

**ADMINISTRATIVE APPEALS BOARD
CITY OF PALM SPRINGS, CALIFORNIA
PALM SPRINGS CONVENTION CENTER**

Primrose C
277 N. Avenida Caballeros
Palm Springs, CA 92262
www.palmspringsca.gov

AGENDA

**FRIDAY
JULY 28, 2017**



**8:30 a.m.
Special Meeting**

**James Reed, Chair
Jerry Howard, Vice Chair
Oliver Cleary, Board Member
John Kearns, Board Member**

City of Palm Springs Mission Statement: Palm Springs is an inclusive world-class city dedicated to providing excellent and responsive public services to enhance the quality of life for current and future generations.

Kathleen D. Hart, MMC, Interim City Clerk

Any person who wishes to speak regarding an item on the agenda or on a subject within the Board's jurisdiction during the "Public Comments" portion of the agenda must file a "Speaker Card" with the City Clerk BEFORE that portion of the agenda is called. Although the Administrative Appeals Board values your comments, pursuant to the Brown Act, it generally cannot take any action on items not listed on the posted agenda.

Testimony for Hearings will only be taken at the time of the hearing. Any person who wishes to speak on a Hearing item must file a "Speaker Card" and sign the OATH OF TESTIMONY with the City Clerk BEFORE the Hearing is called.

Pursuant to G.C. Section 54957.5(b)(2) the designated office for inspection of records in connection with the meeting is the Office of the City Clerk, City Hall, 3200 E. Tahquitz Canyon Way. Complete Administrative Appeals Board Agenda Packets are available for public inspection at: City Hall, Office of the City Clerk. If you would like additional information on any item appearing on this agenda, please contact the Office of the City Clerk at (760) 323-8204.

It is the intention of the City of Palm Springs to comply with the Americans with Disabilities Act (ADA) in all respects. If, as an attendee or a participant at this meeting, or in meetings on a regular basis, you will need special assistance beyond what is normally provided, the City will attempt to accommodate you in every reasonable manner. Please contact (760) 323-8204 at least 48 hours prior to the meeting to inform us of your particular needs and to determine if accommodation is feasible.

The Administrative Appeals Board welcomes written public testimony. Please provide eight (8) copies at the meeting. Prior to the meeting written testimony may be sent via email to CITY.CLERK@palmspringsca.gov, by fax at (760) 322-8332, or hand delivery to the City Clerk, Palm Springs City Hall, 3200 E. Tahquitz Canyon Way, Palm Springs, CA 92262.

8:30 A.M. SPECIAL MEETING

CALL TO ORDER:

PLEDGE OF ALLEGIANCE:

ROLL CALL:

ACCEPTANCE OF THE AGENDA:

PUBLIC COMMENTS: This time has been set aside for members of the public to address the Administrative Appeals Board on Agenda items; and items of general interest within the subject matter jurisdiction of the Board. Although the Board values your comments, pursuant to the Brown Act, it generally cannot take any action on items not listed on the posted agenda. Testimony for Hearings will only be taken at the time of the Hearing.

1. **APPEAL HEARINGS:**

1A. **APPEAL OF THE ADMINISTRATIVE DECISION GREGORY RODRIGUEZ IS PERMANENTLY INELIGIBLE TO OPERATE A VACATION RENTAL IN THE CITY OF PALM SPRINGS AND THE ADMINISTRATIVE FINE FOR OPERATING AN UNREGISTERED VACATION RENTAL PROPERTY LOCATED AT 4280 REX COURT: (Gregory Rodriguez) RECOMMENDATION:**

- 1) Open the Appeal Hearing and accept public testimony.
- 2)
 - a. Adopt Resolution No. ____, A RESOLUTION OF THE ADMINISTRATIVE APPEALS BOARD OF THE CITY OF PALM SPRINGS, CALIFORNIA, **UPHOLDING** THE ADMINISTRATIVE DECISION THAT GREGORY RODRIGUEZ IS PERMANENTLY INELIGIBLE TO OPERATE A VACATION RENTAL IN THE CITY OF PALM SPRINGS, INCLUDING THE PROPERTY LOCATED AT 4280 REX COURT, PALM SPRINGS, CALIFORNIA.
 - or**
 - b. Adopt Resolution No. ____, A RESOLUTION OF THE ADMINISTRATIVE APPEALS BOARD OF THE CITY OF PALM SPRINGS, CALIFORNIA, **OVERTURNING** THE ADMINISTRATIVE DECISION THAT GREGORY RODRIGUEZ IS PERMANENTLY INELIGIBLE TO OPERATE A VACATION RENTAL IN THE CITY OF PALM SPRINGS, INCLUDING THE PROPERTY LOCATED AT 4280 REX COURT, PALM SPRINGS, CALIFORNIA.
- 3)
 - a. Adopt Resolution No. ____, A RESOLUTION OF THE ADMINISTRATIVE APPEALS BOARD OF THE CITY OF PALM SPRINGS, CALIFORNIA, **UPHOLDING** THE ADMINISTRATIVE FINE OF \$5,000 ISSUED TO GREGORY RODRIGUEZ FOR OPERATING AN UNREGISTERED VACATION RENTAL

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PROPERTY LOCATED AT 4280 REX COURT, PALM SPRINGS, CALIFORNIA.

or

b. Adopt Resolution No. ____, A RESOLUTION OF THE ADMINISTRATIVE APPEALS BOARD OF THE CITY OF PALM SPRINGS, CALIFORNIA, **OVERTURNING** THE ADMINISTRATIVE FINE OF \$5,000.00 ISSUED TO GREGORY RODRIGUEZ FOR OPERATING AN UNREGISTERED VACATION RENTAL PROPERTY LOCATED AT 4280 REX COURT, PALM SPRINGS, CALIFORNIA.

