

Palm Desert City Council, Successor Agency to the Palm Desert Redevelopment Agency, Housing Authority, and Library Board of Trustees

Regular Meeting Minutes

August 22, 2024, 3:15 p.m.

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

1. CALL TO ORDER - CLOSED SESSION - 3:15 P.M.

A Regular Meeting of the Palm Desert City Council was called to order by Mayor Quintanilla on Thursday, August 22, 2024, at 3:31 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 3:32 p.m.

4. CLOSED SESSION AGENDA

The following items were considered in closed session:

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

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

4.b.1 Property Description: Approximately 30+ acres of undeveloped land near the intersection of Desert Willow Drive and Willow Ridge

4.c Public Employee Performance Evaluation pursuant to Government Code Section 54957

5. ROLL CALL - REGULAR MEETING

Mayor Quintanilla reconvened the regular meeting at 4:06 p.m.

6. PLEDGE OF ALLEGIANCE

Mayor Quintanilla led the Pledge of Allegiance.

7. INSPIRATION

Mayor Pro Tem Harnik provided words of inspiration.

8. REPORT OF CLOSED SESSION

City Clerk Mejia noted that the City Council directed staff to prepare a one-year extension to the contract with Best, Best & Krieger, LLP, to provide legal services. The contract will be presented to the City Council for consideration at the next regular City Council meeting.

9. AWARDS, PRESENTATIONS, AND APPOINTMENTS

9.a PROCLAMATION: FIND FOOD BANK - HUNGER ACTION MONTH

Mayor Quintanilla presented a proclamation to FIND Food Bank.

9.b PRESENTATION: FASHION WEEK FOOD & WINE RECAP - PALM SPRINGS LIFE

City Clerk Mejia displayed video presentations summarizing the Fashion Week and Food & Wine events. Palm Springs Life representative Paulina Larson provided a verbal update on the events, and responded to City Council inquiries.

9.c UPDATE: PALM DESERT IHUB

California State University San Bernardino - School of Entrepreneurship Development Director Dr. Ezequiel Bonillas narrated a PowerPoint presentation and responded to City Council inquiries.

10. CITY MANAGER COMMENTS

10.a SHERIFF DEPARTMENT UPDATE

Lt. Porras provided an update and responded to City Council inquiries.

11. MAYOR/COUNCILMEMBER REPORTS AND REQUESTS FOR ACTION

The City Council reported on their attendance at various meetings and events.

12. NON-AGENDA PUBLIC COMMENTS

The following individuals expressed their disappointment regarding Mayor Quintanilla's August 10, 2024, Facebook post regarding the Patriot Store on El Paseo, and called upon her to apologize and/or resign:

- Mike Morsch
- Terry Krogen
- John Newcaster
- Sandra Schultz
- Velma Hagar
- Thomas V. Bruno
- Karen Van Der Ahe
- Dan Flores
- Lin Russo
- Mary CH
- Storm Jenkins
- Ruth Hill

Susie Houser, noted the Mayor's right to free speech, and requested the City make a statement noting the Mayor's remarks do not represent the views of the City Council as a whole.

Miguel Sanchez, expressed his opposition to extremism, division, and the Patriot Store, and opined that patriotism is inclusive.

Mike Piontkowski, Palm Desert resident, voiced his concerns relative to Monterey Country Club traffic signal.

Lin Russo, expressed concern regarding the amount of housing construction in the area of Gerald Ford and Portola Avenue.

Thomas Franke, Development Director at the Inland Empire's Ronald McDonald House, shared information about their facility and families that they are able to assist.

Anne Piller, Ronald McDonald House Chairman of the Board, invited the City Council and the public to their gala to be held September 27, 2024.

Jim Wilk, Monarch Technologies owner, shared information about his banking and payment processing system for cannabis businesses.

13. **CONSENT CALENDAR**

Clerk's Note: The calendar attachment to Item 13.e incorrectly noted August 21, 2025, as a regular City Council meeting date. The adopted meeting schedule has been revised to reflect the corrected date of August 28, 2025.

