



**CITY COUNCIL
MINUTES
TUESDAY, SEPTEMBER 16, 2014**

A regular meeting of the La Quinta City Council was called to order at 3:00 p.m. by Mayor Adolph.

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

PUBLIC COMMENT ON MATTERS NOT ON AGENDA

PUBLIC SPEAKER: Mike Wales, La Quinta – Mr. Wales spoke of his concern over Eisenhower Drive and feels it has a design flaw; the smallest rains cause flooding. He expressed the need for a path for storm water to flow down Eisenhower Drive to Washington Street.

PUBLIC SPEAKER: William Jones, La Quinta – Mr. Jones, President of the Citrus Community, stated the Rondo ditch needs improvement to protect residents and the golf course from annual flooding. He commented that many of those affected do not have flood insurance.

Public Works Director Jonasson stated that Eisenhower drainage is a challenge. The City has relied on a system of dry wells and retention basins. He stressed the importance of homeowner associations in maintaining those areas. Mr. Jonasson explained the water flow path during extraordinary events and said the problems can be addressed, but with expensive solutions.

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**

COUNCIL RECESSED TO CLOSED SESSION AT 3:19 P.M.

MAYOR ADOLPH RECONVENED THE CITY COUNCIL MEETING AT 4:04 P.M. WITH ALL MEMBERS PRESENT. NO ACTIONS WERE TAKEN IN CLOSED SESSION THAT REQUIRE 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: Hal Seay, La Quinta – Mr. Seay commented on a code enforcement matter.

PUBLIC SPEAKER: Bob Horn, Palm Desert – Mr. Horn thanked the City Council for their support of his non-profit “Red Hot Ballroom,” an arts program, which helps special-needs kids throughout the Coachella Valley. He stated they have opened a new facility in the Westfield Mall. He welcomes mentoring from the public.

PUBLIC SPEAKER: Darla Burkett, Indio – Ms. Burkett thanked the City Council for their substantial gift to the Coachella Valley Rescue Mission and said La Quinta is the first city to ever give at this level. She provided statistics on the Mission’s work in assisting individuals from La Quinta and the entire Coachella Valley.

CONFIRMATION OF AGENDA

City Manager Spevacek announced receipt of some preliminary storm damage estimates and further stated the City has incurred direct costs for services currently underway. Pursuant to Government Code Section §54954.2(b)(2), staff is requesting that Council add a new appropriation request to Business Item No. 1 to appropriate \$350,000 from City reserves to a general fund account labeled: FLOOD OF 2014 RECOVERY FUND.

MOTION – A motion was made and seconded by Councilmembers Henderson/Evans to add an urgency appropriation item to Business Item No.1. Motion passed unanimously.

