

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



MEETING MINUTES  
WEDNESDAY, JUNE 5, 2013  
CITY HALL COUNCIL CHAMBER

**CALL TO ORDER:** Mayor Pougnet called the meeting to order at 6:09 p.m.

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

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

**ROLL CALL:**

**PRESENT:** Councilmember Foat, Councilmember Hutcheson, Councilmember Lewin, and Mayor Pougnet.

**ABSENT:** Mayor Pro Tem Mills.

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

**PRESENTATIONS:**

Mayor Pougnet and the City Council proclaimed June 13, 2013, as Celebrate Knitting Day in the City of Palm Springs.

Mayor Pougnet provided an update on Nightingale Manor, HBO Sneak Peek Liberace Screenings in the City of Palm Springs, the Palm Springs Public Library Summer Reading program, the PSA for plastic bag usage and recycling, and the 2013 Mayor's Race and Wellness Festival.

**REPORT OF CLOSED SESSION:**

The meeting was called to order at 5:00 p.m. and City Attorney Holland requested the City Council consider adding two items to the Closed Session Agenda; 1) Pursuant to Cal. Gov. Code Section 54956.9(a) Existing Litigation titled *Advocates for Better Community Development and Frank Tysen v City of Palm Springs et al*, Case No. INC 1303538, Riverside Superior Court, Indio Division; and 2) Pursuant to Cal. Gov. Code Section 54856.8 Conference with Real Property Negotiator for the Property described as 310 acre site APNS 505-020-027, 505-020-029, 505-020-031 and 505-020-035, City Negotiator David H. Ready, City Manager or Designee, Negotiating Parties Shadowrock Palm Springs Development LLC, for price and terms of payment (purchase), as both items were received by the City after the posting of the Agenda and there is an immediate need to hear and/or take action on the items.

**ACTION:** 1) Find two items were received by the City after the posting of the Agenda and there is an immediate need to hear and/or take action on the items; and 2) Add to

the Closed Session Agenda one item pursuant to Cal. Gov. Code Section 54956.9(a) Existing Litigation titled *Advocates for Better Community Development and Frank Tysen v City of Palm Springs et al*, Case No. INC 1303538, Riverside Superior Court, Indio Division; and 3) Add to the Closed Session Agenda one Item pursuant to Cal. Gov. Code Section 54856.8 Conference with Real Property Negotiator for the Property described as 310 acre site APNS 505-020-027, 505-020-029, 505-020-031 and 505-020-035, City Negotiator David H. Ready, City Manager or Designee, Negotiating Parties Shadowrock Palm Springs Development LLC, for price and terms of payment (purchase). **Motion Councilmember Foat, seconded by Councilmember Lewin and unanimously carried (4-0) noting the absence of Mayor Pro Tem Mills.**

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

#### **ACCEPTANCE OF THE AGENDA:**

Councilmember Foat requested Item 2.G. be removed from the Consent Calendar for separate discussion.

Councilmember Hutcheson requested Item 2.G. be removed from the Consent Calendar for separate discussion.

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

City Clerk Thompson requested Consent Calendar Item 2.R. regarding Landscape Maintenance Services be removed from the Consent Calendar for a staff report and update, Item 3.A. regarding the Fire Code be withdrawn from the Agenda at the request of staff, and requested the City Council consider continuing Item 1.A. to July 3, 2013.

**ACTION:** Accept the Agenda as amended. **Motion Councilmember Hutcheson, seconded by Councilmember Lewin and unanimously carried 4-0 on a roll call vote.**

**AYES:** Councilmember Foat, Councilmember Hutcheson, Councilmember Lewin, and Mayor Pougnet.

**NOES:** None.

**ABSENT:** Mayor Pro Tem Mills.

#### **1 PUBLIC HEARINGS:**

- 1.A. CRESCENDO, LLC FOR A PLANNED DEVELOPMENT DISTRICT IN-LIEU OF ZONE CHANGE TO ALLOW A TWO-STORY, DETACHED SINGLE FAMILY RESIDENTIAL DEVELOPMENT AND A TENTATIVE TRACT MAP TO SUBDIVIDE 6.37 ACRES INTO 43 RESIDENTIAL LOTS, COMMON AREA PARCELS AND PRIVATE STREETS**

