

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



**MEETING MINUTES  
WEDNESDAY, OCTOBER 15, 2014  
CITY HALL COUNCIL CHAMBER**

**6:00 P.M. JOINT MEETING CITY COUNCIL AND THE MEASURE "J" COMMISSION**

**CALL TO ORDER:** Mayor Pougnet called the Joint Meeting with the Measure J Commission to order at 6:11 p.m.

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

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

**PRESENTATIONS:**

Mayor Pougnet and the City Council proclaimed October 15, 2014, as Claudy Crawford day in the City of Palm Springs in celebration of her 100th Birthday.

Fire Chief John Allen announced the 2014 Great Shake Out.

Councilmember Lewin and Councilmember Mills provided an update on the Palm Springs High School Homecoming event and parade.

Councilmember Lewin announced the Walk to School Day in the City of Palm Springs.

Mayor Pougnet provided an update on the installation of new bike corrals in Downtown and Uptown Palm Springs, and announced the 2014 Cycledelic event.

Mayor Pougnet provided an update on the Kimpton Groundbreaking and the Downtown Revitalization Project.

Councilmember Mills announced the Synergy Award from the Society of American Architects for the Downtown Revitalization Project.

Councilmember Foat announced the Meals on Wheels fundraising event.

Councilmember Foat announced pet adoptions at the Palm Springs Animal Shelter.

**PUBLIC COMMENT:**

NIKOHL VANDEL, Palm Springs, commented on Measure J priorities and requested homeless programs be included for Measure J funding.

**A. UPDATE AND PROGRESS REPORT OF MEASURE J FUNDS, CAPITAL IMPROVEMENT PROJECTS, DISCUSS FUTURE PROJECTS AND PRIORITIES:**

City Manager Ready provided background information as outlined in the Measure J audit and progress report documents dated October 15, 2014.

Suzanne Harrell, Financial Advisor, provided information on potential bonding related to Measure A and Measure J.

Geoffrey Kiehl, Director of Finance, presented the audit results for the Measure J funds.

The City Council and Measure J Commission discussed and/or commented on the following with respect to Measure J projects and priorities: the length of time to complete Measure J Capital Projects and Staff capacity, setting aside sufficient funds for water conservation, the annual commission recommended funding for community projects of \$1 million, the process of funding community projects with in-person presentations and involving PSNIC, funding community projects affecting quality of life issues, not committing a specific amount annually, the interest or expertise areas of the Commissioners, summarized the completed projects and the priorities of the City Council.

The City Council and Commission discussed the following priorities: Public Safety, Tahquitz Creek, Non-Motorized Transportation, Land Acquisition, Parks, Street Repairs, Water Conservation, and Library.

**ACTION:** Direct Staff to provide for annual funding in the amount of \$1 million from Measure J funding for community projects. **By unanimous consent of the City Council.**

The City Council recessed at 7:45 p.m.  
The City Council reconvened at 7:51 p.m.

**7:00 P.M. REGULAR MEETING**

**CALL TO ORDER:** Mayor Pougnet called the regular meeting to order at 7:51 p.m.

**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.

**REPORT OF CLOSED SESSION:**

City Attorney Holland stated the meeting was called to order at 5:00 p.m., the City Council recessed into Closed Session to discuss items on the posted Closed Session Agenda, and reported the City Council authorized the City Attorney to settle an ancillary matter to the *City of Palm Springs v. Ana Matosantos* litigation and documents will be made available when fully executed, and stated the City Council may recess to Closed Session at the end of the meeting to discuss property items on the posted Closed Session Agenda.

**ACCEPTANCE OF THE AGENDA:**

Mayor Pougnet requested Items 2.E., 2.N., and 2.T. 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:**

Councilmember Mills stated he has a business related conflict of interest with respect to Item 1.A., would not participate in the discussion or the vote, and left Council Chamber.

**1.A. CONDITIONAL USE PERMIT AND VARIANCE TO CONSTRUCT TWO WIRELESS TELECOMMUNICATION FACILITIES CONSISTING OF MONOPOLES, EXCEEDING THE MAXIMUM PERMITTED ZONING HEIGHT, AT A VACANT PARCEL OF LAND LOCATED ON THE WEST SIDE OF THE GOLDEN SANDS MOBILE HOME PARK AT 3430 NORTH SUNRISE WAY, APPLICANT DOUGLAS C. JONES (CASE NOS. 5.1321 CUP AND 6.533 VAR):**

Flinn Fagg, Director of Planning Services, provided background information as outlined in the Staff Report dated October 15, 2014.

