

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



**MEETING MINUTES
WEDNESDAY, MAY 7, 2014
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.

INVOCATION: Rabbi Sally Olins, Temple Isaiah, led the Invocation.

ROLL CALL:

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

ABSENT: Councilmember Foat.

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

PRESENTATIONS:

Mayor Pougnet and the City Council proclaimed May, 2014 as National Preservation Month in the City of Palm Springs.

Mayor Pougnet provided an update on the renovation of the Welwood Murray Memorial Library construction kick-off event.

Mayor Pro Tem Hutcheson provided an update on the 25th anniversary of the Palm Springs White Party.

Mayor Pougnet provided an update on the 2014 Tachevah concert and community event, the 40th anniversary of CBDG funding and the recent event in the City of Palm Springs, and announced the upcoming Police and Fire Appreciation Luncheon.

Riverside County Workforce Development Center updated the City Council on the activities and programs at the Center.

REPORT OF CLOSED SESSION:

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, otherwise no reportable actions were taken.

ACCEPTANCE OF THE AGENDA:

City Clerk Thompson requested Item 2.D. be withdrawn from the Agenda.

Mayor Pougnet requested Item 2.C. be removed from the Consent Calendar for separate discussion and noted a business related conflict of interest and abstention on Consent Calendar Item 2.T.

Councilmember Mills noted his abstention on Consent Calendar Item 2.I. and 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.

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

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

NOES: None.

ABSENT: Councilmember Foat.

1. PUBLIC HEARINGS:

1.A. APPLICATION BY MICHAEL F. FLEMING AND LUIS A. LAVIN (OWNERS) IN COLLABORATION WITH THE PALM SPRINGS PRESERVATION FOUNDATION, REQUESTING CLASS 1 HISTORIC DESIGNATION FOR "THE PAUL DOUGHERTY RESIDENCE" A SINGLE FAMILY RESIDENCE LOCATED ON A HILLSIDE LOT AT 1860 VISTA DRIVE (HSPB 89):

Margo Wheeler, Director of Planning Services, provided background information as outlined in the Staff Report dated May 7, 2014.

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

ERIK ROSENOW, Palm Springs, commented on the background and history of the property, and requested the City Council support the historic designation.

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

ACTION: Adopt Resolution No. 23538, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, DESIGNATING THE PAUL DOUGHERTY RESIDENCE AT 1860 VISTA DRIVE A CLASS 1 HISTORIC SITE AND APPROVING A CATEGORICAL EXEMPTION PURSUANT TO THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA)." **Motion Councilmember Mills, seconded by Mayor Pro Tem Hutcheson and unanimously carried 4-0 on a roll call vote.**

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

NOES: None.

ABSENT: Councilmember Foat.

1.B. AMEND THE PALM SPRINGS ZONING CODE (PSZC) TO ALLOW RESTAURANTS IN HOTELS HAVING 20 ROOMS OR MORE IN THE R-3 ZONE WITH A CONDITIONAL USE PERMIT AND APPROVING A CEQA CATEGORICAL EXEMPTION (CASE 5.1334 ZTA):

Margo Wheeler, Director of Planning Services, provided background information as outlined in the Staff Report dated May 7, 2014.

Mayor Pougnet opened the public hearing, and no speakers coming forward the public hearing was closed.

Councilmember Mills requested Staff address if any other requirements, such as parking, are changed by the proposed ordinance.

Councilmember Lewin thanked Staff and stated the ordinance will be beneficial to the small hotels in the City of Palm Springs.

ACTION: Waive the reading of the ordinance text in its entirety and read by title only and introduce Ordinance No. 1852, "AN ORDINANCE OF THE CITY OF PALM SPRINGS, CALIFORNIA, AMENDING SUBSECTION D.16 OF SECTION 92.04.01 OF THE PALM SPRINGS MUNICIPAL CODE ALLOWING RESTAURANTS THAT ARE AN INTEGRAL PART OF HOTELS WITH AT LEAST 20 GUEST ROOMS IN THE R-3 ZONE SUBJECT TO A CONDITIONAL USE PERMIT." (CASE 5.1334 ZTA) **Motion Mayor Pro Tem Hutcheson, seconded by Councilmember Mills and unanimously carried 4-0 on a roll call vote.**

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

NOES: None.

ABSENT: Councilmember Foat.

1.C. PROPOSED AMENDMENT TO THE PALM SPRINGS MUNICIPAL CODE SECTION 93.20.00 AND 93.20.03 AND ADD CHAPTER 5.81 REGARDING THE REGULATION OF ORIGINAL ART MURALS AND APPROVING A CEQA CATEGORICAL EXEMPTION (CASE 5.1335 ZTA):

Margo Wheeler, Director of Planning Services, provided background information as outlined in the Staff Report dated May 7, 2014.

