

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



**MEETING MINUTES  
WEDNESDAY, MARCH 18, 2015  
CITY HALL COUNCIL CHAMBER**

**CALL TO ORDER:** Mayor Pougnet called the meeting to order at 6:17 p.m.

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

**INVOCATION:** Rev. Armand Kreft, St. Margaret's Episcopal Church, led the Invocation.

**ROLL CALL:**

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

**ABSENT:** None.

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

**PRESENTATIONS:**

Mayor Pougnet announced the ribbon cuttings for new establishments opening in the Springs Shopping Center, the Palm Springs Woman's Club Fashion Show, the 2015 PSNIC Picnic, and the Palm Springs Fire Department Easter Egg Hunt.

Councilmember Foat provided an update on animal adoptions at the Palm Springs Animal Shelter.

**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 located at 1300 North Baristo Road.

**ACTION:** 1) Find the item 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 on the item; and 2) Add to the Closed Session Agenda one Item pursuant to Cal. Gov. Code Section 54956.8 Conference with Real Property Negotiator for the property located at 1300 Baristo Road, City of Palm Springs, City Negotiator David Ready or Designee, Negotiating Party Julie Arthur, Palm Springs Unified School District, for price and terms

of payment for purchase of the property. **Motion Councilmember Hutcheson, seconded by Councilmember Foat and unanimously carried (4-0) noting the absence of Mayor Pougnet.**

The City Council recessed into Closed Session to discuss items on the Closed Session Agenda. City Attorney Holland reported the City Council authorized a settlement agreement in the B.R.S., a minor case and stated the agreement would be provided for public inspection at the Office of the City Clerk when fully executed, and stated the City Council also provided direction to City Staff, otherwise no reportable actions were taken.

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

City Clerk Thompson requested the City Council table and withdraw from the Agenda Item 4.A., and Continue Public Hearing Item 1.D. to April 1, 2015, and direct a posting of a Notice of Continued Public Hearing.

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

Councilmember Foat noted a business related abstention on Item 2.C. Warrant No. 1076922.

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

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

Councilmember Foat stated she 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.

Mayor Pro Tem Lewin stated he has a property 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. 41st PROGRAM YEAR COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) 2015-16 ANNUAL ACTION PLAN AND CDBG BUDGET APPROVAL, AUTHORIZATION TO SUBMIT TO THE UNITED STATES DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT GRANT NO. B-15-MC-06-0561 IN THE AMOUNT OF \$343,175, AND APPROVING SUBRECIPIENT AGREEMENTS:**

Dale Cook, Community Development Administrator, provided background information as outlined in the Staff Report dated March 18, 2015.

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

JARVIS CRAWFORD, Palm Springs, requested the City Council consider funding the project at the James O. Jesse Desert Highland Unity Center.

JEFF KRAMER, Shelter from the Storm, provided background information regarding the services at Shelter from the Storm, and requested the City Council consider funding the programs.

BRENDA ORR, Desert AIDS Project, provided background information regarding the services at Desert AIDS Project, and requested the City Council consider funding of the project.

PRUDENCE OUTRY, Palm Springs, commented on the CDBG programs.

MAUREEN FORMAN, Palm Springs, Jewish Family Services, provided background information regarding the services at Jewish Family Services, and requested the City Council consider funding the programs.

CHRIS O'HANLON, Senior Advocates of the Desert, provided background information regarding the services at Senior Advocates of the Desert, and requested the City Council consider funding the programs.

RICK MESA, Ranch Recovery Center, provided background information regarding the services at the Ranch Recovery Center, and requested the City Council consider funding the programs.

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

Councilmember Mills requested Staff address the scope of the project proposed for Desert AIDS Project.

Councilmember Hutcheson requested Staff address the evaluation scores.

Mayor Pougnet requested Staff address the public facilities evaluations and the City residents served, and the number of applications received for capital improvements.

Councilmember Mills suggested the City Council consider tabling the public hearing and review the applications.

**ACTION:** 1) Continue the public hearing to the April 1, 2015, regular meeting with no public testimony at this time; and 2) Direct the City Clerk to post a Notice a Continued Public Hearing as required by law. **Motion Councilmember Mills, seconded by Councilmember Hutcheson and unanimously carried 3-0 on a roll call vote.**

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

**NOES:** None.

**ABSENT:** Councilmember Foat and Mayor Pro Tem Lewin.

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

**1.B. APPROVE A SPECIAL ECONOMIC DEVELOPMENT FOCUS AREA PROGRAM GRANT AGREEMENT WITH MISTER LYONS, LLC IN THE AMOUNT OF \$250,000 LOCATED AT 233 EAST PALM CANYON DRIVE:**

John Raymond, Director of Community and Economic Development, provided background information as outlined in the Staff Report dated March 18, 2015.

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

FRANK TYSEN, raised concerns regarding the funding of private businesses and the Special Economic Development Focus Area Program.

JUDY DEERTRACK, Palm Springs, stated she does not understand the Staff Reports and stated she feels she is not getting the information needed.

MARCO ROSSETTI, requested the City Council consider funding the grant, and provide an opportunity to redevelop this area on South Palm Canyon.

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

Councilmember Hutcheson stated his support for funding the grant and spurring development in this area in the City of Palm Springs.

Mayor Pro Tem Lewin commented on the development of the grant program, commented on the area of the City that will benefit from the grant.

Councilmember Foat commented on the success of the applicant, and requested Staff address the different and varying types of businesses that have been awarded grants.

Mayor Pougnet commented on the funding of the Palm Springs Follies, the opportunities provided to the Spanish Inn, and commented on funding other types of small businesses.

Councilmember Mills commented on the decisions regarding funding grants to businesses made over 30-years ago.

**ACTION:** Approve a Grant Agreement in the amount of \$250,000 with Mister Lyons, LLC, located at 233 East Palm Canyon Drive, under the Special Economic Development Focus Area Program; and 3) Authorize the City Manager to execute all necessary documents. A6676. **Motion Councilmember Foat, seconded by Councilmember Hutcheson and unanimously carried on a roll call vote.**

- 1.C. **SERGE DOROSHIN (CANYON LOFTS) PLANNED DEVELOPMENT DISTRICT (PDD 376), A TENTATIVE TRACT MAP (TTM 36815) FOR CONDOMINIUM PURPOSES, AND MAJOR ARCHITECTURAL APPROVAL TO CONSTRUCT A 32-UNIT CONDOMINIUM COMPLEX, AND TWO LIVE WORK UNITS LOCATED AT 262 SOUTH INDIAN CANYON DRIVE, AND APPROVING A CEQA MITIGATED NEGATIVE DECLARATION (CASE 5.1358-PDD 376 / TTM 36815 & 3.3788-MAJ):** Flinn Fagg, Director of Planning Services, provided background information as outlined in the Staff Report dated March 18, 2015.

