



**CITY COUNCIL
MINUTES
TUESDAY, JUNE 16, 2015**

A regular meeting of the La Quinta City Council was called to order at 3:02 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. **PUBLIC EMPLOYEE PERFORMANCE EVALUATION, PURSUANT TO GOVERNMENT CODE SECTION 54957, COUNCIL APPOINTED POSITION – CITY MANAGER**
2. **CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION SIGNIFICANT EXPOSURE TO LITIGATION PURSUANT TO GOVERNMENT CODE SECTION 54956.9(D)(2) (NUMBER OF POTENTIAL CASES: 1) [See City Attorney Ihrke’s statement regarding this item below.]**
3. **CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION INITIATION OF LITIGATION PURSUANT TO GOVERNMENT CODE SECTION 54956.9(D)(4) (NUMBER OF POTENTIAL CASES: 1)**
4. **CONFERENCE WITH LABOR NEGOTIATOR, TERRY DEERINGER, REGARDING NEGOTIATIONS WITH THE LA QUINTA CITY EMPLOYEES ASSOCIATION PURSUANT TO GOVERNMENT CODE SECTION 54957.6 MEET AND CONFER PROCESS**

City Attorney Ihrke announced that in accordance with Brown Act disclosure regarding Closed Session Item No. 2, pursuant to California Government Code 54956.9(E)(5), the existing facts and circumstances consist of those identified in subparagraph 5 as a statement threatening litigation made by a person outside of an open and public meeting on a specific matter within the responsibility of the legislative body and, in accordance with the Brown Act, a record of such statements are with the City Clerk’s Office and available for public inspection if so requested.

COUNCIL RECESSED TO CLOSED SESSION AT 3:05 P.M.

MAYOR EVANS RECONVENED THE CITY COUNCIL MEETING AT 4:05 P.M. WITH ALL MEMBERS PRESENT.

City Attorney Ihrke reported on the four Closed Session Items as follows: Item No. 1 has been continued until after the regular meeting at which time the Council will go back into Closed Session. Item No. 2, there was no reportable action. Item No. 3, the Council voted unanimously to initiate litigation against Bond Safeguard Insurance Company, Lexon Surety Group and other relevant defendants in connection with the performance and collection on bonds connected to a subdivision improvement agreement associated with Tract No. 32068. Item No. 4, there was no reportable action.

Councilmember Osborne led the audience in the pledge of allegiance.

PUBLIC COMMENT ON MATTERS NOT ON AGENDA

PUBLIC SPEAKER: Philip Bettencourt, La Quinta – Mr. Bettencourt, a La Quinta Planning Commissioner, explained that he was present as the Commission’s liaison to the City Council.

CONFIRMATION OF AGENDA

City Manager Spevacek requested that Consent Calendar Item No. 13 be pulled from the agenda to be heard at the next meeting in July when the developer will be able to attend.

Councilmember Peña requested that Consent Calendar Item No. 4 be pulled and moved to the Business Session for separate discussion and vote.

Mayor Evans requested that Consent Calendar Item No. 16 be moved to the Business Session for separate discussion and vote.

Mayor Evans and Councilmembers concurred on all requested agenda changes.

ANNOUNCEMENTS, PRESENTATIONS AND WRITTEN COMMUNICATIONS

1. Dave Archer, Executive Director of the La Quinta Chamber of Commerce, presented an update on the organization’s activities.

Councilmembers discussed the following topics with the Chamber of Commerce representative: business signage complaints and misunderstandings with landlords; the delay in completing the Chamber’s annual audit for year ending June 30, 2014; and configuring the Chamber’s interactive kiosk to transfer information to visitors’ digital devices.

