



**CITY COUNCIL
MINUTES
TUESDAY, FEBRUARY 3, 2015**

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

PRESENT: Councilmembers Franklin, Osborne, Peña, Radi, Mayor Evans

ABSENT: None

PUBLIC COMMENT ON MATTERS NOT ON AGENDA – None

CLOSED SESSION

1. **CONFERENCE WITH REAL PROPERTY NEGOTIATOR PURSUANT TO GOVERNMENT CODE SECTION 54956.8 FOR PROPERTY LOCATED IN PROXIMITY TO AVENIDA MONTEZUMA, AVENIDA VILLA AND AVENIDA NAVARRO (APN: 773-076-018).**

CITY NEGOTIATOR: EDIE HYLTON, DEPUTY CITY MANAGER

NEGOTIATING PARTY: CITY OF LA QUINTA AND ALTHEA PROPERTIES

UNDER CONSIDERATION: PRICE AND TERMS OF PAYMENT

MAYOR EVANS RECESSED TO CLOSED SESSION AT 3:31 P.M.

MAYOR EVANS RECONVENED THE CITY COUNCIL MEETING AT 4:02 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 Evans led the audience in the pledge of allegiance.

PUBLIC COMMENT ON MATTERS NOT ON AGENDA

PUBLIC SPEAKER: Patrick Swarthout, La Quinta – Mr. Swarthout described a recent dog attack on his wife and dog causing injury to both that required medical treatment and stitches. He said he believes the dog should be euthanized to prevent another attack.

Councilmembers asked Community Development Director Johnson to review the incident with Animal Control Officers and provide a memo to the Council summarizing the event.

PUBLIC SPEAKER: Allen Worthy, La Quinta – Mr. Worthy said he is homeless and living on the streets of Venice Beach and the desert. He requested City Attorney assistance with his case against the City of Palm Springs.

PUBLIC SPEAKER: Shanden Sessions, La Quinta – Mr. Sessions said he represents Organic Solutions and is interested in becoming a medical marijuana provider in La Quinta. He stated that his 3,285 La Quinta customers plus customers to the east would benefit by not having to drive to Palm Springs for their medication.

City Attorney Ihrke explained the current law in La Quinta outlawing marijuana dispensaries and the December 16, 2014 federal law preventing the enforcement of federal laws against the sale of medical marijuana in states that permit medical marijuana sales. He explained the steps necessary to change the local law, should Council so choose.

PUBLIC SPEAKER: Nolan Sparks, Palm Desert – Mr. Sparks thanked the Council for their support on behalf of the YMCA.

CONFIRMATION OF AGENDA

Mayor Evans informed the Council that staff requested the Study Session item be heard before the Business Session item.

Councilmember Franklin requested that Consent Calendar Item Nos. 3 and 4 be pulled for discussion and separate vote.

Council concurred.

ANNOUNCEMENTS, PRESENTATIONS AND WRITTEN COMMUNICATIONS – None

CONSENT CALENDAR

1. **APPROVE MINUTES OF JANUARY 10 AND JANUARY 20, 2015**
2. **APPROVE DEMAND REGISTERS DATED JANUARY 16 AND JANUARY 23, 2015**
3. *pulled for discussion by Councilmember Franklin >>* **APPROVE PLANS, SPECIFICATIONS AND ENGINEER'S ESTIMATE, AND AUTHORIZE ADVERTISEMENT FOR BIDS FOR PARKWAY LANDSCAPING DESIGN FOR CITY OWNED PROPERTIES ALONG AVENUE 52 NEAR CALLE AMIGO**

4. *pulled for discussion by Councilmember Franklin >>* **ADOPT RESOLUTION GRANTING CONDITIONAL APPROVAL OF AMENDED FINAL MAP AND SUBDIVISION IMPROVEMENT AGREEMENTS ASSOCIATED WITH THE MONTERRA DEVELOPMENT [RESOLUTION 2015-006]**
5. **AUTHORIZE OVERNIGHT TRAVEL FOR TRAFFIC SIGNAL TECHNICIAN TO ATTEND TRAINING MARCH 11-12, 2015 IN GLENDALE, ARIZONA**
6. **DENIAL OF CLAIM FOR DAMAGES FILED BY WILLIAM WALKER; DATE OF LOSS – SEPTEMBER 8, 2014**
7. **AUTHORIZE OVERNIGHT TRAVEL FOR FOUR MEMBERS OF THE PLANNING COMMISSION AND THE COMMUNITY DEVELOPMENT DIRECTOR TO ATTEND THE ANNUAL PLANNING COMMISSIONERS ACADEMY IN NEWPORT BEACH, CALIFORNIA - MARCH 4-6, 2015**

MOTION – A motion was made and seconded by Councilmembers Peña/Radi to approve Consent Calendar Item Nos. 1-2 and 5-7 as recommended. Motion passed unanimously.