**LOCATED ON THE WEST SIDE OF BELARDO ROAD, SOUTH OF MORONGO ROAD (CASE 5.1297 PDD 364 TTM 36548):**

**ACTION:** 1) Take no public testimony at this time; 2) Continue the public hearing to July 3, 2013; and 3) Direct the City Clerk to post a Notice of Continued Public Hearing pursuant to law. **Motion Councilmember Lewin, seconded by Councilmember Hutcheson and unanimously carried 4-0 on a roll call vote.**

**AYES:** Councilmember Foat, Councilmember Hutcheson, Councilmember Lewin, and Mayor Pougnet.

**NOES:** None.

**ABSENT:** Mayor Pro Tem Mills.

**PUBLIC COMMENT:**

LISA MIDDLETON, commented on Item 2.G. regarding communication with Southern California Gas Company Advance Meters.

NIKOHL VANDEL, Palm Springs, commented on City Council decision making.

GREG GILMAN, Palm Springs, provided an update on PSNIC goals and activities.

**COUNCILMEMBER COMMENTS:**

Councilmember Foat commented on the City's interaction with Southern California Gas Company regarding the installation of advanced gas meters.

**CITY MANAGER'S REPORT:** None.

**2. CONSENT CALENDAR:**

**ACTION:** Approve Items 2.A., 2.B., 2.C., 2.D., 2.E., 2.F., 2.H., 2.I., 2.J., 2.L., 2.M., 2.N., 2.O., 2.P., and 2.Q. **Motion Councilmember Hutcheson, seconded by Councilmember Foat and unanimously carried 4-0 on a roll call vote.**

**AYES:** Councilmember Foat, Councilmember Hutcheson, Councilmember Lewin, and Mayor Pougnet.

**NOES:** None.

**ABSENT:** Mayor Pro Tem Mills.

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

**ACTION:** Receive and file Report on the Posting of the June 5, 2013, City Council Agenda. **Approved as part of the Consent Calendar.**

**2.B. APPROVAL OF MINUTES:**

**ACTION:** Approve the City Council Minutes of May 15, 2013, and Special Meeting Minutes of May 17, 2013. **Approved as part of the Consent Calendar.**

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

**ACTION:** 1) Adopt Resolution No. 23348, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, APPROVING PAYMENT OF CLAIMS AND DEMANDS BY WARRANTS NUMBERED 1063419 THROUGH 1063522 IN THE AGGREGATE AMOUNT OF \$835,017.76, DRAWN ON BANK OF AMERICA;" 2) Adopt Resolution No. 23349, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, APPROVING PAYMENT OF PAYROLL WARRANTS FOR THE PERIOD ENDED 5-11-13 BY WARRANTS NUMBERED 418139 THROUGH 418156 TOTALING \$33,910.37, LIABILITY CHECKS NUMBERED 1063523 THROUGH 1063547 TOTALING \$120,698.25, FIVE WIRE TRANSFERS FOR \$40,219.51 AND THREE ELECTRONIC ACH DEBITS OF \$998,061.04 IN THE AGGREGATE AMOUNT OF \$1,192,889.17, DRAWN ON BANK OF AMERICA;" and 3) Adopt Resolution No. 23350, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, APPROVING PAYMENT OF CLAIMS AND DEMANDS BY WARRANTS 1063548 THROUGH 1063680 IN THE AGGREGATE AMOUNT OF \$897,398.13, DRAWN ON BANK OF AMERICA." **Approved as part of the Consent Calendar.**

**2.D. APPROVE ANNUAL INSURANCE POLICY RENEWALS FOR THE CITY'S INSURANCE PORTFOLIO FOR FISCAL YEAR 2013-14:**

**ACTION:** Adopt Resolution No. 23351, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, AUTHORIZING KEENAN & ASSOCIATES AS THE CITY'S BROKER OF RECORD, TO PURCHASE PROPERTY LIABILITY, EXCESS EARTHQUAKE/FLOOD LIABILITY (DIFFERENCE IN CONDITION), EXCESS LIABILITY, EXCESS WORKERS COMPENSATION, AIRPORT OWNERS AND OPERATORS LIABILITY, VILLAGEFEST LIABILITY, MULTI MEDIA LIABILITY, AIRCRAFT HULL LIABILITY, AND CRIME/FIDELITY LIABILITY INSURANCE POLICIES FROM VARIOUS CARRIERS FOR POLICY YEAR 2013-2014, EFFECTIVE JULY 1, 2013." **Approved as part of the Consent Calendar.**