CONSENT CALENDAR

1. **MINUTES OF JUNE 2, 2015**

2. **DENY CLAIM FOR DAMAGES FILED BY DAVID TRUEMAN; DATE OF LOSS – DECEMBER 10, 2014**
3. **DENY CLAIM FOR DAMAGES FILED BY BONNIE TRUEMAN; DATE OF LOSS – DECEMBER 10, 2014**
4. *pulled by Councilmember Peña and moved to the Business Session for separate discussion and vote >>>* **APPROVE PROFESSIONAL SERVICES AGREEMENT WITH LA QUINTA CHAMBER OF COMMERCE FOR BUSINESS/MARKETING SUPPORT SERVICES FOR FISCAL YEAR 2015/2016**
5. **APPROVE AMENDMENT NO. 1 TO THE PROFESSIONAL SERVICES AGREEMENT WITH JNS MEDIA SPECIALISTS FOR FISCAL YEAR 2015/2016 PRINT AND MEDIA MARKETING SERVICES**
6. **APPROVE AMENDMENT NO. 1 TO THE PROFESSIONAL SERVICES AGREEMENT WITH GRAPHTEK INTERACTIVE FOR FISCAL YEAR 2015/2016 DIGITAL MARKETING SERVICES**
7. **APPROVE CONTRACT SERVICES AGREEMENT WITH GOLDEN TOUCH CLEANING FOR 2015/2016 JANITORIAL SERVICES**
8. **APPROVE AMENDMENT AND CONTRACT CHANGE ORDER WITH KIRKPATRICK LANDSCAPING SERVICES, INC. FOR CITYWIDE LANDSCAPE MAINTENANCE**
9. **ADOPT RESOLUTION TO EXTEND TIME TO COMPLETE ON-SITE IMPROVEMENTS FOR CAPISTRANO DEVELOPMENT (TRACT MAP NO. 31910) [RESOLUTION 2015-027]**
10. **APPROVE PLANS, SPECIFICATIONS, AND ENGINEER'S ESTIMATE AND ADVERTISE FOR BIDS FOR THE EXTERIOR PHASE OF LIBRARY 10TH ANNIVERSARY IMPROVEMENTS PROJECT**
11. **APPROVE OVERNIGHT TRAVEL FOR THE PUBLIC WORKS DIRECTOR/ CITY ENGINEER AND A PRINCIPAL ENGINEER TO ATTEND THE APWA INTERNATIONAL PUBLIC WORKS CONFERENCE & EXPOSITION IN PHOENIX, ARIZONA AUGUST 30 – SEPTEMBER 2, 2015**
12. **ACCEPT AVENIDA CARRANZA DRAINAGE IMPROVEMENTS**
13. *removed from the agenda, to be heard at a later date >>>* **ADOPT RESOLUTION TO EXTEND TIME TO COMPLETE OFF-SITE AND ON-SITE IMPROVEMENTS FOR PALIZADA (AMENDED TRACT MAP NOS. 31732 AND 31733)**
14. **APPROVE PLANS, SPECIFICATIONS AND ENGINEER'S ESTIMATE AND ADVERTISE FOR BIDS FOR THE MONROE STREET PAVEMENT REHABILITATION PROJECT**

15. **APPROVE A CONTRACT WITH CONSERVE LANDCARE FOR PROJECT NO. 2014-15 FOR PARK LANDSCAPE MAINTENANCE SERVICES**
16. *pulled by Mayor Evans and moved to the Business Session for separate discussion and vote >>>* **APPROVE PARAMETERS GOVERNING NEWLY-CREATED ALTERNATE POSITIONS ON CITY BOARDS AND COMMISSIONS**
17. **APPROVE CONTRACT SERVICES AGREEMENT WITH THE LA QUINTA ARTS FOUNDATION FOR VARIOUS SPECIAL EVENTS**
18. **AUTHORIZE CITY MANAGER TO SUBMIT GRANT APPLICATION TO CALRECYCLE BEVERAGE CONTAINER RECYCLING GRANT PROGRAM AND ACCEPT AWARDED FUNDS**
19. **ADOPT RESOLUTION GRANTING CONDITIONAL APPROVAL OF FINAL PARCEL MAP NO. 36811 WITHIN TRADITION [RESOLUTION 2015-028]**
20. **AUTHORIZE OVERNIGHT TRAVEL FOR TRAFFIC SIGNAL SUPERVISOR AND FACILITIES MAINTENANCE COORDINATOR TO ATTEND TRAINING IN PASO ROBLES, CALIFORNIA ON SEPTEMBER 7, 8 AND 9, 2015**
21. **APPROVE AMENDMENT NO. 1 TO CITY OF LA QUINTA/COACHELLA VALLEY ASSOCIATION OF GOVERNMENTS' REIMBURSEMENT AGREEMENT FOR THE ADAMS STREET BRIDGE**
22. **APPROPRIATE FUNDING AND AWARD CONTRACT TO SUPERIOR PAVEMENT MARKINGS, INC. FOR CONSTRUCTION OF JEFFERSON STREET AT AVENUE 52 ROUNDABOUT IMPROVEMENTS**
23. **APPROVE AMENDMENT TO CONTRACT WITH A.M. LA SALLE ELECTRIC, INC. FOR LANDSCAPE LIGHTING MAINTENANCE SERVICES**