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

NORMAN MACLEOD, Applicant, outlined the proposed project and requested the City Council approve the project.

ELAINE CLERMONT, spoke in opposition to the proposed tower due to effect on children and others.

KRISTINE ANDERSON, spoke in opposition to the proposed towers.

TOM FLIEGENSCHUH, stated his support for the proposed towers due to cell service in the immediate area.

RICHARD BERGSTROM, stated his support for the proposed towers due to cell service in the immediate area.

NANCY TAVICK, stated her support for the proposed towers due to cell service in the immediate area.

JIM BAYLE, stated his support for the proposed towers due to cell service in the immediate area.

ARMANDO VASQUEZ, stated his support for the proposed towers due to cell service in the immediate area.

TERESA VASQUEZ, stated her support for the proposed towers due to cell service in the immediate area.

SUE BUSTOS, stated her support for the proposed towers due to cell service in the immediate area.

CHUCK BUSTOS, stated his support for the proposed towers due to cell service in the immediate area.

ROSE MARIE KEYES, stated her support for the proposed towers due to cell service in the immediate area.

JIM KEYES, stated his support for the proposed towers due to cell service in the immediate area.

RODNEY THOMAS, stated his support for the proposed towers due to cell service in the immediate area.

PATRICIA NYBERG, stated her support for the proposed towers due to cell service in the immediate area.

PETER SALZMANN, stated his support for the proposed towers due to cell service in the immediate area.

ARLENE BERGSTROM, stated her support for the proposed towers due to cell service in the immediate area.

NORMAN MACLEOD, Applicant Rebuttal, commented on the public comment and the coverage provided.

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

Councilmember Lewin stated his support for the project and requested the City Council consider a monopalm.

Councilmember Foat requested Staff address the requirement of a maintenance bond.

Mayor Pougnet commented on water conservation measures at the Four Seasons.

**ACTION:** 1) Determine the final design as monopalms; and 2) Adopt Resolution No. 23678, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, APPROVING A CONDITIONAL USE PERMIT FOR THE INSTALLATION AND OPERATION OF TWO FIFTY-SEVEN FOOT HIGH COMMERCIAL COMMUNICATION ANTENNA MONOPOLES, AND A VARIANCE APPLICATION TO EXCEED THE MAXIMUM ANTENNA HEIGHT FOR A VACANT PARCEL LOCATED AT 3430 N. SUNRISE WAY; WEST OF GOLDEN SANDS MOBILE HOME PARK AND LANDLOCKED BY PALM SPRINGS GOLF COURSE (CASE NOS. 5.1321 CUP AND 6.533 VAR)."

**Motion Councilmember Foat, seconded by Mayor Pro Tem Hutcheson and unanimously carried 4-0 on a roll call vote.**

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

**NOES:** None.

**ABSENT:** Councilmember Mills.

Councilmember Mills returned to the dais.

**1.B. APPEAL OF THE PLANNING COMMISSION DECISION BY ADVOCATES FOR BETTER COMMUNITY DEVELOPMENT REGARDING A MAJOR ARCHITECTURAL APPLICATION FOR THE CONSTRUCTION OF A TWO-STORY COMMERCIAL BUILDING PROPOSED ON BLOCK "B" OF THE MUSEUM MARKET PLAZA SPECIFIC PLAN AT THE SOUTHWEST CORNER OF ANDREAS ROAD AND PALM CANYON DRIVE (CASE 3.3606 MAJ):**

Flinn Fagg, Director of Planning Services, provided background information as outlined in the Staff Report dated October 15, 2014.

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

FRANK TYSEN, Appellant, commented on the lack of hearings and the lack of transparency for the Downtown Revitalization Project, commented on the current charm of the City of Palm Springs, the lack of design, and the height of the development, the lack of public participation, and the lack of procedures for the approval of Block B.

EMILY HEMPHILL, Representing Applicant, commented on the public participation for the project, stated City Staff followed procedures as required by Code, commented on the litigation filed, and requested the City Council uphold the decision of the Planning Commission.

