



**CITY COUNCIL
MINUTES
TUESDAY, JANUARY 21, 2014**

A regular meeting of the La Quinta City Council was called to order at 3:01 p.m. by Mayor Adolph.

PRESENT: Councilmembers Evans, Franklin, Henderson, Osborne, Mayor Adolph
ABSENT: None

PUBLIC COMMENT – None

CLOSED SESSION

1. **CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION – INITIATION OF LITIGATION PURSUANT TO GOVERNMENT CODE SECTION 54956.9(c) (ONE MATTER) [no action taken]**
2. **CONFERENCE WITH LEGAL COUNSEL, EXISTING LITIGATION MATTER PURSUANT TO GOVERNMENT CODE SECTION 54956.9(A), CITY OF LA QUINTA V. PH RANCH LLC, ET.AL, ORANGE COUNTY SUPERIOR COURT CASE NO. 30-2013-00670755-CU-BC-CJC [see below for action taken on this item]**
3. **CONFERENCE WITH THE CITY’S REAL PROPERTY NEGOTIATOR, FRANK J. SPEVACEK, PURSUANT TO GOVERNMENT CODE SECTION 54956.8 CONCERNING THE POTENTIAL TERMS AND CONDITIONS OF ACQUISITION AND/OR DISPOSITION OF REAL PROPERTY LOCATED AT SILVERROCK RESORT (APN’S 770-200-026; 776-150-021; 776-150-023; 770-060-056; 770-060-057; 770-060-058; 770-060-059; 770-060-061; 770-060-062; 777-490-004; 777-490-006; 777-490-007; 777-490-012 AND 777-490-014). NEGOTIATORS: JOHN GAMLIN, MERIWETHER COMPANIES; ROBERT S. GREEN, JR., THE ROBERT GREEN COMPANY [no action taken]**

COUNCIL RECESSED TO CLOSED SESSION AT 3:03 P.M.

MAYOR ADOLPH RECONVENED THE CITY COUNCIL MEETING AT 4:03 P.M. WITH ALL MEMBERS PRESENT.

Mayor Adolph led the audience in the pledge of allegiance.

CLOSED SESSION ITEM NO. 2

City Attorney Jenson reported that the following action was taken during Closed Session:

MOTION – A motion was made and seconded by Councilmembers Henderson/ Evans to enter into a Settlement and Release Agreement with Arch Insurance Company in settlement of Orange County Superior Court Case No. 30-2013-00670755-CU-BC-CJC entitled: City of La Quinta v. PH Ranch, LLC and Arch Insurance Company in which Arch Insurance Company will pay the City \$250,000 toward the payment of attorney’s fees spent in its litigation with Arch and the completion of the on-site and off-site improvements in Tract 31348. Motion passed unanimously.

The Settlement and Release Agreement is on file with the City Clerk.

PUBLIC COMMENT

Public Speaker: David Archer, representing the La Quinta Chamber of Commerce – Mr. Archer provided an update on Chamber activities.

Public Speaker: Stephanie Kerr, La Quinta – Ms. Kerr spoke against the proposed assessment district in the north La Quinta neighborhoods.

CONFIRMATION OF AGENDA – Confirmed

PRESENTATIONS

1. LA QUINTA MIDDLE SCHOOL GOLDEN BELL AWARD

The receiving party was not present so this item was postponed.

2. PUBLIC WORKS AWARD FROM AMERICAN PUBLIC WORKS ASSOCIATION

Mayor Adolph presented a plaque to the City of La Quinta Public Works Department in honor of the award received for their student internship program.

Mayor Adolph said Alice Bailes Bell passed away. She was instrumental in establishing and incorporating the La Quinta Historical Society and served as its first president. She will be remembered as a wonderful person and a staunch La Quinta supporter.

WRITTEN COMMUNICATIONS – None

APPROVAL OF MINUTES

MOTION – A motion was made and seconded by Councilmembers Evans/ Henderson to approve the minutes of December 17, 2013 as submitted. Motion passed unanimously.

