

**CITY COUNCIL
CITY OF PALM SPRINGS, CALIFORNIA**



**MEETING MINUTES
WEDNESDAY, FEBRUARY 20, 2013
CITY HALL COUNCIL CHAMBER**

CALL TO ORDER: Mayor Pougnet called the meeting to order at 6:10 p.m.

PLEDGE OF ALLEGIANCE: Palm Springs Air Force ROTC Junior Color Guard, led the Pledge.

INVOCATION: Father John Kavcak, Our Lady of Solitude Church, led the Invocation.

ROLL CALL:

PRESENT: Councilmember Foat, Councilmember Hutcheson, Councilmember Lewin, Mayor Pro Tem Mills, and Mayor Pougnet

ABSENT: None.

ALSO PRESENT: City Manager Ready, City Attorney Holland, City Clerk Thompson.

PRESENTATIONS:

Mayor Pougnet and the City Council presented Sgt. Troy Castillo a Certificate of Commendation for his service to the City.

Mayor Pougnet provided an update on the recent 2013 State of the City Event and the demolition of the Desert Fashion Plaza.

Mayor Pro Tem Mills and Councilmember Foat provided an update on the recent Modernism Opening events.

Councilmember Hutcheson and Councilmember Lewin announced the upcoming events for Modernism Week at the Palm Springs Convention Center.

Councilmember Lewin announced the Arts Patron of the Year awarded at the Palm Springs Fine Arts Fair.

Mayor Pougnet announced the upcoming Black History Month activities, the 2013 Mayor's Healthy City Healthy You Race, and the 75th Anniversary events.

REPORT OF CLOSED SESSION:

City Attorney Holland stated the meeting was called to order at 4:30 p.m. and the City Council recessed into Closed Session to discuss items on the posted Closed Session Agenda. City Attorney Holland reported the City Council provided direction to City Staff and the City Attorney, no reportable actions were taken.

ACCEPTANCE OF THE AGENDA:

Councilmember Lewin requested Item 2.L. be removed from the Consent Calendar for separate discussion.

Mayor Pro Tem Mills noted his abstention on Item 2.B. February 6, 2013, City Council minutes.

ACTION: Accept the Agenda as amended. **Motion Mayor Pro Tem Mills, seconded by Councilmember Hutcheson and unanimously carried on a roll call vote.**

1. **PUBLIC HEARINGS:** None.

PUBLIC COMMENT:

SHIRLEY ANEY, Palm Springs, commented on the traffic and speed on Farrell Drive, and requested a stop sign on Farrell at Sonora.

JOHN TYMON, Palm Springs, commented on repairs at his home and City Staff.

TUBEH DURRANI, thanked the City Council for the steps they are taking to revitalize Downtown, and commented on the VillageFest Board.

TOM ADAMO, Palm Springs, commented on Item 3.A. regarding fire sprinkler requirements.

GARY VESS, Palm Springs, commented on the traffic routing on Indian Canyon Drive.

JERRY NUMAN, Palm Springs, commented on Item 3.A. regarding fire sprinkler requirements.

BOB THOMAS, Palm Springs, announced an upcoming book signing at VillageFest.

COUNCILMEMBER COMMENTS:

Councilmember Lewin requested the State of the City video be played on PSCTV Channel 17.

CITY MANAGER'S REPORT:

City Manager Ready provided an update on Code Enforcement activities in the City.

2. **CONSENT CALENDAR:**

ACTION: Approve Items 2.A., 2.B., 2.C., 2.D., 2.E., 2.F., 2.G., 2.H., 2.I., 2.J., 2.K., and 2.M. **Motion Mayor Pro Tem Mills, seconded by Councilmember Hutcheson and unanimously carried on a roll call vote.**

- 2.A. REPORT ON THE POSTING OF THE AGENDA:**
ACTION: Receive and file Report on the Posting of the February 20, 2013, City Council Agenda. **Approved as part of the Consent Calendar.**
- 2.B. APPROVAL OF MINUTES:**
ACTION: Approve the City Council Minutes of February 6, 2013. **Approved as part of the Consent Calendar, noting the abstention of Mayor Pro Tem Mills.**
- 2.C. STAFF AUTHORIZED AGREEMENTS AND PURCHASE ORDERS FOR THE MONTH OF JANUARY 2013:**
ACTION: Receive and file the report of Staff Authorized Agreements and Purchase Orders for the period of January 1 through January 31, 2013. **Approved as part of the Consent Calendar.**
- 2.D. ACCEPT THE RESIGNATION OF JEFF MCLAUGHLIN FROM THE VILLAGEFEST BOARD:**
ACTION: 1) Accept with regret the resignation of Jeff McLaughlin from the VillageFest Board; and 2) Direct the City Clerk to post a Notice of Vacancy for the unexpired term ending June 30, 2014. **Approved as part of the Consent Calendar.**
- 2.E. ACCEPT THE RESIGNATION OF LARRY SMITH FROM THE PERSONNEL BOARD:**
ACTION: 1) Accept with regret the resignation of Larry Smith from the Personnel Board; and 2) Direct the City Clerk to post a Notice of Vacancy for the unexpired term ending June 30, 2013. **Approved as part of the Consent Calendar.**
- 2.F. AMENDMENT NO. 2 TO THE FISCAL YEAR 2012-13 ALLOCATED POSITIONS AND COMPENSATION PLAN TO PROVIDE FOR A SENIOR CODE COMPLIANCE OFFICER:**
ACTION: 1) Adopt Resolution No. 23305, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, APPROVING AMENDMENT NO. 2 TO THE FISCAL YEAR 2012-13 ALLOCATED POSITIONS AND COMPENSATION PLAN ADOPTED BY RESOLUTION NO. 23145;" and 2) Authorize the City Manager to execute all documents necessary to effectuate this action. **Approved as part of the Consent Calendar.**
- 2.G. AMENDED CITY POLICY ON DISCRIMINATION, HARASSMENT AND RETALIATION:**
ACTION: Receive and file the amended City Administrative Regulation on Discrimination, Harassment and Retaliation. **Approved as part of the Consent Calendar.**

