

**CITY COUNCIL**  
**AND AS SUCCESSOR AGENCY TO THE PALM SPRINGS COMMUNITY REDEVELOPMENT AGENCY**  
**CITY OF PALM SPRINGS, CALIFORNIA**  
Council Chamber, 3200 East Tahquitz Canyon Way, Palm Springs, California 92262  
[www.palmspringsca.gov](http://www.palmspringsca.gov)

**AGENDA**

January 21, 2015



4:30 PM CLOSED SESSION  
6:00 PM REGULAR MEETING

**Steve Pougnet, Mayor**  
**Paul Lewin, Mayor Pro Tem**  
**Ginny Foat, Councilmember**  
**Rick Hutcheson, Councilmember**  
**Chris Mills, Councilmember**

*City of Palm Springs Vision Statement: Palm Springs aspires to be a unique world class desert community, where residents and visitors enjoy our high quality of life and a relaxing experience. We desire to balance our cultural and historical resources with responsible, sustainable economic growth and to enhance our natural desert beauty. We are committed to providing responsive, friendly and efficient customer service in an environment that fosters unity among all our citizens.*

**David H. Ready, Esq., Ph.D., City Manager**  
**James Thompson, Chief of Staff/City Clerk**  
**Marcus Fuller, Assistant City Manager/City Engineer**  
**Douglas C. Holland, City Attorney**  
**Geoffrey S. Kiehl, Director of Finance and Treasurer**

Any person who wishes to speak regarding an item on the agenda or on a subject within the City's jurisdiction during the "Public Comments" portion of the agenda must file a "Speaker Card" with the City Clerk BEFORE that portion of the agenda is called. Although the City Council values your comments, pursuant to the Brown Act, it generally cannot take any action on items not listed on the posted agenda.

Testimony for Public Hearings will only be taken at the time of the hearing. Any person who wishes to speak at a Public Hearing must file a "Speaker Card" with the City Clerk BEFORE the Public Hearing is called.

Pursuant to G.C. Section 54957.5(b)(2) the designated office for inspection of records in connection with the meeting is the Office of the City Clerk, City Hall, 3200 E. Tahquitz Canyon Way. Complete Agenda Packets are available for public inspection at: City Hall Office of the City Clerk. Agenda and staff reports are available on the City's website [www.palmspringsca.gov](http://www.palmspringsca.gov). If you would like additional information on any item appearing on this agenda, please contact the Office of the City Clerk at (760) 323-8204.

Please note, any agenda item which has not been initiated by 10:00 P.M. may be continued to a subsequent meeting.

City Council meetings are webcast live on the City's website [www.palmspringsca.gov](http://www.palmspringsca.gov) and cablecast live on PSCTV Channel 17 and 26.103. Meetings are re-broadcast (following the meeting) on Thursday at 8:00 P.M., Saturday at 1:30 P.M. and Tuesday at 7:00 P.M.

It is the intention of the City of Palm Springs to comply with the Americans with Disabilities Act (ADA) in all respects. If, as an attendee or a participant at this meeting, or in meetings on a regular basis, you will need special assistance beyond what is normally provided, the City will attempt to accommodate you in every reasonable manner. Please contact the Office of the City Clerk, 323-8204, at least 48 hours prior to the meeting to inform us of your particular needs and to determine if accommodation is feasible.

## 4:30 P.M. CLOSED SESSION

**CALL TO ORDER** (*Council Chamber*):

**PUBLIC COMMENT** (*Council Chamber*): This time has been set aside for members of the public to address the City Council on items contained only on the Closed Session Agenda.

**RECESS TO CLOSED SESSION** (*Small Conference Room*): See Closed Session Agenda.

## 6:00 P.M. REGULAR MEETING

**CALL TO ORDER:**

**PLEDGE OF ALLEGIANCE:** Palm Springs Air Force ROTC Junior Color Guard.

**INVOCATION:** Rev Amanda Burr, United Methodist Church.

**ROLL CALL:**

**PRESENTATIONS:**

Presentation of the Fiscal Year 2013-14 Audit Reports by Lance Soll and Lunghard LLP, the City's independent auditors.

