

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



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

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

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 opening of the Welwood Murray Memorial Library and the Eisenhower Medical Center ribbon cutting.

Mayor Pro Tem Lewin and Councilmember Foat provided an update on the PSNIC and Desert Regional Neighborhood Night.

Mayor Pro Tem Lewin announced the California DMV Salton Sea License Plate Program.

Mayor Pougnet announced the upcoming 2015 Mayor's State of the City address.

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 5:00 p.m. and City Attorney Holland requested the City Council consider adding two items to the Closed Session Agenda, pursuant to Cal. Gov. Code Section 54956.9(a) Existing Litigation titled *Alexander M. Wernicke vs. City of Palm Springs*, Riverside Superior Court, Indio Division, Case No. INC1208381, and *Advocates for Better Community Development v. City of Palm Springs*, Riverside

Superior Court, Palm Springs Division, Case No. PSC1405677, and stated he has received information regarding the case after the posting of the Agenda, and there is an immediate need to hear and/or take action.

ACTION: 1) Find the matter came to the attention of the City after the posting of the agenda and there is an immediate need to hear and/or take action; and 2) Add to the Closed Session Agenda, pursuant to Cal. Gov. Code Section 54956.9(a) two cases of existing litigation titled *Alexander M. Wernicke vs. City of Palm Springs*, Riverside Superior Court Case, Indio Division, Case No. INC1208381 and *Advocates for Better Community Development v. City of Palm Springs*, Riverside Superior Court, Palm Springs Division, Case No. PSC1405677. **Motion Mayor Pro Tem Lewin, seconded by Councilmember Hutcheson and unanimously carried (5-0).**

City Attorney Holland reported the City Council provided direction to City Staff, otherwise no reportable action were taken.

ACCEPTANCE OF THE AGENDA:

Councilmember Mills noted his abstention on Item 2.C. Warrant No. 1076409.

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

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

1. PUBLIC HEARINGS:

1.A. ANNEXATION OF CERTAIN PROPERTIES INTO COMMUNITY FACILITIES DISTRICT (CFD) NO. 2005-1 (PUBLIC SAFETY SERVICES) ANNEXATION NO. 8, CALLING AND CONDUCTING THE SPECIAL ELECTION, AND INTRODUCTION OF AN ORDINANCE AUTHORIZING THE LEVY OF SPECIAL TAXES IN THE CFD (DESERT PALISADES, TRACT 35540):

City Clerk Thompson provided background information as outlined in the Staff Report dated February 18, 2015.

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

ACTION: Adopt Resolution No. 23766, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, AUTHORIZING THE ANNEXATION OF TERRITORY INTO COMMUNITY FACILITIES DISTRICT NO. 2005-1 (PUBLIC SAFETY SERVICES), AUTHORIZING THE LEVY OF A SPECIAL TAX, AND SUBMITTING THE LEVY OF SPECIAL TAX TO QUALIFIED ELECTORS (ANNEXATION NO. 8) (DESERT PALISADES, TRACT 35540)." **Motion Councilmember**

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

City Clerk Thompson stated he canvassed the results of the special election and executed the Canvass and Statement of Result of election as follows: Annexation No. 8, 117 votes cast, 117 yes votes cast, zero no votes cast, 2/3rds of the property owners voting yes for the Annexation, the City Council may proceed with adopting the resolution and introduce the ordinance.

ACTION: 1) Adopt Resolution No. 23767, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, DECLARING THE RESULTS OF A SPECIAL ANNEXATION LANDOWNER ELECTION, DETERMINING VALIDITY OF PRIOR PROCEEDINGS, AND DIRECTING THE RECORDING OF AN AMENDMENT TO NOTICE OF SPECIAL TAX LIEN (ANNEXATION NO. 8) (DESERT PALISADES, TRACT 35540);" and 2) Waive reading of the full text and introduce on first reading by title only, Ordinance No. 1872, "AN ORDINANCE OF THE CITY OF PALM SPRINGS, CALIFORNIA, AUTHORIZING THE LEVY OF SPECIAL TAXES IN A COMMUNITY FACILITIES DISTRICT, INCLUDING CERTAIN ANNEXATION TERRITORY (ANNEXATION NO. 8) (DESERT PALISADES, TRACT 35540)." **Motion Councilmember Mills, seconded by Councilmember Hutcheson and unanimously carried on a roll call vote.**