ELAINE CLERMONT, stated the City followed the rules but no transparency was provided on the project.

FRANK TYSEN, Appellant Rebuttal, commented on the lawsuits by Advocates for Better Community Development.

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

The City Council discussed and/or commented on the following with respect to the appeal: the public notification process as outlined in the Staff Report, and the lack of reasons for the appeal of Block B.

**ACTION:** Adopt Resolution No. 23679, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, DENYING THE APPEAL BY ADVOCATES FOR BETTER COMMUNITY DEVELOPMENT AND UPHOLDING THE DECISION OF THE PLANNING COMMISSION TO APPROVE A MAJOR ARCHITECTURAL APPLICATION FOR THE CONSTRUCTION OF A TWO-STORY COMMERCIAL BUILDING AT THE SOUTHWEST CORNER OF ANDREAS ROAD AND PALM CANYON DRIVE (CASE NO. 3.3606 MAJ)." **Motion Mayor Pro Tem Hutcheson, seconded by Councilmember Mills and unanimously carried on a roll call vote.**

- 1.C. **PALM SPRINGS, LLC, APPEAL THE DECISION OF THE PLANNING COMMISSION TO CONTINUE THE REVIEW OF A FINAL DEVELOPMENT PLAN APPROVAL FOR PLANNED DEVELOPMENT DISTRICT 324 TO CONSTRUCT A 150-ROOM HOTEL AND ANCILLARY COMMERCIAL USE LOCATED AT 400 NORTH PALM CANYON DRIVE AND THE FAILURE OF THE PLANNING COMMISSION TO FIND THAT THE FINAL DEVELOPMENT PLAN WAS IN SUBSTANTIAL CONFORMANCE OF THE APPROVED**

**PRELIMINARY DEVELOPMENT PLAN (CASE NO. 5.1091- PD324-APPEAL):**

Flinn Fagg, Director of Planning Services, provided background information as outlined in the Staff Report dated October 15, 2014.

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

LAWRENCE RAEL, Applicant Appellant, commented on the three items of concern by the Planning Commission, the damaged that will be caused to the development if the final development plan is not approved, the discussion and the process with the Planning Commission, and requested the Mayor appoint a three-member body to collaborate on the project.

SCOTT LYLE, stated his support for the project and upholding the appeal of the Planning Commission decision, and requested the City Council approve the project.

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

Mayor Pro Tem Hutcheson requested the City Council uphold the appeal with conditions as outlined by the Planning Commission, requested additional stepping back on Alejo Road and more articulation on Indian Canyon.

Councilmember Mills commented on the differences between the submitted final and the preliminary plans, stated final approval requires detailed drawings that were not provided to the Planning Commission, stated they are not the same projects, and detailed the differences between the preliminary and final plans, and stated the landscape plans submitted were not final plans nor were irrigation plans submitted.

Councilmember Foat requested Staff address the process that the City Council should use to give approval to a final PD for a project that needs substantial work, commented on the previous Planning Commission direction, noted differences between the preliminary plans and the final submitted plans.

Councilmember Lewin stated the final plans are not completed, and suggested the City Council not go forward with the final PD, and commented on continuing the Item to the next meeting to allow for re-submission.

Mayor Pro Tem Hutcheson recommended the City Council control the process going forward.

Councilmember Mills requested the City Council approve the final PDD for general compliance with additional conditions.