Councilmember Lewin requested Staff address the procedural and proposed noticing requirements.

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

KIMBERLEIGH FUNKEY, Palm Springs, provided background information on the installation of a mural on their property, and requested the City Council approve the proposed ordinance.

ANGELA VALENTE ROMEO, Palm Springs, stated the proposed ordinance provided a distinction between signage and art, and requested the City Council support the ordinance.

JOY BROWN MEREDITH, stated Mainstreet Palm Springs unanimously voted to support the ordinance.

DEBRA MONK, stated her support for public art and requested the City Council support the proposed ordinance.

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

Mayor Pro Tem Hutcheson stated his support for the proposed ordinance, and reiterated the need for a process with public input.

Councilmember Lewin stated the City needs to have a process to approve murals and recommended the City Council modify the ordinance to require a maximum of 10 murals in two different areas of the City, requested the City Council modify the ordinance to require the mural be fixed to a removable surface rather than the building exterior, and require a penalty for non-compliance.

Councilmember Mills requested Staff address the involvement of the AAC, the definition of the appropriateness for the art, requested the City Council consider requiring the mural be submitted to the AAC for comment only and not have the AAC have the ability to delay for restudy, requested Staff address the 35 feet above grade, recommended the 35 feet above grade

be deleted, and requested a definition of maintenance and what is expected.

Mayor Pougnet commented on the request for the mural to be on removable material, and the process for the application must go to the AAC for comment.

Councilmember Lewin requested the City Council modify the text in the first sentence of Section 5.81.010(b) to read "The City may consider the installation of murals, and at the same time wishes to prevent the proliferation of off-site commercial signs."

Mayor Pro Tem Hutcheson stated the City should be flexible with murals during the initial stages, stated he does not support a requirement for the mural to be on a removal material and does not support a requirement for limiting the number of murals in an area, stated his support for deleting the height requirement, maintenance requirements, and AAC review for comment.

Councilmember Mills commented on the description of maintenance and requested the City Council include a requirement for a maintenance plan be submitted and approved.

Councilmember Lewin stated he was in support of murals in the community, but would be voting no on the proposed ordinance as it may not address the problems the City may experience with murals.

ACTION: Waive the reading of the ordinance text in its entirety and read by title only and introduce Ordinance No. 1853, "AN ORDINANCE OF THE CITY OF PALM SPRINGS, CALIFORNIA, AMENDING SECTIONS 93.20.00 AND 93.20.03 OF, AND ADDING CHAPTER 5.81 TO, THE PALM SPRINGS MUNICIPAL CODE REGARDING THE REGULATION OF ORIGINAL ART MURALS," *amending the ordinance as follows: (i) the first sentence of Section 5.81.010(b) to read 'The City may consider the installation of murals and, at the same time wishes to prevent the proliferation of off-site commercial signs,' (ii) Section 5.81.020(b) to be appended 'The application shall include a maintenance plan be submitted for review and approval,' (iii) Section 5.81.030(c) to read 'The Planning Commission shall refer the application to the Architectural Advisory Committee for comment, and may submit the application to the Historic Site Preservation Board as necessary,' and (iv) Section 5.81.050(E) regarding height is deleted.* **Motion Mayor Pro Tem Hutcheson, seconded by Councilmember Mills and carried 3-1 on a roll call vote.**

AYES: Councilmember Mills, Mayor Pro Tem Hutcheson, and Mayor Pougnet.
NOES: Councilmember Lewin.
ABSENT: Councilmember Foat.

PUBLIC COMMENT:

CHRIS MOBLEY, Modernism Week, provided an update on the 2014 Modernism Week events.

KATHY WEREMIUK, Palm Springs, provided clarification on her previous testimony regarding golf course maintenance and stated her support for Item 2.C., the proposed ordinance regarding golf maintenance, and thanked the City Council for discussing water conservation measures.

BRIDGET FOSTER, Cathedral City, commented on Item 5.E. and stated her opposition to the large increase in recreation program fees.

MICHAEL YORK, read a letter by Aftab Dada regarding Item 2.C., in support of the proposed ordinance for golf maintenance.

MARTIN GREENWOOD, read a letter by Tim Ellis regarding Item 2.C., in support of the proposed ordinance for golf maintenance, and stated the Palm Springs Hospitality Association voted to support this proposed ordinance.

ALLEN JANISCH, commented on the golf course maintenance at Escena, commented on Item 2.C. regarding golf course maintenance, and stated support for the proposed ordinance.

JOHN FITZPATRICK, commented on Item 2.C. and stated his support for the proposed golf course maintenance.

