

ADMINISTRATIVE APPEALS BOARD CITY OF PALM SPRINGS, CALIFORNIA

City Hall Council Chamber
3200 E. Tahquitz Canyon Way
Palm Springs, CA 92262
www.palmspringsca.gov

AGENDA

**Friday
January 19, 2018**



**9:00 a.m.
Special Meeting**

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.

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. 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.

CALL TO ORDER

Chair James Reed

PLEDGE OF ALLEGIANCE

ROLL CALL:

Board Members Oliver Cleary, Bruce Cronander, John Kearns; Vice Chair Jerry Howard; and Chair James Reed

ACCEPTANCE OF THE AGENDA

PUBLIC COMMENT: 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.

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.

APPEAL HEARINGS

1. **APPEAL OF THE ADMINISTRATIVE DECISION THAT RAPHAEL FARSY AND CHARLOTTE FARSY ARE 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 471 SOUTH CALLE SEGUNDO, UNIT C8, PALM SPRINGS, CALIFORNIA (Farsy)**

RECOMMENDATION

1. Open the Appeal Hearing and accept public testimony.
2. a. Adopt a Resolution entitled “A RESOLUTION OF THE ADMINISTRATIVE APPEALS BOARD OF THE CITY OF PALM SPRINGS, CALIFORNIA, **UPHOLDING** THE ADMINISTRATIVE DECISION THAT RAPHAEL FARSY AND CHARLOTTE FARSY ARE PERMANENTLY INELIGIBLE TO OPERATE A VACATION RENTAL IN THE CITY OF PALM SPRINGS, INCLUDING THE PROPERTY LOCATED AT 471 S. CALLE EL SEGUNDO, UNIT C8, PALM SPRINGS, CALIFORNIA.”

OR

- b. Adopt a Resolution entitled “A RESOLUTION OF THE ADMINISTRATIVE APPEALS BOARD OF THE CITY OF PALM SPRINGS, CALIFORNIA, **OVERTURNING** THE ADMINISTRATIVE DECISION THAT RAPHAEL FARSY AND CHARLOTTE FARSY ARE PERMANENTLY INELIGIBLE TO OPERATE A VACATION RENTAL IN THE CITY OF PALM SPRINGS, INCLUDING THE PROPERTY LOCATED AT 471 S. CALLE EL SEGUNDO, UNIT C8, PALM SPRINGS CALIFORNIA.”
3. a. Adopt a Resolution entitled “A RESOLUTION OF THE ADMINISTRATIVE APPEALS BOARD OF THE CITY OF PALM SPRINGS, CALIFORNIA, **UPHOLDING** THE ADMINISTRATIVE FINE OF \$5,000.00 ISSUED TO RAPHAEL FARSY AND CHARLOTTE FARSY FOR OPERATING AN UNREGISTERED VACATION RENTAL PROPERTY LOCATED AT 471 S. CALLE EL SEGUNDO, UNIT C8, PALM SPRINGS, CALIFORNIA.”

OR

- b. Adopt a Resolution entitled “A RESOLUTION OF THE ADMINISTRATIVE APPEALS BOARD OF THE CITY OF PALM SPRINGS, CALIFORNIA, **OVERTURNING** THE ADMINISTRATIVE FINE OF \$5,000.00 ISSUED TO RAPHAEL FARSY AND CHARLOTTE FARSY FOR OPERATING AN UNREGISTERED VACATION RENTAL PROPERTY LOCATED AT 471 S. CALLE EL SEGUNDO, UNIT C8, PALM SPRINGS, CALIFORNIA.”

2. APPEAL OF THE ADMINISTRATIVE DECISION THAT REX TEGELAAR 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 1150 VIA TENIS #19, PALM SPRINGS, CALIFORNIA (Tegelaar)

RECOMMENDATION

1. Open the Appeal Hearing and accept public testimony.
2. a. Adopt a Resolution entitled “A RESOLUTION OF THE ADMINISTRATIVE APPEALS BOARD OF THE CITY OF PALM SPRINGS, CALIFORNIA, **UPHOLDING** THE ADMINISTRATIVE DECISION THAT REX TEGELAAR IS PERMANENTLY INELIGIBLE TO OPERATE A VACATION RENTAL IN THE CITY OF PALM SPRINGS, INCLUDING THE PROPERTY LOCATED AT 1150 VIA TENIS #19, PALM SPRINGS, CALIFORNIA.”