**ACTION:** Adopt Resolution No. 23680, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, UPHOLDING THE APPEAL OF PALM SPRINGS, LLC, AND FINDING THE FINAL DEVELOPMENT PLAN FOR PLANNED DEVELOPMENT DISTRICT 324 IS IN GENERAL CONFORMANCE WITH THE PRELIMINARY DEVELOPMENT PLAN FOR THE CONSTRUCTION OF A 150-ROOM HOTEL, ANCILLARY COMMERCIAL RETAIL AND FREE STANDING PARKING STRUCTURE LOCATED AT THE SOUTHEAST CORNER OF ALEJO ROAD AND NORTH PALM CANYON DRIVE AND FINDING THE PREVIOUSLY ADOPTED MITIGATED NEGATIVE DECLARATION NUMBER 2006109031 AS SUFFICIENT AND APPROPRIATE ENVIRONMENTAL DOCUMENTATION FOR THE FINAL DEVELOPMENT PLAN," substituting the term "substantial compliance" with "general compliance" as contained in the resolution, and adding conditions of approval as follows: 1) re-study all elevations, massing, and architectural character to reflect the previously approved PDD; 2) re-study the corners at North Palm Canyon and Alejo Road, and Indian Canyon and Alejo Road to make them stronger in design and more open, and the massing at North Palm Canyon and Alejo Road needs to come down to the ground and not sit-up on a podium; 3) maintain the basic setbacks and the staggering of the units on the grade level and the second floor level of the original approved project; 4) re-study both the public and private garage elevations on Indian Canyon and Alejo Road; 5) provide complete design and detail on the public pedestrian access way from North Palm Canyon to the parking garage that was requested in the original approval, as re-submitted the plan lacks articulation, 6) relocate the spa-pool to the original location; 7) re-study materials and colors, submit better elevations that reflect the actual outline of the street frontage and create more of a contrast with colors and materials to help with the depth of the building; 8) create interest and depth with the North Palm Canyon storefronts; 9) submit detailed above ground landscape and hardscape plan; 10) submit detailed ground level landscape and hardscape plan for the entire site; 11) provide and submit defining entrances and signage at all entry points to the public and private parking garages; 12) establish a subcommittee consisting of the Planning Commission and the City Council to work with the Applicant and Designer to insure all conditions are implemented; 13) project must be re-submitted to Planning Commission and the City Council at the completion of the design development drawings including all site plans, full floor plan with diminutions, all elevations with diminutions, roof plans showing any and all equipment, sections at the street, and final landscape, hardscape, lighting and signage plans, 14) submit an increased color and materials palette; re-study the trash enclosure on Indian Canyon; 15) re-study the equipment area on the south side of the



development near the adjacent neighbors. **Motion Councilmember Mills, seconded by Mayor Pougnet and carried 4-1 on a roll call vote.**

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

**ACTION:** Continue past the 10:00 p.m. tentative adjournment time. **Motion Councilmember Foat, seconded by Mayor Pro Tem Hutcheson and unanimously carried (5-0).**

**PUBLIC COMMENT:**

DAVID HURLINGHUR, commented on the security cameras being installed in Old Las Palmas neighborhood.

**COUNCILMEMBER COMMENTS:**

Councilmember Foat commented on and requested Staff address the installation of security cameras in Old Las Palmas neighborhood.

Councilmember Lewin requested an item be placed on the next City Council agenda concerning the Hero Program similar to the YGreen Program for home modifications relating to energy enhancements.

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

**2. CONSENT CALENDAR:**

**ACTION:** Approve Items 2.A., 2.B., 2.C., 2.D., 2.F., 2.G., 2.H., 2.I., 2.J., 2.K., 2.L., 2.M., 2.O., 2.P., 2.Q., 2.R., and 2.S. **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 October 15, 2014, City Council Agenda. **Approved as part of the Consent Calendar.**

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

**ACTION:** Approve the City Council Minutes of October 1, 2014. **Approved as part of the Consent Calendar.**

**2.C. STAFF AUTHORIZED AGREEMENTS AND PURCHASE ORDERS FOR THE MONTH OF SEPTEMBER 2014:**

**ACTION:** Receive and file the report of Staff Authorized Agreements and Purchase Orders for the period of September 1, through September 30, 2014. **Approved as part of the Consent Calendar.**