ARDINE WILLIAMS, commented on Item 2.C. and stated her support for the proposed golf course maintenance.

CURTIS WILLIAMS, commented on Item 2.C. and stated his support for the proposed golf course maintenance.

SCOTT BIGBIE, commented on Item 2.C. and stated his support for the proposed golf course maintenance.

CONNIE BIGBIE, commented on Item 2.C. and stated her support for the proposed golf course maintenance.

MARTIN FOSTER, commented on Item 2.C. and stated his support for the proposed golf course maintenance.

KANDE WALTERS, commented on Item 2.C., stated her support for the proposed golf course maintenance, and read a letter from Mike Johannes in support of the ordinance.

PAT WALTERS, Palm Springs, commented on Item 2.C., stated his support for the proposed golf course maintenance, and read a letter from David Lintz in support of the ordinance.

NADINE FRYMANN, commented on Item 2.C. and stated her support for the proposed golf course maintenance.

PAUL GARRIGAE, commented on Item 2.C. and stated his support for the proposed golf course maintenance.

TAL MIRZA, commented on Item 2.C. and stated his support for the proposed golf course maintenance.

RICHARD HORBACH, commented on Item 2.C. and stated his support for the proposed golf course maintenance.

ARDINE THOMPSON, commented on Item 2.C. and stated her support for the proposed golf course maintenance.

BILL THOMPSON, commented on Item 2.C. and stated his support for the proposed golf course maintenance.

SUSAN THOKLE, commented on Item 2.C. and stated her support for the proposed golf course maintenance.

ROY SCHNEIDER, commented on Item 2.C. and stated his support for the proposed golf course maintenance.

LINDA DAVIDSON, Palm Springs, commented on Item 5.E., stated her opposition to the large increase in recreation program fees, and requested a more structured increase.

MARSHALL SHARP, commented on Item 5.E. and stated his opposition to the increase in recreation program fees.

MICHAEL SHIMKO, commented on Item 5.E. and stated his opposition to the increase in recreation program fees.

CHRISTOPHER PARMAN, commented on Item 2.C. and stated his opposition to the proposed golf course maintenance.

BRYAN WILSON, Palm Springs, commented on Item 2.C. and stated his opposition to the proposed golf course maintenance.

TOM STEWART, commented on Item 2.C. and stated his opposition to the proposed golf course maintenance.

KRIS SANDERS, Palm Springs, commented on Item 2.C. and stated her opposition to the proposed golf course maintenance.

TIM MARTIN, Palm Springs, commented on Item 2.C. and stated his opposition to the proposed golf course maintenance.

RAY LAGO, Palm Springs, commented on Item 2.C. and stated his opposition to the proposed golf course maintenance.

DEANNA MARTIN, Palm Springs, commented on Item 2.C. and stated her opposition to the proposed golf course maintenance.

MARK HOLLINGSWORTH, commented on Item 2.C. and stated his opposition to the proposed golf course maintenance.

SCOTT PRINGLE, commented on Item 2.C. and stated his opposition to the proposed golf course maintenance.

KAREN KOSLIN, commented on Item 5.E. and stated her opposition to the fee increase for recreation programs.

VICTOR YEPELLO, commented on proposed water conservation issues and stated water rates need to increase.

MADISON WILLIAMS, commented on Item 5.E. and stated her opposition to the proposed increase to recreation program fees.

WILLIAM FREYER, Palm Springs, commented on portable open signs and requested the City Council allow them north of Vista Chino.

RON KING, Palm Springs, provided an update on the activities at VillageFest, commented on Item 5.D., and stated his support for the increase in VillageFest fees.

DAVID FLOWERS, commented on Item 2.C. and stated his opposition to the proposed golf course maintenance.

FRANCESCA FLOWERS, commented on Item 2.C. and stated her opposition to the proposed golf course maintenance.

LAURA ROVICK, commented on a new business opportunity from Social Cycle.

LEE WILSON JR, commented on the Hero Banner Program.

JUSTIN GARDINER, commented on the Hero Banner Program.

STEVEN PABST, commented on Item 5.A. and stated his opposition to the proposed increase for recreation program fees.

TAYA GRAY, commented on Item 5.E. and stated his opposition to the proposed increase for recreation program fees.

KAROL TREJO, commented on Item 5.E. and stated her opposition to the proposed increase for recreation program fees.

JONATHAN GREGORY, commented on Item 2.Q. regarding the Ramon Road Widening project, and requested the City Council consider the design of the bridge.

DAVID BARON, commented on Item 2.C. and stated his support for the proposed golf course maintenance.

ERIC MEEKS, Palm Springs, commented on Item 5.E. and stated his opposition to the proposed increase for recreation program fees.