OR

- b. Adopt a Resolution entitled “A RESOLUTION OF THE ADMINISTRATIVE APPEALS BOARD OF THE CITY OF PALM SPRINGS, CALIFORNIA, **OVERTURNING** THE ADMINISTRATIVE DECISION THAT REX TEGELAAR IS PERMANENTLY INELIGIBLE TO OPERATE A VACATION RENTAL IN THE CITY OF PALM SPRINGS, INCLUDING THE PROPERTY LOCATED AT 1150 VIA TENIS #19, PALM SPRINGS, CALIFORNIA.”
3. a. Adopt a Resolution entitled “A RESOLUTION OF THE ADMINISTRATIVE APPEALS BOARD OF THE CITY OF PALM SPRINGS, CALIFORNIA, **UPHOLDING** THE ADMINISTRATIVE FINE OF \$5,000 ISSUED TO REX TEGELAAR FOR OPERATING AN UNREGISTERED VACATION RENTAL PROPERTY LOCATED AT 1150 VIA TENIS #19, PALM SPRINGS, CALIFORNIA.”

OR

- b. Adopt a Resolution entitled “A RESOLUTION OF THE ADMINISTRATIVE APPEALS BOARD OF THE CITY OF PALM SPRINGS, CALIFORNIA, **OVERTURNING** THE ADMINISTRATIVE FINE OF \$5,000.00 ISSUED TO REX TEGELAAR FOR OPERATING AN UNREGISTERED VACATION RENTAL PROPERTY LOCATED AT 1150 VIA TENIS #19, PALM SPRINGS, CALIFORNIA.”

3. APPEAL OF THE ADMINISTRATIVE DECISION THAT BARRY S. THARP AND KURT E. BRAND ARE 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 481 VILLAGE SQUARE WEST, PALM SPRINGS, CALIFORNIA (Tharp, Brand)

RECOMMENDATION

1. Open the Appeal Hearing and accept public testimony.
2. a. Adopt a Resolution entitled “A RESOLUTION OF THE ADMINISTRATIVE APPEALS BOARD OF THE CITY OF PALM SPRINGS, CALIFORNIA, **UPHOLDING** THE ADMINISTRATIVE DECISION THAT BARRY S. THARP AND KURT E. BRAND ARE PERMANENTLY INELIGIBLE TO OPERATE A VACATION RENTAL IN THE CITY OF PALM SPRINGS, INCLUDING THE PROPERTY LOCATED AT 481 VILLAGE SQUARE WEST, PALM SPRINGS, CALIFORNIA.”

OR

- b. Adopt a Resolution entitled “A RESOLUTION OF THE ADMINISTRATIVE APPEALS BOARD OF THE CITY OF PALM SPRINGS, CALIFORNIA, **OVERTURNING** THE ADMINISTRATIVE DECISION THAT BARRY S. THARP AND KURT E. BRAND ARE PERMANENTLY INELIGIBLE TO OPERATE A VACATION RENTAL IN THE CITY OF PALM SPRINGS, INCLUDING THE PROPERTY LOCATED AT 481 VILLAGE SQUARE WEST, PALM SPRINGS, CALIFORNIA.”
3. a. Adopt a Resolution entitled “A RESOLUTION OF THE ADMINISTRATIVE APPEALS BOARD OF THE CITY OF PALM SPRINGS, CALIFORNIA, **UPHOLDING** THE ADMINISTRATIVE FINE OF \$5,000.00 ISSUED TO BARRY S. THARP AND KURT E. BRAND FOR OPERATING AN UNREGISTERED VACATION RENTAL PROPERTY LOCATED AT 481 VILLAGE SQUARE WEST, PALM SPRINGS, CALIFORNIA.”

OR

- b. Adopt a Resolution entitled “A RESOLUTION OF THE ADMINISTRATIVE APPEALS BOARD OF THE CITY OF PALM SPRINGS, CALIFORNIA, **OVERTURNING** THE ADMINISTRATIVE FINE OF \$5,000.00 ISSUED TO BARRY S. THARP AND KURT E. BRAND FOR OPERATING AN UNREGISTERED VACATION RENTAL PROPERTY LOCATED AT 481 VILLAGE SQUARE WEST, PALM SPRINGS, CALIFORNIA.”

4. APPEAL OF THE ADMINISTRATIVE DECISION THAT LOUIS A. PONCE AND PAUL GONZALES ARE 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 2664 N. AURORA DRIVE, PALM SPRINGS, CALIFORNIA (Ponce, Gonzales)

RECOMMENDATION

1. Open the Appeal Hearing and accept public testimony.
2. a. Adopt a Resolution entitled “A RESOLUTION OF THE ADMINISTRATIVE APPEALS BOARD OF THE CITY OF PALM SPRINGS, CALIFORNIA, **UPHOLDING** THE ADMINISTRATIVE DECISION THAT LOUIS A. PONCE AND PAUL GONZALES ARE PERMANENTLY INELIGIBLE TO OPERATE A VACATION RENTAL IN THE CITY OF PALM SPRINGS, INCLUDING THE PROPERTY LOCATED AT 2664 N. AURORA DRIVE, PALM SPRINGS, CALIFORNIA.”