Councilmember Foat requested Staff address the inclusion of the Planning Commission recommendations into the Resolution.

Mayor Pro Tem Lewin requested Staff address the requirement for the installation of solar connectivity.

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

CHRIS PARDO, Representing Applicant, commented on the development of project, stated the developer does not disagree with the Planning Commission conditions, and requested the City Council approve the project.

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

Councilmember Mills questioned Staff if the approval requested is for a preliminary PD, requested Staff address the rear yard landscaping, the LEED Certification and suggested the LEED Certification be a condition of the project, the incorporation of the AAC comments, the handicapped parking, suggested the City Council consider including a handicapped parking area be put on the street and the continuation of the drive aisle to create an entry and define the parking areas on Indian Canyon, commented on the one-way drive internal to the development and the potential to increase landscaping, the appearance of guest parking, and commented on the pools against the property line.

Mayor Pro Tem Lewin stated the Applicant worked well with the AAC and the Planning Commission, and commented on the inclusion of residential units in the Downtown, requested the Applicant comment on the guest parking, and commented on a turn-around exit on Calle Encilia, and stated the decision of locking gates should be left to the owners.

Councilmember Foat stated she is not in support of changing the parking, requested Staff address the installation of a cross-walk on Baristo Road, and stated her support for the project.

Councilmember Hutcheson stated his support for the project, stated the project will help the area, and he did not support a change in the parking.

Councilmember Mills requested amending conditions FID 4 and FID 7 to state for Staff to verify the roadway is actually a driveway, and commented on his suggestion for modifications to the guest parking.

**ACTION:** Adopt Resolution No. 23783, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, ADOPTING A MITIGATED NEGATIVE DECLARATION (MND) AND APPROVING TENTATIVE TRACT MAP 36815 (TTM 36815) FOR THE CREATION OF A CONDOMINIUM MAP ON APPROXIMATELY 1.8-ACRE PARCEL, PRELIMINARY PLANNED DEVELOPMENT DISTRICT 376 (PDD 376) AND MAJOR ARCHITECTURAL APPROVAL FOR THE CONSTRUCTION OF 32 CONDOMINIUMS AND TWO LIVE-WORK UNITS LOCATED AT 262 SOUTH INDIAN CANYON DRIVE, WITHIN SECTION 14 SPECIFIC PLAN AREA, ZONE LSC, SECTION 14," amending the Conditions of Approval to incorporate the Planning Commission Conditions with the exception of the locking pedestrian gate, correct and clarify conditions FID 4 and FID 7 to show the street is a driveway rather than a road, providing additional shade overhangs on side elevations as appropriate, allow for a reduction of the one-way street width to provide additional landscaping, restudy the Calle Encilia entrance to provide a turnaround for denied access, providing a disabled parking space on the City street and modifying the drive off Indian Canyon to allow the drive bulb-out to continue into the street to include a traffic calming feature. **Motion Councilmember Foat, seconded by Mayor Pro Tem Lewin and unanimously carried on a roll call vote.**

- 1.D. **750 LOFTS, LLC MIXED-USE HOTEL DEVELOPMENT ON A 1.13-ACRE PARCEL LOCATED AT 750 NORTH PALM CANYON DRIVE, ZONE C-1 / R-3 / PD 104 / RESORT COMBINING ZONE / LAS PALMAS BUSINESS HISTORIC DISTRICT, AND APPROVING A CEQA MITIGATED NEGATIVE DECLARATION (HD-1) (CASE 5.1350 PDD 374 / GPA):**

**ACTION:** 1) Continue the public hearing to the April 1, 2015, regular meeting with no public testimony at this time; and 2) Direct the City Clerk

to post a Notice a Continued Public Hearing as required by law. **By consensus of the City Council.**

**1.E. AMENDMENT TO THE PALM SPRINGS ZONING CODE RELATING TO ACCESSORY SECOND DWELLING UNITS (CASE 5.1341 ZTA):**

Flinn Fagg, Director of Planning Services, provided background information as outlined in the Staff Report dated March 18, 2015.

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

CURT WATTS, Palm Springs, commented on the requirements to require a CUP on the smaller lots, and stated a CUP should not be required on larger lots if they meet all the conditions.

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

Councilmember Mills questioned the requirement for a CUP based on lot size, if the retention of the 35% lot continues, commented on the word "Title" in Section 93.23.14(C)(1)(a), suggested the word "district" in Section 93.23.14(E)(1) be changed to "zone," recommended Section 93.23.14(F) be modified from 15 feet to 18 feet.

Mayor Pro Tem Lewin commented on the requirement for a CUP rather than administrative approval by Staff, and commented on the architectural standards and parking requirements.

**ACTION:** 1) Continue the public hearing to the April 1, 2015 regular meeting with no public testimony at this time; and 2) Direct the City Clerk to post a Notice a Continued Public Hearing as required by law. **Motion Councilmember Foat, seconded by Mayor Pro Tem Lewin and unanimously carried on a roll call vote.**

**PUBLIC COMMENT:**

AMY MARSCHAK, commented on a recent interaction with the Palm Springs Police Department.

BARBARA MARSHALL, commented on the recent Modernism Week activities.

LUCAS SCHWAB, commented on a recent interaction with the Palm Springs Police Department.

SAARA FRITH, commented on Item 1.D. and stated the building is too big for the lot.

CLAIRE BEST HAWLEY, commented on Item 1.D., and stated her opposition of the proposed development.

FRANK TYSEN, commented on redevelopment in the City of Palm Springs.

**COUNCILMEMBER COMMENTS:**

Mayor Pougnet requested Staff review the complaint with the street performers.

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

**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.N. and 2.O. **Motion Councilmember Mills, seconded by Councilmember Hutcheson 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 March 18, 2015, City Council Agenda. **Approved as part of the Consent Calendar.**

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

**ACTION:** Approve the City Council Minutes of March 4, 2015. **Approved as part of the Consent Calendar.**

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

**ACTION:** 1) Adopt Resolution No. 23784, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, APPROVING PAYMENT OF PAYROLL WARRANTS FOR THE PERIOD ENDED 1-31-15 BY WARRANTS NUMBERED 419003 THROUGH 419022 TOTALING \$72,496.18 LIABILITY CHECKS NUMBERED 1076517 THROUGH 1076537 TOTALING \$106,359.98, FIVE WIRE TRANSFERS FOR \$50,005.51, AND NINE ELECTRONIC ACH DEBITS OF \$1,386,934.92 IN THE AGGREGATE AMOUNT OF \$1,615,796.59, DRAWN ON BANK OF AMERICA;" 2) Adopt Resolution No. 23785, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, APPROVING PAYMENT OF CLAIMS AND DEMANDS BY WARRANTS NUMBERED 1076538 THROUGH 1076659 IN THE AGGREGATE AMOUNT OF \$727,628.52, DRAWN ON BANK OF AMERICA;" 3) Adopt Resolution No. 23786, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, APPROVING PAYMENT OF CLAIMS AND DEMANDS BY WARRANTS NUMBERED 1076660 THROUGH 1076822 IN THE AGGREGATE AMOUNT OF \$1,401,652.64, DRAWN ON BANK OF AMERICA;" 4) Adopt Resolution No. 23787, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, APPROVING PAYMENT OF PAYROLL WARRANTS FOR THE PERIOD ENDED 2-14-15 BY WARRANTS NUMBERED 419023 THROUGH 419041 TOTALING \$27,907.84 LIABILITY CHECKS NUMBERED 1076823 THROUGH 1076843 TOTALING \$106,285.35, FIVE WIRE TRANSFERS FOR