Regarding Item No. 3, in response to Councilmember Franklin, Public Works Director Jonasson described the landscaping plans for the site and stated that if needed, the lot could be accessed for parking.

PUBLIC SPEAKER: Steve Zabala, Mission Viejo – Mr. Zabala spoke on behalf of the project builders, Woodbridge Pacific Group. In response to Councilmember Franklin’s questions regarding Item No. 4, he explained that the map was amended because it was desirable for the project to join the Greg Norman homeowners’ association. The main entrance for the project is now the main Greg Norman entrance. The access off Monroe Street will be for emergencies only. He said it was a big coup for this project to be a part of the PGA West homeowners’ association.

MOTION – A motion was made and seconded by Councilmembers Peña/Radi to approved Consent Calendar Item Nos. 3 and 4 as recommended, with Item No. 4 adopting Resolution 2015-006. Motion passed unanimously.

STUDY SESSION

1. **YEAR END FISCAL YEAR 2013/2014, MID YEAR 2014/2015 AND RESERVE DISCUSSIONS**

Finance Director Conrad presented the staff report, which is on file in the City Clerk's office.

Councilmember Osborne asked what the carryover was from Fiscal Year 2012/2013 into Fiscal Year 2013/2014. Ms. Conrad stated about \$1 million.

Ms. Conrad stated there are three items to consider: the reserve for insurance premium increases; amending the revenue budget; and an \$80,000 request from Community Development for temporary contract staffing.

Councilmembers discussed and commented on the presentation, expressed their appreciation to the Investment Advisory Board for their hard work and review, and had a consensus to hold another study session for further review and input from City Manager Spevacek, who was absent.

Discussion included: possibility of redefining reserve policy; investigating better ways to protect reserves; exploring contractual reserves for police/public safety services; including capital and infrastructure reserves; unfunded pensions; combining economic development and stabilization reserves; providing more expense forecasting; concern with future prospect of state disallowing cities to have independent contractors; noted that the state cannot do another triple flip until bonds are paid off [Proposition 57]; definition of emergency reserves; emergency reserve allocations; redefining "disaster" definition; earmarks for county/state/federal takeaways; revisiting allocations with suggestion of moving disaster funds to capital; participatory budget allowing community to submit projects and vote on how money is used; review of council's flexibility in reallocating reserves; and the need for more reserves.

City Attorney Ihrke commented that there are currently some constitutional protections for city sales, use, and property taxes, and there may be contractual ways of protecting reserves; however, he said that placing reserves under contractual protections means that the moneys can only be used for that designated contractual use with a private third party. He added that no action can be taken that is against public policy or would interfere with the legislative power of a future city council, nor is anything absolute with respect to state legislation impacting city revenues, but there are ways of providing a possible higher standard of protection for reserves. He will do further research and get back to council.

MAYOR EVANS MOVED THE PUBLIC HEARING AGENDA ITEM UP, TO BE HEARD AS CLOSE TO THE 5:00 P.M. PUBLISHED HEARING TIME AS POSSIBLE.

PUBLIC HEARINGS

1. ADOPT RESOLUTIONS TO APPROVE A SITE DEVELOPMENT PERMIT AND TENTATIVE TRACT MAP TO ALLOW THE DEVELOPMENT OF 48 SINGLE FAMILY HOMES AT ANDALUSIA, EAST OF MADISON STREET AND SOUTH OF AVENUE 58 [RESOLUTIONS 2015-007 AND 2015-008]

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

Councilmembers discussed the timeline for installing landscaping along Madison Street, Monroe Street and Avenue 60; parking pockets within the development; emergency vehicle access; and consistency with the Specific Plan.

Mayor Evans declared the PUBLIC HEARING OPEN at 5:50 p.m.

PUBLIC SPEAKER: Nolan Sparks, Palm Desert – Mr. Sparks spoke as a representative of the developer, Coral Option I, LLC, saying the project is expected to be a walkable environment, such as a campus, and a “lock and leave” property for buyers from areas such as Orange County, Los Angeles County and the Northwest. Sale prices will range from \$800,000 to \$1.1 million. He added that landscaping along Avenue 60 is associated with a future project that is three to five years away.

Mayor Evans declared the PUBLIC HEARING CLOSED at 5:57 p.m.

MOTION – A motion was made and seconded by Councilmembers Franklin/Peña to adopt RESOLUTION 2015-007 entitled:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LA QUINTA, CALIFORNIA, APPROVING SITE DEVELOPMENT PERMIT 2013-928, ALLOWING THE DEVELOPMENT OF 48 SINGLE FAMILY HOMES WITHIN THE ANDALUSIA PROJECT

Motion passed unanimously.