**REPORT OF CLOSED SESSION:**

**ACCEPTANCE OF THE AGENDA:** The City Council will discuss the order of the agenda, may amend the order, add urgency items, note abstentions or "no" votes on Consent Calendar items, and request Consent Calendar items be removed from the Consent Calendar for discussion. The City Council may also remove items from the Consent Calendar prior to that portion of the Agenda.

1. **PUBLIC HEARINGS:** None.

**PUBLIC COMMENT:** This time has been set aside for members of the public to address the City Council on Consent Calendar and other agenda items; and items of general interest within the subject matter jurisdiction of the City. Although the City Council values your comments, pursuant to the Brown Act, it generally cannot take any action on items not listed on the posted agenda. Three (3) minutes assigned for each speaker. Testimony for Public Hearings will only be taken at the time of the hearing.

**COUNCILMEMBER COMMENTS:** This portion of the meeting is set aside for brief general comments, and/or other issues of concern from members of the City Council.

**CITY MANAGER'S REPORT:** This time is set aside for the City Manager to update the City Council on important items initiated by staff or previously requested by the City Council.

**2. CONSENT CALENDAR:**

The following routine matters may be acted upon by one motion. Individual items may be removed by the Council for separate discussion at this time or under Approval of the Agenda. The title is deemed to be read and further reading waived on any ordinance listed on the Consent Calendar for introduction or adoption.

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

**RECOMMENDATION:** Receive and file Report on the Posting of the January 21, 2015, City Council Agenda.

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

**RECOMMENDATION:** Approve the City Council Minutes of January 7, 2015.

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

**RECOMMENDATION:** 1) Adopt Resolution No. \_\_\_\_\_, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, APPROVING PAYMENT OF PAYROLL WARRANTS FOR THE PERIOD ENDED 12-06-14 BY WARRANTS NUMBERED 418927 THROUGH 418944 TOTALING \$39,620.43 LIABILITY CHECKS NUMBERED 1075428 THROUGH 1075449 TOTALING \$108,192.10, FIVE WIRE TRANSFERS FOR \$80,253.44, AND THREE ELECTRONIC ACH DEBITS OF \$1,444,332.44 IN THE AGGREGATE AMOUNT OF \$1,672,398.41, DRAWN ON BANK OF AMERICA;" 2) Adopt Resolution No. \_\_\_\_\_, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, APPROVING PAYMENT OF CLAIMS AND DEMANDS BY WARRANTS NUMBERED 1075450 THROUGH 1075651 IN THE AGGREGATE AMOUNT OF \$2,300,346.20, DRAWN ON BANK OF AMERICA;" 3) Adopt Resolution No. \_\_\_\_\_, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, APPROVING PAYMENT OF CLAIMS AND DEMANDS BY WARRANTS NUMBERED 1075652 THROUGH 1075746 IN THE AGGREGATE AMOUNT OF \$2,927,635.93, DRAWN ON BANK OF AMERICA;" 4) Adopt Resolution No. \_\_\_\_\_, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, APPROVING PAYMENT OF PAYROLL WARRANTS FOR THE PERIOD ENDED 12-20-14 BY WARRANTS NUMBERED 418945 THROUGH 418962 TOTALING \$29,168.86 LIABILITY CHECKS NUMBERED 1075747 THROUGH 1075768 TOTALING \$107,585-50, FIVE WIRE TRANSFERS FOR \$73,100.26, AND THREE ELECTRONIC ACH DEBITS OF \$1,444,332.44 IN THE AGGREGATE AMOUNT OF \$1,388,409.83, DRAWN ON BANK OF AMERICA;" and 5) Adopt Resolution No. \_\_\_\_\_, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, APPROVING PAYMENT OF CLAIMS AND DEMANDS BY WARRANTS NUMBERED 1075769 THROUGH 1075951 IN THE AGGREGATE AMOUNT OF \$2,751,028.41, DRAWN ON BANK OF AMERICA."