JOY BROWN MEREDITH, stated her support for Item 5.A. bike corrals, Item 5.D. increase in the VillageFest fees, and commented on Downtown and Uptown maintenance.

AMETHYST HAINES, commented on Item 5.E. and stated her opposition to the proposed increase for recreation program fees.

RIA SPENCER BURR, commented on Item 5.E. and stated her opposition to the proposed increase for recreation program fees.

ALEXANDRA MAZMANIAN, commented on Item 5.E. and stated her opposition to the proposed increase for recreation program fees.

SOPHIE ALLEN, commented on Item 5.E. and stated her opposition to the proposed increase for recreation program fees.

STEPHANIE HUNTER, commented on Item 5.E. and stated her opposition to the proposed increase for recreation program fees.

PAGE HORNS, commented on Item 5.E. and stated her opposition to the proposed increase for recreation program fees.

FRED BELL, commented on Item 5.E. and stated his opposition to the proposed increase for recreation program fees.

ALVIN FREY, Palm Springs, commented on Item 2.C. and stated his support for the proposed golf course maintenance.

RICHARD RIVAS, commented on Item 5.E. and stated his opposition to the proposed increase for recreation program fees.

COUNCILMEMBER COMMENTS: None.

CITY MANAGER'S REPORT: None.

2. CONSENT CALENDAR:

ACTION: Approve Items 2.A., 2.B., 2.E., 2.F., 2.H., 2.I., 2.J., 2.L., 2.M., 2.N., 2.O., 2.P., 2.Q., 2.R., 2.S., and 2.T. **Motion Mayor Pro Tem Hutcheson, seconded by Councilmember Mills and unanimously carried 4-0 on a roll call vote.**

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

NOES: None.

ABSENT: Councilmember Foat.

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

ACTION: Receive and file Report on the Posting of the May 7, 2014, City Council Agenda. **Approved as part of the Consent Calendar.**

2.B. APPROVAL OF MINUTES:

ACTION: Approve the City Council Minutes of April 16, 2014. **Approved as part of the Consent Calendar.**

2.E. ADOPT THE CITY'S INVESTMENT POLICY GOVERNING THE INVESTMENT OF CITY FUNDS:

ACTION: Adopt Resolution No. 23539, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, ADOPTING AN INVESTMENT POLICY GOVERNING THE INVESTMENT OF CITY FUNDS." **Approved as part of the Consent Calendar.**

2.F. TREASURER'S INVESTMENT REPORT AS OF MARCH 31, 2014:

ACTION: Receive and file the Treasurer's Investment Report as of March 31, 2014. **Approved as part of the Consent Calendar.**

- 2.H. APPROVE A SPECIAL ECONOMIC DEVELOPMENT FOCUS INCENTIVE AREAS PROGRAM GRANT WITH REGINALD HALL, MAMA OLA'S SOUL FOOD AT 410 SAN RAFAEL IN THE AMOUNT OF \$25,000:**
ACTION: 1) Approve an Interior Remodel Grant Agreement with Reginald Hall, Mama Ola's Soul Food at 410 San Rafael in the amount of \$25,000; and 2) Authorize the City Manager to execute all necessary documents. A6536. **Approved as part of the Consent Calendar.**
- 2.I. APPROVE A REIMBURSEMENT AGREEMENT FOR AMADO ROAD STREET IMPROVEMENTS:**
ACTION: 1) Approve a reimbursement agreement with SOL-PS, LLC for Amado Road Street Improvements in the amount of \$31,966.56; and 2) Authorize the City Manager to execute all necessary documents. A6537. **Approved as part of the Consent Calendar, noting the abstention of Councilmember Mills.**
- 2.J. APPROVE A BUDGET AMENDMENT FOR FISCAL YEAR 2013-14 VEHICLE PURCHASE:**
ACTION: 1) Adopt Resolution No. 23541, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, AMENDING THE BUDGET FOR FISCAL YEAR 2013-14 FOR THE PURCHASE OF REPLACEMENT VEHICLES;" and 2) Authorize the City Manager to execute all necessary documents. **Approved as part of the Consent Calendar.**
- 2.L. APPROVE A SUB-REIMBURSEMENT AGREEMENT WITH CVAG FOR THE LOCAL SHARE OF COSTS FOR THE INTERSTATE 10 INTERCHANGE PROJECT AT JEFFERSON STREET:**
ACTION: 1) Approve a Sub-Reimbursement Agreement by and between CVAG, City of Cathedral City, City of Coachella, City of Desert Hot Springs, City of Indian Wells, City of Indio, City of La Quinta, City of Palm Desert, City of Palm Springs, City of Rancho Mirage, and the County of Riverside for the Interchange Project at I-10 and Jefferson Street; and 2) Authorize the City Manager to execute all necessary documents. A6539. **Approved as part of the Consent Calendar.**
- 2.M. APPROVE A MEMORANDUM OF UNDERSTANDING WITH THE AGUA CALIENTE BAND OF CAHUILLA INDIANS REGARDING TRIBAL TRANSPORTATION PROGRAM FUNDING FOR THE SECTION 14 ROADWAY IMPROVEMENT PROJECT:**
ACTION: Adopt Resolution No. 23543, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, APPROVING A MEMORANDUM OF UNDERSTANDING WITH THE