- 2.H. AMENDMENT NO. 2 TO AGREEMENT NO. A6256 WITH PARSONS BRINCKERHOFF, INC. FOR AIRPORT PROFESSIONAL SERVICES:**
ACTION: 1) Approve Amendment No. 2 to Agreement No. A6256 with Parsons Brinckerhoff Inc. for additional services in the development of a new Airline Use and Lease Agreement, and engineering services for conceptual design development related to future improvements of the rental car facilities, in the amount of \$110,550; 2) Authorize the City Manager to execute all necessary documents; and 3) Authorize the City Manager to approve and execute change orders in an amount not to exceed 10% of the total contract amount, as required, to address changes in the project scope. A6256. **Approved as part of the Consent Calendar.**
- 2.I. AMENDING THE FISCAL YEAR 2012-13 BUDGET FOR THE CITY'S HOUSING ELEMENT UPDATE:**
ACTION: Adopt Resolution No. 23306, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, ACTING SOLELY IN ITS CAPACITY AS THE HOUSING SUCCESSOR AGENCY TO THE PALM SPRINGS COMMUNITY REDEVELOPMENT AGENCY, AMENDING THE FISCAL YEAR 2012-13 BUDGET FOR THE HOUSING ELEMENT UPDATE." **Approved as part of the Consent Calendar.**
- 2.J. DESIGNATION OF CITY OFFICERS TO EXECUTE EMERGENCY DISASTER ASSURANCES AND AGREEMENT FOR THE STATE OF CALIFORNIA OFFICE OF EMERGENCY SERVICES:**
ACTION: 1) Approve the Form 130 Disaster Designees as the City Manager/Director of Emergency Services, Fire Chief, and Director of Finance and Treasury; and 2) Direct the City Clerk to certify and transmit Form Cal EMA 130 to the Office of Emergency Services. **Approved as part of the Consent Calendar.**
- 2.K. SKATE PARK OPERATIONS AND MANAGEMENT FACILITY PROJECT APPROVE AN ESTIMATED COMPREHENSIVE SKATE PARK PROJECT BUDGET, AMEND THE FISCAL YEAR 2012-13 BUDGET, AND APPROVE AMENDMENT NO. 1 TO AGREEMENT NO. A6272 WITH INTERACTIVE DESIGN CORPORATION, IN THE AMOUNT OF \$30,100:**
ACTION: 1) Approve the estimated comprehensive budget for the new Skate Park Operations and Management Facility Project in the total amount of \$750,000; 2) Adopt Resolution No. 23307, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, AMENDING THE BUDGET FOR FISCAL YEAR 2012-13 FOR SKATE PARK OPERATIONS AND MANAGEMENT FACILITY PROJECT;" 3) Approve Amendment No. 1 to Agreement No. A6272 with Interactive Design Corporation, in the amount of \$30,100 for a total revised agreement amount of \$54,400 for the Skate Park design of the Skate Park Operations and Management Facility; and 4) Authorize the

City Manager to execute all necessary documents. A6272. **Approved as part of the Consent Calendar.**

2.M. ZONING MAP UPDATE AND CONVERSION TO GRAPHIC INTERFACE SYSTEM (GIS) FORMAT (CASE 5.1287):

ACTION: Receive and file the zoning map update and conversion to GIS format. **Approved as part of the Consent Calendar.**

EXCLUDED CONSENT CALENDAR:

2.L. SCULPTURE EXHIBITION PROPOSAL SUBMITTED BY THE SCULPTURE FOUNDATION:

Mayor Pougnet and Councilmember Lewin provided background information on the Sculpture Exhibition Program.

ACTION: Direct the Public Arts Commission to review and make a recommendation to the City Council. **Motion Councilmember Lewin, seconded by Mayor Pougnet and unanimously carried on a roll call vote.**

3. LEGISLATIVE:

3.A. INTRODUCTION OF AN ORDINANCE PERTAINING TO FIRE SPRINKLER REQUIREMENTS FOR A-2 (ASSEMBLY) OCCUPANCIES, INCLUDING RESTAURANTS AND BARS:

City Manager Ready and John Allen, Fire Chief, provided background information as outlined in the staff report dated February 20, 2013.

Councilmember Foat requested staff review other City codes to ensure City codes are reasonable.

Mayor Pro Tem Mills stated his support for the proposed ordinance, and notes the enhancements to the City Code.

ACTION: 1) Waive full reading of the ordinance text and introduce by title only on first reading Ordinance No. 1817, "AN ORDINANCE OF THE CITY OF PALM SPRINGS, CALIFORNIA, AMENDING SUBSECTION 27 OF SECTION 8.04.510 OF THE PALM SPRINGS MUNICIPAL CODE (SECTION 903.2.1.2 OF THE STATE FIRE CODE) PERTAINING TO FIRE SPRINKLER REQUIREMENTS FOR A-2 (ASSEMBLY) OCCUPANCIES, INCLUDING RESTAURANTS AND BARS;" and 2) Direct staff to schedule a public hearing on March 6, 2013, to consider the adoption of the proposed Ordinance. **Motion Mayor Pro Tem Mills, seconded by Councilmember Hutcheson and unanimously carried on a roll call vote.**

4. UNFINISHED BUSINESS:

4.A. APPROVAL OF PLANS, SPECIFICATIONS AND ESTIMATE (PS&E) AND AUTHORIZATION TO BID FOR BICYCLE LANES AND MODIFYING THE NON-MOTORIZED TRANSPORTATION PLAN CHANGING THE DESIGNATION ON VIA ESCUELA FROM CLASS II TO CLASS III (CP 12-08):

Dave Barakian, City Engineer, provided background information as outlined in the staff report dated February 20, 2013.

Mayor Pro Tem Mills questioned the use of sharrows on Indian Canyon as there are not residential parking issues on Indian Canyon.

Councilmember Lewin thanked staff for the additional work and incorporating sharrows.

ACTION: 1) Approve the plans, specifications and estimate and working details for Bicycle Lanes and authorize staff to advertise for bids (CP 12-08); and 2) Direct staff to initiate an amendment to the Circulation Element of the 2007 General Plan and Appendix F Non Motorized Transportation Master Plan, adopted by Resolution No. 22077, to amend the designation on Via Escuela from a Class II to a Class III Bike Lane. **Motion Councilmember Hutcheson, seconded by Councilmember Lewin and unanimously carried on a roll call vote.**

5. NEW BUSINESS:

5.A. MID-YEAR FISCAL YEAR 2012-13 BUDGET UPDATE:

Geoffrey Kiehl, Director of Finance, provided background information as outlined in the mid-year fiscal year 2012-13 budget dated February 20, 2013.

No action taken.

