



**CITY COUNCIL
MINUTES
SPECIAL MEETING
TUESDAY, JULY 29, 2014**

A special meeting of the La Quinta City Council was called to order at 6:00 p.m. by Mayor Adolph.

PRESENT: Councilmembers Evans, Franklin, Henderson, Osborne, Mayor Adolph

ABSENT: None

PUBLIC COMMENT ON MATTERS NOT ON AGENDA – None

CLOSED SESSION

1. **CONFERENCE WITH REAL PROPERTY NEGOTIATORS PURSUANT TO GOVERNMENT CODE SECTION 54956.8 FOR PROPERTY LOCATED AT: SILVERROCK RESORT (APNS 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); AGENCY NEGOTIATOR:FRANK J. SPEVACEK, CITY MANAGER; NEGOTIATING PARTIES: JOHN GAMLIN, MERIWETHER COMPANIES; ROBERT S. GREEN, JR., THE ROBERT GREEN COMPANY; UNDER NEGOTIATION: PRICE AND TERMS OF PAYMENT FOR ACQUISITION AND/OR DISPOSITION OF THE PROPERTY IDENTIFIED.**

2. **CONFERENCE WITH REAL PROPERTY NEGOTIATORS PURSUANT TO GOVERNMENT CODE SECTION 54956.8 FOR PROPERTY LOCATED AT: EAST OF JEFFERSON STREET, SOUTH OF PALM CIRCLE DRIVE, AND NORTH OF THE WHITEWATER STORMWATER CHANNEL (APNS 600-080-001; 600-080-002; 600-080-003; 600-080-004; 600-080-005; 600-080-006; 600-080-007; 600-080-008; AND 600-080-009); AGENCY NEGOTIATOR: LES JOHNSON, COMMUNITY DEVELOPMENT DIRECTOR; NEGOTIATING PARTIES: JIM SNELLENBERGER, SNELLENBERGER FAMILY INV. L.L.C.; UNDER NEGOTIATION: PRICE AND TERMS OF PAYMENT FOR ACQUISITION AND/OR DISPOSITION OF THE PROPERTY IDENTIFIED.**

COUNCIL RECESSED TO CLOSED SESSION AT 6:02 P.M.

MAYOR ADOLPH RECONVENED THE CITY COUNCIL MEETING AT 7:05 P.M. WITH ALL MEMBERS PRESENT. NO ACTIONS WERE TAKEN IN CLOSED SESSION THAT REQUIRES REPORTING PURSUANT TO GOVERNMENT CODE SECTION 54957.1 (BROWN ACT).

Mayor Adolph led the audience in the pledge of allegiance.

PUBLIC COMMENT ON MATTERS NOT ON AGENDA – None

CONFIRMATION OF AGENDA – Confirmed

ANNOUNCEMENTS, PRESENTATIONS AND WRITTEN COMMUNICATIONS – None

CONSENT CALENDAR – None

BUSINESS SESSION – None

STUDY SESSION

1. PRESENTATION OF SURVEY RESULTS ON CITY SERVICES AND VIABILITY OF A LOCAL SALES TAX MEASURE

Assistant to City Manager Chris Escobedo presented the staff report along with consultants Adam Sonenshein of FM3 Research and Colleen Crowley of Lew Edwards Group. The staff report and accompanying power point presentation is on file in the City Clerk's office.

The Council concurred that a sales tax increase measure was necessary to maintain the quality of life in the City, but they did not agree on when such a ballot measure should be brought to the voters.

Councilmembers Henderson and Franklin and Mayor Adolph supported placing the measure on the November 2014 ballot.

Councilmember Henderson explained that the drastic reduction in revenues (\$10 million annually in La Quinta) resulting from the dissolution of redevelopment agencies by the State was a permanent situation that created a new world of finance for cities that could not be reconciled with small increases in transient occupancy taxes or property taxes. She pointed out that expenses such as police services continue to rise, and mandated expenses such as the prevailing wage law, steady CalPERS increases, a \$10 million Bighorn Sheep fence and loss of sales taxes on internet sales are inescapable. Ms. Henderson said three months was enough time to educate the voters. She said it would be a big mistake to operate off reserves for the next three years.