CONSENT CALENDAR

1. RECEIVE AND FILE TREASURER'S REPORT DATED NOVEMBER 30, 2013
2. RECEIVE AND FILE REVENUE AND EXPENDITURE REPORTS DATED NOVEMBER 30, 2013
3. APPROVE AMENDMENT NO. 2 TO THE DESERT SANDS UNIFIED SCHOOL DISTRICT JOINT USE LEASE AGREEMENT FOR LIGHTING
4. DENY CLAIM FOR DAMAGES FILED BY VICTORIA VALENZUELA; DATE OF LOSS – NOVEMBER 18, 2013
5. EXCUSE COMMISSIONER JOHN ALFORD'S ABSENCE FROM THE FEBRUARY 10, 2014 COMMUNITY SERVICES COMMISSION MEETING
6. EXCUSE BOARD MEMBER DAVID PARK'S ABSENCE FROM THE JANUARY 8, 2014 INVESTMENT ADVISORY BOARD MEETING
7. EXCUSE COMMISSIONER ROBERT WRIGHT'S ABSENCE FROM THE JANUARY 14, 2014, PLANNING COMMISSION MEETING
8. ACCEPT PROJECT FOR PUBLIC IMPROVEMENTS TO COMPLY WITH AMERICANS WITH DISABILITIES ACT
9. ACCEPT FUNDING IN THE AMOUNT OF \$100,000 FROM THE STATE SUPPLEMENTAL LAW ENFORCEMENT SERVICES FUND FOR ROBBERY, THEFT, AND BURGLARY PREVENTION PROGRAMS
10. APPROVE A DEVELOPMENT IMPROVEMENT AGREEMENT WITH POINT HAPPY LOTS, LLC FOR THE COMPLETION OF ON-SITE AND OFF-SITE IMPROVEMENTS FOR POINT HAPPY ESTATES, TRACT MAP 31348
11. APPROVE AGENCY REIMBURSEMENT AGREEMENT WITH COACHELLA VALLEY ASSOCIATION OF GOVERNMENTS FOR DESIGN AND CONSTRUCTION OF A NEW BRIDGE OVER THE WHITEWATER RIVER ON DUNE PALMS ROAD
12. AUTHORIZE AN APPLICATION PURSUANT TO HEALTH & SAFETY CODE SECTION 34191.4(b) TO THE OVERSIGHT BOARD OF THE SUCCESSOR AGENCY TO THE LA QUINTA REDEVELOPMENT AGENCY TO APPROVE THE PRIOR CITY/REDEVELOPMENT AGENCY LOANS

13. APPROVE CONTRACT CHANGE ORDER NO. 2, APPROPRIATE \$70,444 FROM PAVEMENT MANAGEMENT FUND, AND ACCEPT EISENHOWER DRIVE/CALLE SINALOA MODERN ROUNDABOUT IMPROVEMENTS
14. APPROVE REQUEST FOR PROPOSALS TO OBTAIN PROFESSIONAL ENGINEERING SERVICES TO PREPARE PLANS, SPECIFICATIONS, AND ESTIMATES FOR LA QUINTA PARK RESTROOM
15. APPROVE PLANS, SPECIFICATIONS AND ENGINEER'S ESTIMATE AND AUTHORIZE ADVERTISEMENT FOR BID OF PHASE I PAVEMENT MANAGEMENT PLAN STREET IMPROVEMENTS
16. REJECT ALL BIDS, AND AUTHORIZE RE-ADVERTISEMENT OF BIDS AND ADVANCE PURCHASE OF EQUIPMENT FOR HEATING, VENTILATION AND AIR CONDITIONING SYSTEMS 1 AND 2 AT CITY HALL
17. APPROVE DEMAND REGISTER DATED JANUARY 21, 2014
18. APPROVE A REQUEST TO WAIVE UNDERGROUND WIRING REQUIREMENTS FOR IMPERIAL IRRIGATION DISTRICT IMPROVEMENTS AT THE MARSHALL SUBSTATION

Councilmember Osborne received clarification from staff on Consent Calendar Item Nos. 9, 11, 14, and 18 and requested that the design for the new bridge over the Whitewater River on Dune Palms Road be approved by Council before it is finalized.

Councilmember Evans requested that project budgets be carefully considered at the onset to reduce the need for contract change orders.

MOTION – A motion was made and seconded by Councilmembers Osborne/Franklin to approve the Consent Calendar as recommended. Motion passed unanimously.

