



**CITY COUNCIL
MINUTES
TUESDAY, AUGUST 4, 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, Radi, Mayor Evans

ABSENT: Councilmember Osborne, Peña

MOTION – A motion was made and seconded by Councilmembers Franklin and Radi to excuse Councilmembers Osborne and Peña from the meeting of August 4, 2015. The motion passed unanimously. 3-0-2

PUBLIC COMMENT ON MATTERS NOT ON AGENDA - None

CLOSED SESSION

1. 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

2. CONFERENCE WITH LEGAL COUNSEL—EXISTING LITIGATION (PURSUANT TO GOVERNMENT CODE SECTION 54956.9(d)(1)) NAME OF CASE: WALKER V. CITY OF LA QUINTA, RIVERSIDE COUNTY SUP. CT. CASE NO. INS1501295

3. CONFERENCE WITH REAL PROPERTY NEGOTIATORS PURSUANT TO GOVERNMENT CODE SECTION 54956.8 FOR PROPERTY LOCATED ON THE SOUTHWEST CORNER OF CALLE TAMPICO AND AVENIDA NAVARRO (APN: 773-076-018).
 CITY NEGOTIATOR: FRANK J. SPEVACEK, CITY MANAGER
 NEGOTIATING PARTY: KNICKERBOCKER ENTERPRISES, LLC.
 UNDER CONSIDERATION: PRICE AND TERM OF PAYMENT FOR ACQUISITION AND/OR DISPOSITION OF THE PROPERTY IDENTIFIED

COUNCIL RECESSED TO CLOSED SESSION AT 3:04 P.M.

MAYOR EVANS RECONVENED THE CITY COUNCIL MEETING AT 4:00 P.M. WITH COUNCILMEMBERS FRANKLIN AND RADI PRESENT AND OSBORNE AND PEÑA ABSENT.

City Attorney Ihrke reported out on Closed Session Item No. 1, in accordance with the Brown Act and pursuant to Government Code Section 54957.1(a)(6), that there has been approval and ratification of an agreement concluding labor negotiations with represented employees. The item approved and ratified was the Memorandum of Understanding between the City of La Quinta and the La Quinta City Employees' Association for Fiscal Year 2016/17 and approved class specification revisions.

City Attorney Ihrke reported out on Closed Session Item No. 2, in accordance with the Brown Act and pursuant to Government Code Section 54957.1(a)(2), that the City Council gave approval to have Carl Warren and Associates represent the City in a small claims matter as the City's claims administrator. The adverse party is William Walker and the substance of the litigation is damage to his residence resulting from flooding of property.

There was no reportable action on Closed Session Item No. 3

Councilmember Franklin led the audience in the pledge of allegiance.

PUBLIC COMMENT ON MATTERS NOT ON AGENDA

PUBLIC SPEAKER: Patrick Swarthout, representing the Chamber of Commerce, announced that the Chamber is moving forward and will be having a Strategic Planning Session on August 7, 2015.

CONFIRMATION OF AGENDA

City Manager Spevacek requested an introduction of the new interns participating in the City intern program: Grayson Hernandez – City Manger's Department, Gustavo Gomez – Public Works, and Taylor Haas – Community Development.

ANNOUNCEMENTS, PRESENTATIONS AND WRITTEN COMMUNICATIONS

Mayor Evans presented a Certificate of Excellence in Financial Reporting Award to Finance Director Conrad and the Finance Department. The award was received for the City's Comprehensive Annual Financial Report. The Mayor stated that the City of La Quinta has received this award for the past 18 years.

Tom Kirk, Executive Director of the Coachella Valley Association of Governments, provided an update and overview of the CV Link Project. He outlined the project's history, progress, funding, operation and maintenance costs, and potential economic benefits to the local economy. Mr. Kirk related that the project is under careful public scrutiny, CVAG is pursuing outside funding sources, and a regional project does not require approval from all cities to proceed.

Councilmember Franklin expressed her concern on future costs relative to operation and maintenance for the project.

A presentation was made by Martin Dolemo, President and CEO of Saxony Group, and Nick Patel, Architect, outlining their proposed development. Mayor Evans remarked that it is a very interesting project and thanked them for sharing their vision.