AGUA CALIENTE BAND OF CAHUILLA INDIANS REGARDING TRIBAL TRANSPORTATION PROGRAM FUNDING FOR THE SECTION 14 ROADWAY IMPROVEMENT PROJECT." A6540. **Approved as part of the Consent Calendar.**

- 2.N. APPROVE AN AGREEMENT WITH PAVEMENT COATINGS CO. FOR THE 2014 PAVEMENT SLURRY SEAL PROJECT IN THE AMOUNT OF \$609,903 (CP 14-03):**

ACTION: 1) Approve an agreement with Pavement Coatings Co. in the amount of \$609,903 for the 2014 Pavement Slurry Seal (CP 14-03); and 2) Authorize the City Manager to execute all necessary documents. A6541. **Approved as part of the Consent Calendar.**

- 2.O. APPROVE AN AGREEMENT WITH ADLERHORST INTERNATIONAL, INC. FOR THE PURCHASE OF POLICE CANINES, ACADEMY TRAINING, MONTHLY MAINTENANCE TRAINING, AND ANNUAL CERTIFICATION:**

ACTION: 1) Award a contract services agreement to Adlerhorst International Inc. for the as-needed acquisition of police canines, Basic Patrol and Basic Explosive K-9 Academy Training, monthly maintenance training, and annual certification training for the 5-member K-9 team for a three (3) year period with two one-year optional renewals; and 2) Authorize the City Manager to execute all necessary documents. A6542. **Approved as part of the Consent Calendar.**

- 2.P. AGREEMENT FOR ASSIGNMENT OF GRANT FROM THE CITY TO THE PALM SPRINGS HISTORICAL SOCIETY FOR FUNDING OPERATING EXPENSES AT VILLAGE GREEN AND MCCALLUM ADOBE:**

ACTION: 1) Approve the Agreement for Assignment of Grant from the City to the Palm Springs Historical Society; and 2) Authorize the City Manager to execute the Agreement on behalf of the City. A6543. **Approved as part of the Consent Calendar.**

- 2.Q. ADOPTION OF MITIGATED NEGATIVE DECLARATION FOR THE RAMON ROAD WIDENING PROJECT BETWEEN SAN LUIS REY DRIVE AND LANDAU BOULEVARD (CP 08-25):**

ACTION: Adopt Resolution No. 23544, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, ADOPTING AND ORDERING THE FILING OF A MITIGATED NEGATIVE DECLARATION FOR THE RAMON ROAD WIDENING PROJECT (CP 08-25)." **Approved as part of the Consent Calendar.**

- 2.R. AS SUCCESSOR AGENCY APPROVE TERMINATION OF A SUBLEASEHOLD INTEREST IN A 9.62 ACRE PORTION OF**

BUSINESS LEASE 315 (PSL 315) PURSUANT TO AN ORDER OF THE STATE CONTROLLER AND THE CALIFORNIA DEPARTMENT OF FINANCE:

ACTION: Adopt Resolution No. 23545, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, ACTING SOLELY IN ITS CAPACITY AS THE SUCCESSOR AGENCY TO THE COMMUNITY REDEVELOPMENT AGENCY, APPROVING THE TERMINATION OF A SUBLEASEHOLD INTEREST IN A 9.62 ACRE PORTION OF BUSINESS LEASE 315 (PSL 315) PURSUANT TO AN ORDER OF THE STATE CONTROLLER AND THE CALIFORNIA DEPARTMENT OF FINANCE." **Approved as part of the Consent Calendar.**

2.S. APPROVE A FOUR YEAR LEASE WITH YAMAHA GOLF CART COMPANY FOR CERTAIN ANCILLARY VEHICLES AT THE PALM SPRINGS TAHQUITZ CREEK MUNICIPAL GOLF COURSE:

ACTION: 1) Approve a four (4) year lease with Yamaha Golf Cart Company in the amount of \$602.20 per month plus taxes and fees for 2 beverage carts, 1 range picker, and 1 shuttle; and 2) Authorize the City Manager to execute all documents to effectuate the lease subject to review and approval by the City Attorney. A6544. **Approved as part of the Consent Calendar.**

