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CITY COUNCIL AGENDA

CITY HALL COUNCIL CHAMBER
78495 Calle Tampico, La Quinta

REGULAR MEETING ON TUESDAY, DECEMBER 5, 2023
4:00 P.M. OPEN SESSION

Members of the public **may listen to this meeting by tuning-in live via**
<http://laquinta.12milesout.com/video/live>.

CALL TO ORDER

ROLL CALL: Councilmembers: Fitzpatrick, McGarrey, Peña, Sanchez, Mayor Evans

PUBLIC COMMENT ON MATTERS NOT ON THE AGENDA

At this time, members of the public may address the City Council on any matter not listed on the agenda pursuant to the "Public Comments – Instructions" listed at the end of the agenda. The City Council values your comments; however, in accordance with State law, no action shall be taken on any item not appearing on the agenda unless it is an emergency item authorized by the Brown Act [Government Code § 54954.2(b)].

CONFIRMATION OF AGENDA

PLEDGE OF ALLEGIANCE

ANNOUNCEMENTS, PRESENTATIONS, AND WRITTEN COMMUNICATIONS

1. PRESENTATION ON THE SALTON SEA MANAGEMENT PROGRAM UPDATE BY MIGUEL HERNANDEZ, PUBLIC AFFAIRS OFFICER AT THE CALIFORNIA NATURAL RESOURCES AGENCY

CONSENT CALENDAR

NOTE: Consent Calendar items are routine in nature and can be approved by one motion.

1. APPROVE CITY COUNCIL MEETING MINUTES OF NOVEMBER 21, 2023

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2. ADOPT ORDINANCE NO. 607 ON SECOND READING AMENDING CHAPTER 3.25 OF THE LA QUINTA MUNICIPAL CODE RELATED TO SHORT-TERM VACATION RENTALS [ORDINANCE NO. 607] 17
3. ADOPT ORDINANCE NO. 608 ON SECOND READING ADDING SUBSECTION 3.25.070(S) TO CHAPTER 3.25 OF THE LA QUINTA MUNICIPAL CODE RELATED TO SHORT-TERM VACATION RENTALS TO ESTABLISH THAT APARTMENTS ARE NOT ELIGIBLE TO APPLY FOR OR OBTAIN A SHORT-TERM VACATION RENTAL PERMIT [ORDINANCE NO. 608] 43
4. ADOPT RESOLUTION TO APPROVE FINAL PARCEL MAP NO. 38298 LOCATED ON THE NORTHWEST CORNER OF CALLE TAMPICO AND WASHINGTON STREET [RESOLUTION NO. 2023-040] 49
5. ADOPT RESOLUTIONS TO: 1) DECLARE ASSESSOR PARCEL NUMBERS 770-123-011, 770-124-010, AND 770-124-012 LOCATED IN THE CITY OF LA QUINTA, CALIFORNIA AS SURPLUS LAND, AND 2) DECLARE ASSESSOR PARCEL NUMBER 770-125-003, LOCATED IN THE CITY OF LA QUINTA, CALIFORNIA AS EXEMPT SURPLUS LAND; EXEMPT FROM ENVIRONMENTAL REVIEW PURSUANT TO SECTION 15312 OF THE CALIFORNIA ENVIRONMENTAL QUALITY ACT [RESOLUTION NOS. 2023-041 AND 2023-042] 59
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7. AUTHORIZE OVERNIGHT TRAVEL FOR THE FINANCE DIRECTOR AND THREE FINANCE DEPARTMENT EMPLOYEES TO ATTEND THE CALIFORNIA SOCIETY OF MUNICIPAL FINANCE OFFICERS ANNUAL CONFERENCE IN ANAHEIM, CALIFORNIA, JANUARY 30 – FEBRUARY 2, 2024 73
8. RECEIVE AND FILE REVENUE AND EXPENDITURE REPORT DATED SEPTEMBER 30, 2023 75

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| 1. INTERVIEW AND APPOINT A RESIDENT TO SERVE ON THE FINANCIAL ADVISORY COMMISSION | 81 |

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| 1. DISCUSS CONSTRUCTION STAGING ALTERNATIVES FOR AVENUE 50 BRIDGE PROJECT NO. 2019-02 | 89 |

CITY HALL ANNUAL OPEN HOUSE

APPROXIMATELY 5:00 P.M.

RECESS MEETING TO CITY HALL'S ANNUAL OPEN HOUSE MEET AND GREET

APPROXIMATELY 6:00 P.M.

MAYOR EVANS RECONVENES THE CITY COUNCIL MEETING

DEPARTMENTAL REPORTS

1. CITY MANAGER
2. CITY ATTORNEY
3. CITY CLERK
4. COMMUNITY SERVICES – QUARTERLY REPORT – JULY – SEPTEMBER 2023
5. DESIGN AND DEVELOPMENT
6. FINANCE
7. PUBLIC SAFETY
8. PUBLIC WORKS

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MAYOR'S AND COUNCIL MEMBERS' ITEMS

REPORTS AND INFORMATIONAL ITEMS

1. CVAG CONSERVATION COMMISSION (Evans)
2. CVAG ENERGY AND SUSTAINABILITY COMMITTEE (Evans)
3. CVAG EXECUTIVE COMMITTEE (Evans)
4. GREATER PALM SPRINGS CONVENTION AND VISITORS BUREAU (Evans)
5. IMPERIAL IRRIGATION DISTRICT – COACHELLA VALLEY ENERGY COMMISSION (Evans)
6. LEAGUE OF CALIFORNIA CITIES DELEGATE (Evans)
7. COACHELLA VALLEY WATER DISTRICT JOINT POLICY COMMITTEE (Evans)
8. SOUTHERN CALIFORNIA ASSOCIATION OF GOVERNMENTS (Evans)
9. ECONOMIC DEVELOPMENT SUBCOMMITTEE (Evans & Fitzpatrick)
10. COACHELLA VALLEY MOUNTAINS CONSERVANCY (McGarrey)
11. DESERT RECREATION DISTRICT COMMITTEE (Fitzpatrick & McGarrey)
12. COACHELLA VALLEY UNIFIED SCHOOL DISTRICT COMMITTEE (Fitzpatrick & Peña)
13. GREATER CV CHAMBER OF COMMERCE INFORMATION EXCHANGE COMMITTEE (Fitzpatrick)
14. RIVERSIDE COUNTY TRANSPORTATION COMMISSION (Fitzpatrick)
15. CANNABIS AD HOC COMMITTEE (Peña & Sanchez)
16. CVAG PUBLIC SAFETY COMMITTEE (Peña)
17. CVAG VALLEY-WIDE HOMELESSNESS COMMITTEE (Peña)
18. LEAGUE OF CALIFORNIA CITIES – PUBLIC SAFETY POLICY COMMITTEE (Peña)

- 19. IMPERIAL IRRIGATION DISTRICT – ENERGY CONSUMERS ADVISORY COMMITTEE (McGarrey)
- 20. COACHELLA VALLEY MOSQUITO AND VECTOR CONTROL DISTRICT (Peña)
- 21. CVAG TRANSPORTATION COMMITTEE (Fitzpatrick)
- 22. SUNLINE TRANSIT AGENCY (Peña)
- 23. DESERT SANDS UNIFIED SCHOOL DISTRICT COMMITTEE (Evans & Sanchez)
- 24. ANIMAL CAMPUS COMMISSION (Sanchez)
- 25. LEAGUE OF CALIFORNIA CITIES – PUBLIC SAFETY COMMITTEE (Sanchez & Peña)
- 26. RIVERSIDE LOCAL AGENCY FORMATION COMMISSION (Sanchez)

ADJOURNMENT

The next regular meeting of the City Council will be held on December 19, 2023, at 4:00 p.m. at the City Hall Council Chamber, 78495 Calle Tampico, La Quinta, CA 92253.

DECLARATION OF POSTING

I, Monika Radeva, City Clerk of the City of La Quinta, do hereby declare that the foregoing Agenda for the La Quinta City Council meeting was posted on the City’s website, near the entrance to the Council Chamber at 78495 Calle Tampico, and the bulletin board at the La Quinta Cove Post Office at 51321 Avenida Bermudas, on December 1, 2023.

DATED: December 1, 2023

MONIKA RADEVA, City Clerk
City of La Quinta, California

Public Notices

- Agenda packet materials are available for public inspection: 1) at the Clerk’s Office at La Quinta City Hall, located at 78495 Calle Tampico, La Quinta, California 92253; and 2) on the City’s website at www.laquintaca.gov/councilagendas, in accordance with the Brown Act [Government Code § 54957.5; AB 2647 (Stats. 2022, Ch. 971)].
- The La Quinta City Council Chamber is handicapped accessible. If special equipment is needed for the hearing impaired, please call the City Clerk’s office at (760) 777-7123, 24-hours in advance of the meeting and accommodations will be made.
- If background material is to be presented to the City Council during a City Council meeting, please be advised that 15 copies of all documents, exhibits, etc., must be

supplied to the City Clerk for distribution. It is requested that this takes place prior to the beginning of the meeting.

PUBLIC COMMENTS - INSTRUCTIONS

Members of the public may address the City Council on any matter listed or not listed on the agenda as follows:

WRITTEN PUBLIC COMMENTS can be provided either in-person during the meeting by submitting 15 copies to the City Clerk, it is requested that this takes place prior to the beginning of the meeting; or can be emailed in advance to CityClerkMail@LaQuintaCA.gov, no later than 12:00 p.m., on the day of the meeting. Written public comments will be distributed to Council, made public, and will be incorporated into the public record of the meeting, but will not be read during the meeting unless, upon the request of the Mayor, a brief summary of public comments is asked to be reported.

If written public comments are emailed, the email subject line must clearly state **“Written Comments”** and should include: **1) full name, 2) city of residence, and 3) subject matter.**

VERBAL PUBLIC COMMENTS can be provided in-person during the meeting by completing a “Request to Speak” form and submitting it to the City Clerk; it is requested that this takes place prior to the beginning of the meeting. Please limit your comments to three (3) minutes (or approximately 350 words). Members of the public shall be called upon to speak by the Mayor.

In accordance with City Council Resolution No. 2022-027, a one-time additional speaker time donation of three (3) minutes per individual is permitted; please note that the member of the public donating time must: 1) submit this in writing to the City Clerk by completing a “Request to Speak” form noting the name of the person to whom time is being donated to, and 2) be present at the time the speaker provides verbal comments.

Verbal public comments are defined as comments provided in the speakers’ own voice and may not include video or sound recordings of the speaker or of other individuals or entities, unless permitted by the Mayor.

Public speakers may elect to use printed presentation materials to aid their comments; 15 copies of such printed materials shall be provided to the City Clerk to be disseminated to the City Council, made public, and incorporated into the public record of the meeting; it is requested that the printed materials are provided prior to the beginning of the meeting. There shall be no use of Chamber resources and technology to display visual or audible presentations during public comments, unless permitted by the Mayor.

All writings or documents, including but not limited to emails and attachments to emails, submitted to the City regarding any item(s) listed or not listed on this agenda are public records. All information in such writings and documents is subject to disclosure as being in the public domain and subject to search and review by electronic means, including but not

limited to the City's Internet Web site and any other Internet Web-based platform or other Web-based form of communication. All information in such writings and documents similarly is subject to disclosure pursuant to the California Public Records Act [Government Code § 7920.000 *et seq.*].

TELECONFERENCE ACCESSIBILITY – INSTRUCTIONS

Teleconference accessibility may be triggered in accordance with AB 2449 (Stats. 2022, Ch. 285), codified in the Brown Act [Government Code § 54953], if a member of the City Council requests to attend and participate in this meeting remotely due to “just cause” or “emergency circumstances,” as defined, and only if the request is approved. In such instances, remote public accessibility and participation will be facilitated via Zoom Webinar as detailed at the end of this Agenda.

***** TELECONFERENCE PROCEDURES – PURSUANT TO AB 2449*****

APPLICABLE ONLY WHEN TELECONFERENCE ACCESSIBILITY IS IN EFFECT

Verbal public comments via Teleconference – members of the public may attend and participate in this meeting by teleconference via Zoom and use the “raise your hand” feature when public comments are prompted by the Mayor; the City will facilitate the ability for a member of the public to be audible to the City Council and general public and allow him/her/them to speak on the item(s) requested. **Please note – members of the public must unmute themselves when prompted upon being recognized by the Mayor, in order to become audible to the City Council and the public.**

Only one person at a time may speak by teleconference and only after being recognized by the Mayor.

ZOOM LINK: <https://us06web.zoom.us/j/82540879912>
Meeting ID: 825 4087 9912
Or join by phone: (253) 215 – 8782

Written public comments – can be provided in person during the meeting or emailed to the City Clerk's Office at CityClerkMail@LaQuintaCA.gov any time prior to the adjournment of the meeting, and will be distributed to the City Council, made public, incorporated into the public record of the meeting, and will not be read during the meeting unless, upon the request of the Mayor, a brief summary of any public comment is asked to be read, to the extent the City Clerk's Office can accommodate such request.



**CITY COUNCIL
MINUTES
TUESDAY, NOVEMBER 21, 2023**

CALL TO ORDER

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

PRESENT: Councilmembers Fitzpatrick, McGarrey, Peña, Sanchez, Mayor Evans

ABSENT: None

PUBLIC COMMENT ON MATTERS NOT ON THE AGENDA – None

CONFIRMATION OF AGENDA

Mayor Evans requested to pull Consent Calendar Item No. 8 for separate discussion and vote.

Council concurred.

CLOSED SESSION

- 1. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION SIGNIFICANT EXPOSURE TO LITIGATION PURSUANT TO PARAGRAPH (2) OR (3) OF SUBDIVISION (d) OF GOVERNMENT CODE SECTION 54956.9 (NUMBER OF POTENTIAL CASES: 1)**

COUNCIL RECESSED THE OPEN SESSION PORTION OF THE MEETING AND MOVED INTO CLOSED SESSION AT 3:32 P.M.

MAYOR EVANS RECONVENED THE OPEN SESSION PORTION OF THE CITY COUNCIL MEETING AT 4:07 P.M. WITH ALL MEMBERS PRESENT

REPORT ON ACTION(S) TAKEN IN CLOSED SESSION:

City Attorney Ihrke reported no actions were taken in Closed Session that require reporting pursuant to Government Code section 54957.1 (Brown Act).

PLEDGE OF ALLEGIANCE

Councilmember McGarrey led the audience in the Pledge of Allegiance.

PUBLIC COMMENT ON MATTERS NOT ON THE AGENDA

City Clerk Radeva said WRITTEN PUBLIC COMMENTS were received from La Quinta resident Claudia Snyder regarding a special event held at the Dupont Estate on October

12, 2022, which were distributed to Council, made public, published on the City's website, and included in the public record of this meeting.

PUBLIC SPEAKER: Philip Bettencourt, La Quinta – said the Rancho La Quinta Homeowners Association (HOA) will be again hosting a Thanksgiving Day Ceremony for the U.S. Marine Corp, which offers Marines use of the HOA facilities such as golf, tennis, an pickleball, and offers valley residents the opportunity to share their Thanksgiving day with Marines from the Air Ground Combat Center in 29 Palms; and invited Council to join the Rancho La Quinta residents at the Ceremony to welcome the Marines.

ANNOUNCEMENTS, PRESENTATIONS AND WRITTEN COMMUNICATIONS

1. VISIT GREATER PALM SPRINGS – CHAMPIONS OF HOSPITALITY 2023 – SPIRIT OF TOURISM AWARD RECIPIENTS' RECOGNITION

Council expressed their gratitude and congratulated the 2023 Champions of Hospitality Award winners, recognized by the Visit Greater Palm Springs as ambassadors of tourism in La Quinta:

- Martin Oliveros, Attendant Carpenter-Engineering with the La Quinta Resort and Club (Resort), recipient under the Resort Hotel category, was not present at the meeting.
- Chris George, Award-Winning Luxury and Lifestyle Marketing Director with the Resort, introduced several Resort employees, recipients of this award, in recognition of their commitment to tourism and providing exceptional customer service, and thanked them for their dedication and efforts.
- Zayd Nurani, Owner of TQLAS, thanked the community for its support to his business and family and noted Juan Gonzalez, Chef at TQLAS and the Hideout Kitchen + Bar, recipient under the Restaurant/Bar category, was not able to attend the meeting but was very appreciative of the recognition.
- Nicole Benvenuti, Director of Sales and Marketing at COJ Events, Inc., recipient under the San Jacinto Rising Star Award category, was not present at the meeting.

Mayor Evans noted that the City of La Quinta was awarded the Oasis Award for Sustainability; and thanked the community for their sustainability efforts and contributions.

2. INTRODUCE RIVERSIDE COUNTY SHERIFF DEPARTMENT LIEUTENANT FRANCISCO VELASCO, SEARGENT MARK CHLARSON, AND MOTOR OFFICERS ERNEST TELLES AND ISAAC RAMIREZ

Riverside County Sheriff Department (County) Captain Andres Martinez introduced Deputies Ernest Telles and Isaac Ramirez serving La Quinta as motor officers, Seargent Mark Chlarson, and Lieutenant Francisco Velasco serving as La Quinta Police Chief; and provided a brief summary of their experience and qualifications; County staff expressed their commitment and gratitude to serve the La Quinta community.

3. INTRODUCE RIVERSIDE COUNTY FIRE DEPARTMENT FIRE MARSHAL SUPERVISOR CHRIS COX AND MARSHAL SPECIALIST LUCERO INEGUEZ

Riverside County Fire Department La Quinta Division Chief Richard Tovar introduced Fire Marshal Supervisor Chris Cox and Marshal Specialist Lucero Ineguez assigned to serve La Quinta, and provided a brief summary of their experience and qualifications; Mr. Cox and Ms. Ineguez expressed their commitment and gratitude to serve the La Quinta community.

Added Presentation Item >>>

4. SUNLINE TRANSIT AGENCY 2023 STUDENT ART CONTEST

Council said La Quinta has sponsored the annual Sunline Transit Agency (Sunline) Student Art Contest program since 2018, which requires students to submit art for evaluation and aims to get students interested in transportation and educate them about environmentally safe transportation options, such as busses that use hydrogen fuel cell as its power source for electrically driven wheels and only emitting water. A video of the unveiling, held earlier this afternoon, of the Sunline hydrogen busses wrapped with the winning art contest submissions was shown, which included the following students from La Quinta schools:

- Lauren Cruz De Armas, 9th grade, La Quinta High School
- Antonio Coloma II, 3rd grade, Benjamin Franklin Elementary School
- Isabella Machado Gonzalez, 5th grade, Benjamin Franklin Elementary School
- Gabrielle Lou Mercedeine Coloma, 6th grade, La Quinta Middle School

CONSENT CALENDAR

- 1. APPROVE CITY COUNCIL MEETING MINUTES OF NOVEMBER 7, 2023**
- 2. ADOPT ORDINANCE NO. 606 ON SECOND READING AMENDING VARIOUS SECTIONS OF TITLE 9 OF THE LA QUINTA MUNICIPAL CODE FOR ZONING CODE LANGUAGE CLEAN UP AND CHANGES TO GAME COURT, FLAGPOLE, AND ACCESSORY DWELLING UNIT REGULATIONS; PROJECT: ZONING ORDINANCE AMENDMENT 2023-1000; CEQA: THE PROJECT IS EXEMPT FROM ENVIRONMENTAL REVIEW PURSUANT TO SECTION 15061 (b)(3) COMMON SENSE EXEMPTION; LOCATION: CITYWIDE**
[ORDINANCE NO. 606]
- 3. EXCUSE ABSENCE OF CHAIRPERSON NIETO FROM THE NOVEMBER 14, 2023, PLANNING COMMISSION MEETING**
- 4. AUTHORIZE OVERNIGHT TRAVEL FOR MARKETING MANAGER AND MARKETING SPECIALIST TO ATTEND ETOURISM SUMMIT IN LAS VEGAS, NEVADA, APRIL 1-5, 2024**
- 5. AUTHORIZE OVERNIGHT TRAVEL FOR TWO PLANNING COMMISSIONERS AND ONE PLANNING STAFF MEMBER TO ATTEND THE ANNUAL LEAGUE OF CALIFORNIA CITIES PLANNING COMMISSIONERS' ACADEMY IN LONG BEACH, CALIFORNIA, MARCH 6-8, 2024**

6. **AUTHORIZE OVERNIGHT TRAVEL FOR THE CITY CLERK AND PERMIT TECHNICIAN TO ATTEND THE ANNUAL LASERFICHE EMPOWER 2024 CONFERENCE IN LAS VEGAS, NEVADA, APRIL 22-25, 2024**
7. **ACCEPT THE LA QUINTA PARK SPLASH PAD PROJECT NO. 2022-19, LOCATED AT THE NORTHEAST CORNER OF ADAMS STREET AND BLACKHAWK WAY**
8. **APPROVE LEASE AND USE AGREEMENT WITH OLD TOWN LA QUINTA, LLC FOR THE IMPROVEMENT AND USE OF A PORTION OF A VACANT PARCEL FOR ADDITIONAL OLD TOWN LA QUINTA PARKING; ASSESSOR PARCEL NUMBER 773-076-018; CEQA: EXEMPT UNDER SECTION 15061 (b)(3) COMMON SENSE EXEMPTION**
9. **APPROPRIATE FUNDING AND APPROVE AGREEMENTS FOR CONTRACT SERVICES WITH GRANITE CONSTRUCTION COMPANY FOR SEVERAL EMERGENCY ROAD REPAIRS THROUGHOUT THE CITY, PROJECT NO. 2023-20**
10. **APPROVE DEMAND REGISTERS DATED NOVEMBER 3 AND NOVEMBER 10, 2023**

MOTION – A motion was made and seconded by Councilmembers Peña/Fitzpatrick to approve Consent Calendar Item Nos. 1-7, 9, and 10, as recommended, with Item No. 2 adopting Ordinance No. 606. Motion passed unanimously.

CONSENT CALENDAR ITEM NO. 8

Mayor Evans said parking in and around Old Town is periodically evaluated; Old Town employees are required to park offsite, thereby occupying street parking; City gravel lots used for events will eventually disappear as the land is developed; parking beyond just Old Town should be examined; and at the 2023 annual Community Workshop the community discussed possible parking structure in the Village.

MOTION – A motion was made and seconded by Councilmembers Fitzpatrick/Sanchez to approve Consent Calendar Item No. 8 as recommended. Motion passed unanimously.

BUSINESS SESSION

1. **INTRODUCE FOR FIRST READING AN ORDINANCE ADDING SUBSECTION 3.25.070(S) TO CHAPTER 3.25 OF THE LA QUINTA MUNICIPAL CODE RELATED TO SHORT-TERM VACATION RENTALS TO ESTABLISH THAT APARTMENTS ARE NOT ELIGIBLE TO APPLY FOR OR OBTAIN A SHORT-TERM VACATION RENTAL PERMIT (STVR) [ORDINANCE NO. 608]**

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

Council discussed the conditions under which Homeowner Associations (HOAs) are permitted to apply for STVR permits; addressing new STVRs in HOAs when and if an HOA approaches the City to allow STVRs in its community; and addressing the matter at a future Council meeting so that HOAs know where they stand.

Council directed staff to send written notices to HOAs that currently allow STVRs pursuant to their Covenants, Conditions, and Restrictions (CC&Rs) requesting that HOAs notify the City in writing should they be interested in an exemption from the current ban on the issuance of new STVR permits in non-exempt areas and report the responses back to Council at a future meeting; and to identify the total number of parcels within each HOA along with the total number of active STVR permits to determine the attrition of STVR permits.

Mayor Pro Tem Sanchez said his dissenting vote regarding the proposal to prohibit apartments eligibility to apply for and obtain STVR permits is because it should be based on zoning, i.e., if it is located within the City's exempt areas, it should be allowed.

MOTION – A motion was made and seconded by Councilmembers Fitzpatrick/Peña to take up Ordinance No. 608 by title and number only and waive further reading. Motion passed: ayes – 4, noes – 1 (Sanchez), abstain – 0, absent – 0.

City Clerk Radeva read the following title of Ordinance No. 608 into the record:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LA QUINTA, CALIFORNIA, ADDING SUBSECTION 3.25.070(S) TO CHAPTER 3.25 OF THE LA QUINTA MUNICIPAL CODE RELATED TO SHORT-TERM VACATION RENTALS TO ESTABLISH THAT APARTMENTS ARE NOT ELIGIBLE TO APPLY OR OBTAIN A SHORT-TERM VACATION RENTAL PERMIT

MOTION – A motion was made and seconded by Councilmembers Fitzpatrick/Peña to introduce at first reading Ordinance No. 608 as recommended. Motion passed; ayes – 4, noes – 1 (Sanchez), abstain – 0, absent – 0.

PUBLIC HEARINGS

- 1. ADOPT RESOLUTION TO APPROVE THE CITY'S COMMUNITY DEVELOPMENT PRIORITIES, AUTHORIZE THE CITY MANAGER TO SUBMIT APPLICATIONS TO RIVERSIDE COUNTY ECONOMIC DEVELOPMENT AGENCY FOR COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS, AND EXECUTE SUPPLEMENTAL AGREEMENTS FOR FISCAL YEAR 2024/25**
[RESOLUTION NO. 2023-037]

Management Analyst Mignogna presented the staff report, which is on file in the Clerk's Office.

MAYOR EVANS DECLARED THE PUBLIC HEARING OPEN AT 5:05 P.M.

PUBLIC SPEAKER: Jennifer Braun, Grants Manager with the Boys and Girls Club of Coachella Valley – thanked the City for its continued support over the years in awarding

the grant which allows La Quinta children to attend, even if their families cannot afford the fees.

Council discussed the City's continued support for the Boys and Girls Club and the services and benefits the organization provides to the community.

MAYOR EVANS DECLARED THE PUBLIC HEARING CLOSED AT 5:10 P.M.

MOTION – A motion was made and seconded by Councilmembers Peña/McGarrey to adopt Resolution No. 2023-037 to approve the City's community development priorities, authorize the City Manager to submit applications to the Riverside County Economic Development Agency for Community Development Block Grant funds, execute the Supplemental Agreements for fiscal year 2024/25; and allocate \$23,500 to the Boys and Girls Club of the Coachella Valley Fee Waiver/Reduction Program, with the potential for additional funds; \$164,229 to the City of La Quinta Americans with Disabilities Act Improvements Project; and an additional allocation of \$5,481 for public improvements if approved by Riverside County:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LA QUINTA, CALIFORNIA, ADOPTING PROPOSALS, AUTHORIZING THE CITY MANAGER TO SUBMIT APPLICATIONS FOR COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS, AND AUTHORIZATION FOR THE CITY MANAGER TO EXECUTE SUPPLEMENTAL AGREEMENT FOR FISCAL YEAR 2024/2025

Motion passed unanimously.

- 2. CONTINUED FROM NOVEMBER 7, 2023: ADOPT RESOLUTIONS TO ADOPT A MITIGATED NEGATIVE DECLARATION (ENVIRONMENTAL ASSESSMENT 2022-0001) AND APPROVE GENERAL PLAN AMENDMENT 2022-0002, SPECIFIC PLAN 2022-0001, AND SITE DEVELOPMENT PERMIT 2022-0001 FOR A 252-UNIT APARTMENT PROJECT, LA QUINTA VILLAGE APARTMENTS; CEQA: DESIGN AND DEVELOPMENT DEPARTMENT PREPARED A MITIGATED NEGATIVE DECLARATION CONSISTENT WITH THE CALIFORNIA ENVIRONMENTAL QUALITY ACT; LOCATION: NORTHEAST CORNER OF WASHINGTON STREET AND AVENUE 50 [RESOLUTION NOS. 2023-038 AND 2023-039]**

**Specific Plan 2022-0001 and Site Development Permit 2022-0001 would be conditioned upon and subject to approval by the California Department of Housing and Community Development (HCD) of General Plan 2022-0002, a Housing Element Amendment subject to HCD certification pursuant to state Planning and Zoning Law (Gov. Code, § 65000 et seq.)*

MAYOR EVANS DECLARED THIS IS A CONTINUED PUBLIC HEARING LEFT OPEN FROM THE NOVEMBER 7, 2023

Design and Development Director Castro presented the staff report, which is on file in the City Clerk's Office.

