

**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**

September 3, 2014



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

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

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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:** Boy Scout Troop 262.

**INVOCATION:** Michale Cashe, Inner Faith Spiritual Center.

**ROLL CALL:**

**PRESENTATIONS:**

**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:

#### 1.A. CLASS 1 HISTORIC DESIGNATION FOR *THE CHARLIE FARRELL RESIDENCE* LOCATED AT 630 EAST TACHEVAH DRIVE (HSPB 80) AND THE ASSOCIATED *GUEST HOUSE* AT 1120 NORTH VIA MIRALESTE (HSPB 81):

**RECOMMENDATION:** 1) Open the public hearing and receive public testimony; 2) Adopt Resolution No. \_\_\_\_\_, “A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, DESIGNATING THE PROPERTY AT 630 EAST TACHEVAH DRIVE AS CLASS 1 HISTORIC SITE, SUBJECT TO CONDITIONS ZONE R-1-B (HSPB 80);” and 3) Take no action on *The Guest House* located at 1120 North Via Miraleste (HSPB 81).

#### 1.B. APPROVE TWO HOTEL OPERATIONS COVENANT AGREEMENTS WITH PB CONSTRUCTION SERVICES (SKYLARK HOTEL) AND AEK CAPITAL MANAGEMENT (THE PALM SPRINGS HOTEL) PURSUANT TO THE CITY’S HOTEL OPERATIONS INCENTIVE PROGRAM:

**RECOMMENDATION:** 1) Open the public hearing and receive public testimony; 2) Approve a Hotel Operations Covenant Agreement with PB Construction Services, LLC (Skylark Hotel) located at 1466 North Palm Canyon Drive; 3) Approve a Hotel Operations Covenant Agreement with AEK Capital Management, LLC (The Palm Springs Hotel) located at 2135 North Palm Canyon Drive; and 4) Authorize the City Manager to execute all necessary documents. A\_\_\_\_. A\_\_\_\_\_.

**1.C. PROPOSED ORDINANCE AMENDING IN ITS ENTIRETY SECTION 93.21.00 OF THE PALM SPRINGS ZONING CODE RELATING TO THE OUTDOOR LIGHTING STANDARDS (CASE 5.1344 ZTA):**

**RECOMMENDATION:** 1) Open the public hearing and receive public testimony; 2) Waive the reading of the ordinance text in its entirety and read by title only; and 3) Introduce on first reading Ordinance No. \_\_\_\_\_, "AN ORDINANCE OF THE CITY OF PALM SPRINGS, CALIFORNIA, AMENDING IN ITS ENTIRETY SECTION 93.21.00 OF THE PALM SPRINGS ZONING CODE, RELATING TO THE OUTDOOR LIGHTING STANDARDS." (CASE 5.1344 ZTA)

**1.D. PROPOSED AMENDMENT TO THE PALM SPRINGS ZONING CODE AMENDING SECTION 93.23.14 OF, AND AMENDING OR REPEALING VARIOUS PROVISIONS OF THE PALM SPRINGS MUNICIPAL CODE, RELATING TO THE ESTABLISHMENT OF AN ACCESSORY SECOND UNIT PROGRAM IN THE CITY:**

**RECOMMENDATION:** 1) Open the public hearing and receive public testimony; 2) Waive the reading of the ordinance text in its entirety and read by title only; and 3) Introduce on first reading Ordinance No. \_\_\_\_\_, "AN ORDINANCE OF THE CITY OF PALM SPRINGS, CALIFORNIA, AMENDING SECTION 93.23.14 OF, AND AMENDING OR REPEALING VARIOUS PROVISIONS OF THE PALM SPRINGS MUNICIPAL CODE RELATING TO THE ESTABLISHMENT OF AN ACCESSORY SECOND UNIT PROGRAM IN THE CITY."