MOTION – A motion was made and seconded by Councilmembers Franklin/Radi to remove Consent Calendar Item No. 13 from the agenda. Motion passed unanimously.

MOTION – A motion was made and seconded by Councilmembers Osborne/Franklin to approve the Consent Calendar Item Nos. 1-3, 5-12, 14-15, and 17-23 as recommended with Item Nos. 9 and 19 adopting Resolutions 2015-027 and 2015-028 respectively. Motion passed unanimously.

BUSINESS SESSION

1. **APPROVE FORMATION AND SPECIFICATIONS OF AN ADVISORY COMMITTEE TO EVALUATE THE CITY'S FINANCIAL NEEDS, AND CONDUCT INTERVIEWS AND MAKE APPOINTMENTS TO THE NEWLY FORMED COMMITTEE**

Chris Escobedo, Assistant to City Manager, presented the purpose of forming an advisory committee.

Councilmembers discussed the appropriate size for the committee; allowing sitting board/commission members to sit on this committee simultaneously; location or locations for committee meetings; committee's ability to establish subcommittees or ad hoc committees; pros and cons of adding members after initial appointments; and applying standard Municipal Code absence rule to this committee.

Councilmember Franklin announced that she has a conflict of interest due to a business relationship with applicant W. Richard Mills and left the dais during Mr. Mills' presentation and the voting on his membership.

The following applicants provided background on their qualifications, and explained their interest in serving on the advisory committee:

| | | |
|---------------------|-------------------|--------------------|
| Batavick, George J. | Byerly, Dennis G. | Johnson, Mark L. |
| Kalb, Frank | Leidner, Bob | McDonough, Michele |
| Mills, W. Richard | Motz, Doug | Myers, Bette L. |
| Park, David Alen | Rosen, Steven | Wyler, Doriel |

The following applicants were not able to attend:

| | |
|--------------------|---------------|
| Cathcart, James Y. | Ladner, Kelly |
|--------------------|---------------|

MOTION – A motion was made and seconded by Councilmembers Radi/Osborne to approve the formation and specifications of the committee as recommended, naming the entity the “Advisory Committee,” setting the membership at 14, allowing committee members to serve on City boards/commissions simultaneously, and appointing the following residents to the newly formed committee:

| | |
|----------------------------|---------------------------|
| <i>Batavick, George J.</i> | <i>Byerly, Dennis G.</i> |
| <i>Cathcart, James Y.</i> | <i>Johnson, Mark L.</i> |
| <i>Kalb, Frank</i> | <i>Ladner, Kelly</i> |
| <i>Leidner, Bob</i> | <i>McDonough, Michele</i> |
| <i>Motz, Doug</i> | <i>Myers, Bette L.</i> |
| <i>Park, David Alan</i> | <i>Rosen, Steven</i> |
| <i>Wyler, Doriel</i> | |

Motion passed unanimously.

MOTION – A motion was made and seconded by Councilmembers Radi/Osborne to appoint *W. Richard Mills* as a member of the newly formed Advisory Committee.

Motion passed: ayes 4, noes 0, absent 1 (Franklin due to conflict of interest)

2. ADOPT RESOLUTION TO APPROVE FISCAL YEAR 2015/2016 BUDGET AND ESTABLISH CITY'S APPROPRIATIONS LIMIT [RESOLUTION 2015-029]

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

Mayor Evans stated that the Coachella Valley Economic Partnership (CVEP) has requested that the City release its restriction on its \$10,000 contribution for Fiscal Year 2015/16, i.e., not earmarked for the workforce excellence program because earmarking contributions is not in accordance with CVEP's bylaws.