MOTION – A motion was made and seconded by Councilmembers Franklin/Peña to adopt RESOLUTION 2015-008 entitled:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LA QUINTA, CALIFORNIA, APPROVING TENTATIVE TRACT MAP 36524 LOCATED WITHIN THE ANDALUSIA PROJECT, AT THE SOUTHWEST CORNER OF AVENUE 58 AND MONROE STREET

Motion passed unanimously.

PUBLIC COMMENT ON MATTER NOT ON THE AGENDA:

PUBLIC SPEAKER: Jennifer Carlson, Bermuda Dunes – Ms. Carlson said the *Up with People* organization is returning to the Coachella Valley March 16-23. They will be raising money for the Ophelia Project with benefit concerts in Indio and Palm Springs. She explained that the organization is looking for host families to house their 110 international and out-of-town performers and provided the website for further information, tickets and support: upwithpeople.org.

BUSINESS SESSION

1. RECEIVE AND FILE COMPREHENSIVE ANNUAL FINANCIAL REPORT FOR YEAR ENDED JUNE 30, 2014

Finance Director Conrad presented the staff report, which is on file in the City Clerk's office.

Councilmembers discussed preparation for next year's audit; use of word "future" on page 91 regarding bond proceeds; use of the term "advance" implying repayment, which is not intended; the requirement for Council action to remove the "advance" designation; source of repayment to the civic center fund; financial statement for the Housing and Financing Authority; monthly revenue from Washington Street Apartments; payments to City, if any, for acting as an agent; payment of interest on advances; possibility of reclassifying advances to investments; unfunded pension liabilities; and Finance Department staff training on the new software system, accounting webinars and overnight travel to key seminars.

City Attorney Ihrke stated he will check whether City costs could be recouped under the Improvement Act.

COUNCILMEMBER PEÑA LEFT THE MEETING AT 6:23 P.M.

MOTION – A motion was made and seconded by Councilmembers Radi/Franklin to receive and file the Comprehensive Annual Financial Report for year ended June 30, 2014. Motion passed 4-0-1 (Peña absent).

REPORTS AND INFORMATIONAL ITEMS

La Quinta's representative for 2015, Mayor Evans reported on her participation in the following organizations meeting:

- GREATER PALM SPRINGS CONVENTION & VISITORS BUREAU

La Quinta's representative for 2015, Councilmember Franklin reported on her participation in the following organizations meeting:

- SUNLINE TRANSIT AGENCY

La Quinta's representative for 2015, Councilmember Osborne reported on his participation in the following organizations meetings:

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

La Quinta's representative for 2015, Councilmember Radi reported on his participation in the following organizations meetings:

- COACHELLA VALLEY ECONOMIC PARTNERSHIP
- CVAG TRANSPORTATION COMMITTEE
- RIVERSIDE COUNTY TRANSPORTATION COMMISSION

DEPARTMENT REPORTS

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

Mayor Evans requested that staff attempt to complete the Municipal Code review project in less than the anticipated 18 months.

MAYOR'S AND COUNCIL MEMBER'S ITEMS

Mayor Evans thanked the Riverside County Sheriff's Department for the recent tour of its Thermal Station and commented on the dedication of the Officers to the City and its residents.

Mayor Evans announced that the next Mayor and Council walk will be held on Saturday, February 20 at 8:00 a.m., starting at La Quinta Park – a great opportunity to interact with the community. She also recognized the Museum for setting a new record on guests; commented that the Chamber had a successful car show event also on Saturday; encouraged more collaboration with community organizations; and mentioned the State of the City will be held on Thursday, February 5.

Councilmembers discussed the importance of questioning the claims, statements and actions of outside agencies on whose boards they serve as La Quinta representatives because they cannot assume all agencies' staff is as thorough as La Quinta City staff. Councilmembers provided examples where agencies requested approval for projects that had no ongoing funding source.

MAYOR EVANS RECESSED AGAIN BACK TO CLOSED SESSION AT 6:57 P.M.

COUNCILMEMBER OSBORNE LEFT THE MEETING AT THE END OF THE CLOSED SESSION.

MAYOR EVANS RECONVENED THE CITY COUNCIL MEETING AT 7:40 P.M. WITH COUNCILMEMBERS FRANKLIN AND RADI PRESENT, AND COUNCILMEMBERS OSBORNE AND PEÑA ABSENT. 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 Franklin/Radi to adjourn at 7:41 p.m. Motion passed unanimously.

Respectfully submitted,

SUSAN MAYSELS, City Clerk
City of La Quinta, California