1B. APPEAL OF THE ADMINISTRATIVE DECISION THAT JEFFREY UPIN IS PERMANENTLY INELIGIBLE TO OPERATE A VACATION RENTAL IN THE CITY OF PALM SPRINGS AND THE ADMINISTRATIVE FINE FOR OPERATING AN UNREGISTERED VACATION RENTAL PROPERTY LOCATED AT 1035 W. OAKCREST DRIVE: (Jeffrey Upin)

RECOMMENDATION:

- 1) Open the Appeal Hearing and accept public testimony.
- 2) a. Adopt Resolution No. ____, A RESOLUTION OF THE ADMINISTRATIVE APPEALS BOARD OF THE CITY OF PALM SPRINGS, CALIFORNIA, **UPHOLDING** THE ADMINISTRATIVE DECISION THAT JEFFREY UPIN IS PERMANENTLY INELIGIBLE TO OPERATE A VACATION RENTAL IN THE CITY OF PALM SPRINGS, INCLUDING THE PROPERTY LOCATED AT 1035 W. OAKCREST DRIVE, PALM SPRINGS, CALIFORNIA.
or
b. Adopt Resolution No. ____, A RESOLUTION OF THE ADMINISTRATIVE APPEALS BOARD OF THE CITY OF PALM SPRINGS, CALIFORNIA, **OVERTURNING** THE ADMINISTRATIVE DECISION THAT JEFFREY UPIN IS PERMANENTLY INELIGIBLE TO OPERATE A VACATION RENTAL IN THE CITY OF PALM SPRINGS, INCLUDING THE PROPERTY LOCATED AT 1035 W. OAKCREST DRIVE, PALM SPRINGS, CALIFORNIA.
- 3) a. Adopt Resolution No. ____, A RESOLUTION OF THE ADMINISTRATIVE APPEALS BOARD OF THE CITY OF PALM SPRINGS, CALIFORNIA, **UPHOLDING** THE ADMINISTRATIVE FINE OF \$5,000 ISSUED TO JEFFREY UPIN FOR OPERATING AN UNREGISTERED VACATION RENTAL PROPERTY LOCATED AT 1035 W. OAKCREST DRIVE, PALM SPRINGS, CALIFORNIA.
or

b. Adopt Resolution No. ____, A RESOLUTION OF THE ADMINISTRATIVE APPEALS BOARD OF THE CITY OF PALM SPRINGS, CALIFORNIA, **OVERTURNING** THE ADMINISTRATIVE FINE OF \$5,000.00 ISSUED TO JEFFREY UPIN FOR OPERATING AN UNREGISTERED VACATION RENTAL PROPERTY LOCATED AT 1035 W. OAKCREST DRIVE, PALM SPRINGS, CALIFORNIA.

1C. APPEAL OF THE ADMINISTRATIVE DECISION THAT JONATHAN CLARK BENDER IS PERMANENTLY INELIGIBLE TO OPERATE A VACATION RENTAL IN THE CITY OF PALM SPRINGS AND THE ADMINISTRATIVE FINE FOR OPERATING AN UNREGISTERED VACATION RENTAL PROPERTY LOCATED AT 1020 E. CHRISTINA WAY: (Jonathan Clark Bender)

RECOMMENDATION:

- 1) Open the Appeal Hearing and accept public testimony.
- 2)
 - a. Adopt Resolution No. ____, A RESOLUTION OF THE ADMINISTRATIVE APPEALS BOARD OF THE CITY OF PALM SPRINGS, CALIFORNIA, **UPHOLDING** THE ADMINISTRATIVE DECISION THAT JONATHAN CLARK BENDER IS PERMANENTLY INELIGIBLE TO OPERATE A VACATION RENTAL IN THE CITY OF PALM SPRINGS, INCLUDING THE PROPERTY LOCATED AT 1020 E. CHRISTINA WAY, PALM SPRINGS, CALIFORNIA.
 - or**
 - b. Adopt Resolution No. ____, A RESOLUTION OF THE ADMINISTRATIVE APPEALS BOARD OF THE CITY OF PALM SPRINGS, CALIFORNIA, **OVERTURNING** THE ADMINISTRATIVE DECISION THAT JONATHAN CLARK BENDER IS PERMANENTLY INELIGIBLE TO OPERATE A VACATION RENTAL IN THE CITY OF PALM SPRINGS, INCLUDING THE PROPERTY LOCATED AT 1020 E. CHRISTINA WAY, PALM SPRINGS, CALIFORNIA.
- 3)
 - a. Adopt Resolution No. ____, A RESOLUTION OF THE ADMINISTRATIVE APPEALS BOARD OF THE CITY OF PALM SPRINGS, CALIFORNIA, **UPHOLDING** THE ADMINISTRATIVE FINE OF \$5,000 ISSUED TO JONATHAN CLARK BENDER FOR OPERATING AN UNREGISTERED VACATION RENTAL PROPERTY LOCATED AT 1020 E. CHRISTINA WAY, PALM SPRINGS, CALIFORNIA.
 - or**