- 1.B. SPECTRUM SERVICES (VERIZON WIRELESS) CONDITIONAL USE PERMIT TO CONSTRUCT A FIFTY FOOT TALL MONOPOLE WITH ASSOCIATED EQUIPMENT SHELTER; VARIANCE REQUEST TO EXCEED THE MAXIMUM ANTENNA HEIGHT PERMITTED AT A DESERT WATER AGENCY SITE ON SAN JOAQUIN DRIVE, APPROVING A CEQA CATEGORICAL EXEMPTION (CASE NOS. 5.1315 CUP AND 6.531 VAR):**

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

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

MICHAEL HAYES, Applicant, requested the City Council approve the project.

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

The City Council discussed and/or commented on the following with respect to the cell tower: mono-palm v. mono-pole installation, the location and/or the removal of the five-palm trees, the proposed eight-foot wall should match the current Escena wall.

MOTION: Adopt Resolution "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, APPROVING A CONDITIONAL USE PERMIT TO CONSTRUCT A FIFTY FOOT TALL MONOPOLE AND ASSOCIATED EQUIPMENT SHELTER, A VARIANCE TO EXCEED THE MAXIMUM ANTENNA HEIGHT PERMITTED AT A DESERT WATER AGENCY SITE ON SAN JOAQUIN DRIVE, AND A CEQA CATEGORICAL EXEMPTION, ZONE M-1-P SECTION 18 (CASES 5.1315 CUP AND CASE 6.531 VAR)," in a mono-pole style, requiring the eight-foot fence match the existing Escena fence, and removing the condition for five additional palm trees. **Motion Councilmember Hutcheson, seconded by Councilmember Mills and failed 2-3 on a roll call vote.**

AYES: Councilmember Hutcheson, and Councilmember Mills.

NOES: Councilmember Foat, Mayor Pro Tem Lewin, and Mayor Pougnet.

MOTION: Adopt Resolution "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, APPROVING A CONDITIONAL USE PERMIT TO CONSTRUCT A FIFTY FOOT TALL MONOPOLE AND ASSOCIATED EQUIPMENT SHELTER, A VARIANCE TO EXCEED THE MAXIMUM ANTENNA HEIGHT PERMITTED AT A DESERT WATER AGENCY SITE ON SAN JOAQUIN DRIVE, AND A CEQA CATEGORICAL EXEMPTION, ZONE M-1-P SECTION 18 (CASES 5.1315 CUP AND CASE 6.531 VAR)," in a mono-pole style, requiring the eight-foot fence match the existing Escena fence, and requiring the installation of five additional palm trees. **Motion Councilmember Foat, seconded by Councilmember Hutcheson and failed 2-3 on a roll call vote.**

AYES: Councilmember Foat, and Councilmember Hutcheson.

NOES: Councilmember Mills, Mayor Pro Tem Lewin, and Mayor Pougnet.

PUBLIC COMMENT:

KATHLEEN ERCOL, announced the upcoming Riverside County Public Health Community Forum.

AL SMOOT thanked the City Council for the opportunity to serve the City in his various capacities constructing capital projects in the City of Palm Springs.

BUNNI BENARON, Rancho Mirage, commented on Item 5.A. and requested the R. Hero sculpture be placed at the Palm Springs Public Library.

KAREN BARONE, commented on Item 5.A. and requested the R. Hero sculpture be placed at the Palm Springs Public Library.

LEXIE MARTONE, Palm Springs, commented on golf-course noise in the early morning.

NANCY STUART, Palm Springs, provided an update on the Palm Springs Aerial Tramway.

COUNCILMEMBER COMMENTS:

Mayor Pougnet requested the City Manager provide information on traffic calming on Murray Canyon and the other issues in the Indian Canyons.

CITY MANAGER'S REPORT:

City Manager Ready provided an update on the City Hall Parking Lot Repaving Project.