**2.E. NOTICE OF INTENT FOR THE ANNUAL LEVY OF ASSESSMENTS FOR VARIOUS CITYWIDE STREET LIGHTING AND PARKWAY MAINTENANCE DISTRICTS FOR FISCAL YEAR 2013-14:**

**ACTION:** 1) Adopt Resolution No. 23352, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, PRELIMINARILY APPROVING AND ADOPTING THE ENGINEER'S REPORT REGARDING STREET LIGHTING MAINTENANCE DISTRICT NO. 3 ("CROSSLEY TRACT"); AND THE LEVY AND COLLECTION OF ANNUAL ASSESSMENTS RELATED THERETO FOR FISCAL YEAR 2013-14;" 2) Adopt Resolution No. 23353, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA,

DECLARING ITS INTENTION TO CONDUCT A PUBLIC HEARING ON STREET LIGHTING MAINTENANCE DISTRICT NO. 3 ("CROSSLEY TRACT"); AND TO LEVY AND COLLECT ANNUAL ASSESSMENTS RELATED THERETO FOR FISCAL YEAR 2013-14;" 3) Adopt Resolution No. 23354, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, PRELIMINARILY APPROVING AND ADOPTING THE ENGINEER'S REPORT REGARDING PARKWAY MAINTENANCE DISTRICT NO. 6A ("FAIRPORT DEVELOPMENT"); AND THE LEVY AND COLLECTION OF ANNUAL ASSESSMENTS RELATED THERETO FOR FISCAL YEAR 2013-14;" 4) Adopt Resolution No. 23355, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, DECLARING ITS INTENTION TO CONDUCT A PUBLIC HEARING ON PARKWAY MAINTENANCE DISTRICT NO. 6A ("FAIRPORT DEVELOPMENT"); AND TO LEVY AND COLLECT ANNUAL ASSESSMENTS RELATED THERETO FOR FISCAL YEAR 2013-14;" 5) Adopt Resolution No. 23356, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, PRELIMINARILY APPROVING AND ADOPTING THE ENGINEER'S REPORT REGARDING PARKWAY MAINTENANCE DISTRICT NO. 6C ("PARK SONORA TRACT"); AND THE LEVY AND COLLECTION OF ANNUAL ASSESSMENTS RELATED THERETO FOR FISCAL YEAR 2013-14;" 6) Adopt Resolution No. 23357, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, DECLARING ITS INTENTION TO CONDUCT A PUBLIC HEARING ON PARKWAY MAINTENANCE DISTRICT NO. 6C ("PARK SONORA TRACT"); AND TO LEVY AND COLLECT ANNUAL ASSESSMENTS RELATED THERETO FOR FISCAL YEAR 2013-14;" 7) Adopt Resolution No. 23358, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, PRELIMINARILY APPROVING AND ADOPTING THE ENGINEER'S REPORT REGARDING PARKWAY MAINTENANCE DISTRICT NO. 7 ("SUNRISE NORTE TRACT"); AND THE LEVY AND COLLECTION OF ANNUAL ASSESSMENTS RELATED THERETO FOR FISCAL YEAR 2013-14;" 8) Adopt Resolution No. 23359, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, DECLARING ITS INTENTION TO CONDUCT A PUBLIC HEARING ON PARKWAY MAINTENANCE DISTRICT NO. 7 ("SUNRISE NORTE TRACT"); AND TO LEVY AND COLLECT ANNUAL ASSESSMENTS RELATED THERETO FOR FISCAL YEAR 2013-14;" 9) Adopt Resolution No. 23360, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, PRELIMINARILY APPROVING AND ADOPTING THE ENGINEER'S REPORT REGARDING PARKWAY MAINTENANCE DISTRICT NO. 8 ("VINTAGE PALMS TRACT"); AND THE LEVY AND COLLECTION OF ANNUAL ASSESSMENTS RELATED THERETO FOR FISCAL YEAR 2013-14;" 10) Adopt Resolution No. 23361, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, DECLARING ITS INTENTION TO CONDUCT A PUBLIC HEARING ON