Mayor Adolph explained the assessment amounts paid by La Quinta residents versus the much higher amounts paid by all other desert cities. He said the sales tax increase was important to deal with now since it's known that a \$700,000 shortfall is projected for next year and a \$1.2 million shortfall the year after.

Councilmember Franklin said that Council was elected to make both the easy and hard decisions and although this was a hard decision, the survey showed that about 50% of residents are in support. She explained that voter education on the matter can be done in three months because the electorate is smart and the message should be short and sweet. Ms. Franklin noted that in order to maintain the City as is, Council was looking at a deficit next year and she did not believe Council was elected to run the City at a deficit. She stated that a drawn-out campaign was not effective, and that the only thing to lose by putting it on the 2014 ballot was perhaps a bit of credibility if it did not pass and they had to try again in 2016. She said Council could not afford to gamble with the City's reserves and there were strong community leaders ready to promote the sales tax increase now.

Councilmembers Evans and Osborne supported placing the measure on the November 2016 ballot.

Councilmember Osborne agreed that a sales tax increase was needed for the stability of the City but said the public needs time to understand complex City finances. He said that a proper education program needs more than three months. Mr. Osborne urged Council to do it right the first time rather than lose in 2014 and try again in two years with less credibility. He said the 2016 campaign must be well orchestrated and start in a year or so.

Councilmember Evans reminded Council that once Council votes to put a measure on the ballot, no promotional materials may be produced by the City. From that point on, only explanations and ramifications of the measure may be provided to the voters by the City. She noted that the survey shows that residents think the City is doing fine; the situation is not desperate enough in the public's eye. Ms. Evans expressed her support for a sales tax increase measure and her acknowledgment of the need, but said there was no way to get the education campaign done between now and November. She also said that the time to conduct the education campaign was during the winter months when all residents were in town. Although it is a gamble to wait until 2016, it is not worth taking the risk of a NO vote now. Ms. Evans said that in the meantime, development is picking up; the City will work on economic development, attracting new businesses, and marketing La Quinta as the 8% sales tax city in the Coachella Valley.

In response to Mayor Adolph, City Manager Spevacek said that plans to address the projected deficit for 2015/16 included an evaluation of police service levels and using reserve funds to cover shortfalls.

PUBLIC SPEAKER: William Gertz-Cain, La Quinta – Mr. Gertz-Cain suggested that if Council was to approve a sales tax increase, they should go for 1% rather than ½% or

¼% because it will be needed in the future and this should only be done once. Mr. Gertz-Cain said he was against any type of tax increase but if it was to go forward, Council should lay out in detail exactly what the revenue will be spent on. He said that the SilverRock project cannot be sustained and should be sold off; he was in favor of reevaluating police services; and agreed that an education campaign could not be done in three months.

Council acknowledged that four affirmative votes were required in order to place a sales tax increase measure on the ballot, and that it was clear the measure did not have the support of four members at this time.

REPORTS AND INFORMATIONAL ITEMS – None

DEPARTMENT REPORTS – None

MAYOR’S AND COUNCIL MEMBER’S ITEMS – None

PUBLIC HEARINGS – None

ADJOURNMENT

There being no further business, a motion was made and seconded by Councilmembers Evans/Franklin to adjourn at 8:29 p.m. Motion passed unanimously.

Respectfully submitted,

SUSAN MAYSELS, City Clerk
City of La Quinta, California



**CITY COUNCIL
MINUTES
TUESDAY, AUGUST 5, 2014**

A regular meeting of the La Quinta City Council was called to order at 3:30 p.m. by Mayor Adolph.

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

PUBLIC COMMENT ON MATTERS NOT ON AGENDA – None

CLOSED SESSION

1. CONFERENCE WITH REAL PROPERTY NEGOTIATORS PURSUANT TO GOVERNMENT CODE SECTION 54956.8 FOR PROPERTY LOCATED AT: LA QUINTA VILLAGE, EAST OF DESERT CLUB DRIVE, SOUTH OF CALLE TAMPICO, NORTH OF AVENIDA LA FONDA (APN'S 770-123-002; 770-123-003; 770-123-004; 770-123-006; 770-123-010; 770-124-002; 770-124-003; 770-124-004; 770-124-007; AND 770-124-009);
AGENCY NEGOTIATOR: FRANK J. SPEVACEK, CITY MANAGER
NEGOTIATING PARTIES: MARVIN INVESTMENTS, INC., WELLS MARVIN
UNDER NEGOTIATION: PRICE AND TERMS OF PAYMENT FOR DISPOSITION OF THE PROPERTY IDENTIFIED.