CONSENT CALENDAR

- 1. MINUTES OF JULY 21, 2015**
- 2. DEMAND REGISTERS DATED JULY 17 AND JULY 24, 2015**
- 3. SECOND READING AND ADOPTION OF ORDINANCE NO. 527 TO EXPEDITE PERMITTING PROCEDURES FOR SMALL RESIDENTIAL ROOFTOP SOLAR SYSTEMS AND ADD CHAPTER 8.90 TO THE LA QUINTA MUNICIPAL CODE**
- 4. RECEIVE AND FILE REVENUE AND EXPENDITURE REPORTS FOR THE MONTH OF JUNE 2015 (PRELIMINARY)**
- 5. RATIFY GRANT APPLICATION SUBMISSION TO CALIFORNIA DEPARTMENT OF TRANSPORTATION HIGHWAY SAFETY IMPROVEMENT PROGRAM FOR FISCAL YEAR 2015/16 FUNDING**
- 6. AWARD CONTRACT TO MATICH CORPORATION FOR MONROE STREET PAVING REHABILITATION PROJECT**
- 7. AUTHORIZE OVERNIGHT TRAVEL FOR PERMIT OPERATIONS SUPERVISOR AND EXECUTIVE ASSISTANT TO ATTEND MANAGEMENT ACADEMY TRAINING ON OCTOBER 5, 6, 7 AND 8, 2015, IN PASO ROBLES, CALIFORNIA**
- 8. ACCEPT LA QUINTA WELLNESS CENTER IMPROVEMENTS PROJECT**
- 9. AWARD CONTRACT TO GOLDEN VALLEY CONSTRUCTION FOR EXTERIOR PHASE OF LIBRARY 10TH ANNIVERSARY IMPROVEMENTS PROJECT**
- 10. AWARD CONTRACT TO PAINTING AND DÉCOR, INC. FOR INTERIOR PHASE OF LIBRARY 10TH ANNIVERSARY IMPROVEMENTS PROJECT**

PUBLIC SPEAKER: Tom Brohard, La Quinta - expressed his appreciation to the City for moving forward with the Monroe Street Improvement Project.

MOTION – A motion was made and seconded by Councilmembers Franklin/Radi to approve the Consent Calendar Item Nos. 1-10 as recommended. Motion passed unanimously: 3-0-2

MAYOR EVANS RECESSED TO PUBLIC HEARING AT 5:00 P.M.

PUBLIC HEARINGS

- 1. ADOPT RESOLUTION TO APPROVE TIME EXTENSION FOR TENTATIVE TRACT MAP AND REMOVE A CONDITION FROM CONDITIONS OF APPROVAL TO ELIMINATE AGE RESTRICTION FOR PROJECT LOCATED AT MONROE STREET AND AVENUE 61. [NO FURTHER ENVIRONMENTAL ANALYSIS REQUIRED.] APPLICANT: MONROE DATES, LLC [RESOLUTION 2015-038]**

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

MAYOR EVANS DECLARED THE PUBLIC HEARING OPEN AT 5:06 P.M.

Craig Cherney, applicant's representative, expressed concern over the changing marketplace since 2009. He explained that his ownership group has contacted all the major builders across the Coachella Valley who build active adult-only communities, and a project this size does not make economic sense. Mr. Cherney said they are requesting two things: a one-year extension for the new owners and elimination of the age restriction. All other project conditions would remain intact.

PUBLIC SPEAKER: Bruce Kirchner, La Quinta – (a Trilogy homeowner) stated his opposition with eliminating the age restriction. He feels that when he bought his home there was a perception that this area would be remain age restrictive.

PUBLIC SPEAKER: James Mellon, La Quinta – (a Trilogy homeowner) remarked that in 2009 Craig Knight proposed a 55 and older project, which he supported at the time. It was presented as an extension of Trilogy; the proposal has changed and he no longer is supportive. Mr. Mellon said that holding the public hearing at this time, when so many seasonal residents are away, does not provide an adequate sampling of residents. However, he is in agreement with the extension requested.

PUBLIC SPEAKER: Paul Lusser, La Quinta – Mr. Lusser feels too many Trilogy residents are gone and the vote should be delayed. He announced that Shea Homes recently sold 60 homes in six months and does not see a problem in selling 55 and older homes. He is opposed to eliminating the age restriction.

PUBLIC SPEAKER: Mary Pearl, La Quinta – expressed concern about safety, noise and would like the vote delayed until November.

PUBLIC SPEAKER: Felix Bulls, La Quinta – Mr. Bulls would like to see a study performed – what is the purpose of a 55 and older zone? He disagrees that the developer should

be able to claim financial hardship and change the zoning. With 70 percent of Trilogy residents away, he urged the Council to delay the vote until everyone is back.

PUBLIC SPEAKER: Ed Combs, La Quinta – He stated his concerns about security, feels the Environmental Impact Report (EIR) needs updating and there was not enough notice for the meeting.