PARKWAY MAINTENANCE DISTRICT NO. 8 ("VINTAGE PALMS TRACT"); AND TO LEVY AND COLLECT ANNUAL ASSESSMENTS RELATED THERETO FOR FISCAL YEAR 2013-14;" 11) Adopt Resolution No. 23362, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, PRELIMINARILY APPROVING AND ADOPTING THE ENGINEER'S REPORT REGARDING PARKWAY MAINTENANCE DISTRICT NO. 9 ("FLORA VISTA"); AND THE LEVY AND COLLECTION OF ANNUAL ASSESSMENTS RELATED THERETO FOR FISCAL YEAR 2013-14;" 12) Adopt Resolution No. 23363, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, DECLARING ITS INTENTION TO CONDUCT A PUBLIC HEARING ON PARKWAY MAINTENANCE DISTRICT NO. 9 ("FLORA VISTA"); AND TO LEVY AND COLLECT ANNUAL ASSESSMENTS RELATED THERETO FOR FISCAL YEAR 2013-14;" 13) Adopt Resolution No. 23364, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, PRELIMINARILY APPROVING AND ADOPTING THE ENGINEER'S REPORTS REGARDING PARKWAY MAINTENANCE DISTRICT NO. 10, ZONE 1 AND ZONE 2, ("MOUNTAIN GATE"); AND THE LEVY AND COLLECTION OF ANNUAL ASSESSMENTS RELATED THERETO FOR FISCAL YEAR 2013-14;" 14) Adopt Resolution No. 23365, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, DECLARING ITS INTENTION TO CONDUCT A PUBLIC HEARING ON PARKWAY MAINTENANCE DISTRICT NO. 10, ZONE 1 AND ZONE 2, ("MOUNTAIN GATE"); AND TO LEVY AND COLLECT ANNUAL ASSESSMENTS RELATED THERETO FOR FISCAL YEAR 2013-14;" 15) Adopt Resolution No. 23366, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, PRELIMINARILY APPROVING AND ADOPTING THE ENGINEER'S REPORT REGARDING LANDSCAPE MAINTENANCE DISTRICT NO. 12 ("SMOKE TREE COMMONS"); AND THE LEVY AND COLLECTION OF ANNUAL ASSESSMENTS RELATED THERETO FOR FISCAL YEAR 2013-14;" 16) Adopt Resolution No. 23367, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, DECLARING ITS INTENTION TO CONDUCT A PUBLIC HEARING ON LANDSCAPE MAINTENANCE DISTRICT NO. 12 ("SMOKE TREE COMMONS"); AND TO LEVY AND COLLECT ANNUAL ASSESSMENTS RELATED THERETO FOR FISCAL YEAR 2013-14." **Approved as part of the Consent Calendar.**

**2.F. APPOINTMENT OF A CITY COUNCIL AD HOC SUBCOMMITTEE FOR THE REVIEW OF BILLBOARDS:**

**ACTION:** Appoint Councilmember Foat and Mayor Pro Tem Mills to serve on the ad hoc City Council Subcommittee for the review of Billboards.  
**Approved as part of the Consent Calendar.**

**2.H. AWARD CONTRACT TO GOLDEN VALLEY CONSTRUCTION COMPANY FOR THE CONSTRUCTION OF SIDEWALK REPLACEMENT IN PARKS CITYWIDE PROJECT IN THE AMOUNT OF \$57,036.25 (CP 13-06):**

**ACTION:** 1) Approve an agreement with Golden Valley Construction Company for the construction of Sidewalk Replacement Citywide Project in the amount of \$57,036.25 (CP 13-06); 2) Find bid from All Names Construction Services, Inc. non-responsive due to their failure to complete the bid documents in accordance with the instructions; and 3) Authorize the City Manager to execute all necessary documents. A6369. **Approved as part of the Consent Calendar.**

**2.I. AGREEMENT WITH SAIC ENERGY, ENVIRONMENT & INFRASTRUCTURE, LLC FOR THE WASTEWATER TREATMENT PLANT (WWTP) PERFORMANCE REVIEW (CP 13-17):**

**ACTION:** 1) Approve a consultant services agreement with SAIC Energy, Environment & Infrastructure, LLC for WWTP Performance Review in the amount of \$129,895 (CP 13-17); and 2) Authorize the City Manager to execute all necessary documents. A6370. **Approved as part of the Consent Calendar.**