5.B. APPROVE AN AGREEMENT WITH ALBERT GROVER AND ASSOCIATES FOR TWO-WAY OPERATION FEASIBILITY STUDIES FOR PALM CANYON DRIVE, INDIAN CANYON DRIVE, AND ANDREAS ROAD:

Dave Barakian, City Engineer, provided background information as outlined in the staff report dated February 20, 2013.

Councilmember Lewin noted the importance of changing Andreas Road to a two-way roadway, and recommended the City Council include only Andreas Road for the traffic study at this time and delay Palm Canyon and Indian Canyon.

Councilmember Hutcheson stated his support for studying all three streets and having a plan for the revitalization of the Downtown area.

Mayor Pro Tem Mills questioned if the City needs a study for Andreas Road as staff should bring forward recommendations to change Andreas Road to two-way, stated his support for a traffic study for Indian Canyon along with a parking study with alternatives to slow traffic on Indian Canyon, and stated he is not in favor of changing Palm Canyon to a two-way street.

Councilmember Foat questioned if Andreas Road can just be done without the study, stated her support to remove Andreas Road from the study and design and build Andreas Road as a two-way street, and stated her support for doing the study on Palm Canyon and Indian Canyon.

Mayor Pougnet stated his support to include Indian Canyon in the study, and stated he is opposed to including Palm Canyon in the study.

ACTION: 1) Approve an agreement with Albert Grover and Associates in an amount not-to-exceed \$35,000, for two-way operation feasibility studies for Indian Canyon Drive, including bike lanes, pursuant to PSMC Section 7.04.030 Special Expertise Procurement; 2) Authorize the City Manager to execute the agreement; and 3) Adopt Resolution No. 23308, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, AMENDING THE BUDGET FOR FISCAL YEAR 2012-13 TO PROVIDE FUNDING FOR TWO-WAY TRAFFIC STUDY," *amending the resolution for the amount of the transfer to \$35,000.* A6325.
Motion Mayor Pro Tem Mills, seconded by Councilmember Foat and unanimously carried on a roll call vote.

MOTION: Include Palm Canyon for inclusion in the two-way traffic study.
Motion Councilmember Foat, seconded by Councilmember Hutcheson and failed 2-3 on a roll call vote.

AYES: Councilmember Foat, and Councilmember Hutcheson.

NOES: Councilmember Lewin, Mayor Pro Tem Mills, and Mayor Pougnet.

ACTION: Direct staff to proceed to modify Andreas Road as a two-way street, and bring forward plans and estimate. **Motion Mayor Pro Tem Mills, seconded by Councilmember Lewin and unanimously carried on a roll call vote.**

5.C. APPOINT AN ALTERNATE DIRECTOR TO THE EASTERN RIVERSIDE COUNTY INTEROPERABLE COMMUNICATIONS AUTHORITY (ERICA):

ACTION: Appoint Police Chief Franz as the City of Palm Springs Alternate Director to the Eastern Riverside County Interoperable Communications Authority (ERICA). **Motion Councilmember Foat, seconded by Councilmember Lewin and unanimously carried on a roll call vote.**

COUNCILMEMBER COMMENTS, REQUESTS, AND REPORTS:

Mayor Pro Tem Mills requested staff review speeding traffic and the roadway at Farrell Drive near Mesquite Road, requested staff address the four dead trees in the easement along Civic Drive and the rental car lots, commented on the new four-way stop sign at Avenida Caballeros and Via Escuela and requested staff extend the installation of the temporary stop signs for enforcement and to prepare motorists for the change.

Councilmember Foat stated she is working with the ONI to bring forward a change in the PSMC pertaining to green walls.

ADJOURNMENT: The City Council adjourned at 7:52 p.m. to Wednesday, March 6, 2013, at 6:00 p.m. Council Chamber, City Hall, preceded by Closed Session, Small Conference Room, City Hall, 3200 East Tahquitz Canyon Way, Palm Springs.

APPROVED BY A MOTION OF THE PALM SPRINGS CITY COUNCIL THIS 6TH DAY OF MARCH, 2013.

STEPHEN P. POUQUET, MAYOR

ATTEST:

JAMES THOMPSON, CITY CLERK

**CITY COUNCIL
CITY OF PALM SPRINGS, CALIFORNIA**



**MEETING MINUTES
WEDNESDAY, JANUARY 16, 2013
CITY HALL COUNCIL CHAMBER**

CALL TO ORDER: Mayor Pougnet called the meeting to order at 6:15 p.m.

PLEDGE OF ALLEGIANCE: Councilmember Lewin led the Pledge.

INVOCATION: Pastor David Sanger, Our Savior's Community Church, led the Invocation.

ROLL CALL:

PRESENT: Councilmember Foat, Councilmember Hutcheson, Councilmember Lewin, Mayor Pro Tem Mills (arrived at 6:20 p.m.), and Mayor Pougnet.

ABSENT: None.

ALSO PRESENT: City Manager Ready, City Attorney Holland, City Clerk Thompson.

PRESENTATIONS:

Mayor Pougnet announced the upcoming Clinton Health Matters Conference and the ribbon cutting event for the new materials-sorting equipment at the Palm Springs Public Library.

Councilmember Lewin provided an update on the recent Human Rights Commission Annual Awards Ceremony.

Mayor Pougnet provided an update on the Palm Springs International Film Festival events, announced the upcoming Billy Blanks event at the Palm Springs Wellness Park, the Measure J Application process, and the City of Palm Springs 75th Anniversary events.

REPORT OF CLOSED SESSION:

City Attorney Holland stated the meeting was called to order at 4:30 p.m. and the City Council recessed into Closed Session to discuss items on the posted Closed Session Agenda.

City Attorney Holland reported the City Council provided direction to City Staff with regard to items on the Closed Session Agenda, and authorized the Initiation of Litigation against the Cal. Department of Finance regarding a loan from the former Palm Springs

Redevelopment Agency to a third party, and stated the terms of the litigation will be made public upon filing of the complaint.

Councilmember Mills arrived at 6:20 p.m.

ACCEPTANCE OF THE AGENDA:

City Clerk Thompson recommended Item 4.A. be moved to the Consent Calendar as Item 2.H.

ACTION: Accept the Agenda as amended. **Motion Councilmember Lewin, seconded by Mayor Pro Tem Mills and unanimously carried on a roll call vote.**

1. PUBLIC HEARINGS:

1.A. DESIGNATION OF THE J.W. ROBINSONS DEPARTMENT STORE/ROBINSONS SPECIALTY SHOPS/THE ALLEY BUILDING LOCATED AT 333 - 343 SOUTH PALM CANYON DRIVE AS A CLASS 1 HISTORIC SITE (HSPB 84):

Craig Ewing, Director of Planning Services, provided background information as outlined in the staff report dated January 16, 2013.