Motion by: Councilmember Kelly

Seconded by: Councilmember Nestande

To approve the consent calendar, excluding Items a, b, j, and t.

Motion Carried (5 to 0)

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

Motion by: Councilmember Kelly

Seconded by: Councilmember Nestande

Received and file application for alcoholic beverage license for:
Eat Wonder, LLC 74275 Hwy 111, Palm Desert, California 92260-4117

Motion Carried

13.d ACCEPT CONTRACT No. C43210 FOR CONSTRUCTION OF THE CIVIC CENTER PARK FITNESS, SHADE AND FURNISHINGS IMPROVEMENTS AS COMPLETE

Motion by: Councilmember Kelly

Seconded by: Councilmember Nestande

1. Accept Contract No. C43210 with PS Commercial Play, Inc., for the Civic Center Park Fitness, Shade and Furnishings Improvements Project as complete.
2. Authorize the Mayor to execute and the City Clerk to file the Notice of Completion.

Motion Carried

13.e RESOLUTION NO. 2024-059 SETTING THE CITY COUNCIL REGULAR MEETING SCHEDULE FOR THE CALENDAR YEAR 2025

Motion by: Councilmember Kelly

Seconded by: Councilmember Nestande

Adopt Resolution No. 2024-059 entitled, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM DESERT, CALIFORNIA, SETTING THE CITY COUNCIL REGULAR MEETING SCHEDULE FOR THE CALENDAR YEAR 2025."

Motion Carried

13.f RESOLUTION NO. 2024-060 APPROVING THE LIBRARY SERVICES' INTERNET USE AND PROHIBITION ON YOUTH BULLYING POLICIES

Motion by: Councilmember Kelly

Seconded by: Councilmember Nestande

Adopt Resolution No. 2024-060 entitled, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM DESERT, CALIFORNIA, APPROVING LIBRARY SERVICES' INTERNET USE AND PROHIBITION ON YOUTH BULLYING POLICIES."

Motion Carried

13.g APPROVE THE PURCHASE OF TWO SCULPTURES FROM THE 2023/24 EL PASEO SCULPTURE EXHIBITION (CONTRACT NOS. C48210 AND C48220)

Motion by: Councilmember Kelly

Seconded by: Councilmember Nestande

1. Approve the purchase of *The Seeker* (Contract No. C48210) by Delos Van Earl in the amount of \$12,000, and *SWIRLY GIRL (Female Superhero)* (Contract No. C48220) by Karen & Tony Barone in the amount of \$17,700 from the 2023/24 El Paseo Sculpture Exhibition for inclusion in the City of Palm Desert's permanent public art collection.
2. Authorize the City Attorney to make necessary nonmonetary changes to the agreements.
3. Authorize the City Manager to execute the agreement and any written requests for change orders, amendments, and any other documents necessary to effectuate this action, in accordance with Section 3.30.170 of the Palm Desert Municipal Code.

Motion Carried

13.h APPROVE THE PURCHASE OF 19 TRAFFIC SIGNAL CABINETS FOR TRAFFIC SIGNAL HARDWARE UPGRADES (PROJECT NO. MTS00003)

Motion by: Councilmember Kelly

Seconded by: Councilmember Nestande

1. Approve the purchase of 19 traffic signal cabinets for Traffic Signal Hardware Upgrades to Econolite Control Products, Inc., in the amount of \$381,718.67.
2. Authorize the City Manager to execute all documents necessary to effectuate this action, in accordance with Section 3.30.170 of the Palm Desert Municipal Code.

Motion Carried

13.i APPROVE THE RELOCATION OF RECYCLE BY JOHN BRANSTETTER

Motion by: Councilmember Kelly

Seconded by: Councilmember Nestande

Approve the relocation of *Recycle* sculpture by John Branstetter, currently located on El Paseo, to the Burrtec Waste Management Recycle Center on Corporate Way.

Motion Carried

13.k AUTHORIZE OUT-OF-STATE TRAVEL FOR TWO PROJECT MANAGERS TO ATTEND THE AMERICAN PUBLIC WORKS ASSOCIATION CONFERENCE IN ATLANTA, GEORGIA

Motion by: Councilmember Kelly
Seconded by: Councilmember Nestande

Authorize out-of-state travel for two project managers to attend the American Public Works Association Conference on September 8 -11, 2024, in Atlanta, Georgia.