ANNOUNCEMENTS, PRESENTATIONS AND WRITTEN COMMUNICATIONS – None

CONSENT CALENDAR

1. APPROVE MINUTES OF JULY 29, 2014 AND AUGUST 5, 2014

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2. **APPROVE DEMAND REGISTERS DATED JULY 25, AUGUST 1, AUGUST 8 AND AUGUST 22, 2014**
3. **EXCUSE MEETING ABSENCES FOR PLANNING COMMISSIONERS BLUM AND FITZPATRICK AND INVESTMENT ADVISORY BOARD MEMBER DONAIS**
4. **APPROVE A MEMORANDUM OF UNDERSTANDING WITH COACHELLA VALLEY RESCUE MISSION TO SUPPORT OPERATIONS**
5. **DENIAL OF CLAIM FOR DAMAGES FILED BY: VERIZON; DATE OF LOSS – NOVEMBER 12, 2013**
6. **APPROVE ADDITION OF AN EMERGENCY SERVICES COORDINATOR TO THE AGREEMENT FOR FIRE PROTECTION, FIRE PREVENTION, RESCUE, AND MEDICAL AID WITH THE COUNTY OF RIVERSIDE**
7. **ACCEPT GRANT FUNDS FROM CALIFORNIA INDIAN GAMING SPECIAL DISTRIBUTION FUND, TRILOGY AT LA QUINTA COMMUNITY SERVICES ORGANIZATION, AND EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT 2014; ESTABLISH THE NECESSARY CITY FUNDS; AND APPROPRIATE GRANT FUNDS**
8. **ADOPT RESOLUTION SUPPORTING THE COUNTY OF RIVERSIDE BOARD OF SUPERVISORS AND ITS OFFICE OF MILITARY AND DEFENSE SERVICES' OPPOSITION TO BASE REALIGNMENT AND CLOSURE OF LOCAL AND REGIONAL MILITARY INSTALLATIONS [RESOLUTION 2014-045]**
9. **ADOPT RESOLUTION GRANTING CONDITIONAL APPROVAL OF FINAL MAP AND SUBDIVISION IMPROVEMENT AGREEMENT ASSOCIATED WITH THE SIGNATURE DEVELOPMENT [RESOLUTION 2014-046]**
10. *Pulled by Councilmember Henderson for discussion and moved to Business Item #2 >>>* **APPROVE COMPENSATION AGREEMENTS WITH TAXING ENTITIES REGARDING THE DISPOSITION AND USE OF FORMER REDEVELOPMENT AGENCY PROPERTIES**
11. **ADOPT RESOLUTIONS ACCEPTING DEDICATION OF EASEMENTS OVER VARIOUS LOTS IN NORTH LA QUINTA FOR PUBLIC LANDSCAPE PURPOSES [RESOLUTION 2014-047 THROUGH RESOLUTION 2014-053]**
12. **RECEIVE AND FILE TREASURER'S REPORTS DATED JUNE 30 AND JULY 31, 2014**

Councilmember Henderson pulled Item No. 10 and requested that it be moved to Business Session Item No. 2 for discussion. Council concurred.

MOTION – A motion was made and seconded by Councilmembers Evans/Franklin to approve the Consent Calendar Item Nos. 1-9 and 11-12 as recommended. Motion passed unanimously.

Consent Calendar Item No. 9 – For the record, City Attorney Ihrke announced that Mayor Adolph and Councilmember Franklin do not have a conflict of interest regarding the *Signature* project because it is more than 500 feet from their residences.

BUSINESS SESSION

- 1. ADOPT RESOLUTIONS TO DECLARE LOCAL EMERGENCY; REQUEST GOVERNOR TO PROCLAIM STATE OF EMERGENCY; REQUEST CONCURRENCE BY CALIFORNIA OFFICE OF EMERGENCY SERVICES; AND APPROVE TEMPORARY WAIVER OF BUILDING PERMIT FEES FOR WORK RESULTING FROM FLOOD DAMAGE [RESOLUTION 2014-054 THROUGH RESOLUTION 2014-056]**

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

Mark Bassett, Emergency Services Manager for Riverside County Fire Office of Emergency Services, addressed the Council to explain that the federal government has many programs and resources to assist. An emergency declaration by the Federal and State governments will open access to greater benefits. He stated that homeowners should go to their insurance company first and if they do not have coverage, provide the City with the damage estimate. Homeowners should document everything, take photos, get several bids for work, and only use licensed contractors. He emphasized every effort is being made to bring money back to Riverside County to take care of public infrastructure as well as assist individuals.

Mayor Adolph asked Mr. Bassett to inquire if the County has an emergency assistance fund and report back.

There was further discussion on cleanup, additional costs and preparation for any future storm events and how the water flows.

Director of Public Works Jonasson explained the drainage systems in the City and how/where all the water flows. He used Google Earth to provide a visual display.

Mr. Jonasson also explained the efforts underway to get water moving again in the Evacuation Channel and the importance of doing so.

PUBLIC SPEAKER – Mark Johnson, La Quinta – Mr. Johnson stated he is the Director of Engineering for the Coachella Valley Water District (CVWD). He said that this storm was unique and classified as a 500-1,000 year storm. The canal suffered only a small amount of damage and has helped to replenish the aquifer. CVWD will look at improving the flow of water in very flat channels. Mr. Johnson reported that the sewer plant almost failed due to the additional flow of water through the system. He cautioned that sewer manholes should not be opened for drainage of storm water.

PUBLIC SPEAKER: Robin Hendricks, La Quinta – Ms. Hendricks stated she is the landlord of an apartment building in the Cove and all units were destroyed in the flood. She has begun repairs and is seeking operating capital. She requested assistance in evaluating a retention basin in a neighboring property.