Mayor Pougnet opened the public hearing and the following speakers addressed the City Council.

ERIK ROSENOW, Palm Springs, provided background information on the site, and stated his support for the historic designation of the site.

CHRIS MENRAD, stated his support for the historic designation of the site.

PATRICK MCGREW, Palm Springs, provided history of the architecture of the building, and requested the City Council support the historic designation of the site.

RON MARSHALL, Palm Springs, commented on the site selection survey, provided historic background information on the site, and requested the City Council support the historic designation.

LEE GLENN, Palm Springs, stated it was an easy decision to support the designation of the building, provided information on the current state of the building, and requested the City Council support the historic designation.

No further speakers coming forward, the public hearing was closed.

Councilmember Hutcheson commented on the opposition of the current owner to the historic designation, and after consideration supports the historic designation of this building.

Councilmember Lewin stated his concurrence with Councilmember Hutcheson, and noted the proximity to other historic properties such as the historic Racquet Club.

Councilmember Foat stated her support of the designation, commented on the reasons for the owner's opposition, requested the background information on all the historic designations be compiled in a source document, and requested staff ensure that the parking lot is included in the designation.

Mayor Pro Tem Mills commented on the significance of the building, the current owner's opposition, requested staff address the requirements that would be imposed during a remodel or routine maintenance, and stated his support of the designation.

Mayor Pougnet stated his support for the designation, and commented on the letter provided by the real estate agent.

ACTION: Adopt Resolution No. 23288, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, DESIGNATING THE PROPERTY LOCATED AT 333 - 343 SOUTH PALM CANYON DRIVE (J.W. ROBINSONS DEPARTMENT STORE/ROBINSONS SPECIALTY SHOPS/THE ALLEY BUILDING) AS A CLASS 1 HISTORIC SITE (HSPB 84); *"amending Section 3 to read 'Based upon the foregoing, the City Council does hereby adopt a Statement of Historic Significance attached hereto as Exhibit A, and designate as a Class 1 Historic Site the building and the entire site, including the parking lot, at 333-343 South Palm Canyon Drive (J.W. Robinsons Department Store/Robinsons Specialty Shops/The Alley), subject to the following conditions."* **Motion Councilmember Hutcheson, seconded by Councilmember Foat and unanimously carried on a roll call vote.**

PUBLIC COMMENT:

HAROLD MATZNER, commented on the successful 2013 Palm Springs International Film Festival, and stated his support for the proposed hotel at the Downtown Palm Springs site.

HAROLD MEYERMAN, stated his support for the proposed hotel at the Downtown Palm Springs site.

STEVEN NASH, stated his support for the proposed hotel at the Downtown Palm Springs site and the redevelopment of the City.

JOHN TYMON, Palm Springs, commented on a recent police report, problems at his home and issues with City Staff.

THEMA JOHANNSEN, introduced the Synthetic Grass Depot, and requested the City Council consider synthetic grass.

THOMAS ALLEN WORTHY, Palm Springs, commented on a recent incident with the Palm Springs Police Department.

CATHERINE ROBINSON, commented on the current signature gatherers circulating a referendum petition, and stated her support for the revitalization of Downtown.

AMANDA CHERREY, stated her support for the revitalization of Downtown.

BOB HELBLING, Palm Springs, stated his support for the revitalization of Downtown, and commented on a referendum petition being circulated in the City.

ELAINE CLERMONT, read a statement by Nikohl Vandel.

DEBBIE ANDERSON, stated her support for the revitalization of Downtown Palm Springs.

NICK GRONKOWSKI, commented on Item 5.C., and requested the City Council support the Film Friendly Marketing Incentive Program.

VICTOR YEPELLO, commented on the revitalization of Downtown Palm Springs and the Downtown redevelopment project.

TOM SWANN, commented on the Citizens United case, and requested the City Council place a resolution on a future agenda opposing corporate campaign contributions.

NANCY GUTIERREZ, commented on the Citizens United case, and requested the City Council place a resolution on a future agenda opposing corporate campaign contributions.

CAROLYN KRAUSE, commented on the Citizens United case, and requested the City Council place a resolution on a future agenda opposing corporate campaign contributions.

CAROLANN BOULDIN, commented on the Citizens United case, and requested the City Council place a resolution on a future agenda opposing corporate campaign contributions.

MARK JONES, announced the upcoming Palm Springs Women's Jazz Festival.

SUSAN MYRLAND, announced the upcoming Palm Springs Fine Art Fair.

JOE ENOS, commented on the revitalization of Downtown Palm Springs, and stated his support for the proposed hotel at the Downtown Palm Springs project.

DONNA CHABAN-DELMAS, Palm Springs, commented on the revitalization of Downtown Palm Springs, and stated her support for the proposed hotel at the Downtown Palm Springs project.

SCOTT WHITE, commented on the revitalization of Downtown Palm Springs, and stated his support for the proposed hotel at the Downtown Palm Springs project.

ANTHONY CLARK, commented on the revitalization of Downtown Palm Springs, and stated his support for the proposed hotel at the Downtown Palm Springs project.

SAM SPINELLO, commented on the revitalization of Downtown Palm Springs, and stated his support for the proposed hotel at the Downtown Palm Springs project.

BRADY SANDAHL, commented on the revitalization of Downtown Palm Springs, and stated his support for the proposed hotel at the Downtown Palm Springs project.

JOY MEREDITH, commented on Item 5.A. and Item 5.C., requested the City Council support Uptown crosswalks and the Film Friendly Incentive Program, and commented on a referendum petition being circulated.

STEVE ROSENBERG, Palm Springs, commented on the referendum petition being circulated, stated his support for the proposed hotel at the Downtown Palm Springs project, and commented on the Palm Springs International Airport Commission.

COUNCILMEMBER COMMENTS: None.

CITY MANAGER'S REPORT:

City Manager Ready provided an update on the recent Park Users Group Community Meeting, and announced the upcoming Downtown Tours performed by City Staff and invited the public and business community to attend.