**2.J. PROPOSED RESOLUTIONS CALLING THE NOVEMBER 5, 2013, GENERAL MUNICIPAL ELECTION, ORDERING SERVICES, AND ADOPTING REGULATIONS FOR CANDIDATE PROFILES (STATEMENTS):**

**ACTION:** 1) Adopt Resolution No. 23368, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, CALLING AND GIVING NOTICE OF THE HOLDING OF A GENERAL MUNICIPAL ELECTION TO BE HELD ON NOVEMBER 5, 2013, FOR THE ELECTION OF CERTAIN OFFICERS AS REQUIRED BY THE PROVISIONS OF THE LAWS OF THE STATE OF CALIFORNIA AND CITY CHARTER;" 2) Adopt Resolution No. 23369, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, REQUESTING THE BOARD OF SUPERVISORS OF THE COUNTY OF RIVERSIDE TO RENDER SPECIFIED SERVICES TO THE CITY RELATING TO THE CONDUCT OF A GENERAL MUNICIPAL ELECTION TO BE HELD ON TUESDAY, NOVEMBER 5, 2013;" and 3) Adopt Resolution No. 23370, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, ADOPTING REGULATIONS FOR CANDIDATES FOR ELECTIVE OFFICE PERTAINING TO CANDIDATES PROFILES (STATEMENTS) SUBMITTED TO THE VOTERS AT THE GENERAL MUNICIPAL ELECTION TO BE HELD ON NOVEMBER 5, 2013." **Approved as part of the Consent Calendar.**

**2.L. TREASURER'S INVESTMENT REPORT AS OF APRIL 30, 2013:**

**ACTION:** Receive and file the Treasurer's Investment Report as of April 30, 2013. **Approved as part of the Consent Calendar.**

- 2.M. ACCEPT THE RESIGNATION OF HEIDI EPLING FROM THE VILLAGEFEST BOARD:**  
**ACTION:** 1) Accept with regret the resignation of Heidi Epling 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.N. AGREEMENT WITH EVERGREEN RECYCLING SOLUTIONS FOR TECHNICAL ASSISTANCE AND SOLID WASTE MANAGEMENT AND RECYCLING CONSULTING SERVICES FOR TWO YEARS IN THE AMOUNT OF \$100,000:**  
**ACTION:** 1) Approve an agreement with Evergreen Recycling Solutions for municipal solid waste management and recycling consulting services, in an amount not to exceed \$100,000 for two years; and 2) Authorize City Manager to execute all the necessary documents. A5336. **Approved as part of the Consent Calendar.**
- 2.O. CONTRACT WITH DOUG WALL CONSTRUCTION INC. FOR THE CONSTRUCTION OF SKATE PARK MANAGEMENT FACILITY TENANT AND FACADE IMPROVEMENT PROJECT IN THE AMOUNT OF \$398,603 (CP 13-14):**  
**ACTION:** 1) Approve an agreement with Doug Wall Construction, Inc. for the construction of the Skate Park Management Facility Tenant and Facade Improvement Project in the amount of \$398,603 (CP 13-14); and 2) Authorize the City Manager to execute all necessary documents. A6372. **Approved as part of the Consent Calendar.**
- 2.P. APPROVE THE PURCHASE OF UNMARKED OUTFITTED UTILITY VEHICLE FOR POST-RELEASE ACCOUNTABILITY AND COMPLIANCE TEAM (PACT):**  
**ACTION:** 1) Award the purchase of one (1) new 2013 Ford Explorer utility vehicle in the amount of \$28,756.41 from Wondries Fleet Group, inclusive of all applicable taxes, fees and delivery, and Police equipment outfitting from West Coast Lights and Siren in the amount of \$7,227.89, for a total cost of \$35,984.30; and 2) Authorize the City Manager to execute all necessary documents. **Approved as part of the Consent Calendar.**
- 2.Q. AUTHORIZATION FOR THE CITY MANAGER TO EXECUTE STANDARD FORM RECREATION SERVICES CONTRACTS FOR RECREATION PROGRAM INSTRUCTORS:**  
**ACTION:** Authorize the City Manager to execute all standard form Recreation Services Agreements for recreation program instructors. **Approved as part of the Consent Calendar.**



**EXCLUDED CONSENT CALENDAR:**

**2.G. SOUTHERN CALIFORNIA GAS COMPANY ADVANCED METERS:**

Councilmember Foat requested the City Manager provide a report with respect to City interactions with Southern California Gas Company, and requested the City Attorney comment on the jurisdiction of the public utility.