PUBLIC SPEAKER: Jim Vaughn, Esq. with SZR Law, representing the Mayer Corporation – opposed the proposed affordable housing (AH) parcel switch to his client’s property, and to adding the Mayer property to the City’s Housing Element AH inventory.

City Attorney Ihrke clarified for Council pertinent sections of the State law, including the Planning and Zoning Law [Government Code section 65356(a)] relating to general plan amendments, and noted Council has the authority to designate substitute site 6 (referred to as the “Darby” site) without remanding the project back to the Planning Commission based on the facts and findings that can be made relating to substitute site 6 (“Darby”).

Council discussed notification to owner of substitute site 6 (“Darby”); noted the Mayer Corporation is on notice that the affordable housing overlay exists on their property, encouraged the Mayer Corporation to develop its site, and to include some amount of affordable housing, as the State may force them to do so in the future.

PUBLIC SPEAKER: George Christopher, La Quinta – asked about other available properties in the City for AH; supports the upgrade of electrical substation; and supports garages along the north perimeter of the proposed project.

APPLICANT REPRESENTATIVE: Greg Irwin, Partner and Principal, with Irwin Partners Architects – supports the substitute site 6 (“Darby”); and will reexamine the project site to determine if garages can be located elsewhere in the development.

City Attorney Ihrke said a HAND-OUT depicting substitute site 6 (“Darby”) referenced in the discussions of this item was submitted by staff, which was distributed to Council, made public, published on the City’s website, and included in the public record of this meeting.

Mayor Evans noted that the project, as presented to Council for consideration at this meeting did not include garages.

MAYOR EVANS DECLARED THE PUBLIC HEARING CLOSED AT 5:37 P.M.

MOTION – A motion was made and seconded by Councilmembers Peña/Fitzpatrick to adopt Resolution No. 2023-038 to adopt a Mitigated Negative Declaration for Environmental Assessment 2022-0001:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LA QUINTA, CALIFORNIA, ADOPTING A MITIGATED NEGATIVE DECLARATION FOR A 252-UNIT APARTMENT PROJECT, LA QUINTA VILLAGE APARTMENTS, LOCATED AT THE NORTHEAST CORNER OF WASHINGTON STREET AND AVENUE 50;

CASE NUMBER: ENVIRONMENTAL ASSESSMENT 2022-0001

APPLICANT: IRWIN PARTNERS ARCHITECTS

Motion passed unanimously.

MOTION – A motion was made and seconded by Councilmembers Peña/Fitzpatrick to adopt Resolution No. 2023-039 to conditionally approve General Plan Amendment 2022-0002 subject to review, approval, and continuation of the certified Housing Element by the California Department of Housing and Community Development (HCD), conditionally

approve Specific Plan 2022-0001 (SP 2004-071, Amendment 2), and conditionally approve Site Development Permit 2022-0001 for the La Quinta Village Apartments project, subject to HCD approval and continuation of the certified Housing Element by approval of General Plan Amendment 2022-0002, consisting of 252 units located at the northeast corner of Washington Street and Avenue 50, as amended to include the additional findings noted by City Attorney Ihrke and listed below:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LA QUINTA, CALIFORNIA, *CONDITIONALLY* APPROVING A GENERAL PLAN AMENDMENT, SPECIFIC PLAN AMENDMENT, AND SITE DEVELOPMENT PERMIT TO ALLOW THE DEVELOPMENT OF A 252-UNIT APARTMENT PROJECT, LA QUINTA VILLAGE APARTMENTS, LOCATED ON THE NORTHEAST CORNER OF WASHINGTON STREET AND AVENUE 50
CASE NUMBERS: GENERAL PLAN AMENDMENT 2022-0002;
SPECIFIC PLAN 2022-0001 (SP 2004-071, AMENDMENT 2);
SITE DEVELOPMENT PERMIT 2022-0001
APPLICANT: IRWIN PARTNERS ARCHITECTS

As amended ~~by City Attorney Ihrke~~ to designate alternate site 6 (“Darby”) and to add the following recital to Resolution No. 2023-039 under the findings for GPA 2022-0002:

“WHEREAS, a day before the City Council’s continued public hearing held on November 21, 2023, information was presented to the City of a substitute site (APN 609 051 002) proposed to be added to the City’s inventory of sites in its Housing Element, in lieu of originally identified Site 6 (APN 609 070 053), to meet the requirements of the No Net Loss Law (Government Code Section 65863) by using “substitute” Site 6, along with proposed Site 4 and Site 5 that were reviewed and recommended by the Planning Commission; after review and consideration of both the originally identified Site 6 (APN 609 070 053) and “substitute” Site 6 (APN 609 051 002), the City Council finds that substituting “substitute” Site 6 (APN 609 051 002) for the originally identified Site 6 (APN 609 070 053) does not substantially modify General Plan Amendment 2022-0002, and thereby there is no need to remand the “substitute” Site 6 (APN 609 051 002) for a report from the Planning Commission, because: (1) “substitute” Site 6 (APN 609 051 002) is located less than 2,000 feet away from the originally identified Site 6 (APN 609 070 053), (2) both sites are located in the same “High Resource” area of the City, (3) “substitute” Site 6 (APN 609 051 002) has allocated to it, like the originally identified Site 6 (APN 609 070 053), a sufficient number of low- and very low-income units that, when added to the number of units allocated to Site 4 and Site 5, not only meets the City’s No Net Loss Law requirement for this income category but also exceeds the number of units for this income category to meet the No Net Loss Law requirement, (4) neither site has a planned or pending project before the City, and (5) neither site is currently on the City’s inventory of sites of the Housing Element.”

Motion passed unanimously.

City Clerk Radeva said WRITTEN PUBLIC COMMENTS were received on Public Hearing Item No. 2 from the Mayer Corporation (James Vaughn, Esq. with SZR Law) – opposing the General Plan Amendment and proposed AH parcel switch, which were distributed to

Council, made public, published on the City's website, and included in the public record of this meeting.

MAYOR EVANS CALLED FOR A BRIEF RECESS AT 5:43 P.M

MAYOR EVANS RECONVENED THE COUNCIL MEETING AT 5:48 PM WITH ALL MEMBERS PRESENT

STUDY SESSION

1. DISCUSS EXPANDING THE MEMBERSHIP AND RENAMING THE COMMUNITY SERVICES COMMISSION (CSC) TO COMMUNITY SERVICES AND ARTS COMMISSION (CS&AC)

Community Services Management Analyst Calderon presented the staff report, which is on file in the Clerk's Office.

Council discussed the evolution of the CSC; support for the name change; support/objection to increasing the CSC membership; the CSC involvement in selecting art for public places; pros and cons of one versus two commissions; ability for CSC to form a subcommittee on art if desired; initiating tours of City Hall art; including art education in CSC activities; CSC members attendance at City events; CSC feedback on possible changes; and the possibility, if expanding the CSC membership, to add one or two student seats and/or a seat for art non-profits.

Council reached a consensus on the following items:

- a) Directed staff to change the name of the CSC to the CS&AC as a single commission;
- b) Expressed support for increasing the membership to seven if the CSC desires;
- c) Expressed support for at least one student and possibly one art non-profit representative if the CSC desires;
- d) Examine the future goals and objectives of the CS&AC;
- e) Determine the upcoming number of vacancies on the CSC to be filled;
- f) Bring these items, (a) through (e) above, to the CSC in January 2024, and return to Council with the CSC's recommendations and an ordinance to effectuate the changes; and
- g) Research ability to provide school credit to a student, or other benefit, if the CSC stipend cannot be extended to a minor.

DEPARTMENTAL REPORTS – All reports are on file in the City Clerk's Office.

MAYOR'S AND COUNCIL MEMBERS' ITEMS

Mayor Evans reported on her, and fellow Councilmembers' attendance at the Friends of the Desert Mountains annual event at the SilverRock park; State-of-the-City events for the Cities of Indio, Coachella, and Desert Hot Springs; La Quinta Rotary Club; La Quinta Veterans' event; Desert Safety Personnel Appreciation Luncheon; La Quinta Arts

Celebration; St. Jude Need Home ground breaking; Desert Valley Builders Association golf tournament; Life Stream gala; Museum events; and Sunline tour.

Councilmember Fitzpatrick reported on her attendance at the Coachella Valley Water District water supply workshop.

Mayor Pro Tem Sanchez reported on his attendance at Salvation Army event; USO annual gala; and the Spectrum meeting.

REPORTS AND INFORMATIONAL ITEMS

La Quinta's representative for 2023, Mayor Evans reported on her participation in the following organization's meeting:

- CVAG ENERGY AND SUSTAINABILITY COMMITTEE

La Quinta's representative for 2023, Councilmember Fitzpatrick reported on her participation in the following organization's meeting:

- RIVERSIDE COUNTY TRANSPORTATION COMMISSION (RCTC)

La Quinta's representative for 2023, Councilmember McGarrey reported on her participation in the following organizations' meetings:

- COACHELLA VALLEY MOUNTAINS CONSERVANCY
- IID ENERGY CONSUMERS' ADVISORY COMMITTEE

La Quinta's representative for 2023, Councilmember Peña reported on his participation in the following organizations' meetings:

- CV MOSQUITO AND VECTOR CONTROL DISTRICT BOARD OF TRUSTEES
- CVAG PUBLIC SAFETY COMMITTEE
- CVAG VALLEY-WIDE HOMELESSNESS COMMITTEE

ADJOURNMENT

There being no further business, a motion was made and seconded by Councilmembers Fitzpatrick/McGarrey to adjourn at 6:45 p.m. Motion passed unanimously.

Respectfully submitted,

MONIKA RADEVA, City Clerk
City of La Quinta, California

City of La Quinta

CITY COUNCIL MEETING: December 5, 2023

STAFF REPORT

AGENDA TITLE: ADOPT ORDINANCE NO. 607 ON SECOND READING AMENDING CHAPTER 3.25 OF THE LA QUINTA MUNICIPAL CODE RELATED TO SHORT-TERM VACATION RENTALS

RECOMMENDATION

Adopt Ordinance No. 607 on second reading.

EXECUTIVE SUMMARY

- On November 7, 2023, Council introduced Ordinance No. 607 for first reading to amend Chapter 3.25 of the La Quinta Municipal Code (Code) related to Short-Term Vacation Rentals (STVR).
- If adopted on second reading, Ordinance No. 607 will go into effect 30 days after adoption or on January 4, 2024.

FISCAL IMPACT – None.

BACKGROUND/ANALYSIS

On March 21, 2023, and May 16, 2023, Council held study sessions and discussed several possible amendments and additions to Chapter 3.25 related to STVRs.

On November 7, 2023, Council introduced Ordinance No. 607 for first reading to add and/or amend various sections of Chapter 3.25, and if adopted on second reading, Ordinance No. 607 will go into effect 30 days thereafter, or January 4, 2024, and amend the Code as follows:

1. Add definitions for newly added regulations;
2. Add language under Section 3.25.050, Subsection (B), to clarify that transfers of properties to trusts or entities whose beneficiaries and/or membership are the same as the original owners of the property or transfers to heirs do not constitute a change of ownership and shall not result in the cancellation of an existing STVR permit;

3. Add the Estates at Griffin Lake Specific Plan, which governs the Merv Griffin Estate property, to the list of allowable exemptions under Section 3.25.055, Subsection (A)(4);
4. Add a provision to exempt Homeshare STVR permits from the ban on the issuance of new STVR permits under Section 3.25.055, Subsection (C);
5. Add Subsection (E) under Section 3.25.055, adding a provision requiring future revisions to Section 3.25.055 to be adopted by no less than four-fifths (4/5) majority vote of the Council;
6. Add Section 3.25.057 to establish an exemption for large lots from the ban on the issuance of new STVR permits under Section 3.25.055, as well as related regulations and requirements;
7. Add Subsection (H) to Section 3.25.070 to reiterate that Homeshare STVR permits require the owner(s) to occupy the dwelling during the transient stay; and shall comply with all requirements of Chapter 3.25, or any other applicable federal, state, or local laws or codes, including being available or having a designated person available 24/7 to respond to the location within 30 minutes to address or resolve complaints regarding the condition, operation, or conduct of occupants of the STVR unit or their guests;
8. Add language to Section 3.25.070, Subsection (N), to clarify that, if a hosting platform provides a designated field to list the STVR permit number and the number of approved bedrooms, this satisfies the City's permitting requirements for STVR advertisements;
9. Add Subsections (E)(4) and (E)(5) to Section 3.25.090 to establish fines specific for advertising without a STVR permit; and
10. Miscellaneous minor modifications throughout Chapter 3.25 to align the language with existing processes and/or to ensure language clarity and consistency.

On November 7, 2023, Council did not approve the proposed code amendments related to apartment complexes and potentially qualifying Homeowner Associations, and directed staff to prepare another ordinance to address these items.

On November 21, 2023, Council introduced Ordinance No. 608 for first reading to establish that apartments are not eligible to apply for or obtain an STVR permit, which is on tonight's agenda for adoption on second reading; and if adopted on second reading, it will go into effect 30 days after adoption, or on January 4, 2024.

Based on Council's discussion, comments, and direction from November 7 and 21, 2023, staff will send written notices to HOAs that currently allow STVRs pursuant to their Covenants, Conditions, and Restrictions (CC&Rs) requesting that HOAs notify the City in

writing should they be interested in an exemption from the current ban on the issuance of new STVR permits in non-exempt areas and report the responses back to Council at a future meeting.

ALTERNATIVES

As Council approved Ordinance No. 607 at first reading, Staff does not recommend an alternative.

Prepared by: Oscar Mojica, Permit Technician
Approved by: Monika Radeva, City Clerk

ORDINANCE NO. 607

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LA QUINTA, CALIFORNIA, ADDING SECTIONS AND AMENDING SECTIONS OF CHAPTER 3.25 OF THE LA QUINTA MUNICIPAL CODE RELATED TO SHORT-TERM VACATION RENTALS

WHEREAS, Chapter 3.25 of the La Quinta Municipal Code (LQMC) relates to short-term vacation rentals, including permitted uses, short-term vacation rental process and permitting procedures, requirements, violations, fines, etc.; and

WHEREAS, the City has the authority to regulate residential uses, including short-term vacation rental uses, operating within the City; and

WHEREAS, the proposed additions and amendments to Chapter 3.25 are intended to:

1. Add definitions for newly added regulations;
2. Add language under Section 3.25.050, Subsection (B), to clarify that transfers of properties to trusts or entities whose beneficiaries and/or membership are the same as the original owners of the property or transfers to heirs do not constitute a change of ownership and shall not result in the cancellation of an existing short-term vacation rental permit;
3. Add the Estates at Griffin Lake Specific Plan, which governs the Merv Griffin Estate property, to the list of allowable exemptions under Section 3.25.055, Subsection (A)(4);
4. Add a provision to exempt Homeshare short-term vacation rental permits from the ban on the issuance of new short-term vacation rental permits under Section 3.25.055, Subsection (C);
5. Add Subsection (E) under Section 3.25.055, adding a provision requiring future revisions to Section 3.25.055 to be adopted by no less than four-fifths (4/5) majority vote of the City Council;
6. Add Section 3.25.057 to establish an exemption for large lots from the ban on the issuance of new short-term vacation rental permits under Section 3.25.055, as well as related regulations and requirements;
7. Add Subsection (H) to Section 3.25.070 to reiterate that Homeshare STVR permits require the owner(s) to occupy the dwelling during the transient stay; and shall comply with all requirements of Chapter 3.25, or any other applicable federal, state,

or local laws or codes, including being available or having a designated person available 24/7 to respond to the location within 30 minutes to address or resolve complaints regarding the condition, operation, or conduct of occupants of the STVR unit or their guests;

8. Add language to Section 3.25.070, Subsection (N), to clarify that if a hosting platform provides a designated field to list the short-term vacation rental permit number and the number of approved bedrooms, this satisfies the City's permitting requirements for owners of short-term vacation rentals that advertise their short-term vacation rental units;
9. Add Subsections (E)(4) and (E)(5) to Section 3.25.090 to establish fines specific for advertising without a short-term vacation rental permit; and
10. Miscellaneous minor modifications throughout Chapter 3.25 to align the language with existing processes and/or to ensure language clarity and consistency.

NOW, THEREFORE, the City Council of the City of La Quinta does ordain as follows:

SECTION 1. Chapter 3.25 shall be amended as written in "Exhibit A" attached hereto and incorporated herein by this reference.

SECTION 2. **EFFECTIVE DATE:** This Ordinance shall be in full force and effect thirty (30) days after its adoption.

SECTION 3. **POSTING:** The City Clerk shall, within 15 days after passage of this Ordinance, cause it to be posted in at least three public places designated by resolution of the City Council, shall certify to the adoption and posting of this Ordinance, and shall cause this Ordinance and its certification, together with proof of posting to be entered into the permanent record of Ordinances of the City of La Quinta.

SECTION 4. **CORRECTIVE AMENDMENTS:** the City Council does hereby grant the City Clerk the ability to make minor amendments and corrections of typographical or clerical errors to "Exhibit A" to ensure consistency of all approved text amendments prior to the publication in the La Quinta Municipal Code.

SECTION 5. **SEVERABILITY:** If any section, subsection, subdivision, sentence, clause, phrase, or portion of this Ordinance is, for any reason, held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance. The City Council hereby declares that it would have adopted this Ordinance and each and every section, subsection, subdivision, sentence, clause, phrase, or portion thereof, irrespective of the fact that any one or more section, subsections, subdivisions, sentences, clauses, phrases, or portions thereof be declared unconstitutional.

Ordinance No. 607
Chapter 3.25 Short-Term Vacation Rentals – Additions and Amendments
Adopted: December 5, 2023
Page 3 of 4

PASSED, APPROVED and ADOPTED, at a regular meeting of the La Quinta City Council held this December 5, 2023, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

LINDA EVANS, Mayor
City of La Quinta, California

ATTEST:

MONIKA RADEVA, City Clerk
City of La Quinta, California



APPROVED AS TO FORM:

WILLIAM H. IHRKE, City Attorney
City of La Quinta, California

Ordinance No. 607
Chapter 3.25 Short-Term Vacation Rentals – Additions and Amendments
Adopted: December 5, 2023
Page 4 of 4

STATE OF CALIFORNIA)
COUNTY OF RIVERSIDE) ss.
CITY OF LA QUINTA)

I, MONIKA RADEVA, City Clerk of the City of La Quinta, California, do hereby certify the foregoing to be a full, true, and correct copy of Ordinance No. 607 which was introduced at a regular meeting on the 7th day of November, 2023, and was adopted at a regular meeting held on the 5th day of December, 2023, not being less than 5 days after the date of introduction thereof.

I further certify that the foregoing Ordinance was posted in three places within the City of La Quinta as specified in the Rules of Procedure adopted by City Council Resolution No. 2022-027.

MONIKA RADEVA, City Clerk
City of La Quinta, California

DECLARATION OF POSTING

I, MONIKA RADEVA, City Clerk of the City of La Quinta, California, do hereby certify that the foregoing ordinance was posted on ____ December, 2023, pursuant to Council Resolution.

MONIKA RADEVA, City Clerk
City of La Quinta, California

Chapter 3.25 SHORT-TERM VACATION RENTALS

3.25.010 Title.

This chapter shall be referred to as the "Short-Term Vacation Rental Regulations."

(Ord. 590 § 1(Exh. A), 3-16-2021; Ord. 586 § 1(Exh. A), 12-15-2020; Ord. 572 § 1, 2018; Ord. 563 § 1, 2017; Ord. 501 § 2, 2012)

3.25.020 Purpose.

- A. The purpose of this chapter is to establish regulations for the use of privately owned residential dwellings as short-term vacation rentals that ensure the collection and payment of transient occupancy taxes (TOT) as provided in Chapter 3.24 of this code, and minimize the negative secondary effects of such use on surrounding residential neighborhoods.
- B. This chapter is not intended to provide any owner of residential property with the right or privilege to violate any private conditions, covenants and restrictions applicable to the owner's property that may prohibit the use of such owner's residential property for short-term vacation rental purposes as defined in this chapter.
- C. The requirements of this chapter shall be presumed to apply to any residential dwelling that has received a short-term vacation rental permit. A rebuttable presumption arises that, whenever there is an occupant(s), paying rent or not, of a residential dwelling that has received a short-term vacation rental permit, the requirements of this chapter shall apply, including but not limited to any suspension or other modifications imposed on a short-term vacation rental permit as set forth in this chapter. The city manager or authorized designee shall have the authority to implement any necessary or appropriate policies and procedures to apply the rebuttable presumption set forth in this section.

(Ord. 590 § 1(Exh. A), 3-16-2021; Ord. 586 § 1(Exh. A), 12-15-2020; Ord. 572 § 1, 2018; Ord. 563 § 1, 2017; Ord. 501 § 2, 2012)

3.25.030 Definitions.

For purposes of this chapter, the following words and phrases shall have the meaning respectively ascribed to them by this section:

"Advertise," "advertisement," "advertising," "publish," and "publication" mean any and all means, whether verbal or written, through any media whatsoever whether in use prior to, at the time of, or after the enactment of the ordinance adding this definition, used for conveying to any member or members of the public the ability or availability to rent a short-term vacation rental unit as defined in this section, or used for conveying to any member or members of the public a notice of an intention to rent a short-term vacation rental unit as defined in this section. For purposes of this definition, the following media are listed as examples, which are not and shall not be construed as exhaustive: verbal or written announcements by proclamation or outcry, newspaper advertisement, magazine advertisement, handbill, written or printed notice, printed or poster display, billboard display, e-mail or other electronic/digital messaging platform, electronic commerce/commercial Internet websites, and any and all other electronic media, television, radio, satellite-based, or Internet website.

"Applicable laws, rules and regulations" means any laws, rules, regulations and codes (whether local, state or federal) pertaining to the use and occupancy of a privately owned dwelling unit as a short-term vacation rental.

"Applicant" means the owner of the short-term vacation rental unit.

"Authorized agent or representative" means a designated agent or representative who is appointed by the owner and is also responsible for compliance with this chapter with respect to the short-term vacation rental unit.

"Booking transaction" means any reservation or payment service provided by a person or entity who facilitates a home-sharing or vacation rental (including short-term vacation rental) transaction between a prospective occupant and an owner or owner's authorized agent or representative.

"City manager" means that person acting in the capacity of the city manager for the city of La Quinta or authorized designee.

"Declaration of non-use" means the declaration described in Section 3.25.050.

"Dwelling" has the same meaning as set forth in Section 9.280.030 (or successor provision, as may be amended from time to time) of this code; "dwelling" does not include any impermanent, transitory, or mobile means of temporary lodging, including but not limited to mobile homes, recreational vehicles (RVs), car trailers, and camping tents.

"Estate home" is defined as a single-family detached residence with five (5) or more bedrooms, subject to evaluation criteria and inspection of the property pursuant to Section 3.25.060(D)(1). An estate home is a sub-type of short-term vacation rental unit and shall be subject to a general short-term vacation rental permit, primary residence short-term vacation rental permit, or homeshare short-term vacation rental permit, as applicable, pursuant to this chapter.

"General short-term vacation rental permit" is a type of short-term vacation rental permit that is neither a homeshare short-term vacation rental permit nor a primary residence short-term vacation rental permit.

"Good neighbor brochure" means a document prepared by the city that summarizes the general rules of conduct, consideration, and respect, including, without limitation, provisions of this code and other applicable laws, rules or regulations pertaining to the use and occupancy of short-term vacation rental units.

"Homeshare short-term vacation rental permit" is a type of short-term vacation rental permit whereby the owner hosts visitors in the owner's dwelling, for compensation, for periods of thirty (30) consecutive calendar days or less, while the owner lives on-site and in the dwelling, throughout the visiting occupant's stay.

"Hosting platform" means a person or entity who participates in the home-sharing or vacation rental (including short-term vacation rental) business by collecting or receiving a fee, directly or indirectly through an agent or intermediary, for conducting a booking transaction using any medium of facilitation, including but not limited to the Internet.

"Large lot" means a single "parcel," as defined in Section 9.280.030 (or successor provision, as may be amended from time to time) of this code, that meets all of the criteria set forth in Subsection (A) of Section 3.25.057.

"Local contact person" means the person designated by the owner or the owner's authorized agent or representative who shall be available twenty-four (24) hours per day, seven (7) days per week with the ability to respond to the location within thirty (30) minutes for the purpose of: (1) taking remedial action to resolve any complaints; and (2) responding to complaints regarding the condition, operation, or conduct of occupants of the short-term vacation rental unit. A designated local contact person must obtain a business license otherwise required by Sections 3.24.060 and 3.28.020 (or successor provisions, as may be amended from time to time) of this code.

"Management company" means any individual or entity, whether for profit or nonprofit, and regardless of entity type, such as a limited liability company, corporation, or sole proprietorship, that is retained by an owner to be the owner's authorized agent or representative, or is the owner of a short-term vacation rental unit subject to this chapter, and is engaged in or represents itself to be engaged in the business of managing real property.

"Notice of permit modification, suspension or revocation" means the notice the city may issue to an applicant, authorized agent or representative, local contact person, occupant, owner, responsible person, or any other person or entity authorized to be issued such notice under this code for a short-term vacation rental unit, upon a determination by the city of a violation of this chapter or other provisions of this code relating to authorized uses of property subject to this chapter.

"Occupant" means any person(s) occupying the dwelling at any time.

"Owner" means the person(s) or entity(ies) that hold(s) legal and/or equitable title to the subject short-term vacation rental unit.

"Primary residence" means a dwelling where an owner spends the majority of the calendar year on the property used as a short-term vacation rental unit, and the property is identified in the Riverside County assessor's record as the owner's primary residence.

"Primary residence short-term vacation rental permit" is a type of short-term vacation rental permit whereby the short-term vacation rental unit is the owner's primary residence, as defined herein in this section.

"Property" means a residential legal lot of record on which a short-term vacation rental unit is located.

"Qualified and certified large lot" has the meaning as set forth in Section 3.25.057.

"Rent" has the same meaning as set forth in Section 3.24.020 (or successor provision, as may be amended from time to time) of this code.

"Rental agreement" means a written or verbal agreement for use and occupancy of a privately-owned residential dwelling that has been issued a short-term vacation rental permit, including a dwelling that may have a permit which has been or is under suspension.

"Responsible person" means the signatory of an agreement for the rental, use and occupancy of a short-term vacation rental unit, and/or any person(s) occupying the short-term vacation rental unit without a rental agreement, including the owner(s), owner's authorized agent(s) or representative(s), local contact(s), and their guests, who shall be an occupant of that short-term vacation rental unit, who is at least twenty-one (21) years of age, and who is legally responsible for ensuring that all occupants of the short-term vacation rental unit and/or their guests comply with all applicable laws, rules and regulations pertaining to the use and occupancy of the subject short-term vacation rental unit.

"Short-term vacation rental permit" means a permit that permits the use of a privately owned residential dwelling as a short-term vacation rental unit pursuant to the provisions of this chapter, and which incorporates by consolidation a transient occupancy permit and a business license otherwise required by Sections 3.24.060 and 3.28.020 (or successor provisions, as may be amended from time to time) of this code. A short-term vacation rental permit is one (1) of the following types: (1) general short-term vacation rental permit, (2) primary residence short-term vacation rental permit, or (3) homeshare short-term vacation rental permit, as defined in this section.