**1.E. REVIEW AND EVALUATION OF APPLICATIONS AND AWARD A FOURTH PERMIT FOR A MEDICAL CANNABIS COOPERATIVES OR COLLECTIVE AND CEQA EXEMPTION AND DETERMINATION:**

**RECOMMENDATION:** 1) Open the public hearing and receive public testimony and award a permit to operate a medical cannabis cooperative and/or collective to Palm Springs Safe Access owned and operated by Robert Van Roo, subject to conditions; and 2) Adopt Resolution No. \_\_\_\_\_, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, AWARDED A MEDICAL CANNABIS COOPERATIVE/COLLECTIVE PERMIT TO PALM SPRINGS SAFE ACCESS OPERATED BY ROBERT VAN ROO, LOCATED AT 1247 SOUTH GENE AUTRY TRAIL."

**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 September 3, 2014, City Council Agenda.

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

**RECOMMENDATION:** Approve the City Council Minutes of July 16, 2014.

**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 7-05-14 BY WARRANTS NUMBERED 418714 THROUGH 418730 TOTALING \$33,436.04, LIABILITY CHECKS NUMBERED 1072271 THROUGH 1072292 TOTALING \$107,745.05, FIVE WIRE TRANSFERS FOR \$63,293.02, AND THREE ELECTRONIC ACH DEBITS OF \$1,195,558.70 IN THE AGGREGATE AMOUNT OF \$1,400,032.81, 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 1072293 THROUGH 1072398 IN THE AGGREGATE AMOUNT OF \$1,914,889.79 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 1072399 THROUGH 1072505 IN THE AGGREGATE AMOUNT OF \$1,928,336.86, 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 7-19-14 BY WARRANTS NUMBERED 418731 THROUGH 418750 TOTALING \$39,791.20, LIABILITY CHECKS NUMBERED 1072506 THROUGH 1072527 TOTALING \$108,059.40, FIVE WIRE TRANSFERS FOR \$47,336.12, AND THREE ELECTRONIC ACH DEBITS OF \$1,256,224.96 IN THE AGGREGATE AMOUNT OF \$1,451,411.68, DRAWN ON BANK OF AMERICA;" 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 1072528 THROUGH 1072713 IN THE AGGREGATE AMOUNT OF \$1,927,236.01, DRAWN ON BANK OF AMERICA;" and 6) 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 1072714 THROUGH 1072843 IN THE AGGREGATE AMOUNT OF \$3,262,101.28, DRAWN ON BANK OF AMERICA."

**2.D. STAFF AUTHORIZED AGREEMENTS AND PURCHASE ORDERS FOR THE MONTHS OF JUNE AND JULY 2014:**

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

**2.E. SECOND READING AND ADOPTION OF ORDINANCE NO. 1854, AMENDING SECTION 3 OF ORDINANCE NO. 1744 EXTENDING THE TERM FOR TWO-YEARS ALLOWING PORTABLE "OPEN" SIGNS IN THE CENTRAL BUSINESS DISTRICT AND ON NORTH PALM CANYON DRIVE BETWEEN ALEJO ROAD AND VISTA CHINO (CASE NO. ZTA 5.1202):**

**RECOMMENDATION:** Waive the reading of the ordinance text in its entirety and adopt Ordinance No. 1854, "AN ORDINANCE OF THE CITY OF PALM SPRINGS, CALIFORNIA, AMENDING SECTION 3 OF ORDINANCE NO. 1744 RELATING TO PALM SPRINGS ZONING CODE SECTION 93.20.09.B.5, PORTABLE OPEN SIGNS BY EXTENDING THE PROVISIONS OF ORDINANCE NO. 1744 TO OCTOBER 3, 2016."

