADJOURNMENT**

The City Council adjourned at 6:26 p.m.

Respectfully submitted,

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

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Anthony J. Mejia, MMC  
City Clerk/Secretary