Motion Carried

13.l RESOLUTION NO. 2024-061 TO AUTHORIZE DESTRUCTION OF OBSOLETE RECORDS FROM DEVELOPMENT SERVICES DEPARTMENT, CODE COMPLIANCE DIVISION

Motion by: Councilmember Kelly
Seconded by: Councilmember Nestande

Adopt Resolution No. 2024-061 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 DEVELOPMENT SERVICES – CODE COMPLIANCE DIVISION, AS INDICATED ON THE RECORDS RETENTION SCHEDULE (ADOPTED DECEMBER 15, 2022); RECORDS FROM 2017 THROUGH 2019 (EXHIBIT A).”

Motion Carried

13.m FIRST AMENDMENT TO GERALD FORD APARTMENTS, LP HOUSING AGREEMENT TO DELINEATE THE NUMBER OF 2-BEDROOM AND 3-BEDROOM UNITS

Motion by: Councilmember Kelly
Seconded by: Councilmember Nestande

1. Approve Amendment No. 1 by and between the City of Palm Desert and Gerald Ford Apartments, a California Limited Partnership (“Owner”), in accordance with the conditions of approval of the development of 150 units known as Gerald Ford Apartments, a multifamily rental housing projected located at 75580 Gerald Ford Drive, Palm Desert, California (“Project”).
2. Authorize the Mayor and/or City Manager to execute Amendment No. 1 and authorize the City Clerk to record Amendment No. 1.

Motion Carried

13.n AWARD CONTRACT NO. C47800 TO PAVWEST, INC., FOR THE PARKING LOT REHABILITATION AND MAINTENANCE PROGRAM (PROJECT NO. MPL00002)

Motion by: Councilmember Kelly
Seconded by: Councilmember Nestande

1. Award Contract No. C47800 to PaveWest, Inc., for the Parking Lot Rehabilitation and Maintenance Program in an amount not to exceed \$368,000 for the first year and \$500,000 annually thereafter for a one-year term with four one-year extensions.
2. Appropriate \$97,742 from Presidents' Plaza III – Parking Lot Maintenance Reserve Fund to Account No. 2824373-4332100.
3. Authorize the City Attorney to make any necessary non-monetary changes to the agreement.
4. Authorize the City Manager to execute the agreement, any documents necessary to effectuate the actions taken herewith, and approve written contract amendment and change order requests for unanticipated conditions per Section 3.30.170 of the Palm Desert Municipal Code.

Motion Carried

13.o RESOLUTION NO. 2024-062 APPROVING ADMINISTRATIVE POLICY REGARDING THE USE OF OTHER POWER-DRIVEN MOBILITY DEVICES

Motion by: Councilmember Kelly
Seconded by: Councilmember Nestande

Adopt Resolution No. 2024-062 entitled, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM DESERT, CALIFORNIA, APPROVING ADMINISTRATIVE POLICY REGARDING THE USE OF OTHER POWER-DRIVEN MOBILITY DEVICES."

Motion Carried

13.p OUT-OF-STATE TRAVEL FOR THE PUBLIC AFFAIRS MANAGER TO ATTEND THE LAS VEGAS SOUVENIR & RESORT GIFT SHOW

Motion by: Councilmember Kelly
Seconded by: Councilmember Nestande

Approve out-of-state travel for the Public Affairs Manager to attend the Las Vegas Souvenir & Resort Gift Show from September 17-20, 2024.

Motion Carried

13.q APPOINTMENTS TO THE MOBILE HOME PARK RENT REVIEW BOARD

Motion by: Councilmember Kelly
Seconded by: Councilmember Nestande

Appoint Jann Buller, Andrew Firestine, and John Greenwood to the Mobile Home Park Rent Review Board for a one-year term, ending June 30, 2025.

