

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

Regular Meeting Minutes

October 24, 2024, 4:00 p.m.

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

1. CALL TO ORDER

A Regular Meeting of the Palm Desert City Council was called to order by Mayor Quintanilla on Thursday, October 24, 2024, at 4:10 p.m. in the Council Chamber, City Hall, located at 73-510 Fred Waring Drive, Palm Desert, California.

2. ROLL CALL

3. PLEDGE OF ALLEGIANCE

Mayor Quintanilla led the Pledge of Allegiance.

4. INSPIRATION

Mayor Pro Tem Harnik provided words of inspiration.

5. AWARDS, PRESENTATIONS, AND APPOINTMENTS

Mayor Quintanilla presented a proclamation to Dr. Ezequiel Bonillas in celebration of Hispanic Heritage Month.

5.a AWARDS: MINI MUSTER ART CONTEST

Mayor Quintanilla presented certificates to the Mini Muster art contest winners.

5.b INDIGENOUS PEOPLE PROCLAMATION

Mayor Quintanilla presented a proclamation to Dr. Roseanne Rosenthal of California Indian Nations College.

6. CITY MANAGER COMMENTS

6.a SHERIFF DEPARTMENT UPDATE

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

6.b 2024 DESERT WILLOW FIRECLIFF GOLF COURSE RENOVATION

Public Works Director Alvarez provided an update and responded to City Council inquiries.

7. MAYOR/COUNCILMEMBER REPORTS AND REQUESTS FOR ACTION

Councilmembers reported on their attendance at various meetings and events.

8. NON-AGENDA PUBLIC COMMENTS

Mike Morsch, Palm Desert resident, spoke regarding Mayor Quintanilla's comments regarding the Patriot Store.

Barbara Wasserkrug, Palm Desert resident, encouraged residents to attend an upcoming informational event at the Desert Cities Baptist Church in Palm Desert.

Brad Anderson, Rancho Mirage resident, spoke in opposition to Desert Healthcare District Measure AA and Palm Desert Measure G on the upcoming November ballot.

9. CONSENT CALENDAR

Motion by: Councilmember Trubee

Seconded by: Mayor Pro Tem Harnik

To approve the consent calendar as presented.

Motion Carried (5 to 0)

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

Motion by: Councilmember Trubee

Seconded by: Mayor Pro Tem Harnik

Approve the Minutes of October 10, 2024.

Motion Carried

9.b APPROVAL OF WARRANT REGISTERS

Motion by: Councilmember Trubee

Seconded by: Mayor Pro Tem Harnik

Approve the warrant registers issued for the period 9/30/2024 to 10/10/2024.

Motion Carried

9.c RECEIVE AND FILE APPLICATIONS FOR ALCOHOLIC BEVERAGE LICENSES

Motion by: Councilmember Trubee

Seconded by: Mayor Pro Tem Harnik

Receive and file the application for Alcoholic Beverage License for:

The Original Fish Taco, LLC (Rubio's Fresh Mexican Grill) - 73399 Hwy 111 Ste. F-1, Palm Desert

Motion Carried

9.d ADOPTION OF ORDINANCE NO. 1417 AMENDING PALM DESERT MUNICIPAL CODE CHAPTER 5.10, SHORT TERM RENTALS

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

Adopt Ordinance No. 1417 entitled, "AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PALM DESERT, CALIFORNIA UPDATING CHAPTER 5.10 SHORT-TERM RENTALS AND MAKING A FINDING OF EXEMPTION UNDER CEQA."

Motion Carried

9.f ADOPTION OF ORDINANCE NO. 1419 UPDATING PALM DESERT MUNICIPAL CODE CHAPTER 2.18, BUILDING BOARD OF APPEALS

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

Adopt Ordinance No. 1419 entitled, "AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PALM DESERT, CALIFORNIA, UPDATING PALM DESERT MUNICIPAL CODE CHAPTER 2.18, BUILDING BOARD OF APPEALS AND MAKING FINDINGS UNDER CEQA."

Motion Carried

9.h APPROVE A LEASE EXTENSION WITH THE ARTIST COUNCIL THROUGH JUNE 2030 AT 72-567 HIGHWAY 111

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

1. Approve the Second Amendment to Lease – Contract No. C41250 with The Artist Council at 72-567 Highway 111.
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

9.i ADOPT A RESOLUTION 2024-077 ACCEPTING THE CITY OF PALM DESERT STANDARD DETAILS AND DESIGN GUIDELINES

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

1. Adopt Resolution 2024-077 entitled, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM DESERT, CALIFORNIA, APPROVING UPDATED CITY OF PALM DESERT STANDARD DETAILS AND DESIGN GUIDELINES AND MAKING A FINDING OF EXEMPTION UNDER CEQA".

2. Authorize the City Manager to publish the City of Palm Desert Standard Details and Design Guidelines on the City's website and make it available to the public.
3. Authorize the City Manager to periodically review and update these standards as necessary to keep up with operational and construction advancements.

Motion Carried

9.j AWARD ON-CALL CONTRACT NUMBERS C48520 A-E TO MULTIPLE VENDORS FOR PARKS AND LANDSCAPE ENHANCEMENT (PROJECT NO. CPK00003)

Motion by: Councilmember Trubee

Seconded by: Mayor Pro Tem Harnik

1. Award contract numbers C48520 A-E for Parks and Landscape Enhancements to multiple vendors, in the amount of \$750,000 for a 31-month term with two one-year extension options.
2. Authorize the City Attorney to make necessary non-monetary changes to the contract.
3. Authorize the City Manager to execute the contract 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 completion of the project(s).