**2.F. SECOND READING AND ADOPTION OF ORDINANCE NO. 1855, AMENDING SUBSECTION 94.02.01.C. OF THE PALM SPRINGS MUNICIPAL CODE, BY ADDING CHANGES IN USE OF EXISTING BUILDINGS ALONG PALM CANYON AND INDIAN CANYON DRIVES NOT WITHIN THE "D" DOWNTOWN PARKING COMBINING ZONE AS USES SUBJECT TO LAND USE PERMITS AND FOR WHICH CERTAIN PARKING REQUIREMENTS MAY BE WAIVED:**

**RECOMMENDATION:** Waive the reading of the ordinance text in its entirety and adopt Ordinance No. 1855, "AN ORDINANCE OF CITY OF PALM SPRINGS, CALIFORNIA, AMENDING SUBSECTION 94.02.01.C. OF THE PALM SPRINGS MUNICIPAL CODE, BY ADDING CHANGES IN USE OF EXISTING BUILDINGS ALONG PALM CANYON AND INDIAN

CANYON DRIVES NOT WITHIN THE "D" DOWNTOWN PARKING COMBINING ZONE AS USES SUBJECT TO LAND USE PERMITS AND FOR WHICH CERTAIN PARKING REQUIREMENTS MAY BE WAIVED."

- 2.G. TREASURER'S INVESTMENT REPORT AS OF JUNE 30, 2014:**  
**RECOMMENDATION:** Receive and File the Treasurer's Investment Report as of June 30, 2014.
- 2.H. TREASURER'S INVESTMENT REPORT AS OF JULY 31, 2014:**  
**RECOMMENDATION:** Receive and File the Treasurer's Investment Report as of July 31, 2014.
- 2.I. APPROVE AN AGREEMENT WITH TIME WARNER CABLE TO PROVIDE TELEPHONE, INTERNET, AND WIFI SERVICES AT THE WELWOOD MURRAY MEMORIAL LIBRARY FOR A 48-MONTH PERIOD:**  
**RECOMMENDATION:** 1) Approve an agreement with Time Warner Cable to provide phone, internet, and wifi services at the Welwood Memorial Library for 48-months; and 2) Authorize the City Manager to execute all necessary documents. A\_\_\_\_\_.
- 2.J. AWARD OF CONSTRUCTION CONTRACT TO HILLCREST CONTRACTING, INC. FOR THE FARRELL DRIVE RIGHT TURN LANE AT VISTA CHINO PROJECT IN THE AMOUNT OF \$326,613 (CP 09-11):**  
**RECOMMENDATION:** 1) Approve an agreement with Hillcrest Contracting, Inc. for the Farrell Drive Right Turn Lane at Vista Chino Project in the amount of \$326,613 (CP 09-11) (Federal Project No. CML 5282 037); 2) Authorize the City Manager to approve cumulative Change Orders up to 10% of the awarded construction amount, or \$32,661.30; and 3) Authorize the City Manager to execute all necessary documents. A\_\_\_\_\_.
- 2.K. APPROVE AN AGREEMENT WITH CNS ENGINEERS, INC. IN THE AMOUNT OF \$999,914.84 FOR ENVIRONMENTAL AND CIVIL ENGINEERING DESIGN SERVICES RELATED TO THE SOUTH PALM CANYON BRIDGE REPLACEMENT AT THE TAHQUITZ CREEK CHANNEL (CP 12-02):**  
**RECOMMENDATION:** 1) Approve an agreement with CNS Engineers, Inc. in the amount of \$999,914.84 for environmental and engineering design services relating to the South Palm Canyon Bridge Replacement at the Tahquitz Creek Channel (CP 12-02) (Federal Project No. BRLS 5282 042); and 2) Authorize the City Manager to execute all necessary documents. A\_\_\_\_\_.

**2.L. AMENDMENT NO. 5 TO AGREEMENT A4821 WITH SIGNATURE FLIGHT SUPPORT:**

**RECOMMENDATION:** 1) Approve Amendment No. 5 to Agreement No. A4821 with Signature Flight Support for the long-term lease of the aircraft hangar and apron located on Parcel 5, and release undeveloped, underutilized leasehold parcels to the Palm Springs International Airport, commencing on October 1, 2014; and 2) Authorize the City Manager to execute all necessary documents. A4821.