2. CONSENT CALENDAR:

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

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

ACTION: Receive and file Report on the Posting of the February 18, 2015, City Council Agenda. **Approved as part of the Consent Calendar.**

2.B. APPROVAL OF MINUTES:

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

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

ACTION: 1) Adopt Resolution No. 23768, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, APPROVING PAYMENT OF PAYROLL WARRANTS FOR THE PERIOD ENDED 1-17-15 BY WARRANTS NUMBERED 418979 THROUGH 419002 TOTALING \$44,342.42 LIABILITY CHECKS NUMBERED 1076280 THROUGH 1076300 TOTALING \$107,190.18, FIVE WIRE TRANSFERS FOR \$165,614.44, AND SEVEN ELECTRONIC ACH DEBITS OF \$1,115,626.43 IN THE AGGREGATE AMOUNT OF \$1,432,773.47, DRAWN ON BANK OF AMERICA;" 2) Adopt Resolution No. 23769, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, APPROVING PAYMENT OF CLAIMS AND DEMANDS BY WARRANTS NUMBERED 1076301 THROUGH 1076394 IN THE AGGREGATE AMOUNT OF \$1,068,212.33, DRAWN

ON BANK OF AMERICA;" and 3) Adopt Resolution No. 23770, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, APPROVING PAYMENT OF CLAIMS AND DEMANDS BY WARRANTS NUMBERED 1076395 THROUGH 1076516 IN THE AGGREGATE AMOUNT OF \$2,684,053.58, DRAWN ON BANK OF AMERICA." **Approved as part of the Consent Calendar noting the abstention of Councilmember Mills on Warrant No. 1076409.**

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

ACTION: Receive and file the report of Staff Authorized Agreements and Purchase Orders for the period of January 1 through January 31, 2015. **Approved as part of the Consent Calendar.**

2.E. RATIFY AND APPOINT THE NOMINATION OF THE CITY OF COACHELLA TO THE PALM SPRINGS INTERNATIONAL AIRPORT COMMISSION FOR THE TERM ENDING DECEMBER 31, 2015:

ACTION: Reappoint David Garcia, as the City of Coachella representative, to the Palm Springs International Airport Commission for the term ending December 31, 2015. **Approved as part of the Consent Calendar.**

2.F. RATIFY AND APPOINT THE NOMINATION OF THE CITY OF RANCHO MIRAGE TO THE PALM SPRINGS INTERNATIONAL AIRPORT COMMISSION FOR THE TERM ENDING JANUARY 31, 2018:

ACTION: Appoint William Riesen, as the City of Rancho Mirage representative, to the Palm Springs International Airport Commission for the term ending January 31, 2018. **Approved as part of the Consent Calendar.**

2.G. CHANGE ORDER NO. 4 TO AGREEMENT NO. A6565 WITH MATICH CORPORATION IN THE AMOUNT OF \$140,984.01 FOR THE 2014 PAVEMENT OVERLAY AND RECONSTRUCTION PROJECT (CP 14-04):

ACTION: 1) Approve Change Order No. 4 to Agreement No. A6565 in the amount of \$140,984.01 with Match Corporation for the Pavement Overlay and Reconstruction Project (CP 14-04); and 2) Authorize the City Manager to execute all necessary documents. A6565. **Approved as part of the Consent Calendar.**

2.H. ACCEPTANCE OF THE DEMUTH GYM FLOOR REPLACEMENT PROJECT (CP 14-06):

ACTION: 1) Accept the public work improvement identified as the Demuth Gym Floor Replacement Project as completed (CP 14-06); and 2) Authorize the City Engineer to execute and file for recordation with the Riverside County Recorder a Notice of Completion for the Demuth Gym

Floor Replacement Project (14-06). A6617. **Approved as part of the Consent Calendar.**

2.I. ACCEPTANCE OF THE CERRITOS FIELD INFIELD REPLACEMENT AND LIGHTPOLE RELOCATION PROJECT (IFB 15-04):

ACTION: 1) Accept the public work of improvement identified as the Cerritos Field Infield Replacement and Lightpole Relocation Project, Invitation for Bid 15-04, 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 Cerritos Field Infield Replacement and Lightpole Relocation Project (IFB 15-04). A6606-1. **Approved as part of the Consent Calendar.**