"Short-term vacation rental unit" means a privately owned residential dwelling, such as, but not limited to, a single-family detached or multiple-family attached unit, apartment house, condominium, cooperative apartment, duplex, or any portion of such dwellings and/or property and/or yard features appurtenant thereto, rented for occupancy and/or occupied for dwelling, lodging, or any transient use, including but not limited to sleeping overnight purposes for a period of thirty (30) consecutive calendar days or less, counting portions of calendar days as full days, by any person(s) with or without a rental agreement.

"STVR" may be used by city officials as an abbreviation for "short-term vacation rental."

"Suspension" means that short-term vacation rental permit that is suspended pursuant to Section 3.25.090.

"Tenant" or *"transient,"* for purposes of this chapter, means any person who seeks to rent or who does rent, or who occupies or seeks to occupy, for thirty (30) consecutive calendar days or less, a short-term vacation rental unit.

(Ord. 595 § 1(Exh. A), 6-15-2021; Ord. 590 § 1(Exh. A), 3-16-2021; Ord. 586 § 1(Exh. A), 12-15-2020; Ord. 572 § 1, 2018; Ord. 563 § 1, 2017; Ord. 501 § 2, 2012)

3.25.040 Authorized agent or representative.

- A. Except for the completion of an application for a short-term vacation rental permit and business license, the owner may designate an authorized agent or representative to ensure compliance with the requirements of this chapter with respect to the short-term vacation rental unit on his, her or their behalf. Nevertheless, the owner shall not be relieved from any personal responsibility and personal liability for noncompliance with any applicable law, rule or regulation pertaining to the use and occupancy of the subject short-term vacation rental unit, regardless of whether such noncompliance was committed by the owner's authorized agent or representative or the occupants of the owner's short-term vacation rental unit or their guests.
- B. The owner must be the applicant for and holder of a short-term vacation rental permit and business license and shall not authorize an agent or a representative to apply for or hold a short-term vacation rental permit and business license on the owner's behalf. The owner's signature is required on all short-term vacation rental application forms, and the city may prescribe reasonable requirements to verify that an applicant or purported owner is the owner in fact.

(Ord. 590 § 1(Exh. A), 3-16-2021; Ord. 586 § 1(Exh. A), 12-15-2020; Ord. 572 § 1, 2018; Ord. 563 § 1, 2017; Ord. 501 § 2, 2012)

3.25.050 Short-term vacation rental permit—Required.

- A. The owner is required to obtain a short-term vacation rental permit and a business license from the city before the owner or the owner's authorized agent or representative may rent or advertise a short-term vacation rental unit. No short-term vacation rental use may occur in the city except in compliance with this chapter. No property in the city may be issued a short-term vacation rental permit or used as a short-term vacation rental unit unless the property is a residential dwelling that complies with the requirements of this chapter.
- B. A short-term vacation rental permit and business license shall be valid for one (1) year and renewed on an annual basis in order to remain valid.
 - 1. A short-term vacation rental permit and business license renewal application shall be submitted no earlier than sixty (60) calendar days prior to the permit's expiration date, but no later than the permit's expiration date. Failure to renew a short-term vacation rental permit as prescribed in this section may result in the short-term vacation rental permit being terminated.
 - 2. A new owner of a property (or a new person and/or new entity that owns or controls a business or organization or other entity of any kind, such as a limited liability company, which is the owner of a property) previously operated as a short-term vacation rental unit by the former owner (or by a former person or entity that owned or controlled the business or organization or other entity of any kind that continues to be the owner of the property) may not renew the previous owner's short-term vacation rental permit and shall apply for a new short-term vacation rental permit, pursuant to this chapter, if the new owner (or new person and/or new entity that owns or controls a business or organization or other entity of any kind that continues to be the owner of a property) wants to continue to use the residential dwelling as a short-term vacation rental unit. For purposes of this subsection, a transfer of a short-term vacation rental unit with a valid short-term vacation rental permit resulting from any of the following shall not be deemed a transfer to a new owner which would otherwise trigger the requirement to apply for and obtain a new short-term vacation rental permit:

-
- (a) Transfers to an entity of any kind, such as a limited liability company or a trust, where the member(s) of the entity or beneficiary(ies) of the trust is(are) the owner(s) of the real property with a valid short-term vacation rental permit, and the proportionate interest(s) of the owner(s) are the same for the real property placed in the entity.
- (b) Transfers that take effect upon the death of an owner to an heir designated by the owner (by devise, bequest, or similar transfer upon death) who is any of the following:
- (i) surviving spouse or domestic partner; or (ii) surviving sibling related by blood or in law, such as a brother, sister, brother-in-law, sister-in-law, step-brother, or step-sister; or (iii) surviving parent or grandparent by blood or in law, such as a mother, father, mother-in-law, father-in-law, step-mother, step-father, grandmother, grandfather, grandmother-in-law, grandfather-in-law, step-grandmother, or step-grandfather; (iv) surviving child or grandchild, such as a daughter, son, daughter-in-law, son-in-law, step-daughter, step-son, granddaughter, grandson, granddaughter-in-law, grandson-in-law, step-granddaughter, or step-grandson.
- (c) Transfers to a trust with the beneficiary(ies) identified as an heir described in Subsection B(2)(b) above.
3. If an owner or an owner's authorized agent or representative, pursuant to all applicable laws, constructs additional bedrooms to an existing residential dwelling or converts non-bedroom spaces and areas in an existing residential dwelling into additional bedrooms, the owner or owner's authorized agent or representative shall notify the city and update the short-term vacation rental unit's online registration profile upon city approval of the addition or conversion so that the city may confirm that such conversion is consistent with this chapter and the code, including all applicable provisions in Title 8 of the code, and reissue the short-term vacation rental permit so that it accurately identifies the number of approved bedrooms, if the owner wants to continue to use the dwelling as a short-term vacation rental unit. The city may conduct an on-site inspection of the property to verify compliance with this chapter and the code. Code compliance inspections may be billed for full cost recovery at one (1) hour for initial inspection and in thirty (30)-minute increments for each follow-up inspection pursuant to subsection D. For purposes of this chapter, "reissue" or "reissuance" of a short-term vacation rental permit means a permit that is reissued by the city, with corrected information, as applicable, to be valid for the balance of the existing one (1)-year permit and license period.
- C. A short-term vacation rental permit and business license shall be valid only for the number of bedrooms in a residential dwelling equal to the number of bedrooms the city establishes as eligible for listing as a short-term vacation rental unit. The allowable number of bedrooms shall meet all applicable requirements under federal, state and city codes, including, but not limited to, the provisions of Section 9.50.100 (or successor provision, as may be amended from time to time) governing "additional bedrooms" and all applicable building and construction codes in Title 8 of this code. A short-term vacation rental permit shall not be issued for, or otherwise authorize the use of, additional bedrooms converted from non-bedroom spaces or areas in an existing residential dwelling except upon express city approval for the additional bedrooms in compliance with this code, including Section 9.50.100 (or successor provision, as may be amended from time to time), and upon approval of an application for a new or renewed short-term vacation rental permit as provided in subsection B.
- D. A short-term vacation rental permit and business license shall not be issued, and may be suspended or permanently revoked, if the property, or any building, structure, or use or land use on the property is in violation of this code. The city may conduct an inspection of the property prior to the issuance or renewal of a short-term vacation rental permit and/or business license. Code compliance inspections may be billed for full cost recovery at one (1) hour for initial inspection and in thirty (30)-minute increments for each follow-up inspection. For purposes of this subsection, a code violation exists if, at the time of the submittal of an application for a new or renewed short-term vacation rental permit or business license, the city has commenced administrative proceedings by issuing written communication and/or official notice to the

owner or owner's authorized agent or representative of one (1) or more code violations. For purposes of this chapter, "building," "structure," and "use or land use" have the same meanings as set forth in Section 9.280.030 (or successor provisions, as may be amended from time to time) of this code.

- E. A short-term vacation rental permit and business license shall not be issued or renewed, and may be suspended or permanently revoked, if any portion of transient occupancy tax has not been reported and/or remitted to the city for the previous calendar year by the applicable deadline for the reporting and/or remittance of the transient occupancy tax.
- F. A short-term vacation rental permit and business license shall not be issued or renewed, and may be suspended or permanently revoked, if the residential dwelling to be used as a short-term rental unit lacks adequate on-site parking. For purposes of this subsection, "adequate on-site parking" shall be determined by dividing the total number of occupants commensurate with the approved number of bedrooms as provided in the table under Section 3.25.070 by four (4), such that the ratio of the maximum allowed number of overnight occupants to on-site parking spots does not exceed four to one (4:1). For example, a residential dwelling with five (5) bedrooms may permissibly host a total number of ten (10) to twelve (12) overnight occupants and therefore requires three (3) on-site parking spots. On-site parking shall be on an approved driveway, garage, and/or carport areas only in accordance with Section 3.25.070(R), and no more than two (2) street parking spots may count towards the number of onsite parking spots necessary to meet the "adequate on-site parking" requirement under this subsection.
- G. An owner or owner's authorized agent or representative who claims not to be operating a short-term vacation rental unit or who has obtained a valid short-term vacation rental permit and business license pursuant to this chapter, may voluntarily opt-out of the requirements of this chapter, prior to the issuance or expiration of a short-term vacation rental permit and business license that are applicable to the short-term vacation rental unit, only upon the owner, the owner's authorized agent or representative and/or the owner's designated local contact person executing, under penalty of perjury, a declaration of non-use as a short-term vacation rental unit, in a form prescribed by the city (for purposes of this chapter, a "declaration of non-use"). Upon the receipt and filing by the city of a fully executed declaration of non-use, the owner or owner's authorized agent or representative shall be released from complying with this chapter as long as the property is not used as a short-term vacation rental unit. Use of the property as a short-term vacation unit after the city's receipt and filing of a declaration of non-use, is a violation of this chapter. If, after a declaration of non-use has been received and filed by the city, the owner or owner's authorized agent or representative wants to use that property as a short-term vacation rental unit, the owner shall apply for a new short-term vacation rental permit and business license and fully comply with the requirements of this chapter and the code; provided, however, that if a short-term vacation rental permit is or will be suspended on the date an owner or owner's authorized agent or representative submits to the city a declaration of non-use for the short-term vacation rental unit under suspension, then the owner may apply for a new short-term vacation rental permit and business license only after twelve (12) consecutive months have elapsed from the date of the declaration of non-use, and the owner and owner's authorized agent or representative otherwise shall fully comply with the requirements of this chapter and the code.

(Ord. 595 § 1(Exh. A), 6-15-2021; Ord. 590 § 1(Exh. A), 3-16-2021; Ord. 586 § 1(Exh. A), 12-15-2020; Ord. 577 § 1, 2019; Ord. 572 § 1, 2018; Ord. 563 § 1, 2017; Ord. 501 § 2, 2012)

3.25.055 Non-issuance of new short-term vacation rental permits; periodic council review.

- A. Commencing May 20, 2021, which is the effective date of Ordinance No. 596 which added this section, there shall be no processing of, or issuance for, any applications for a new short-term vacation rental permit, required by this chapter to use or operate a short-term vacation rental unit in the city, except applications for a new a short-term vacation rental permit covering a short-term vacation rental unit that meets one (1) or more of the following:

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1. A residential dwelling within a residential project located in the CT Tourist Commercial District zone, as defined in Section 9.70.070 (or successor section) of this code and depicted in the city's official zoning map.
 2. A residential dwelling within a residential project located in the VC Village Commercial District zone, as defined in Section 9.70.100 (or successor section) of this code and depicted in the city's official zoning map.
 3. A residential dwelling within a residential project subject to a development agreement with the city, or subject to a condition of approval(s) attached to any entitlement approved by the city (including but not limited to a specific plan, subdivision map, or site development permit), pursuant to which short-term vacation rentals are a permitted use, and the residential dwelling's use as a short-term vacation rental is authorized under a declaration of covenants, conditions, and restrictions (CC&Rs), for the residential project.
 4. A residential dwelling within the area covered by the SilverRock Resort Specific Plan or the Estates at Griffin Lake Specific Plan.
 5. A residential dwelling is located adjacent to the CT Tourist Commercial District zone, as defined in Section 9.70.070 and depicted in the city's official zoning map, and within the following boundaries; west of Avenida Obregon, south of the Avenida Fernando, east of Calle Mazatlan, and north of the driveway access between Calle Mazatlan and Avenida Obregon that serves as a southern boundary for the La Quinta Tennis Villas/Tennis Condos area identified on page 25 of the La Quinta Resort Specific Plan, 121 E—Amendment 5 (as may be subsequently amended from time to time). For purposes of this subsection, "adjacent to" means across the street from or accessible by a driveway or service road designed to provide access to area(s) within the CT Tourist Commercial District zone.
- B. The city manager or authorized designee shall have the authority to implement policies or procedures to review and verify whether an application for a new short-term vacation rental permit meets the criteria set forth in this section.
- C. This section shall not apply to applications for a homeshare short-term vacation rental permit or applications for a renewal of an existing short-term vacation rental permit and business license, submitted in compliance with this chapter, including when the short-term vacation rental permit is under suspension during the time for processing the renewal application. Applications for renewals must be submitted as prescribed by this chapter. Any short-term vacation rental unit, covered by a permit that is subject to an application for renewal, which is under temporary suspension in violation of this chapter or any other provisions of this code, shall not become permitted to use the dwelling as a short-term vacation rental unit until all violations that led to the temporary suspension have been remedied and the suspension has expired. Any revoked short-term vacation rental permit shall not be eligible for renewal or new short-term vacation rental permit.
- D. The city council shall periodically review the impacts or effects, if any, caused by the non-issuance of new short-term vacation rental permits set forth in this section. The city manager or authorized designee shall prepare a report assessing impacts or effects, if any, for the council to review at a regular or special meeting.
- E. Commencing on January 4, 2024 ~~December 21, 2023~~, which is the effective date of Ordinance No. 607 adding this Subsection (E), this section may not be amended by the city council, except by no less than four-fifths (4/5) majority vote of the city council.

(Ord. 596 § 2, 2021; Ord. 595 § 1(Exh. A), 6-15-2021; Ord. 591 § 1(Exh. A), 4-20-2021)

3.25.057 Large lots; Exemption from non-issuance of new short-term vacation rental permits.

- A. If none of the exemptions in Subsections (A) or (C) of Section 3.25.055 of this code applies, the owner of a large lot may voluntarily submit to the city an application and request to be exempted from the non-issuance of new short-term vacation rental permits set forth in Section 3.25.055 only if, at the time of submittal of an application for exemption pursuant to this section, all of the following criteria are met:
1. The "lot area," as defined in 9.280.030 (or successor provision, as may be amended from time to time) of this code, is comprised of a single parcel that is no less than 25,000 square feet;
 2. The single parcel has at least one existing dwelling, as defined in this chapter, in use or available for use;
 3. The single parcel is not, nor will the single parcel ever be for the duration of the period of any qualified exemption under this section, subject to a subdivision under the Subdivision Map Act in Division 2 (commencing with Section 64410) of Title 7 of the California Government Code or under Title 13 of this code (or successor provisions, as may be amended from time to time).
 4. The single parcel is not, nor will the single parcel ever be for the duration of the period of any qualified exemption under this section, subject to a reduction in the square footage of the lot area by lot line adjustment, parcel merger, or other action that creates a legal parcel under the Subdivision Map Act in Division 2 (commencing with Section 64410) of Title 7 of the California Government Code or under Title 13 of this code (or successor provisions, as may be amended from time to time).
 5. If the single parcel is within a residential project governed by a homeowners association, the use of the single parcel as a short-term vacation rental unit is authorized under the homeowners association's covenants, conditions, and restrictions (CC&Rs) and any other applicable governing documents for the residential project governed by the homeowners association;
 6. Use of the single parcel as a short-term vacation rental unit is not prohibited or otherwise inconsistent with any recorded instruments governing the use of the single parcel; and
 7. The single parcel has adequate on-site parking pursuant to this chapter for use as a short-term vacation rental unit.
- B. Subject to the application and review provisions in this section, if the city determines the single parcel meets the criteria of a large lot to be exempted from the non-issuance of new short-term vacation rental permits that otherwise applies pursuant to Section 3.25.055, the provisions regarding the non-issuance of new short-term vacation rental permits in Section 3.25.055 shall no longer apply to, or be applicable as long as the single parcel meets the criteria in this section, to the large lot upon certification by the city that the criteria set forth in this section have been met.
1. Upon certification by the city that the criteria in this section have been met, then the single parcel shall be identified as a "qualified and certified large lot" for purposes of this section and this chapter.
 2. Upon certification by the city of the single parcel as a qualified and certified large lot pursuant to this section, an owner of a residential dwelling within a qualified and certified large lot may apply for a new short-term vacation rental permit pursuant to this chapter and shall be subject to the same requirements of any other short-term vacation rental permit application, use, and operation governed by this chapter.
 3. The city may impose any necessary or proper conditions of approval with the certification of a single parcel as a large lot pursuant to this section, including conditions that would terminate the exemption from compliance with Section 3.25.055 if the large lot is subdivided or used in violation of the requirements of this section. Additionally, the city may require as a condition of approval that the

- owner of the qualified and certified large lot execute a land use covenant, in a form approved by the city and recorded in the county recorder's office against the single parcel, memorializing the terms and conditions applicable to the large lot for use as a short-term vacation rental unit.
4. Any owner of real property that is no longer or is not in compliance with the criteria in this section to be a qualified and certified large lot shall have no right or authority to advertise, use, or operate said real property as a short-term vacation rental unit. Any short-term vacation rental permit (either new or renewal permit) issued by the city in reliance of said real property having previously been located within a qualified and certified large lot shall no longer be valid upon said real property no longer being in compliance with this section.
 5. An owner of a qualified and certified large lot who is the successor in interest to the owner who applied for and received the certification of the single parcel as a qualified and certified large lot does not need to re-apply for an exemption from Section 3.25.055 under this chapter as long as the single parcel determined to be the qualified and certified large lot remains in compliance with this section.
 6. It is the expressed intent of the city council that an application for exemption from Section 3.25.055, submitted to the city pursuant to this section, need only occur one time as long as the current owner of a qualified and certified large lot remains in compliance with this section whenever a new or renewal application for a short-term vacation rental permit is submitted to the city and for the duration of the term of the issued short-term vacation rental permit. It is also the expressed intent of the city council that the current owner of real property that may have previously been a qualified and certified large lot may be required by the city to submit a new application for exemption from Section 3.25.055, pursuant to this section, if the real property no longer meets the criteria set forth in this section.
- C. Any application submitted pursuant to this section shall be subject to any fees established by resolution of the city council and shall identify, by addresses, assessor's parcel number (APN), and any other identifying information requested by the city, the real property purporting to be a large lot.
- D. An application submitted pursuant to this section shall be reviewed and considered as follows:
1. **Submittal of Application.** An application for a finding of exemption under this section and certification as a large lot shall be completed in a form approved by the city manager or authorized designee. Applications shall be filed with the city clerk, who shall forward to the planning department together with all maps, plans, documents and other materials required by the city clerk or director of the planning department.
 2. **Determination of Completeness.** The city clerk's office and planning department shall coordinate with the applicant to make a determination whether the application is complete or incomplete. Upon the determination that the application is complete by the city clerk, the city clerk shall schedule review and consideration of the complete application by the city council.
 3. **Public Hearing and Consideration of the Application.** The city council shall hold a public hearing on the application, and the city council shall be the decision-making authority for the application. The public hearing shall be set within ninety (90) days from the determination by the city clerk of a complete application. The public hearing shall be noticed in accordance with Section 9.200.100(D) (or successor provisions, as may be amended from time to time) of this code. At the public hearing, the city council shall receive written comments and any other evidence or testimony relating to the application. At the public hearing, the city council may take action on the application, or continue the application to a specified date.
 4. **Required Findings.** No application presented to the city council pursuant to this section may be approved or conditionally approved unless all of the following findings and requirements are met:
 - a. The single parcel subject to the application is in a residential zone, is a legal non-conforming use, or is in a zone that otherwise would allow for residential uses.

- b. The applicant is the owner of the single parcel subject to the application.
 - c. The exemption under this section is required for the applicant as owner to be able to apply for a short-term vacation rental permit and use a dwelling or dwellings on the parcel as a short-term vacation rental unit under this chapter.
 - d. Approval of the application will not create conditions materially detrimental to the public health, safety and general welfare or injurious to or incompatible with other properties or land uses in the vicinity. Included with this assessment shall be whether approval of the application and issuance of a certification that the single parcel is a qualified and certified large lot results in multiple exemptions under this section being concentrated in one geographic location of the city in a manner than may be incompatible with other properties or land uses in the vicinity.
5. Decision. The city council shall approve, approve with conditions, or deny the application. With the concurrence of the applicant, an application may be withdrawn prior to the issuance of a decision by the city council. The decision on an application, including any required findings and any other reasons that serve to explain the determination plus all conditions of approval, shall be in writing. An approval or approval with conditions from the city council shall be adopted by resolution and accompanied with the certification from the city that the single parcel subject to the application meets the criteria for a qualified and certified large lot.
6. Appeal. The decision of the city council shall be the final decision of the city on the application.
- E. Subject to the review and approval provisions in this section, the city manager or authorized designee shall have the authority to implement policies or procedures to review and verify whether an application and request to be exempted from Section 3.25.055 meets the criteria set forth in this section and any other criteria reasonably necessary for verification of such application and request.
- F. The city council may periodically review the impacts or effects, if any, caused by this section concurrently with its periodic review provided for in subsection (D) of Section 3.25.055.

3.25.060 Short-term vacation rental permit—Application requirements.

- A. The owner or the owner's authorized agent or representative must submit the information required on the city's short-term vacation rental permit application form provided by the city, which may include any or all of the following:
- 1. The name, address, and telephone number of the owner of the subject short-term vacation rental unit;
 - 2. The name, address, and telephone number of the owner's authorized agent or representative, if any;
 - 3. The name and twenty-four (24)-hour telephone number of the local contact person;
 - 4. [Reserved]
 - 5. The number of bedrooms shall not exceed the number of permitted bedrooms. The allowable number of bedrooms shall meet all applicable building and construction requirements under federal, state and city codes, including, but not limited to, the provisions of Section 9.50.100 (or successor provision, as may be amended from time to time) governing "additional bedrooms" and all applicable building and construction codes in Title 8 of this code;
 - 6. Acknowledgement of receipt of all electronically distributed short-term vacation rental information from the city, including any good guest brochure;
 - 7. The owner or owner's authorized agent or representative who has applied for a short-term vacation rental permit shall provide the city with written authorization that issuance of a short-term vacation rental permit pursuant to this chapter is not inconsistent with any recorded or unrecorded restrictive

- covenant, document, or other policy of a homeowner association (HOA) or other person or entity which has governing authority over the property on which a short-term vacation rental unit will be operated; in furtherance of this requirement, there shall be a rebuttable presumption that an owner or owner's authorized agent or representative does not have written authorization for the issuance of a short-term vacation rental permit if a HOA or other person or entity which has governing authority over the property has submitted to the city a duly-authorized official writing, which informs the city that short-term vacation rentals of thirty (30) consecutive days or less are not permitted on the property applying for a short-term vacation rental permit; and
8. Such other information as the city manager or authorized designee deems reasonably necessary to administer this chapter.
- B. The short-term vacation rental permit application shall be accompanied by an application fee as set by resolution of the city council. A short-term vacation rental permit and business license shall not be issued or renewed while any check or other payment method cannot be processed for insufficient funds.
 - C. The city may determine the maximum number of bedrooms in a residential dwelling with multiple bedrooms eligible for use as a short-term vacation rental unit upon issuance of a short-term vacation rental permit. When determining the maximum number of bedrooms eligible for use as short-term vacation rentals, the city shall consider the public health, safety, and welfare, shall comply with building and residential codes, and may rely on public records relating to planned and approved living space within the residential dwellings, including, but not limited to, title insurance reports, official county records, and tax assessor records. Owners of residential dwellings that exceed five thousand (5,000) square feet of developed space on a lot may apply for additional bedrooms. An owner and/or owner's authorized agent or representative may not advertise availability for occupancy of a short-term vacation rental unit for more than the approved number of bedrooms listed in the short-term vacation rental permit issued by the city pursuant to this chapter. In addition to any other rights and remedies available to the city under this chapter, the first violation for failing to advertise the approved number of bedrooms may be subject to a fine by an administrative citation, and a second or subsequent violation for failing to advertise the approved number of bedrooms may result in a revocation (which may include permanent revocation) of the short-term vacation rental permit and/or any affiliated licenses or permits pursuant to the provisions set forth in Section 3.25.100.
 - D. Short-term vacation rental permit applications shall comply with the following:
 1. A short-term vacation rental permit application for an estate home shall be subject to evaluation and inspection of the property to ensure that the short-term vacation rental unit will not create conditions materially detrimental to the public health, safety and general welfare or injurious to or incompatible with other properties in the vicinity. Evaluation and inspection shall include, but not be limited to: verification of the number of bedrooms, adequate on-site parking spaces, availability of nearby street parking, physical distance of an estate home from adjacent properties, such as location and distance of outdoor gathering spaces, pools, and other living spaces from neighboring properties. The city manager, or designee, shall have the authority to impose additional conditions on the use of an estate home as a short-term vacation rental unit to ensure that any potential secondary effects unique to the subject short-term vacation rental unit are avoided or adequately mitigated.
 2. A short-term vacation rental permit application may be denied if the applicant has failed to comply with application requirements in this chapter, or has had a prior short-term vacation rental permit for the same unit revoked within the past twelve (12) calendar months. In addition, upon adoption of a resolution pursuant to subsection H, the city may limit the number of short-term vacation rental units in a given geographic area based on a high concentration of short-term vacation rental units. The city shall maintain a waiting list of short-term vacation rental permit applications for such geographic areas where the city determines, based on substantial evidence after a noticed public hearing, there is a higher than average concentration of short-term vacation rental units that either affects the public

health, safety, and welfare or significantly negatively impacts the character and standard of living in a neighborhood within that geographic area, or both.

- E. Short-term vacation rental permit applications may take up to, and the city shall have, thirty (30) calendar days to process. Nothing in this subsection or chapter shall be construed as requiring the city to issue or deny a short-term vacation rental permit in less than thirty (30) calendar days, as no permit shall be issued until such time as application review is complete. No short-term vacation rental use may occur in the city without a valid short-term vacation rental permit issued in accordance with this chapter.
- F. Upon a change of ownership of a property (or upon a new person and/or new entity owning or controlling a business or organization or other entity of any kind, such as a limited liability company, which is the owner of a property) licensed to operate as a short-term vacation rental unit, the owner or owner's authorized agent or representative shall notify the city of such change immediately. The existing short-term vacation rental permit shall be terminated, unless subject to Section 3.25.050(B)(2), and the property must cease operating as a short-term vacation rental immediately. Failure to comply may result in a fine of one thousand dollars (\$1,000.00) per day for a continuing violation of this subsection F.
- G. Immediately upon a change of an owner's authorized agent or representative, local contact, or any other change pertaining to the information contained in the short-term vacation rental application, the owner or owner's authorized agent or representative shall update the short-term vacation rental unit's online registration profile used by the city for the implementation of the short-term vacation rental regulations. Failure to immediately update this information may result in a violation of this chapter, including but not limited to a suspension or revocation of a short-term vacation rental permit, until all information is updated.
- H. The city manager or authorized designee may prepare, for adoption by resolution by the city council, a review procedure and criteria to evaluate the limitation for issuance of STVR permits and/or STVR applications for geographic areas within the city as set forth in subsection D.

