

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



**MEETING MINUTES
WEDNESDAY, JUNE 4, 2014
CITY HALL COUNCIL CHAMBER**

CALL TO ORDER: Mayor Pougnet called the meeting to order at 6:18 p.m.

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

INVOCATION: Rev. Kevin Johnson, Bloom in the Desert, United Church of Christ, led the Invocation.

ROLL CALL:

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

ABSENT: None.

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

PRESENTATIONS:

Mayor Pougnet announced the recent City of Palm Springs Neighborhood Involvement Committee awards, provided an update on the recent ribbon cutting ceremony for Appetito, and announced the upcoming Palm Springs Chamber of Commerce Awards Luncheon.

Fire Chief Allen provided an update on Wildland Fire safety, and announced the upcoming Fire Association Fish Fry event.

REPORT OF CLOSED SESSION:

The meeting was called to order at 4:30 p.m., and City Attorney Holland requested the City Council consider adding one item to the Closed Session Agenda, pursuant to Cal. Gov. Code Section 54956.8 Conference with Real Property Negotiator for the property described as a 310 acre site APN's 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 for purchase, and stated he has received information regarding the case after the posting of the Agenda, and there is an immediate need to hear and/or take action.

ACTION: 1) Find the matter came to the attention of the City after the posting of the agenda and there is an immediate need to hear and/or take action; and 2) Add to the Closed Session Agenda, pursuant to Cal. Gov. Code Section 54956.8 Conference with Real Property Negotiator for the property described as a 310 acre site APN's 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 for purchase. **Motion Councilmember Foat, seconded by Mayor Pougnet and unanimously carried (4-0), noting absence of Councilmember Mills.**

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

ACCEPTANCE OF THE AGENDA:

Mayor Pougnet requested Item 2.H. be removed from the Consent Calendar for separate discussion.

Councilmember Mills requested Items 2.G., 2.H., 2.M., and 2.O. be removed from the Consent Calendar for separate discussion.

Councilmember Lewin requested Item 2.D. 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 on a roll call vote.**

1. PUBLIC HEARINGS:

1.A. CONSIDERATION OF A VARIANCE AND CONDITIONAL USE PERMIT FOR SPECTRUM SERVICES (VERIZON WIRELESS) TO CONSTRUCT A FORTY-EIGHTH FOOT HIGH MONOPOLE STRUCTURE WITH ASSOCIATED EQUIPMENT SHELTER, AT 2101 SAHARA ROAD (ZONE P), AND CEQA CATEGORICAL EXEMPTION (CASE NOS. 5.1314 CUP AND 6.530 VAR):

Margo Wheeler, Director of Planning Services, provided background information as outlined in the Staff Report dated June 4, 2014.

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

MIKE HAYNES, requested the City Council approve the project as conditioned.

JOSEPH LA PORTA, Palm Springs, stated the City needs more cell towers.

BILL FERRA, Palm Springs, stated this is the third tower at this location, the applicant and operation does not disturb the neighborhood, and requested the City Council approve the tower.

JAMES T. RIDER, Palm Springs, stated the tower will provide better cell service and requests the City Council approve the tower.

THOMAS FIEGENSCHURT, stated the area has poor reception, and requests the City Council approve the tower at this location.

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

Councilmember Mills requested Staff address the Planning Commission approval PLN2, PLN3, and PLN5, the ownership of the site, requested the City Council approve an upgrade of landscaping at the street, and a requirement for wrought iron fence for additional security.

ACTION: Adopt Resolution No. 23558, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, APPROVING CONDITIONAL USE PERMIT CASE NO 5.1314, TO INSTALL A FORTY-EIGHT FOOT WIRELESS COMMUNICATIONS ANTENNA AND VARIANCE CASE NO. 6.530 TO EXCEED THE MAXIMUM ANTENNA HEIGHT FOR THE PROPERTY LOCATED AT 2101 SAHARA ROAD;" *amending the Conditions of Approval by deleting PLN 2 and PLN 3, and adding two conditions as follows: (i) Street edge to be enhanced with additional landscaping between wall and curb, conditionally maintained, subject to approval by the Planning Department; and (ii) A six foot high wrought iron fence to close off passageways shall be installed between enclosures.* **Motion Mayor Pro Tem Hutcheson, seconded by Councilmember Lewin and unanimously carried on a roll call vote.**

1.B. PROPOSED ORDINANCE AMENDING THE PALM SPRINGS ZONING CODE SECTION 93.20.07 REGARDING REAL ESTATE SIGNS AND CEQA CATEGORICAL EXEMPTION (CASE 5.1338 ZTA):

ACTION: 1) Continue the public hearing with no public testimony at this time; and 2) Direct the City Clerk to re-notice the public hearing. **Motion Councilmember Mills, seconded by Mayor Pro Tem Hutcheson and unanimously carried on a roll call vote.**

1.C. ADOPTING THE FISCAL YEAR 2014-15 BUDGET, ALLOCATED POSITIONS AND COMPENSATION PLAN, SUCCESSOR AGENCY

ADMINISTRATIVE BUDGET, HOUSING SUCCESSOR AGENCY BUDGET, AND APPROPRIATIONS LIMIT:

City Manager Ready provided background information as outlined in the Staff Report dated June 4, 2014.

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

COOPER JOHNSON, requested the City Council provide sponsorship funding for the Palm Springs Celebrity Golf Classic.

DIMITRI HALKIDIS, requested the City Council provide sponsorship funding for the Palm Springs Celebrity Golf Classic.

DANIEL WATKINS, requested the City Council provide sponsorship funding for the Palm Springs Celebrity Golf Classic.

STEVE ROSENBERG, requested the City Council approve funding for improvements at the Palm Springs Stadium.

ARLENE ROSENTHAL, thanked the City Council for consideration of funding for the Well in the Desert.

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

Mayor Pro Tem Hutcheson requested the City Council consider the expansion of hours for the Swim Center and the Palm Springs Library.

Councilmember Foat requested Staff address the closure of the swim center in the mornings.

Councilmember Foat requested the number of Code Enforcement staff, and commented on property maintenance.

Councilmember Lewin commented on funding litigation costs and the State takeaway of redevelopment.

Councilmember Mills commented on the proposed funding for Palm Springs Stadium Field Improvements.

Mayor Pro Tem Hutcheson stated his support to increase Measure J funding for land acquisition.

Mayor Pougnet commented on the funding of the iHub, and requested the City Council not fund the iHub until the City receives information from other cities on their funding commitment.

