

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



**MEETING MINUTES
WEDNESDAY, JULY 16, 2014
CITY HALL COUNCIL CHAMBER**

CALL TO ORDER: Mayor Pougnet called the meeting to order at 6:19 p.m.

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

INVOCATION: David Sanger, Our Savior's Community Church, 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:

Representatives from Southern California Edison provided an update on Planned Power Outages in the City of Palm Springs.

Councilmember Foat provided an update on the Friends of the Palm Springs Animal Shelter.

REPORT OF CLOSED SESSION:

The meeting was called to order at 4:00 p.m., and the City Council recessed into Closed Session to discuss items on the posted Closed Session Agenda. City Attorney Holland reported the City Council provided direction to the City Attorney and Staff, otherwise no reportable actions were taken.

ACCEPTANCE OF THE AGENDA:

City Clerk Thompson requested Item 5.C. be withdrawn from the Agenda.

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

Councilmember Lewin noted his abstention on Item 2.D. and requested Item 2.N. be removed from the Consent Calendar for separate discussion.

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

Councilmember Foat requested Items 2.O. and 2.R. be removed from the Consent Calendar for separate discussion.

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

1. PUBLIC HEARINGS:

1.A. PROPOSED ORDINANCE AMENDING SECTION 3 OF ORDINANCE NO. 1744 EXTENDING THE TERM FOR TWO-YEARS ALLOWING PORTABLE "OPEN" SIGNS IN THE CENTRAL BUSINESS DISTRICT AND ON NORTH PALM CANYON DRIVE BETWEEN ALEJO ROAD AND VISTA CHINO (CASE NO. ZTA 5.1202):

Margo Wheeler, Director of Planning Services, provided background information as outlined in the Staff Report dated July 16, 2014.

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

JOY BROWN MEREDITH, requested the City Council extend the boundaries to the east side of Indian Canyon.

TIM REGALADO, requested the City Council extend the boundaries to the east side of Indian Canyon.

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

Mayor Pro Tem Hutcheson stated his support to extend the Ordinance and requested the City Council expand the boundaries as proposed.

Councilmember Foat requested the City Council consider allowing portable open signs without a sunset clause on the ordinance, and extending the boundaries to the east side of Indian Canyon.

Councilmember Mills stated the City Council should continue with the temporary ordinance until the Downtown Revitalization Project is completed.

Mayor Pougnet stated he is in support of extending the ordinance, and requested Code Enforcement address illegal portable open signs.

ACTION: 1) Waive the reading of the ordinance text in its entirety and read by title only; 2) Introduce on first reading Ordinance No. 1854, "AN ORDINANCE OF THE CITY OF PALM SPRINGS, CALIFORNIA, AMENDING SECTION 3 OF ORDINANCE NO. 1744, RELATING TO PALM SPRINGS ZONING CODE SECTION 93.20.09.B.5, PORTABLE OPEN SIGNS BY EXTENDING THE PROVISIONS OF ORDINANCE NO. 1744 TO OCTOBER 3, 2016;" and 3) Direct Staff to prepare an Ordinance to extend the boundaries to allow portable open signs on the east side of Indian Canyon. **Motion Mayor Pro Tem Hutcheson, seconded by Councilmember Mills and unanimously carried on a roll call vote.**

1.B. ANNUAL LEVY OF ASSESSMENTS FOR VARIOUS CITYWIDE STREET LIGHTING AND PARKWAY MAINTENANCE DISTRICTS, FISCAL YEAR 2014-15:

Dave Barakian, City Engineer, provided background information as outlined in the Staff Report dated July 16, 2014.

Councilmember Lewin requested Staff address the lighting in the Historic Tennis Club Neighborhood.

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

Councilmember Mills requested Staff address the conversion of some lighting fixtures in the lighting districts to energy efficient bulbs.

ACTION: 1) Adopt Resolution No. 23616, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, AMENDING AND/OR APPROVING THE FINAL ENGINEER'S ANNUAL LEVY REPORT FOR FISCAL YEAR 2014/2015 FOR THE PALM SPRINGS STREET LIGHTING MAINTENANCE DISTRICT NO. 3;" 2) Adopt Resolution No. 23617, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, ORDERING THE LEVYING AND COLLECTION OF ASSESSMENTS FOR FISCAL YEAR 2014/2015 WITHIN THE PALM SPRINGS STREET LIGHTING MAINTENANCE DISTRICT NO. 3;" 3) Adopt Resolution No. 23618, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, AMENDING AND/OR APPROVING THE FINAL ENGINEER'S ANNUAL LEVY REPORT FOR FISCAL YEAR 2014/2015 FOR THE PALM SPRINGS PARKWAY MAINTENANCE DISTRICT NO. 6A;" 4) Adopt Resolution No. 23619, "A RESOLUTION OF THE CITY

COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, ORDERING THE LEVYING AND COLLECTION OF ASSESSMENTS FOR FISCAL YEAR 2014/2015 WITHIN THE PALM SPRINGS PARKWAY MAINTENANCE DISTRICT NO. 6A;" 5) Adopt Resolution No. 23620, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, AMENDING AND/OR APPROVING THE FINAL ENGINEER'S ANNUAL LEVY REPORT FOR FISCAL YEAR 2014/2015 FOR THE PALM SPRINGS PARKWAY MAINTENANCE DISTRICT NO. 6C;" 6) Adopt Resolution No. 23621, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, ORDERING THE LEVYING AND COLLECTION OF ASSESSMENTS FOR FISCAL YEAR 2014/2015 WITHIN THE PALM SPRINGS PARKWAY MAINTENANCE DISTRICT NO. 6C;" 7) Adopt Resolution No. 23622, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, AMENDING AND/OR APPROVING THE FINAL ENGINEER'S ANNUAL LEVY REPORT FOR FISCAL YEAR 2014/2015 FOR THE PALM SPRINGS PARKWAY MAINTENANCE DISTRICT NO. 7;" 8) Adopt Resolution No. 23623, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, ORDERING THE LEVYING AND COLLECTION OF ASSESSMENTS FOR FISCAL YEAR 2014/2015 WITHIN THE PALM SPRINGS PARKWAY MAINTENANCE DISTRICT NO. 7;" 9) Adopt Resolution No. 23624, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, AMENDING AND/OR APPROVING THE FINAL ENGINEER'S ANNUAL LEVY REPORT FOR FISCAL YEAR 2014/2015 FOR THE PALM SPRINGS PARKWAY MAINTENANCE DISTRICT NO. 8;" 10) Adopt Resolution No. 23625 "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, ORDERING THE LEVYING AND COLLECTION OF ASSESSMENTS FOR FISCAL YEAR 2014/2015 WITHIN THE PALM SPRINGS PARKWAY MAINTENANCE DISTRICT NO. 8;" 11) Adopt Resolution No. 23626, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, AMENDING AND/OR APPROVING THE FINAL ENGINEER'S ANNUAL LEVY REPORT FOR FISCAL YEAR 2014/2015 FOR THE PALM SPRINGS PARKWAY MAINTENANCE DISTRICT NO. 9;" 12) Adopt Resolution No. 23627, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, ORDERING THE LEVYING AND COLLECTION OF ASSESSMENTS FOR FISCAL YEAR 2014/2015 WITHIN THE PALM SPRINGS PARKWAY MAINTENANCE DISTRICT NO. 9;" 13) Adopt Resolution No. 23628, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, AMENDING AND/OR APPROVING THE FINAL ENGINEER'S ANNUAL LEVY REPORT FOR FISCAL YEAR 2014/2015 FOR THE PALM SPRINGS PARKWAY MAINTENANCE DISTRICT NO. 10, ZONE 1 AND ZONE 2;" 14) Adopt Resolution No. 23629, "A

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, ORDERING THE LEVYING AND COLLECTION OF ASSESSMENTS FOR FISCAL YEAR 2014/2015 WITHIN THE PALM SPRINGS PARKWAY MAINTENANCE DISTRICT NO. 10, ZONE 1 AND ZONE 2;" 15) Adopt Resolution No. 23630, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, AMENDING AND/OR APPROVING THE FINAL ENGINEER'S ANNUAL LEVY REPORT FOR FISCAL YEAR 2014/2015 FOR THE PALM SPRINGS LANDSCAPE MAINTENANCE DISTRICT NO. 12;" and 16) Adopt Resolution No. 23631, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, ORDERING THE LEVYING AND COLLECTION OF ASSESSMENTS FOR FISCAL YEAR 2014/2015 WITHIN THE PALM SPRINGS LANDSCAPE MAINTENANCE DISTRICT NO. 12." **Motion Mayor Pro Tem Hutcheson, seconded by Councilmember Foat and unanimously carried on a roll call vote.**

1.C. NORTHWOOD-PALM SPRINGS, LLC, TENTATIVE TRACT MAP TO CONVERT 104 APARTMENTS TO FOR-SALE CONDOMINIUMS AND CREATE ONE-LOT CONDOMINIUM MAP LOCATED AT 1700 SOUTH ARABY DRIVE, AND CEQA NOTICE OF EXEMPTION (ZONE R-3) (CASE NO. TTM 36756):

Margo Wheeler, Director of Planning Services, provided background information as outlined in the Staff Report dated July 16, 2014.

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

DAVID MLYNARKSI, Applicant, commented on the application and requested the City Council approve the project.

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

Councilmember Mills commented on the original development as an apartment, and stated his support for the project.

Councilmember Lewin requested Staff address the rights of current renters at the property, and commented on cities that require relocation assistance.

Councilmember Foat requested Staff address the State law regarding financial relocation assistance.

Mayor Pougnet requested the Applicant address the financial relocation assistance being offered to the current renters, and recommended the City Council consider requiring financial relocation assistance.