\$51,040.81, AND EIGHT ELECTRONIC ACH DEBITS OF \$1,431,425.18 IN THE AGGREGATE AMOUNT OF \$1,616,659.18, DRAWN ON BANK OF AMERICA;" 5) Adopt Resolution No. 23788, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, APPROVING PAYMENT OF CLAIMS AND DEMANDS BY WARRANTS NUMBERED 1076844 THROUGH 1076941 IN THE AGGREGATE AMOUNT OF \$1,197,210.39, DRAWN ON BANK OF AMERICA;" 6) Adopt Resolution No. 23789, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, APPROVING PAYMENT OF CLAIMS AND DEMANDS BY WARRANTS NUMBERED 1076942 THROUGH 1077048 IN THE AGGREGATE AMOUNT OF \$1,823,187.14, DRAWN ON BANK OF AMERICA;" 7) Adopt Resolution No. 23790, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, APPROVING PAYMENT OF PAYROLL WARRANTS FOR THE PERIOD ENDED 02-28-2015 BY WARRANTS NUMBERED 419042 THROUGH 419058 TOTALING \$26,829.00 LIABILITY CHECKS NUMBERED 1077049 THROUGH 1077069 TOTALING \$106,386.04, FIVE WIRE TRANSFERS FOR \$51,084.81, AND THREE ELECTRONIC ACH DEBITS OF \$1,202,385.07 IN THE AGGREGATE AMOUNT OF \$1,386,684.92, DRAWN ON BANK OF AMERICA;" and 8) Adopt Resolution No. 23791, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, APPROVING PAYMENT OF CLAIMS AND DEMANDS BY WARRANTS NUMBERED 1077070 THROUGH 1077190 IN THE AGGREGATE AMOUNT OF \$1,387,611.18, DRAWN ON BANK OF AMERICA,". **Approved as part of the Consent Calendar, noting Councilmember Foat abstention on Warrant No. 1076922.**

**2.D. STAFF AUTHORIZED AGREEMENTS AND PURCHASE ORDERS FOR THE MONTH OF FEBRUARY 2015:**

**ACTION:** Receive and file the report of Staff Authorized Agreements and Purchase Orders for the period of February 1 through February 28, 2015. **Approved as part of the Consent Calendar.**

**2.E. APPROVE A PROFESSIONAL SERVICES AGREEMENT WITH TRANSTECH ENGINEERS, INC. IN THE AMOUNT OF \$49,190 FOR CONSTRUCTION MANAGEMENT SERVICES FOR THE FARRELL DRIVE RIGHT TURN LANE AT VISTA CHINO (HIGHWAY 111) PROJECT (CP 09-11):**

**ACTION:** 1) In accordance with Section 7.04.030 of the Palm Springs Municipal Code, determine that Transtech Engineers, Inc., due to its experience demonstrated in a prior contract with the City, is uniquely qualified to provide construction management services for the Farrell Drive Right Turn Lane at Vista Chino (Highway 111) Project, Federal Aid Project No. CML 5282 (037) (CP 09-11); 2) Approve a Professional Services Agreement with Transtech Engineers, Inc. in the amount of \$49,190 for the Farrell Drive Right Turn Lane at Vista Chino (Highway 111) Project,

Federal Aid Project No. CML 5282 (037) (CP 09-11); and 3) Authorize the City Manager to execute all necessary documents. A6677. **Approved as part of the Consent Calendar.**

- 2.F. APPROVE THE COOPERATIVE PURCHASE OF MAINTENANCE EDGE ONLINE SOFTWARE SYSTEM FROM FACILITY DUDE INC. FOR THE DEPARTMENT OF MAINTENANCE AND FACILITIES, FOR A TOTAL COST NOT TO EXCEED \$45,000 INCLUSIVE OF ANNUAL LICENSE AND MAINTENANCE FOR FIVE (5) YEARS:**

**ACTION:** 1) Approve the purchase of the Maintenance Edge online software system and licenses from Facility Dude Inc., through the National Joint Powers Alliance ("NJPA") cooperative purchase agreement for a total cost not to exceed \$45,000 inclusive of the initial set-up, training, and license and maintenance fees for five (5) years; and 2) Authorize the City Manager or his designee to execute all necessary documents. **Approved as part of the Consent Calendar.**

- 2.G. AUTHORIZE THE PURCHASE OF TWO ALTERNATIVE FUEL VEHICLES WITH AN ESTIMATED TOTAL COST OF \$83,000:**

**ACTION:** Authorize the purchase of two plug-in electric 2015 Chevrolet Volt vehicles with an estimated total cost of \$83,000. **Approved as part of the Consent Calendar.**

- 2.H. ACCEPTANCE OF THE 2014 SEWER COLLECTION SYSTEM REPAIRS PROJECT (CP 14-10):**

**ACTION:** 1) Accept the public works improvement identified as the 2014 Sewer Collection System Repairs Project (CP 14-10) as completed; 2) Authorize the City Engineer to execute and file for recordation with the Riverside County Recorder a Notice of Completion for the Sewer Collection System Repairs Project (CP 14-10); and 3) Authorize release of retention to Veolia 30 days after the recordation of the Notice of Completion. **Approved as part of the Consent Calendar.**

- 2.I. ACCEPTANCE OF RELINQUISHMENT OF PROPERTY FROM THE STATE OF CALIFORNIA DEPARTMENT OF TRANSPORTATION AND WAIVING THE 90 DAYS' NOTICE OF INTENTION TO RELINQUISHMENT, ASSOCIATED WITH THE INTERSTATE 10/INDIAN CANYON DRIVE INTERCHANGE PROJECT (CP 00-14):**

**ACTION:** 1) Adopt Resolution No. 23792, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, ACCEPTING THE RELINQUISHMENT OF COLLATERAL FACILITIES FROM THE STATE OF CALIFORNIA DEPARTMENT OF TRANSPORTATION, INCORPORATING THE RIGHTS OF WAY INTO THE CITY'S MAINTENANCE RESPONSIBILITIES, AND WAIVING THE NINETY DAYS' NOTICE OF INTENTION TO RELINQUISHMENT, ASSOCIATED WITH THE INTERSTATE 10/INDIAN CANYON DRIVE INTERCHANGE PROJECT (CP 00-14);" and 2) Authorize the City