Motion Carried

13.r RESOLUTION NO. 2024-063 DESIGNATING AUTHORIZED AGENTS FOR APPLYING FOR THE YOUTH COMMUNITY ACCESS GRANT

Motion by: Councilmember Kelly
Seconded by: Councilmember Nestande

Adopt Resolution No. 2024-063 entitled, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM DESERT, CALIFORNIA, DESIGNATING THE CITY MANAGER, ASSISTANT CITY MANAGER, AND CITY TREASURER AS AUTHORIZED AGENTS APPROVING THE APPLICATION FOR GRANT FUNDS FOR THE YOUTH COMMUNITY ACCESS GRANT PROGRAM."

Motion Carried

13.s ORDINANCE NO. 1416 TO AMEND MULTIPLE SECTIONS OF TITLE 25 OF THE PALM DESERT MUNICIPAL CODE AND FINDING THE ACTION EXEMPT PER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT

Motion by: Councilmember Kelly
Seconded by: Councilmember Nestande

Adopt Ordinance No. 1416 entitled, "AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PALM DESERT, CALIFORNIA, APPROVING A ZONING ORDINANCE AMENDMENT FOR SECTIONS 25.16.030, 25.18.040, 25.28.070, 25.34.120, 25.68.020, AND 25.99.020 OF PALM DESERT MUNICIPAL CODE TITLE 25 AND MAKING A FINDING THAT THE ACTION IS EXEMPT FROM FURTHER ENVIRONMENTAL REVIEW PURSUANT TO THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA)."

Motion Carried

13.u AWARD CONTRACT C47630 TO ECONOLITE SYSTEMS, INC. OF ANAHEIM, CALIFORNIA, FOR THE TRAFFIC SIGNAL HARDWARE UPGRADES (PROJECT NO. MTS00003)

Motion by: Councilmember Kelly
Seconded by: Councilmember Nestande

1. Award Contract No. C47630 to Econolite Systems, Inc., of Anaheim, California, for the Traffic Signal Hardware Upgrades in the amount of \$211,487.75, plus a contingency of \$30,000 for unforeseen conditions.
2. Authorize the City Manager to execute the agreement and any written requests for change orders, amendments, and any other documents necessary to effectuate this action, in accordance with Section 3.30.170 of the Palm Desert Municipal Code.
3. Authorize the City Manager to execute the Notice of Completion (NOC) and the City Clerk to file the NOC upon satisfactory completion of the Project.

Motion Carried

13.v RESOLUTION NO. 2024-065 AMENDING THE PET REIMBURSEMENT POLICY TO INCLUDE MICROCHIPPING AND INCREASE THE REIMBURSEMENT AMOUNT FOR SPAYING AND NEUTERING

Motion by: Councilmember Kelly
Seconded by: Councilmember Nestande

Adopt Resolution No. 2024-065 entitled, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM DESERT, CALIFORNIA, AMENDING THE PET REIMBURSEMENT POLICY FOR THE CITY OF PALM DESERT."

Motion Carried

13.w ACCEPT CONTRACT NO. C46270 FOR CONSTRUCTION OF THE PALM DESERT AQUATIC CENTER AND FREEDOM PARK SHADE IMPROVEMENTS AS COMPLETE AND AUTHORIZE THE CITY CLERK TO FILE THE NOTICE OF COMPLETION

Motion by: Councilmember Kelly
Seconded by: Councilmember Nestande

1. Accept Contract No. C46270 with USA Shade and Fabric Structures (USA Shade) for the Palm Desert Aquatic Center and Freedom Park Shade Improvements Project as complete.
2. Authorize the Mayor to execute and the City Clerk to file the Notice of Completion.

Motion Carried

13.x REDUCTION OF THE SUBDIVISION FAITHFUL PERFORMANCE BOND, AND RELEASE OF THE SURVEY MONUMENTS BOND, AND THE ROUGH GRADING BOND FOR TRACT MAP NO. 37506-2, UNIVERSITY PARK PHASE II

Motion by: Councilmember Kelly

Seconded by: Councilmember Nestande

1. Authorize the City Engineer to reduce Subdivision Faithful Performance Bond No. 800134560 for Tract Map No. 37506-2 to \$1,462,430.
2. Authorize the City Engineer to release Survey Monuments Bond No. 800134560 for Tract Map No. 37506-2.
3. Authorize the City Engineer to release Grading Bond No. 800134559 for Tract Map No. 37506-2.