ACTION: 1) Adopt Resolution No. 23559, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, ADOPTING THE ALLOCATED POSITIONS AND COMPENSATION PLAN FOR FISCAL YEAR 2014-15;" 2) Adopt Resolution No. 23560, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, APPROVING THE BUDGET FOR FISCAL YEAR 2014-15 AND SUCH OTHER MATTERS AS REQUIRED;" 3) Adopt Resolution No. 23561, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, ACTING SOLELY IN ITS CAPACITY AS THE SUCCESSOR AGENCY TO THE CITY OF PALM SPRINGS COMMUNITY REDEVELOPMENT AGENCY, AND IN ITS CAPACITY AS THE HOUSING SUCCESSOR AGENCY TO THE CITY OF PALM SPRINGS COMMUNITY REDEVELOPMENT AGENCY, APPROVING THE SUCCESSOR AGENCY AND HOUSING SUCCESSOR AGENCY BUDGETS FOR FISCAL YEAR 2014-15, AND OTHER SUCH MATTERS AS REQUIRED;" 4) Adopt Resolution No. 23562, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, ADOPTING AN APPROPRIATIONS LIMIT FOR THE FISCAL YEAR ENDING JUNE 30, 2015; and 5) Direct the City Manager and Director of Finance and Treasurer to make the appropriate modifications to the Budget and prepare the final budget document for Fiscal Year 2014-15. **Motion Councilmember Lewin, seconded by Mayor Pro Tem Hutcheson and unanimously carried on a roll call vote, noting the abstention of Councilmember Foat on the funding for the Mizell Senior Center, the abstention of Councilmember Mills on the funding for the Boys and Girls Club, and the abstention of Mayor Pougnet on the funding of the Palm Springs International Film Festival.**

PUBLIC COMMENT:

DEBORAH SUTTON-WEISS, announced the upcoming fundraising events by CASA.

BEN STANPHILL, commented on Item 2.M. and requested the City Council approve the Utility Encroachment License.

RON DEHART, commented on Item 5.C., and requested the City Council approve the 2014 Palm Springs Pride in the proposed new location.

GEORGE ZANDER, Palm Springs, commented on Item 5.C., and requested the City Council approve the 2014 Palm Springs Pride in the proposed new location.

DOUG HARGROVE, Palm Springs, commented on Item 5.C., and requested the City Council approve the 2014 Palm Springs Pride in the proposed new location.

JEFF HOCKUR, commented on Item 5.C., and requested the City Council approve the 2014 Palm Springs Pride in the proposed new location.

JOY BROWN MEREDITH, stated her support for Item 2.D. regarding murals, commented on Item 5.C., and requested the City Council approve the 2014 Palm Springs Pride in the proposed new location.

STEVE ROSENBERG, commented on the status of recent current events in the Country and the City of Palm Springs.

COUNCILMEMBER COMMENTS:

Councilmember Foat announced the upcoming funding events at the Palm Springs Animal Shelter.

CITY MANAGER'S REPORT: None.

2. CONSENT CALENDAR:

ACTION: Approve Items 2.A., 2.B., 2.C., 2.E., 2.F., 2.I., 2.J., 2.K., 2.L., and 2.N. **Motion Mayor Pro Tem Hutcheson, seconded by Councilmember Mills 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 June 4, 2014, City Council Agenda. **Approved as part of the Consent Calendar.**

2.B. APPROVAL OF MINUTES:

ACTION: Approve the City Council Minutes of May 21, 2014. **Approved as part of the Consent Calendar.**

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

ACTION: 1) Adopt Resolution No. 23563, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, APPROVING PAYMENT OF CLAIM AND DEMAND BY WARRANT NUMBERED 1071009 IN THE AGGREGATE AMOUNT OF \$2,206.25, DRAWN ON BANK OF AMERICA;" 2) Adopt Resolution No. 23564, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, APPROVING PAYMENT OF PAYROLL WARRANTS FOR THE PERIOD ENDED 5-10-14 BY WARRANTS NUMBERED 418627 THROUGH 418650 TOTALING \$63,662.28, LIABILITY CHECKS NUMBERED 1071010 THROUGH 1071032 TOTALING \$109,737.13, FIVE WIRE TRANSFERS FOR \$47,460.86,

AND THREE ELECTRONIC ACH DEBITS OF \$1,112,625.37 IN THE AGGREGATE AMOUNT OF \$1,333,485.64, DRAWN ON BANK OF AMERICA;" 3) Adopt Resolution No. 23565, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, APPROVING PAYMENT OF CLAIMS AND DEMANDS BY WARRANTS NUMBERED 1071033 THROUGH 1071150 IN THE AGGREGATE AMOUNT OF \$1,726,121.51, DRAWN ON BANK OF AMERICA;" and 4) Adopt Resolution No. 23566, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, APPROVING PAYMENT OF CLAIMS AND DEMANDS BY WARRANTS NUMBERED 1071151 THROUGH 1071362 IN THE AGGREGATE AMOUNT OF \$1,367,957.17, DRAWN ON BANK OF AMERICA. **Approved as part of the Consent Calendar.**

2.E. APPROVE ANNUAL INSURANCE POLICY RENEWALS FOR THE CITY'S INSURANCE PORTFOLIO FOR FISCAL YEAR 2014-15:

ACTION: Adopt Resolution No. 23567, "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 2014-2015, EFFECTIVE JULY 1, 2014." **Approved as part of the Consent Calendar.**

2.F. DESIGNATION OF A VOTING DELEGATE AND ALTERNATE FOR THE LEAGUE OF CALIFORNIA CITIES ANNUAL CONFERENCE SEPTEMBER 3-5, 2014:

ACTION: Appoint Councilmember Foat as the Voting Delegate, and appoint City Manager Ready as the Alternate Voting Delegate for the 2014 League of California Cities Annual Conference in Los Angeles, California, September 3-5, 2014. **Approved as part of the Consent Calendar.**

2.I. ACCEPT THE RESIGNATION OF TRACY HELLER FROM THE BUSINESS IMPROVEMENT DISTRICT ADVISORY BOARD:

ACTION: Accept with regret the resignation of Tracy Heller from the Business Improvement District Advisory Board. **Approved as part of the Consent Calendar.**

2.J. AMENDMENT NO. 4 TO AGREEMENT NO. A5862 WITH KEENAN & ASSOCIATES FOR LOSS CONTROL AND REGULATORY SERVICES TO EXTEND THE AGREEMENT TO JUNE 30, 2015:

ACTION: 1) Approve Amendment No. 4 to consulting services agreement for Loss Control and Regulatory Services with Keenan & Associates, in the amount of \$65,000; and 2) Authorize The City Manager to execute all necessary documents. A5862. **Approved as part of the Consent Calendar.**