(Ord. 590 § 1(Exh. A), 3-16-2021; Ord. 586 § 1(Exh. A), 12-15-2020; Ord. 572 § 1, 2018; Ord. 563 § 1, 2017; Ord. 501 § 2, 2012)

3.25.065 Short-term vacation rental permit—Grounds for denial.

- A. In addition to any other grounds provided in this chapter, an application (including renewal application) for a short-term vacation rental permit may be denied if use of the short-term vacation rental unit has been, will be, or is apt to become any one (1) or more of the following.
 - 1. Prohibited by any local ordinance or by any state or federal law, statute, rule or regulation;
 - 2. A public nuisance;
 - 3. In any way detrimental to the public interest;
 - 4. Prohibited by zoning laws and ordinances.
- B. An application (including renewal application) for a short-term vacation rental permit may also be denied on the grounds that the applicant has knowingly made a false statement in a material matter either in his/her/their application or in his/her/their testimony before the city manager or other body hearing such testimony.
- C. This section is intended to be, and shall be construed as being, in alignment with the grounds for denial of a business license set forth in Section 3.28.080 (or successor section) of this code.

(Ord. 591 § 1(Exh. A), 4-20-2021)

3.25.070 Operational requirements and standard conditions.

- A. The owner and/or owner’s authorized agent or representative shall use reasonably prudent business practices to ensure that the short-term vacation rental unit is used in a manner that complies with all applicable laws, rules and regulations pertaining to the use and occupancy of the subject short-term vacation rental unit.
 - 1. An estate home may be established for short-term vacation rental use subject to evaluation and inspection of the property pursuant to Section 3.25.060(D)(1).
 - 2. An estate home established for short-term vacation rental use is required to be equipped with a noise monitoring device(s) that is operable at all times.

- B. The responsible person(s) shall be an occupant(s) of the short-term vacation rental unit for which he, she or they signed a rental agreement for such rental, use and occupancy, and/or any person(s) occupying the short-term vacation rental unit without a rental agreement, including the owner, owner’s authorized agent or representative, local contact(s) and their guests. No non-permanent improvements to the property, such as tents, trailers, or other mobile units, may be used as short-term vacation rentals. The total number of occupants, including the responsible person(s) and children regardless of age, allowed to occupy any given short-term vacation rental unit may be within the ranges set forth in the table below. By the issuance of a short-term vacation rental permit, the city or its authorized designees, including police, shall have the right to conduct a count of all persons occupying the short-term vacation rental unit in response to a complaint or any other legal grounds to conduct an inspection resulting from the use of the short-term vacation rental unit, and the failure to allow the city or its authorized designees the ability to conduct such a count may constitute a violation of this chapter. The city council may by resolution further restrict occupancy levels provided those restrictions are within the occupancy ranges set forth below.

Number of Bedrooms	Total of Overnight* Occupants	Total Daytime** Occupants (Including Number of Overnight Occupants)
0—Studio	2	2—8
1	2—4	2—8
2	4—6	4—8
3	6—8	6—12
4	8—10	8—16
5	10—12	10—18
6	12—14	12—20
7	14	14—20
8	16	16—22
9	18	18—24

*Overnight (10:01 p.m.—6:59 a.m.)

**Daytime (7:00 a.m.—10:00 p.m.)

- C. The person(s) listed as the local contact person in the short-term vacation rental unit's online registration profile shall be available twenty-four (24) hours per day, seven (7) days per week, with the ability to respond to the location within thirty (30) minutes to complaints regarding the condition, operation, or conduct of occupants of the short-term vacation rental unit or their guests. The person(s) listed as a local contact person shall be able to respond personally to the location, or to contact the owner or the owner's authorized agent or representative to respond personally to the location, within thirty (30) minutes of notification or attempted notification by the city or its authorized short-term vacation rental designated hotline service

provider. No provision in this section shall obligate the city or its authorized short-term vacation rental designated hotline service provider to attempt to contact any person or entity other than the person(s) listed as the local contact person.

- D. The owner, the owner's authorized agent or representative and/or the owner's designated local contact person shall use reasonably prudent business practices to ensure that the occupants and/or guests of the short-term vacation rental unit do not create unreasonable or unlawful noise or disturbances, engage in disorderly conduct, or violate any applicable law, rule or regulation pertaining to the use and occupancy of the subject short-term vacation rental unit.
- E. Occupants of the short-term vacation rental unit shall comply with the standards and regulations for allowable noise at the property in accordance with Sections 9.100.210 and 11.08.040 (or successor provision, as may be amended from time to time) of this code. No radio receiver, musical instrument, phonograph, compact disk player, loudspeaker, karaoke machine, sound amplifier, or any machine, device or equipment that produces or reproduces any sound shall be used outside or be audible from the outside of any short-term vacation rental unit between the hours of 10:00 p.m. and 7:00 a.m. Pacific Standard Time. Observations of noise related violations shall be made by the city or its authorized designee from any location at which a city official or authorized designee may lawfully be, including but not limited to any public right-of-way, any city-owned public property, and any private property to which the city or its authorized designee has been granted access.
- F. Prior to occupancy of a short-term vacation rental unit, the owner or the owner's authorized agent or representative shall:
 - 1. Obtain the contact information of the responsible person;
 - 2. Provide copies of all electronically distributed short-term vacation rental information from the city, including any good guest brochure to the responsible person and post in a conspicuous location within the short-term vacation rental unit, in a manner that allows for the information to be viewed in its entirety; and require such responsible person to execute a formal acknowledgement that he/she/they is/are legally responsible for compliance by all occupants of the short-term vacation rental unit and their guests with all applicable laws, rules and regulations pertaining to the use and occupancy of the short-term vacation rental unit. This information shall be maintained by the owner or the owner's authorized agent or representative for a period of three (3) years and be made readily available upon request of any officer of the city responsible for the enforcement of any provision of this code or any other applicable law, rule or regulation pertaining to the use and occupancy of the short-term vacation rental unit.
- G. The owner, the owner's authorized agent or representative and/or the owner's designated local contact person shall, upon notification or attempted notification that the responsible person and/or any occupant and/or guest of the short-term vacation rental unit has created unreasonable or unlawful noise or disturbances, engaged in disorderly conduct, or committed violations of any applicable law, rule or regulation pertaining to the use and occupancy of the subject short-term vacation rental unit, promptly respond within thirty (30) minutes to immediately halt and prevent a recurrence of such conduct by the responsible person and/or any occupants and/or guests. Failure of the owner, the owner's authorized agent or representative and/or the owner's designated local contact person to respond to calls or complaints regarding the condition, operation, or conduct of occupants and/or guests of the short-term vacation rental unit within thirty (30) minutes, shall be subject to all administrative, legal and equitable remedies available to the city.
- H. The owner of a short-term vacation rental unit that has a valid Homeshare short-term vacation rental permit shall occupy the dwelling during the transient stay. A violation of any provision of this chapter, this code, or any other applicable federal, state, or local laws or codes, by the owner, owner's authorized agent or

representative and/or the owner's designated local contact person shall be subject to all administrative, legal and equitable remedies available to the city.

- I. Trash and refuse shall not be left or stored within public view, except in proper containers for the purpose of collection by the city's authorized waste hauler on scheduled trash collection days. The owner, the owner's authorized agent or representative shall use reasonably prudent business practices to ensure compliance with all the provisions of Chapter 6.04 (Solid Waste Collection and Disposal) (or successor provision, as may be amended from time to time) of this code.
- J. Signs may be posted on the premises to advertise the availability of the short-term vacation rental unit as provided for in Chapter 9.160 (Signs) (or successor provision, as may be amended from time to time) of this code.
- K. The owner, the owner's authorized agent or representative and/or the owner's designated local contact person shall post a copy of the short-term vacation rental permit and a copy of the good guest brochure in a conspicuous place within the short-term vacation rental unit, and a copy of the good guest brochure shall be provided to each occupant of the subject short-term vacation rental unit.
- L. Unless otherwise provided in this chapter, the owner and/or the owner's authorized agent or representative shall comply with all provisions of Chapter 3.24 concerning transient occupancy taxes, including, but not limited to, submission of a monthly return in accordance with Section 3.24.080 (or successor provisions, as may be amended from time to time) of this code, which shall be filed monthly even if the short-term vacation rental unit was not rented during each such month.
- M. Guesthouses, detached from the primary residential dwelling on the property, or the primary residential dwelling on the property, may be rented pursuant to this chapter as long as the guesthouse and the primary residential dwelling are rented to one (1) party.
- N. The owner and/or the owner's authorized agent or representative shall post the number of authorized bedrooms and the current short-term vacation rental permit number at the beginning or top of any advertisement that promotes the availability or existence of a short-term vacation rental unit; provided, however, this requirement may be satisfied if a hosting platform used by the owner and/or owner's authorized agent or representative provides a designated field(s) to post the number of authorized bedrooms and the current short-term vacation rental permit number for the short-term vacation rental unit. In the instance of audio-only advertising of the same, the short-term vacation rental permit number and the number of authorized bedrooms shall be read as part of the advertisement.
- O. The owner and/or owner's authorized agent or representative shall operate a short-term vacation rental unit in compliance with any other permits or licenses that apply to the property, including, but not limited to, any permit or license needed to operate a special event pursuant to Section 9.60.170 (or successor provision, as may be amended from time to time) of this code. The city may limit the number of special event permits issued per year on residential dwellings pursuant to Section 9.60.170 (or successor provision, as may be amended from time to time).
- P. The city manager, or designee, shall have the authority to impose additional conditions on the use of any given short-term vacation rental unit to ensure that any potential secondary effects unique to the subject short-term vacation rental unit are avoided or adequately mitigated, including, but not limited to, a mitigating condition that would require the installation of a noise monitoring device to keep time-stamped noise level data from the property that will be made available to the city upon city's reasonable request.
- Q. The standard conditions set forth herein may be modified by the city manager, or designee, upon request of the owner or the owner's authorized agent or representative based on site-specific circumstances for the purpose of allowing reasonable accommodation of a short-term vacation rental unit. All requests must be in writing and shall identify how the strict application of the standard conditions creates an unreasonable hardship to a property such that, if the requirement is not modified, reasonable use of the property as a

short-term vacation rental unit would not be allowed. Any hardships identified must relate to physical constraints to the subject site and shall not be self-induced or economic. Any modifications of the standard conditions shall not further exacerbate an already existing problem.

- R. On-site parking shall be on an approved driveway, garage, and/or carport areas only; this section does not impose restrictions on public street parking regulations. Recreational vehicles may be parked in accordance with the provisions set forth in Section 9.60.130 (or successor provision, as may be amended from time to time) of this code.

(Ord. 590 § 1(Exh. A), 3-16-2021; Ord. 586 § 1(Exh. A), 12-15-2020; Ord. 577 § 1, 2019; Ord. 572 § 1, 2018; Ord. 563 § 1, 2017; Ord. 501 § 2, 2012)

3.25.080 Recordkeeping and hosting platform duties.

- A. The owner or the owner's authorized agent or representative shall maintain for a period of three (3) years, records in such form as the tax administrator (as defined in Chapter 3.24) may require to determine the amount of transient occupancy tax owed to the city. The tax administrator shall have the right to inspect such records at all reasonable times, which may be subject to the subpoena by the tax administrator pursuant to Section 3.24.140 (Records) (Transient Occupancy Tax) (or successor provisions, as may be amended from time to time) of this code.
- B. Hosting platforms shall not complete any booking transaction for any residential dwelling or other property purporting to be a short-term vacation rental unit in the city unless the dwelling or property has a current and valid short-term vacation rental permit issued pursuant to this chapter, which is not under suspension, for the dates and times proposed as part of the booking transaction.
 - 1. The city shall maintain an online registry of active and suspended short-term vacation rental permits, which hosting platforms may reference and rely upon for purposes of complying with subsection B. If a residential dwelling or other property purporting to be a short-term vacation rental unit matches with an address, permit number, and/or current and valid permit dates (not under suspension) set forth in the city's online registry, the hosting platforms may presume that the dwelling or other property has a current and valid short-term vacation rental permit.
 - 2. The provisions of this subsection B shall be interpreted in accordance with otherwise applicable state and federal law(s) and will not apply if determined by the city to be in violation of, or preempted by, any such law(s).

(Ord. 590 § 1(Exh. A), 3-16-2021; Ord. 586 § 1(Exh. A), 12-15-2020; Ord. 572 § 1, 2018; Ord. 563 § 1, 2017; Ord. 501 § 2, 2012)

3.25.090 Violations.

- A. Additional Conditions. A violation of any provision of this chapter or this code by any applicant, occupant, responsible person, local contact person, owner or owner's authorized agent or representative (including a management company), shall authorize the city manager, or designee, to impose additional conditions on the use of any given short-term vacation rental unit to ensure that any potential additional violations are avoided.
- B. Permit Modification, Suspension and Revocation. A violation of any provision of this chapter, this code, California Vehicle Code, or any other applicable federal, state, or local laws or codes, including, but not limited to, applicable fire codes and the building and construction codes as set forth in Title 8 of this code, by any applicant, occupant, responsible person, local contact person, owner, or owner's authorized agent or representative (including a management company), shall constitute grounds for modification, suspension

and/or revocation (which may include permanent revocation) of the short-term vacation rental permit and/or any affiliated licenses or permits pursuant to the provisions set forth in Section 3.25.100.

- C. Notice of Violation. The city may issue a notice of violation to any applicant, occupant, responsible person, local contact person, owner, owner's authorized agent or representative (including a management company), or hosting platform, pursuant to Section 1.01.300 (or successor provisions, as may be amended from time to time) of this code, if there is any violation of this chapter committed, caused or maintained by any of the above parties.
- D. Two (2) Strikes Policy. Subject to a minor violation reprieve request, two (2) violations of any provision of this chapter or this code within one (1) year by any applicant, occupant, responsible person, local contact person, owner, owner's authorized agent or representative (including a management company), with respect to any one (1) residential dwelling shall result in an immediate suspension of the short-term vacation rental permit with subsequent ability to have a hearing before the city, pursuant to this chapter, to request a lifting of the suspension. For purposes of this subsection, a "minor violation reprieve request" means a written request submitted to the city's code enforcement officer for relief from counting one (1) or more violations within the one (1) year period as a minor violation, and "minor violation" means a violation of a particular section of this code that resulted in minimal impact on the use and enjoyment of the adjacent and nearby properties caused by any of the following:
 - 1. Minor debris or trash containers left in view as a first offense;
 - 2. A short-term vacation rental permit number or bedroom count not posted on an advertisement as a first offense;
 - 3. A short-term vacation rental permit number or bedroom count posted in the wrong location on an advertisement as a first offense; or
 - 4. Over occupancy due to a minor child not associated with a disturbance.

A determination of whether a code violation is a minor violation shall be based on substantial evidence presented to the code enforcement officer relating to that violation.

- E. Administrative and Misdemeanor Citations. The city may issue an administrative citation to any applicant, occupant, responsible person, local contact person, owner, owner's authorized agent or representative (including a management company), or hosting platform, pursuant to Chapter 1.09 (Administrative Citations) (or successor provisions, as may be amended from time to time) of this code, if there is any violation of this chapter committed, caused or maintained by any of the above parties. Nothing in this section shall preclude the city from also issuing an infraction citation upon the occurrence of the same offense on a separate day. An administrative citation may impose a fine for one (1) or more violations of this chapter in the maximum amount allowed by state law or this code in which the latter amount shall be as follows:
 - 1. General Short-Term Vacation Rental Violations (Occupancy/Noise/Parking).
 - a. First violation: one thousand dollars (\$1,000.00);
 - b. Second violation: two thousand dollars (\$2,000.00);
 - c. Third violation: three thousand dollars (\$3,000.00).
 - 2. Operating a Short-Term Vacation Rental Without a Valid Short-Term Vacation Rental Permit.
 - a. First violation: one thousand and five hundred dollars (\$1,500.00);
 - b. Second or more violations: three thousand dollars (\$3,000.00);
 - c. Third or more violations: five thousand dollars (\$5,000.00)

-
- d. In addition to the fines set forth above, the first, second, third, or subsequent violation of operating a short-term vacation rental unit without a valid short-term vacation rental permit shall be cause for an owner (or person and/or entity that owns or controls a business or organization or other entity of any kind, such as a limited liability company, which is the owner of a property) to be prohibited for all time from being eligible to be issued a short-term vacation rental permit and/or business license for use of a property as a short-term vacation rental unit.
 3. Hosting a Special Event at a short-term vacation rental unit without a Special Event Permit as required by Section 9.60.170 (or successor provision, as may be amended from time to time) of this code.
 - a. First violation: five thousand dollars (\$5,000.00);
 - b. Second violation: five thousand dollars (\$5,000.00).
 4. Advertising a Short-Term Vacation Rental Without a Valid Short-Term Vacation Rental Permit by Person(s) or Entity(ies) Other Than a Management Company.
 - a. First violation: one thousand dollars (\$1,000.00);
 - b. Second violation: two thousand dollars (\$2,000.00);
 - c. Third violation: three thousand dollars (\$3,000.00).
 5. Advertising a Short-Term Vacation Rental Without a Valid Short-Term Vacation Rental Permit by a Management Company.
 - a. First violation: one thousand and five hundred dollars (\$1,500.00)
 - b. Second violation: three thousand dollars (\$3,000.00);
 - c. Third or more violations: five thousand dollars (\$5,000.00);
 - d. In addition to the fines set forth above, the first, second, third, or subsequent violation of advertising a short-term vacation rental unit without a valid short-term vacation rental permit by a management company shall be cause for the management company to be prohibited from being used to advertise or operate a short-term vacation rental unit at the property identified for not having a valid short-term vacation rental permit. Additionally, repeat violations, which is three (3) or more violations of this Subsection (E)(5), by a management company for advertising a short-term vacation rental unit without a valid short-term vacation rental permit shall be cause for the management company to be prohibited for all time from being eligible to be issued a short-term vacation rental permit and/or business license in the city for such property management purposes. F. Public Nuisance. In addition to any and all rights and remedies available to the city, it shall be a public nuisance for any person or entity to commit, cause or maintain a violation of this chapter, which shall be subject to the provisions of Section 1.01.250 (Violations public nuisances) (or successor provisions, as may be amended from time to time) of this code.
- (Ord. 590 § 1(Exh. A), 3-16-2021; Ord. 586 § 1(Exh. A), 12-15-2020; Ord. 578 § 1, 2019; Ord. 572 § 1, 2018; Ord. 563 § 1, 2017; Ord. 501 § 2, 2012)

3.25.100 Appeals.

- A. Any person aggrieved by any decision of a city officer made pursuant to this chapter may request a hearing before the city manager in accordance with Chapter 2.08 (or successor provisions, as may be amended from time to time) of this code.
- B. Notwithstanding any provisions in Section 2.08.230 or otherwise in the code, the decision by the city manager of an appeal brought under this chapter shall be the final decision by the city for any violation of a

short-term vacation rental permit issued under this order, except for any administrative citation imposing a fine, which shall be processed and subject to an administrative appeal pursuant to Chapter 1.09 of the code.
(Ord. 590 § 1(Exh. A), 3-16-2021; Ord. 586 § 1(Exh. A), 12-15-2020; Ord. 572 § 1, 2018; Ord. 563 § 1, 2017)

City of La Quinta

CITY COUNCIL MEETING: December 5, 2023

STAFF REPORT

AGENDA TITLE: ADOPT ORDINANCE NO. 608 ON SECOND READING ADDING SUBSECTION 3.25.070(S) TO CHAPTER 3.25 OF THE LA QUINTA MUNICIPAL CODE RELATED TO SHORT-TERM VACATION RENTALS TO ESTABLISH THAT APARTMENTS ARE NOT ELIGIBLE TO APPLY FOR OR OBTAIN A SHORT-TERM VACATION RENTAL PERMIT

RECOMMENDATION

- Adopt Ordinance No. 608 on second reading.

EXECUTIVE SUMMARY

- On November 7, 2023, Council discussed possible additions and amendments to Chapter 3.25 of the La Quinta Municipal Code (LQMC) related to Short-Term Vacation Rentals (STVRs) and directed staff to bring back an ordinance to establish that apartments are not eligible to apply for or obtain an STVR permit.
- On November 21, 2023, Council introduced Ordinance No. 608 for first reading to add Subsection 3.25.070(S) to Chapter 3.25 to establish that apartments are not eligible to apply for or obtain an STVR permit; and if adopted on second reading, it will go into effect 30 days after adoption, or on January 4, 2024.

FISCAL IMPACT – None.

BACKGROUND/ANALYSIS

On November 7, 2023, Council introduced Ordinance No. 607 for first reading to add and/or amend various sections of Chapter 3.25 of the LQMC, which is on tonight's agenda for adoption on second reading; and directed staff to bring back an ordinance to establish STVR permit eligibility requirements related to apartments and Homeowner Associations (HOAs).

On November 21, 2023, Council introduced Ordinance No. 608 to add Subsection 3.25.070(S) to Chapter 3.25 to establish that apartments are not eligible to apply for or obtain an STVR permit; and if adopted on second reading, it will go into effect 30 days after adoption, or on January 4, 2024.

Based on Council's discussion, comments, and direction from November 7 and 21, 2023, staff will send written notices to HOAs that currently allow STVRs pursuant to their Covenants, Conditions, and Restrictions (CC&Rs) requesting that HOAs notify the City in writing should they be interested in an exemption from the current ban on the issuance of new STVR permits in non-exempt areas and report the responses back to Council at a future meetings.

[ALTERNATIVES](#)

As Council approved Ordinance No. 608 at first reading, staff does not recommend an alternative.

Prepared by: Oscar Mojica, Permit Technician
Approved by: Monika Radeva, City Clerk

ORDINANCE NO. 608

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LA QUINTA, CALIFORNIA, ADDING SUBSECTION 3.25.070(S) TO CHAPTER 3.25 OF THE LA QUINTA MUNICIPAL CODE RELATED TO SHORT-TERM VACATION RENTALS TO ESTABLISH THAT APARTMENTS ARE NOT ELIGIBLE TO APPLY OR OBTAIN A SHORT-TERM VACATION RENTAL PERMIT

WHEREAS, Chapter 3.25 of the La Quinta Municipal Code (LQMC) relates to short-term vacation rentals, including permitted uses, short-term vacation rental (STVR) process and permitting procedures, requirements, violations, fines, etc.; and

WHEREAS, the City has the authority to regulate residential uses, including STVR uses, operating within the City; and

WHEREAS, the addition of the proposed Subsection (S) to Section 3.25.070 – Operational requirements and standard conditions to the STVR Program establishes that apartments, as defined in the LQMC, are not eligible to apply for or obtain an STVR permit.

NOW, THEREFORE, the City Council of the City of La Quinta does ordain as follows:

SECTION 1. Subsection (S) is added to Section 3.25.070 – Operational requirements and standard conditions to the La Quinta Municipal Code to read as follows:

“S. No “apartment,” “apartment building,” or “apartment project,” as defined in Section 9.280.030 (or successor provision, as may be amended from time to time) of this code shall be eligible to apply for or obtain a short-term vacation rental permit.”

SECTION 2. **EFFECTIVE DATE:** This Ordinance shall be in full force and effect thirty (30) days after its adoption.

SECTION 3. **POSTING:** The City Clerk shall, within 15 days after passage of this Ordinance, cause it to be posted in at least three public places designated by resolution of the City Council, shall certify to the adoption and posting of this Ordinance, and shall cause this Ordinance and its certification, together with proof of posting to be entered into the permanent record of Ordinances of the City of La Quinta.

SECTION 4. **CORRECTIVE AMENDMENTS:** the City Council does hereby grant the City Clerk the ability to make minor amendments and corrections of typographical or clerical errors to this ordinance to ensure consistency of all approved text amendments prior to the publication in the La Quinta Municipal Code.

Ordinance No. 608
Chapter 3.25 Short-Term Vacation Rentals – Adding Subsection 3.25.070(S) regarding Apartments
Adopted: December 5, 2023
Page 2 of 3

SECTION 5. SEVERABILITY: If any section, subsection, subdivision, sentence, clause, phrase, or portion of this Ordinance is, for any reason, held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance. The City Council hereby declares that it would have adopted this Ordinance and each and every section, subsection, subdivision, sentence, clause, phrase, or portion thereof, irrespective of the fact that any one or more section, subsections, subdivisions, sentences, clauses, phrases, or portions thereof be declared unconstitutional.

PASSED, APPROVED and ADOPTED, at a regular meeting of the La Quinta City Council held this December 5, 2023, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

LINDA EVANS, Mayor
City of La Quinta, California

ATTEST:

MONIKA RADEVA, City Clerk
City of La Quinta, California



APPROVED AS TO FORM:

WILLIAM H. IHRKE, City Attorney
City of La Quinta, California

Ordinance No. 608
Chapter 3.25 Short-Term Vacation Rentals – Adding Subsection 3.25.070(S) regarding Apartments
Adopted: December 5, 2023
Page 3 of 3

(STATE OF CALIFORNIA)
COUNTY OF RIVERSIDE) ss.
CITY OF LA QUINTA)

I, MONIKA RADEVA, City Clerk of the City of La Quinta, California, do hereby certify the foregoing to be a full, true, and correct copy of Ordinance No. 608 which was introduced at a regular meeting on the 21st day of November, 2023, and was adopted at a regular meeting held on the 5th day of December, 2023, not being less than 5 days after the date of introduction thereof.

I further certify that the foregoing Ordinance was posted in three places within the City of La Quinta as specified in the Rules of Procedure adopted by City Council Resolution No. 2022-027.

MONIKA RADEVA, City Clerk
City of La Quinta, California

DECLARATION OF POSTING

I, MONIKA RADEVA, City Clerk of the City of La Quinta, California, do hereby certify that the foregoing ordinance was posted on ___ day of December, 2023, pursuant to Council Resolution.

MONIKA RADEVA, City Clerk
City of La Quinta, California

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City of La Quinta

CITY COUNCIL MEETING: December 5, 2023

STAFF REPORT

AGENDA TITLE: ADOPT RESOLUTION TO APPROVE FINAL PARCEL MAP NO. 38298 LOCATED ON THE NORTHWEST CORNER OF CALLE TAMPICO AND WASHINGTON STREET

RECOMMENDATION

Adopt a resolution approving Final Parcel Map 38298.

EXECUTIVE SUMMARY

- The owner of an existing and operational shopping center is subdividing the site into three parcels.
- All conditions of approval for Tentative Parcel Map 38298 have been completed and the owner has requested approval of the Final Parcel Map.
- Approving the final map is a ministerial action that is required after the conditions of approval have been satisfied.

FISCAL IMPACT

There is no fiscal impact to the City. No off-site improvements were required with this Final Parcel Map.

BACKGROUND/ANALYSIS

The site is located on the northwest corner of Calle Tampico and Washington Street (Attachment 1). The owner is LQ Investments, LP. Tentative Parcel Map 38298 proposes to subdivide the 5.08 acre parcel into three parcels. Parcel 1 would be a 2.30 acre parcel for the existing parking area, Parcel 2 would be 0.68 acre for the existing commercial Starbucks building, and the other 2.10 acre Parcel 3 would be the existing shopping center. There are no development plans proposed at this time. Tentative Parcel Map 38298 to subdivide the property into three parcels was approved by Director's decision on April 4, 2023.

Final Parcel Map 38298 (Attachment 2) has passed technical review by the City Surveyor and has been signed by the property owner. As the conditions of approval have been satisfied, Staff recommends approval of the final map.

ALTERNATIVES

Staff does not recommend an alternative action.

Prepared by: Amy Yu, Associate Engineer

Approved by: Bryan McKinney, P.E., Public Works Director/ City Engineer

Attachments: 1. Vicinity Map
2. Parcel Map 38298

RESOLUTION NO. 2023 - XXX

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LA QUINTA, CALIFORNIA, GRANTING APPROVAL OF FINAL PARCEL MAP NO. 38298

WHEREAS, Tentative Parcel Map No. 38298 was approved by Director's decision on April 4, 2023, as permitted under the Subdivision Map Act, subject to conditions of approval; and

WHEREAS, the developer has completed the conditions of approval.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of La Quinta, California, that the City Council does hereby grant approval of Final Parcel Map No. 38298, as referenced in the title of this Resolution, for the reasons set forth in this Resolution.