2.J. APPROVE COOPERATIVE PURCHASE OF NET MOTION MOBILITY SOFTWARE FOR THE POLICE DEPARTMENT, INCLUSIVE OF ANNUAL LICENSE AND MAINTENANCE FOR FIVE (5) YEARS IN THE AMOUNT OF \$51,487.71:

ACTION: 1) Approve the purchase of the Net Motion Mobility software system and licenses from CDW-G, Inc. through the National IPA cooperative purchase agreement in the amount of \$51,487.71 inclusive of the initial set-up, training, license, and maintenance fees for five (5) years; and 2) Authorize the City Manager to execute all necessary documents. A6673. **Approved as part of the Consent Calendar.**

2.K. RATIFICATION OF THE ANNUAL ADJUSTMENT OF THE ACCESS LINE RATE APPROVED BY THE VOTERS BY MEASURE "G" PURSUANT TO PALM SPRINGS MUNICIPAL CODE § 3.39.050:

ACTION: Adopt Resolution No. 23771, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, RATIFYING THE ANNUAL ADJUSTMENT OF THE ACCESS LINE RATE PURSUANT TO PALM SPRINGS MUNICIPAL CODE § 3.39.050 APPROVED BY THE VOTERS BY MEASURE G." **Approved as part of the Consent Calendar.**

2.L. APPROVAL OF CHANGE ORDER NO. 6 IN THE AMOUNT OF \$35,698.84 TO AGREEMENT NO. A6518 WITH ABBODD DIAMOND CONSTRUCTION, INC., AND ACCEPTANCE OF THE WELWOOD MURRAY MEMORIAL LIBRARY REMODEL (CP 13-03):

ACTION: 1) Approve Change Order No. 6 in the amount of \$35,698.84 with Abboud Diamond Construction, Inc., and authorize the City Manager to execute the Change Order; 2) Accept the public work of improvement identified as the Welwood Murray Memorial Library Remodel Project (CP 13-03), as completed; and 3) Authorize the City Engineer to execute and file for recordation with the Riverside County Recorder a Notice of Completion for the Welwood Murray Memorial Library Remodel Project (CP 13-03). A6518. **Approved as part of the Consent Calendar.**

2.M. APPROVAL OF PLANS, SPECIFICATIONS AND ESTIMATE AND AUTHORIZATION TO BID, AND APPROVAL OF A CEQA NOTICE OF EXEMPTION FOR THE DESERT HIGHLAND UNITY CENTER GYM AIR CONDITIONING IMPROVEMENTS (CP 14-15):

ACTION: 1) Approve the filing of a CEQA Notice of Exemption for the Desert Highland Unity Center Gym Air Conditioning Improvements (CP 14-15); 2) Authorize the appropriation of \$50,000 of Measure Y (Capital Project Fund 261) budget from Account 261-2494-51500 (General Park Improvements) to the Desert Highland Unity Center Gym Air Conditioning Improvements (CP 14-15) into a new Account 261-2494-59438 (JO Jesse DHUC Gym A/C); and 3) Approve the plans and specifications, and authorize staff to advertise and solicit bids for the Desert Highland Unity Center Gym Air Conditioning Improvements (CP 14-15). **Approved as part of the Consent Calendar.**

2.N. REQUEST BY LAWRENCE SALAMEH FOR A RESOLUTION OF PUBLIC CONVENIENCE OR NECESSITY (PCN) TO SELL BEER, WINE AND DISTILLED SPIRITS FOR OFF PREMISE CONSUMPTION (TYPE 21 ALCOHOLIC BEVERAGE CONTROL LICENSE) AT A PROPOSED LIQUOR STORE LOCATED AT 2781 NORTH PALM CANYON DRIVE (CASE 5.0971 PCN):

ACTION: Adopt Resolution No. 23773, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, OF PUBLIC CONVENIENCE IN ORDER TO SELL BEER, WINE AND DISTILLED SPIRITS (TYPE 21 STATE ALCOHOLIC BEVERAGE CONTROL LICENSE) FOR THE PROPERTY LOCATED AT 2781 NORTH PALM CANYON DRIVE, WITHIN CENSUS TRACT NO. 0446.06 (CASE 5.0971 PCN)." **Approved as part of the Consent Calendar.**