2.K. APPROVE A SPECIAL ECONOMIC DEVELOPMENT FOCUSED INCENTIVE AREAS PROGRAM GRANT AGREEMENT WITH STEPHEN WOOSTER DBA DRINKS LOCATED AT 2080 NORTH PALM CANYON DRIVE:

ACTION: 1) Approve an Interior Remodel Grant Agreement with Stephen Wooster, DBA Drinks, at 2080 North Palm Canyon Drive, in the amount of \$25,000; and 2) Authorize the City Manager to execute all necessary documents. A6556. **Approved as part of the Consent Calendar.**

2.L. 2014 BIENNIAL NOTICE FOR CITY STAFF TO REVIEW THE CONFLICT OF INTEREST CODE PURSUANT TO THE POLITICAL REFORM ACT:

ACTION: Adopt Resolution No. 23568, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, REQUIRING CITY STAFF TO REVIEW THE CONFLICT OF INTEREST CODE AND SUBMIT THE 2014 BIENNIAL NOTICE AS REQUIRED UNDER THE POLITICAL REFORM ACT." **Approved as part of the Consent Calendar.**

2.N. TREASURER'S INVESTMENT REPORT AS OF APRIL 30, 2014:

ACTION: Receive and File the Treasurer's Investment Report as of April 30, 2014. **Approved as part of the Consent Calendar.**

EXCLUDED CONSENT CALENDAR:

2.D. ADOPT ORDINANCE NO. 1853, 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):

ACTION: Waive the reading of the ordinance text and adopt by title only, 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." **Motion Councilmember Mills, seconded by Mayor Pougnet and carried 3-2 on a roll call vote.**

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

NOES: Councilmember Foat and Councilmember Lewin.

2.G. APPROVAL OF PLANS, SPECIFICATIONS AND ESTIMATE (PS&E) AND AUTHORIZATION TO BID FOR THE PALM SPRINGS SWIM CENTER POOL DECK REPLACEMENT PROJECT AND AUTHORIZE THE CITY MANAGER AWARD THE CONTRACT TO THE LOWEST RESPONSIBLE BIDDER (CP 14-08):

Councilmember Mills requested Staff address the NDS drain.

ACTION: 1) Approve the Plans, Specifications, and working details for the Palm Springs Swim Center Pool Deck Replacement Project, and authorize staff to advertise and solicit bids (CP 14-08); 2) Authorize the City Manager to award the contract to the lowest responsive and responsible bidder within the budget and execute all necessary documents; 3) Suspend the normal work hours during the construction period; and 4) Approve and authorize the City Manager to execute change orders not to exceed 10%, subject to reporting to the City Council. **Motion Councilmember Mills, seconded by Councilmember Foat and unanimously carried on a roll call vote.**

2.H. APPROVAL OF PLANS, SPECIFICATIONS AND ESTIMATE (PS&E) AND AUTHORIZATION TO BID FOR THE CONVENTION CENTER TEMPORARY PARKING LOT PROJECT (CP 14-09):

The City Council requested an update and discussed the progress of the Dolce Project, prior to the approval of the temporary parking lot.

ACTION: 1) Approve the Plans, Specifications, and working details for the Convention Center Temporary Parking Lot Project, and 2) Authorize Staff to advertise and solicit bids (CP 14-09). **Motion Councilmember Mills, seconded by Councilmember Foat and unanimously carried on a roll call vote.**

2.M. APPROVAL OF A PRIVATE UTILITY ENCROACHMENT LICENSE WITH PALM SPRINGS LANDSCAPE COMPANY, FOR TWO - 2 INCH PRIVATE UNDERGROUND AIR SPARGE CONDUITS WITHIN THE PUBLIC RIGHT-OF-WAY OF SOUTH PALM CANYON DRIVE (SECTION 23, T4S, R4E) (EL 14-01):

Councilmember Mills requested Staff address the location of the monitoring devices, and inquired if the devices are coordinated with Riverside County Flood Control.

ACTION: 1) Approve an Encroachment License with Palm Springs Landscape Company, for operation and maintenance of two – 2 inch private underground air sparge conduits located in South Palm Canyon Drive between Sunny Dunes and the Tahquitz Creek Channel; and 2) Authorize the City Manager to execute all

necessary documents. A6571. **Motion Councilmember Mills, seconded by Councilmember Lewin and unanimously carried on a roll call vote.**

2.O. APPROVAL OF PLANS, SPECIFICATIONS AND ESTIMATE (PS&E) AND AUTHORIZATION TO BID FOR THE ANDREAS ROAD TWO-WAY CONVERSION (CITY PROJECT NO. 13-27):

Councilmember Mills requested City Staff address the protection, signage and the alignment at Andreas Road and Indian Canyon, and the lack of a cross-walk on the north side of the intersection.

Councilmember Foat requested the City Council consider tabling the Item for two weeks for further review of the plans.

Councilmember Lewin stated his support for the project and stated the City Council should consider approval to keep the project going.

ACTION: 1) Approve the Plans, Specifications, and Estimate for the Andreas Road two-way conversion (City Project No. 13-27); and 2) Authorize Staff to advertise and solicit bids. **Motion Councilmember Lewin, seconded by Councilmember Mills and unanimously carried on a roll call vote.**

3. LEGISLATIVE: None.

4. UNFINISHED BUSINESS: None.

5. NEW BUSINESS:

5.A. PRESENTATION AND DISCUSSION FOR POTENTIAL FEASIBILITY FOR SOLAR INSTALLATION ON CITY FACILITIES:

Al Smoot, Special Projects Coordinator, provided background information as outlined in the Staff Report dated June 4, 2014.

Councilmember Lewin requested the City Council put the proposed projects to bid, and requested City Staff address the Convention Center parking lot.

Mayor Pro Tem Hutcheson requested City Staff address the rebates and the length of time the rebates may still be available.

Councilmember Foat requested City Staff address the installation of solar at the Library, Desert Highland Unity Center, and City Hall.

Councilmember Mills requested the consultant address the financing costs as contained in the calculations.

ACTION: Direct Staff to develop and issue an RFP for the installation of solar at certain City facilities. **By consensus of the City Council.**

5.B. APPROVAL OF THE CITY OF PALM SPRINGS 2014 PARKS AND RECREATION MASTER PLAN AND CEQA CATEGORICAL EXEMPTION:

City Clerk Thompson provided background information as outlined in the Staff Report dated June 4, 2014.

Councilmember Mills commented on the amendments and the specific direction, and stated his support for the plan as amended and requested the City Council approve the plan.

Councilmember Foat commented on the work performed by the Consultant, commented on the programs related to sustainability, and requested the City Council approve the plan.

Mayor Pougnet thanked the Parks and Recreation Commission for their amendments, recommendations, and work on the plan.