Councilmember Hutcheson requested the Southern California Gas Company Representative comment on the public notification process.

**ACTION:** Receive and file. **Motion Councilmember Lewin, seconded by Councilmember Foat and unanimously carried 4-0 on a roll call vote.**

**AYES:** Councilmember Foat, Councilmember Hutcheson, Councilmember Lewin, and Mayor Pougnet.

**NOES:** None.

**ABSENT:** Mayor Pro Tem Mills.

**2.K. APPROVE AN AGREEMENT WITH THE COACHELLA VALLEY ASSOCIATION OF GOVERNMENTS (CVAG) FOR THE IMPLEMENTATION OF A PROPERTY ASSESSED CLEAN ENERGY (PACE) PROGRAM:**

Councilmember Lewin commented on the benefits of the program and thanked CVAG and the Sustainability Commission for bringing this item forward.

Councilmember Hutcheson noted his support for the program and thanked staff for bringing the item forward.

Councilmember Foat requested the CVAG Representative address any unresolved issues with financing.

**ACTION:** 1) Adopt Resolution No. 23347, "A RESOLUTION OF THE CITY COUNCIL OF CITY OF PALM SPRINGS, CALIFORNIA, APPROVING THE IMPLEMENTATION AGREEMENT AUTHORIZING THE COACHELLA VALLEY ASSOCIATION OF GOVERNMENTS TO IMPLEMENT, MANAGE, AND ADMINISTER A PROPERTY ASSESSED CLEAN ENERGY (PACE) PROGRAM;" and 2) Authorize the City Manager or his designee to execute all the necessary documents. A6371. **Motion Councilmember Lewin, seconded by Mayor Pougnet and unanimously carried 4-0 on a roll call vote.**

**AYES:** Councilmember Foat, Councilmember Hutcheson, Councilmember Lewin, and Mayor Pougnet.

**NOES:** None.

**ABSENT:** Mayor Pro Tem Mills.

**2.R. AWARD OF CONTRACT FOR PARKS AND PARKWAYS LANDSCAPE MAINTENANCE SERVICES:**

David Barakian, City Engineer, provided background information as outlined in the staff report dated June 5, 2013.

Councilmember Hutcheson noted the substantial reduction in costs for the new contract and thanked City staff.

**ACTION:** 1) Approve an agreement with Golden Valley Construction Company, for the Parks and Parkways Landscape Maintenance Services in the amount of \$1,171,577; 2) Find Bid Numbers 1, 3 and 4 non-responsive; and 3) Authorize the City Manager to execute all necessary documents. A6373. **Motion Councilmember Hutcheson, seconded by Councilmember Foat and unanimously carried 4-0 on a roll call vote.**

**AYES:** Councilmember Foat, Councilmember Hutcheson, Councilmember Lewin, and Mayor Pougnet.

**NOES:** None.

**ABSENT:** Mayor Pro Tem Mills.

**3. LEGISLATIVE:**

**3.A. PROPOSED ORDINANCE AMENDING CITY FIRE CODE REQUIREMENTS PERTAINING TO FIRE COMMAND CENTERS:**

Withdrawn from the Agenda at the request of staff.

**4. UNFINISHED BUSINESS:**

**4.A. PALM SPRINGS BUREAU OF TOURISM AND PALM SPRINGS CONVENTION CENTER UPDATE:**

Jamie Canfield and Mary Jo Ginther, Palm Springs Bureau of Tourism, provided background information as outlined in the PowerPoint presentation dated June 5, 2013.

Mayor Pougnet requested Bureau of Tourism staff address future year's convention center bookings and the number of room nights.

Councilmember Hutcheson requested the Bureau of Tourism staff review and monitor out-of-market print advertising.