Manager to execute all necessary documents. A6678. **Approved as part of the Consent Calendar.**

**2.J. MILLS ACT HISTORIC SITE CONTRACT FOR THE PROPERTY LOCATED AT 107 EAST TWIN PALMS DRIVE, A CLASS 1 HISTORIC SITE (HSPB 73 / HD-2):**

**ACTION:** 1) Approve a Mills Act Historic Property Agreement with Patrick Henry and Alex William Gonzalez, and the Royal Hawaiian Estates Homeowners Association, for 107 East Twin Palms Drive, a Class 1 Historic Site (HSPB 73 / HD-2); 2) Authorize the City Manager to execute the Agreement; and 3) Direct the City Clerk to record the Agreement. A6679. **Approved as part of the Consent Calendar.**

**2.K. APPROVAL OF THE PLANS AND SPECIFICATIONS AND ESTIMATES AND AUTHORIZATION TO BID FOR THE PALM SPRINGS INTERNATIONAL AIRPORT TECHNOLOGY REPLACEMENT PROJECT (AIP 3-06-0181-052-2015):**

**ACTION:** 1) Approve the plans and specifications for the Palm Springs International Airport Technology Replacement Project (AIP 3-06-0181-052-2015); and 2) Authorize staff to advertise and solicit bids. **Approved as part of the Consent Calendar.**

**2.M. APPROVE AN AGREEMENT WITH URS CORPORATION FOR PROFESSIONAL SERVICES FOR THE TERMINAL SYSTEM CAPACITY IMPROVEMENTS AND SECURITY EQUIPMENT VERIFICATION \$140,000:**

**ACTION:** 1) Award contract to URS for professional services including construction management, security equipment verification, project compliance, and other aviation specific expertise as required by the Federal Aviation Administration, in an amount not to exceed \$140,000 for up to a two-year term; and 2) Authorize the City Manager to execute all necessary documents and up to ten percent (10%) of additional change order work as may be required to address unexpected changes in the project. A6681. **Approved as part of the Consent Calendar.**

**2.N. APPROVE A CALIFORNIA INNOVATION HUB MEMORANDUM OF UNDERSTANDING WITH THE GOVERNOR'S OFFICE OF BUSINESS AND ECONOMIC DEVELOPMENT (GO-BIZ):**

**ACTION:** 1) Approve the California Innovation Hub Memorandum of Understanding with the Governor's Office of Business and Economic Development (GO-BIZ); and 2) Authorize the City Manager to execute all necessary documents. A6682. **Approved as part of the Consent Calendar.**

**2.O. COUNCIL CHAMBER AUDIO/VISUAL EQUIPMENT UPGRADE, AND APPROVAL OF AMENDMENT NO. 2 IN THE AMOUNT OF \$10,000 TO**

**AGREEMENT NO. 6503 WITH TRITON TECHNOLOGY SOLUTIONS, INC:**

**ACTION:** 1) Approve Amendment No. 2 to Agreement No. A6503 with Triton Technology Solutions, Inc. in the amount of \$10,000; and 2) Authorize the City Manager to execute all necessary documents. A6503.  
**Approved as part of the Consent Calendar.**

**EXCLUDED CONSENT CALENDAR:**

**2.L. PROPOSED SERVICE AGREEMENT WITH CALIFA GROUP FOR THE PROVISION, INSTALLATION AND MAINTENANCE OF ADVANCED NETWORK (DATA) SERVICES AT PALM SPRINGS PUBLIC LIBRARY AND WELWOOD MURRAY MEMORIAL LIBRARY:**

Councilmember Mills questioned if the new system and equipment would require changes to the building.

**ACTION:** 1) Approve a Services Agreement with Califa Group to provide high-speed internet at the Palm Springs Public Library and the Welwood Murray Memorial Library, and administer related consortium contracts with the California State Library and the California Research Education Network; and 2) Authorize the City Manager or his designee to execute all necessary documents. A6680.  
**Motion Councilmember Mills, seconded by Mayor Pro Tem Lewin and unanimously carried on a roll call vote.**

3. **LEGISLATIVE:** None.

4. **UNFINISHED BUSINESS:**

**4.A. APPROVAL OF PLANS AND SPECIFICATIONS FOR THE AIRPORT PARKING LOT IMPROVEMENT/LANDSCAPE CONVERSION PROJECT AND AUTHORIZATION TO ADVERTISE AND SOLICIT BIDS:**

Tabled at the request of Staff.

The City Council recessed at 9:09 p.m.

The City Council reconvened at 9:13 p.m.

5. **NEW BUSINESS:**

**5.A. WOODBRIDGE PACIFIC GROUP, LLC, A MAJOR ARCHITECTURAL APPROVAL FOR THE CONSTRUCTION OF 40 NEW SINGLE-FAMILY RESIDENTIAL HOMES ON AN APPROXIMATELY 20-ACRE VACANT PARCEL LOCATED AT 665 WEST RAMON ROAD (CASE 3.3802-MAJ):**

Flinn Fagg, Director of Planning Services, provided background information as outlined in the Staff Report dated March 18, 2015.

Councilmember Mills questioned if the AAC comments were incorporated into the Planning Commission recommendation and approval, requested Staff address the landscaping plan, commented on the use of rocks in the retention basin and suggested a redesign of the retention basin with the addition of landscaping, require gates or fencing on the open sides of the walled retention area, requested pop-outs for landscaping on streets and a planter in the center of the cul-de-sac, requested further information on the stepping of walls, and stated side yards lack landscaping.

**ACTION:** 1) Appoint Mayor Pougnet and Councilmember Mills to an ad hoc City Council subcommittee to review the project; and 2) Adopt Resolution No. 23793, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, APPROVING MAJOR ARCHITECTURAL APPROVAL FOR THE DEVELOPMENT OF 40 NEW SINGLE-FAMILY HOUSES ON AN APPROXIMATE 20-ACRE SUBDIVISION LOCATED AT 665 WEST RAMON ROAD, ZONE R-1-C, SECTION 22 (CASE 3.3802-MAJ)," subject to final review and approval by the City Council Subcommittee. **Motion Councilmember Foat, seconded by Mayor Pro Tem Lewin and unanimously carried on a roll call vote.**

**5.B. APPOINT TWO MEMBERS OF THE CITY COUNCIL TO THE AD HOC SUBCOMMITTEE FOR THE COUNCIL CHAMBER AUDIO/VISUAL EQUIPMENT UPGRADE PROJECT:**

**ACTION:** Appoint Mayor Pro Tem Lewin and Councilmember Foat to an ad hoc City Council Subcommittee for the Council Chamber Audio/Visual Upgrade Project. **Motion Councilmember Mills, seconded by Mayor Pougnet and unanimously carried on a roll call vote.**

**5.C. DISCUSSION ON THE PROPOSED LAND EXCHANGE BETWEEN THE BUREAU OF LAND MANAGEMENT (BLM) AND THE AGUA CALIENTE BAND OF CAHUILLA INDIANS:**

City Attorney Holland provided background information as outlined in the draft letter.