2.T. AS SUCCESSOR AGENCY APPROVING THE SALE OF THE PRAIRIE SCHOONER PARKING LOT AND APPROVING THE SALE OF THE CONVENTION CENTER NORTH PARKING LOT TO THE CITY OF PALM SPRINGS, PURSUANT TO THE APPROVED LONG-RANGE PROPERTY MANAGEMENT PLAN:

ACTION: 1) Adopt Resolution No. 23546, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, ACTING SOLELY IN ITS CAPACITY AS THE SUCCESSOR AGENCY TO THE COMMUNITY REDEVELOPMENT AGENCY, APPROVING THE SALE OF THE PRAIRIE SCHOONER PARKING LOT (PROPERTY 3, APN 508-055-007, 508-055-008, and 508-055-009) TO THE CITY OF PALM SPRINGS, PURSUANT TO THE APPROVED LONG-RANGE PROPERTY MANAGEMENT PLAN;" and 2) Adopt Resolution No. 23547, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, ACTING SOLELY IN ITS CAPACITY AS THE SUCCESSOR AGENCY TO THE COMMUNITY REDEVELOPMENT AGENCY, APPROVING THE SALE OF THE CONVENTION CENTER NORTH PARKING LOT (PROPERTY 4, APN 508-034-012, 508-034-013, 508-034-014) TO THE CITY OF PALM SPRINGS, PURSUANT TO THE APPROVED LONG-RANGE PROPERTY MANAGEMENT PLAN." **Approved as part of the Consent Calendar, noting the abstention of Mayor Pougnet.**

EXCLUDED CONSENT CALENDAR:

2.C. SECOND READING AND ADOPTION OF ORDINANCE NO. 1851 RELATING TO HOURS OF OPERATION OF REGULAR MOWING OR GROOMING OF GOLF COURSES, GRASS TENNIS COURTS, GRASS CROQUET COURTS, AND LAWN BOWLING AREAS:

Mayor Pougnet requested the City Attorney address the legislative process, stated his support for the proposed ordinance, commented on mandates of certain types of equipment, and requested the City Manager look at a Sustainability incentive program that provides incentives for replacement of unsustainable equipment.

Mayor Pro Tem Hutcheson commented on the fairness of the process, stated his support for the proposed ordinance, and stated his support for the Mayor's recommendations for the Sustainability Commission to review and develop an incentive program.

Councilmember Lewin stated his support for the ordinance and stated the ordinance does not change the current provisions, but just moves the provisions to another section of the code, commented on sound mitigation and requested the Commission look for AQMD funds for incentive programs, and stated the Homeowners Association and the Golf Course Operator should get together to solve the conflicts.

Councilmember Mills stated his support for reviewing grants and incentives.

ACTION: Waive the reading of the ordinance text in its entirety and adopt Ordinance No. 1851, "AN ORDINANCE OF THE CITY OF PALM SPRINGS, CALIFORNIA, AMENDING SECTION 11.74.041 OF, AND REPEALING EXCEPTION (5) OF SECTION 8.04.220 OF, THE PALM SPRINGS MUNICIPAL CODE, RELATING TO HOURS OF OPERATION OF REGULAR MOWING OR GROOMING OF GOLF COURSES, GRASS TENNIS COURTS, GRASS CROQUET COURTS, AND LAWN BOWLING AREAS." **Motion Councilmember Mills, seconded by Mayor Pro Tem Hutcheson and unanimously carried 4-0 on a roll call vote.**

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

NOES: None.

ABSENT: Councilmember Foat.

2.D. APPROVE AN ADVERTISING CONTRACT WITH THE DESERT SUN FOR DISPLAY AND LEGAL ADVERTISING FROM APRIL 15, 2014, THROUGH MAY 15, 2015:

ACTION: Withdrawn from the Agenda at the request of Staff.

2.G. APPLICATION TO THE STATE OF CALIFORNIA OFFICE OF HISTORIC PRESERVATION TO ESTABLISH THE CITY AS A CERTIFIED LOCAL GOVERNMENT PURSUANT TO THE NATIONAL HISTORIC PRESERVATION ACT:

Councilmember Mills stated his support to assist historic preservation efforts and requested staff address the compatibility of the City ordinance with the requirements of the CLG.

Councilmember Lewin requested staff address the benefits of receiving the designation, including the grant opportunities, and requested Staff correct the Assemblyman's name on the application.