ACTION: 1) Direct the Planning Department to file with Riverside County a Notice of Exemption from the California Environmental Quality Act; and 2) Adopt Resolution No. 23632, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, APPROVING A TENTATIVE TRACT MAP, CASE TTM 36756, TO CONVERT 104 EXISTING APARTMENTS TO FOR-SALE CONDOMINIUMS THROUGH A ONE LOT SUBDIVISION FOR CONDOMINIUM PURPOSES ON A 5.28 ACRE SITE LOCATED AT 1700 ARABY DRIVE." **Motion Councilmember Mills, seconded by Mayor Pro Tem Hutcheson and unanimously carried on a roll call vote.**

- 1.D. SPECTRUM SERVICES (VERIZON WIRELESS) FOR A CONDITIONAL USE PERMIT TO CONSTRUCT A FIFTY FOOT TALL MONOPOLE STRUCTURE WITH ASSOCIATED EQUIPMENT SHELTER AND VARIANCE TO EXCEED THE MAXIMUM ANTENNA HEIGHT PERMITTED AT THE RIMROCK SHOPPING CENTER LOCATED AT 4721 EAST PALM CANYON DRIVE, AND CEQA CATEGORICAL EXEMPTION (ZONE CDN) (CASE NOS. 5.1324 CUP & 6.534 VAR):**
Margo Wheeler, Director of Planning Services, provided background information as outlined in the Staff Report dated July 16, 2014.

Councilmember Lewin requested Staff address the design and the Planning Commission preference.

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

MIKE HAYES, Applicant, commented on the Planning Commission requirement for a pole rather than a monopalm, and requested the City Council approve the project.

KATE CASTLE, commented on the design elements required by the Planning Commission, and requested the City Council consider a monopalm.

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

Councilmember Mills requested Staff address Condition No. PLN 5 and stated he thought the condition should be deleted based on the Planning Commission decision, and stated his support for the monopole as

conditioned by the Planning Commission, including painting the monopole to blend with the surrounding hillside.

Mayor Pougnet requested the Applicant address the design standards.

Mayor Pro Tem Hutcheson stated the monopole was sufficient at this location.

Councilmember Foat stated her support for the pole rather than the monopalm design.

Councilmember Lewin commented on the requirement or the Applicant's preference of a monopalm.

ACTION: Adopt Resolution No. 23633, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, APPROVING A CONDITIONAL USE PERMIT, CASE NO. 5.1324, TO INSTALL A FIFTY FOOT TALL WIRELESS COMMUNICATIONS ANTENNA AND VARIANCE, CASE NO. 6.534, TO EXCEED MAXIMUM ANTENNA HEIGHT FOR THE PROPERTY LOCATED AT 4721 EAST PALM CANYON DRIVE;" amending Condition No. PLN 5 to read "The applicant shall be required to: i) Plant one Washingtonian Robusta Palm at least 30 feet high, and ii) Paint the pole to blend with the surrounding hillside as approved by the Director of Planning Services." **Motion Councilmember Mills, seconded by Mayor Pro Tem Hutcheson and carried 3-2 on a roll call vote.**

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

NOES: Councilmember Lewin and Mayor Pougnet.

1.E. APPROVAL OF THE PALM SPRINGS INTERNATIONAL AIRPORT MASTER PLAN UPDATE AND MITIGATED NEGATIVE DECLARATION:

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 pursuant to law. **Motion Councilmember Mills, seconded by Councilmember Lewin and unanimously carried on a roll call vote.**

1.F. COMPREHENSIVE UPDATE OF THE SECTION 14 MASTER DEVELOPMENT PLAN AND SPECIFIC PLAN BY THE AGUA CALIENTE BAND OF CAHUILLA INDIANS AND CEQA MITIGATED NEGATIVE DECLARATION (2004 CASE 5.1318-SPU):

Margo Wheeler, Director of Planning Services, provided background information as outlined in the Staff Report dated July 16, 2014.

Tribal Staff provided background information as outlined in the Updated Section 14 Master Plan and the Complete Streets Project.

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

TRAVIS ARMSTRONG, requested the City Council approve the updated Specific Plan and commented on the partnership with the City and Tribal governments.

BRETT KLEIN, requested the City Council approve the plan with respect to the Complete Streets Plan, and requested the City Council further consider the Bike Lane on Indian Canyon.

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

Mayor Pougnet thanked the Tribal Staff for the information and commented on the positive changes to Ramon Road.

Councilmember Foat stated her support for the improvements to Ramon Road, and requested Tribal Staff address the development of priority project list.

Councilmember Lewin complimented the Tribal Staff, requested City Staff address the priority development document for Section 14, and stated his support for the conversion of Calle Alvarado to a pedestrian path and access to Tahquitz Canyon.

Mayor Pro Tem Hutcheson requested City Staff address PDD applications.

Councilmember Mills requested Tribal Staff address differences in medians and parking with the current Specific Plan, and the street classification modification for Amado Road.

Councilmember Lewin requested Tribal Staff address the Bike Lane on Indian Canyon.

Councilmember Mills requested City Staff address any inconsistencies with the Specific Plan, the General Plan, and the Zoning Code, and recommended City Planning Staff resolve any conflicts with the General Plan and Zoning Code.

Councilmember Lewin recommended the City Council approve the Section 14 Specific Plan Update, amending the final sentence of page 5-59 to read as follows: "While not depicted here, it is also possible that Calle Alvarado may also be modified to provide two-way traffic to enhance access to the Convention Center from Tahquitz Canyon Way."