Motion Carried

13.y AWARD CONTRACT C47860 TO ALL AMERICAN ASPHALT FOR THE HAYSTACK ROAD TRAFFIC CALMING AND SAFETY IMPROVEMENTS PROJECT, PROJECT NO. CST00006

Motion by: Councilmember Kelly

Seconded by: Councilmember Nestande

1. Award a Contract C47860 with All American Asphalt, of Corona, CA, in the amount of \$551,177, plus a 10% contingency, for the Haystack Road Traffic Calming and Safety Improvements Project, Project No. CST00006.
2. Authorize the City Attorney to make any necessary nonmonetary changes to the agreement.
3. Authorize the City Manager to execute the agreement and any written requests for change orders up to contingency amount, amendments, and any other documents necessary to effectuate this action, in accordance with Section 3.30.170 of the Palm Desert Municipal Code.
4. Authorize the City Manager to execute the Notice of Completion (NOC) and the City Clerk to file the NOC upon satisfactory project completion.

Motion Carried

13.z AWARD CONTRACT C47830 TO GRANITE CONSTRUCTION COMPANY FOR THE PD LINK PHASE 2 PROJECT, PROJECT NO. CST00005

Motion by: Councilmember Kelly

Seconded by: Councilmember Nestande

1. Award Contract C47830 with Granite Construction Company of Indio, CA, in the amount of \$1,166,000, plus a 10% contingency, for the PD Link Phase 2 Project, Project No. CST00005.
2. Authorize the City Attorney to make any necessary nonmonetary changes to the agreement.
3. Authorize the City Manager to execute the agreement and any written requests for change orders up to the contingency amount, amendments, and any other documents necessary to effectuate this action, in accordance with Section 3.30.170 of the Palm Desert Municipal Code.
4. Authorize the City Manager to execute the Notice of Completion (NOC) and the City Clerk to file the NOC upon satisfactory project completion.

Motion Carried

13.aa AWARD CONTRACT NO. 48240 FOR THE ON-CALL CITYWIDE ADA CURB RAMP MODIFICATIONS AND SIDEWALK REPLACEMENT PROGRAM (PROJECT NO. MST00013)

Motion by: Councilmember Kelly

Seconded by: Councilmember Nestande

1. Award Contract No. C48240 to We R Builders, Inc., for the On-Call Citywide ADA Curb Ramp Modifications and Sidewalk Replacement Program in an annual amount not to exceed \$600,000, for a three-year term with the option of two one-year extensions.
2. Authorize the City Attorney to make any necessary non-monetary changes to the agreement.
3. Authorize the City Manager to execute the agreement, any documents necessary to effectuate the actions taken herewith, and to review and approve written contract amendment requests for unanticipated conditions per Section 3.30.170 of the Palm Desert Municipal Code.

Motion Carried

13.ab REVISE FISCAL YEAR 2024-25 ALLOCATION OF PERMANENT LOCAL HOUSING ALLOCATION PROGRAM FUNDS PURSUANT TO CONDITIONAL AWARD LETTER IN THE AMOUNT OF \$439,873

Motion by: Councilmember Kelly

Seconded by: Councilmember Nestande

1. Authorize Director of Finance to reduce Fiscal Year 2024-25 Permanent Local Housing Allocation (PLHA) Grant Revenue Account No. 2250000-3340000 in the amount of \$521,016, to reflect revised award in the amount of \$439,873.
2. Authorize Director of Finance to reduce PLHA Transfer Out Account No. 2254199-4501000 to General Fund Account No. 1100000-3910000 in the amount of \$165,000 for a restated Transfer Out from PLHA of \$100,000 in accordance with revised award from PLHA.
3. Authorize Director of Finance to increase PLHA Transfer Out Account No. 2254199-4501000 to General Fund Account No. 1100000-391000 in the amount of \$141,873 to reimburse costs associated with prior year FY 2023-24 expenditures.