PUBLIC SPEAKER: Michael Hendricks, La Quinta – Mr. Hendricks also reiterated the same concerns as his wife, Robin Hendricks.

PUBLIC SPEAKER: Peter Murphy, La Quinta – President of the La Quinta Golf Estates Homeowners Association. Mr. Murphy feels that almost all of the water (99%) comes down Eisenhower and into their gate and guard house.

PUBLIC SPEAKER: Terrie Bennett, La Quinta – Ms. Bennett, a longtime resident, stated she has been through several floods in La Quinta and questioned past improvements to curbs and sewers. She requested that monies received for flood damage be applied to improving cove drainage.

City Manager Spevacek announced that a study session will be held at the next City Council meeting on October 7, 2014 at 4:30 p.m., to discuss flood issues, items for consideration, drainage, costs and options.

MOTION – A motion was made and seconded by Councilmembers Evans/Henderson to proclaim the existence of a local emergency and adopt Resolution 2014-054 entitled:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LA QUINTA,
CALIFORNIA, PROCLAIMING THE EXISTENCE OF A LOCAL
EMERGENCY

Motion passed unanimously.

MOTION – A motion was made and seconded by Councilmembers Evans/Henderson requesting the Governor to proclaim a state of emergency and adopt Resolution 2014-055 entitled:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LA QUINTA,
CALIFORNIA, REQUESTING THE GOVERNOR TO PROCLAIM A STATE
OF EMERGENCY

Motion passed unanimously.

MOTION – A motion was made and seconded by Councilmembers Evans/Henderson requesting concurrence in the proclamation of a local emergency by the state director of emergency services and adopt Resolution 2014-056 entitled:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LA QUINTA,
CALIFORNIA, REQUESTING CONCURRENCE IN THE PROCLAMATION
OF A LOCAL EMERGENCY BY THE STATE DIRECTOR OF THE
CALIFORNIA OFFICE OF EMERGENCY SERVICES

Motion passed unanimously.

MOTION – A motion was made and seconded by Councilmembers Osborne/Evans to approve a temporary waiver of building permit fees for work resulting from flood damage. Motion passed unanimously.

MOTION – A motion was made and seconded by Councilmembers Evans/Franklin to appropriate \$350,000 from reserve funds to the general fund account for the Flood of 2014 Recovery entitled:

APPROPRIATE FUNDS FROM CITY RESERVE FUNDS TO THE GENERAL
FUND ACCOUNT "FLOOD OF 2014 RECOVERY FUND" IN THE
AMOUNT OF \$350,000

Motion passed unanimously.

2. APPROVE COMPENSATION AGREEMENTS WITH TAXING ENTITIES REGARDING THE DISPOSITION AND USE OF FORMER REDEVELOPMENT AGENCY PROPERTIES

Consent Calendar Item No. 10 –

Councilmember Henderson pulled this item so that City Manager Spevacek could explain the ridiculous actions, motions and added expense to cities made necessary due to the State's action to do away with redevelopment agencies. Mr. Spevacek provided an overview of 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 compensation agreements with taxing entities regarding the disposition and use of former redevelopment agency properties. Motion passed unanimously.

STUDY SESSION

1. UPDATE ON BIGHORN SHEEP PROTECTION FENCE ALONG THE BASE OF CORAL MOUNTAIN REQUIRED BY STATE AND FEDERAL AGENCIES

Golf, Parks and Facilities Manager Howlett presented the staff report, which is on file in the City Clerk's office.

Councilmembers discussed and expressed their concerns; the fence is not a request but a mandate; confirmed the City only has control over the SilverRock portion of fencing; consensus that more updated data is needed on animal count; there is not a capture/monitoring program by the Fish & Wildlife in La Quinta - without accurate data opposed to fence demand; in order to complete the fence, City would have to purchase properties - opposed to using eminent domain to acquire land; the sheep are happy, reproducing, look healthy and everyone cares about the Bighorn Sheep – leave them alone; consequences for refusing to build the fence; possible fence alternatives – City does not have a viable alternative to the fence; funding for the fence; community outreach; all options will be considered when the environmental analysis/study is conducted this fall.