ACTION: 1) Adopt Resolution No. 23634, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, ADOPTING A MITIGATED NEGATIVE DECLARATION AND APPROVING THE SECTION 14 SPECIFIC PLAN COMPREHENSIVE UPDATE FOR 640 ACRES BOUNDED BY ALEJO ROAD TO THE NORTH, SUNRISE WAY TO THE EAST, RAMON ROAD TO THE SOUTH, AND INDIAN CANYON TO THE WEST, AND SUPERSEDING RESOLUTION NO. 20867," amending the last sentence on Page 5-59 of the Plan as follows: "While not depicted here, it is also possible that Calle Alvarado may also be modified to provide two-way traffic to enhance access to the Convention Center from Tahquitz Canyon Way;" and 2) Direct Staff to review and prepare amendments to the Zoning Code and the General Plan to address any inconsistencies with the Specific Plan. **Motion Councilmember Lewin, seconded by Mayor Pro Tem Hutcheson and unanimously carried on a roll call vote.**

- 1.G. **TRIPALMSVIEW PROPERTIES, LLC, TENTATIVE PARCEL MAP TO SUBDIVIDE EXISTING LOT 10 AND LOT LINE ADJUSTMENT FOR LOT 11 TO CREATE FOUR SINGLE-FAMILY LOTS, ADMINISTRATIVE MINOR MODIFICATION TO REDUCE FRONT LOT LINE DIMENSIONS IN LAS PALMAS ESTATES SUBDIVISION LOCATED AT 555 NORTH VIA MONTE VISTA, AND CEQA CATEGORICAL EXEMPTION (ZONE R-1-B) (CASE TPM 36706):**

Margo Wheeler, Director of Planning Services, provided background information as outlined in the Staff Report dated July 16, 2014.

Councilmember Foat requested Staff address the requirements under Condition No. 37.

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

SHAUL MEZRAHI, Applicant, requested the City Council approve the project.

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

Councilmember Mills stated his support for the project and requested the City Engineer address the grade difference with the lots and noted his concerns with the grading plan.

Councilmember Foat requested the Applicant address the development and sales of the individual lots and properties.

ACTION: Adopt Resolution No. 23635, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, APPROVING TENTATIVE PARCEL MAP 36706 TO SUBDIVIDE EXISTING LOT 10 AND LOT LINE ADJUSTMENT FOR LOT 11 TO CREATE FOUR SINGLE-FAMILY LOTS AND AN ADMINISTRATIVE MINOR MODIFICATION TO REDUCE FRONT LOT LINE DIMENSIONS IN LAS PALMAS ESTATES SUBDIVISION LOCATED AT 555 NORTH VIA MONTE VISTA (ZONE R-1-B) SECTION 10," adding a Condition of Approval to read: "A (Parcel/Final) Map shall be prepared by a California registered Land Surveyor or qualified Civil Engineer and submitted to the Engineering Division for review and approval. A Title Report prepared for subdivision guarantee for the subject property, the traverse closures for the existing parcel and all lots created therefrom, and copies of recorded documents shall be submitted with the (Parcel/Final) Map to the Engineering Division as part of the review of the Map. The (Parcel/Final) Map shall be approved by the City Council prior to issuance of building permits." **Motion Councilmember Lewin, seconded by Councilmember Foat and unanimously carried on a roll call vote.**

Councilmember Foat stated she has a property ownership conflict of interest with respect to Item 1.H., would not participate in the discussion or the vote and left Council Chamber.

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

1.H. PROPOSED ORDINANCE AMENDING SUBSECTION 94.02.01.C. OF THE PALM SPRINGS MUNICIPAL CODE, BY ADDING CHANGES IN USE OF EXISTING BUILDINGS ALONG PALM CANYON AND INDIAN CANYON DRIVES NOT WITHIN THE "D" DOWNTOWN PARKING COMBINING ZONE AS USES SUBJECT TO LAND USE PERMITS AND FOR WHICH CERTAIN PARKING REQUIREMENTS MAY BE WAIVED: Margo Wheeler, Director of Planning Services, provided background information as outlined in the Staff Report dated July 16, 2014.

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

Councilmember Lewin suggested a map be included, and requested Staff address the boundaries.

Councilmember Mills requested Staff address the requirements for 20,000 square feet and the 3 acres or less, and commented on the requirement for an LUP or a CUP.

Councilmember Lewin requested Staff address the cost and requirements of a Conditional Use Permit rather than a Land Use Permit.

Mayor Pougnet commented on the need for the proposed ordinance, and requested the City Engineer review the red zones on Palm Canyon Drive.

Councilmember Mills requested the Economic Development Director provide information on the proposed ordinance and its applicability.