Mayor Pro Tem Lewin and Councilmember Foat recommended the City Council go on record with respect to not losing any public access trails in Section 16 and 36.

**ACTION:** 1) Appoint Mayor Pougnet and Mayor Pro Tem Lewin to an ad hoc City Council Subcommittee; 2) Authorize the Mayor to submit a comment letter to the Bureau of Land Management on the draft Environmental Impact Statement consistent with the City Council discussion and the City Council Subcommittee. **Motion Councilmember Mills, seconded by Councilmember Hutcheson and unanimously carried on a roll call vote.**

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

Mayor Pougnet commented on the continued development and revitalization of the City of Palm Springs.

**ADJOURNMENT:** The City Council adjourned at 9:41 p.m. to Wednesday, April 1, 2015, 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 15<sup>TH</sup> DAY OF APRIL, 2015.**

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STEPHEN P. POUGNET, MAYOR

ATTEST:

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JAMES THOMPSON, CITY CLERK

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



**MEETING MINUTES  
WEDNESDAY, APRIL 1, 2015  
CITY HALL COUNCIL CHAMBER**

**CALL TO ORDER:** Mayor Pougnet called the meeting to order at 6:17 p.m.

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

**INVOCATION:** Rev. Amanda Burr, United Methodist Church, led the Invocation.

**ROLL CALL:**

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

**ABSENT:** None.

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

**PRESENTATIONS:**

Mayor Pougnet issued a statement regarding the recent law in Indiana, stated the City will prohibit City funded travel to Indiana, and requested the City Manager place a resolution on the next Agenda, opposing the proposed legislation.

Mayor Pougnet provided an update on the 2015 Tour de Palm Springs, announced the City of Palm Springs received the Desert Cities Energy Partnership Award, provided an update on the PSNIC 10th Anniversary Community Picnic, the Springs Shopping Center Celebration, and the Palm Springs Woman's Club Fashion Show and Fundraiser.

Mayor Pougnet announced the Palm Springs Fire Department Easter Egg Hunt and the FIND Food Bank Telethon.

Councilmember Foat provided an update on animal adoptions 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 Staff, otherwise no reportable actions were taken.

**ACCEPTANCE OF THE AGENDA:**

Councilmember Hutcheson noted his abstention on Consent Calendar Item 2.B.

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

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

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

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

**1. PUBLIC HEARINGS:**

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

Mayor Pro Tem Lewin stated he has a property 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. 41st PROGRAM YEAR COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) 2015-16 ANNUAL ACTION PLAN AND CDBG BUDGET APPROVAL, AUTHORIZATION TO SUBMIT TO THE UNITED STATES DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT GRANT NO. B-15-MC-06-0561 IN THE AMOUNT OF \$343,175, AND APPROVING SUBRECIPIENT AGREEMENTS:**

Dale Cook, Community Development Administrator, provided background information as outlined in the Staff Report dated April 1, 2015.

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

JEFFREY KRAMER, Shelter from the Storm, thanked the City Council and the Committee, outlined the programs offered by Shelter from the Storm, and requested the City Council fund the programs.



BRANDE ORR, Desert AIDS Project, outlined the programs offered by Desert AIDS Project, and requested the City Council fund the programs.

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

Mayor Pougnet commented on local programs, recommended the City Council consider splitting the \$15,000 award to Shelter from the Storm in the amount of \$7,500 and \$7,500 to AIDS Assistance Program.

Councilmember Mills requested Staff address the eligibility of the Stroke Recovery Center, and commented on the scope of the project submitted by Desert AIDS Project.

**ACTION:** ACTION: 1) Adopt Resolution No. 23796, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, APPROVING THE 2015-16 COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) ANNUAL ACTION PLAN, APPROVING THE CDBG BUDGET FOR FISCAL YEAR 2015-16, AUTHORIZING THE SUBMITTAL OF THE PLAN AND BUDGET TO THE UNITED STATES DEPARTMENT OF HOUSING & URBAN DEVELOPMENT (HUD), AND AUTHORIZING THE CITY MANAGER TO EXECUTE THE AGREEMENT WITH HUD (GRANT NO. B-15-MC-06-0561) IN THE AMOUNT OF \$343,175 AND THE SUBRECIPIENT AGREEMENTS." A5814.

The Ranch Recovery Center	\$80,777
Solar Panel Energy Conservation	A6668.
Desert AIDS Project	\$72,294
Emergency Preparedness Generator	A6507.
Senior Advocates of the Desert	\$15,000
Low-Income Seniors	A6667.
Fair Housing Council of Riverside	\$30,000
Fair Housing Services	A6510.
Jewish Family Service of the Desert	\$15,000
KidFirst Healthy Life Program	A6512.
Shelter from the Storm	\$7,500
Client Case Management	A6666.
AIDS Assistance Program	\$7,500
Food Voucher Program	A6671.

City of Palm Springs Dept. of Parks & Recreation \$19,987  
Desert Highland Unity Center Audio Visual Improvements

City of Palm Springs Dept. of Public Works & Engineering \$50,000  
Citywide ADA Curb Ramp and Sidewalk

**Motion Mayor Pougnet, seconded by Councilmember Hutcheson and unanimously carried 3-0 on a roll call vote.**

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

**NOES:** None.

**ABSENT:** Councilmember Foat and Mayor Pro Tem Lewin.

Mayor Pro Tem Lewin returned to the dais.

**1.B. 750 LOFTS, LLC MIXED-USE HOTEL DEVELOPMENT ON A 1.13 ACRE PARCEL LOCATED AT 750 NORTH PALM CANYON DRIVE, ZONE C-1 / R-3 / PD 104 / RESORT COMBINING ZONE /LAS PALMAS BUSINESS HISTORIC DISTRICT, CEQA MITIGATED NEGATIVE DECLARATION AND REPEALING RESOLUTION NO. 23757 REGARDING THE PREVIOUS APPROVAL OF THE HISTORIC SITE CERTIFICATE OF APPROVAL (HD-1) (CASE 5.1350 PDD 374 / GPA):**

**ACTION:** 1) Table the public hearing, with no testimony at this time; 2) Continue the Public Hearing to April 15, 2015; and 3) Direct the City Clerk to post a Notice of Continued Public Hearing as required by law.

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

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

**NOES:** None.

**ABSENT:** Councilmember Foat.

Councilmember Foat returned to the dais.

**1.C. AMENDMENT TO THE PALM SPRINGS ZONING CODE RELATING TO ACCESSORY SECOND DWELLING UNITS (CASE 5.1341 ZTA):**

**ACTION:** 1) Table the public hearing with no public testimony at this time; 2) Continue the Public Hearing to April 15, 2015; and 3) Direct the City Clerk to post a Notice of Continued Public Hearing pursuant to law.