2.O. APPROVAL AND TRANSMITTAL OF RECOGNIZED OBLIGATION PAYMENT SCHEDULE (ROPS 15-16A) FOR THE PERIOD OF JULY 1, 2015, THROUGH DECEMBER 31, 2015, PURSUANT TO CALIFORNIA HEALTH AND SAFETY CODE § 34169(g)(1):

ACTION: Adopt Resolution No. 23774, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, ACTING SOLELY IN ITS CAPACITY AS THE SUCCESSOR AGENCY TO THE PALM SPRINGS COMMUNITY REDEVELOPMENT AGENCY APPROVING THE RECOGNIZED OBLIGATION PAYMENT SCHEDULE (ROPS 15-16A) FOR THE PERIOD JULY 1, 2015, THROUGH DECEMBER 31, 2015, PURSUANT TO CALIFORNIA HEALTH AND SAFETY CODE § 34169(g)(1)." **Approved as part of the Consent Calendar.**

2.P. APPROVAL OF A BUDGET RESOLUTION IN THE AMOUNT OF \$162,936 AND APPROVAL OF CHANGE ORDER NO. 8 IN THE

AMOUNT OF \$775,271 WITH OPTERRA ENERGY SYSTEMS FOR THE CITYWIDE ENERGY PROJECT:

ACTION: 1) Adopt Resolution No. 23772, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, AMENDING THE BUDGET FOR FISCAL YEAR 2014-15 TO UPGRADE AND/OR REPLACE OLDER MECHANICAL ELECTRICAL EQUIPMENT AT VARIOUS MUNICIPAL FACILITIES AS PART OF THE CITYWIDE ENERGY PROJECT;" 2) Approve Change Order No. 8 in the amount of \$775,271 with Opterra Energy Services, Inc. to upgrade and/or replace older mechanical electrical equipment at the Airport and other Municipal Facilities and extend the contract through July 31, 2015; and 3) Authorize the City Manager to execute all necessary documents to implement the Change Order. A6375. **Approved as part of the Consent Calendar.**

2.Q. WEST AVIATION SERVICES, INC. NON-EXCLUSIVE OPERATING AND LEASE AGREEMENT FOR EXCLUSIVE USE SPACE:

ACTION: 1) Approve Non-Exclusive Operating and Lease Agreement for Exclusive Use Space with West Aviation Services, Inc., dba Sierra Aviation Group, for 351 SF effective March 1, 2015, through February 28, 2018, with (two) one-year options at \$877.50 per month; and 2) Authorize the City Manager to execute the Agreement. A5958. **Approved as part of the Consent Calendar.**

2.R. APPROVE THE FIRST AMENDMENT TO AND ASSIGNMENT AND ASSUMPTION OF A SUBDIVISION IMPROVEMENT AGREEMENT (A5393) BETWEEN LV PALM SPRINGS VILLAGE, LLC, (ASSIGNOR), FCA CA, LLC, (ASSIGNEE), AND THE CITY OF PALM SPRINGS REGARDING TRACT MAP NO. 31848-1 (AVALON), NORTH INDIAN CANYON DRIVE AND SUNRISE PARKWAY:

ACTION: 1) Approve a First Amendment to and Assignment and Assumption of Subdivision Improvement Agreement for Tract Map 31848-1 ("Avalon"), A5393, between LV Palm Springs Village, LLC, as Assignor, FCA CA, LLC, as Assignee, and the City of Palm Springs, subject to the City Attorney's final review and approval; and 2) Authorize the City Manager to execute all necessary documents. A5393. **Approved as part of the Consent Calendar.**

2.S. SKY CHEFS, INC. NON-EXCLUSIVE AIRLINE CATERING CONCESSION AND SPACE AGREEMENT:

ACTION: 1) Approve a three-year Non-Exclusive Airline Catering Concession and Space Agreement at Palm Springs International Airport (PSP) with Sky Chefs, Inc. from April 15, 2015, through April 14, 2018, with an additional (two) one-year options for an airside catering vehicle parking space at a monthly rental rate of \$625 per month and a 12.25% portage concession fee of gross revenue from in-flight catering services; and 2) Authorize the City Manager to execute all necessary documents. A5997. **Approved as part of the Consent Calendar.**

EXCLUDED CONSENT CALENDAR:

2.T. APPROVE AMENDMENT NO. 2 TO THE AGREEMENT WITH SYMBLAZE FOR BRANDING AND CONSULTING SERVICES FOR THE PALM SPRINGS BUZZ:

Councilmember Foat requested an update on the proposed modifications to the Buzz stops and routes.