ACTION: 1) Waive the reading of the ordinance text in its entirety and read by title only; and 2) Introduce on first reading Ordinance No. 1855, "AN ORDINANCE OF THE CITY OF PALM SPRINGS, CALIFORNIA, AMENDING SUBSECTION 94.02.01.C. OF THE PALM SPRINGS MUNICIPAL CODE, BY ADDING CHANGES IN USE OF EXISTING BUILDINGS ALONG PALM CANYON AND INDIAN CANYON DRIVES NOT WITHIN THE 'D' DOWNTOWN PARKING COMBINING ZONE AS USES SUBJECT TO LAND USE PERMITS AND FOR WHICH CERTAIN PARKING REQUIREMENTS MAY BE WAIVED." **Motion Councilmember Lewin, seconded by Councilmember Mills and unanimously carried 3-0 on a roll call vote.**

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

NOES: None.

ABSENT: Councilmember Foat and Mayor Pro Tem Hutcheson.

Councilmember Foat and Mayor Pro Tem Hutcheson returned to the dais.

PUBLIC COMMENT:

BRETT KLEIN, commented on Item 4.B. and requested the City Council support the Non-Motorized Transportation Committee recommendations.

RICHARD NOBLE, commented on the blood ban directed toward the LGBT community.

LEWIS STEWART, commented on the proposal to install a pipeline in the City of Palm Springs.

ROBERT TERRY, LEWIS STEWART, commented on the proposal to install a pipeline in the City of Palm Springs.

GEORGE ZANDER, Palm Springs, commented on the blood ban directed toward the LGBT community.

JAMES GIROD, Palm Springs, stated he is filing complaints against the Palm Springs Police Department, commented on his service with City Hall and commented on the homeless and drug use.

LEE WILSON JR, requested the City Council consider a War Hero Banner installation.

TYLER MCLEAN, provided an update on the Palm Springs Splash House event.

CHRISTINE LAZZARETTO, commented on Item 2.L. regarding the Historic Site Survey.

JOY BROWN MEREDITH, provided an update on the activities of MainStreet.

STEVE ROSENBERG, commented on Downtown parking, Measure J projects, water conservation and the proposed trolley branding.

LORRAINE SALES, commented on the proposal to install a pipeline in the City of Palm Springs.

COUNCILMEMBER COMMENTS: None.

CITY MANAGER'S REPORT: City Manager Ready updated the City Council on the City of Palm Springs "Choose to Reuse" Project.

2. CONSENT CALENDAR:

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

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

ACTION: Receive and file Report on the Posting of the July 16, 2014, City Council Agenda. **Approved as part of the Consent Calendar.**

2.B. APPROVAL OF MINUTES:

ACTION: Approve the City Council Minutes of June 4, 2014, and July 2, 2014. **Approved as part of the Consent Calendar.**

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

ACTION: 1) Adopt Resolution No. 23636, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, APPROVING PAYMENT OF CLAIMS AND DEMANDS BY WARRANTS NUMBERED 1071790 THROUGH 1071989 IN THE AGGREGATE AMOUNT OF \$1,981,622.54, DRAWN ON BANK OF AMERICA;" and 2) Adopt Resolution No. 23637, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, APPROVING PAYMENT OF CLAIMS AND DEMANDS BY WARRANTS NUMBERED 1072012 THROUGH 1072141 IN THE AGGREGATE AMOUNT OF \$1,582,743.17, DRAWN ON BANK OF AMERICA;" 3) Adopt Resolution No. 23638, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, APPROVING PAYMENT OF CLAIMS AND DEMANDS BY WARRANTS NUMBERED 1072142 THROUGH 1072216 IN THE AGGREGATE AMOUNT OF \$633,509.28, DRAWN ON BANK OF AMERICA;" 4) Adopt Resolution No. 23639, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, APPROVING PAYMENT OF CLAIMS AND DEMANDS BY WARRANTS NUMBERED 1072217 THROUGH 1072270 IN THE AGGREGATE AMOUNT OF \$903,480.12, DRAWN ON BANK OF AMERICA;" and 5) Adopt Resolution No. 23640, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, APPROVING PAYMENT OF PAYROLL WARRANTS FOR THE PERIOD ENDED 6-21-14 BY WARRANTS NUMBERED 418693 THROUGH 418713 TOTALING \$41,483.61, LIABILITY CHECKS NUMBERED 1071990 THROUGH 1072011 TOTALING \$109,192.77, FIVE WIRE TRANSFERS FOR \$46,422.27, AND THREE ELECTRONIC ACH DEBITS OF \$1,106,448.39 IN THE AGGREGATE AMOUNT OF \$1,303,547.04, DRAWN ON BANK OF AMERICA." **Approved as part of the Consent Calendar.**

2.D. APPROVE CHANGE ORDER NO. 1 TO AGREEMENT NO. A6548 WITH TRI-STAR CONTRACTING, INC., FOR SEWER IMPROVEMENTS, TRACT NO. 13257 (PHASE 3), CONTINGENT UPON AVAILABLE CDBG FUNDS FROM UNEXPENDED PROJECTS FROM PRIOR YEARS (CITY PROJECT 13-26):

ACTION: 1) Approve Change Order No. 1 to Agreement No. A6548, with Tri-Star Contracting II, Inc., in the amount of \$97,015, for Tract No. 13257 Phase 3 Sewer Improvements, contingent upon CDBG Program Coordinator confirming available excess CDBG Funds from unexpended projects from prior years (City Project No. 13-26); and 2) Authorize the City Manager execute all necessary documents. A6548. **Approved as part of the Consent Calendar, noting the abstention of Councilmember Lewin.**