**2.D. STAFF AUTHORIZED AGREEMENTS AND PURCHASE ORDERS FOR THE MONTH OF DECEMBER 2014:**

**RECOMMENDATION:** Receive and file the report of Staff Authorized Agreements and Purchase Orders for the period of December 1 through December 31, 2014.

**2.E. SECOND READING AND ADOPTION OF ORDINANCE NO. 1869 APPROVING A PRELIMINARY AND FINAL PLANNED DEVELOPMENT DISTRICT (PDD) 370 IN LIEU OF A CHANGE OF ZONE FOR A PROPOSED COMMUNITY COMPRISED OF 46 TWO-STORY DETACHED RESIDENTIAL UNITS, PRIVATE STREETS, AND OPEN SPACE ON A ROUGHLY 5.23 ACRE SITE LOCATED AT THE SOUTHEAST CORNER OF NORTH PALM CANYON DRIVE AND ALVARADO ROAD:**

**RECOMMENDATION:** Waive the reading of the ordinance text in its entirety and adopt Ordinance No. 1869, "AN ORDINANCE OF THE CITY OF PALM SPRINGS, CALIFORNIA, APPROVING A PRELIMINARY AND FINAL PLANNED DEVELOPMENT DISTRICT (PDD) 370 IN LIEU OF A CHANGE OF ZONE FOR A PROPOSED COMMUNITY COMPRISED OF 46 TWO-STORY DETACHED RESIDENTIAL UNITS, PRIVATE STREETS, AND OPEN SPACE ON A ROUGHLY 5.23 ACRE SITE LOCATED AT THE SOUTHEAST CORNER OF NORTH PALM CANYON DRIVE AND ALVARADO ROAD (APN'S 504-074-001, 002 AND 008) (CASE 5.1340 CUP PDD 370/3.3742 MAJ/TTM 36725)."

**2.F. APPOINTMENT OF AN AD HOC CITY COUNCIL SUBCOMMITTEE FOR HOMELESSNESS:**

**RECOMMENDATION:** Appoint Councilmember Foat and Mayor Pougnet to an ad hoc subcommittee for Homelessness.

**2.G. APPOINTMENT OF AN AD HOC CITY COUNCIL SUBCOMMITTEE FOR WASTE WATER TREATMENT PLANT IMPROVEMENTS:**

**RECOMMENDATION:** Appoint Councilmember Mills and Mayor Pro Tem Lewin to an ad hoc subcommittee for Waste Water Treatment Plant improvements.

**2.H. APPROVE AN AGREEMENT WITH DL CONSULTING FOR A NEW CONTENT MANAGEMENT SYSTEM FOR THE LIBRARY'S ACCESSING THE PAST LOCAL HISTORY DIGITIZATION PROJECT, INCLUSIVE OF ANNUAL STORAGE, LICENSE, AND MAINTENANCE FOR FIVE (5) YEARS:**

**RECOMMENDATION:** 1) Approve an agreement with DL Consulting in the amount of \$45,750 for a new cloud-based content management system inclusive of the initial set-up, training, annual storage, license, and maintenance fees for five (5) years; and 2) Authorize the City Manager to execute all necessary documents. A\_\_\_\_\_.