PASSED, APPROVED and ADOPTED at a regular meeting of the La Quinta City Council held on this 5th day of December 2023, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

LINDA EVANS, Mayor
City of La Quinta, California

ATTEST:

MONIKA RADEVA, City Clerk
City of La Quinta, California

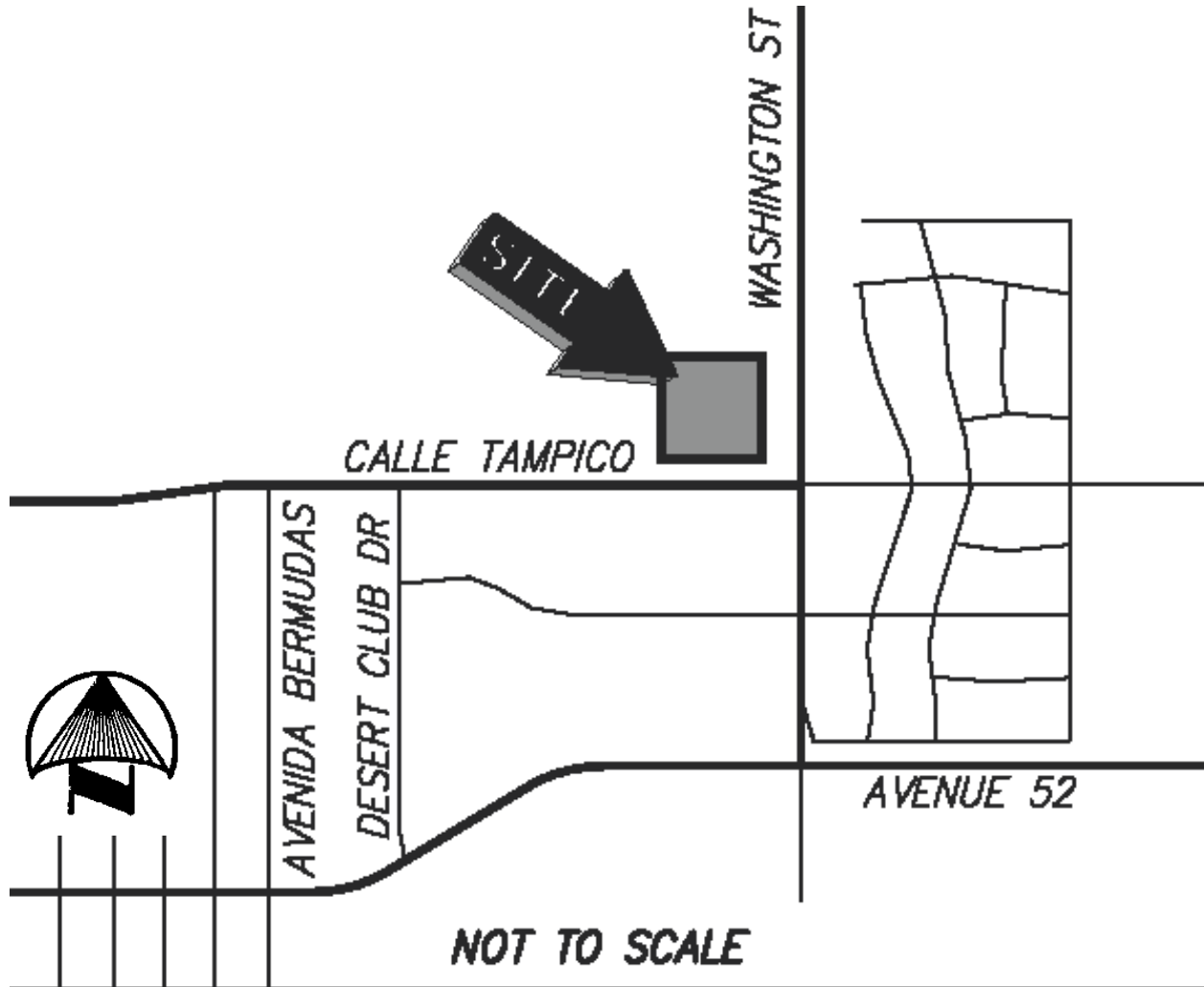


Resolution No. 2023-XXX
Parcel Map No. 38298
Adopted: December 5, 2023
Page 2 of 2

APPROVED AS TO FORM:

WILLIAM H. IHRKE, City Attorney
City of La Quinta, California

PARCEL MAP 38298



VICINITY MAP

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IN THE CITY OF LA QUINTA, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA
PARCEL MAP NO. 38298
BEING A SUBDIVISION OF LOT "B" AS SHOWN ON LOT LINE ADJUSTMENT NO. 2020-0014 RECORDED JANUARY 01, 2021 AS INSTRUMENT NO. 2021-0040029 OF OFFICIAL RECORDS OF RIVERSIDE COUNTY

RECORDER'S STATEMENT

FILED THIS ___ DAY OF _____, 20___
AT ___ IN BOOK ___ OF PARCEL MAPS AT
PAGES ___ AT THE REQUEST OF THE
CITY CLERK OF THE CITY OF LA QUINTA.

NO. _____
FEE: _____
PETER ALDANA, COUNTY ASSESSOR - CLERK - RECORDER

BY: _____
DEPUTY

SUBDIVISION GUARANTEE: FIRST AMERICAN TITLE INSURANCE COMPANY

SURVEYOR'S STATEMENT

THIS MAP WAS PREPARED BY ME OR UNDER MY DIRECTION AND IS BASED UPON A FIELD SURVEY IN CONFORMANCE WITH THE REQUIREMENTS OF THE SUBDIVISION MAP ACT AND LOCAL ORDINANCES AT THE REQUEST OF LQ INVESTMENTS, L.P., A CALIFORNIA LIMITED PARTNERSHIP IN JULY, 2022. I HEREBY STATE THAT ALL MONUMENTS ARE OF THE CHARACTER AND OCCUPY THE POSITIONS INDICATED, OR WILL BE IN PLACE WITHIN ONE YEAR OF MAP RECORDED; AND THAT SAID MONUMENTS ARE SUFFICIENT TO ENABLE THE SURVEY TO BE RETRACED. I HEREBY STATE THAT THIS PARCEL MAP SUBSTANTIALLY CONFORMS TO THE APPROVED OR CONDITIONALLY APPROVED TENTATIVE MAP, IF ANY. THE SURVEY IS TRUE AND COMPLETE AS SHOWN.

Jake W. Lappert
JAKE W. LAPPERT,
L.S. NO. 9303

09/28/2023
DATED



CITY ENGINEER'S STATEMENT

I HEREBY STATE THAT I HAVE EXAMINED THE WITHIN MAP OF PARCEL NO. 38298 CONSISTING OF TWO (2) SHEETS; THAT THE SUBDIVISION SHOWN THEREON IS SUBSTANTIALLY THE SAME AS IT APPEARED ON THE TENTATIVE MAP, IF ANY, AND APPROVED ALTERATIONS THEREOF; THAT ALL PROVISIONS OF THE STATE SUBDIVISION MAP ACT AND LOCAL ORDINANCES HAVE BEEN COMPLIED WITH.

DATED: _____, _____

BRYAN MCKINNEY, R.C.E. NO. 49418, EXP. 09/30/2024



CITY SURVEYOR'S STATEMENT

I HEREBY STATE THAT I HAVE EXAMINED THE WITHIN MAP OF PARCEL MAP NO. 38298 CONSISTING OF TWO (2) SHEETS AND THAT I AM SATISFIED THIS MAP IS TECHNICALLY CORRECT.

DATED: _____, _____

ERIC A. NELSON, ACTING CITY SURVEYOR
L.S. 5563, EXP. 09/30/23



LA QUINTA CITY COUNCIL CERTIFICATE

I, MONIKA RADEVA, CITY CLERK AND EX-OFFICIO CLERK OF THE CITY COUNCIL OF THE CITY OF LA QUINTA, CALIFORNIA, DO HEREBY STATE THAT SAID CITY COUNCIL AT ITS REGULAR MEETING HELD ON THE ___ DAY OF _____, _____, APPROVED THE WITHIN MAP OF PARCEL MAP NO. 38298.

DATED: _____, _____

MONIKA RADEVA
CITY CLERK AND EX-OFFICIO CLERK OF THE
CITY COUNCIL OF THE CITY OF LA QUINTA

OWNERSHIP CERTIFICATE

WE HEREBY STATE THAT WE ARE THE OWNERS OF THE LAND INCLUDED WITHIN THE SUBDIVISION SHOWN HEREON; THAT WE ARE THE ONLY PERSONS WHOSE CONSENT IS NECESSARY TO PASS CLEAR TITLE TO SAID LAND; THAT WE CONSENT TO THE MAKING AND RECORDING OF THIS SUBDIVISION MAP AS SHOWN WITHIN THE DISTINCTIVE BORDER LINE.

LQ INVESTMENTS, L.P., A CALIFORNIA LIMITED PARTNERSHIP

BY: RJS MANAGEMENT, INC., A CALIFORNIA CORPORATION, ITS GENERAL PARTNER

BY: _____

PRINT NAME: _____

PRINT TITLE: _____

NOTARY ACKNOWLEDGMENT

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

STATE OF _____

COUNTY OF _____

ON _____ BEFORE ME, _____, A NOTARY PUBLIC, PERSONALLY APPEARED _____, WHO PROVED TO ME ON THE BASIS OF SATISFACTORY EVIDENCE TO BE THE PERSON(S) WHOSE NAME(S) IS/ARE SUBSCRIBED TO THE WITHIN INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE/SHE/THEY EXECUTED THE SAME IN HIS/HER/THEIR AUTHORIZED CAPACITY(IES), AND THAT BY HIS/HER/THEIR SIGNATURE(S) ON THE INSTRUMENT THE PERSON(S), OR THE ENTITY UPON BEHALF OF WHICH THE PERSON(S) ACTED, EXECUTED THE INSTRUMENT.

I CERTIFY UNDER PENALTY OF PERJURY UNDER THE LAWS OF THE STATE OF CALIFORNIA THAT THE FOREGOING PARAGRAPH IS TRUE AND CORRECT.

WITNESS MY HAND:

SIGNATURE _____ MY PRINCIPAL PLACE OF BUSINESS IS _____ COUNTY

MY COMMISSION EXPIRES _____ MY COMMISSION NUMBER _____

(NAME PRINTED)

SIGNATURE OMISSIONS

PURSUANT TO SECTION 66436 (a)(3)(A) OF THE SUBDIVISION MAP ACT, THE SIGNATURES OF THE FOLLOWING OWNERS OF EASEMENTS AND/OR OTHER INTERESTS HAVE BEEN OMITTED AS THEIR INTEREST CANNOT RIPEN INTO A FEE:

THE UNITED STATES OF AMERICA, HOLDER OF A RIGHT OF WAY FOR DITCHES AND CANALS IN THE PATENT RECORDED MAY 29, 1914 AS BOOK 6 OF PATENTS, PAGE 308 OF OFFICIAL RECORDS.

THE UNITED STATES OF AMERICA, HOLDER OF A RIGHT OF WAY FOR DITCHES AND CANALS IN THE PATENT RECORDED NOVEMBER 13, 1918 AS BOOK 7 OF PATENTS, PAGE 370 OF OFFICIAL RECORDS. SAID RIGHTS DO NOT AFFECT THE SUBJECT PROPERTY.

SOUTHERN SIERRAS POWER COMPANY, HOLDER OF AN EASEMENT FOR RIGHT OF WAY AND INCIDENTAL PURPOSES, RECORDED DECEMBER 04, 1931 AS BOOK 59, PAGE 65 OF OFFICIAL RECORDS.

GTE CALIFORNIA INCORPORATED, A COMPANY, HOLDER OF AN EASEMENT FOR PUBLIC UTILITIES AND INCIDENTAL PURPOSES, RECORDED OCTOBER 06, 1994 AS INSTRUMENT NO. 388021 OF OFFICIAL RECORDS.

CITY OF LA QUINTA, HOLDER OF AN EASEMENT FOR STREET, PUBLIC UTILITIES, RECIPROCAL INGRESS AND EGRESS FOR COMMON TRANSPORTATION AND UTILITY FACILITIES, AND LANDSCAPE AND INCIDENTAL PURPOSES, RECORDED DECEMBER 13, 1995 IN BOOK 186, PAGES 91-92 OF PARCEL MAP NO. 27984.

CITY OF LA QUINTA, HOLDER OF AN EASEMENT FOR INGRESS, EGRESS AND INCIDENTAL PURPOSES, RECORDED DECEMBER 13, 1995 IN BOOK 186, PAGES 91-92 OF PARCEL MAP NO. 27984.

IMPERIAL IRRIGATION DISTRICT, HOLDER OF AN EASEMENT FOR EXCAVATION, LAYING, CONSTRUCTION, INSTALLATION, MAINTENANCE, OPERATION, INSPECTION, REPAIR, REPLACEMENT; AND REMOVAL OF ELECTRICAL LINES, WIRES, CABLES, DUCTS, SUPPORTS, FIXTURES, FACILITIES WITH THE RIGHT OF INGRESS AND EGRESS OVER SAME FOR MAINTENANCE, OPERATION, EMERGENCY VEHICLES AND PUBLIC UTILITIES AND INCIDENTAL PURPOSES, PER PARCEL MAP NO. 27984 RECORDED DECEMBER 13, 1995 IN BOOK 186, PAGES 91-92 OF PARCEL MAPS.

COACHELLA VALLEY WATER DISTRICT, HOLDER OF AN EASEMENT FOR WATERLINE AND SANITATION AND INCIDENTAL PURPOSES, PER PARCEL MAP NO. 27984 RECORDED DECEMBER 13, 1995 IN BOOK 186, PAGES 91-92 OF PARCEL MAPS.

COACHELLA VALLEY WATER DISTRICT, HOLDER OF AN EASEMENT FOR PIPELINE AND INCIDENTAL PURPOSES, RECORDED JULY 27, 2020 AS DOCUMENT NO. 2020-0330928, OF OFFICIAL RECORDS.

IMPERIAL IRRIGATION DISTRICT, HOLDER OF AN EASEMENT FOR UNDERGROUND/OVERHEAD FACILITIES AND APPURTENANCES FOR THE TRANSMISSION AND DISTRIBUTION OF ELECTRICITY, COLLECTED AS TAXES AND APPURTENANCES AND INCIDENTAL PURPOSES, RECORDED APRIL 19, 2023 AS DOCUMENT NO. 2023-0112120, OF OFFICIAL RECORDS.

TAX COLLECTOR'S CERTIFICATE

I HEREBY CERTIFY THAT ACCORDING TO THE RECORDS OF THIS OFFICE, AS OF THIS DATE, THERE ARE NO LIENS AGAINST THE PROPERTY SHOWN ON THE WITHIN MAP FOR UNPAID STATE, COUNTY, MUNICIPAL, OR LOCAL TAXES OR SPECIAL ASSESSMENTS COLLECTED AS TAXES, EXCEPT TAXES OR SPECIAL ASSESSMENTS COLLECTED AS TAXES NOW A LIEN BUT NOT YET PAYABLE, WHICH ARE ESTIMATED TO BE \$ _____

DATED: _____, 20___ MATTHEW JENNINGS, COUNTY TAX COLLECTOR

BY: _____, DEPUTY

TAX BOND CERTIFICATE

I HEREBY CERTIFY THAT A BOND IN THE SUM OF \$ _____ HAS BEEN EXECUTED AND FILED WITH THE BOARD OF SUPERVISORS OF THE COUNTY OF RIVERSIDE, CALIFORNIA, CONDITIONED UPON THE PAYMENT OF ALL TAXES, STATE, COUNTY, MUNICIPAL OR LOCAL, AND ALL SPECIAL ASSESSMENTS COLLECTED AS TAXES WHICH AT THE TIME OF FILING OF THIS MAP WITH THE COUNTY RECORDER ARE A LIEN AGAINST SAID PROPERTY BUT NOT YET PAYABLE, AND SAID BOND HAS BEEN DULY APPROVED BY SAID BOARD OF SUPERVISORS.

DATE: _____, 20___

CASH OR SURETY TAX BOND
MATTHEW JENNINGS
COUNTY TAX COLLECTOR

BY: _____, DEPUTY

MONUMENT AND ESTABLISHMENT NOTES

- INDICATES FOUND MONUMENT AS NOTED BELOW.
- INDICATES SET LEAD, TACK AND TAG STAMPED "LS 9303" IN CONCRETE, FLUSH.
- INDICATES SET 2" IRON PIPE TAGGED "LS 9303" IN DIRT, FLUSH.
- △ INDICATES SET SPIKE AND WASHER STAMPED "LS 9303" IN ASPHALT, FLUSH.
- ⊙ INDICATES SET SPIKE AND WASHER STAMPED "LS 9303" SET 0.50' SOUTH, FLUSH.
- ① INDICATES FOUND 1" IRON PIPE WITH PLASTIC PLUG STAMPED "LS 8223" PER CORNER RECORD 17-0528, FLUSH.
- ② INDICATES FOUND 1" IRON PIPE WITH PLASTIC PLUG STAMPED "LS 5570" PER R1, DOWN 0.5'.
- ③ INDICATES FOUND 1" IRON PIPE, ILLEGIBLE, NO REFERENCE, FLUSH. ACCEPTED AS POINT ON THE EASTERLY PROLONGATION OF THE NORTH LINE OF PARCEL 4 OF R1.
- ④ INDICATES FOUND LEAD, TACK AND TAG, ILLEGIBLE, NO REFERENCE, FLUSH. ACCEPTED AS THE NORTHEAST CORNER OF PARCEL 4 OF R1.
- ⑤ INDICATES FOUND LEAD, TACK AND TAG, ILLEGIBLE, NO REFERENCE, FLUSH. ACCEPTED AS THE NORTHWEST CORNER OF PARCEL 4 OF R1.
- ⑥ INDICATES FOUND LEAD, TACK AND TAG, ILLEGIBLE, NO REFERENCE, FLUSH. ACCEPTED AS THE SOUTHWEST CORNER OF PARCEL 4 OF R1.
- ⑦ INDICATES FOUND LEAD, TACK AND TAG, ILLEGIBLE, NO REFERENCE, FLUSH. ACCEPTED AS THE NORTHWEST CORNER OF PARCEL 3 OF R1.
- ⑧ INDICATES FOUND LEAD, TACK AND TAG, ILLEGIBLE, NO REFERENCE, FLUSH. ACCEPTED AS THE MOST NORTHERLY CORNER OF PARCEL 1 OF R1.
- ⑨ INDICATES FOUND LEAD, TACK AND TAG STAMPED "LS 5570" PER R1, FLUSH.
- ⑩ INDICATES FOUND 1" IRON PIPE WITH PLASTIC PLUG STAMPED "LS 6687" NO REFERENCE, DOWN 0.2'. ACCEPTED AS THE SOUTHWEST CORNER OF PARCEL 7 OF R1.
- ⑪ INDICATES FOUND LEAD, TACK AND TAG, ILLEGIBLE, NO REFERENCE, FLUSH. ACCEPTED AS THE COMMON PARCEL CORNER BETWEEN PARCELS 1, 6 AND 7 OF R1.
- ⑫ INDICATES FOUND GEAR SPIKE AND WASHER STAMPED "LS 5570" PER R1, DOWN 0.1'.
- ⑬ INDICATES FOUND 1" IRON PIPE WITH PLASTIC PLUG, ILLEGIBLE, NO REFERENCE, FLUSH. ACCEPTED AS THE NORTHEAST CORNER OF PARCEL 5 OF R1.
- ⑭ INDICATES FOUND GEAR SPIKE AND WASHER STAMPED "LS 5570" PER R1, FLUSH.
- ⑮ SEARCHED, FOUND NOTHING. ESTABLISHED BY COMPASS RULE ADJUSTMENT USING R1 DATA.

IN THE CITY OF LA QUINTA, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA

PARCEL MAP NO. 38298

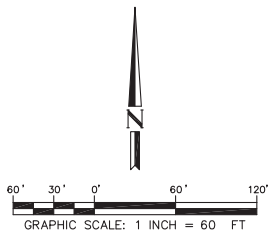
BEING A SUBDIVISION OF LOT "B" AS SHOWN ON LOT LINE ADJUSTMENT NO. 2020-0014 RECORDED JANUARY 01, 2021 AS INSTRUMENT NO. 2021-0040029 OF OFFICIAL RECORDS OF RIVERSIDE COUNTY

REFERENCES

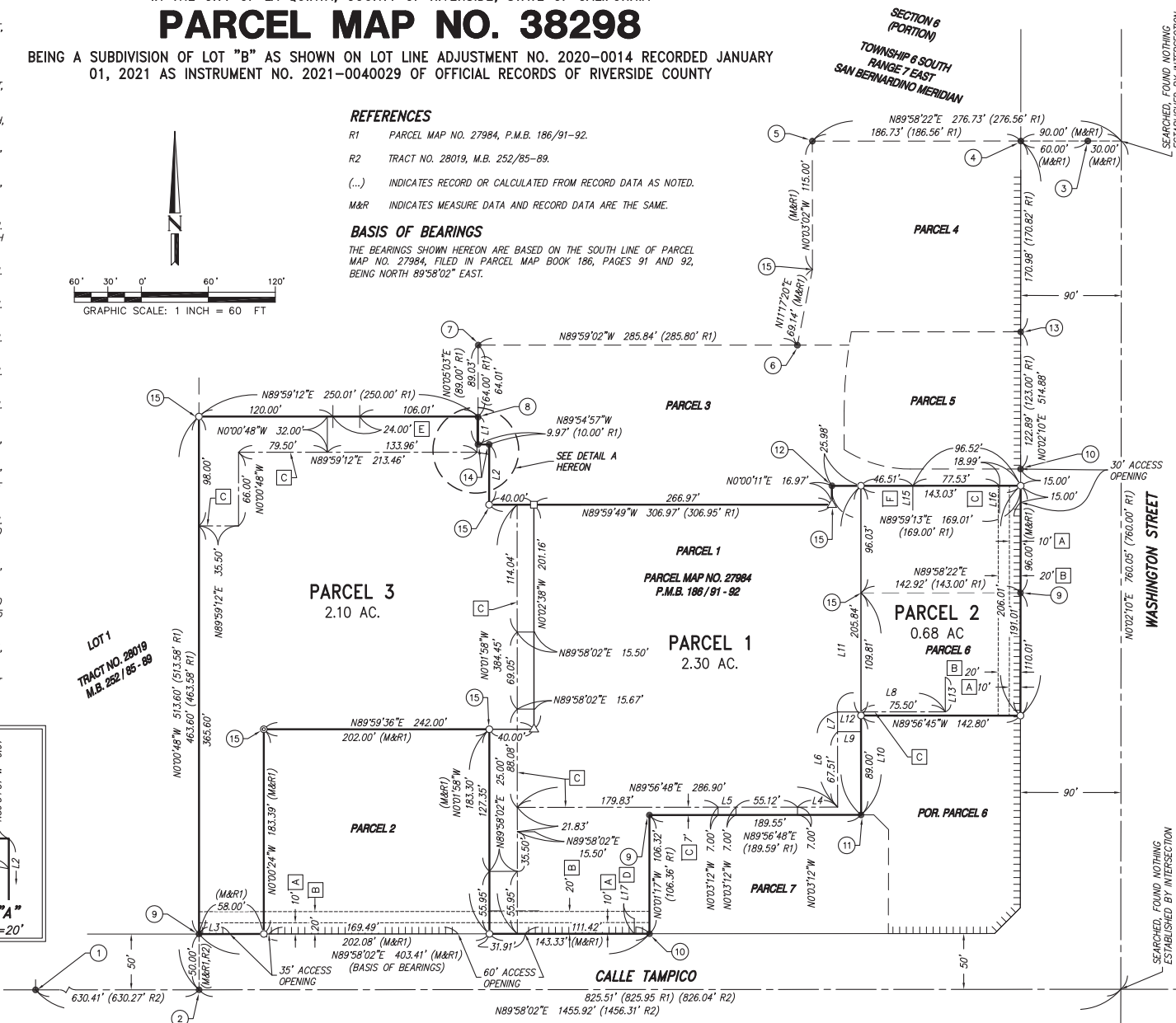
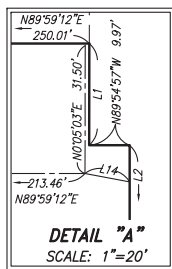
- R1 PARCEL MAP NO. 27984, P.M.B. 186/91-92.
- R2 TRACT NO. 28019, M.B. 252/85-89.
- (...) INDICATES RECORD OR CALCULATED FROM RECORD DATA AS NOTED.
- M&R INDICATES MEASURE DATA AND RECORD DATA ARE THE SAME.

BASIS OF BEARINGS

THE BEARINGS SHOWN HEREON ARE BASED ON THE SOUTH LINE OF PARCEL MAP NO. 27984, FILED IN PARCEL MAP BOOK 186, PAGES 91 AND 92, BEING NORTH 89°58'02" EAST.



LINE	BEARING	DISTANCE
L1	N00°05'03"E	25.02' (25.00' R1)
L2	N00°00'11"E	54.00' (M&R1)
L3	N89°58'02"E	27.50'
L4	N89°56'48"E	35.95'
L5	N89°56'48"E	16.00'
L6	N00°01'38"W	85.27'
L7	N00°01'38"W	17.76'
L8	N89°58'22"E	96.50'
L9	N89°58'22"E	21.00'
L10	N00°01'38"W	198.81' (198.92' R1)
L11	N00°01'38"W	294.84'
L12	N89°58'22"E	21.00'
L13	N00°01'38"W	31.00'
L14	N79°28'27"W	11.16'
L15	N00°00'47"W	21.82'
L16	N00°00'47"W	24.50'
L17	N00°01'58"W	13.50'



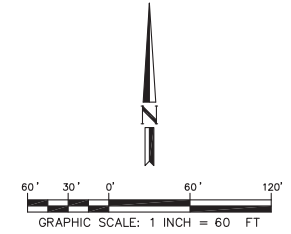
NOTE

SEE SHEET 3 FOR EASEMENT NOTES AND ADDITIONAL EASEMENT DETAIL

IN THE CITY OF LA QUINTA, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA

PARCEL MAP NO. 38298

BEING A SUBDIVISION OF LOT "B" AS SHOWN ON LOT LINE ADJUSTMENT NO. 2020-0014 RECORDED JANUARY 01, 2021 AS INSTRUMENT NO. 2021-0040029 OF OFFICIAL RECORDS OF RIVERSIDE COUNTY



EASEMENT NOTES

- [A]** AN EASEMENT SHOWN OR DEDICATED ON THE MAP OF PARCEL MAP NO. 27984 RECORDED DECEMBER 13, 1995 AND ON FILE IN BOOK 186, PAGE 91-92, OF PARCEL MAPS FOR PUBLIC UTILITIES AND INCIDENTAL PURPOSES.
- AN EASEMENT SHOWN OR DEDICATED ON THE MAP OF PARCEL MAP NO. 27984 RECORDED DECEMBER 13, 1995 AND ON FILE IN BOOK 186, PAGE 91-92, OF PARCEL MAPS FOR EXCAVATION, LAYING, CONSTRUCTION, INSTALLATION, MAINTENANCE, OPERATION, INSPECTION, REPAIR, REPLACEMENT, AND REMOVAL OF ELECTRICAL LINES, WIRES, CABLES, DUCTS, SUPPORTS, FIXTURES, FACILITIES, WITH THE RIGHT OF INGRESS AND EGRESS OVER SAME FOR MAINTENANCE, OPERATION, AND EMERGENCY VEHICLES; DOMESTIC WATER AND SANITATION AND INCIDENTAL PURPOSES.