ACTION: Adopt Resolution No. 23569, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, APPROVING THE 2014 PARKS AND RECREATION MASTER PLAN." **Motion Councilmember Mills, seconded by Councilmember Foat and unanimously carried on a roll call vote.**

5.C. APPROVAL OF THE 2014 PALM SPRINGS PRIDE EVENT, CERTAIN STREET CLOSURES, THE SUSPENSION OF CERTAIN REGULATORY ORDINANCES, AND AGREEMENT PERTAINING TO THE SPONSORSHIP AND PRODUCTION AND PAYMENT OF COSTS FOR THE EVENT:

City Clerk Thompson provided background information as outlined in the Staff Report dated June 4, 2014.

Mayor Pougnet commented on the history with the Greater Palm Springs Pride, the benefits and the impact of moving the event to Downtown, and stated his support for moving the event to Downtown.

Councilmember Foat noted the positive comments made by the Downtown merchants, commented on the lack of facilities in the Stadium for the event, the proposal to include Uptown, and stated her support for moving the event.

Mayor Pro Tem Hutcheson stated his support for moving the event, requested Staff address any feedback from Vista Las Palmas and Old Las Palmas neighborhood.

Councilmember Mills commented on the route plan, expressed concerns at the intersection of Palm Canyon and Vista Chino and vetting the plan with Caltrans, and stated his support for moving the event.

ACTION: 1) Adopt Resolution No. 23570, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, SUSPENDING CERTAIN REGULATORY ORDINANCES NOVEMBER 8 AND 9, 2014, TO FACILITATE THE 2014 PALM SPRINGS PRIDE;" 2) Approve an agreement for Event Sponsorship and Promotion with Greater Palm Springs Pride, for the 2014 Palm Springs Pride Event, to cover all in-kind expenses beyond \$30,000, and an estimated cost of \$56,835; and 3) Authorize the City Manager to execute all necessary documents. A5742. **Motion Councilmember Foat, seconded by Councilmember Lewin and unanimously carried on a roll call vote.**

5.D. APPOINTMENT OF VARIOUS COMMISSIONERS AND BOARD MEMBERS AS PART OF THE 2014 ANNUAL RECRUITMENT PROCESS:

ACTION: 1) Appoint Dave Williams to the Administrative Appeals Board for the term ending June 30, 2017; 2) Appoint Pennie Feehan to the Board of Appeals with no term ending; 3) Reappoint Cosimo Aiello and Miguel Navarro to the Parks and Recreation Commission for the terms ending June 30, 2017; 4) Reappoint Carol Ramsey and Elijah Stiny to the Rent Review Commission for the terms ending June 30, 2017; and 5) Appoint Michael Birnberg to the Sustainability Commission for the term ending June 30, 2015. **Motion Mayor Pro Tem Hutcheson, seconded by Councilmember Foat and unanimously carried on a roll call vote.**

COUNCILMEMBER COMMENTS, REQUESTS, AND REPORTS:

Councilmember Mills requested City Staff address the landscaping at the Palm Springs International Airport and on Vista Chino at the Airport.

Mayor Pougnet, commented on the landscaping maintenance at the Palm Springs International Airport, requested the City Manager place on the Joint Meeting with the tribe, Section 14 Complete Streets Program, would like an update on and City Council review of the Tahquitz median, and an update on the Welcome entry signs.

Mayor Pro Tem Hutcheson requested a discussion on the Indian Canyon, requested the City Manager provide a progress report on the proposed \$7.7 million for street improvements.

Councilmember Lewin requested an update on the approved solar projects funded by AQMD.

Councilmember Foat requested a discussion on additional improvements for the median at the Ralphs on Sunrise.

Mayor Pougnet commented on the recent passing of Milt Jones.

ADJOURNMENT: The City Council adjourned at 9:29 p.m. to Wednesday, June 18, 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
16TH DAY OF JULY, 2014.**

STEPHEN P. POUGNET, MAYOR

ATTEST:

JAMES THOMPSON, CITY CLERK

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



**MEETING MINUTES
WEDNESDAY, JULY 2, 2014
CITY HALL COUNCIL CHAMBER**

CALL TO ORDER: Mayor Pougnet called the meeting to order at 6:12 p.m.

PLEDGE OF ALLEGIANCE: Girl Scout Troop 1744, led the Pledge.

ROLL CALL:

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

ABSENT: None.

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

PRESENTATIONS:

Councilmember Foat announced the UCR Physicians Program.

Mayor Pougnet announced the City of Palm Springs has been selected as the host city for the upcoming Special Olympics, the ribbon-cutting at Ernest Coffee, the 4th of July activities in the City of Palm Springs, and the installation of healthy choice vending machines at City Hall.

Councilmember Foat announced the cat adoption program at the Palm Springs Animal Shelter.

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, otherwise no reportable actions were taken.

ACCEPTANCE OF THE AGENDA:

City Clerk Thompson stated that Staff is requesting the City Council table Item 1.A. and direct my office to re-notice the hearing for September 17, 2014, table Item 2.G. lease agreement with Signature, and table Item 4.B. discussion on Indian Canyon Drive two-way operation.

Mayor Pro Tem Hutcheson requested Item 2.I. be removed from the Consent Calendar for separate discussion.

Councilmember Foat noted her business and related abstention on Item 2.D. Warrant Nos. 1071554 and 1071778.

Councilmember Mills requested Items 2.H., 2.N., and 2.R. be removed from the Consent Calendar for separate discussion.

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

1. PUBLIC HEARINGS:

- 1.A. PALM SPRINGS UNIFIED SCHOOL DISTRICT (SPRINT WIRELESS) FOR A CONDITIONAL USE PERMIT TO CONSTRUCT AN EIGHTY-FIVE FOOT HIGH MONOPOLE STRUCTURE WITH ASSOCIATED EQUIPMENT SHELTER ADJACENT TO VISTA DEL MONTE ELEMENTARY SCHOOL AT 2744 NORTH VIA MIRALESTE (CASE NOS. 5.0969 CUP & 6.538 VAR):**

ACTION: 1) Table the public hearing with no public testimony at this time; and 2) Direct the City Clerk to re-notice the public hearing for the regular meeting of September 17, 2014. **Motion Councilmember Mills, seconded by Mayor Pro Tem Hutcheson and unanimously carried on a roll call vote.**

- 1.B. MAJOR AMENDMENT TO THE COACHELLA VALLEY MULTIPLE SPECIES HABITAT CONSERVATION PLAN ("CVMSHCP") BY ADDING THE CITY OF DESERT HOT SPRINGS AND MISSION SPRINGS WATER DISTRICT AS PERMITTEES TO THE PLAN:**

Margo Wheeler, Director of Planning Services, provided background information as outlined in the Staff Report dated July 2, 2014.