Motion Carried

9.e ADOPTION OF ORDINANCE NO. 1418 ADDING CHAPTER 12.36 TO TITLE 12 OF THE PALM DESERT MUNICIPAL CODE ESTABLISHING PUBLIC RIGHT-OF-WAY VACATION PROCEDURES

Brad Anderson, Rancho Mirage resident, spoke in opposition to the proposed Ordinance.

Motion by: Councilmember Nestande

Seconded by: Councilmember Trubee

Adopt Ordinance No. 1418 entitled, "AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PALM DESERT, CALIFORNIA, ADDING CHAPTER 12.36 TO THE PALM DESERT MUNICIPAL CODE REGARDING PUBLIC RIGHT-OF-WAY VACATION PROCEDURES AND MAKING FINDINGS UNDER CEQA."

Motion Carried (5 to 0)

9.g AWARD CONTRACT NO. C48310 TO DBX, INC., OF TEMECULA, CA, FOR VITALIA TRAFFIC SIGNAL INSTALLATION (PROJECT NO. CTS00002)

Project Manager, Ryan Lamb, responded to City Council inquiries.

Motion by: Councilmember Nestande

Seconded by: Councilmember Trubee

1. Award contract no. C48310 to DBX, Inc., of Temecula, CA, in the amount of \$733,400, plus a \$73,000 contingency, for the Vitalia Traffic Signal Installation.
2. Appropriate \$181,223 to Account No. 2134385-4400100 from unobligated Measure A Funds.
3. Authorize the City Attorney to make necessary nonmonetary changes to the contract.
4. Authorize the City Manager to execute the agreement and any other documents necessary to effectuate this action, in accordance with Section 3.30.170 of the Palm Desert Municipal Code.
5. 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 (5 to 0)

10. ACTION CALENDAR

None.

11. PUBLIC HEARINGS

11.a INTRODUCTION OF AN ORDINANCE NO. 1420 TO AMEND SECTIONS OF TITLE 27 GRADING OF THE PALM DESERT MUNICIPAL AND MAKING A FINDING OF EXEMPTION UNDER CEQA

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

Mayor Quintanilla opened and closed the public hearing, there being no one desiring to speak.

Motion by: Councilmember Kelly

Seconded by: Mayor Pro Tem Harnik

Introduce Ordinance No. 1420 entitled, "AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PALM DESERT, CALIFORNIA, UPDATING SECTIONS OF TITLE 27 GRADING AND MAKING A FINDING OF EXEMPTION UNDER CEQA."

Motion Carried (5 to 0)

11.b RESOLUTION 2024-078 ESTABLISHING AN ANNUAL LEASE RATE FOR DINING DECKS AND LICENSING REQUIREMENTS FOR USE OF PUBLIC RIGHT-OF-WAY FOR OUTDOOR DINING DECKS AND MAKING FINDINGS

Mayor Quintanilla opened the public hearing.

Principal Planner Melloni presented a PowerPoint presentation and answered questions from the City Council.

Discussion ensued relative to whether to postpone a decision on the licensing requirements and lease fees until Spring 2025 when the City may have more information on whether the State will extend the key provisions of the Dining Deck Program.

Following discussion, it was agreed to move forward with a decision on the licensing requirements and lease fees at this time. In addition, the City Council directed staff to allow any interested restaurant to apply for a dining deck permit after completion of the El Paseo street improvement project.

Mayor Quintanilla closed the public hearing, there being no one desiring to speak.

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

1. Adopt Resolution No. 2024-078 entitled, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM DESERT, CALIFORNIA, ADOPTING AN ANNUAL LEASE RATE FOR DINING DECKS AND LICENSING REQUIREMENTS FOR USE OF PUBLIC RIGHT-OF-WAY FOR OUTDOOR DINING DECKS."
2. Authorize the City Attorney to make necessary non-monetary changes to the contract.
3. Authorize the City Manager to execute the license agreements with dining deck operators and any other documents necessary to effectuate this action.

Motion Carried (5 to 0)

11.c INTRODUCTION OF AN ORDINANCE NO. 1421 UPDATING PALM DESERT MUNICIPAL CODE CHAPTER 5.11, DISCLOSURES UPON TRANSFER OF RESIDENTIAL PROPERTY AND MAKING FINDINGS UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA)

Mayor Quintanilla opened the public hearing.

Development Services Director Cannone summarized the staff report and responded to City Council inquiries.

Brad Anderson, Rancho Mirage resident, spoke in opposition to proposed Ordinance.

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

Motion by: Councilmember Kelly
Seconded by: Councilmember Trubee

Introduce Ordinance No. 1421 entitled, "AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PALM DESERT, CALIFORNIA, UPDATING PALM DESERT MUNICIPAL CODE CHAPTER 5.11, DISCLOSURES UPON TRANSFER OF RESIDENTIAL PROPERTY AND MAKING FINDINGS UNDER CEQA."

Motion Carried (5 to 0)

12. INFORMATION ITEMS

None.

13. ADJOURNMENT

The City Council adjourned at 5:38 p.m.

Respectfully submitted,

Michelle Nance

Deputy Clerk II

Anthony J. Mejia, MMC

City Clerk/Secretary