2. CONFERENCE WITH REAL PROPERTY NEGOTIATORS PURSUANT TO GOVERNMENT CODE SECTION 54956.8 FOR PROPERTY LOCATED AT: SILVERROCK RESORT (APNS 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);
AGENCY NEGOTIATOR: FRANK J. SPEVACEK, CITY MANAGER;
NEGOTIATING PARTIES: JOHN GAMLIN, MERIWETHER COMPANIES;
 ROBERT S. GREEN, JR., THE ROBERT GREEN COMPANY;
UNDER NEGOTIATION: PRICE AND TERMS OF PAYMENT FOR DISPOSITION OF THE PROPERTY IDENTIFIED.

COUNCIL RECESSED TO CLOSED SESSION AT 3:32 P.M.

MAYOR ADOLPH RECONVENED THE CITY COUNCIL MEETING AT 4:08 P.M. WITH ALL MEMBERS PRESENT. NO ACTIONS WERE TAKEN IN CLOSED SESSION THAT REQUIRES REPORTING PURSUANT TO GOVERNMENT CODE SECTION 54957.1 (BROWN ACT).

Mayor Adolph led the audience in the pledge of allegiance.

PUBLIC COMMENT ON MATTERS NOT ON AGENDA

PUBLIC SPEAKER: Lauren Skiver, SunLine Transit and Sarah Scheideman and Rafael Lopez of the Coachella Valley Art Scene, Highway 111 Music Festival – They explained that their collaboration will be a free event linking bus riders with local musicians and artist. During the event, musicians and artists will travel on SunLine buses entertaining riders. SunLine and the artists are soliciting support from the cities along the routes, and intend to formally request funds from La Quinta at the September 16th Council meeting. The total budget for the event is estimated at \$15,000 to \$18,000. Tentative dates are Saturdays at the end of October to early November, but the duration depends on the funding received.

CONFIRMATION OF AGENDA

Mayor Adolph and Councilmember Henderson requested that Consent Calendar Item No. 7 be pulled for comment. Council concurred.

ANNOUNCEMENTS, PRESENTATIONS AND WRITTEN COMMUNICATIONS

Mayor Adolph presented plaques to outgoing Planning Commissioners Katie Barrows and Mark Weber in appreciation for their years of service to the City of La Quinta.

CONSENT CALENDAR

1. **APPROVE MINUTES OF JULY 15, 2014**
2. **AUTHORIZE OVERNIGHT TRAVEL FOR TWO STAFF MEMBERS TO ATTEND CALIFORNIA BUILDING OFFICIALS TRAINING INSTITUTE EDUCATION WEEK ON OCTOBER 20-23, 2014, IN ONTARIO, CALIFORNIA**
3. **SECOND READING AND ADOPTION OF ORDINANCE NO. 519 AMENDING SECTION 2.60.020 OF THE LA QUINTA MUNICIPAL CODE RELATING TO THE CITY'S CONFLICT OF INTEREST CODE**
4. **ADOPT RESOLUTION TO APPROVE PURCHASE AND SALE AGREEMENT WITH WILLIAM AND SHARON RICHARDSON FOR PURCHASE OF CERTAIN VACANT PROPERTY LOCATED ON AVENIDA LA FONDA, EAST OF DESERT CLUB DRIVE [RESOLUTION 2014-042]**
5. **APPROVE DEMAND REGISTERS DATED JULY 11, JULY 17 AND JULY 18, 2014**
6. **ACCEPT PLANNING COMMISSION DECISION TO APPROVE CONDITIONAL USE AND SITE DEVELOPMENT PERMITS FOR THE CHATEAU AT LAKE LA QUINTA EXPANSION**