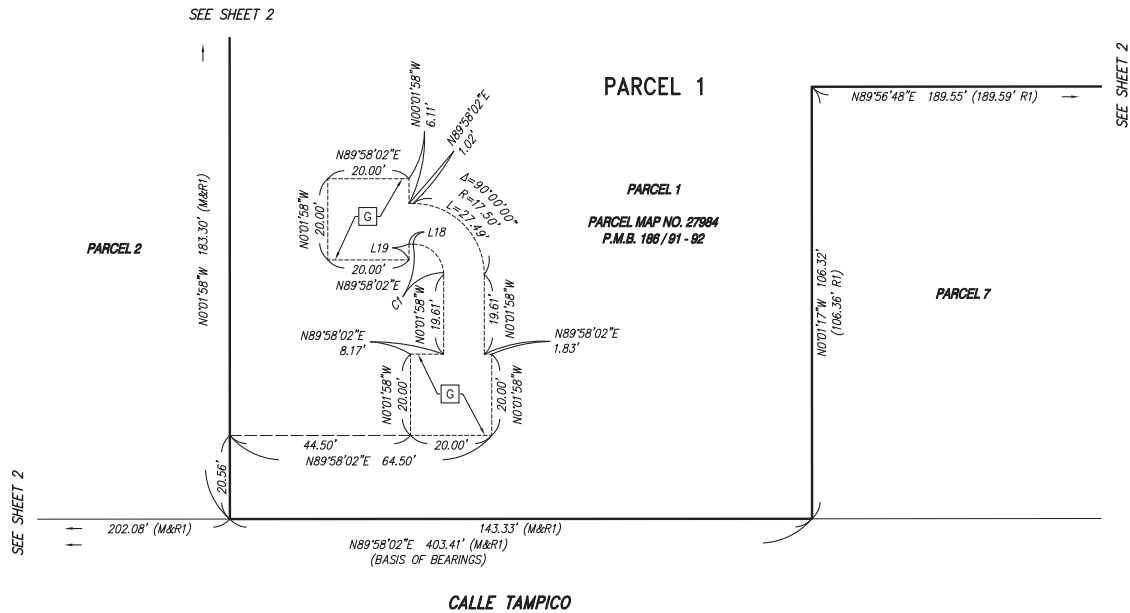
(LANDSCAPE EASEMENT PLOTTED HEREON AS **[B]**)
(CENTERLINE OF 15' WIDE WATERLINE EASEMENT PLOTTED HEREON AS **[C]**)
(CENTERLINE OF 15' WIDE SANITATION EASEMENT PLOTTED HEREON AS **[D]**)
- AN EASEMENT IN FAVOR OF LA QUINTA FAMILY APARTMENTS, L.P., A CALIFORNIA LIMITED PARTNERSHIP FOR THE RIGHT TO MAINTAIN AND USE A GATE AT THE BOUNDARY OF THE TWO PARCELS FOR EMERGENCY INGRESS-EGRESS AND INCIDENTAL PURPOSES, RECORDED MARCH 17, 1997 AS DOCUMENT NO. 088559 OF OFFICIAL RECORDS. SOME EASEMENTS CONTAINED IN SAID DOCUMENT ARE BLANKET IN NATURE - SEE DOCUMENT FOR PARTICULARS.

(ACCESS AREA PLOTTED HEREON AS **[E]**)
- [F]** CENTERLINE OF 14' WIDE EASEMENT CONTAINED IN THE DOCUMENT ENTITLED "GRANT OF EASEMENT" RECORDED JULY 27, 2020 AS DOCUMENT NO. 2020-0330928 OF OFFICIAL RECORDS.
- ||||| ABUTTER'S RIGHTS OF INGRESS AND EGRESS TO OR FROM WASHINGTON STREET AND CALLE TAMPICO, EXCEPT AT ACCESS OPENINGS, HAVE BEEN DEDICATED OR RELINQUISHED ON THE MAP OF PARCEL MAP NO. 27984 ON FILE IN BOOK 186, PAGE 91-92, OF PARCEL MAPS.
- AN EASEMENT IN FAVOR OF THE SOUTHERN SIERRAS POWER COMPANY, ITS SUCCESSORS AND ASSIGNS FOR RIGHT OF WAY AND INCIDENTAL PURPOSES, RECORDED DECEMBER 04, 1931 IN BOOK 59, PAGE 65 OF OFFICIAL RECORDS LYING OUTSIDE THE BOUNDARY OF THIS MAP.
- AN EASEMENT BLANKET IN NATURE IN FAVOR OF GTE CALIFORNIA INCORPORATED, A CORPORATION FOR PUBLIC UTILITIES AND INCIDENTAL PURPOSES, RECORDED OCTOBER 06, 1994 AS DOCUMENT NO. 388021 OF OFFICIAL RECORDS.
- NON-PLOTTABLE EASEMENT SHOWN OR DEDICATED ON THE MAP OF PARCEL MAP NO. 27984 RECORDED DECEMBER 13, 1995 AND ON FILE IN BOOK 186, PAGE 91-92, OF PARCEL MAPS FOR RECIPROCAL INGRESS AND EGRESS FOR COMMON TRANSPORTATION AND UTILITY FACILITIES AND INCIDENTAL PURPOSES.
- NON-PLOTTABLE EASEMENT FOR DITCHES AND CANALS AS RESERVED BY THE UNITED STATES OF AMERICA IN THE PATENT RECORDED MAY 29 1914, AS BOOK 6 OF PATENTS, PAGE 308 OF OFFICIAL RECORDS.
- [G]** AN EASEMENT IN FAVOR OF IMPERIAL IRRIGATION DISTRICT RECORDED APRIL 19, 2023 AS DOCUMENT NO. 2023-0112120 OF OFFICIAL RECORDS.

LINE	BEARING	DISTANCE	
L18	N89°58'02"E	1.02'	
L19	N00°01'58"W	3.89'	
CURVE	DELTA	RADIUS	LENGTH
C1	Δ=90°00'00"	7.50'	11.78'

NOTE

SEE SHEET 2 FOR BASIS OF BEARINGS, MONUMENT AND ESTABLISHMENT NOTES AND REFERENCES



SEE SHEET 2

SEE SHEET 2

[CLICK HERE to Return to Agenda](#)

City of La Quinta

CITY COUNCIL MEETING: December 5, 2023

STAFF REPORT

AGENDA TITLE: ADOPT RESOLUTIONS TO: 1) DECLARE ASSESSOR PARCEL NUMBERS 770-123-011, 770-124-010, AND 770-124-012 LOCATED IN THE CITY OF LA QUINTA, CALIFORNIA AS SURPLUS LAND, AND 2) DECLARE ASSESSOR PARCEL NUMBER 770-125-003, LOCATED IN THE CITY OF LA QUINTA, CALIFORNIA AS EXEMPT SURPLUS LAND; EXEMPT FROM ENVIRONMENTAL REVIEW PURSUANT TO SECTION 15312 OF THE CALIFORNIA ENVIRONMENTAL QUALITY ACT

RECOMMENDATION

- Adopt a Resolution to declare Assessor Parcel Numbers 770-123-011, 770-124-010, and 770-124-012, located in the City of La Quinta, California, as surplus land; and
- Adopt a Resolution to declare Assessor Parcel Number 770-125-003, located in the City of La Quinta, California, as exempt surplus land; and
- Authorize the City Manager to execute and administer the necessary notices related to the declarations made in the resolutions.
- Find that that the declarations are exempt from environmental review pursuant to Section 15312 of the California Environmental Quality Act (CEQA).

EXECUTIVE SUMMARY

- The Surplus Land Act (SLA) governs the disposition of City-owned property that is no longer needed for the City's use and requires cities to declare property as "surplus land" or "exempt surplus land" prior to disposing of it, including sales and certain leases.
- Assessor Parcel Numbers (APNs) 770-123-011, 770-124-010, and 770-124-012 meet the definition of "surplus land" pursuant to Government Code Section 54221(b)(1) as the property is land owned in fee simple by the City, which is no longer necessary for the City's use, and does fall into any category of "exempt surplus land."
- APN 770-125-003 meets the definition for "exempt surplus land" provided in Government Code Section 54221 (f)(1)(C), because the City intends to exchange it for other property necessary for the agency's use.

- Staff is recommending that Council adopt resolutions to declare APNs 770-123-011; 770-124-010; and 770-124-012 as “surplus land” and declare APN 770-125-003 as “exempt surplus land.” and authorize the City Manager or Designee to execute and administer the necessary notices and negotiations required by the SLA.
- The proposed declarations that the parcels are surplus land or exempt surplus land does not authorize the lease or sale of the parcels. Once the process is complete, any proposed lease, sale, or disposition would be subject to separate review and approval.

FISCAL IMPACT – None.

BACKGROUND/ANALYSIS

The SLA governs the disposition of City-owned property that is no longer needed for the City’s use, and requires cities to declare property as “surplus land” or “exempt surplus land” prior to disposing of it, including sales and certain leases. If surplus land does not fall into a category of “exempt surplus land,” then it qualifies as “surplus land.” Government Code Section 54221 (f)(1)(C) provides that one category of “exempt surplus land” is surplus land that a local agency is exchanging for another property necessary for the agency’s use.

APNs 770-123-011; 770-124-010; and 770-124-012

The City owns three vacant parcels located between the Library and Old Town La Quinta (APNs 770-123-011; 770-124-010; and 770-124-012) (Exhibit A to the first resolution) Staff has identified these parcels as undeveloped land not to be utilized for development projects, implemented, owned, and/or operated by the City. These parcels meet the definition of “surplus land” pursuant to Government Code Section 54221(b)(1) as the property is land owned in fee simple by the City, which is no longer necessary for the City’s use, and does fall into any category of “exempt surplus land.”

The first resolution proposed, if adopted, would declare these parcels surplus land as required by the SLA, which would allow the City to sell the parcels.

A Notice of Availability will be sent to specified entities, who have 60 days to notify the City of their interest in the parcels. If any interest is provided, the City is required to engage in good faith negotiations for a period of 90 days. Following these steps, the City must provide the California Department of Housing and Community Development (HCD) with a notification detailing the Notice of Availability process.

APN 770-125-003

Staff has identified APN 770-125-003 as meeting the definition of “exempt surplus land” under the SLA, specifically pursuant to Government Code Section 54221 (f)(1)(C), which

provides that one category of “exempt surplus land” is surplus land that a local agency is exchanging for another property necessary for the agency’s use. The second resolution proposed, if adopted, would declare this parcel exempt surplus land as required by the SLA, which would allow the City to exchange the parcel.

On June 20, 2023, Council adopted Resolution No. 2023-022 approving the exchange of APN 770-125-003 for APN 770-155-001, which exchanged parcel would be used for the benefit of the public and in furtherance of the public purposes of the City. The exchange of the parcel qualifies APN 770-125-003 as “exempt surplus land” under the SLA.

A SLA Exemption Notice will be sent to HCD, who have 30 days to review and approve the exemption. At the end of the 30-day period, the City may pursue its intended exchange for APN 770-155-001.

ALTERNATIVES

Council may elect not to declare these parcels surplus land or exempt surplus land; or, declare only one or some of the parcels as surplus land or exempt surplus land. As this process is required by HCD to ensure compliance with SLA staff does not recommend these alternatives.

Prepared by: Gil Villalpando, Director
Approved by: Jon McMillen, City Manager

RESOLUTION NO. 2023 – XXX

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LA QUINTA DECLARING CERTAIN LAND LOCATED IN THE CITY OF LA QUINTA, CALIFORNIA AS SURPLUS LAND

WHEREAS, the Surplus Land Act (Gov. Code, § 54220 *et seq.*) requires that before a local agency takes any action to sell or enter into a long-term lease for its property, it must declare to property to be “exempt surplus land” or “surplus land;” and

WHEREAS, “surplus land” means land owned in fee simple by any local agency for which the local agency’s governing body takes formal action in a regular public meeting declaring that the land is surplus and is not necessary for the agency’s use; and

WHEREAS, “exempt surplus land” means land owned in fee simple by any local agency which falls into one (1) or more of several categories included in the Surplus Land Act; and

WHEREAS, the City of La Quinta (“City”) owns the following property in fee simple (the “Land”), depicted in the site map enclosed Exhibit A, incorporated herewith by this reference; and

- An approximately 1.92-acre site in the City of La Quinta, California, more specifically identified as Assessor’s Parcel Number (APN) 770-124-010; and
- An approximately 1.47-acre site in the City of La Quinta, California, more specifically identified as APN 770-123-011; and
- An approximately 0.16-acre site in the City of La Quinta, California, more specifically identified as APN 770-124-012.

WHEREAS, pursuant to Government Code Section 54221(b), the City Council of the City of La Quinta hereby declares the Land to be surplus land not necessary for the City’s use which does not fall into any category for “exempt surplus land”; and

WHEREAS, pursuant to Section 15312 of the State California Environmental Quality Act (“CEQA”) Guidelines, the declaration is exempt from review under the California Environmental Quality Act.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of La Quinta, as follows:

SECTION 1. The foregoing recitals are true and correct and are incorporated herein by this reference.

Resolution No. 2023-XXX
Surplus Land Declaration – APNs 777-124-010; 770-123-011; and 770-124-012
Adopted: December 5, 2023
Page 2 of 3

SECTION 2. The City Council of the City of La Quinta hereby finds and determines that the Land is no longer necessary for the City’s use and is surplus land as defined in the Surplus Land Act based on the evidence in the record.

SECTION 3. The City Manager or Designee is hereby authorized to send a notice of availability to the entities designated in the Surplus Land Act (“Designated Entities”), to negotiate with any Designated Entities who respond to the notice of availability, and otherwise follow the procedures of the Surplus Land Act applicable to the land.

SECTION 4. The declaration of the Land as surplus land is exempt from environmental review under the California Environmental Quality Act (“CEQA”) pursuant to CEQA Guidelines section 15312, however, any subsequent development of the Land would be further reviewed pursuant to CEQA and other environmental laws.

SECTION 5. The City Clerk shall certify to the adoption of this Resolution.

PASSED, APPROVED and ADOPTED at a regular meeting of the City Council of the City of La Quinta on December 5, 2023, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

LINDA EVANS, Mayor
City of La Quinta, California

ATTEST:

MONIKA RADEVA, City Clerk
City of La Quinta, California



Resolution No. 2023-XXX

Surplus Land Declaration – APNs 777-124-010; 770-123-011; and 770-124-012

Adopted: December 5, 2023

Page 3 of 3

APPROVED AS TO FORM:

WILLIAM H. IHRKE, City Attorney
City of La Quinta, California



770124012

RESOLUTION NO. 2023 – XXX

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LA QUINTA DECLARING ASSESSOR PARCEL NUMBER 770-125-003, LOCATED IN THE CITY OF LA QUINTA, CALIFORNIA AS EXEMPT SURPLUS LAND

WHEREAS, the Surplus Land Act (Gov. Code, § 54220 et seq.) requires that before a local agency takes any action to dispose of its property, it must declare to property to be “exempt surplus land” or “surplus land;” and

WHEREAS, “surplus land” means land owned in fee simple by any local agency for which the local agency’s governing body takes formal action in a regular public meeting declaring that the land is surplus and is not necessary for the agency’s use; and

WHEREAS, “exempt surplus land” means land owned in fee simply by any local agency which falls into one (1) or more of several categories included in the Surplus Land Act; and

WHEREAS, Government Code Section 54221 (f)(1)(C) provides that one category of “exempt surplus land” is surplus land that a local agency is exchanging for another property necessary for the agency’s use; and

WHEREAS, the City of La Quinta (“City”) owns an approximately 0.37-acre parcel in the City of La Quinta more specifically identified as Riverside County Assessor’s Parcel No. 770-125-003 (the “Land”) depicted in the site map enclosed Exhibit A, incorporated herewith by this reference; and

WHEREAS, N.J. Rosini Inc., a California Corporation owns an approximately 0.40-acre parcel in the City of La Quinta more specifically identified as Riverside County Assessor’s Parcel No. 770-155-001 (the “Exchange Parcel”); and

WHEREAS, the City desires to exchange the Land for the Exchange Parcel pursuant to a Real Property Conveyance and Transfer Agreement for the purposes of using the Exchange Parcel for the benefit of the public and in furtherance of the public purposes of the City; and

WHEREAS, on June 20, 2023, the City Council of the City of La Quinta adopted Resolution No. 2023-022, approving the exchange of the Land with the Exchange Parcel; and

WHEREAS, pursuant to Government Code Section 54221(b), the City Council of the City of La Quinta hereby declares the Land to be exempt surplus land not necessary for the City’s use which qualifies as “exempt surplus land” pursuant to Government Code Section 54221 (f)(1)(C); and

Resolution No. 2023-XXX
Exempt Surplus Land Declaration – APN 770-125-003
Adopted: December 5, 2023
Page 2 of 3

WHEREAS, pursuant to Section 15312 of the State California Environmental Quality Act (“CEQA”) Guidelines, the declaration is exempt from review under the California Environmental Quality Act.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of La Quinta, as follows:

SECTION 1. The foregoing recitals are true and correct and are incorporated herein by this reference.

SECTION 2. The City Council of the City of La Quinta hereby finds and determines that the Land is no longer necessary for the City’s use and is exempt surplus land as defined in the Surplus Land Act based on the evidence in the record.

SECTION 3. The City Manager or Designee is hereby authorized to send a notice of exemption determination to the California Department of Housing and Community Development (“HCD”) pursuant to Section 400(e) of the Surplus Land Act Guidelines, and to communicate with HCD regarding the City’s declaration that the Land is “exempt surplus land.”

SECTION 4. The declaration of the Land as exempt surplus land is exempt from environmental review under the California Environmental Quality Act (“CEQA”) pursuant to CEQA Guidelines section 15312, however, any subsequent development of the Land would be further reviewed pursuant to CEQA and other environmental laws.

SECTION 5. The City Clerk shall certify to the adoption of this Resolution.

PASSED, APPROVED and ADOPTED at a regular meeting of the City Council of the City of La Quinta on December 5, 2023, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

LINDA EVANS, Mayor
City of La Quinta, California

Resolution No. 2023-XXX
Exempt Surplus Land Declaration – APN 770-125-003
Adopted: December 5, 2023
Page 3 of 3

ATTEST:

MONIKA RADEVA, City Clerk
City of La Quinta, California



APPROVED AS TO FORM:

WILLIAM H. IHRKE, City Attorney
City of La Quinta, California



770125003
Property of
City of La Quinta

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City of La Quinta

CITY COUNCIL MEETING: December 5, 2023

STAFF REPORT

AGENDA TITLE: AUTHORIZE OVERNIGHT TRAVEL FOR ONE CODE COMPLIANCE OFFICER TO ATTEND THE CALIFORNIA ASSOCIATION OF ENFORCEMENT OFFICERS ACADEMY TO OBTAIN THEIR CODE ENFORCEMENT CERTIFICATION IN CARLSBAD, CALIFORNIA, JANUARY 22 – 26, FEBRUARY 26 – MARCH 1, AND MARCH 11 – 15, 2024.

RECOMMENDATION

Authorize overnight travel for one Code Compliance Officer to attend the California Association of Code Enforcement Officers Academy to obtain their Code Enforcement Certification in Carlsbad, California, January 22 – 26, February 26 – March 1, and March 11 – 15, 2024.

EXECUTIVE SUMMARY

- The California Association of Code Enforcement Officers (CACEO) hosts a Code Enforcement Officer Certification Academy to Certify Code Enforcement Officers in the State of California.
- To obtain the professional certification, a Code Compliance Officer must complete three modules consisting of five-days each and pass a final exam with a minimum passing score of 70%.

FISCAL IMPACT

Estimated total expenses are \$2,600, which includes registration, transportation, and meals. Funds are available in the Code Compliance/Animal Control Training Budget (101-6004-60320).

BACKGROUND/ANALYSIS

CACEO was established in the early 1980s to provide quality training and education for code enforcement officers. It's mission is to promote and advance the profession of code enforcement while serving and supporting its members by offering comprehensive education, providing legislative advocacy on issues of importance to the profession and facilitating a network for an exchange of information and technology.

CACEO is the only organization in California with the Certify Code Enforcement Officers

(CCEO) approved program, which consists of three modules, each five-days long that cover the following topics:

- Module One, Basic Course – a 40-hour basic course which covers the foundation and principles of Code Enforcement, such as field activities, basic inspections, case documentation, officer safety, building and property maintenance violations, land use, health and safety, legal aspects, ethics and professionalism, and customer service.
- Modules Two and Three – cover Code Enforcement principles, such as, but not limited to, ethics, critical thinking, officer safety, drug/gang awareness, criminal and civil law concepts, evidence and testimony, documentation and evidence procedures, vehicle abatement, substandard housing, and landlord/tenant disputes.

To obtain the certification, attendees must attend all sessions and must pass the competence exam with a minimum passing score of 70%.

ALTERNATIVES

Council may elect to not authorize this travel and training.

Prepared by: Martha Mendez, Public Safety Deputy Director
Approved by: Jon McMillen, City Manager

City of La Quinta

CITY COUNCIL MEETING: December 5, 2023

STAFF REPORT

AGENDA TITLE: AUTHORIZE OVERNIGHT TRAVEL FOR THE FINANCE DIRECTOR AND THREE FINANCE DEPARTMENT EMPLOYEES TO ATTEND THE CALIFORNIA SOCIETY OF MUNICIPAL FINANCE OFFICERS ANNUAL CONFERENCE IN ANAHEIM, CALIFORNIA, JANUARY 30 - FEBRUARY 2, 2024

RECOMMENDATION

Authorize overnight travel for the Finance Director and three Finance Department employees to attend the California Society of Municipal Finance Officers annual conference in Anaheim, California, January 30 - February 2, 2024.

EXECUTIVE SUMMARY

- California Society of Municipal Finance Officers (CSMFO) conference focuses on key financial issues facing cities, counties and special districts in the State of California.
- Finance staff will gain knowledge in key areas such as financial fraud prevention and detection, business automation, Governmental Accounting Standards Board reporting requirements, and the opportunity to network.

FISCAL IMPACT

Estimated expenses are \$1,400 per attendee, which includes registration, travel, lodging, and meals for up to four overnight attendees. Funds are budgeted in Finance - Travel and Training (101-1006-60320).

BACKGROUND/ANALYSIS

CSMFO is a statewide organization serving all California municipal finance professionals. The organization promotes financial management through innovation, continuing education, and the professional development of members with a focus on key issues facing cities, counties, and special districts. Effective January 1, 2024, Claudia Martinez, Finance Director, will be the CSMFO Chapter Chair for the Coachella Valley. This conference will further assist in allowing the Finance staff to gain a wider range of finance knowledge in a concentrated amount of time. Conference workshops will offer both technical training and the ability to network with other professionals performing similar

duties. This training will also address new auditing and financial reporting requirements, internal controls, and best practices for financial processes.

To broaden the knowledge and experience of the Finance Department, additional employees may join the conference as one-day attendees. The daily registration and parking costs are approximately \$350 per attendee and are also budgeted in the travel and training account.

[ALTERNATIVES](#)

Council may elect not to authorize this request.

Prepared by: Claudia Martinez, Finance Director
Approved by: Jon McMillen, City Manager

City of La Quinta

CITY COUNCIL MEETING: December 5, 2023

STAFF REPORT

AGENDA TITLE: RECEIVE AND FILE REVENUE AND EXPENDITURE REPORT DATED SEPTEMBER 30, 2023

RECOMMENDATION

Receive and file revenue and expenditure report dated September 30, 2023.

EXECUTIVE SUMMARY

- The report summarizes the City's year-to-date (YTD) revenues and period expenditures for September 2023 (Attachment 1).
- These reports are also reviewed by the Financial Advisory Commission.

FISCAL IMPACT – None

BACKGROUND/ANALYSIS

Below is a summary of the column headers used on the *Revenue and Expenditure Summary Reports*:

Original Total Budget – represents revenue and expenditure budgets the Council adopted in June 2023 for fiscal year (FY) 2023/24.

Current Total Budget – represents original adopted budgets plus any Council approved budget amendments from throughout the year. The FY 2022/23 operating and Capital Improvement Project carryovers to FY 2023/24 will be processed after the year-end audit is completed.

Period Activity – represents actual revenues received and expenditures outlaid in the reporting month.

Fiscal Activity – represents actual revenues received and expenditures outlaid YTD.

Variance Favorable/(Unfavorable) - represents the dollar difference between YTD collections/expenditures and the current budgeted amount.

Percent Used – represents the percentage activity as compared to budget YTD.

September 2023 Revenues				Comparison to 2022	
	MTD	YTD	Percent of Budget	YTD	Percent of Budget
General Fund (GF)	\$ 3,019,195	\$ 5,070,875	6.46%	\$ 5,367,402	7.86%
All Funds	\$ 4,003,589	\$ 8,030,238	6.50%	\$ 13,780,162	12.39%

September 2023 Expenditures				Comparison to 2022	
	MTD	YTD	Percent of Budget	YTD	Percent of Budget
General Fund	\$ 1,938,618	\$ 4,080,203	5.60%	\$ 7,198,064	11.13%
Payroll (GF)	\$ 1,096,196	\$ 2,244,215	16.76%	\$ 3,398,769	24.63%
All Funds	\$ 20,691,773	\$ 27,088,716	22.94%	\$ 28,883,586	28.07%

Top Five Revenue/Income Sources for September

General Fund		Non-General Fund	
Measure G Sales Tax	\$ 1,091,167	Allocated Interest	\$ 593,597
Sales Tax	\$ 833,873	County Sales Tax (Measure A)	\$ 151,928
Transient Occupancy (Hotel) Tax	\$ 442,480	Sale of Assets- Housing Authority Parcel	\$ 118,416
Fire Service Credit	\$ 173,982	SilverRock Green Fees	\$ 102,140
Document Transfer Tax	\$ 117,764	Housing Authority Rent Revenue	\$ 101,135

Top Five Expenditures/Outlays for September

General Fund		Non-General Fund	
Parks Maintenance Services	\$ 141,333	Debt Service Payments- Successor Agency Bonds ⁽¹⁾	\$ 15,000,437
Parks Landscape Maintenance	\$ 139,465	Capital Improvement Program (CIP) - Construction ⁽²⁾	\$ 2,300,076
Community Experiences	\$ 108,123	SilverRock Maintenance	\$ 187,840
Vehicles - RSO Motorcycles	\$ 65,485	Lighting & Landscape Maintenance	\$ 149,596
Marketing & Tourism Promotions	\$ 53,908	Software	\$ 97,228

⁽¹⁾Interest and principal payments for former redevelopment agency bonds, funded by dedicated Redevelopment Property Tax Trust Fund (RPTTF) revenue received from the County.

⁽²⁾CIP Construction: Pavement rehabilitation on Avenues 50 and 52; Dune Palms Bridge; Civic Center Park activities promenade.

The revenue report includes revenues and transfers into funds from other funds (income items). Revenues are not received uniformly throughout the year, resulting in peaks and valleys. For example, large property tax payments are usually received in December and May. Similarly, Redevelopment Property Tax Trust Fund payments are typically received in January and June. Any timing imbalance of revenue receipts versus expenditures is funded from the City's cash flow reserve.

The expenditure report includes expenditures and transfers out to other funds. Unlike revenues, expenditures are more likely to be consistent from month to month. However, large debt service payments or CIP expenditures can cause swings.