OR

- b. Adopt a Resolution entitled “A RESOLUTION OF THE ADMINISTRATIVE APPEALS BOARD OF THE CITY OF PALM SPRINGS, CALIFORNIA, **OVERTURNING** THE ADMINISTRATIVE DECISION THAT LOUIS A. PONCE AND PAUL GONZALES ARE PERMANENTLY INELIGIBLE TO OPERATE A VACATION RENTAL IN THE CITY OF PALM SPRINGS, INCLUDING THE PROPERTY LOCATED AT 2664 N. AURORA DRIVE, PALM SPRINGS CALIFORNIA.”
3. a. Adopt a Resolution entitled “A RESOLUTION OF THE ADMINISTRATIVE APPEALS BOARD OF THE CITY OF PALM SPRINGS, CALIFORNIA, **UPHOLDING** THE ADMINISTRATIVE FINE OF \$5,000.00 ISSUED TO LOUIS A. PONCE AND PAUL GONZALES FOR OPERATING AN UNREGISTERED VACATION RENTAL PROPERTY LOCATED AT 2664 N. AURORA DRIVE, PALM SPRINGS, CALIFORNIA.”

OR

- b. Adopt a Resolution entitled “A RESOLUTION OF THE ADMINISTRATIVE APPEALS BOARD OF THE CITY OF PALM SPRINGS, CALIFORNIA, **OVERTURNING** THE ADMINISTRATIVE FINE OF \$5,000.00 ISSUED TO LOUIS A. PONCE AND PAUL GONZALES FOR OPERATING AN UNREGISTERED VACATION RENTAL PROPERTY LOCATED AT 2664 N. AURORA DRIVE, PALM SPRINGS, CALIFORNIA.”

5. APPEAL OF THE ADMINISTRATIVE CITATION A5092 AND APPEAL OF THE ADMINISTRATIVE DECISION OF A TWO-YEAR SUSPENSION OF THE VACATION RENTAL REGISTRATION CERTIFICATE FOR THE PROPERTY LOCATED AT 1889 LOS ALAMOS ROAD, PALM SPRINGS, CALIFORNIA (Vespe)

RECOMMENDATION

1. Open the Appeal Hearing and accept public testimony.
2. a. Adopt a Resolution entitled “A RESOLUTION OF THE ADMINISTRATIVE APPEALS BOARD OF THE CITY OF PALM SPRINGS, CALIFORNIA, **UPHOLDING** THE ADMINISTRATIVE CITATION A5092 ISSUED TO LAURA CHRISTINA TEPOZANO MEDINA FOR THE PROPERTY LOCATED 1889 LOS ALAMOS ROAD, PALM SPRINGS, CALIFORNIA.”

OR

- b. Adopt a Resolution entitled “A RESOLUTION OF THE ADMINISTRATIVE APPEALS BOARD OF THE CITY OF PALM SPRINGS, CALIFORNIA, **OVERTURNING** THE ADMINISTRATIVE CITATION A5092 ISSUED TO LAURA CHRISTINA TEPOZANO MEDINA FOR THE PROPERTY LOCATED 1889 LOS ALAMOS ROAD, PALM SPRINGS, CALIFORNIA.”
3. a. Adopt a Resolution entitled “A RESOLUTION OF THE ADMINISTRATIVE APPEALS BOARD OF THE CITY OF PALM SPRINGS, CALIFORNIA, **UPHOLDING** THE ADMINISTRATIVE DECISION OF A TWO-YEAR SUSPENSION OF THE SHORT TERM VACATION RENTAL REGISTRATION CERTIFICATE FOR THE PROPERTY LOCATED 1889 LOS ALAMOS ROAD, PALM SPRINGS, CALIFORNIA.”

OR

- b. Adopt a Resolution entitled “A RESOLUTION OF THE ADMINISTRATIVE APPEALS BOARD OF THE CITY OF PALM SPRINGS, CALIFORNIA, **OVERTURNING** THE ADMINISTRATIVE DECISION OF A TWO-YEAR SUSPENSION OF THE SHORT TERM VACATION RENTAL REGISTRATION CERTIFICATE FOR THE PROPERTY LOCATED 1889 LOS ALAMOS ROAD, PALM SPRINGS, CALIFORNIA.”


OTHER BUSINESS

- 6. **APPROVAL OF MINUTES:** Special Meeting of November 17, 2017 and January 4, 2018.
- 7. **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.
- 8. **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.
- 9. **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, ANTHONY J. MEJIA, City Clerk, of the City of Palm Springs, California, hereby certify this Agenda was posted at City Hall before 6:00 p.m., January 11, 2018, and posted on the City’s website as required by established policies and procedures.



Anthony J. Mejia, MMC
City Clerk

PUBLIC NOTICES

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 Agenda Packets are available for public inspection at: City Hall Office of the City Clerk. Agenda and staff reports are available on the City’s website www.palmspringsca.gov. 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 the Office of the City Clerk, (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.