2. CONSENT CALENDAR:

ACTION: Approved Items 2.A., 2.B., 2.C., 2.D., 2.E., 2.F., 2.G. and 2.H. **Motion Councilmember Hutcheson, seconded by Councilmember Lewin and unanimously carried on a roll call vote.**

2.A. REPORT ON THE POSTING OF THE AGENDA:

ACTION: Receive and file Report on the Posting of the January 16, 2013, City Council Agenda. **Approved as part of the Consent Calendar.**

- 2.B. APPROVAL SEWER CONNECTION EXEMPTION AT 565 SANTA ROSA DRIVE:**
ACTION: Approve the sewer connection exemption at 565 Santa Rosa Drive, pursuant to City Council Resolution No. 15188. **Approved as part of the Consent Calendar.**
- 2.C. RESOLUTION OF PUBLIC CONVENIENCE OR NECESSITY FOR TWO BLACK FLATCOATS, INC., TO SELL BEER AND WINE AT THE EXISTING HOTEL LOCATED AT 1330 EAST PALM CANYON DRIVE:**
ACTION: Adopt Resolution No. 23289, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, OF PUBLIC CONVENIENCE IN ORDER TO SELL BEER AND WINE FOR CONSUMPTION ON - OR OFF-SITE (TYPE 42 STATE ALCOHOLIC BEVERAGE CONTROL LICENSE) FOR PROPERTY LOCATED AT 1330 EAST PALM CANYON DRIVE." **Approved as part of the Consent Calendar.**
- 2.D. STAFF AUTHORIZED AGREEMENTS AND PURCHASE ORDERS FOR THE MONTH OF DECEMBER 2012:**
ACTION: Receive and file the report of Staff Authorized Agreements and Purchase Orders for the period of December 1 through December 31, 2012. **Approved as part of the Consent Calendar.**
- 2.E. TREASURER'S INVESTMENT REPORT AS OF NOVEMBER 30, 2012:**
ACTION: 1) Receive and file the Treasurer's Investment Report as of November 30, 2012. **Approved as part of the Consent Calendar.**
- 2.F. AGREEMENT TO PURCHASE 15 ACRES OF REAL PROPERTY FROM MORRIS COMMUNICATIONS COMPANY, LLC LOCATED AT THE NORTHWEST CORNER OF CHINO CANYON CREEK AND HIGHWAY 111:**
ACTION: 1) Approve an agreement to purchase 15 acres of real property from Morris Communications Company, LLC located at the northwest corner of Chino Canyon Creek and Highway 111 (APN 669-230-010 and 669-230-011); and 2) Adopt Resolution No. 23290, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, AMENDING THE BUDGET FOR FISCAL YEAR 2012-13 FOR THE PURCHASE OF 15 ACRES OF REAL PROPERTY LOCATED AT THE NORTHWEST CORNER OF CHINO CANYON CREEK AND HIGHWAY 111 FOR OPEN SPACE PRESERVATION;" and 2) Authorize the City Manager to execute all necessary documents." A6315. **Approved as part of the Consent Calendar.**

2.G. APPROVE A PUBLIC UTILITY EASEMENT ON THE SOUTH SIDE OF EAST CIVIC DRIVE AND WEST OF NORTH CIVIC DRIVE:

ACTION: 1) Approve a Public Utility Easement on City owned property generally located on the south side of East Civic Drive and west of North Civic Drive (APN 502-100-013); and 2) Authorize the City Manager to execute the Public Utility Easement in a form approved by the City Attorney. **Approved as part of the Consent Calendar.**

2.H. CONSIDER G & M CONSTRUCTION'S REQUEST TO WAIVE LIQUIDATED DAMAGES ASSESSMENT ON BELARDO BRIDGE AND ROADWAY PROJECT (A6129):

ACTION: 1) Approve Change Order No. 12 to Agreement No. A6129 with G & M Construction granting 23 additional working days; and 2) Authorize the City Manager to execute all necessary documents. A6129. **Approved as part of the Consent Calendar.**

EXCLUDED CONSENT CALENDAR: None.

3. LEGISLATIVE:

4. UNFINISHED BUSINESS:

4.A. CONSIDER G & M CONSTRUCTION'S REQUEST TO WAIVE LIQUIDATED DAMAGES ASSESSMENT ON BELARDO BRIDGE AND ROADWAY PROJECT (A6129):

Moved and approved as part of the Consent Calendar as Item 2.H.

5. NEW BUSINESS:

5.A. PLACEMENT AND PURCHASE OF NEW CROSSWALKS AND IMPROVEMENTS IN THE UPTOWN AREA OF PALM SPRINGS FUNDED BY MEASURE J:

City Manager Ready provided background information as outlined in the staff report dated January 16, 2013.

Councilmember Lewin stated his support for the crosswalks, requested City Staff work with the surrounding areas regarding the type and style of crosswalks.

Councilmember Hutcheson stated his support for the crosswalks, recommended the City Council add additional crosswalks, and requested an update on the study for the traffic signal improvements near Sunrise Way and Ramon Road.

Mayor Pro Tem Mills stated his support for the installation of crosswalks, commented on the different types of crosswalks, stated the City needs to consider the installation of "pop-outs" as well to reduce the traffic speed, expressed concern with bus stops without crosswalks, and stated the City needs crosswalks with more of a design element.

Mayor Pougnet stated his support for more design elements incorporated into the crosswalks.

Councilmember Foat stated the crosswalk at Merito Place is a priority and stated just a flashing light may not slow the traffic, and recommended City Staff review the speed limits in that area.

Councilmember Lewin commented on in-ground lighted crosswalks, recommended the City Council move forward with crosswalks and look at "cut-outs" at a later time with additional study, and stated cut-outs will limit bike lanes.

Mayor Pougnet requested the City Engineer comment on the additional time that would be needed to review "pop-outs" at the intersections.

ACTION: 1) Determine the location(s) of new crosswalks and improvements in the Uptown Area funded by Measure J as Palm Canyon Drive at West Chino Road, Merito Place, Vereda Sur and Indian Canyon Drive at Granvia Valmonte; 2) Authorize staff to design the crosswalks with curb "pop-outs" and flashing beacon devices with a design element and return to the City Council. **Motion Councilmember Lewin, seconded by Councilmember Foat and unanimously carried on a roll call vote.**

5.B. DISCUSS EXCLUSIVE SOLID WASTE AGREEMENT WITH PALM SPRINGS DISPOSAL SERVICES (PSDS) AND ALTERNATIVES:

City Manager Ready provided background information as outlined in the staff report dated January 16, 2013.