- 2.I. AMENDMENT NO. 3 TO AGREEMENT NO. A1281 THE JOINT POWERS AGREEMENT FOR SUNLINE TRANSIT AGENCY TO DELETE THE “WEIGHTED VOTING” PROVISIONS:** 1) Approve Amendment No. 3 to Agreement No. A1281 the Sunline Joint Powers Agreement with the County of Riverside and the cities of the Coachella Valley; and 2) Authorize the City Manager to execute Amendment No. 3 to Agreement A1281 on behalf of the City of Palm Springs. A1281.
- 2.J. PURCHASE AND INSTALLATION OF NEW CCTV VIDEO RECORDING SYSTEM FOR POLICE DEPARTMENT INTERVIEW ROOMS FROM COM-SEC INC. IN THE AMOUNT OF \$25,945.02:**  
**RECOMMENDATION:** 1) Approve the purchase and installation of the PDS ISR interview room audio/video recording system for a total cost of \$25,945.02 from Com-Sec Inc., inclusive of all equipment, material, labor, taxes, and delivery; and 2) Authorize the City Manager to execute all necessary documents.
- 2.K. FISCAL YEAR 2013-14 AUDIT REPORTS BY THE CITY’S INDEPENDENT AUDITORS:**  
**RECOMMENDATION:** Receive and file the Fiscal Year 2013-14 Audit Reports prepared by the City’s independent auditors.
- 2.L. EXTENSION OF VEOLIA WEST OPERATING SERVICES, INC. WASTEWATER SERVICES (OPERATIONS AND MAINTENANCE) CONTRACT TO JUNE 30, 2015:**  
**RECOMMENDATION:** 1) Approve Amendment No. 13 to Amended and Restated Agreement No. A4123 with Veolia West Operating Services, Inc., (formerly Veolia Water North America-West, LLC) for Wastewater Services (Operations and Maintenance); and 2) Authorize the City Manager to execute all necessary documents. A4123.
- 2.M. APPROVE USE OF SURPLUS FUNDING IN CERTAIN ASSESSMENT DISTRICTS TO REDEEM BONDS:**  
**RECOMMENDATION:** 1) Adopt Resolution No. \_\_\_\_, “A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, DETERMINING SURPLUS IN IMPROVEMENT FUND RELATING TO OUTSTANDING ASSESSMENT BONDS FOR ASSESSMENT DISTRICT NO. 161 (MOUNTAIN GATE) AND ORDERING THE DISPOSITION THEREOF;” 2) Adopt Resolution No. \_\_\_\_, “A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, DETERMINING SURPLUS IN IMPROVEMENT FUND RELATING TO OUTSTANDING ASSESSMENT BONDS FOR ASSESSMENT DISTRICT NO. 162 (THE VILLAS IN OLD PALM SPRINGS AND 48 @ BARISTO) AND ORDERING THE DISPOSITION THEREOF;” 3) Adopt Resolution No. \_\_\_\_, “A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, DETERMINING SURPLUS IN IMPROVEMENT FUND RELATING TO OUTSTANDING ASSESSMENT

BONDS FOR ASSESSMENT DISTRICT NO. 164 (MOUNTAIN GATE II) AND ORDERING THE DISPOSITION THEREOF;" 4) Adopt Resolution No. \_\_\_\_, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, ADJUSTING THE BUDGET FOR FISCAL YEAR 2014-2015;" and 5) Authorize the Finance Director to transfer funds and to notify the fiscal agent to redeem bonds.

**2.N. LICENSE AGREEMENT WITH PALM SPRINGS HISTORICAL SOCIETY, INC. FOR THE USE OF A PORTION OF THE WELWOOD MURRAY MEMORIAL LIBRARY FOR A FIVE YEAR PERIOD:**

**RECOMMENDATION:** 1) Approve a License Agreement with The Palm Springs Historical Society, Inc., a California 501 (c)(3) Public Benefit Corporation, for the use of a portion of the Welwood Murray Memorial Library at 100 South Palm Canyon Drive; and 2) Authorize the City Manager to execute all necessary documents. A\_\_\_\_\_.

**EXCLUDED CONSENT CALENDAR:** Items removed from the Consent Calendar for separate discussion are considered at this time.