- 2.E. RESOLUTION AMENDING THE FISCAL YEAR 2014-15 BUDGET FOR THE EXTENSION OF OPERATING HOURS AT THE PALM SPRINGS AQUATICS CENTER:**
ACTION: Adopt Resolution No. 23641, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, AMENDING THE BUDGET FOR FISCAL YEAR 2014-15 FOR THE PALM SPRINGS AQUATICS CENTER." **Approved as part of the Consent Calendar.**
- 2.F. APPROVE A 60-DAY EXTENSION OF THE AGREEMENT WITH VEOLIA WATER WEST OPERATING SERVICES TO COMPLETE NEGOTIATIONS FOR A NEW AGREEMENT TO MANAGE THE CITY'S WASTEWATER TREATMENT FACILITIES:**
ACTION: 1) Approve a 60-day extension of the Agreement with Veolia Water West Operating for the City's Wastewater Treatment Facility; and 2) Authorize the City Manager to execute all necessary documents. A4123. **Approved as part of the Consent Calendar.**
- 2.G. ACCEPTANCE OF \$159,942 IN GRANT FUNDING FROM THE CALIFORNIA OFFICE OF TRAFFIC SAFETY (OTS) FOR A SELECTIVE TRAFFIC ENFORCEMENT PROGRAM TO BE USED TO ENFORCE, EDUCATE, AND BRING AWARENESS TO THE PUBLIC:**
ACTION: 1) Accept \$159,942 in grant funding from the State of California, Office of Traffic Safety, Grant No. PT1518, for a Selective Traffic Enforcement Program; and 2) Authorize the City Manager to execute all necessary documents. A5734. **Approved as part of the Consent Calendar.**
- 2.H. AUTHORIZE A NOTICE TO PROCEED FOR VEOLIA WATER WEST OPERATING SERVICES, INC., FOR THE LIFT STATIONS COMMUNICATIONS UPGRADE (CITY PROJECT NO. 14-11):**
ACTION: Authorize the Director of Public Works/City Engineer to issue a Notice to Proceed for Veolia Water West Operating Services, Inc., in the amount of \$35,000, for the Lift Stations Communications Upgrade Project (City Project No. 14-11). **Approved as part of the Consent Calendar.**
- 2.I. AUTHORIZATION TO AWARD THE PALM TREE REPLACEMENT AND REMOVAL PROJECT TO THE LOWEST RESPONSIVE BIDDER:**
ACTION: 1) Authorize the City Manager to award the construction contract for the Palm Tree Replacement and Removal Project, in an amount not to exceed \$125,000 to the lowest responsive bidder (City Project No. 13-09); and 2) Authorize the City Manager to execute all necessary documents. A6577. **Approved as part of the Consent Calendar.**

- 2.J. APPROVE CHANGE ORDER NO. 2 TO THE AGREEMENT WITH MARINA LANDSCAPE, INC., FOR THE TAHQUITZ CANYON WAY SECTION 14 MEDIANS (CITY PROJECT NO. 08-20):**
ACTION: 1) Approve Change Order No. 2 to Agreement No. A6381, with Marina Landscape, Inc., in the amount of \$48,018.00, for the Tahquitz Canyon Way, Section 14 Medians (City Project No. 08-20); and 2) Authorize the City Manager execute all necessary documents. A6381. **Approved as part of the Consent Calendar.**
- 2.K. APPROVE CHANGE ORDER NO. 1 TO AGREEMENT NO. A6565 WITH MATICH CORPORATION FOR THE ANNUAL ASPHALT OVERLAY AND RECONSTRUCTION PROJECT (CITY PROJECT NO. 14-04):**
ACTION: 1) Approve Change Order No. 1 to Agreement No. A6565, with Matich Corporation, in an amount not to exceed \$175,000, for the Annual Asphalt Overlay and Reconstruction Project (City Project No. 14-04); and 2) Authorize the City Manager to execute all necessary documents. A6565. **Approved as part of the Consent Calendar.**
- 2.M. AWARD CONSTRUCTION CONTRACT FOR THE ANDREAS ROAD TWO-WAY CONVERSION (CITY PROJECT NO. 13-27):**
ACTION: 1) Approve an Agreement with Golden Vista Construction, Inc., dba Golden Valley Construction, in the amount of \$143,881.50, for the Andreas Road two-way conversion project schedules A and B (City Project No. 13-27); Adopt Resolution No. 23643, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, AMENDING THE BUDGET FOR FISCAL YEAR 2014-15 FOR THE ANDREAS ROAD TWO-WAY CONVERSION;" and 3) Authorize the City Manager execute all necessary documents. A6578. **Approved as part of the Consent Calendar.**
- 2.P. DEVELOPMENT OF A COMPREHENSIVE MOBILE FOOD VENDOR ORDINANCE:**
ACTION: 1) Receive and file report; and 2) Direct Staff to draft a proposed Mobile Food Vendor Ordinance for City Council consideration in September, 2014. **Approved as part of the Consent Calendar.**
- 2.Q. APPROVE THE ISSUANCE OF A PURCHASE ORDER IN THE AMOUNT OF \$59,848.63 FOR A NEW EMERGENCY GENERATOR LOCATED AT FIRE STATION NO. 442:**
ACTION: 1) Find the bid from Johnson Power Systems as non-responsive; 2) Approve a purchase order to Bay City Electric Works, in the amount of \$59,848.63, for the purchase of a new Kohler emergency generator for Fire Station No. 442; and 3) Authorize the City Manager execute all necessary documents. **Approved as part of the Consent Calendar.**