Councilmember Lewin stated his support for once-a-week waste collection, and requested PSDS address if solid waste collection would be one day for the entire City.

Councilmember Foat thanked PSDS for their exceptional public service, stated her support for once per week waste collection service.

Councilmember Hutcheson commented on the reduction in cost, and thanked PSDS for the reduction in rates for waste collection.

Mayor Pro Tem Mills stated PSDS along with City Staff stepped up to the plate in preparing the City Council.

Mayor Pougnet thanked PSDS for their excellent customer service, and noted the lack of complaints regarding waste collection.

ACTION: Direct staff to proceed and finalize contract negotiations with Palm Springs Disposal Services, and return to the City Council for approval of a 15-year exclusive solid waste contract. A4727. **By unanimous consent of the City Council.**

5.C. CITY OF PALM SPRINGS FILM FRIENDLY MARKETING INCENTIVE PROGRAM:

City Manager Ready provided background information as outlined in the staff report dated January 16, 2013.

Councilmember Lewin commented on the benefits of the Film Friendly Incentive Program.

Councilmember Foat requested staff address the required amount to be spent to qualify for the program and the inclusion of photo shoots.

Mayor Pro Tem Mills stated his support of the program, and questioned if the City will provide an interface with the CVB or other entity.

ACTION: 1) Direct Staff to implement the Palm Springs Film Friendly Marketing Incentive Program; 2) Extend the suspension of Film and Location Permit Fees enacted by Resolution No. 23088, for two additional years; and 3) Authorize the City Manager to execute budget adjustments as required for funding in the amount of \$15,000 from Palm Springs Resorts and \$20,000 from Continuing Appropriation. **Motion Councilmember Lewin, seconded by Councilmember Hutcheson and unanimously carried on a roll call vote.**

5.D. APPOINTMENT OF A CITY COUNCIL AD HOC SUBCOMMITTEE FOR THE WALK OF STARS:

No action taken to create a Subcommittee.

COUNCILMEMBER COMMENTS, REQUESTS, AND REPORTS:

Councilmember Lewin provided a report on the CVAG Public Safety Committee, and commented on the Downtown Revitalization Project with respect to wrapping construction fencing.

Councilmember Foat requested the City Manager include Uptown with the Downtown walks, requested staff review tree wells, trash bins, and empty cement containers in the Uptown area, and provided an update on the Palm Springs Animal Shelter.

Mayor Pougnet thanked the City Council for their support of health and wellness issues and requested the Sustainability Subcommittee review the Sustainability Master Plan for health and wellness issues and programs.

ADJOURNMENT: The City Council adjourned at 9:03 p.m. to Wednesday, February 6, 2013, at 6:00 p.m. Council Chamber, City Hall, preceded by Closed Session, Small Conference Room, City Hall, 3200 East Tahquitz Canyon Way, Palm Springs.

**APPROVED BY A MOTION OF THE PALM SPRINGS CITY COUNCIL THIS
6TH DAY OF MARCH, 2013.**

STEPHEN P. POGNET, MAYOR

ATTEST:

JAMES THOMPSON, CITY CLERK

**CITY COUNCIL
CITY OF PALM SPRINGS, CALIFORNIA**



**MEETING MINUTES
WEDNESDAY, JANUARY 2, 2013
CITY HALL COUNCIL CHAMBER**

CALL TO ORDER: Mayor Pougnet called the meeting to order at 6:13 p.m.

PLEDGE OF ALLEGIANCE: Boy Scout Troop 262, led the Pledge.

INVOCATION: Rev. Amanda Burr, United Methodist Church, led the Invocation.

ROLL CALL:

PRESENT: Councilmember Foat, Councilmember Hutcheson, Councilmember Lewin, Mayor Pro Tem Mills, and Mayor Pougnet.

ABSENT: None.

ALSO PRESENT: City Manager Ready, City Attorney Holland, City Clerk Thompson.

PRESENTATIONS:

Riverside County Date Festival Queen Sheherazade and her Court announced the upcoming Riverside County Fair and Date Festival.

Mayor Pougnet announced the upcoming 2013 Palm Springs International Film Festival, the Mayor's Healthy Planet and Healthy You events, the Measure J Oversight Commission's acceptance of applications for Measure J funding, and the City of Palm Springs' 75th Anniversary events and activities.

REPORT OF CLOSED SESSION:

City Attorney Holland stated the meeting was called to order at 4:30 p.m. and the City Council recessed into Closed Session to discuss items on the posted Closed Session Agenda.

City Attorney Holland reported the City Council provided direction to the City Attorney and City Staff on items on the Closed Session Agenda, and stated no reportable actions were taken.

ACCEPTANCE OF THE AGENDA:

ACTION: Accept the Agenda as presented. **Motion Councilmember Hutcheson, seconded by Councilmember Foat and unanimously carried on a roll call vote.**

1. PUBLIC HEARINGS:

1.A. APPEAL OF THE PLANNING COMMISSION DECISION BY DESERT SCAPES WELDING, INC. TO OVERTURN THE DENIAL OF THE RELOCATION OF DRIVEWAY GATES FOR TWO INDUSTRIAL BUILDINGS LOCATED AT 1233 & 1235 SOUTH GENE AUTRY TRAIL (CASE 3.0452 MAA):

Craig Ewing, Director of Planning Services, provided background information as outlined in the staff report dated January 2, 2013.

Mayor Pougnet opened the public hearing, and the following speakers addressed the City Council.

DICK BAXLEY, Appellant, Property Manager, stated he has letters from 10 owners in the complex requesting the City Council support the location of the gates, and stated parking and outdoor storage has not been a problem.

RICK PUCKETT, Desert Scapes Welding, stated at the request of a tenant he build the gate to block the view of the activites at his property, stated the owners of the complex would like to change the requirements of the code with respect to outdoor storage, stated parking is not an issue but theft is an issue without the gates, and requested the City Council support the relocation of the gates.

RUSSELL WALKE, commented on the problem with the relocation of the gates and security, stated parking is not a problem, and requested the City Council approve the relocation of the gates.

JOE DENNIS, stated the complex has parking issues and the gates restrict the parking, commented on the outside uses behind the gate and stored materials in the parking and landscape areas, and requested the City Council deny the appeal.

No further speakers coming forward, the public hearing was closed.