Prepared by: Rosemary Hallick, Principal Management Analyst
 Approved by: Claudia Martinez, Finance Director

Attachment: 1. Revenue and Expenditure Report for September 30, 2023

For Fiscal: 2023/24 Period Ending: 09/30/2023
Revenue Summary

Fund	Original Total Budget	Current Total Budget	Period Activity	Fiscal Activity	Variance Favorable (Unfavorable)	Percent Used
101 - GENERAL FUND	78,478,100	78,478,100	3,019,195	5,070,875	-73,407,225	6.46%
105 - DISASTER RECOVERY FUND	15,000	15,000	0	-8,794	-23,794	58.63%
201 - GAS TAX FUND	2,458,600	2,458,600	79,857	268,598	-2,190,002	10.92%
202 - LIBRARY & MUSEUM FUND	2,922,000	2,922,000	190	-8,419	-2,930,419	0.29%
203 - PUBLIC SAFETY FUND (MEAS	2,500	2,500	0	-179	-2,679	7.17%
210 - FEDERAL ASSISTANCE FUND	156,000	156,000	0	-2	-156,002	0.00%
212 - SLESA (COPS) FUND	101,500	101,500	0	-427	-101,927	0.42%
215 - LIGHTING & LANDSCAPING F	2,992,000	2,992,000	0	-708	-2,992,708	0.02%
220 - QUIMBY FUND	50,000	50,000	0	0	-50,000	0.00%
221 - AB 939 - CALRECYCLE FUND	70,000	70,000	0	3,059	-66,941	4.37%
223 - MEASURE A FUND	2,028,000	2,028,000	151,928	148,604	-1,879,396	7.33%
225 - INFRASTRUCTURE FUND	500	500	0	-17	-517	3.41%
226 - EMERGENCY MANAGEMENT	12,500	12,500	0	0	-12,500	0.00%
227 - STATE HOMELAND SECURITY	5,000	5,000	0	0	-5,000	0.00%
230 - CASp FUND, AB 1379	20,500	20,500	1,088	3,687	-16,813	17.99%
231 - SUCCESSOR AGCY PA 1 RORF	0	0	13,787	13,846	13,846	0.00%
235 - SO COAST AIR QUALITY FUNI	55,000	55,000	0	-75	-55,075	0.14%
237 - SUCCESSOR AGCY PA 1 ADM	0	0	0	-165	-165	0.00%
241 - HOUSING AUTHORITY	1,401,500	1,401,500	219,551	651,688	-749,812	46.50%
243 - RDA LOW-MOD HOUSING FL	30,000	30,000	0	-3,375	-33,375	11.25%
247 - ECONOMIC DEVELOPMENT F	20,000	20,000	12,976	24,839	4,839	124.20%
249 - SA 2011 LOW/MOD BOND FI	36,000	36,000	18,631	17,934	-18,066	49.82%
250 - TRANSPORTATION DIF FUND	1,520,000	1,520,000	0	24,136	-1,495,864	1.59%
251 - PARKS & REC DIF FUND	751,500	751,500	9,380	14,274	-737,226	1.90%
252 - CIVIC CENTER DIF FUND	501,500	501,500	0	3,315	-498,185	0.66%
253 - LIBRARY DEVELOPMENT DIF	100,000	100,000	0	1,191	-98,809	1.19%
254 - COMMUNITY & CULTURAL C	252,500	252,500	0	2,000	-250,500	0.79%
255 - STREET FACILITY DIF FUND	1,000	1,000	0	-71	-1,071	7.10%
256 - PARK FACILITY DIF FUND	100	100	0	-7	-107	6.69%
257 - FIRE PROTECTION DIF	151,500	151,500	0	915	-150,585	0.60%
259 - MAINTENANCE FACILITIES DI	101,000	101,000	0	1,635	-99,365	1.62%
270 - ART IN PUBLIC PLACES FUND	154,000	154,000	9,125	15,829	-138,171	10.28%
275 - LQ PUBLIC SAFETY OFFICER	2,500	2,500	0	-47	-2,547	1.88%
299 - INTEREST ALLOCATION FUNI	0	0	593,597	1,739,739	1,739,739	0.00%
310 - LQ FINANCE AUTHORITY DEE	1,100	1,100	0	0	-1,100	0.00%
401 - CAPITAL IMPROVEMENT PRC	17,950,700	17,950,700	464	464	-17,950,236	0.00%
405 - SA PA 1 CAPITAL IMPRV FUN	1,500	1,500	0	-5	-1,505	0.36%
501 - FACILITY & FLEET REPLACEM	1,685,000	1,685,000	0	-3,726	-1,688,726	0.22%
502 - INFORMATION TECHNOLOG'	2,256,708	2,256,708	2,555	5,703	-2,251,005	0.25%
503 - PARK EQUIP & FACILITY FUN	470,000	470,000	0	-3,340	-473,340	0.71%
504 - INSURANCE FUND	1,362,230	1,362,230	0	-542	-1,362,772	0.04%
601 - SILVERROCK RESORT	5,277,950	5,277,950	114,015	296,179	-4,981,771	5.61%
602 - SILVERROCK GOLF RESERVE	87,000	87,000	0	-554	-87,554	0.64%
760 - SUPPLEMENTAL PENSION PL	6,000	6,000	0	-69	-6,069	1.16%
761 - CERBT OPEB TRUST	20,000	20,000	-81,376	-81,376	-101,376	406.88%
762 - PARS PENSION TRUST	100,000	100,000	-161,373	-166,376	-266,376	166.38%
Report Total:	123,608,488	123,608,488	4,003,589	8,030,238	-115,578,250	6.50%

Accounts are subject to adjusting entries and audit. The City's Annual Comprehensive Financial Report, published annually, is the best resource for all final audited numbers.

For Fiscal: 2023/24 Period Ending: 09/30/2023

Expenditure Summary

Fund	Original Total Budget	Current Total Budget	Period Activity	Fiscal Activity	Variance	Percent Used
					Favorable (Unfavorable)	
101 - GENERAL FUND	72,828,750	72,828,750	1,938,618	4,080,203	68,748,547	5.60%
201 - GAS TAX FUND	2,802,400	2,802,400	79,881	158,869	2,643,531	5.67%
202 - LIBRARY & MUSEUM FUND	2,240,160	2,240,160	32,977	60,319	2,179,841	2.69%
210 - FEDERAL ASSISTANCE FUND	156,300	156,300	0	0	156,300	0.00%
212 - SLESA (COPS) FUND	100,000	100,000	0	0	100,000	0.00%
215 - LIGHTING & LANDSCAPING FUND	3,186,915	3,186,915	236,347	427,181	2,759,734	13.40%
221 - AB 939 - CALRECYCLE FUND	150,000	150,000	3,500	31,508	118,492	21.01%
223 - MEASURE A FUND	1,865,000	1,865,000	0	0	1,865,000	0.00%
226 - EMERGENCY MANAGEMENT PERFORMANCE CONTRACT (EMPG)	12,000	12,000	0	9,750	2,250	81.25%
227 - STATE HOMELAND SECURITY PROGRAMS (SHSP)	5,000	5,000	0	0	5,000	0.00%
230 - CASp FUND, AB 1379	5,500	5,500	0	0	5,500	0.00%
231 - SUCCESSOR AGCY PA 1 RORF	0	0	15,000,437	15,000,437	-15,000,437	0.00%
235 - SO COAST AIR QUALITY FUND	54,000	54,000	1,659	3,291	50,709	6.10%
237 - SUCCESSOR AGCY PA 1 ADMIN	0	0	0	1,600	-1,600	0.00%
241 - HOUSING AUTHORITY	1,596,340	1,596,340	143,280	607,812	988,528	38.08%
243 - RDA LOW-MOD HOUSING FUND	250,000	250,000	0	0	250,000	0.00%
247 - ECONOMIC DEVELOPMENT FUND	31,500	31,500	10,122	15,606	15,894	49.54%
249 - SA 2011 LOW/MOD BOND FUND (Refinance 2016)	250,000	250,000	0	0	250,000	0.00%
250 - TRANSPORTATION DIF FUND	550,000	550,000	0	400,000	150,000	72.73%
251 - PARKS & REC DIF FUND	650,000	650,000	0	0	650,000	0.00%
253 - LIBRARY DEVELOPMENT DIF	15,000	15,000	0	0	15,000	0.00%
259 - MAINTENANCE FACILITIES DIF FUND	180,000	180,000	0	0	180,000	0.00%
270 - ART IN PUBLIC PLACES FUND	233,000	233,000	13,479	26,588	206,412	11.41%
310 - LQ FINANCE AUTHORITY DEBT SERVICE	1,100	1,100	0	0	1,100	0.00%
401 - CAPITAL IMPROVEMENT PROGRAMS	17,950,700	17,950,700	2,352,797	3,131,645	14,819,055	17.45%
501 - FACILITY & FLEET REPLACEMENT	1,448,750	1,448,750	46,730	93,217	1,355,533	6.43%
502 - INFORMATION TECHNOLOGY	3,082,620	3,082,620	204,688	698,778	2,383,842	22.67%
503 - PARK EQUIP & FACILITY FUND	2,242,200	2,242,200	281,096	283,884	1,958,316	12.66%
504 - INSURANCE FUND	1,118,000	1,118,000	4,494	1,102,003	15,997	98.57%
601 - SILVERROCK RESORT	5,034,993	5,034,993	338,697	935,034	4,099,959	18.57%
760 - SUPPLEMENTAL PENSION PLAN	12,850	12,850	0	12,833	17	99.87%
761 - CERBT OPEB TRUST	1,800	1,800	394	394	1,406	21.88%
762 - PARS PENSION TRUST	30,000	30,000	2,577	7,762	22,238	25.87%
Report Total:	118,084,878	118,084,878	20,691,773	27,088,716	90,996,162	22.94%

Accounts are subject to adjusting entries and audit. The City's Annual Comprehensive Financial Report, published annually, is the best resource for all final audited numbers.

Fund Descriptions		
Fund #	Name	Notes
101	General Fund	The primary fund of the City used to account for all revenue and expenditures of the City; a broad range of municipal activities are provided through this fund.
105	Disaster Recovery Fund	Accounts for use of one-time federal funding designed to deliver relief to American workers and aid in the economic recovery in the wake of COVID-19. The American Rescue Plan Act (ARPA) was passed by Congress in 2021 to provide fiscal recovery funds to state and local governments.
201	Gas Tax Fund	Gasoline sales tax allocations received from the State which are restricted to street-related expenditures.
202	Library and Museum Fund	Revenues from property taxes and related expenditures for library and museum services.
203	Public Safety Fund	General Fund Measure G sales tax revenue set aside for public safety expenditures.
210	Federal Assistance Fund	Community Development Block Grant (CDBG) received from the federal government and the expenditures of those resources.
212	SLESF (COPS) Fund	Supplemental Law Enforcement Services Funds (SLESF) received from the State for law enforcement activities. Also known as Citizen's Option for Public Safety (COPS).
215	Lighting & Landscaping Fund	Special assessments levied on real property for city-wide lighting and landscape maintenance/improvements and the expenditures of those resources.
220	Quimby Fund	Developer fees received under the provisions of the Quimby Act for park development and improvements.
221	AB939 Fund/Cal Recycle	Franchise fees collected from the city waste hauler that are used to reduce waste sent to landfills through recycling efforts. Assembly Bill (AB) 939.
223	Measure A Fund	County sales tax allocations which are restricted to street-related expenditures.
224	TUMF Fund	Developer-paid Transportation Uniform Mitigation Fees (TUMF) utilized for traffic projects in Riverside County.
225	Infrastructure Fund	Developer fees for the acquisition, construction or improvement of the City's infrastructure as defined by Resolution
226	Emergency Mgmt. Performance Grant (EMPG)	Federal Emergency Management Agency (FEMA) grant for emergency preparedness.
227	State Homeland Security Programs (SHSP)	Federal Emergency Management Agency (FEMA) grant for emergency preparedness.
230	CASP Fund, AB1379 / SB1186	Certified Access Specialist (CASp) program fees for ADA Accessibility Improvements; derived from Business License renewals. Assembly Bill (AB) 1379 and Senate Bill (SB) 1186.
231	Successor Agency PA 1 RORF Fund	Successor Agency (SA) Project Area (PA) 1 Redevelopment Obligation Retirement Fund (RORF) for Redevelopment Property Tax Trust Fund (RPTTF) taxes received for debt service payments on recognized obligations of the former Redevelopment Agency (RDA).
235	SO Coast Air Quality Fund (AB2766, PM10)	Contributions from the South Coast Air Quality Management District. Uses are limited to the reduction and control of airborne pollutants. Assembly Bill (AB) 2766.
237	Successor Agency PA 1 Admin Fund	Successor Agency (SA) Project Area (PA) 1 for administration of the Recognized Obligation Payment Schedule (ROPS) associated with the former Redevelopment Agency (RDA).
241	Housing Authority	Activities of the Housing Authority which is to promote and provide quality affordable housing.
243	RDA Low-Moderate Housing Fund	Activities of the Housing Authority which is to promote and provide quality affordable housing. Accounts for RDA loan repayments (20% for Housing) and housing programs.
244	Housing Grants	Activities related Local Early Action Planning (LEAP) and SB2 grants for housing planning and development.
247	Economic Development Fund	Proceeds from sale of City-owned land and transfers from General Fund for future economic development.
249	SA 2011 Low/Mod Bond Fund	Successor Agency (SA) low/moderate housing fund; 2011 bonds refinanced in 2016.
250	Transportation DIF Fund	Developer impact fees collected for specific public improvements - transportation related.
251	Parks & Rec. DIF Fund	Developer impact fees collected for specific public improvements - parks and recreation.
252	Civic Center DIF Fund	Developer impact fees collected for specific public improvements - Civic Center.
253	Library Development DIF Fund	Developer impact fees collected for specific public improvements - library.
254	Community Center DIF Fund	Developer impact fees collected for specific public improvements - community center.
255	Street Facility DIF Fund	Developer impact fees collected for specific public improvements - streets.
256	Park Facility DIF Fund	Developer impact fees collected for specific public improvements - parks.
257	Fire Protection DIF Fund	Developer impact fees collected for specific public improvements - fire protection.
259	Maintenance Facilities DIF Fund	Developer impact fees collected for specific public improvements - maintenance facilities.
270	Art In Public Places Fund	Developer fees collected in lieu of art placement; utilized for acquisition, installation and maintenance of public artworks.
275	LQ Public Safety Officer Fund	Annual transfer in from General Fund; distributed to public safety officers disabled or killed in the line of duty.
299	Interest Allocation Fund	Interest earned on investments.
310	LQ Finance Authority Debt Service Fund	Accounted for the debt service the Financing Authority's outstanding debt and any related reporting requirements. This bond was fully paid in October 2018.
401	Capital Improvement Program Fund	Planning, design, and construction of various capital projects throughout the City.
405	SA PA 1 Capital Improvement Fund	Successor Agency (SA) Project Area (PA) 1 bond proceeds restricted by the bond indenture covenants. Used for SilverRock infrastructure improvements.
501	Equipment Replacement Fund	Internal Service Fund for vehicles, heavy equipment, and related facilities.
502	Information Technology Fund	Internal Service Fund for computer hardware and software and phone systems.
503	Park Equipment & Facility Fund	Internal Service Fund for park equipment and facilities.
504	Insurance Fund	Internal Service Fund for city-wide insurance coverages.
601	SilverRock Resort Fund	Enterprise Fund for activities of the city-owned golf course.
602	SilverRock Golf Reserve Fund	Enterprise Fund for golf course reserves for capital improvements.
760	Supplemental Pension Plan (PARS Account)	Supplemental pension savings plan for excess retiree benefits to general employees of the City.
761	Other Post Benefit Obligation Trust (OPEB)	For retiree medical benefits and unfunded liabilities.
762	Pension Trust Benefit (PARS Account)	For all pension-related benefits and unfunded liabilities.

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City of La Quinta

CITY COUNCIL MEETING: December 5, 2023

STAFF REPORT

AGENDA TITLE: INTERVIEW AND APPOINT A RESIDENT TO SERVE ON THE FINANCIAL ADVISORY COMMISSION

RECOMMENDATION

Appoint a resident to fill a vacancy on the Financial Advisory Commission for an unexpired term ending June 30, 2024.

Or

Appoint a resident to fill a vacancy on the Financial Advisory Commission to complete an unexpired term ending June 30, 2024, and for a subsequent three-year term, ending June 30, 2027.

EXECUTIVE SUMMARY

- A member of the Financial Advisory Commission (FAC) whose term was set to expire on June 30, 2024, resigned his appointment in August 2023 due to relocating outside of La Quinta city limits.
- The City advertised this vacancy on the City's website, contacted all unsuccessful FAC applicants since 2020, and received two applications (Attachment 1).

FISCAL IMPACT

Members of the FAC receive a \$75 dollar stipend per meeting, which is included in fiscal year 2023/24 budget.

BACKGROUND/ANALYSIS

Council established boards, commissions, and committees to facilitate broader participation in City governance, to solicit a broad range of opinions on City issues, and to introduce citizens to the municipal government process.

The FAC serves as a resource for the City Treasurer on matters such as use of financial institutions, custodians, brokers and dealers; review monthly treasury reports and notes compliance with the City's investment policy and adequacy of cash and investments for anticipated obligations; meet with the independent auditor after completion of the annual audit of the City's financial statements, and receives and considers the auditor's

comments on auditing procedures, internal controls, and findings for cash and investment activities; and annually review the revenue derived from the one percent (1%) Transactions and Use Tax (Measure G) instituted by voters in November 2016 to ensure these funds are used to provide services, programs and capital projects in the City.

The City received a resignation from Commissioner Justin Luettjohann on August 11, 2023, who was serving a three-year term expiring on June 30, 2024, due to relocating outside of La Quinta city limits and thus becoming ineligible to serve. In September 2023, the vacancy was advertised on the City's website, and staff notified interested applicants who previously applied to the FAC (since 2020) but were not seated.

Two applications were received from residents, listed in alphabetical order:

1. Geoffrey Kiehl
2. Mark Sussman

Council may appoint a resident to fill the unexpired term ending on June 30, 2024, or due to the short-term remaining under the unexpired term, also extend the term of the appointment for a subsequent full three-year term, ending June 30, 2027, in accordance with Council's authority pursuant to La Quinta Municipal Code Section 2.06.030.

ALTERNATIVES

Council may appoint a resident to fill the vacancy or re-advertise and set another date for Council interviews and appointment.

Prepared by: Laurie McGinley, Deputy City Clerk

Approved by: Monika Radeva, City Clerk

Attachment: 1. Applications

June 2, 2023

Date: _____



— GEM of the DESERT —

**APPLICATION TO SERVE ON A CITY BOARD,
COMMISSION, OR COMMITTEE**

Geoffrey Kiehl

NAME: _____

HOME ADDRESS: _____

MAILING ADDRESS: _____

(IF DIFFERENT THAN HOME ADDRESS)

EMAIL: _____

FAX: _____

TELEPHONE: (HOME) _____ **(CELL)** _____

IF EMPLOYED, LIST YOUR EMPLOYER AND POSITION(S) YOU HOLD:

Retired Director of Finance, Coachella Valley Water District;
formerly Director of Finance / Treasurer, City of Palm Springs

BUSINESS ADDRESS: _____

BUSINESS TELEPHONE: _____

15-years

LENGTH OF RESIDENCE IN LA QUINTA: _____

ARE YOU REGISTERED TO VOTE IN LA QUINTA: YES NO

BOARD / COMMISSION / COMMITTEE APPLYING FOR:

Financial Advisory Commission

**HAVE YOU EVER ATTENDED A MEETING OF THIS BOARD, COMMISSION,
OR COMMITTEE? IF YES, WHEN AND HOW MANY?**

No.

CITY OF LA QUINTA BOARD / COMMISSION / COMMITTEE APPLICATION

BIOGRAPHICAL SKETCH, INCLUDING EDUCATION, WORK EXPERIENCE, CIVIC INVOLVEMENT AND OTHER BACKGROUND. PLEASE BE SURE TO INCLUDE EXPERIENCES RELEVANT TO DUTIES OF THE POSITION YOU SEEK.

Bachelor of Science in Accounting, Arizona State University
Masters in International Management, Thunderbird Graduate School of International Management, Glendale, Arizona

37 year California public service career:

2018 - 2022: Coachella Valley Water District, Director of Finance

2008 - 2018: City of Palm Springs, Director of Finance / Treasurer

1985 - 2008: Finance positions at three K-14 school and college districts, last as Associate Superintendent / Chief Business Officer, Fremont Union High School District, Sunnyvale, CA

Oversaw various public oversight commissions and committees, including Palm Springs' Measure J Sales Tax Commission, and bond oversight committees for K-14 school districts. Served as a member of College of the Desert's Citizens' Bond Oversight Committee, 2009 - 2015.

Serve on Southwest Community Church's Finance Committee, 2008 - present.

I was responsible for directly managing the investments and updating the investment policies for the City of Palm Springs and the Coachella Valley Water District, 2008 - 2022.

I regularly gave advice to Finance Directors at various cities and special district agencies in the Coachella Valley, 2008 - 2022.

CITY OF LA QUINTA BOARD / COMMISSION / COMMITTEE APPLICATION

DESCRIBE YOUR KNOWLEDGE OF THE FUNCTIONS, REGULATIONS, AND PROCEDURES OF THE BOARD, COMMISSION, OR COMMITTEE YOU ARE APPLYING FOR.

I have established, administered, and served on various boards, commissions and committees as discussed above.

WHAT SPECIFIC ISSUES OR PROBLEMS FACE THIS BOARD, COMMISSION, OR COMMITTEE, AND DO YOU HAVE ANY SUGGESTIONS TO ADDRESS THOSE ISSUES OR PROBLEMS?

I am not aware of any problems or issues.

WHAT SPECIFIC ATTITUDES, SKILLS AND/OR EXPERTISE DO YOU THINK YOU HAVE WHICH WOULD ENHANCE THE WORK OF THE BOARD, COMMISSION, OR COMMITTEE?

I am recently retired from public service employment, but still consider myself to be a seasoned professional who understands the operation and expectation of public oversight bodies, including their members' limitations as defined by the public agency's elected officials who they report to.

IN ADDITION TO COMPLETING THE APPLICATION, YOU MAY ATTACH A CURRENT RESUME IF YOU WISH.

**PLEASE RETURN THIS APPLICATION
VIA EMAIL, FAX, OR MAIL AS NOTED BELOW:**

CITY OF LA QUINTA
CITY CLERK DEPARTMENT
78495 CALLE TAMPICO, LA QUINTA, CA 92253
TELEPHONE: (760) 777 – 7123 | FAX: (760) 777 – 7107
EMAIL: CITYCLERKMAIL@LAQUINTACA.GOV

**THANK YOU FOR YOUR WILLINGNESS TO SERVE
OUR LOCAL GOVERNMENT!**

Date: 05/12/2023



— GEM of the DESERT —

**APPLICATION TO SERVE ON A CITY BOARD,
COMMISSION, OR COMMITTEE**

NAME: Mark Sussman

HOME ADDRESS: [REDACTED]

MAILING ADDRESS: _____
(IF DIFFERENT THAN HOME ADDRESS)

EMAIL: [REDACTED]

FAX: _____

TELEPHONE: (HOME) [REDACTED]

(CELL) [REDACTED]

IF EMPLOYED, LIST YOUR EMPLOYER AND POSITION(S) YOU HOLD:

Retired Commercial Banker and Mergers & Acquisition, Speaker, Author related to Finance.

BUSINESS ADDRESS: _____

BUSINESS TELEPHONE: _____

LENGTH OF RESIDENCE IN LA QUINTA: 7 years

ARE YOU REGISTERED TO VOTE IN LA QUINTA: YES NO

BOARD / COMMISSION / COMMITTEE APPLYING FOR:

Financial Advisory Commission, Housing Commission

HAVE YOU EVER ATTENDED A MEETING OF THIS BOARD, COMMISSION, OR COMMITTEE? IF YES, WHEN AND HOW MANY?

Most recent attendance was the City Council meeting on Tuesday May 2, 2023. I have attended various City Council and Commissioners meeting over the last 6 years.

CITY OF LA QUINTA BOARD / COMMISSION / COMMITTEE APPLICATION

BIOGRAPHICAL SKETCH, INCLUDING EDUCATION, WORK EXPERIENCE, CIVIC INVOLVEMENT AND OTHER BACKGROUND. PLEASE BE SURE TO INCLUDE EXPERIENCES RELEVANT TO DUTIES OF THE POSITION YOU SEEK.

Retired National/International Banker: Senior Vice President, Executive Vice President, Chief Financial Officer, Chief Lending Officer, Director, Board positions.

Over 30 years of senior management, administrative, leadership, and consulting experience. (see video-YouTube; Sussman_on_NBC)

Expert in most lending programs, residential, commercial, business and large private banking operations.

Published author, speaker, consultant on Banking, Finance, Mortgages, Lending Practices, and Foreclosure; expert witness for State of California.

Currently President, prior positions; Treasurer, Director of Starlight Dunes HOA in La Quinta, overseeing development responsibilities re finances, infrastructure, legal aspects, neighborhood and community engagement, financial viability.

Board member and community involvement for Habitat for Humanity, low income lending through Banks, government on local, national and federal level. Advisor and mentor for First Tee organization, immersed involvement with parents and children.

Education: Masters Finance, BS Biology.

CITY OF LA QUINTA BOARD / COMMISSION / COMMITTEE APPLICATION

DESCRIBE YOUR KNOWLEDGE OF THE FUNCTIONS, REGULATIONS, AND PROCEDURES OF THE BOARD, COMMISSION, OR COMMITTEE YOU ARE APPLYING FOR.

Resident of New York City, New Jersey, San Francisco, Virginia Beach, La Quinta-(primary residence), with ongoing involvement with civic, municipal, and community services.

Having attended numerous meetings at above locales, I understand the standards, regulations, public transparency protocols, rules of order, procedures, accountability, and responsibilities.

WHAT SPECIFIC ISSUES OR PROBLEMS FACE THIS BOARD, COMMISSION, OR COMMITTEE, AND DO YOU HAVE ANY SUGGESTIONS TO ADDRESS THOSE ISSUES OR PROBLEMS?

Issues and problems to monitor and address: Coachella Valley music festivals, short term rentals, quality of life and city services provided, commercial and residential developments, future community needs, sustained economic stability and growth.

As a commissioner, one needs to have a bigger perspective while assessing micro and macro components. Listening to all stakeholders carefully, without prejudice, collaborate to come up with viable resolutions and productive plans of action.

WHAT SPECIFIC ATTITUDES, SKILLS AND/OR EXPERTISE DO YOU THINK YOU HAVE WHICH WOULD ENHANCE THE WORK OF THE BOARD, COMMISSION, OR COMMITTEE?

In addition to extensive financial expertise, I offer a strong commitment to community and democracy. A sense of responsibility, fair mindedness, visionary, tactful, respectful, consensus building and integrity.

IN ADDITION TO COMPLETING THE APPLICATION, YOU MAY ATTACH A CURRENT RESUME IF YOU WISH.

**PLEASE RETURN THIS APPLICATION
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TELEPHONE: (760) 777 – 7123 | FAX: (760) 777 – 7107
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***THANK YOU FOR YOUR WILLINGNESS TO SERVE
OUR LOCAL GOVERNMENT!***

City of La Quinta

CITY COUNCIL MEETING: December 5, 2023

STAFF REPORT

AGENDA TITLE: DISCUSS CONSTRUCTION STAGING ALTERNATIVES FOR AVENUE 50 BRIDGE PROJECT NO. 2019-02

RECOMMENDATION

Discuss construction staging alternatives for the Avenue 50 Bridge Project No. 2019-02.

EXECUTIVE SUMMARY

- City received Caltrans funding authorization to begin preliminary engineering for the Avenue 50 Bridge Project 2019-02 (Project), which will replace the existing low-water crossing spanning the La Quinta Evacuation Channel at Avenue 50 with an all-weather access bridge.
- Staff is negotiating with the top-rated consultant to prepare the plans, specifications and engineer's estimate for the Project.
- Staff is proposing two construction staging alternatives for the Project:
 1. Staged Construction: Completing the Project in two stages, maintaining traffic operations throughout.
 2. Full Roadway Closures (Detour): Completing the Project in one stage, closing Avenue 50 during construction.