**2.M. APPROVE AN AGREEMENT WITH RGA LANDSCAPE ARCHITECTS, INC. FOR LANDSCAPE AND ARCHITECTURAL DESIGN SERVICES FOR TAHQUITZ CANYON WAY MEDIAN LANDSCAPE IMPROVEMENTS, SUNRISE WAY TO EL CIELO ROAD, INCLUDING ENHANCEMENTS TO PREVIOUSLY COMPLETED LANDSCAPING FROM INDIAN CANYON TO SUNRISE WAY, IN THE AMOUNT OF \$107,200 (CP 13-33):**

**RECOMMENDATION:** 1) Approve an agreement with RGA Landscape Architects, Inc., in the amount of \$107,200.00, for landscape and architectural design services for the Tahquitz Canyon Way Medians (extending from Sunrise Way to El Cielo Road), and enhancements to previously completed landscaping (extending from Indian Canyon to Sunrise Way) as a part of City Project 13-33; and 2) Authorize the City Manager to execute all necessary documents. A\_\_\_\_\_.

**2.N. GIFT AGREEMENT FOR DONATION OF ARTWORK WITH THE AGUA CALIENTE BAND OF CAHUILLA INDIANS FOR THE SCULPTURE TITLED "YOUNG BASKETMAKER" BY ARTIST DOUG HYDE VALUED AT \$410,000 TO BE PLACED IN THE TAHQUITZ CANYON WAY MEDIAN WEST OF SUNRISE WAY IN ACCORDANCE WITH THE SECTION 14 MASTER DEVELOPMENT PLAN:**

**RECOMMENDATION:** 1) Approve a Gift Agreement for Donation of Artwork with the Agua Caliente Band of Cahuilla Indians ("Tribe"), for the sculpture "Young Basketmaker" in a form acceptable to the City Attorney; 2) Approve the recommendation to install the donated sculpture "Young Basketmaker" in the center median of Tahquitz Canyon Way west of Sunrise Way in accordance with the Section 14 Master Plan; and 3) Authorize the City Manager to execute all necessary documents. A\_\_\_\_\_.

**2.O. APPROVE AN AGREEMENT WITH DOKKEN ENGINEERING FOR THE EAST PALM CANYON BRIDGE WIDENING AT THE PALM CANYON WASH PROJECT IN THE AMOUNT OF \$1,182,540 (CP 12-04) (FEDERAL AID PROJECT NO. BRLS 5282 041):**

**RECOMMENDATION:** 1) Approve an agreement with Dokken Engineering for environmental and civil engineering services relating to

the East Palm Canyon Bridge Widening at the Palm Canyon Wash in the amount of \$1,182,540 (CP 12-04) (Federal Aid Project No. BRLS 5282 041); and 2) Authorize the City Manager to execute all necessary documents. A\_\_\_\_\_.

**2.P. MILLS ACT HISTORIC SITE CONTRACT FOR THE PROPERTY LOCATED AT 283 EAST TWIN PALMS DRIVE (HSPB 73/HD-2 ROYAL HAWAIIAN ESTATES):**

**RECOMMENDATION:** 1) Approve a Mills Act Historic Property Agreement with Bill Lewallen and the Royal Hawaiian Estates Homeowners Association, for 283 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. A\_\_\_\_\_.

**2.Q. MILLS ACT HISTORIC SITE CONTRACT FOR THE PROPERTY LOCATED AT 360 CABRILLO ROAD UNIT 118 (HSPB 88/HD-3, RACQUET CLUB COTTAGES WEST)**

**RECOMMENDATION:** 1) Approve a Mills Act Historic Property Agreement with Richard Cook, Christopher Macaluso and the Racquet Club Cottages West Homeowners Association, for 360 Cabrillo Road Unit 118, a Class 1 historic site (HSPB 88/HD-3); 2) Authorize the City Manager to execute the Agreement; and 3) Direct the City Clerk to record the Agreement. A\_\_\_\_\_.