**Motion Mayor Pro Tem Lewin, seconded by Councilmember Mills and unanimously carried on a roll call vote.**

**1.D. HISTORIC DISTRICT DESIGNATION FOR THE POMPEII DE LAS PALMAS CONDOMINIUMS LOCATED AT 221 THROUGH 231 WEST STEVENS ROAD AND 200 THROUGH 206 CAMINO NORTE AS HISTORIC DISTRICT NO. 4 (CASE HSPB 91/HD 4):**

Flinn Fagg, Director of Planning Services, provided background information as outlined in the Staff Report dated April 1, 2015.

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

ERIK ROSENOW, Palm Springs, provided background information on the site and the building, and requested the City Council approve the historic designation.

DALE CHRISTENSEN, Palm Springs, resident of the building and requested the City Council support the historic designation.

STEVE FUSCO, Palm Springs, provided background information on the property, and requested the City Council support the historic designation.

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

Mayor Pro Tem Lewin requested Staff address the differences with a historic district and site, and if the designation would affect surrounding properties.

Councilmember Mills commented on the condition of the property, and stated the property may not meet the definition for an historic designation.

Mayor Pougnet commented on the requirements for the historic designation and how the project may meet the requirements.

Councilmember Hutcheson stated the City should embrace the owner's history and perspective on the property and stated his support for the historic designation.

Councilmember Foat commented on the requirements for the designation and commented on how the property may meet the historic designation requirements.

Mayor Pro Tem Lewin commented on the support of the homeowners and the current condition of the property, and stated his support for the historic designation.

Councilmember Mills stated the homeowners support is not in the requirements for a historic designation, and the design is not up to the standards of other properties that were provided an historic designation.

**ACTION:** Adopt Resolution No. 23797, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, DESIGNATING THE POMPEII DE LAS PALMAS CONDOMINIUMS LOCATED AT 221 THROUGH 231 WEST STEVENS ROAD AND 200 THROUGH 206 CAMINO NORTE AS HISTORIC DISTRICT NO. 4 (CASE HSPB 91/HD 4)." **Motion Mayor Pro Tem Lewin, seconded by Councilmember Foat and carried 4-1 on a roll call vote.**

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

**NOES:** Councilmember Mills.

**1.E. PROPOSED ORDINANCE AMENDING THE PALM SPRINGS MUNICIPAL CODE RELATING TO COUNCIL CALL UP OF COMMISSION AND BOARD ACTIONS AND SUSPENSION OF REGULATORY ORDINANCES (CASE 5.1341 ZTA):**

City Attorney Holland provided background information as outlined in the Staff Report dated April 1, 2015.

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

Councilmember Foat expressed concern with a Councilmember making a statement by calling up a decision and participating in the discussion, and stated her support that a Councilmember calling up a decision should provide a reason.

Councilmember Hutcheson stated his support of the provisions and the recommendation by City Staff.

**ACTION:** 1) Waive the reading of the ordinance text in its entirety and read by title only; and 2) Adopt Ordinance No. 1874, "AN ORDINANCE OF THE CITY OF PALM SPRINGS, CALIFORNIA, AMENDING SECTIONS 2.06.030, 6.12.030, AND 94.10.00 OF THE PALM SPRINGS MUNICIPAL CODE RELATING TO COUNCIL CALL UP OF COMMISSION AND BOARD ACTIONS AND THE SUSPENSION OF REGULATORY ORDINANCES 6.12.030 OF THE PALM SPRINGS MUNICIPAL CODE." **Motion Councilmember Hutcheson, seconded by Councilmember Mills and carried 4-1 on a roll call vote.**

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

**PUBLIC COMMENT:**

GEORGE ZANDER, Palm Springs, praised the Palm Springs Police Department regarding the leadership position toward transgendered individuals.

MORAINO PATENCIO, Rancho Mirage, commented on the current status of the land lease for the property at Indian Canyon and Ramon.

BENJAMIN SULLIVAN, Palm Springs, commented on the current status of the land lease for the property at Indian Canyon and Ramon.

FRANK TYSEN, commented on the 750 Lofts project.

JOY BROWN MEREDITH, commented on the PSNIC 10th Anniversary Picnic, and thanked City employees who assist in Downtown.

**COUNCILMEMBER COMMENTS:**

Councilmember Foat commented on the state of the businesses located at Indian Canyon and Ramon.

**CITY MANAGER'S REPORT:**

City Manager Ready announced the preview of the City's new website.

The City Council recessed at 8:12 p.m.  
The City Council reconvened at 8:16 p.m.

**2. CONSENT CALENDAR:**

**ACTION:** Approve Items 2.A., 2.B., 2.C., 2.D., 2.E., 2.G., 2.I., and 2.L. **Motion Councilmember 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 April 1, 2015, City Council Agenda. **Approved as part of the Consent Calendar.**

**2.B. APPROVE AN AMENDMENT TO PURCHASE ORDER NO. 15-0652 WITH DESERT SECURITY SERVICES TO RESPOND TO VACATION RENTAL CALLS DURING CERTAIN HOURS:**

**ACTION:** 1) Approve an amendment to Purchase Order No. 15-0652 with Desert Security Services adding \$17,000, for a total purchase order amount of \$42,000, at the stated hourly rates; and 2) Authorize the City Manager to execute the Purchase Order. **Approved as part of the Consent Calendar, noting the abstention of Councilmember Hutcheson.**

**2.C. AGREEMENT WITH SO CAL LAND MANAGEMENT, INC. FOR ROADSIDE MAINTENANCE SERVICES IN THE AMOUNT OF \$81,020 (IFB 15-11):**

**ACTION:** 1) Approve a contract services agreement with So Cal Land Maintenance, Inc., as specified in Invitation for Bid #08-15, for roadside maintenance services for an estimated monthly amount of \$6,751.67, not to exceed \$81,020.00 per year for three years with two one-year extensions upon mutual consent of City Engineer and So Cal Land Maintenance, Inc.; and 2) Authorize the City Manager to execute all necessary documents. A6677. **Approved as part of the Consent Calendar.**

**2.D. TREASURER'S INVESTMENT REPORT AS OF FEBRUARY 28, 2015:**

**ACTION:** Receive and File the Treasurer's Investment Report as of February 28, 2015. **Approved as part of the Consent Calendar.**

**2.E. APPROVE THE COOPERATIVE PURCHASE FOR AIRPORT SEAT REPLACEMENT:**

**ACTION:** 1) Approve the purchase of all materials, supplies, equipment and labor to replace the bottom and back seat cushions on 528 public seats at the Airport from TotalPlan, Inc. under the US Communities cooperative purchase agreement in the amount of \$96,839.67; and 2) Authorize the City Manager to execute all necessary documents. **Approved as part of the Consent Calendar.**