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

Councilmember Foat inquired as to the status of Desert Hot Springs into the MSHCP, and any fees that may be due from the City.

ACTION: 1) Adopt Resolution No. 23600, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, MAKING RESPONSIBLE AGENCY FINDINGS PURSUANT TO THE CALIFORNIA ENVIRONMENTAL QUALITY ACT FOR THE COACHELLA VALLEY MULTIPLE SPECIES HABITAT CONSERVATION PLAN AND THE

COACHELLA VALLEY MULTIPLE SPECIES HABITAT CONSERVATION PLAN / NATURAL COMMUNITY CONSERVATION PLAN, AS REVISED BY THE MAJOR AMENDMENT; APPROVING THE COACHELLA VALLEY MULTIPLE SPECIES HABITAT CONSERVATION PLAN AND THE COACHELLA VALLEY MULTIPLE SPECIES HABITAT CONSERVATION PLAN / NATURAL COMMUNITY CONSERVATION PLAN, AS REVISED BY THE MAJOR AMENDMENT; APPROVING THE IMPLEMENTING AGREEMENT; AND ADOPTING ENVIRONMENTAL FINDINGS PURSUANT TO THE CALIFORNIA ENVIRONMENTAL QUALITY ACT;" and 2) Adopt Resolution No. 23601, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, MAKING RESPONSIBLE AGENCY FINDINGS PURSUANT TO THE CALIFORNIA ENVIRONMENTAL QUALITY ACT FOR THE COACHELLA VALLEY MULTIPLE SPECIES HABITAT CONSERVATION PLAN/NATURAL COMMUNITY CONSERVATION PLAN (CVMSHCP), ESTABLISHING THE CVMSHCP IMPLEMENTATION POLICY WHICH CONTAINS THE PROCEDURES AND REQUIREMENTS FOR IMPLEMENTATION OF THE CVMSHCP, WHICH ALSO INCLUDES THE COUNCIL'S APPROVAL OF THE CVMSHCP AS REVISED BY THE MAJOR AMENDMENT AND AUTHORIZES THE MAYOR TO EXECUTE THE REVISED IMPLEMENTING AGREEMENT (IA), AND DIRECTS THAT A NOTICE OF DETERMINATION BE FILED." **Motion Councilmember Mills, seconded by Councilmember Lewin and unanimously carried on a roll call vote.**

Mayor Pro Tem Hutcheson stated he has a property ownership related conflict of interest with respect to Item 1.C., would not participate in the discussion or the vote, and left Council Chamber.

- 1.C. AN APPLICATION BY WAHOO CAL PROPERTIES, LLC (OWNERS) IN COLLABORATION WITH THE PALM SPRINGS PRESERVATION FOUNDATION, REQUESTING CLASS 1 HISTORIC DESIGNATION FOR THE TOWN AND DESERT APARTMENTS (CURRENTLY THE HIDEAWAY) LOCATED AT 370 WEST ARENAS ROAD (HSPB 90):**
Margo Wheeler, Director of Planning Services, provided background information as outlined in the Staff Report dated July 2, 2014.

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

ERIK ROSENOW, Palm Springs, stated his support for the designation of the property as a Class 1 Historic Site in the City of Palm Springs.

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

Councilmember Mills stated his support for the designation of the property, and commented on the history of the architect's work in the City of Palm Springs.

ACTION: Adopt Resolution No. 23602, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, DESIGNATING THE PROPERTY LOCATED AT 370 WEST ARENAS ROAD, THE TOWN AND DESERT APARTMENTS (CURRENTLY KNOWN AS THE HIDEAWAY) AS A CLASS 1 HISTORIC SITE (HSPB 90)." **Motion Councilmember Lewin, seconded by Councilmember Foat and unanimously carried 4-0 on a roll call vote.**

AYES: Councilmember Foat, Councilmember Lewin, Councilmember Mills, and Mayor Pougnet.

NOES: None.

ABSENT: Mayor Pro Tem Hutcheson.

Mayor Pro Tem Hutcheson returned to the dais.

1.D. PROPOSED AMENDMENT TO THE PALM SPRINGS ZONING CODE AMENDING SECTION 93.23.14 OF, AND AMENDING OR REPEALING VARIOUS PROVISIONS OF THE PALM SPRINGS MUNICIPAL CODE, RELATING TO THE ESTABLISHMENT OF AN ACCESSORY SECOND UNIT PROGRAM IN THE CITY:

Margo Wheeler, Director of Planning Services, provided background information as outlined in the Staff Report dated July 2, 2014.

Councilmember Mills requested Staff address the lot coverage limit and noted the 35% total lot coverage, and the requirements in State law that do not provide for discretionary review.

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

ACTION: 1) Continue the Public Hearing to September 3, 2014; and 2) Direct the City Clerk post a Notice of Continued Public Hearing pursuant to law. **Motion Councilmember Mills, seconded by Councilmember Lewin and unanimously carried on a roll call vote.**

PUBLIC COMMENT:

THOMAS OGLE, La Quinta, commented on parking issues at the Ernest Coffee and Tiki Bar.

LIZ GLASS, read a letter regarding her service on the Measure J Commission.

CLAUDIO ZANET, thanked the City Council for continuing Public Hearing Item 1.A. to September 17, 2014.

CHRIS OLDENBURG, commented on the proposed cell tower at 2744 North Via Miraleste.

DAVID MECKLEY, thanked the City Council for continuing Public Hearing Item 1.A. to September 17, 2014, and commented on the installation of the proposed cell tower.

KEVIN GETTMANN, Cathedral City, commented on Item 5.C. Water Conservation and the installation of desert landscaping.

KEVIN MILLER, commented on a recent survey by small hotels in the City of Palm Springs.

JOY BROWN MEREDITH, commented on the Downtown Revitalization project, and provided an update on the City Staff attending the MainStreet meetings.

JAIME KOWAL, commented on the parking at Ernest Coffee and Tiki Bar.

STEVE ROSENBERG, commented on Item 2.G. and the objections of the Sunmor Neighborhood Organization.

COUNCILMEMBER COMMENTS: None.

CITY MANAGERS REPORT:

City Manager Ready provided an update on Code Enforcement activities.