b. Adopt Resolution No. ____, A RESOLUTION OF THE ADMINISTRATIVE APPEALS BOARD OF THE CITY OF PALM SPRINGS, CALIFORNIA, **OVERTURNING** THE ADMINISTRATIVE FINE OF \$5,000.00 ISSUED TO JONATHAN CLARK BENDER FOR OPERATING AN UNREGISTERED VACATION RENTAL PROPERTY LOCATED AT 1020 E. CHRISTINA WAY, PALM SPRINGS, CALIFORNIA.

**1D. APPEAL OF THE ADMINISTRATIVE DECISION ANDREW LINSKY IS PERMANENTLY INELIGIBLE TO OPERATE A VACATION RENTAL IN THE CITY OF PALM SPRINGS AND THE ADMINISTRATIVE FINE FOR OPERATING AN UNREGISTERED VACATION RENTAL PROPERTY LOCATED AT 1019 W. CIELO DRIVE: (Andrew Linsky)
RECOMMENDATION:**

- 1) Open the Appeal Hearing and accept public testimony.
- 2) a. Adopt Resolution No. ____, A RESOLUTION OF THE ADMINISTRATIVE APPEALS BOARD OF THE CITY OF PALM SPRINGS, CALIFORNIA, **UPHOLDING** THE ADMINISTRATIVE DECISION THAT ANDREW LINSKY IS PERMANENTLY INELIGIBLE TO OPERATE A VACATION RENTAL IN THE CITY OF PALM SPRINGS, INCLUDING THE PROPERTY LOCATED AT 1019 W. CIELO DRIVE, PALM SPRINGS, CALIFORNIA.
or
b. Adopt Resolution No. ____, A RESOLUTION OF THE ADMINISTRATIVE APPEALS BOARD OF THE CITY OF PALM SPRINGS, CALIFORNIA, **OVERTURNING** THE ADMINISTRATIVE DECISION THAT ANDREW LINSKY IS PERMANENTLY INELIGIBLE TO OPERATE A VACATION RENTAL IN THE CITY OF PALM SPRINGS, INCLUDING THE PROPERTY LOCATED AT 1019 W. CIELO DRIVE, PALM SPRINGS, CALIFORNIA.
- 3) a. Adopt Resolution No. ____, A RESOLUTION OF THE ADMINISTRATIVE APPEALS BOARD OF THE CITY OF PALM SPRINGS, CALIFORNIA, **UPHOLDING** THE ADMINISTRATIVE FINE OF \$5,000 ISSUED TO ANDREW LINSKY FOR OPERATING AN UNREGISTERED VACATION RENTAL PROPERTY LOCATED AT 1019 W. CIELO DRIVE, PALM SPRINGS, CALIFORNIA.
or
b. Adopt Resolution No. ____, A RESOLUTION OF THE ADMINISTRATIVE APPEALS BOARD OF THE CITY OF PALM SPRINGS, CALIFORNIA, **OVERTURNING** THE ADMINISTRATIVE FINE OF \$5,000.00 ISSUED TO ANDREW LINSKY FOR OPERATING AN UNREGISTERED VACATION RENTAL

PROPERTY LOCATED AT 1019 W. CIELO DRIVE, PALM SPRINGS, CALIFORNIA.

2. OTHER BUSINESS: None.

BOARD MEMBER COMMENTS AND REQUESTS: This portion of the meeting is set aside for general comments, announcements, requests of staff, and/or other issues of concern from members of the Administrative Appeals Board.

CITY PROSECUTOR'S REPORTS AND COMMENTS: This time is set aside for the City Prosecutor to update the Administrative Appeals Board on important items initiated by staff or previously requested by the Board.

- Disposition Reports filings with the City Council pursuant to Palm Springs Municipal Code Section 2.50.110.

CITY CLERK'S REPORTS AND FUTURE MEETING DATES: This time is set aside for the City Clerk to update the Administrative Appeals Board on important items initiated by staff or previously requested by the Board.

ADJOURNMENT:

AFFIDAVIT OF POSTING

I, KATHLEEN D. HART, Interim City Clerk, of the City of Palm Springs, California, hereby certify this Agenda was posted at City Hall at or before 10:00 p.m., Saturday, July 22, 2017, and posted on the City's website as required by established policies and procedures.



KATHLEEN D. HART, MMC
INTERIM CITY CLERK

PUBLIC NOTICES

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