BUSINESS SESSION

1. **SET SPECIAL JOINT MEETING OF THE CITY COUNCIL AND ALL CITY COMMISSIONERS AND BOARD MEMBERS FOR JANUARY 29, 2014 AT 5:30 P.M. AT THE LA QUINTA LIBRARY**

No action was taken. Staff will contact Councilmembers individually in order to find a date and time that works for all Councilmembers. *[In the days following this meeting, the special joint meeting was set for February 26, 2014 at 5:30 p.m. at the La Quinta Library.]*

2. APPOINT A COUNCIL SUBCOMMITTEE TO REVIEW THE RULES OF PROCEDURE FOR COUNCIL MEETINGS AND ACTIVITIES AND TO REPORT ON AMENDMENTS NECESSARY TO COMPLY WITH STATE CODE, COUNCIL POLICY, AND COMMON PRACTICE

City Clerk Maysels presented the staff report, which is on file in the City Clerk's Office.

MOTION – A motion was made and seconded by Councilmembers Osborne/Franklin to appoint Councilmembers Evans and Franklin to an ad hoc subcommittee to review, discuss and recommend amendments to the Council's rules of procedure. Motion passed unanimously. Councilmembers Evans and Franklin accepted the assignment.

3. SELECT COUNCILMEMBERS AS CITY OF LA QUINTA REPRESENTATIVES ON VARIOUS LOCAL, REGIONAL AND STATE COMMITTEES FOR 2014

Council waived presentation of a staff report.

MOTION – A motion was made and seconded by Councilmembers Evans/Henderson to select Councilmembers Henderson and Osborne to serve on the Civic Center Art Purchase Committee for 2014 and carry over all 2013 appointments for 2014. Motion passed unanimously.

4. APPROVE PROFESSIONAL SERVICES CONTRACT WITH NEXLEVEL INFORMATION TECHNOLOGY, INC. FOR INTERIM FINANCE DIRECTOR SERVICES

City Manager Spevacek presented the staff report, which is on file in the City Clerk's Office.

MOTION – A motion was made and seconded by Councilmembers Henderson/Franklin to approve a professional services agreement with Nexlevel Information Technology, Inc. for finance director services. Motion passed unanimously.

Councilmember Henderson requested that the record show that former Finance Director Robbeyn Bird reluctantly left City of La Quinta employment only because the La Quinta job was 100 miles from her home whereas the new position she took is only 22 miles from her home. Ms. Henderson said Ms. Bird was distraught over the decision because she really enjoyed her time here. Ms. Henderson said she wanted the record to show that Ms. Bird's resignation was not the result of any problem.

5. RECEIVE AND FILE THE COMPREHENSIVE ANNUAL REPORT FOR THE YEAR ENDED JUNE 30, 2013

Interim Finance Director Griffin and Bryan Gruber, Partner at LSL (La Quinta's contracted CPA firm) presented the staff report, which is on file in the City Clerk's Office.

Director Griffin and Mr. Gruber clarified several items for Councilmembers and agreed to provide additional information regarding QUIMBY funds on page 102 of the audit.

MOTION – A motion was made and seconded by Councilmembers Osborne/Evans to receive and file the comprehensive annual report. Motion passed unanimously.

6. APPROVE A NEW JOB DESCRIPTION AND PAY SCHEDULE FOR TRAFFIC SIGNAL MAINTENANCE SUPERVISOR, AND APPROPRIATE \$14,631 FROM THE GENERAL FUND RESERVES FOR THE POSITION, AND REVISE THE JOB DESCRIPTION AND POSITION PAY SCHEDULE FOR TRAFFIC SIGNAL TECHNICIAN

Public Works Director Jonasson presented the staff report, which is on file in the City Clerk's Office.

Councilmembers received clarification regarding the pay rate, certification and training requirements, exempt versus non-exempt overtime status, and the need for the new position.

MOTION – A motion was made and seconded by Councilmembers Osborne/Henderson to approve the new job description and pay schedule for Traffic Signal Maintenance Supervisor, and appropriate \$14,631 from the General Fund reserves for the position, and revise the job description and pay schedule for Traffic Signal Technician. Motion passed unanimously.

STUDY SESSION

1. DISCUSS LA QUINTA COMMUNITY HEALTH AND WELLNESS CENTER IMPROVEMENTS

Public Works Director Jonasson and Community Services Director Hylton presented the staff report, which is on file in the City Clerk's Office.

Craig Pierson, Pierson Architects, Palm Desert – made a presentation on the building extension including elevations, landscaping and interior layout.