MOTION – A motion was made and seconded by Councilmembers Radi/Osborne approving Resolution No. 2015-029 setting Fiscal Year 2015/16 budget with an additional carryover of \$20,000 for marketing, excluding the \$10,000 CVEP funding, and establishing the City's appropriations limit.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LA QUINTA, CALIFORNIA,
ESTABLISHING THE CITY'S APPROPRIATION LIMIT FOR FISCAL YEAR 2015/2016
AND APPROVING A BUDGET FOR FISCAL YEAR 2015/2016

Motion passed unanimously.

Councilmember Osborne announced that he has a conflict of interest regarding actions on CVEP funding matters due to a business relationship and would leave the dais during the discussion and vote on this matter.

MOTION – A motion was made and seconded by Councilmember Radi/Mayor Evans to approve funding in the amount of \$10,000 to CVEP for Fiscal year 2015/16 and to release the restriction to use the City's contribution on the workforce excellence program exclusively.

Motion failed:

| | |
|--------|---|
| ayes | Councilmember Radi |
| | Mayor Evans |
| noes | Councilmember Peña |
| | Councilmember Franklin |
| absent | Councilmember Osborne (due to a conflict of interest) |

3. INTRODUCE AN ORDINANCE AMENDING SEVERAL CHAPTERS OF TITLE 5 OF THE MUNICIPAL CODE RELATING TO BUSINESS REGULATIONS AND DELETING CHAPTERS 5.16, 5.28, 5.44, 5.52, AND 11.60 OF THE MUNICIPAL CODE

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

Councilmember Osborne expressed concern regarding guest privacy in the existing and new language in the chapter regarding hotel registration. He said that "all guests" including children should not be required to provide identification, and that any city employee, for whatever reason, should not have access to hotel registration records.

Councilmembers discussed chapters relating to parking attendants; dancing; passenger carriers; and the appeal process.

MOTION – A motion was made and seconded by Councilmembers Franklin/Radi to take up Ordinance No. 526 by title and number only and waive further reading.
Motion passed unanimously.

City Clerk Maysels read the following title of Ordinance No. 526 in to the record:
INTRODUCE AN ORDINANCE AMENDING SEVERAL CHAPTERS OF TITLE 5 OF THE MUNICIPAL CODE RELATING TO BUSINESS REGULATIONS AND DELETING CHAPTERS 5.16, 5.28, 5.44, 5.52, AND 11.60 OF THE MUNICIPAL CODE

MOTION – A motion was made and seconded by Councilmembers Franklin/Radi to introduce at first reading, Ordinance No. 526, and allow the City Clerk to make minor text edits to the chapter regarding hotel registration in response to the Council's concerns.

Motion passed unanimously.

4. *Consent Calendar Item No. 4 pulled by Councilmember Peña and moved to the Business Session for separate discussion and vote >>> **APPROVE PROFESSIONAL SERVICES AGREEMENT WITH LA QUINTA CHAMBER OF COMMERCE FOR BUSINESS/MARKETING SUPPORT SERVICES FOR FISCAL YEAR 2015/2016***

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

Councilmembers discussed with CEO David Archer and the incoming Chairperson the method of billing; aligning Section 2.2 and Exhibit E of the contract; the scope of services; business retention plans; local business promotion during the large annual events; need for events geared to residents; means of enhancing revenues; enlarging the membership base; and date the City can expect the overdue annual audit.

MOTION – A motion was made and seconded by Councilmembers Radi/Osborne to approve a professional services agreement with La Quinta Chamber of Commerce for business/marketing support services for fiscal year 2015/16.

Motion passed unanimously.

5. *Consent Calendar Item No. 16 pulled by Mayor Evans and moved to the Business Session for separate discussion and vote >>> **APPROVE PARAMETERS GOVERNING NEWLY-CREATED ALTERNATE POSITIONS ON CITY BOARDS AND COMMISSIONS***

MOTION – A motion was made and seconded by Councilmembers Osborne/Franklin to approve the parameters governing the newly-created Alternate positions with the exception of amending the term to three years.

STUDY SESSION

1. WATER REDUCTION STRATEGIES FOR 2015/2015

Golf, Parks & Facility Manager Howlett and Maintenance Manager Lindsey presented the staff report, which is on file in the City Clerk's Office.