**2.R. MILLS ACT HISTORIC SITE CONTRACT FOR THE PROPERTY LOCATED AT 360 CABRILLO ROAD UNIT 229 (HSPB 88 / HD-3) (RACQUET CLUB COTTAGES WEST)**

**RECOMMENDATION:** 1) Approve a Mills Act Historic Property Agreement with Victoria Crandell, Stephanie Hankey and the Racquet Club Cottages West Homeowners Association, for 360 Cabrillo Road Unit 229, a Class 1 historic site (HSPB 88/HD-3); 2) Authorize the City Manager to execute the Agreement; and 3) Direct the City Clerk to record the Agreement. A\_\_\_\_\_.

**2.S. MILLS ACT HISTORIC SITE CONTRACT FOR THE PROPERTY LOCATED AT 360 CABRILLO ROAD UNIT 209 (HSPB 88/HD-3, RACQUET CLUB COTTAGES WEST)**

**RECOMMENDATION:** 1) Approve a Mills Act Historic Property Agreement with James A. Hanapel and the Racquet Club Cottages Homeowners Association, for 360 Cabrillo Road Unit 209, a Class 1 historic site (HSPB 88/HD-3); 2) Authorize the City Manager to execute the Agreement; and 3) Direct the City Clerk to record the Agreement. A\_\_\_\_\_.

**2.T. MILLS ACT HISTORIC SITE CONTRACT FOR THE PROPERTY LOCATED AT 1860 NORTH VISTA DRIVE (HSPB 89):**

**RECOMMENDATION:** 1) Approve a Mills Act Historic Property Agreement with Michael F. Fleming and Luis A. Lavin (HSPB 89) for 1860 North Vista



Drive; 2) Authorize the City Manager to execute the Agreement; and 3) Direct the City Clerk to record the Agreement. A\_\_\_\_\_.

**2.U. RETIREMENT AND SALARY CONDITIONS FOR UNREPRESENTED EMPLOYEES:**

**RECOMMENDATION:** 1) Adopt Resolution No.\_\_\_\_\_, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, GRANTING COMPARABLE RETIREMENT AND SALARY CONDITIONS FOR UNREPRESENTED EMPLOYEES SIMILAR TO OTHER EMPLOYEE GROUPS THROUGH FISCAL YEAR 2018;" and 2) Adopt Resolution No. \_\_\_\_\_, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, APPROVING PAYING AND REPORTING THE VALUE OF EMPLOYER PAID MEMBER CONTRIBUTIONS FOR THE PUBLIC EMPLOYEES RETIREMENT SYSTEM (PERS) FOR EMPLOYEES OF EXECUTIVE MANAGEMENT."

**2.V. RATIFY AND APPOINT THE NOMINATION OF THE COUNTY OF RIVERSIDE TO THE PALM SPRINGS INTERNATIONAL AIRPORT COMMISSION FOR THE TERM ENDING JUNE 30, 2017:**

**RECOMMENDATION:** Reappoint Peter A. Freymuth, as the County of Riverside representative, to the Palm Springs International Airport Commission for the term ending June 30, 2017.

**2.W. ACCEPT THE RESIGNATION OF JOANIE WILCOX FROM THE PUBLIC ARTS COMMISSION:**

**RECOMMENDATION:** 1) Accept with regret the resignation of Joanie Wilcox; and 2) Direct the City Clerk to post a notice of vacancy for the unexpired term ending June 30, 2016.

**2.X. ACCEPT THE RESIGNATION OF PATRICK SHEEHAN FROM THE PUBLIC ARTS COMMISSION:**

**RECOMMENDATION:** 1) Accept with regret the resignation of Patrick Sheehan; and 2) Direct the City Clerk to post a notice of vacancy for the unexpired term ending June 30, 2015.