2. CONSENT CALENDAR:

ACTION: Approve Items 2.A., 2.B., 2.C., 2.D., 2.E., 2.F., 2.J., 2.K., 2.L., 2.M., 2.O., 2.P., and 2.Q. **Motion Councilmember Foat, 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 July 2, 2014, City Council Agenda. **Approved as part of the Consent Calendar.**

2.B. APPROVAL OF MINUTES:

ACTION: Approve the City Council Minutes of June 18, 2014, (noting the correction to the motion on Item 1.A. to approve an amendment to the sign program allowing a first floor wall sign in the Floor Wall Sign Area, as defined by the City Council, subject to review and approval of the AAC),

June 19, 2014, and June 20, 2014. **Approved as part of the Consent Calendar.**

2.C. RATIFY AND APPOINT THE NOMINATION OF THE CITY OF CATHEDRAL CITY TO THE PALM SPRINGS INTERNATIONAL AIRPORT COMMISSION:

ACTION: Appoint Bary Freet, as the City of Cathedral City representative, to the Palm Springs International Airport Commission for the term ending June 30, 2015. **Approved as part of the Consent Calendar.**

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

ACTION: 1) Adopt Resolution No. 23603, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, APPROVING PAYMENT OF PAYROLL WARRANTS FOR THE PERIOD 5-24-14 BY WARRANTS NUMBERED 418651 THROUGH 418670 TOTALING \$37,490.34, LIABILITY CHECKS NUMBERED 1071363 THROUGH 1071366 TOTALING \$2,158.31, ONE WIRE TRANSFER FOR \$849.22, AND THREE ELECTRONIC ACH DEBITS OF \$1,252,877.49 IN THE AGGREGATE AMOUNT OF \$1,293,375.36, DRAWN ON BANK OF AMERICA;" 2) Adopt Resolution No. 23604, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, APPROVING PAYMENT OF CLAIMS AND DEMANDS BY WARRANTS NUMBERED 1071367 THROUGH 1071481 IN THE AGGREGATE AMOUNT OF \$684,007.80, DRAWN ON BANK OF AMERICA;" 3) Adopt Resolution No. 23605, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, APPROVING PAYMENT OF CLAIMS AND DEMANDS BY WARRANTS NUMBERED 1071482 THROUGH 1071664 IN THE AGGREGATE AMOUNT OF \$1,497,950.45, DRAWN ON BANK OF AMERICA;" 4) Adopt Resolution No. 23606, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, APPROVING PAYMENT OF PAYROLL WARRANTS FOR THE PERIOD ENDED 6-07-14 BY WARRANTS NUMBERED 418671 THROUGH 418692 TOTALING \$37,050.41, LIABILITY CHECKS NUMBERED 1071665 THROUGH 1071686 TOTALING \$112,794.17, FIVE WIRE TRANSFERS FOR \$47,649.40, AND THREE ELECTRONIC ACH DEBITS OF \$1,151,645.71 IN THE AGGREGATE AMOUNT OF \$1,349,139.69, DRAWN ON BANK OF AMERICA;" and 5) Adopt Resolution No. 23607, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, APPROVING PAYMENT OF CLAIMS AND DEMANDS BY WARRANTS NUMBERED 1071687 THROUGH 1071789 IN THE AGGREGATE AMOUNT OF \$984,524.21, DRAWN ON BANK OF AMERICA." **Approved as part of the Consent Calendar, noting the business and related abstention of Councilmember Foat on Item 2.D. Warrant Nos. 1071554 and 1071778.**

- 2.E. RIGHT-OF-WAY VACATION FOR PORTIONS OF MICRO PLACE AND SALVIA ROAD AT THE GENE AUTRY TRAIL AND I-10 INTERCHANGE (FILE NO. R 14-13) (RCTD NO. A4-0740):**
ACTION: Adopt Resolution No. 23608, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, VACATING AND ABANDONING ALL OF ITS RIGHT, TITLE, AND INTEREST IN PORTIONS OF RIGHTS-OF-WAY FOR MICRO PLACE AND SALVIA ROAD AT THE GENE AUTRY TRAIL AND I-10 INTERCHANGE, IN SECTION 30, TOWNSHIP 3 SOUTH, RANGE 5 EAST, S.B.M. (FILE NO. R 14-13) (RCTD NO. A4-0740)." **Approved as part of the Consent Calendar.**
- 2.F. APPROVE PARCEL MAP 36431 FOR PROPERTY LOCATED AT THE NORTH SIDE OF ACANTO AND EAST OF LAS BRISAS WAY:**
ACTION: Adopt Resolution No. 23609, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, APPROVING PARCEL MAP 36431 FOR PROPERTY LOCATED ON THE NORTH SIDE OF ACANTO ROAD AND EAST OF LAS BRISAS WAY, IN SECTION 35, TOWNSHIP 4 SOUTH, RANGE 4 EAST." **Approved as part of the Consent Calendar.**
- 2.J. APPOINT MAYOR STEPHEN PUGNET TO THE CITY'S INVESTMENT COMMITTEE FOR FISCAL YEAR 2014-15:**
ACTION: Appoint Mayor Stephen Pougnet to the City's Investment Committee in accordance with Section 17.0 of Resolution No. 23539. **Approved as part of the Consent Calendar.**
- 2.K. AMENDMENT TO MODIFY THE PARTIES TO THE CITY OF PALM SPRINGS FINANCING AUTHORITY'S JOINT POWERS AGREEMENT:**
ACTION: [City Council] 1) Adopt Resolution No. 23611, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, APPROVING AN AMENDMENT TO THE JOINT EXERCISE OF POWERS AGREEMENT ESTABLISHING THE CITY OF PALM SPRINGS FINANCING AUTHORITY FOR THE PURPOSE OF ADDING THE HOUSING AUTHORITY OF THE CITY OF PALM SPRINGS AS AN ADDITIONAL MEMBER OF THE AUTHORITY;" [Successor Agency Board] 2) Adopt Resolution No. 23612, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, ACTING AS THE SUCCESSOR AGENCY TO THE PALM SPRINGS COMMUNITY REDEVELOPMENT AGENCY APPROVING AN AMENDMENT TO THE JOINT EXERCISE OF POWERS AGREEMENT ESTABLISHING THE CITY OF PALM SPRINGS FINANCING AUTHORITY FOR THE PURPOSE OF ADDING THE HOUSING AUTHORITY OF THE CITY OF PALM SPRINGS AS AN

ADDITIONAL MEMBER OF THE AUTHORITY;" and [Housing Authority Board] 3) Adopt Resolution No. 036, "A RESOLUTION OF THE HOUSING AUTHORITY OF THE CITY OF PALM SPRINGS, CALIFORNIA, APPROVING AN AMENDMENT TO THE JOINT EXERCISE OF POWERS AGREEMENT ESTABLISHING THE CITY OF PALM SPRINGS FINANCING AUTHORITY FOR THE PURPOSE OF ADDING THE HOUSING AUTHORITY OF THE CITY OF PALM SPRINGS AS AN ADDITIONAL MEMBER OF THE AUTHORITY."
Approved as part of the Consent Calendar.