2.S. APPROVE AMENDMENT NO. 3 TO URRUTIA ARCHITECT'S CONTRACT FOR AIRPORT ESCALATOR AND AIR HANDLING EQUIPMENT REPLACEMENT PROJECTS AT THE PALM SPRINGS INTERNATIONAL AIRPORT:

ACTION: 1) Approve Amendment No. 3 to Agreement No. A6262, with Urrutia A.I.A. and Associates for design, bid, permitting, and construction phase services in an amount not to exceed \$35,200 to complete facility equipment replacements; and 2) Authorize the City Manager to execute all necessary documents, and change order authority up to a ten (10) percent increase over the total project amount. A6262. **Approved as part of the Consent Calendar.**

The City Council recessed at 9:00 p.m. The City Council reconvened at 9:06 p.m.

EXCLUDED CONSENT CALENDAR:

2.L. APPLICATION BY THE CITY OF PALM SPRINGS 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 requested Staff address any modifications needed to our ordinance and the State and Federal Standards.

ACTION: Adopt Resolution No. 23642, "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." **Motion Councilmember Mills, seconded by Mayor Pougnet and unanimously carried on a roll call vote.**

2.N. APPROVE A PURCHASE ORDER TO PACIFIC LIGHTING FOR LED RETRO-FIT LIGHTING FOR THE DOWNTOWN LIGHT POLES:

Councilmember Lewin commented on the recent installation of LED lighting on Palm Canyon, and requested Staff review the current installation.

Councilmember Foat requested Staff address the lighting on the decorative light poles and the cleaning of the globes.

Councilmember Mills commented on the replacement of the lamps on Palm Canyon and the requirement to get the same lumen output with the LED fixtures.

ACTION: Approve the issuance of a purchase order to Pacific Lighting in an amount not to exceed \$98,000 for LED retrofit lighting for Downtown Light Poles; and 2) Authorize the City Manager to execute the purchase order. **Motion Councilmember Lewin, seconded by Councilmember Foat and unanimously carried on a roll call vote.**

2.O. APPROVAL OF A PROFESSIONAL SERVICES AGREEMENT WITH HISTORIC RESOURCES GROUP TO CONDUCT A HISTORIC RESOURCE SURVEY AND UPDATE:

Mayor Pougnet commented on the cost for the survey and the lack of a proposal from the Palm Springs Preservation Foundation.

Councilmember Foat requested Staff address the comments by the Palm Springs Preservation Foundation.

ACTION: 1) Approve a professional services agreement with Historic Resources Group, in an amount not to exceed \$147,800, to conduct a Historic Resources Survey and Update (RFP 16-14); and 2) Adopt Resolution No. 23644, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, AMENDING THE BUDGET FOR FISCAL YEAR 2014-15 FOR A HISTORIC RESOURCE SURVEY;" and 3) Authorize the City Manager to execute all necessary documents. A6579. **Motion Councilmember Mills, seconded by Councilmember Lewin and unanimously carried on a roll call vote.**

2.R. APPROVE LEASE ASSIGNMENT AND ESTOPPEL AGREEMENT, AP PALM SPRINGS LLC, THE ABBEY COMPANY LEASES NO. A2528, A2529, A2636 WITH ASSIGNMENT TO MB REAL ESTATE SERVICES INC:

Councilmember Foat requested Staff address the lack of parking at the facility and if the City is including parking requirements as part of the approval.

ACTION: 1) Approve the Amendment and Ground Lessor's Consent, Non-Disturbance and Attornment, and Estoppel Agreement with Medical Properties II Palm Springs, LLC; 2) Approve the Assignment and Assumption of Lease Agreement Nos. A2528, A2529, and A2636 and related Consents to Assignment; and 3) Authorize the City Manager to execute all necessary documents. A2528. A2529. A2636. A6580. **Motion Councilmember Mills, seconded by Mayor Pro Tem Hutcheson and unanimously carried on a roll call vote.**

3. LEGISLATIVE: None.

4. UNFINISHED BUSINESS:

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

Representatives from Symblaze provided background information as outlined in the Staff Report dated July 16, 2014.

Mayor Pro Tem Hutcheson stated he is pleased with the progress and requested the addition of two-additional words "free" and "trolley," and stated his support to show the windows, and his preference for the Buzz concept.

Councilmember Foat stated she does not think it should be referred to as a trolley, commented on the wrapped windows, commented on the development of a parking plan, and stated her preference is the Buzz concept.