FISCAL IMPACT

The Full Roadway Closure (Alternative 2) reduces the anticipated project cost by approximately \$600,000, eliminating temporary construction items, reducing contractor time related overhead and construction duration. The cost breakdown of differences for the two alternatives are included below:

Alternative 1 - Staged Construction (Total cost \$650k):

- Temporary retaining walls (\$250k)
- Temporary AC paving (\$100k)
- Bridge construction in two halves w/closure pour (\$100k)
- Construction management – additional 8-month duration (\$120k)
- Contractor – general conditions for additional 8-month duration (\$80k)

Alternative 2 - Full Road Closure (Total cost \$50k):

- Temporary AC paving for ped/bike path (\$50k)

BACKGROUND/ANALYSIS

The following is a summary of the two construction staging alternatives, including construction staging, traffic operation, utilities, schedule, and temporary cost impacts.

Alternative 1 – Staged Construction

Construction:

Stage 1:

- Build the north half of the roadway and bridge.
- Due to the fill required, a temporary retaining wall would be required to separate the new construction from the existing roadway that would be in use.
- Traffic would be maintained, one lane in each direction, including room for pedestrians/bikes along the south side of the roadway. Temporary paving would be required.

Stage 2:

- Traffic and pedestrians/bikes would be moved onto the new roadway and bridge on the north half.
- The south half of the roadway and bridge would be constructed.

Traffic Operation:

- One lane of traffic would be maintained in each direction.
- A paved (approximately 6 ft. wide) pedestrian/bike route would be provided on the south side of Avenue 50, separated from the construction by k-rail.

Utilities:

- Existing water main would require a temporary relocation prior to Stage 1 construction.
- Gas and cable facilities can be maintained in Stage 1 constructed then moved permanently into the new bridge prior to Stage 2 commencing.

Schedule: 20-22 month construction

Staged Construction Cost Impacts: Approximately \$450k for temporary retaining walls, paving and concrete closure pour, to join the two halves of the bridge together. Additionally, there is an estimated \$200k associated with the 8-month extended timeframe for construction.

Alternative 2 – Full Roadway Closure

Construction:

- The entire project would be built in a single phase of work.

Traffic Operation:

- Local detour would use Park Avenue & Calle Tampico. This would be signed as local traffic only to avoid significant increase of traffic in the residential neighborhood.
- Area-wide detour (alternative routes) would include Washington Street, Avenue 48, Jefferson Street, and Avenue 52 with changeable message boards noting the closure and to use the alternate routes as signed.
- A robust outreach program should be considered.

Temporary Pedestrian & Bicycle Access:

- Pedestrian and bicycle access will be provided during the closure of Avenue 50 via a 6-foot-wide asphalt paved path.
- This temporary path would be separated from the construction zone by a concrete k-rail and chain link fencing, providing a secure construction site, as well as providing for safe passage for pedestrians and bicyclists.
- It is anticipated that this path would be along the south side of Avenue 50 right of way along the construction zone, and the alignment would be situated to safely clear the bridge construction.
- Grading for the path would be required to traverse the side slopes approaching the construction site and would meet acceptable grades along the path.
- The path would remain open until the contractor can redirect the pedestrian and bicyclists onto the completed roadway.

Utilities:

- Existing water, gas and cable will require temporary relocation outside of the roadway footprint during construction. This work will be completed prior to the road closure.
- Permanent relocation into the bridge upon completion of bridge and roadway rough grading.

Schedule: 12–14 month construction

Full Roadway Closure Cost Impacts: Approximately an additional \$50k for temporary pedestrian/bike paving.

The following provides a summary table for the Avenue 50 Bridge Construction Staging Alternatives:

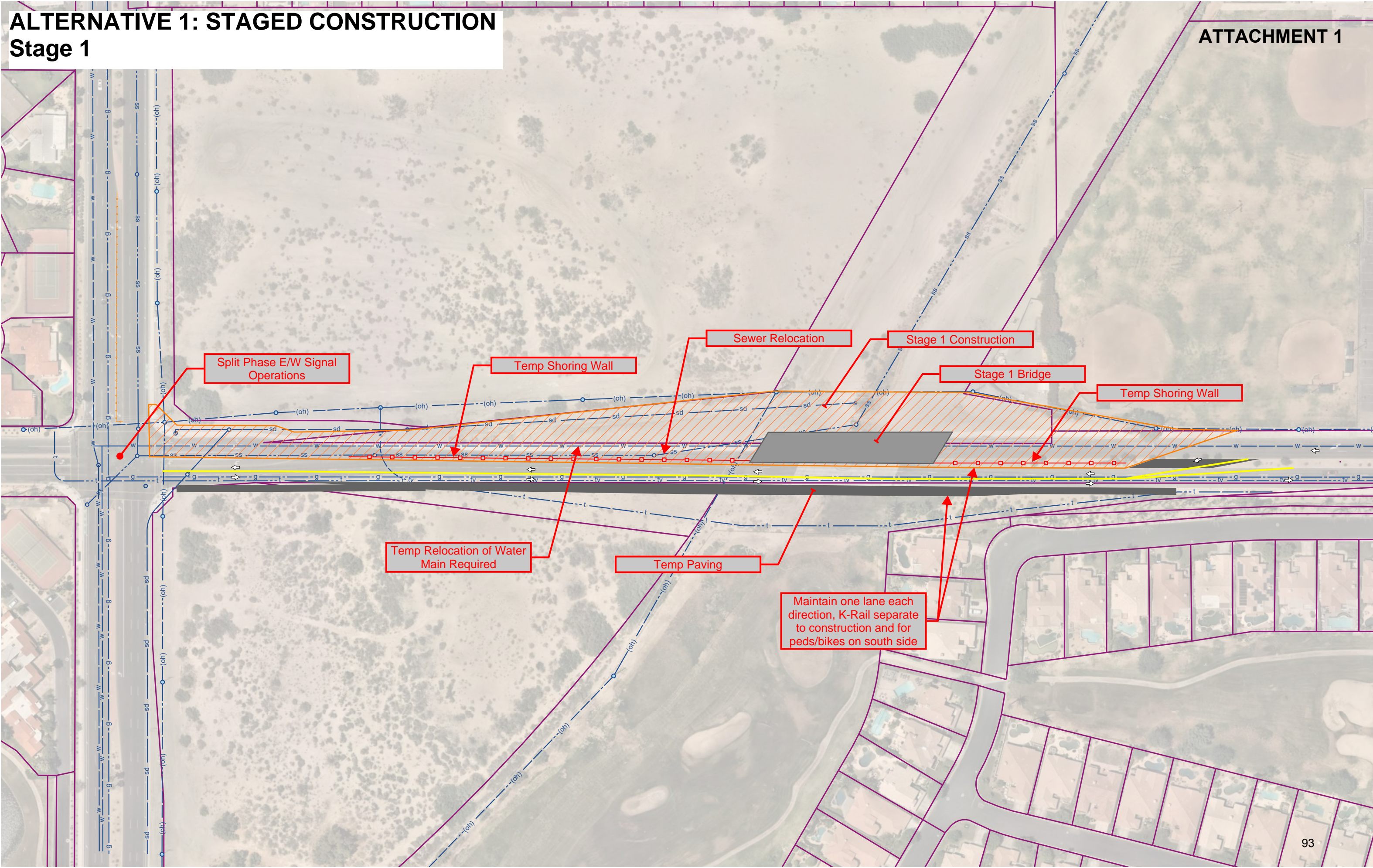
Alternative 1 – Staged Construction	Alternative 2 – Full Roadway Closure
<p>Pros:</p> <ul style="list-style-type: none"> • Maintains access in similar condition as existing condition • Minimizes potential impact to school pick-up & drop-off operation 	<p>Pros:</p> <ul style="list-style-type: none"> • Reduces construction duration and disruption to the community by approximately 8 months • Reduces project costs by approximately \$600,000 by eliminating temporary construction items and reduced construction duration
<p>Cons:</p> <ul style="list-style-type: none"> • Longer construction duration extends disruption to the community • Throwaway costs related to temporary construction items such as retaining wall and asphalt paving to maintain traffic 	<p>Cons:</p> <ul style="list-style-type: none"> • Traffic detour required for duration of construction • Potential impact to school pick-up & drop-off operation

Prepared by: Julie Mignogna, Management Analyst
 Approved by: Bryan McKinney, Public Works Director/City Engineer

Attachments: 1. Alternative 1 – Staged Construction Exhibit
 2. Alternative 2 – Full Roadway Closure Exhibit and Detour Routing Map

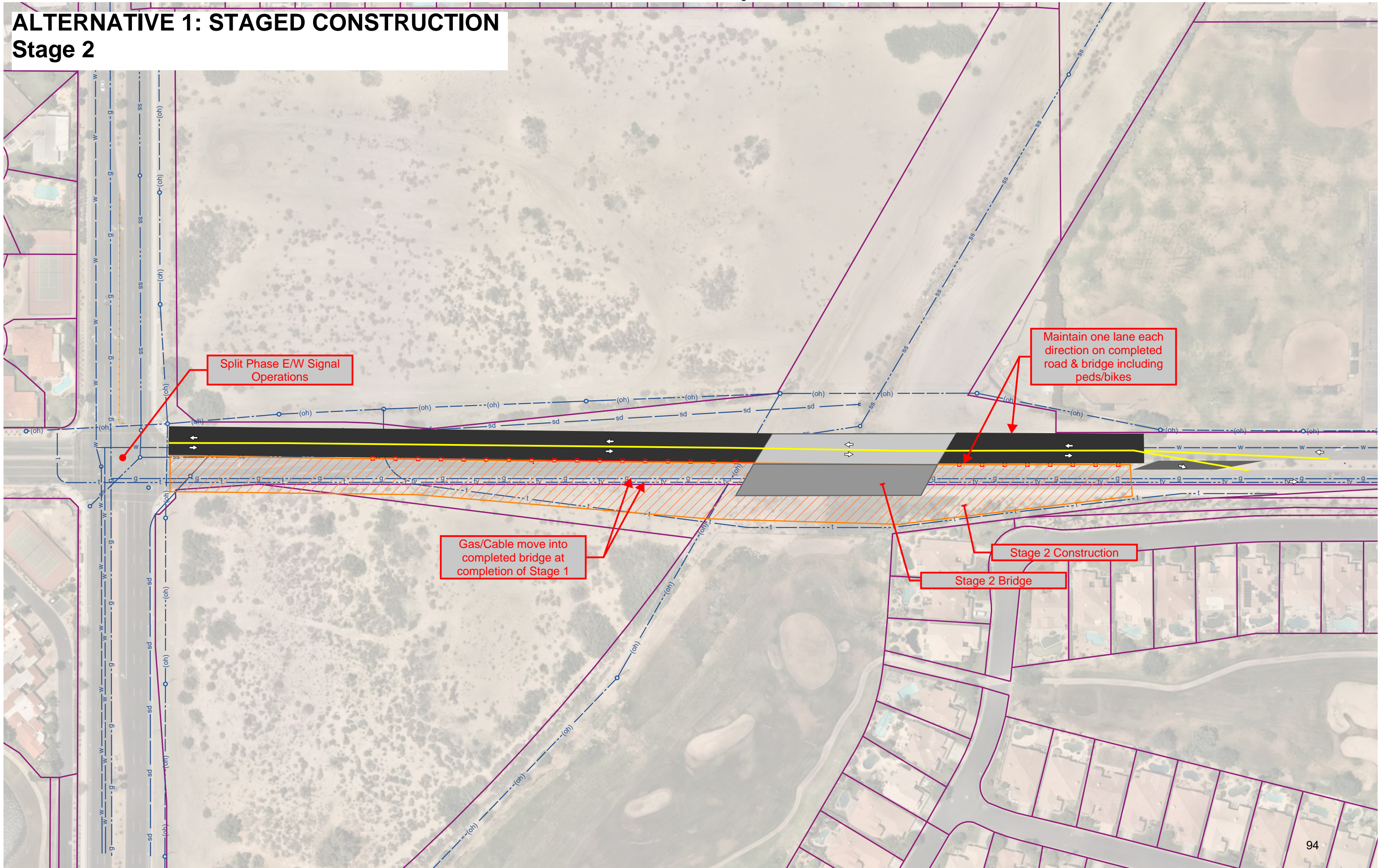
ALTERNATIVE 1: STAGED CONSTRUCTION

Stage 1

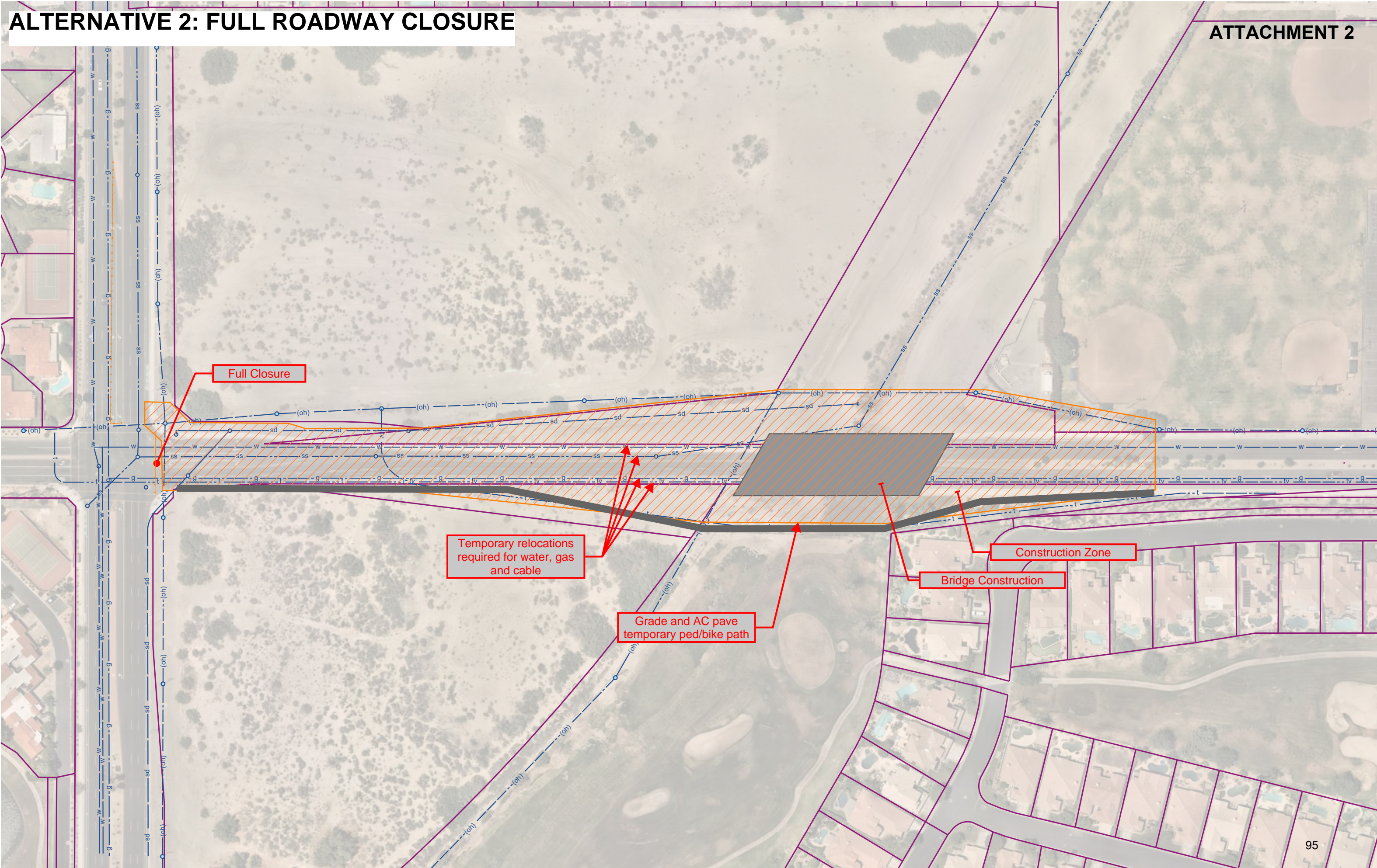


ALTERNATIVE 1: STAGED CONSTRUCTION

Stage 2

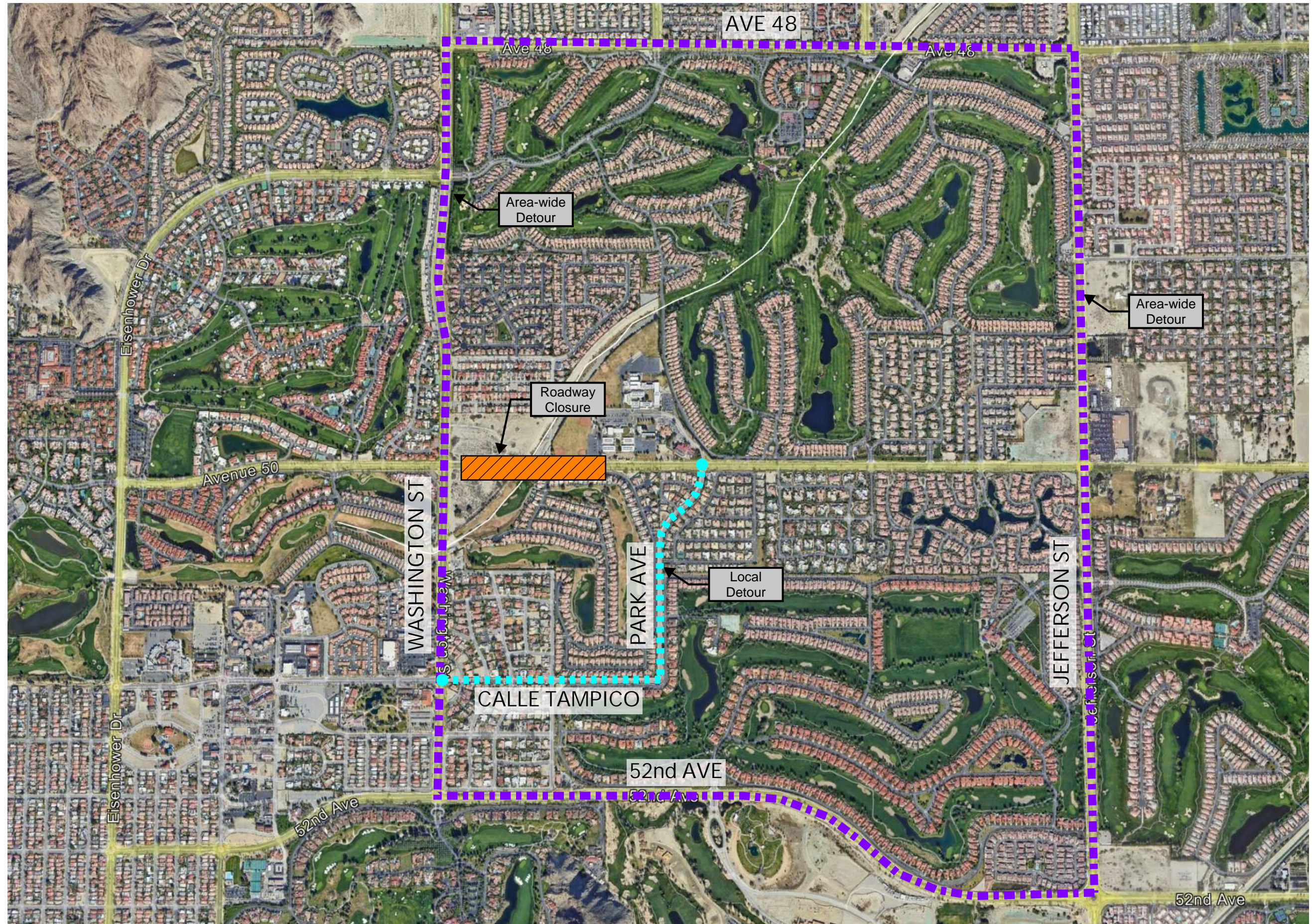


ALTERNATIVE 2: FULL ROADWAY CLOSURE



ALTERNATIVE 2: FULL ROADWAY CLOSURE

Detour Routing



COMMUNITY SERVICES QUARTERLY REPORT

Wellness Center, LQ Library, LQ Museum, and Creation Station July 1 – September 30, 2023

Community Programs & Social Services

Wellness Center, FIND Food Distribution, Fritz Burns Pool, & Sports



Wellness Center provided fitness & recreation programs to 9,725 participants/fitness members (8,912 fitness gym participants; 813 program participants for Gentle Yoga, Mat Pilates, Ballroom Dance, Social Bridge, Mah Jongg, Ukulele, Dominoes, FB Tennis, Summer Golf Experience, and Quilting for Good Times). Social service offerings such as the Riverside County Cool Center, HICAP, Bilhartz Insurance (information on Medicare Advantage Plans), FIND Outreach, DPSS Adult Services, and DAP Health Revivals were available to the public.



Desert Recreation District (DRD) served 1,914 participants (840 for open/lap swim; 229 Group Swim Lessons; 326 Water Aerobics; 218 Senior Splash; 269 Movies at the Pool; 32 Mermaid Splash Party event) at Fritz Burns Pool programs/classes.



Youth sports programs had 20,960 total participants (players, spectators, coaches) for AYSO (soccer – 17,500), Friday Night Lights (flag football – 1,250), and La Quinta Youth Sports Association (baseball – 2,210). Practices and league games are held at La Quinta Park, Colonel Mitchell Paige Middle School, and the La Quinta Sports Complex. La Quinta High School Baseball also practiced at the Sports Complex this quarter due to their baseball fields being renovated.



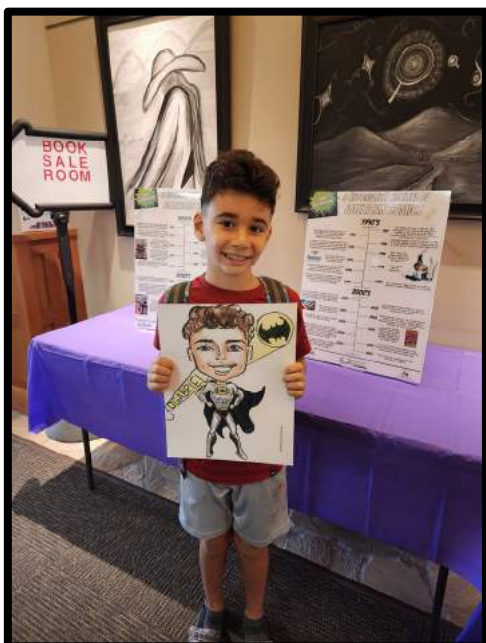
Distributed 33,948 pounds of food (food packages/boxes of dry goods and produce) to 9957 persons at Coral Mountain, Hadley Villas, Vista Dunes, Washington Street Apartments, and Wolff Waters; FIND provided mobile pantries for food distribution five times per month at La Quinta High School and La Quinta Community Fitness Center & Park.

La Quinta Library

Circulation/ Programs/ Events



- **Attendance:** 28,000+ persons visited and participated in various programs; 42,000+ items were circulated.
- **Events:** Summer Reading Program (SRP) Closing Concert with/ Genevieve Goings from Disney Junior, Little Caesar's Reading Challenge, and All Ages Comic Celebration.
- **Programs:** Baby/Toddler/Preschool Storytimes; AM & PM Sensory Hour, Piece It Together (children's Lego and puzzle club), Library Birthday Party, Teen Anime Zone, Impulse Affirmation, Teen Game Night, Graphic Bites Teen Book Club, Level Up LQ Teen Gaming Club, Writer's Block Writers Group, Graphic Novel Club, Read the World, Pagemaster's Book Club, Page Turners Book Club, Love Story Book Club, Altered Book Club (Book Crafting), and Chess Club.



La Quinta Creation Station

Makerspace Programs/ Services/ Memberships



- Attendance: 550 people participated in various programs/services.
- Memberships: 13 new memberships; 58 active memberships.
- Programs: MakerCraft (Tabletop Board Games, Teenage Mutant Ninja Turtles (TMNT) Mini Felt Pillows, Labor Day Assembly Line Rock Painting, Skyscraper Build, Sundial & Reading Time), Summer Reading Program (Friendship Bracelets/Talking Sticks, Animal Finger Puppets, and Electronic Voice Modifier), Fiber Arts Bootcamp (Cross Stitch, Granny Squares, and Macrame Mini Wall Hanger), and MakerSpace Camps (Sewing: Pencil Cases, Laser Cutting: Gliders, and Too: Book/Tablet Holder, 3D Printing & Tinker CAD).



La Quinta Museum

Exhibits/ Programs/ Events



- Attendance: 1,000+ visitors/participants.
- Exhibits: The Newest Americans, Scorpions!, La Quinta Legends: Dorothy Arzner, and La Quinta Legends: Frank Capra.
- Events: Indoor Bird Watch/ Avian Behavior, SCRAP Gallery, Field Trips: Desert Recreation District, Gerald Ford Elementary, Pinch Pots with Tony Soares, and La Quinta Historical Society.
- Programs: Good Reads in the Gallery and La Sobremesa Book Clubs, STITCH Fiber Arts Club, TED Talk Discussion, Take a Break with Huell, Genealogy Club and Sketchbook Journaling.
- Social Media Promotion: *Friday Fun Facts* and Exhibit Content is shared via social media with Facebook, Twitter, Instagram, and YouTube subscribers.



Community Events

Cpl. Hunter Lopez Saber Vigil & Gold Star Monument Unveiling



- A saber vigil was held on Saturday, August 26, at Civic Center Campus, to honor and pay tribute to Cpl. Hunter Lopez.
- Unveiling of the Gold Star monument, created by artist CJ Rench, displayed the engraved names of SSG James Perez and Cpl. Hunter Lopez.
- Mayor and Councilmembers spoke at the event and special music selections were provided by Sgt. Bryan Whitley, Riverside County Sheriff's Department.
- Participation from Herman & Alicia Lopez, Chief Deputy & Deputy Riverside County Sheriff, Hunter Lopez Memorial Foundation, 501st Star Wars Team, Sign Dreamers, La Quinta High School ROTC, Scouts BSA Troop 1701 & 451, New Leaf Catering, and Classic Photos.

Community Events

9/11 Candlelight Vigil



- The September 11th Candlelight Vigil was held at Civic Center Campus; approximately 300+ persons in attendance.
- City Council and representatives from Riverside County Fire and Sheriff's departments provided honoring remarks and moments of reflection.
- Participation from Scouts BSA Troops 1701 and 451 and La Quinta High School ROTC as well as musical performances by La Quinta High School Wind Ensemble and Doug Hassett.

Community Events

Concert in the Park Series @ SilverRock Park



- The Desert Crows and the HighRoad Band performed on Saturday, September 30 from 6:30-8:30 p.m.
- Approximately 400+ persons in attendance.
- City staff provided information and giveaways and food trucks were available to participants.



X Park

Bike & Skate Programs/ Events/ Memberships



- Attendance: 2,433 residents and 870 non-residents used the park this quarter. Park hours: 5 days a week (Wednesday-Friday 12:00 - 9:00 p.m.; Saturday-Sunday 9:00 a.m. – 9:00 p.m.; closed Monday and Tuesday).
- Total Memberships: 48 memberships sold this quarter (38 resident and 10 non-resident). Overall memberships sold to date is approximately 994 (682 resident and 312 non-resident).
- Programs: Friday Night Fight Community Night (game of SKATE, best trick contests, & more); Seasonal Skate Camps; Back to School Promotion; Quad Skate Community Night (raffles, giveaways, clinic, & contests);
- Events: International BMX Day (giveaways, pizza, contests, and free entry for all bike riders); Labor Day Sale & Best Trick; Muska Shoe Release; Legendary Pro Vert Skater, Darren Navarrette, and Pro Skateboarder Dave Bachinsky dropped by for a visit and to try out the park.