Councilmembers discussed the effectiveness of the clerestory windows as a thermal chimney; the fitness center fee and what expenses that would cover; the need for showers; the size of lockers; the need for shade over the east side community garden; changing the plants along the new sidewalk from annuals to perennials; renaming the facility; casual seating areas inside and outside; LED lighting and incorporation of LEED sustainable features without adding to the cost; fulfillment of the required parking for the addition; availability of Wi-Fi in the building; usefulness of the "chart room"; juice/snack bar area; adequacy of the existing kitchen; support for operable windows; ongoing use of facility for emergencies; level of demand in community too high to cause competition with Desert Recreation facility; the additional AC cost given the height of the exercise room; the cost and space wasted by the third hallway, and; the multi-generational appeal.

Councilmembers provided the following direction to staff:

1. Landscaping should be "lush desert" not "jungle lush" – use water efficient CVWD landscaping.
2. The copper clad roof structure cannot turn black like that on the library. If copper is used, ensure that the green patina is achieved.
3. Experiment with a lessee to operate a juice/snack bar a few hours a day.
4. Eliminate or minimize the use of the pistachio green trim.
5. Use an action font.
6. Clerestory window is expensive and unnecessary for light or ventilation.
7. Exercise room should be open, with high ceilings but no columns or clerestory windows.
8. Revisit the need for the third hallway – consider expanding adjacent rooms to absorb the second interior hallway.

REPORTS AND INFORMATIONAL ITEMS

La Quinta's representative for 2014, Councilmember Evans, reported on her participation in the following organizations meeting:

- CVAG ENERGY & ENVIRONMENTAL RESOURCES COMMITTEE
- GREATER PALM SPRINGS CONVENTION & VISITORS BUREAU

La Quinta's representative for 2014, Councilmember Henderson, reported on her participation in the following organizations meeting:

- CVAG PUBLIC SAFETY COMMITTEE

La Quinta's representative for 2014, Councilmember Osborne, reported on his participation in the following organizations meeting:

- CVAG VALLEY-WIDE HOMELESSNESS COMMITTEE
- IID ENERGY CONSUMERS' ADVISORY COMMITTEE

La Quinta's representative for 2014, Mayor Adolph, reported on his participation in the following organizations meeting:

- CHAMBER OF COMMERCE INFO EXCHANGE COMMITTEE

DEPARTMENT REPORTS

Department Reports were received and filed. Copies are on file in the City Clerk's Office.

City Manager Spevacek reported that he would establish a committee comprised of city staff, Arts Foundation representatives, and the developer Wells Marvin to review future parking options in the La Quinta Village. The committee's recommendations will be brought back to Council.

Councilmember Osborne reported that all cities except Coachella have committed to funding the east valley iHub program. The City of Coachella will consider it on their February agenda. La Quinta's funding is contingent upon all cities contributing so this item may come back to Council for reconsideration if Coachella's Council decides not to contribute.

Public Works Director Jonasson reported on internal and external GoRequest use.

Councilmember Henderson requested a report on why *PlayLaQuinta.com* website went down on Sunday.

Riverside Sheriff's Department Lt. Walton, who serves as La Quinta's Assistant Police Chief, introduced Sgt. Christopher Frederick, the new dedicated Administrative Sergeant for La Quinta.

Mayor Adolph thanked the Sheriff's Department for the outstanding job done during the Humana event.

MAYOR'S AND COUNCIL MEMBER'S ITEMS

Councilmember Henderson asked Community Development Director Johnson to purchase more cat traps so they are available to more residents.

Councilmember Franklin asked the City Manager to send a thank-you letter from the City and City Council to Robert Teal, La Quinta's representative on the Palm Springs International Airport Commission, for his service and thorough reports.

Mayor Adolph reported that attendance at the First Friday event at the La Quinta Museum was overflowing the room and the singer was outstanding. He also reported on the music event at the Library, which featured some members of the

Ted Herman band and drew an audience of about 150 people. Mayor Adolph thanked Community Services department staff, Museum staff, Library staff and Eddie Gilreath for the first-class programs.

Mayor Adolph read the number of hits on the City's meeting video online and asked Council to reconsider the expense at budget time.

Councilmembers Osborne and Evans said that Desert Classic Charities and the Humana Group were very appreciative of the coordination of events by City staff, especially the Well Being Walk. Councilmembers thanked all City staff members who worked on that event and noted the excellent new coverage received.

PUBLIC HEARINGS – None

ADJOURNMENT

There being no further business, a motion was made and seconded by Councilmembers Evans/Henderson to adjourn at 7:28 p.m. Motion passed unanimously.

Respectfully submitted,

SUSAN MAYSELS, City Clerk
City of La Quinta, California