**3. LEGISLATIVE:**

**3.A. PROPOSED ORDINANCE TO AMEND THE PALM SPRINGS MUNICIPAL CODE RELATING TO BID PROTESTS:**

**RECOMMENDATION:** 1) Waive the reading of the ordinance text in its entirety and read by title only; and 2) Introduce on first reading Ordinance No. \_\_\_\_, "AN ORDINANCE OF THE CITY OF PALM SPRINGS, CALIFORNIA, AMENDING SECTION 7.08.030 OF THE PALM SPRINGS MUNICIPAL CODE, RELATING TO BID PROTESTS."

**3.B. PROPOSED ORDINANCE AMENDING AND RESTATING CHAPTER 5.34 OF THE PALM SPRINGS MUNICIPAL CODE RELATING TO MESSAGE ESTABLISHMENTS:**

**RECOMMENDATION:** 1) Waive the reading of the ordinance text in its entirety and read by title only; and 2) Introduce on first reading Ordinance No. \_\_\_\_, "AN ORDINANCE OF THE CITY OF PALM SPRINGS, CALIFORNIA, AMENDING AND RESTATING CHAPTER 5.34 OF THE PALM SPRINGS MUNICIPAL CODE RELATING TO MESSAGE ESTABLISHMENTS."

**3.C. INITIATION OF AMENDMENTS TO THE PALM SPRINGS ZONING CODE REGARDING CULTIVATION OF MARIJUANA IN THE CITY AND TO ALLOW MEDICAL CANNIBIS WITHIN COMMERCIAL AND/OR OFFICE ZONES IN THE CITY:**

**RECOMMENDATION:** Initiate Zone Text Amendments pursuant to Section 97.07.01.A.1.6 of the Palm Springs Zoning Code for the cultivation of marijuana within the City and medical cannabis cooperatives or collectives within the commercial and/or office zones in the City and refer

these amendment concepts to the Planning Commission for hearing, review, and recommendation.

**4. UNFINISHED BUSINESS:**

**4.A. UPDATE ON THE PALM SPRINGS BUZZ TROLLEY SERVICE PILOT PROGRAM:**

**RECOMMENDATION:** 1) Receive and file; and 2) Direct staff as appropriate.

**4.B. CITY WIDE SOLAR REQUEST FOR PROPOSAL UPDATE:**

**RECOMMENDATION:** Receive and file Request For Proposal No. 03-15, Design-Build Services of Solar Electric Systems.

**5. NEW BUSINESS:**

**5.A. AWARD A CONSTRUCTION CONTRACT TO AEGIS ITS, INC. IN THE AMOUNT OF \$2,078,080.40, AND APPROVE AMENDMENT NO. 1 IN THE AMOUNT OF \$276,738 TO AGREEMENT NO. A5985 WITH RBF CONSULTING FOR CONSTRUCTION MANAGEMENT SERVICES FOR THE TRAFFIC MANAGEMENT CENTER AND CITYWIDE TRAFFIC SIGNAL INTERCONNECT/SYNCHRONIZATION PROJECT [FEDERAL AID PROJECT NO. CML 5282 (031) (CP 08-04)]:**

**RECOMMENDATION:** 1) Award a construction contract to Aegis ITS, Inc. in the amount of \$2,078,080.40 for the Traffic Management Center and Citywide Traffic Signal Interconnect Project, Federal Aid Project No. CML 5282 (031) (CP 08-04); 2) Approve and authorize the City Manager to approve and execute construction contract change orders up to a cumulative amount of 5% of the contract amount (\$103,940); 3) Approve Amendment No. 1 to Agreement No. A5985 with RBF Consulting in the amount of \$276,738, for a total contract amount of \$524,259, for the Traffic Management Center and Citywide Traffic Signal Interconnect Project, [Federal Aid Project No. CML 5282 (031) (CP 08-04)]; and 4) Authorize the City Manager to execute all necessary documents. A\_\_\_\_. A5985.

**COUNCILMEMBER COMMENTS, REQUESTS, AND REPORTS:** Additional general comments, reports, announcements, requests of staff and/or issues of concern to Councilmembers are briefly presented at this time.