7. *Pulled for comment by Mayor Adolph and Councilmember Henderson >>>*
ADOPT RESOLUTION TO APPROVE REVISED PERSONNEL POLICY, NEW CLASSIFICATION SPECIFICATIONS, AND AUTHORIZED POSITIONS – SALARY RATINGS [RESOLUTION 2014-043]
8. **AWARD A CONTRACT TO AMERICAN ASPHALT SOUTH, INC. FOR FISCAL YEAR 2014/2015 SLURRY SEAL PROGRAM**
9. **RATIFY CHANGE ORDER TO GRANITE CONSTRUCTION COMPANY AND AMEND PROFESSIONAL SERVICES AGREEMENT TO DUDEK FOR PHASE I PAVEMENT MANAGEMENT PLAN STREET IMPROVEMENTS**
10. **AWARD A CONTRACT TO NEW CONSTRUCTION SOLUTIONS FOR PHASE I OF LA QUINTA MUSEUM IMPROVEMENTS TO COMPLY WITH AMERICANS WITH DISABILITIES ACT**
11. **DENIAL OF CLAIM FOR DAMAGES FILED BY: BRIAN GORDON; DATE OF LOSS – DECEMBER 27, 2013**
12. **APPROVE AMENDMENT EXTENDING TERM OF PROFESSIONAL SERVICES AGREEMENT WITH TALL MAN GROUP FOR REAL ESTATE ANALYSIS SERVICES**

Item No. 6 – Councilmember Evans explained the Chateau at Lake La Quinta’s expansion plans.

Item No. 7 – Mayor Adolph and Councilmember Henderson congratulated all employees for developing and implementing this new system.

Item No. 12 – City Manager Spevacek pointed out that the Tall Man Group amendment includes a 5-6% rate increase over the existing contract.

MOTION – A motion was made and seconded by Councilmembers Evans/Franklin to approve the Consent Calendar as recommended and with Item Nos. 4 and 7 adopting Resolutions 2014-042 and 2014-043 respectively. Motion passed unanimously.

BUSINESS SESSION

1. **ESTABLISH AN AD HOC COMMITTEE TO REVIEW GRANT REQUESTS AND APPOINT TWO CITY COUNCIL MEMBERS TO COMMITTEE**

Recreation Supervisor Ambriz presented the staff report, which is on file in the City Clerk’s office.

MOTION – A motion was made and seconded by Councilmembers Osborne/Henderson to establish an ad hoc committee to review grant requests and appoint

Evans/Franklin to the committee. Councilmembers Evans and Franklin accepted the appointment. Motion passed unanimously.

STUDY SESSION

1. DISCUSS ALTERNATIVES FOR REHABILITATION OF PAVEMENT ON MONROE STREET BETWEEN AVENUE 54 AND AVENUE 55

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

Councilmembers rejected the option of spending \$250,000 to \$300,000 to repave this section of Monroe Street because (1) it would mean diverting the funds for the scheduled slurry sealing of north La Quinta streets, which are more heavily used by residents, (2) adjoining vacant land may be developed in two to five years at which time developers will be required to widen and pave the street, (3) the existing pavement still has a lifespan of a few years with patching as needed, and (4) selecting this section of Monroe for rehabilitation, which is not the worse section, would be arbitrary, especially since this section has a greater possibility of being improved at developers' expense than the rest of Monroe Street.

PUBLIC SPEAKER: Carole Herrera, La Quinta – Ms. Herrera is the owner of private property on Monroe Street between Avenue 54 and 55 since 1979. She said there is heavy truck traffic, high speed drivers, and it is a major thoroughfare to I-10 and cities south. She supports rehabilitation of the pavement and is willing to dedicate some of her property to widen the road when the time comes.

PUBLIC SPEAKER: Tom Brohard, La Quinta – Mr. Brohard suggested digging up and replacing the worst places as a temporary fix. He said that chunks of asphalt come up frequently causing the maintenance crew to go out every few days for repairs. He said no one knows when the developer(s) will be making the improvements.

Council concurred that staff should report back next spring on the balance in the Pavement Management Plan account at which time Council can consider reprioritizing street improvements. Councilmember Franklin requested that staff include photos of the entire length of Monroe Street in that staff report.

2. DISCUSS PROPOSAL FROM MARVIN INVESTMENTS, INC. FOR USE OF CERTAIN CITY OWNED LAND FOR THE PROPOSED VILLAS AT OLD TOWN MIXED-USE DEVELOPMENT LOCATED IN THE LA QUINTA VILLAGE

Community Development Director Johnson presented the staff report, which is on file in the City Clerk's Office.

Councilmembers discussed the project and gave the following direction to staff:

- Use of the landscaped lot by the Library as a retention basin is a good use of land.