PUBLIC SPEAKER: Fritz Boehle, La Quinta – Mr. Boehle expressed concerns that he did not receive notice for the community meeting held at the Museum, that the project EIR is outdated, and the impact to air quality. He also asked what the City of La Quinta is doing about the Salton Sea.

PUBLIC SPEAKER: Diane Losson, La Quinta – Ms. Losson voiced her opposition to the removal of the age restriction and feels Trilogy residents are entitled to a continuance until more residents return. She remarked that people are attracted to 55 and older developments for various reasons: amenities, social life, beauty, quiet and safety.

PUBLIC SPEAKER: Barbara Erwin, La Quinta – Ms. Erwin said this is the second time that Trilogy residents have had to deal with this issue - people are looking for 55 and over – it is comfortable, safe and quiet.

PUBLIC SPEAKER: Steve Ludwig, La Quinta – Mr. Ludwig would be the potential developer and understands anytime someone builds something near them – it is an emotional issue; current condition of the land potentially promotes more problems; project is not large enough to support 55 and over amenities - Trilogy would not allow sharing.

Councilmember Franklin said that security should not be an issue at this location due to demographics, home prices and school district. She stated that Trilogy has been so successful because they have an excellent product with many amenities – and mentioned that her mother lives there. Councilmember Franklin explained that a project this size could not support a similar amenities package. She expressed her appreciation for everyone’s concerns.

Councilmember Radi commented that he does not see noise as a function of age but rather a function of behavior; this project will not attract full time residents; and reiterated the positives of this project and the street improvements planned on Monroe. He related that he would like to see these two projects work together and sees the project as a win-win.

In response to a public comment, Councilmember Radi relayed information regarding the Salton Sea and that the Hoover Commission recently held a public hearing that he attended. He stated that although the City has no jurisdiction, make your voices heard and take the issue very seriously.

Mayor Evans questioned the applicant regarding a past attempt to share amenities with Trilogy in 2009; no information could be provided. Mayor Evans confirmed with staff details regarding Environmental Impact Report mitigation measures that were adopted, the project will be subject to current South Coast Air Quality Management District standards and that those will be identified on the grading plans. She also confirmed that the project will be gated not guarded and summarized the standard meeting notice process – adding that the City of La Quinta is open for business year around. She stated there are several senior affordable housing developments within the City surrounded by non-age restricted developments; co-habitation has not been problematic regarding safety/noise.

At the Mayor’s request, applicant Steve Ludwig addressed further comments and questions from the public regarding the project.

Mayor Evans expressed appreciation for all the comments. She added that based on feedback, she would not qualify to be a neighbor – she’s not yet 55, and that Trilogy is an incredibly diverse and special community that draws people in with amenities – there is an activity for everyone. Mayor Evans concluded saying activities build communities regardless of age and promote a community spirit.

MAYOR EVANS DECLARED THE PUBLIC HEARING CLOSED AT 6:04 P.M.

MOTION: A motion was made and seconded by Councilmembers Franklin/Radi to approve time extension for tentative tract map and remove a condition from conditions of approval to eliminate age restriction for the project located at Monroe Street and Avenue 61.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LA QUINTA, CALIFORNIA, APPROVING A TIME EXTENSION FOR TENTATIVE TRACT MAP 31434 AND REMOVING CONDITION NO. 84 FROM THE CONDITIONS OF APPROVAL TO ELIMINATE THE AGE RESTRICTION OF LIMITING RESIDENTS TO 55 YEARS AND OLDER CASE NO.: TENTATIVE TRACT MAP 15-0005 APPLICANT: MONROE DATES, LLC

| | |
|----------------|---|
| Motion passed: | ayes Councilmember Franklin Councilmember Radi Mayor Evans noes absent Councilmember Osborne Councilmember Peña |
|----------------|---|

MAYOR EVANS RECESSED MEETING FOR A SHORT BREAK AT 6:10 P.M.

MAYOR EVANS RECONVENED THE MEETING AT 6:20 P.M.

2. **INTRODUCE ORDINANCE AMENDING SECTION 9.150.060 OF THE MUNICIPAL CODE (SPACES REQUIRED BY USE) TO ALLOW FOR A REDUCED NUMBER OF REQUIRED PARKING SPACES FOR PROPERTIES WITHIN THE VILLAGE COMMERCIAL ZONING DISTRICT, AND CONFIRM A DETERMINATION OF EXEMPTION PURSUANT TO THE CALIFORNIA ENVIRONMENTAL QUALITY ACT SECTION 15061 (B)(3) REVIEW OF EXEMPTIONS – GENERAL RULE [ORDINANCE NO. 528]**

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

MAYOR EVANS DECLARED THE PUBLIC HEARING OPEN AT 6:23 P.M.