- 2.D. APPROVE THE FURNITURE PURCHASE FROM DESERT BUSINESS INTERIORS FOR THE WELWOOD MURRAY MEMORIAL LIBRARY PROJECT:**  
**ACTION:** 1) Award the purchase of furniture for the Welwood Murray Memorial Library Project to Desert Business Interiors in the amount of \$35,458.46, authorizing California Multiple Award Schedule contracts and negotiated discounts to acquire all furniture as selected by the Interior Designer; and 2) Authorize the City Manager to execute all required documentation. **Approved as part of the Consent Calendar.**
- 2.F. AMENDMENT NO. 2 TO AGREEMENT NO. A6465 WITH URRUTIA A.I.A. ASSOCIATES FOR ADDITIONAL ARCHITECTURAL AND ENGINEERING DESIGN SERVICES POLICE DEPARTMENT REMODEL PROJECT:**  
**ACTION:** 1) Approve Amendment No. 2 to Agreement No. A6465 with Urrutia A.I.A. and Associates for additional architectural and engineering services for the Report Writing Room, Dispatch Center, and other miscellaneous items needed for the Police Department Remodel in the amount of \$28,550, for a total project design cost of \$133,050; and 2) Authorize the City Manager to execute all necessary documents. A6465. **Approved as part of the Consent Calendar.**
- 2.G. AWARD CONTRACT TO ST. GEORGE CONSTRUCTION CONTRACTING COMPANY, INC. FOR THE CABINETRY FOR THE WELWOOD MURRAY MEMORIAL LIBRARY PROJECT:**  
**ACTION:** 1) Award the contract for cabinetry for the Welwood Murray Memorial Library Project to St. George Construction Contracting Company, Inc., base bid and the alternates, in the amount of \$89,006; and 2) Authorize the City Manager to execute all necessary documents. A6614. **Approved as part of the Consent Calendar.**
- 2.H. APPROVAL OF TRACT MAP 36715 FOR A NINE (9) UNIT CONDOMINIUM PROJECT AT 100 CERRITOS ROAD:**  
**ACTION:** 1) Adopt Resolution No. 23681, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, APPROVING TRACT MAP 36715 FOR A NINE (9) UNIT CONDOMINIUM PROJECT LOCATED AT 100 CERRITOS ROAD, IN SECTION 13, TOWNSHIP 4 SOUTH, RANGE 4 EAST;" and 2) Authorize the City Manager to execute all necessary documents. A6615. **Approved as part of the Consent Calendar.**

- 2.I. AMENDMENT NO. 1 TO AGREEMENT NO. A6569 WITH CSG CONSULTANTS FOR FIRE PLANS EXAMINATION AND FIRE INSPECTION SERVICES RENDERED:**  
**ACTION:** 1) Approve Amendment No. 1 to the contractual services agreement with CSG Consultants, Inc. for fire plans examination and fire inspection services rendered at the stated hourly rate; and 2) Authorize the City Manager to execute all necessary documents. A6569. **Approved as part of the Consent Calendar.**
- 2.J. APPROVAL OF A SUBSTITUTE SUBDIVISION IMPROVEMENT AGREEMENT WITH AGAVE 28, LP FOR FINAL MAP 33161 FOR 32-SINGLE FAMILY HOMES LOCATED AT 300 RADIO ROAD:**  
**ACTION:** 1) Close Subdivision Improvement Agreement No. A5436 with Sherman Las Vegas Road Housing, Inc. for Final Tract Map 33161 for 32-single family homes located at 300 Radio Road, in Section 34, Township 3 South, Range 4 East; 2) Approve substitute Subdivision Improvement Agreement with Agave 28, LP for Final Tract Map 33161 for 32-single family homes located at 300 Radio Road, in Section 34, Township 3 South, Range 4 East; and 3) Authorize the City Manager to execute all necessary documents. A5436. A6616. **Approved as part of the Consent Calendar.**
- 2.K. APPROVAL OF A NOTICE TO PROCEED FOR VEOLIA WATER WEST OPERATING SERVICES, INC. FOR THE CONSTRUCTION OF THE 2014 SEWER COLLECTION SYSTEM REPAIRS AND FOR THE CONSTRUCTION PHASE OF THE TWO SOUTHERLY TRICKLING FILTERS ARM REPLACEMENT PROJECTS (CP 14-10 AND 14-12 RESPECTIVELY):**  
**ACTION:** 1) Authorize the Director of Public Works/City Engineer to issue a Notice to Proceed for Veolia West Operating Services, Inc. in the amount of \$469,978 for the construction of the Sewer Collection System Repairs Project (CP14-10); and 2) Authorize the Director of Public Works/City Engineer to issue a Notice to Proceed for Veolia West Operating Services, Inc. in the amount of \$422,294 for the installation of the two southerly Trickling Filters Arm Replacement Project (CP 14-12). **Approved as part of the Consent Calendar.**
- 2.L. APPROVE A 90-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 90-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.M. APPROVE AMENDMENT NO. 1 TO THE 2014-15 ALLOCATED POSITIONS AND COMPENSATION PLAN:**