The City Council discussed and/or commented on the following with respect to the appeal: is storage and outdoor fabrication allowed, the zoning of the property and if the project was approved by a PDD, discussed the other uses and businesses and the shared parking at the site, other changes made to the landscaping and other interior changes in the project, working with the current businesses to develop a plan that is agreeable to all the businesses, parking spaces used for outside storage, and the Planning Commission decision.

ACTION: Adopt Resolution No. 23287, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, DENYING THE APPEAL BY DESERT SCAPES WELDING, INC. AND UPHOLDING THE DECISION OF THE PLANNING COMMISSION TO DENY A REQUEST TO RELOCATE DRIVEWAY GATES AT 1233 AND 1235 SOUTH GENE AUTRY TRAIL (CASE 3.0452 MAA)." **Motion Councilmember Lewin, seconded by Mayor Pro Tem Mills and carried 3-2 on a roll call vote.**

AYES: Councilmember Lewin, Mayor Pro Tem Mills, and Mayor Pougnet.

NOES: Councilmember Foat and Councilmember Hutcheson.

1.B. DESIGNATE A RESIDENTIAL PROPERTY DEVELOPED WITH A SINGLE FAMILY HOME AND ACCESSORY STRUCTURES AS A CLASS 1 HISTORIC SITE LOCATED AT 992 EAST LA JOLLA ROAD (CASE HSPB 85):

Craig Ewing, Director of Planning Services, provided background information as outlined in the staff report dated January 2, 2013.

Mayor Pougnet opened the public hearing, and the following speakers addressed the City Council.

PATRICK McGREW, provided background information on the property and the site, and requested the City Council support the historic designation.

No further speakers coming forward, the public hearing was closed.

The City Council discussed and/or commented on the following with respect to the proposed historic designation: the merits of the historic designation and the creation of a historic district.

ACTION: Adopt Resolution No. 23283, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, DESIGNATING THE PROPERTY LOCATED AT 992 EAST LA JOLLA ROAD/TWIN PALMS ESTATE MODEL A2 RESIDENCE AS A CLASS 1 HISTORIC SITE (HSPB 85)." **Motion Councilmember Foat, seconded by Mayor Pougnet and unanimously carried on a roll call vote.**

PUBLIC COMMENT:

JOHN TYMON, commented on a recent police report regarding his activities at City Hall.

GEORGE MARANTZ, commented on Item 4.B., commented on the changes to the project and additional work that was required to be completed, but no additional time was provided to complete the work.

COUNCILMEMBER COMMENTS: None.

CITY MANAGER'S REPORT: None.

2. CONSENT CALENDAR:

ACTION: Approve Items 2.A., 2.B., 2.C., 2.D., 2.E., 2.F., 2.G., 2.H., 2.I., 2.J., and 2.K. **Motion Councilmember Lewin, seconded by Councilmember Foat and unanimously carried on a roll call vote.**

2.A. REPORT ON THE POSTING OF THE AGENDA:

ACTION: Receive and file Report on the Posting of the January 2, 2013, City Council Agenda. **Approved as part of the Consent Calendar.**

2.B. ACCEPT THE RESIGNATION OF TIMOTHY BROWN FROM THE PUBLIC ARTS COMMISSION:

ACTION: 1) Accept with regret the resignation of Timothy Brown from the Public Arts Commission; and 2) Direct the City Clerk to post a Notice of Vacancy for the unexpired term ending June 30, 2013. **Approved as part of the Consent Calendar.**

2.C. APPROVAL OF PAYROLL WARRANTS, CLAIMS AND DEMANDS:

ACTION: 1) Adopt Resolution No. 23284, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, APPROVING PAYMENT OF PAYROLL WARRANTS FOR THE PERIOD ENDED 12-08-12 BY WARRANTS NUMBERED 417920 THROUGH 417944 TOTALING \$54,467.36, LIABILITY CHECKS NUMBERED 1060370 THROUGH 1060394 TOTALING \$124,684.13, FIVE WIRE TRANSFERS FOR \$74,995.20 AND THREE ELECTRONIC ACH DEBITS OF \$1,412,527.85 IN THE AGGREGATE AMOUNT OF \$1,666,674.54, DRAWN ON BANK OF AMERICA;" and 2) Adopt Resolution No. 23285, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, APPROVING PAYMENT OF CLAIMS AND DEMANDS BY WARRANTS NUMBERED 1060395 THROUGH 1060551 IN THE AGGREGATE AMOUNT OF \$1,745,663.07, DRAWN ON BANK OF AMERICA." **Approved as part of the Consent Calendar.**

2.D. PROFESSIONAL SERVICES AGREEMENT WITH DMC DESIGN GROUP, INC. FOR THE MESQUITE AVENUE WIDENING PROJECT (WEST OF BELARDO ROAD) IN THE AMOUNT OF \$78,991 (CP 12-01):

ACTION: 1) Approve an agreement with DMC Design Group, Inc., in the amount of \$78,991 for environmental and civil engineering design services related to the widening of Mesquite Avenue, west of Belardo Road (CP

12-01); and 2) Authorize the City Manager to execute all necessary documents. A6313. **Approved as part of the Consent Calendar.**

2.E. PROPOSED EXTENSION OF THE SERVICE FEE COLLECTED ON BEHALF OF THE RIVERSIDE COUNTY ABANDONED VEHICLE ABATEMENT SERVICE AUTHORITY UNTIL MAY 2024:

ACTION: Adopt Resolution No. 23286, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, AUTHORIZING THE EXTENSION OF THE SERVICE FEE COLLECTED ON BEHALF OF THE RIVERSIDE COUNTY ABANDONED VEHICLE ABATEMENT SERVICE AUTHORITY UNTIL MAY 2024." **Approved as part of the Consent Calendar.**

2.F. PALM SPRINGS APPOINTMENT TO THE EASTERN RIVERSIDE COUNTY INTEROPERABLE COMMUNICATIONS AUTHORITY (ERICA):

ACTION: Re-appoint Councilmember Paul Lewin as the Palm Springs Representative to the Eastern Riverside County Interoperable Communications Authority (ERICA). **Approved as part of the Consent Calendar.**

2.G. AMENDMENT NO. 5 TO AGREEMENT NO. A5630 WITH MAXWELL SECURITY FOR SECURITY SERVICES AT CITY OWNED FACILITIES:

ACTION: 1) Approve Amendment No. 5 to Agreement No. A5630 with Maxwell Security to include additional security services for the Downtown Palm Springs surface parking lot and parking structure; and 2) Authorize the City Manager to execute all necessary documents. A5630. **Approved as part of the Consent Calendar.**