Motion Carried

CONSENT ITEMS HELD OVER:

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

Motion by: Councilmember Kelly

Seconded by: Councilmember Nestande

Approve the Minutes of July 11, 2024.

Motion Carried (5 to 0)

13.b APPROVAL OF WARRANT REGISTERS

Motion by: Councilmember Kelly

Seconded by: Councilmember Nestande

Approve the warrant registers issued for the period 7/10/2024 to 8/09/2024.

Motion Carried (5 to 0)

13.j AUTHORIZE THE PURCHASE OF BENCH AND WASTE BIN REPLACEMENTS FOR EL PASEO FROM OUTDOOR CREATIONS, INC. (CONTRACT NO. C48230)

Deputy Director of Economic Development Lawrence responded to City Council inquiries.

Motion by: Mayor Pro Tem Harnik

Seconded by: Mayor Quintanilla

Continue the item to the September 12, 2024, meeting.

Motion Carried (5 to 0)

13.t RESOLUTION NO. 2024-064 APPROVING AN ADMINISTRATIVE POLICY REGARDING THE USE OF SERVICE ANIMALS

Senior Project Manager Gerry and Jennie Grover, Disability Access Consultant, responded to City Council inquiries.

Raven Weiss expressed her dissatisfaction with the policy as presented, and shared her negative experience while attending a Palm Desert restaurant with her service animal.

Following discussion, the City Council directed staff to amend the language as follows:

- Allowance: Strike the word "generally" from the first paragraph.
- Guidelines, Section B: Strike the words "When there is a legitimate reason to ask that a service animal be removed", and replace with "In either of these circumstances".

Motion by: Councilmember Kelly

Seconded by: Councilmember Nestande

Adopt Resolution No. 2024-064 entitled, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM DESERT, CALIFORNIA, APPROVING AN ADMINISTRATIVE POLICY REGARDING THE USE OF SERVICE ANIMALS", as amended.

Motion Carried (5 to 0)

14. ACTION CALENDAR

14.a RESOLUTION NO. 2024-066 APPROVING FINAL TRACT MAP NO. 38434-1 AND GRADING, SUBDIVISION IMPROVEMENT, AND MAINTENANCE AND EASEMENT AGREEMENTS

Councilmember Nestande recused herself due to the proximity of her residence to the project, and left the Council Chamber.

Principal Planner Flores narrated a PowerPoint presentation and responded to City Council inquiries.

The following individuals expressed opposition to the approval of a final tract map:

- Jana Koroczynsky
- Peter Koroczynsky
- Eric Livingstone
- Liz Bower
- Linda Candler

James Vaughn, Land Use Counsel representing Pulte Homes, expressed that all conditions for approval have been met, and noted that based on the California Map Act, City Council approval is ministerial in nature.

Tim Jonasson, HR Green representative and project consultant, responded to City Council inquiries relative to grading and retention basin ongoing maintenance.

Motion by: Councilmember Kelly

Seconded by: Mayor Pro Tem Harnik

1. Adopt Resolution No. 2024-066 entitled, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM DESERT, CALIFORNIA, APPROVING THE FINAL SUBDIVISION MAP OF FINAL TRACT MAP NO. 38431-1."
2. Authorize the City Attorney to make necessary nonmonetary changes to the agreements.
3. Authorize the City Manager to execute the agreements related to grading and subdivision improvement.
4. Authorize the Mayor to execute an agreement for the construction and maintenance of a portion of public right-of-way.

NOES (1): Mayor Quintanilla

RECUSED (1): Councilmember Nestande

Motion Carried (3 to 1)

14.b PROPOSAL FOR A FARMERS' MARKET ON EL PASEO

Public Affairs Manager Soule narrated a PowerPoint presentation and responded to City Council inquiries.

Brian Boyce, Palm Desert business owner, expressed his support of staff's recommendation to reject the proposal as presented.

Christiana Green, Applicant, shared her responses to concerns expressed in the survey relative to trash, portable restrooms, demographics and shopper profiles, and shared her proposed steps to uphold the caliber of the market.