**ACTION:** Adopt Resolution No. 23682, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, APPROVING AMENDMENT NO. 1 TO THE ALLOCATED POSITIONS AND COMPENSATION PLAN FOR FISCAL YEAR 2014-15, ADOPTED BY RESOLUTION 23559." **Approved as part of the Consent Calendar.**

**2.O. APPROVAL OF PLANS, SPECIFICATIONS AND ESTIMATE (PS&E) AND AUTHORIZATION TO BID FOR TAHQUITZ CANYON WAY MEDIAN LANDSCAPING FROM SUNRISE TO EL CIELO (CP 13-33):**

**ACTION:** 1) Approve the plans, specifications, and working details for Tahquitz Canyon Way Median from Sunrise to El Cielo and authorize staff to advertise for bids; and 2) Authorize the City Manager to award the construction contract to the lowest responsible, responsive bidder in an amount not to exceed \$1,800,000 (CP 13-33). **Approved as part of the Consent Calendar.**

**2.P. AUTHORIZE THE PROCUREMENT PROCESS AND PURCHASE OF 18 NEW REPLACEMENT VEHICLES AND RELATED VEHICLE EQUIPMENT (5 OF WHICH ARE ALTERNATIVE/FUEL EFFICIENT VEHICLES):**

**ACTION:** 1) Approve the purchase of one wheel loader in an amount not to exceed \$240,000; 2) Approve the purchase of one water recycling car wash system in an amount not to exceed \$135,000; 3) Approve the purchase of four (4) new patrol vehicles in an amount not to exceed \$204,000; 4) Approve the purchase of two (2) patrol motorcycles in an amount not to exceed \$42,000; 5) Approve the purchase of one alternative/fuel efficient van in an amount not to exceed \$40,000; 6) Approve the purchase of one Fire Command SUV in an amount not to exceed \$76,000; 7) Approve the purchase of one alternative/fuel efficient Ford Truck in an amount not to exceed \$60,000; 8) Approve the purchase of one alternative/fuel efficient Ford Truck in an amount not to exceed \$85,000; 9) Approve the purchase of Airport Replacement Vehicles (1) Boom Truck in an amount not to exceed \$31,000, (1) trailer not to exceed \$10,000, (1) Ford F-150 Truck in an amount not to exceed \$61,000, and (1) Police Airport patrol vehicle not to exceed \$51,000; 10) Approve the outfitting of all public safety vehicles pursuant to City Council approved and awarded BID No. IFB 14-09; 11) Authorize staff to conduct the appropriate bid processes, or utilize cooperative purchase contracts if available, in accordance with Procurement procedures and authorize the City Manager to execute all necessary documents, including all purchase orders for the approved list of vehicles, to expedite the acquisition process; 12) Adopt Resolution No. 23684, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA,

AMENDING THE BUDGET FOR FISCAL YEAR 2014-15, FOR VEHICLE REPLACEMENT; and 13) Authorize the City Manager to approve changes in vehicle prices insofar as the total amount of vehicle purchases does not exceed \$1,055,000. **Approved as part of the Consent Calendar.**

**2.Q. APPROVE A PURCHASE ORDER FOR THE DEMUTH COMMUNITY CENTER GYMNASIUM FLOOR, A MEASURE J FUNDED CAPITAL PROJECT:**

**ACTION:** 1) Approve an Agreement with Dynamic Sports Construction, Inc., in the amount of \$75,598 for the replacement of the Demuth Community Center Gymnasium Floor; and 2) Authorize the City Manager to execute all necessary documents. A6617. **Approved as part of the Consent Calendar.**

**2.R. AMENDMENT NO. 1 TO AGREEMENT NO. A5728 WITH ADVANCE, INC, DBA PROGREEN MAINTENANCE, TO INCREASE JANITORIAL SERVICES AT VARIOUS CITY FACILITIES:**

**ACTION:** 1) Approve Amendment No. 1 to Agreement No. A5728 with Advance, Inc. dba PROGreen Building Maintenance, increasing the janitorial services at various city facilities in the amount of \$81,088.92 annually, for a total annual cost of \$315,088; and 2) Authorize the City Manager to execute all necessary documents. A5728. **Approved as part of the Consent Calendar.**