PUBLIC SPEAKER: NONE

MAYOR EVANS DECLARED THE PUBLIC HEARING CLOSED AT 6:24 P.M.

Mayor Evans said that this is another creative opportunity to provide incentives to businesses in La Quinta, given that redevelopment is gone and there is less flexibility; she appreciates the work of staff on this project.

MOTION – A motion was made and seconded by Councilmembers Radi/Franklin to take up Ordinance No. 528 by title and number only and waive further reading. Motion passed unanimously; 3-0-2

Deputy City Clerk Thompson read the following title of Ordinance No. 528 into the record:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LA QUINTA, CALIFORNIA, APPROVING ZONING ORDINANCE AMENDMENT 2015-0001, AMENDING SECTION 9.150.060 (SPACES REQUIRED BY USE) TO ALLOW FOR A REDUCED NUMBER OF REQUIRED PARKING SPACES FOR PROPERTIES WITHIN THE VILLAGE COMMERCIAL ZONING DISTRICT, CASE NUMBER: ZONING ORDINANCE AMENDMENT 2015-0001, APPLICANT: CITY OF LA QUINTA

MOTION – A motion was made and seconded by Councilmembers Radi/Franklin to introduce Ordinance 528 on first reading. Motion passed unanimously; 3-0-2

BUSINESS SESSION

1. **APPOINT TWO COUNCIL MEMBERS TO AD-HOC COMMITTEE FOR DEVELOPMENT CODE TUNE UP**

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

MOTION – A motion was made and seconded by Councilmembers Franklin/Radi to appoint Councilmembers Radi and Peña to the Ad-Hoc Committee for Development Code Tune Up. Motion passed unanimously; 3-0-2

2. ADOPT RESOLUTION TO APPROVE MEMORANDUM OF UNDERSTANDING BETWEEN CITY OF LA QUINTA AND LA QUINTA CITY EMPLOYEES' ASSOCIATION THROUGH FISCAL YEAR 2016/17 AND APPROVE CLASSIFICATION SPECIFICATION REVISIONS [RESOLUTION 2015-036]

City Manager Spevacek requested Business Item Nos. 2 and 3 be taken together; present one staff report for the two items.

Human Resources/Risk Manager Deeringer presented the staff report, which is on file in the City Clerk's Office. Ms. Deeringer expressed appreciation to the City Council and City Employees' Association for their patience through this process.

Councilmembers commented that staff has done a great job, it has been a collaborative effort between staff and City Council, and they have high expectations and will continue to raise that bar.

MOTION – A motion was made and seconded by Councilmembers Franklin/Radi approving Resolution 2015-036 to approve Memorandum of Understanding between City of La Quinta and La Quinta City Employee's Association through Fiscal Year 2016/17 and approve classification specification revisions.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LA QUINTA, CALIFORNIA, APPROVING AND ADOPTING A MEMORANDUM O EMPLOYEES' ASSOCIATION (LQCEA) COMMENCING ON JULY 1, 2015, AND TERMINATING JUNE 30, 2017 AND REVISIONS TO FOUR CLASSIFICATION SPECIFICATIONS

Motion passed unanimously; 3-0-2

3. ADOPT RESOLUTION TO APPROVE BENEFIT ADJUSTMENTS FOR MANAGEMENT, CONTRACT EMPLOYEES AND CONFIDENTIAL EMPLOYEES THROUGH FISCAL YEAR 2016/17 {RESOLUTION 2015-037}

Human Resources/Risk Manager Deeringer presented the staff report, which is on file in the City Clerk's Office.

MOTION – A motion was made and seconded by Councilmembers Franklin/Radi approving Resolution 2015-037 to approve benefit adjustments for management, contract employees and confidential employees through Fiscal Year 2016/17.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LA QUINTA, CALIFORNIA, APPROVING BENEFIT ADJUSTMENTS FOR NON-REPRESENTED MANAGEMENT, CONTRACT MANAGEMENT AND CONFIDENTIAL EMPLOYEES, COMMENCING ON JULY 1, 2015, AND TERMINATING JUNE 30, 2017

Motion passed unanimously; 3-0-2

STUDY SESSION - None

DEPARTMENT REPORTS

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

REPORTS AND INFORMATIONAL ITEMS - None

MAYOR'S AND COUNCIL MEMBER'S ITEMS - None

ADJOURNMENT

There being no further business, a motion was made and seconded by Councilmembers Franklin/Radi to adjourn at 6:32 p.m. Motion passed unanimously.

Respectfully submitted,

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