**2.G. APPROVE PARCEL MAP 36693, DOS PALMAS DEVELOPMENT LLC, FOR PROPERTY LOCATED AT THE NORTHWEST CORNER OF SUNNY DUNES ROAD AND SUNRISE WAY:**

**ACTION:** Adopt Resolution No. 23798, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, APPROVING PARCEL MAP 36693, DOS PALMAS DEVELOPMENT LLC, FOR PROPERTY LOCATED AT THE NORTHWEST CORNER OF SUNNY DUNES ROAD AND SUNRISE WAY, IN SECTION 23, TOWNSHIP 4 SOUTH, RANGE 4 EAST." **Approved as part of the Consent Calendar.**

**2.I. ACCEPTANCE OF THE PALM TREE REMOVAL AND REPLACEMENT PROJECT (CP 13-09):**

**ACTION:** 1) Accept the public work improvement identified as the Palm Tree Removal and Replacement Project, City Project No. 13-09, and as completed; and 2) Authorize the City Engineer to execute and file for recordation with the Riverside County Recorder a Notice of Completion for the Palm Tree Removal and Replacement Project, City Project No. 13-09. **Approved as part of the Consent Calendar.**

**2.L. AUTHORIZE A PURCHASE ORDER IN THE AMOUNT OF \$71,695.98 WITH TRANE RENTAL SERVICES TO RENT A 250 TON CHILLER FOR THE AIRPORT:**

**ACTION:** 1) Approve a Purchase Order in the amount of \$71,695.98 with Trane Rental Services for chiller rental at the Airport; and 2) Authorize the City Manager to execute all necessary documents. **Approved as part of the Consent Calendar.**

**EXCLUDED CONSENT CALENDAR:**

**2.F. APPROVE A GRANT AGREEMENT UNDER THE CITY'S SPECIAL ECONOMIC DEVELOPMENT FOCUS INCENTIVE AREAS PROGRAM IN THE AMOUNT OF \$25,000 WITH PALM SPRINGS MOTORSPORTS, INC., FOR THE PROPERTY LOCATED AT 6550 NORTH INDIAN CANYON DRIVE:**

Councilmember Lewin outlined the program for small businesses in the City of Palm Springs.

**ACTION:** 1) Approve a Special Economic Development Focus Incentive Areas Program Interior Remodel Grant Agreement with Palm Springs Motorsports, Inc. in the amount of \$25,000; and 2) Authorize the City Manager to execute all necessary documents. A6678. **Motion Mayor Pro Tem Lewin, seconded by Councilmember Hutcheson and unanimously carried on a roll call vote.**

**2.H. PARKS AND RECREATION COMMISSION RECOMMENDATION TO ALLOW DOGS OFF-LEASH IN CERTAIN DESIGNATED OFF-LEASH AREAS IN DEMUTH PARK AND RUTH HARDY PARK:**

Councilmember Foat commented on the Board of the Friends of Animal Shelter looking at all City regulations for animals, and requested the City Council establish an ad hoc subcommittee to review animal regulations, and stated her support for installing the dog waste stations.

Councilmember Mills suggested the City Council initiate the ordinance on a trial basis.

Mayor Pougnet recommends the City Council form a subcommittee prior to a trial period.

Councilmember Hutcheson stated his support for more study prior to acting on the proposed ordinance.

Mayor Pro Tem Lewin requested Staff address enclosing the off-leash areas.

**ACTION:** Appoint Councilmember Foat and Mayor Pro Tem Lewin to an ad hoc City Council Subcommittee to study animal regulations. **By unanimous consent of the City Council.**

**2.J. AUTHORIZE A PURCHASE ORDER FOR AN AMOUNT NOT TO EXCEED \$47,900 WITH ALBERT A. WEBB & ASSOCIATES FOR ADDITIONAL TRAFFIC AND CEQA DESIGN SERVICES FOR BICYCLE CORRIDORS, PHASE 1 (CP 13-32):**

Councilmember Mills requested Staff clarify the scope of services to include all the bicycle corridors, and recommended the scope be cut to reduce costs.

Mayor Pro Tem Lewin requested Staff clarify the direction to find a north-south route that would be safe, and if the City would have a plan to implement the study.

**ACTION:** 1) Authorize a Purchase Order in the amount of \$47,900 with Albert A. Webb & Associates for traffic and CEQA design services; and 2) Authorize the City Manager to execute all necessary documents. A6443. **Motion Mayor Pougnet, seconded by Mayor Pro Tem Lewin and carried 4-1 on a roll call vote.**

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

**NOES:** Councilmember Mills.

**2.K. APPROVAL OF PROFESSIONAL SERVICES AGREEMENTS WITH DUDEK & ASSOCIATES, INC., INTERWEST CONSULTING GROUP, INC., MWH CONSTRUCTORS, INC., WEST YOST ASSOCIATES, AND WILLDAN ENGINEERING FOR ON-CALL PUBLIC WORKS CAPITAL PROJECT CONSTRUCTION MANAGEMENT AND INSPECTION SERVICES, AND FOR ON-CALL BUILDING INSPECTION SERVICES:**

Councilmember Mills commented on the on-call selection process.

Councilmember Foat commented on the materials provided.

**ACTION:** 1) Approve an agreement with Dudek & Associates, Inc., for on-call Public Works capital project construction management and inspection services for an initial term through June 30, 2018, subject to two additional one year extensions approved at the discretion of the City Manager; 2) Approve an



agreement with Interwest Consulting Group, Inc., for on-call Public Works capital project construction management and inspection services, and on-call building inspection services for an initial term through June 30, 2018, subject to two additional one year extensions approved at the discretion of the City Manager; 3) Approve an agreement with MWH Constructors, Inc., for on-call wastewater engineering, construction management and inspection services for an initial term through June 30, 2018, subject to two additional one year extensions approved at the discretion of the City Manager; 4) Approve an agreement with Willdan Engineering for on-call Public Works capital project construction management and inspection services, and on-call building inspection services for an initial term through June 30, 2018, subject to two additional one year extensions approved at the discretion of the City Manager; 5) Approve an agreement with West Yost Associates for on-call wastewater engineering, construction management and inspection services for an initial term through June 30, 2018, subject to two additional one year extensions approved at the discretion of the City Manager; 6) Authorize the City Manager to approve individual Task Orders and issue Purchase Orders for amounts in excess of \$25,000 for assigned on-call public works and/or building inspection services paid exclusively with developer "pass-through" fees received from construction permits or building permits pursuant to the terms of the Agreements; and 8) Authorize the City Manager to execute all necessary documents. A6679. A6680. A6681. A6682. A6683. **Motion Councilmember Mills, seconded by Mayor Pougnet and unanimously carried on a roll call vote.**

3. **LEGISLATIVE:** None.