Councilmembers discussed a meeting between all Valley city managers and Coachella Valley Water District (CVWD) to agree on a unified approach to water usage at all public parks in the Valley; possible use of canal (non-potable) water at La Quinta Park; put water usage at sports fields on the agenda of the next 2x2 meeting with the school district; possibility of converting the Civic Center Park lake to an irrigation lake; meeting with CVWD to arrange a congregate reduction in water use of 36 percent for all City water meters (approximately 144), rather than 36 percent reduction on each meter because the City is providing a public service; need to investigate high grade artificial turf as a long-term solution on sports fields; need to rework the language exempting custom homes from the prohibition on the use of turf in front yards (staff report item 4); need to weigh the cost of turf reduction projects versus the increased cost of water and penalties; the fluid nature of the matter that may change with summer rains or expected El Niño storms; and acknowledgement that CVWD's water restriction ordinance expires in February 2016.

The Council directed staff to return with cost-benefit reports on waiving turf conversion permit fees for a set period of time, and converting the Civic Center Campus lake to non-potable or recycled water.

2. DISCUSS AESTHETIC CONDITION OF HIGHWAY 111 CORRIDOR

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

Councilmembers discussed developing guidelines for auto dealership car displays; collaborate with auto dealers in developing guidelines; restricting banners; distinction between right-of-way and private property along Highway 111; turf removal in front of Home Depot; CVWD's incentive program for commercial businesses; pros and cons of using certain trees, e.g. citrus, cypress; the pleasing result when landscape colors are grouped; use of pavers at major intersections along Highway 111; starting a conversation with Highway 111 merchants regarding the long-term vision for merchandising, turf conversion and visual improvements to attract new businesses; the cost of redesigning the entry monuments to desertscape; need to rethink wayfinding signs and monuments; problems with sight distance when exiting some shopping centers such as Home Depot; communications, enforcement, compliance needed with auto dealers; and revisit the landscape design criteria.

PUBLIC HEARINGS – None

DEPARTMENT REPORTS

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

- Councilmembers discussed the report on City interns and volunteers, and directed staff to return with a report on providing a scholarship in the range of \$500 to interns at the completion of their internship with the City.

- Councilmembers directed staff to return with a report on Council's summer meeting schedule to include the cancellation of the August 18 and September 1, 2015 meetings, and requested that the summer meeting schedule be placed on the Council agenda every May in future years.
- Community Development Director Johnson introduced the City's new Planning Manager, Gabriel Perez.

MAYOR'S AND COUNCIL MEMBER'S ITEMS

Councilmember Franklin reported on the projects at the Jacqueline Cochran Regional Airport.

Councilmember Osborne noted the recent death of Ed Alderson and recognized his contributions to the City over many years as a Planning Commissioner and a local developer.

Mayor Evans reported on the La Quinta graduation and the remarkable group of graduates.

REPORTS AND INFORMATIONAL ITEMS

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

- CVAG COACHELLA VALLEY CONSERVATION COMMISSION
- CVAG ENERGY & ENVIRONMENTAL RESOURCES COMMITTEE

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

- JACQUELINE COCHRAN REGIONAL AIRPORT AUTHORITY

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

- CVAG PUBLIC SAFETY COMMITTEE
- EAST VALLEY ECONOMIC DEVELOPMENT COALITION

La Quinta's representative for 2015, Councilmember Peña, reported on his participation in the following organization's meeting:

- ANIMAL CAMPUS COMMISSION

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

- RIVERSIDE COUNTY TRANSPORTATION COMMISSION

COUNCIL RECESSED TO CLOSED SESSION AT 7:40 P.M.

MAYOR EVANS RECONVENED THE CITY COUNCIL MEETING AT 9:12 P.M. WITH ALL MEMBERS PRESENT.

MAYOR EVANS REPORTED THAT COUNCIL DELIVERED THE EMPLOYEE PERFORMANCE EVALUATION TO CITY MANAGER FRANK SPEVACEK, WITH NO OTHER ACTIONS 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 9:13 p.m. Motion passed unanimously.

Respectfully submitted,

SUSAN MAYSELS, City Clerk
City of La Quinta, California