ACTION: Adopt Resolution No. 23540, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, APPROVING THE APPLICATION AND CERTIFICATION AGREEMENT FOR THE CERTIFIED LOCAL GOVERNMENT HISTORIC PRESERVATION PROGRAM." A6535. **Motion Mayor Pro Tem Hutcheson, seconded by Councilmember Lewin and unanimously carried 4-0 on a roll call vote.**

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

NOES: None.

ABSENT: Councilmember Foat.

2.K. APPROVE PARTICIPATION IN THE HOME CONSORTIUM WITH THE COUNTY OF RIVERSIDE AND AUTHORIZING EXECUTION OF A COOPERATION AGREEMENT FOR THE HOME CONSORTIUM:

Councilmember Lewin requested Staff address the City's affordable housing program.

ACTION: 1) Adopt Resolution No. 23542, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, AUTHORIZING PARTICIPATION IN THE HOME CONSORTIUM WITH THE COUNTY OF RIVERSIDE AND AUTHORIZING EXECUTION OF A COOPERATION AGREEMENT FOR THE HOME CONSORTIUM;" and 2) Authorize the City Manager to execute all necessary documents. A6538. **Motion Councilmember**

Lewin, seconded by Mayor Pro Tem Hutcheson and unanimously carried 4-0 on a roll call vote.

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

NOES: None.

ABSENT: Councilmember Foat.

3. **LEGISLATIVE:** None.

4. **UNFINISHED BUSINESS:**

4.A. **AS SUCCESSOR AGENCY APPROVAL OF REFINANCING FORMER COMMUNITY REDEVELOPMENT AGENCY TAX ALLOCATION BONDS:**

Suzanne Harrell, Financial Advisor, provided background information as outlined in the Staff Report dated May 7, 2014.

ACTION: Adopt Resolution No. 23548, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, ACTING SOLELY IN ITS CAPACITY AS SUCCESSOR AGENCY TO THE PALM SPRINGS COMMUNITY REDEVELOPMENT AGENCY REQUESTING DIRECTION TO UNDERTAKE PROCEEDINGS FOR THE ISSUANCE OF 2014 SUBORDINATE TAX ALLOCATION REFUNDING BONDS TO REFUND CERTAIN OUTSTANDING OBLIGATIONS OF THE FORMER COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF PALM SPRINGS, APPROVING THE ISSUANCE OF SUCH REFUNDING BONDS AND THE EXECUTION AND DELIVERY OF AN INDENTURE OF TRUST AND ESCROW AGREEMENTS AND PROVIDING OTHER MATTERS RELATING TO THE ISSUANCE OF THE REFUNDING BONDS." **Motion Mayor Pro Tem Hutcheson, seconded by Councilmember Lewin and unanimously carried 4-0 on a roll call vote.**

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

NOES: None.

ABSENT: Councilmember Foat.

5. **NEW BUSINESS:**

5.A. **APPROVE PLACEMENT OF THREE BIKE CORRALS IN UPTOWN AND DOWNTOWN:**

City Manager Ready provided background information as outlined in the Staff Report dated May 7, 2014.

Councilmember Mills stated his support for the substitution of bike racks for parking spaces and expressed concern regarding aesthetics of the project.

Councilmember Lewin thanked Staff for a project well done and requested Staff address the design of the bike frames especially at the location of the Welwood Murray Memorial Library.

ACTION: Approve the construction of bicycle corral/bicycle parking structures at the Palm Canyon Theater North Parking area, on Palm Canyon's west side in front of the Village Green, and on the east side of Palm Canyon in front of the Welwood Murray Memorial Library upgrading the bike racks at the Welwood Murray Memorial Library location. **Motion Councilmember Lewin, seconded by Councilmember Mills and unanimously carried 4-0 on a roll call vote.**

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

NOES: None.

ABSENT: Councilmember Foat.

5.B. DISCUSSION OF COMMERCIAL PARKING REQUIREMENTS:

John Raymond, Director of Community and Economic Development, provided background information as outlined in the Staff Report dated May 7, 2014.

Councilmember Lewin stated his support for this concept and stated the concepts will provide some relief for some older buildings that may otherwise remain vacant.

Mayor Pro Tem Hutcheson stated his support for these ideas and programs, and recommended the City Council take steps necessary to implement the program.

Councilmember Mills commented on examples the City has used in the Downtown area with restaurants and outdoor dining, stated his support for the concepts, and requested staff review the proposed parking program with respect to the current 180-day rule when a business is abandoned.

ACTION: Direct Staff to return with the parking program requirements for City Council approval. **By consensus of the City Council, noting the absence of Councilmember Foat.**

5.C. DISCUSS WATER CONSERVATION ISSUES:

City Manager Ready and Michele Mician, Sustainability Manager, provided background information as outlined in the Staff Report dated May 7, 2014.