**2.S. AWARD CONTRACT FOR SECURITY AND FIRE DETECTION ALARM MONITORING, TESTING AND MAINTENANCE SERVICES AT VARIOUS CITY FACILITIES:**

**ACTION:** 1) Approve Amendment No. 1 to Agreement No. A6139 with O'Linn Security Services to extend the term to November 30, 2014, in the amount of \$7,925; 2) Award a contract services agreement for Security and Fire detection monitoring, testing and maintenance services with Maximum Security Alarm Systems of Palm Springs, CA for a 3 year term at \$14,265 per year, with two 1 year renewal options subject to a CPI increase, at the mutual consent of the City and contractor; and 3) Authorize the City Manager to execute all necessary documents. A6139. A6618. **Approved as part of the Consent Calendar.**

**EXCLUDED CONSENT CALENDAR:**

**2.E. APPROVAL OF AN ACCELERATED FINAL PAYMENT TO THE PALM SPRINGS ART MUSEUM FOR A MEASURE J FUNDED PROJECT, RESTORATION AND TRANSFORMATION OF THE FORMER SANTA FE FEDERAL SAVINGS AND LOAN BUILDING:**

Mayor Pougnet stated he would support the request, but thought it was a poor precedent to start with the multi-year funding requests.

**ACTION:** Authorize the City Manager to process the final payment of \$284,000 to the Palm Springs Art Museum in Fiscal Year 2014-15. A6447. **Motion Councilmember Mills, seconded by Mayor Pro Tem Hutcheson and unanimously carried on a roll call vote.**

**2.N. ESTABLISHING FEES FOR PEDICABS AND AMENDING THE COMPREHENSIVE FEE SCHEDULE ADOPTED BY RESOLUTION NO. 21578 AS AMENDED:**

Mayor Pougnet reminded Staff to bring forward recommendations for an increase in fees for recreation programs.

**ACTION:** Adopt Resolution No. 23683, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, MODIFYING USER FEES FOR PEDICABS AND AMENDING THE COMPREHENSIVE FEE SCHEDULE ADOPTED BY RESOLUTION NO. 21578 AS AMENDED." **Motion Councilmember Mills, seconded by Councilmember Foat and unanimously carried on a roll call vote.**

**2.T. APPROVE CONTRACT FOR THE PALM TREE REMOVAL AND REPLACEMENT PROJECT, A MEASURE J FUNDED CAPITAL IMPROVEMENT PROJECT:**

Councilmember Foat commented on the quality of the services provided to the City by Golden Valley.

**ACTION:** 1) Find the bid from Golden Valley Construction non-responsive; 2) Approve a unit price agreement with CV Construction and Engineering, in the amount of \$141,141, for the removal and replacement of Palm Trees; and 3) Authorize the City Manager to execute all necessary documents. A6619. **Motion Mayor Pougnet, seconded by Councilmember Lewin and carried 4-1 on a roll call vote.**

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

**NOES:** Councilmember Foat.

**3. LEGISLATIVE:** None.

**4. UNFINISHED BUSINESS:** None.

**5. NEW BUSINESS:** None.

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

Councilmember Mills requested a report on the removal of the substantial bougainvillea hedge above the stone wall at the Mizell Senior Center, and commented on parks maintenance.

The City Council recessed to Closed Session at 10:17 p.m. to discuss property items on the posted Closed Session Agenda.

**REPORT OF CLOSED SESSION:**

City Attorney Holland stated the City Council recessed into Closed Session to continue discussion on items on the posted Closed Session Agenda, and reported the City Council provided direction to Staff on two property negotiations items on the Closed Session Agenda the Prairie Schooner Parcel on Andreas Road and the one acre parcel at the Southwest corner of North Palm Canyon and Stevens Road, otherwise no reportable actions were taken.

**ADJOURNMENT:** The City Council adjourned at 10:45 p.m. to Wednesday, November 5, 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 5<sup>TH</sup> DAY OF NOVEMBER, 2014.**

\_\_\_\_\_  
STEPHEN P. POUQUET, MAYOR

ATTEST:

\_\_\_\_\_  
JAMES THOMPSON, CITY CLERK