PUBLIC SPEAKER: Katie Barrows, La Quinta – Ms. Barrows represented the Coachella Valley Association of Governments and Coachella Valley Conservation Commission. She stated the fence mandate is a condition of the Multiple Species Habitat Conservation Plan. She was not sure what the consequence of refusing to build the fence would be with the Wildlife agency. Ms. Barrows said that it is a problem for the sheep on Avenue 52 – dangerous for them and drivers. She concluded that funding, land ownership and environmental analysis need to be completed. They are proceeding with a preliminary outline of the fence.

PUBLIC SPEAKER: Daniel Latrell, La Quinta – Mr. Latrell voiced his opposition to the fence and urged agencies to continue to ask the difficult questions and obtain current data. He is concerned that there is a conflict with Fish and Wildlife demanding the fence and also monitoring the sheep.

PUBLIC SPEAKER: Michael Hendricks, La Quinta – Mr. Hendricks questioned who would be responsible for ongoing maintenance of any fence. Councilmembers responded that it would be the City.

MAYOR ADOLPH CALLED FOR A BRIEF RECESS.

MAYOR ADOLPH RECONVENED THE CITY COUNCIL MEETING AT 5:56 P.M.

2. OVERVIEW OF SILVERROCK RESORT DEVELOPMENT PROGRAM

Assistant to City Manager, Chris Escobedo, City Manager Spevacek, Community Development Director Johnson and Jon McMillen of Tall Man Group, a consulting economist and real estate advisor, presented the staff report, which is on file in the City Clerk's Office.

Development Team: John Gamlin, Meriwether Companies and Robert Green, The Robert Green Company presented their vision for the property.

Councilmembers discussed the SilverRock Development Program presentation; expressing their support and excitement with the development program – pleased that it has been presented to the public; summarized timeline; remembering the original purpose in purchasing the property – to provide future revenue and affordable public golf for its residents; importance of maintaining the integrity of the Palmer Golf Course; recommended review of water flow from the mountains onto the site; commended the development team for the project concepts; noted it will be an exciting and unique destination; inclusive for La Quinta residents, valley residents and visitors; great synergy in the design.

PUBLIC SPEAKER: Kevin McCune, La Quinta – Mr. McCune expressed his love for SilverRock and everything about it; great plan, multi uses good for residents. He said it is important to move forward quickly and build before others do.

PUBLIC SPEAKER: Skip Paige of GoldenVoice Company – Mr. Paige announced his support for the project and said he is the largest single purchaser of hotel rooms in the Coachella Valley and La Quinta desperately needs more rooms. He stated he would rent every room during the month of April. He recommends moving forward quickly on this project before the developer gets scared or something else happens to the economy.

REPORTS AND INFORMATIONAL ITEMS

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

- CVAG CONSERVATION COMMISSION
- CVAG ENERGY & ENVIRONMENTAL RESOURCES COMMITTEE

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

- CALIFORNIA JOINT POWERS INSURANCE AUTHORITY
- COACHELLA VALLEY MOUNTAINS CONSERVANCY
- JACQUELINE COCHRAN REGIONAL AIRPORT AUTHORITY

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

- RIVERSIDE COUNTY TRANSPORTATION COMMISSION

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

- IID ENERGY CONSUMERS' ADVISORY COMMITTEE

DEPARTMENT REPORTS

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

The date of November 12, 2014 was set for the annual Police Volunteers' Dinner.

MAYOR'S AND COUNCIL MEMBER'S ITEMS

Councilmember Evans reported that she attended the Annual League of California Cities conference in Los Angeles and wanted to thank staff for their assistance in providing materials for her presentation.

Mayor Adolph said he was invited to speak before a ladies realtor group and thanked staff for providing the presentation materials regarding construction growth. He also thanked the City Council and staff for the 9/11 recognition program and also thanks to the La Quinta High School wind symphony group.

PUBLIC HEARINGS – None

ADJOURNMENT

There being no further business, a motion was made and seconded by Councilmembers Franklin/Evans to adjourn at 7:23 p.m. Motion passed unanimously.

Respectfully submitted,

TERESA THOMPSON, Deputy City Clerk
City of La Quinta, California