- Reconfiguration of the Library lot is acceptable if it improves the pedestrian flow.
- Creating a walkable community is a priority, especially access to/from the Library.
- Need definitive pedestrian paths to/from Old Town to Civic Center Park.
- Need a definitive pedestrian connection to/from Embassy Suites.
- Need wide walkways against any three-story building.
- Need a separation of cars and pedestrians.
- Adequate amenities, such as a pool, for residents of the project are needed.
- Re-examine environmental and traffic study requirements for developers.
- Explore doing one environmental and one traffic study for the entire village area.
- Schedule another Study Session on this subject

PUBLIC HEARINGS: 6:00 P.M

1. ADOPT RESOLUTION TO APPROVE A SALES TAX SHARING AGREEMENT WITH ONE ELEVEN LA QUINTA, LLC FOR CERTAIN IMPROVEMENTS ASSOCIATED WITH 111 LA QUINTA CENTER [RESOLUTION 2014-044]

Community Development Director Johnson presented the staff report, which is on file in the City Clerk’s Office.

Mr. Shovlin, the developer, communicated earlier in the day with a request that the term of six years be changed to ten years because it just came to light that the retailer Hobby Lobby is closed on Sundays, which alters the sales tax calculations on the proforma.

Council discussed the term and agreed to set it at eight (8) years in the Agreement and the document entitled: *Covenants, Conditions, and Restrictions Affecting Interests in Real Property*.

Mayor Adolph declared the PUBLIC HEARING OPEN at 6:10 p.m.

PUBLIC SPEAKER: None

Mayor Adolph declared the PUBLIC HEARING CLOSED at 6:10 p.m.

MOTION – A motion was made and seconded by Councilmember Franklin/Evans to adopt RESOLUTION 2014-044 entitled:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LA QUINTA APPROVING A SALES TAX SHARING AGREEMENT BETWEEN THE CITY AND ONE ELEVEN LA QUINTA, LLC FOR A TERM NOT TO EXCEED EIGHT (8) YEARS

Motion passed unanimously.

REPORTS AND INFORMATIONAL ITEMS

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

- CVAG EXECUTIVE COMMITTEE
- SUNLINE TRANSIT AGENCY

DEPARTMENT REPORTS

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

City Manager Spevacek requested direction regarding the Bermuda Dunes Airport. Councilmembers reached a concurrence that staff should attend meetings on the subject but indicated that La Quinta has no interest in participating in the purchase or maintenance of the airport.

City Manager Spevacek reported that at its August 12th meeting, Coachella Valley Water District (CVWD) approved an ordinance allowing them to issue fines. CVWD has asked cities to assist them in identifying prolific water users, and work together to educate them. Councilmember Osborne added that if CVWD offers a rebate program, La Quinta should take advantage of it to reduce the amount of turf in north La Quinta.

City Attorney Ihrke reported that the hearing regarding the SB 7 lawsuit in San Diego County has been delayed until the end of August.

City Clerk Maysels reported that to date, ten (10) candidates have pulled nomination papers for the two council seats and three (3) have pulled nomination papers for the mayor's seat.

MAYOR AND COUNCIL MEMBER ITEMS – None

COUNCIL RECESSED TO THE MEETING OF THE SUCCESSOR AGENCY TO THE DISSOLVED REDEVELOPMENT AGENCY AT 6:28 P.M.

MAYOR ADOLPH RECONVENED THE CITY COUNCIL MEETING AT 6:34 P.M. WITH ALL MEMBERS PRESENT

COUNCIL RECESSED BACK TO CLOSED SESSION TO CONTINUE DISCUSSION ON CLOSED SESSION ITEM NO. 2 AT 6:35 P.M.

MAYOR ADOLPH RECONVENED THE CITY COUNCIL MEETING AT 7:15 P.M. WITH ALL MEMBERS PRESENT. NO ACTIONS WERE TAKEN IN CLOSED SESSION THAT REQUIRES REPORTING PURSUANT TO GOVERNMENT CODE SECTION 54957.1 (BROWN ACT).

ADJOURNMENT

There being no further business, a motion was made and seconded by Councilmembers Evans/Osborne to adjourn at 7:15 p.m. Motion passed unanimously.

Respectfully submitted,

SUSAN MAYSELS, City Clerk