Motion by: Councilmember Kelly

Seconded by: Councilmember Nestande

Reject the proposal to hold a Farmers' Market on El Paseo every Saturday from 8 a.m. to 1 p.m. from October through May.

Motion Carried (5 to 0)

14.c ADOPT THE UPDATED MILLS ACT PROGRAM APPLICATION MANUAL

Principal Planner Flores narrated a PowerPoint presentation and responded to City Council inquiries.

An amendment was proposed to modify Line 7 of the table in Appendix A of the Mills Act Manual to read as follows: "Restoration work consistent with landmark designation (example: windows, molding, framing)."

Motion by: Mayor Pro Tem Harnik

Seconded by: Councilmember Nestande

Adopt the updated Mills Act Program Application Manual, as amended.

Motion Carried (5 to 0)

14.d CONSIDERATION OF A SPONSORSHIP REQUEST FOR THE TOUR DE PALM SPRINGS IN COACHELLA VALLEY

Economic Development Deputy Director Lawrence presented a staff report and responded to City Council inquiries.

Tour de Palm Springs representatives Tim Esser and Cody Shelton shared additional information on the event and its beneficiaries.

Motion by: Mayor Pro Tem Harnik

Seconded by: Councilmember Kelly

Direct staff to bring the item back for consideration at the September 12, 2024, City Council meeting once additional requested information has been received and reviewed by staff.

Motion Carried (5 to 0)

14.e ESTABLISH THE PALM DESERT CITY FOUNDATION, A 501(C)(3) NONPROFIT PUBLIC BENEFIT CORPORATION, DETERMINE BOARD STRUCTURE, AND APPROVE DRAFT DOCUMENTS

Assistant Director of Library Services Vonnegut narrated a PowerPoint presentation and responded to City Council inquiries.

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

1. Authorize the City Manager to form a 501(c)(3) organization, named “Palm Desert City Foundation”, to support fundraising, initially for the library, with the ability to expand for other civic needs as they arise.
2. Authorize the City Manager to execute all necessary documents and make any non-substantive changes necessary to effectuate this action.

Motion Carried (5 to 0)

14.f THIRD AMENDMENT TO THE SECOND REVISED AND RESTATED DISPOSITION AND DEVELOPMENT AGREEMENT BETWEEN THE CITY OF PALM DESERT AND DESERT WAVE VENTURES, LLC

Motion by: Councilmember Kelly
Seconded by: Councilmember Nestande

1. Approve the Third Amendment to the Second Revised and Restated Disposition and Development Agreement between the City of Palm Desert and Desert Wave Ventures, LLC.
2. Authorize the City Attorney to make any necessary nonmonetary changes to the agreement.
3. Authorize the City Manager to execute the agreement.

Motion Carried (5 to 0)

15. PUBLIC HEARINGS

15.a ESTABLISHMENT OF ANNUAL LEASE RATE FOR DINING DECKS AND LICENSING REQUIREMENTS FOR USE OF PUBLIC RIGHT-OF-WAY FOR OUTDOOR DINING DECKS

Motion by: Mayor Pro Tem Harnik
Seconded by: Mayor Quintanilla

Continue the Public Hearing to a date uncertain.

Motion Carried (5 to 0)

15.b RESOLUTION NO. 2024-067 UPDATING THE FEES FOR DOG LICENSES

Mayor Quintanilla opened the public hearing.

Director of Development Services Cannone 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.

Mayor Quintanilla expressed concern that the requested fee schedule has not been received from the County of Riverside staff.

Motion by: Councilmember Kelly

Seconded by: Mayor Pro Tem Harnik

Adopt Resolution No. 2024-067 entitled, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM DESERT, CALIFORNIA, UPDATING THE FEES FOR DOG LICENSES."

Motion Carried (5 to 0)

16. INFORMATION ITEMS

None.

17. ADJOURNMENT

The City Council adjourned at 8:31 p.m.

Respectfully submitted,

Níamh M. Ortega, CMC

Assistant City Clerk/Assistant Secretary

Anthony J. Mejia, MMC

City Clerk/Secretary