4. **UNFINISHED BUSINESS:**

**4.A. APPROVAL OF PLANS AND SPECIFICATIONS FOR THE AIRPORT PARKING LOT IMPROVEMENT/LANDSCAPE CONVERSION PROJECT AND AUTHORIZATION TO BID:**

Marcus Fuller, Assistant City Manager/City Engineer, provided background information as outlined in the Staff Report dated April 1, 2015.

Mayor Pougnet stated this is not as grand a plan due to the cost limitation, stated his support for including the two alternatives and the further reduction of turf at the Airport.

Councilmember Foat requested Staff address the removal and replacement of the existing trees in the parking lot, and if the City Hall statue would be better located at the Airport.

Councilmember Mills commented on the phasing and the relationship to the Airport Master Plan, the additional parking provided, the improved tree replacement, the amount of turf reduction, and further explained the alternate bidding schedules.

Mayor Pro Tem Lewin stated 75% of the turf will be removed by the project, and commented on the state of water conservation in the State.

**ACTION:** 1) Approve plans and specifications for the Airport Parking Lot/Landscape Conversion Project; and 2) Authorize Staff to advertise and solicit bids. **Motion Councilmember Mills, seconded by Councilmember Foat and unanimously carried on a roll call vote.**

**5. NEW BUSINESS:**

**5.A. APPROVAL TO PROCEED WITH BIDDING, APPROVAL TO PROCEED WITH PRE-PURCHASE OF EQUIPMENT, AND APPROVAL OF VARIOUS ACTIONS RELATED TO THE FINANCING OF PROJECT COSTS ASSOCIATED WITH THE CITY OF PALM SPRINGS WASTEWATER TREATMENT PLANT UPGRADE (CP 15-14):**

Marcus Fuller, Assistant City Manager/City Engineer, provided background information as outlined in the Staff Report dated April 1, 2015.

Councilmember Mills thanked Staff for the diligent work, and commented on the pre-purchase authorization and the need for the pre-purchase of equipment.

Councilmember Foat requested Staff clarify the adoption of the Resolutions.

Mayor Pro Tem Lewin thanked Staff and commented on the enhancements to the community by the improvements.

**ACTION:** 1) Adopt Resolution No. 23799, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, AUTHORIZING THE REIMBURSEMENT OF FUNDS REQUESTED FROM THE STATE WATER RESOURCES CONTROL BOARD UNDER THE CLEAN WATER STATE REVOLVING FUND FOR THE CITY OF PALM SPRINGS WASTEWATER TREATMENT PLANT UPGRADE, CITY PROJECT NO. 15-14;" 2) Adopt Resolution No. 23800, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, AUTHORIZING THE CITY MANAGER TO ACT ON ITS BEHALF TO SIGN, FILE AND EXECUTE A FINANCIAL ASSISTANCE APPLICATION FOR A FINANCING AGREEMENT FROM THE STATE WATER RESOURCES CONTROL BOARD UNDER THE CLEAN WATER STATE REVOLVING FUND FOR THE CITY OF PALM SPRINGS WASTEWATER TREATMENT PLANT UPGRADE, CITY PROJECT NO. 15-14;" 3) Adopt Resolution No. 23801, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, AUTHORIZING THE REIMBURSEMENT OF FUNDS FROM THE

PROCEEDS OF TAX-EXEMPT BONDS OR OTHER OBLIGATIONS FOR THE CITY OF PALM SPRINGS WASTEWATER TREATMENT PLANT UPGRADE, CITY PROJECT NO. 15-14;" 4) Waive all competitive requirements of Title 7 of the Palm Springs Municipal Code finding that AndersonPenna Partners, Inc., has demonstrated experience and expertise of providing the required financial assistance services through a competitive qualifications based selection process completed by the South Coast Water District through its Request for Proposal (Contract No. 14-04-0006); 5) Approve an agreement with AndersonPenna Partners, Inc., in the amount of \$39,220 for professional assistance in the preparation of applications forms, documents, financial and technical assistance in the submittal of a funding request to the California State Water Resources Control Board for a government loan of as much as \$30 Million from the Clean Water State Revolving Fund (SRF) Program to finance the construction of the City of Palm Springs Wastewater Treatment Plant Upgrade, City Project No. 15-14; 6) Approve an agreement with Veolia Water West Operating Services, Inc., in the amount of \$2,705,496 for professional engineering and construction management services associated with the construction phase of the City of Palm Springs Wastewater Treatment Plant Upgrade, City Project No. 15-14; 7) Authorize the pre-purchase of selected critical mechanical and electrical equipment required for the City of Palm Springs Wastewater Treatment Plant Upgrade, City Project No. 15-14, and authorize the issuance of a Purchase Order to Veolia Water West Operating Services, Inc., in the amount of \$3,351,699.48; 8) Approve the plans, specifications, and working details for the City of Palm Springs Wastewater Treatment Plant Upgrade, City Project No. 15-14, and authorize staff to advertise for bids; and 9) Authorize the City Manager to execute all necessary documents. A6684. A6685. **Motion Councilmember Foat, seconded by Councilmember Mills and unanimously carried on a roll call vote.**

**5.B. APPOINT A CITY COUNCIL AD HOC SUBCOMMITTEE TO REVIEW VACANT BUILDING AND VACANT LOT REGULATIONS:**

**ACTION:** Appoint Councilmember Hutcheson and Mayor Pro Tem Lewin to an ad hoc subcommittee to review Vacant Building and Vacant Lot regulations. **By unanimous consent of the City Council.**

**5.C. APPOINT A CITY COUNCIL AD HOC SUBCOMMITTEE FOR THE RECRUITMENT OF A NEW FIRE CHIEF:**

**ACTION:** Appoint Mayor Pougnet and Councilmember Mills to an ad hoc subcommittee for the recruitment of a new Fire Chief. **By unanimous consent of the City Council.**

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

Councilmember Mills commented on the CDBG funding process, requested Staff address the lack of maintenance on Sunrise Way parkway, and address the homeless issues at Crossley and Sunny Dunes.

Mayor Pro Tem Lewin requested Staff address the Palm Trees on Tahquitz Canyon Way and commented on water regulations.

Councilmember Foat commented on the installation of signage in the Uptown crosswalks.

Mayor Pougnet requested Staff address two dead Palm Trees on Indian Canyon near the Bit of Country restaurant, along with a vacant lot just east of Quality Inn on East Palm Canyon, requested Code Enforcement visit 2001 Tahquitz Canyon Way for landscaping and the Rock Garden Cafe, requested Staff address the current builder directional signage, commented on Commissioner communications, and announced an upcoming Community meeting on Homeless Services.

**ADJOURNMENT:** The City Council adjourned at 9:20 p.m. to Wednesday, April 15, 2015, 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 15<sup>TH</sup> DAY OF APRIL, 2015.**

ATTEST:

\_\_\_\_\_  
STEPHEN P. POUGNET, MAYOR

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