2.H. ACCEPT THE RESIGNATION OF RANEE SCHAAFSMA FROM THE SUSTAINABILITY COMMISSION:

ACTION: 1) Accept with regret the resignation of Ranee Schaafsma from the Sustainability Commission; and 2) Direct the City Clerk to post a Notice of Vacancy for the unexpired term ending June 30, 2014. **Approved as part of the Consent Calendar.**

2.I. RATIFY AND APPOINT THE NOMINATION OF THE CITY OF COACHELLA TO THE PALM SPRINGS INTERNATIONAL AIRPORT COMMISSION FOR THE TERM ENDING DECEMBER 31, 2013:

ACTION: Reappoint David Garcia, as the City of Coachella representative, to the Palm Springs International Airport Commission for the term ending December 31, 2013. **Approved as part of the Consent Calendar.**

2.J. ACCEPT THE RESIGNATION OF TERRI METTIE FROM THE SUSTAINABILITY COMMISSION:

ACTION: 1) Accept with regret the resignation of Terri Mettie from the Sustainability Commission; and 2) Direct the City Clerk to post a Notice of Vacancy for the unexpired term ending June 30, 2014. **Approved as part of the Consent Calendar.**

2.K. APPROVAL OF MINUTES:

ACTION: Approve the City Council Minutes of December 19, 2012. **Approved as part of the Consent Calendar.**

EXCLUDED CONSENT CALENDAR: None.

3. LEGISLATIVE:

3.A. SECOND READING AND ADOPTION OF ORDINANCE NO. 1816, APPROVING PLANNED DEVELOPMENT DISTRICT 341 IN LIEU OF A CHANGE OF ZONE AT THE NORTHWEST CORNER OF EAST TAHQUITZ CANYON WAY AND HERMOSA DRIVE:

Craig Ewing, Director of Planning Services, provided background information as outlined in the staff report dated January 2, 2013.

ACTION: Waive further reading and adopt Ordinance No. 1816, "AN ORDINANCE OF THE CITY OF PALM SPRINGS, CALIFORNIA, APPROVING PLANNED DEVELOPMENT DISTRICT 341 IN LIEU OF A CHANGE OF ZONE FOR A ROUGHLY 10-ACRE PARCEL AT THE NORTHWEST CORNER OF EAST TAHQUITZ CANYON WAY AND HERMOSA DRIVE (PDD 341)." **Motion Mayor Pro Tem Mills, seconded by Councilmember Lewin and unanimously carried on a roll call vote.**

4. UNFINISHED BUSINESS:

4.A. CITY COUNCIL AD HOC SUBCOMMITTEE REPORT ON THE POLICY AND ISSUE OF "TAKE" PURSUANT TO THE GUIDELINES OF THE COACHELLA VALLEY MULTIPLE SPECIES HABITAT CONSERVATION PLAN:

The ad hoc City Council Subcommittee, Councilmember Lewin and Mayor Pro Tem Mills, provided an update on the issue of "TAKE" within the CVMSHCP.

ACTION: Direct staff to approach the applicant to determine if the applicant would consider a like for like exchange pursuant to the Coachella Valley Multiple Species Habitat Conservation Plan. **By consensus of the City Council.**

4.B. CONSIDER G & M CONSTRUCTION'S REQUEST TO WAIVE LIQUIDATED DAMAGES ASSESSMENT ON BELARDO BRIDGE AND ROADWAY PROJECT (A6129):

Dave Barakian, City Engineer, provided background information as outlined in the staff report dated January 2, 2013.

The City Council discussed and/or commented on the following with respect to the assessment of liquidated damages: the amount of extra work that was performed to complete the bridge and roadway, the issuance of a Change Order for the extra work performed, questioned if G & M requested additional days at the time of the change order, the source of the funds for the additional work, and disposal of the additional rock.

ACTION: Table to the meeting of January 16, 2013. **By consensus of the City Council.**

5. NEW BUSINESS:

5.A. REQUEST FOR CITY SPONSORSHIP OF THE SECOND ANNUAL 2013 MAYOR'S HEALTHY PLANET HEALTHY YOU RACE AND WELLNESS FESTIVAL IN THE AMOUNT OF \$50,000:

Mayor Pougnet outlined the request for sponsorship and the public benefit of the event.

ACTION: 1) Approve the City Sponsorship of the 2013 Mayor's Healthy Planet Healthy You Race and Wellness Festival in the amount of \$50,000; 2) Direct staff to fund the sponsorship from the Sustainability Fund and Continuing Appropriations; and 3) Authorize the City Manager to execute budget transfers as necessary. **Motion Councilmember Foat, seconded by Councilmember Hutcheson and unanimously carried on a roll call vote.**

5.B. HOTEL INCENTIVE PROGRAM PARTICIPATION FOR THE PALM GROVE GROUP, LLC (THE ARRIVE HOTEL) LOCATED AT 1551 NORTH PALM CANYON DRIVE:

John Raymond, Director of Community and Economic Development, provided background information as outlined in the staff report dated January 2, 2013.

The City Council discussed and requested staff include a time limit to be vertical in the agreement.

ACTION: Direct staff to prepare a Ten-Year Incentive Assistance Agreement (Operations Covenant) for the ARRIVE Palm Springs Hotel, implemented by a rebate of Transient Occupancy Tax of 50% of the annual TOT collected and paid to the City, for approval by the City

Council. Motion Councilmember Hutcheson, seconded by Councilmember Foat and unanimously carried on a roll call vote.

COUNCILMEMBER COMMENTS, REQUESTS, AND REPORTS:

Councilmember Lewin commented on the numerous flashing red lights on the top of the windmills, and suggested the City look at the possibility of changing the color of the lights or the flashing sequence.

Councilmember Foat questioned if the City is going to bid the contract renewal for security.

Mayor Pougnet commented on tourism and the amount of guests in Downtown Palm Springs.

ADJOURNMENT: The City Council adjourned at 7:27 p.m. to Wednesday, January 16, 2013, at 6:00 p.m. Council Chamber, City Hall, preceded by Closed Session, Small Conference Room, City Hall, 3200 East Tahquitz Canyon Way, Palm Springs.

APPROVED BY A MOTION OF THE PALM SPRINGS CITY COUNCIL THIS 6TH DAY OF MARCH, 2013.

STEPHEN P. POUGNET, MAYOR

ATTEST:

JAMES THOMPSON, CITY CLERK