2.L. RATIFY AND APPOINT THE NOMINATION OF THE CITY OF LA QUINTA TO THE PALM SPRINGS INTERNATIONAL AIRPORT COMMISSION FOR THE TERM ENDING JUNE 30, 2017:

ACTION: Reappoint Robert Teal, as the City of La Quinta representative, to the Palm Springs International Airport Commission for the term ending June 30, 2017. **Approved as part of the Consent Calendar.**

2.M. APPROVAL OF A GROUND LEASE AGREEMENT WITH SPRINT PCS ASSETS, LLC FOR NON-EXCLUSIVE USE OF GROUND SPACE WITH AN EXISTING WIRELESS COMMUNICATIONS TOWER AT 401-½ SOUTH PAVILION WAY:

ACTION: 1) Approve a Wireless Communications Facilities Site Lease with Sprint PCS Assets, LLC, for ground space with an existing wireless tower at 401 ½ South Pavilion Way, an initial term of five (5) years and one option to extend the agreement by five (5) additional years; and 2) Authorize the City Manager to execute all necessary documents. A6575.
Approved as part of the Consent Calendar.

2.O. REQUEST BY COST PLUS INC, DBA WORLD MARKET FOR A RESOLUTION OF PUBLIC CONVENIENCE OR NECESSITY (PCN) TO SELL BEER, WINE AND DISTILLED SPIRITS FOR OFF PREMISE CONSUMPTION (TYPE 21 ALCOHOLIC BEVERAGE CONTROL LICENSE) AT EXISTING RETAIL STORE AT 2465 EAST PALM CANYON DRIVE:

ACTION: Adopt Resolution No. 23614, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, OF PUBLIC CONVENIENCE IN ORDER TO SELL BEER, WINE AND DISTILLED SPIRITS (TYPE 21 STATE ALCOHOLIC BEVERAGE CONTROL LICENSE) FOR THE PROPERTY LOCATED AT 2465 EAST PALM CANYON DRIVE, WITHIN CENSUS TRACT NO. 0448.07." **Approved as part of the Consent Calendar.**

2.P. REQUEST BY LOLA COFFEE LLC, DBA ERNEST COFFEE AND BOOTLEGGERS TIKI BAR FOR A RESOLUTION OF PUBLIC CONVENIENCE OR NECESSITY (PCN) TO SELL BEER, WINE AND

DISTILLED SPIRITS AT A PROPOSED COCKTAIL LOUNGE AT 1101 NORTH PALM CANYON DRIVE (TYPE 48 ALCOHOLIC BEVERAGE CONTROL LICENSE):

ACTION: Adopt Resolution No. 23615, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, OF PUBLIC CONVENIENCE IN ORDER TO SELL BEER, WINE AND DISTILLED SPIRITS (TYPE 48 STATE ALCOHOLIC BEVERAGE CONTROL LICENSE) FOR THE PROPERTY LOCATED AT 1101 NORTH PALM CANYON DRIVE, WITHIN CENSUS TRACT NO. 0446.06." **Approved as part of the Consent Calendar.**

2.Q. TREASURER'S INVESTMENT REPORT AS OF MAY 31, 2014:

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

The City Council recessed at 7:11 p.m.

The City Council reconvened at 7: 13 p.m.

EXCLUDED CONSENT CALENDAR:

2.G. AMENDMENT NO. 5 TO LEASE AGREEMENT NO. A4821 WITH SIGNATURE FLIGHT SUPPORT:

ACTION: Tabled at the request of Staff. **Approved as part of the Consent Calendar.**

2.H. AMENDING THE APPROVED SIGN PROGRAM FOR THE EL PASEO BUILDING LOCATED AT 800 NORTH PALM CANYON DRIVE (CASE SP 09-001 AMND, HSPB 27):

Councilmember Mills and Councilmember Foat requested Staff address the previous decision of the City Council during the public hearing.

ACTION: Adopt Resolution No. 23610, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, AMENDING THE APPROVED SIGN PROGRAM FOR THE EL PASEO BUILDING LOCATED AT 800 NORTH PALM CANYON DRIVE (CASE SP 09-001 AMND, HSPB 27);" amending the Resolution as follows: Approving an amendment to the sign program by allowing a first floor wall sign in the Floor Wall Sign Area, as defined by the City Council, subject to review and approval by the AAC. **Motion Mayor Pro Tem Hutcheson, seconded by Councilmember Lewin and unanimously carried on a roll call vote.**

2.I. AMENDMENT NO. 1 TO AGREEMENT NO. A6503 WITH TRITON TECHNOLOGY FOR THE DESIGN OF A NEW AUDIO VISUAL SYSTEM IN THE COUNCIL CHAMBER:

Mayor Pro Tem Hutcheson requested Staff address the use of the Granicus system with the Council Chamber AV system, and requested Staff not be limited to the Granicus system and recommend other systems that may be beneficial to the City.

Councilmember Mills requested the City Council consider reviewing the plans and specifications prior to releasing for bids.

ACTION: 1) Approve Amendment No. 1 to Agreement No. A6503 with Triton Technologies for the design of a new Council Chamber audio visual system in the amount of \$30,700; 2) Authorize the City Manager to execute all necessary documentation; 3) Direct Staff to return the plans and specifications to the City Council for approval prior to bidding. A6503. **Motion Mayor Pro Tem Hutcheson, seconded by Councilmember Mills and unanimously carried on a roll call vote.**

2.N. APPROVAL OF A PROPOSED RESOLUTION MODIFYING USER FEES FOR MURAL PERMITS:

ACTION: Adopt Resolution No. 23613, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, MODIFYING USER FEES FOR MURAL PERMITS AND AMENDING THE COMPREHENSIVE FEE SCHEDULE ADOPTED BY RESOLUTION NO. 21578 AS AMENDED;" amending the fee to \$1,872. **Motion Councilmember Foat, seconded by Mayor Pougnet and unanimously carried on a roll call vote.**

2.R. ALTERNATE MEASURE J OVERSIGHT COMMISSION MEMBERS:

Councilmember Mills stated he is in support of reducing the number of commissioners, but stated the Alternate Members terms should be allowed to serve their current terms.

ACTION: 1) Determine not to appoint an Alternate Measure J Oversight Commissioner for the term expiring June 30, 2014; and 2) Declare the Alternate Measure J Oversight Commissioner position with term ending June 30, 2015, as vacant. **Motion Mayor Pougnet, seconded by Mayor Pro Tem Hutcheson and carried 4-1 on a roll call vote.**

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

NOES: Councilmember Mills.

3. **LEGISLATIVE:** None.