Councilmember Mills commented on the window covering and the shape of the windows, and his support for the Buzz concept.

Councilmember Lewin commented on the shape of the windows and requested Staff address if the wrap could change the shape of the windows, and stated his preference for the Buzz concept.

Councilmember Mills stated the movement feeling and graphics could also be transferred to the Buzz concept.

Mayor Pougnet stated his support for the Buzz concept and commented on the marketing plan.

ACTION: Direct Staff to move forward with the Buzz concept and branding. **By unanimous consent of the City Council.**

4.B. NON-MOTORIZED TRANSPORTATION COMMITTEE BICYCLE ROUTE PLAN AND RECOMMENDATIONS FOR PHASE ONE CAPITAL PROJECTS (CITY PROJECT NO. 13-32):

ACTION: Item Tabled. **By unanimous consent of the City Council.**

5. NEW BUSINESS:

5.A. APPROVE A PURCHASE ORDER TO HARRIS & ASSOCIATES IN AN AMOUNT NOT TO EXCEED \$97,000 TO UPDATE THE PAVEMENT MANAGEMENT SURVEY AND ESTABLISH A SIGN INVENTORY:

City Manager Ready provided background information as outlined in the Staff Report dated July 16, 2014.

Councilmember Foat commented on the CVAG traffic signal synchronization project.

ACTION: 1) Approve a purchase order to Harris & Associates, in an amount not to exceed \$97,000, to update the pavement management survey and establish a sign inventory, pursuant to "On-Call" Agreement No. A6444; and 2) Authorize the City Manager to execute all necessary documents. A6444. **Motion Councilmember Mills, seconded by Councilmember Lewin and unanimously carried on a roll call vote.**

5.B. APPROVE MEMORANDUMS OF UNDERSTANDING WITH PALM SPRINGS FIRE MANAGEMENT ASSOCIATION, PALM SPRINGS FIRE SAFETY ASSOCIATION, MANAGEMENT ASSOCIATION OF PALM SPRINGS, AND SERVICE EMPLOYEES INTERNATIONAL UNION LOCAL 721:

City Manager Ready provided background information as outlined in the Staff Report dated July 16, 2014.

Mayor Pougnet commented on the length and terms of the contracts.

ACTION: 1) Adopt Resolution No. 23645, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA APPROVING MEMORANDUMS OF UNDERSTANDING (MOU's) RELATIVE TO WAGES, HOURS, AND OTHER TERMS AND CONDITIONS OF EMPLOYMENT FOR EMPLOYEES IN THE PALM SPRINGS FIRE MANAGEMENT ASSOCIATION, THE PALM SPRINGS FIRE SAFETY ASSOCIATION, THE MANAGEMENT ASSOCIATION OF PALM SPRINGS AND THE SERVICE EMPLOYEES INTERNATIONAL UNION LOCAL 721, FOR THE PERIOD JULY 1, 2014, THROUGH JUNE 30, 2018, SUBJECT TO ASSOCIATIONS' EXECUTING THE MEMORANDUMS OF UNDERSTANDING;" 2) Adopt Resolution No. 23646, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA APPROVING PAYING AND REPORTING THE VALUE OF EMPLOYER PAID MEMBER CONTRIBUTIONS FOR THE PUBLIC EMPLOYEES RETIREMENT SYSTEM (PERS);" 3) Adopt Resolution No. 23647, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA APPROVING PAYING MEMBER CONTRIBUTIONS FOR THE PUBLIC EMPLOYEES RETIREMENT SYSTEM (PERS);" 4) Adopt Resolution No. 23648, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, ELECTING TO BE SUBJECT TO PUBLIC EMPLOYEES' MEDICAL AND HOSPITAL CARE ACT AND FIXING THE EMPLOYER'S CONTRIBUTION AT AN AMOUNT EQUAL TO OR GREATER THAN THAT PRESCRIBED BY GOVERNMENT CODE

SECTION 22892(b);" and 5) Authorize the City Manager to execute the Memorandums of Understanding and all documents necessary to effectuate the above actions, including the allocation and compensation plan and non-substantial Memorandum of Understanding language reorganization. A5428. A5364. A5573. A5440. **Motion Councilmember Mills, seconded by Councilmember Foat and unanimously carried on a roll call vote.**

5.C. APPOINT TWO MEMBERS OF THE CITY COUNCIL TO AN AD HOC DOWNTOWN REVITALIZATION PROJECT LANDSCAPING CITY COUNCIL SUBCOMMITTEE:

Withdrawn from the Agenda as the request of Staff.

COUNCILMEMBER COMMENTS, REQUESTS, AND REPORTS:

Councilmember Foat requested City Staff address the timeline for the Tahquitz Median Project, and requested the project return to the City Council before approval of the conceptual plans.

Councilmember Lewin commented on the development of Gateway Marker signs.

ADJOURNMENT: The City adjourned at 10:00 p.m. to Wednesday, September 3, 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 3RD DAY OF SEPTEMBER, 2014.

STEPHEN P. POUAGNET, MAYOR

ATTEST:

JAMES THOMPSON, CITY CLERK