**ACTION:** Receive and file. **By unanimous consent of the City Council (4-0), noting the absence of Mayor Pro Tem Mills.**

**5. NEW BUSINESS:**

**5.A. APPOINTMENT OF VARIOUS COMMISSIONERS AND BOARD MEMBERS AS PART OF THE 2013 ANNUAL RECRUITMENT PROCESS:**

**ACTION:** 1) Reappoint Ted Grofer to the Administrative Appeals Board for the term ending June 30, 2016; 2) Reappoint Robert Elsner to the Airport Commission for the term ending June 30, 2016; 3) Appoint Norm King and Michael Call to the Airport Commission for the terms ending June 30, 2016; 4) Reappoint Jack Newby to the Human Rights Commission for the term ending June 30, 2016; 5) Appoint Deborah Sutton to the Human Rights Commission for the unexpired term ending June 30, 2014; 6) Appoint Jilska Chandrasena and Janel Hunt to the Human Rights Commission for the terms ending June 30, 2016; 7) Reappoint David Gray to the Board of Library Trustees for the term ending June 30, 2016; 8) Appoint Fred Jandt to the Board of Library Trustees for the term ending June 30, 2016; 9) Reappoint Amy Sand to the Public Arts Commission for the term ending June 30, 2016; 10) Appoint Joshua Edmundson to the Public Arts Commission for the unexpired term ending June 30, 2014, 11) Appoint Joanie Wilcox to the Public Arts Commission for the term ending June 30, 2016; 12) Reappoint Bob Turanchik to the Rent Review Commission for the term ending June 30, 2016; 13) Reappoint Thom Bettinger and Grant Wilson to the Sustainability Commission for the terms ending June 30, 2016; 14) Appoint Brielle McNeal and Mark Polischak to the Sustainability Commission for the terms ending June 30, 2014, 15) Appoint Travis Armstrong and Victor Yepello to the Sustainability Commission for the terms ending June 30, 2016; 16) Reappoint Ronald King and John Fleming to the VillageFest Board for the terms ending June 30, 2016; and 17) Appoint Marcia Martineau-Low to the VillageFest Board for the unexpired term ending June 30, 2015. **Motion Councilmember Lewin, seconded by Councilmember Hutcheson and unanimously carried 4-0 on a roll call vote.**

**AYES:** Councilmember Foat, Councilmember Hutcheson, Councilmember Lewin, and Mayor Pougnet.

**NOES:** None.

**ABSENT:** Mayor Pro Tem Mills.

**5.B. ACCEPT THE PROPOSED AESTHETIC DESIGN CONCEPT FOR THE RAMON ROAD BRIDGE WIDENING PROJECT BY ARTIST PHILIP K. SMITH AND THE AESTHETIC DESIGN CONCEPT FOR THE NEW VISTA CHINO DRIVE BRIDGE PROJECT BY ARTIST HEATH SATOW:**

David Barakian, City Engineer, provided background information as outlined in the staff report dated June 5, 2013.

The City Council discussed and/or commented on the following: the fading of the brilliant paint colors, aesthetics of the bridge, individual preferences, costs of maintenance, requested staff address the Public Arts Commission comments and discussion, inclusion of bike lanes, and further public input sessions.

**ACTION:** 1) Approve the Public Arts Commission's recommendation to accept the aesthetic design concept for the Ramon Road Bridge Widening Project by artist Philip K. Smith; and 2) Approve the Public Arts Commission's recommendation to accept the aesthetic design concept for the new Vista Chino Drive Bridge Project by artist Heath Satow. **Motion Councilmember Foat, seconded by Mayor Pougnet and carried 3-1 on a roll call vote.**

**AYES:** Councilmember Foat, Councilmember Hutcheson, and Mayor Pougnet.

**NOES:** Councilmember Lewin.

**ABSENT:** Mayor Pro Tem Mills.

#### **COUNCILMEMBER COMMENTS, REQUESTS, AND REPORTS:**

Councilmember Lewin requested the City Engineer address the separation of bike lanes with a wall on the proposed Ramon Road and Vista Chino Drive bridges.

Mayor Pougnet thanked Police Chief Franz and the Palm Springs Police Department for working with the United States Secret Service and the upcoming President Obama visit to Palm Springs, and noted Councilmember Foat's Birthday.

**ADJOURNMENT:** The City Council adjourned at 7:35 p.m. to Wednesday, June 19, 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 19<sup>TH</sup> DAY OF JUNE, 2013.**

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STEPHEN P. POUGNET, MAYOR

ATTEST:

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JAMES THOMPSON, CITY CLERK