4. **UNFINISHED BUSINESS:**

4.A. REVIEW PROPOSED BRANDING CONCEPTS FOR DOWNTOWN AND UPTOWN TROLLEY:

Representatives from Smbly provided information on the proposed branding concepts, logo and design of the Downtown and Uptown Trolley.

The City Council discussed and/or commented on the proposed branding concepts: eliminating the "Hustle" concept from consideration, using a portion of the elements of several concepts, the feasibility of partial wraps on windows, ensuring review of the demographics of the entire audience of tourism, the concept of Palm Springs being an "urban" experience, and the proposed names.

ACTION: 1) Eliminate the "Hustle" concept; 2) Direct Staff to continue discussion to the City Council Regular Meeting of July 16, 2014; and 3) Direct Staff to place the concepts on the City website and schedule a meeting of the City Council Subcommittee for further review. **By unanimous consent of the City Council.**

4.B. DISCUSSION AND DIRECTION TO STAFF CONCERNING INDIAN CANYON DRIVE TWO-WAY OPERATION:

Tabled at the request of Staff.

4.C. FISCAL YEAR 2014-15 BUDGET DISCUSSION ON SUNDAY LIBRARY SERVICE AND EXTENDED SWIM CENTER HOURS FUNDING:

City Manager Ready provided background information as outlined in the Staff Report dated July 2, 2014.

Mayor Pro Tem Hutcheson requested the City Council consider adding the hours to the Library as outlined by Staff but wait until tourist season or the start of school.

Councilmember Foat commented on the closure of the Rancho Mirage Library on Sunday, and requested Staff monitor the usage at the Library for any expanded hours.

Councilmember Mills requested Staff address the closing time at the Library, and requested monitoring and reporting.

Councilmember Lewin requested Staff address community input or complaints with respect to the Library hours and schedule.

ACTION: 1) Direct Staff to extend the hours at the Swim Center immediately; and 2) Delay further extension of the hours at the Palm Springs Public Library until the Welwood operational requirements are determined. **By unanimous consent of the City Council.**

5. NEW BUSINESS:

5.A. CHANGE ORDER NO. 2 TO AGREEMENT NO. A6375 WITH CHEVRON ENERGY SOLUTIONS FOR ADDITIONAL CONTROLS IN THE I-HUB BUILDING AND REPLACEMENT CONTROLS FOR THE AIRPORT TERMINAL:

Al Smoot, Special Projects Coordinator, provided background information as outlined in the Staff Report dated July 2, 2014.

Councilmember Mills requested Staff address the payback of the proposed system enhancements, and stated his support for the additional controls for the iHub and the Airport.

Councilmember Lewin stated he felt the funding should not be from the Sustainability fund, and requested the City Council consider Capital Improvement Funds.

Mayor Pro Tem Hutcheson stated his support for the Airport, requested Staff address the iHub and bifurcating the iHub and the potential for delaying the iHub controls to a later date.

Councilmember Lewin requested Staff explore public notification and updates of the projects.

Councilmember Mills stated he is in support of using unallocated Measure J funds rather than the Sustainability Fund.

ACTION: 1) Approve Change Order No. 2 to Agreement No. A6375 with Chevron Energy Solutions Company in the amount of \$119,273, for air conditioning controls in the I-Hub Building and \$376,959 for replacement controls at the Airport Terminal; 2) Authorize the Finance Director to make required budget adjustments to authorize the use of the Measure J Unallocated Program Funds to cover 100% of the cost and the necessary budget transfer to allocate the Airport's funds; and 3) Authorize the City Manager to execute all necessary documentation. A6375. **Motion Councilmember Foat, seconded by Councilmember Mills and unanimously carried on a roll call vote.**

5.B. AUTHORIZE THE CITY MANAGER TO MAKE CALIFORNIA SOLAR INITIATIVE (CSI) PROGRAM REBATE RESERVATION DEPOSITS:

Al Smoot, Special Projects Coordinator, provided background information as outlined in the Staff Report dated July 2, 2014.

ACTION: 1) Authorize the City Manager to make up to \$60,000 in CSI program rebate reservation deposits for the Citywide PV Project; 2) Appropriate the funds from the General Fund Reserves and authorize the Director of Finance and Treasurer to initiate the appropriate documentation; and 3) Authorize the City Manager to execute all necessary documents. **Motion Councilmember Mills, seconded by Mayor Pro Tem Hutcheson and unanimously carried on a roll call vote.**

5.C. DISCUSSION OF WATER CONSERVATION GOALS AND FIVE NEXT STEPS TOWARD MAKING PALM SPRINGS A MODEL WATER EFFICIENT CITY:

City Manager Ready and Michele Mician, Sustainability Manager, provided background information as outlined in the Staff Report dated July 2, 2014.

The City Council discussed and/or commented on the following with respect to water conservation: the installation of Chevron water conservation systems in the City parks and facilities.

Mayor Pro Tem Hutcheson commented on capturing water from draining swimming pools into reclaimed water.

Councilmember Mills requested Staff address the policy that may allow condensate water into the sewer system, and the reduction in water use may result in less reclaimed water beings available for City golf courses.

Councilmember Lewin commented on the use and availability of reclaimed water, stated in general citizens are not doing enough to conserve water, stated his support of a City comprehensive ordinance for water conservation, and requested the City Manager contact current commercial businesses and HOA that are currently violating our ordinance by watering during the day in the summer months, and noted the recent increase in water rates.

Mayor Pougnet commented on the recent article regarding the Southland falling short on water conservation, the recent meeting with the City and DWA staff, funding of the turf buyback program, commented on voluntary

programs becoming mandates by DWA, and encourages DWA to move swiftly on water reforms.

Councilmember Foat commented on the relationship with DWA, and the need for a partnership with DWA.

Councilmember Lewin commented on bringing a comprehensive ordinance including the definition of wasting water and enforcement.

ACTION: Direct Staff to continue to move forward with the work plan. **By unanimous consent of the City Council.**

COUNCILMEMBER COMMENTS, REQUESTS, AND REPORTS:

Mayor Pro Tem Hutcheson requested the City Manager address an expansion of the boundaries for the sit/lie ordinance.

Mayor Pougnet commented on the recent survey by the small hotels in the City regarding the Downtown Revitalization project, and requested the City Manager place on a future agenda a Subcommittee of the City Council to work on the Downtown Revitalization Project landscaping plan with a Subcommittee of the Planning Commission.

ADJOURNMENT: The City Council adjourned at 9:08 p.m., to Wednesday, July 16, 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 16TH DAY OF JULY, 2014.

STEPHEN P. POUGNET, MAYOR

ATTEST:

JAMES THOMPSON, CITY CLERK