**ADJOURNMENT:** The City Council will adjourn to Wednesday, February 4, 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.

**CITY COUNCIL  
CITY OF PALM SPRINGS, CALIFORNIA  
AND AS SUCCESSOR AGENCY TO THE PALM SPRINGS COMMUNITY REDEVELOPMENT AGENCY**



CLOSED SESSION AGENDA  
Wednesday, January 21, 2015 – 4:30 P.M.

City Hall, Small Conference Room  
3200 East Tahquitz Canyon Way, Palm Springs

**CONFERENCE WITH LEGAL COUNSEL.** The City Council finds, based on advice from the City Attorney, that discussion in open session of the following described matter(s) will prejudice the position of the City in existing and anticipated litigation.

**EXISTING LITIGATION** **G.C. 54956.9(a)**

1. *Intervention911 v. City of Palm Springs*  
Case No. ED CV 13-01117, United States District Court, Central District
2. *City of Palm Springs v. Natural Healing Center*  
Case No. PSC1500144, Riverside Superior Court, Palm Springs Division

**EXPOSURE TO LITIGATION** **G.C. 54956.9(b)**

Four Case(s).

**INITIATION OF LITIGATION** **G.C. 54956.9(c)**

Three Case(s).

**CONFERENCE WITH LABOR NEGOTIATOR** **G.C. 54957.6**

City Negotiator: David Ready, City Manager or Designee  
Perry Madison, Director of Human Resources  
Employee Organizations: PSPMA

**CONFERENCE WITH REAL PROPERTY NEGOTIATOR** **G.C. 54956.8**

Property Address/Description: A portion of the 4.41 acre site located at Southeast Corner of Alejo Rd. and N. Palm Canyon  
Agency: City of Palm Springs  
City Negotiator: David Ready, City Manager or Designee  
Negotiating Parties: Lawrence Rael, Palm Springs LLC  
Under Negotiation: Price and Terms of Payment (Purchase)

Property Address/Description: APN's 508-034-011, 508-034-012, 508-034-013,  
508-034-013 (Amado Road and Calle Alvarado)  
Agency: City of Palm Springs  
Agency Negotiator: David Ready, City Manager or Designee  
Negotiating Parties: Lauri Kibby representing CDI Ventures LLC  
Under Negotiation: Price and Terms of Payment (Purchase)

Property Address/Description: A portion of 100 South Palm Canyon Drive  
Agency: City of Palm Springs  
City Negotiator: David Ready, City Manager or Designee  
Negotiating Parties: Palm Springs Historic Society  
Under Negotiation: Price and Terms of Payment (Lease)

Address/Description 24 acre parcel at the Northeast corner of  
Crossley and Dinah Shore  
Agency: City of Palm Springs  
Agency Negotiator: David Ready, City Manager or Designee  
Negotiating Parties: Todd Hooks, Economic Development Director  
Agua Caliente Tribe of Cahuilla Indians  
Under Negotiation Price and Terms of Payment (Purchase)

Property Address/Description: 5.44 acre parcel at the southwest corner of San Luis  
Rey Drive and Camino Parocela  
Agency: City of Palm Springs  
Agency Negotiator: David Ready, City Manager or designee  
Negotiating Parties: Greg Pettis and Gary Howell  
Under Negotiation: Price and Terms of Payment (Purchase)

Property Address/Description: 1300 Baristo Road, Palm Springs  
Agency: City of Palm Springs  
City Negotiator: David Ready, City Manager or Designee  
Negotiating Parties: Julie Arthur, Palm Springs Unified School District  
Under Negotiation: Price and Terms of Payment (Lease)

Property Address/Description: 1479 N. Palm Canyon Drive  
APN 505-182-004  
Agency: City of Palm Springs  
City Negotiator: David Ready, City Manager or Designee  
Negotiating Parties: Rich Meaney, O & M HR, LLC  
Under Negotiation: Price and Terms of Payment (Purchase)