Mayor Pougnet outlined the concepts of the proposed water conservation programs and regulations.

Councilmember Lewin commented on current drought conditions, the ability of the City to declare a drought condition, and the process to develop programs for conservation of water.

Mayor Pougnet requested the City Attorney address the City's ability and authority to address drought conditions.

Mayor Pro Tem Hutcheson thanked the City Council Subcommittee for developing these concepts and the Mayor's goals on sustainability, commented on the City's use of water, educational programs available for citizens, and recommended the City develop a goal for water conservation.

Councilmember Mills requested Staff address overhead irrigation and gray water systems, and requested the City Attorney address if DWA has authority to implement drought conditions and enforcement tools.

ACTION: Direct staff to prepare an ordinance and regulations for water conservation for City Council approval. **By consensus of the City Council, noting the absence of Councilmember Foat.**

5.D. PROPOSED RESOLUTION AMENDING THE COMPREHENSIVE FEE SCHEDULE TO MODIFY USER FEES FOR VILLAGEFEST:

City Clerk Thompson provided background information as outlined in the Staff Report dated May 7, 2014.

ACTION: Adopt Resolution No. 23549, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, MODIFYING USER FEES FOR VILLAGEFEST AND AMENDING THE COMPREHENSIVE FEE SCHEDULE ADOPTED BY RESOLUTION NO. 21578 AS AMENDED." **Motion Mayor Pro Tem Hutcheson, seconded by Councilmember Mills and unanimously carried 4-0 on a roll call vote.**

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

NOES: None.

ABSENT: Councilmember Foat.

ACTION: Continue past the 10:00 p.m. tentative adjournment time. **Motion Mayor Pro Tem Hutcheson, seconded by Councilmember Lewin and unanimously carried (4-0), noting the absence of Councilmember Foat.**

5.E. PROPOSED RESOLUTION MODIFYING RECREATION DAY CARE PROGRAM FEES "FOR KIDS ONLY" (FKO), "TINY TOTS" AND "SUMMER CAMP" PROGRAMS:

City Clerk Thompson provided background information as outlined in the Staff Report dated May 7, 2014.

Mayor Pro Tem Hutcheson commented on the increase in fees and the potential impact on families due to the increase, stated the City has not raised fees since 2008 and they do need to be raised by some amount, commented on the economic impact these programs provide, commented on the number of Palm Springs residents that participate in the programs, noted the City's support of the senior population through the Mizel Senior Center rather than run the programs, and stated further study should be done to determine the most efficient way to operate the programs.

Councilmember Lewin stated the increase is too much of a jump for a family to absorb, stated he is not prepared to make a value judgment, any increase should be staggered and not necessarily be cost neutral, and commented on the different rates for residents and non-residents.

Councilmember Mills requested Staff address the maximum number of participants to the programs, commented on the number of residents participating in the programs and the number of non-residents that attend Palm Springs schools, stated resident program discounts could be applied to people who work in Palm Springs and support the businesses in Palm Springs, and the fees need to increase but need to be a measured increase.

Mayor Pougnet commented on the fees and the revenues for recreation programs, stated many of the City's programs are not revenue neutral, and stated his support for a higher rate for non-residents.

No action taken.

5.F. TRANSMITTAL OF THE FISCAL YEAR 2014-15 BUDGET FOR ENTERPRISE FUNDS, SPECIAL REVENUE FUNDS, DEBT SERVICE FUNDS, AND INTERNAL SERVICE FUNDS, AND CONTINUED DISCUSSION OF THE GENERAL FUND AND OF A MULTI-YEAR

**STRATEGIC ACTION PLAN FOR CITY CAPITAL IMPROVEMENTS
AND QUALITY OF LIFE ENHANCEMENTS RELATED TO MEASURE J
FUNDING:**

ACTION: Table to the next regular meeting. By consensus of the City Council, noting the absence of Councilmember Foat.

COUNCILMEMBER COMMENTS, REQUESTS, AND REPORTS:

Councilmember Mills requested Staff address clean-up issues on the Airport property on Vista Chino east of the Riverside County Flood Control retention basin littered with plastic bags and debris, in addition to the same issue to the east of the Animal Shelter near the SCE yard, and requested Staff correct the installation of Measure J signs.

Mayor Pro Tem Hutcheson requested the City Manager address the homeless at the Ramon Bridge.

Councilmember Lewin thanked Code Enforcement for their service utilizing the City's Go Request app.

ADJOURNMENT: The City Council adjourned at 10:21 p.m., to Wednesday, May 21, 2014, 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
21ST DAY OF MAY, 2014.**



STEPHEN P. POUGNET, MAYOR

ATTEST:



JAMES THOMPSON, CITY CLERK