ACTION: 1) Approve Amendment No. 2 to Agreement No. A6552 with Symblaze, for an additional amount of \$32,724 and a revised total contract amount of \$87,549; and 2) Authorize the City Manager to execute all necessary documents. A6552. **Motion Councilmember Foat, seconded by Mayor Pro Tem Lewin and unanimously carried on a roll call vote.**

3. LEGISLATIVE:

3.A. AN URGENCY ORDINANCE AND A NON-URGENCY ORDINANCE AMENDING SECTIONS 2.06.030, 6.12.030, AND 94.10.00 OF THE MUNICIPAL CODE RELATING TO COUNCIL CALL UP OF COMMISSION AND BOARD ACTIONS AND SUSPENSION OF REGULATORY ORDINANCES:

City Attorney Holland provided background information as outlined in the Staff Report dated February 18, 2015.

Mayor Pro Tem Lewin requested the City Attorney address the modified language as it relates to City Council call up provisions.

Councilmember Foat commented on finding C in the ordinance.

ACTION: 1) Waive the reading of the ordinance text in its entirety and read by title only; and adopt Ordinance No. 1873, "AN URGENCY 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;" and 2) Introduce on first reading, and refer to the Planning Commission, 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 Mills, seconded by Councilmember Hutcheson and unanimously carried on a roll call vote.**

4. UNFINISHED BUSINESS: None.

5. NEW BUSINESS:

5.A. APPROVE THE INSTALLATION OF THE SCULPTURE "R. HERO" BY KAREN AND TONY BARONE AT AN ALTERNATE SITE:

City Manager Ready provided background information as outlined in the Staff Report dated February 18, 2015.

The City Council discussed and/or commented on the proposed locations.

ACTION: 1) Approve the installation of the donated sculpture "R. HERO" at the Palm Springs Public Library; and 2) Authorize the City Manager to execute all necessary documents. **Motion Mayor Pro Tem Lewin, seconded by Councilmember Mills and unanimously carried on a roll call vote.**

5.B. DISCUSSION OF POTENTIAL REGULATIONS ON THE CONVERSION OF RENTAL HOUSING TO CONDOMINIUMS INCLUDING RELOCATION ASSISTANCE:

City Attorney Holland provided background information as outlined in the Staff Report dated February 18, 2015.

The City Council discussed and/or commented on the following with respect to tenant relocation assistance for conversions: formula to calculate tenant relocation assistance, incorporation of a tiered system for location assistance, effect with rent control units, additional research on effects of Section 8 Housing units, the applicability to mobile home park conversions, the impact on recent purchases under the current rules, and inclusion of a right of first purchase.

ACTION: Appoint Mayor Pro Tem Lewin and Mayor Pougnet to an ad hoc City Council Subcommittee for condominium conversions. **By unanimous consent of the City Council.**

5.C. SECOND QUARTER FISCAL YEAR 2014-15 BUDGET UPDATE:

Geoffrey Kiehl, Director of Finance, provided background information as outlined in the Mid-Year 2014-15 Budget Update Report dated February 18, 2015.

No action taken.

COUNCILMEMBER COMMENTS, REQUESTS, AND REPORTS:


Mayor Pougnet requested Staff present an update on the water saving component of the Chevron Project and requested Staff develop a program to change the Official City Flag.

ADJOURNMENT: The City Council adjourned at 7:43 p.m. to Wednesday, March 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.

**APPROVED BY A MOTION OF THE PALM SPRINGS CITY COUNCIL THIS
4TH DAY OF MARCH, 2015.**


STEPHEN P. POUGNET, MAYOR

ATTEST:


JAMES THOMPSON, CITY CLERK