**2.Y. AMENDMENT NO. 2 TO AGREEMENT NO. A5720 WITH HNTB CORPORATION FOR ENVIRONMENTAL STUDY PHASE OF THE AIRPORT MASTER PLAN IN THE AMOUNT OF \$63,710:**

**RECOMMENDATION:** 1) Approve Amendment No. 2 to Agreement No. A5720 with HNTB Corporation for the Environmental Phase of the Airport Master Plan in the amount of \$63,710.00 with the agreement term extended to October 31, 2015; and 2) Authorize the City Manager to execute all necessary documents. A5720.

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

**3. LEGISLATIVE:**

**3.A. PROPOSED ORDINANCES RELATING TO MOBILE FOOD VENDING VEHICLES AND CEQA EXEMPTION AND DETERMINATION:**

**RECOMMENDATION:** 1) Waive the reading of the text in its entirety and introduce on first reading by title only Ordinance No. \_\_\_\_\_, "AN ORDINANCE OF THE CITY OF PALM SPRINGS, CALIFORNIA, ADDING CHAPTER 11.110 REGULATION OF MOBILE FOOD VENDING VEHICLES TO TITLE 11 PEACE, MORALS, AND SAFETY TO THE PALM SPRINGS MUNICIPAL CODE;" and 2) Waive the reading of the text in its entirety and introduce on first reading by title only Ordinance No. \_\_\_\_\_, "AN INTERIM URGENCY ORDINANCE OF THE CITY OF PALM SPRINGS, CALIFORNIA, ADDING CHAPTER 11.110 REGULATION OF MOBILE FOOD VENDING VEHICLES TO TITLE 11 PEACE, MORALS, AND SAFETY TO THE PALM SPRINGS MUNICIPAL CODE." (4/5<sup>TH</sup> Vote Required)

**3.B. PROPOSED ORDINANCES RELATING TO WATER EFFICIENT LANDSCAPING, WATER CONSERVATION AND WATER WASTE PREVENTION AND CEQA EXEMPTION DETERMINATION:**

**RECOMMENDATION:** 1) Waive the reading of the text in its entirety and introduce on first reading by title only Ordinance No. \_\_\_\_\_, "AN ORDINANCE OF THE CITY OF PALM SPRINGS, CALIFORNIA, ADDING CHAPTER 11.06 TO, AND AMENDING SECTION 14.24.020, 14.24.030 AND 14.24.060 OF, THE PALM SPRINGS MUNICIPAL CODE, REGARDING WATER CONSERVATION AND WATER WASTE PREVENTION;" 2) Waive the reading of the text in its entirety and introduce on first reading by title only Ordinance No. \_\_\_\_\_, "AN ORDINANCE OF THE CITY OF PALM SPRINGS, CALIFORNIA, AMENDING AND RESTATING CHAPTER 8.60 OF THE PALM SPRINGS MUNICIPAL CODE RELATING TO WATER EFFICIENT LANDSCAPING REGULATIONS AND REQUIREMENTS;" and 3) Direct Staff to meet with representatives from Desert Water Agency to determine procedural and administrative processes for implementation of Chapter 8.60 Water Efficient Landscaping Regulations.

**4. UNFINISHED BUSINESS:**

**4.A. CITY OF PALM SPRINGS WATER CONSERVATION PROGRAM:**

**RECOMMENDATION:** 1) Discuss staff recommendations regarding a comprehensive water conservation program, including City facilities turf reductions, residential and commercial turf reduction incentive programs, and community outreach; and 2) Direct staff as appropriate.

**4.B. UPDATE ON THE DOWNTOWN PALM SPRINGS REVITALIZATION PROJECT:**

**RECOMMENDATION:** Receive and File.

**4.C. NON-MOTORIZED TRANSPORTATION COMMITTEE BICYCLE ROUTE PLAN AND PROJECT RECOMMENDATIONS FOR PREVIOUSLY APPROVED MEASURE J FUNDING (CP 13-32):**

**RECOMMENDATION:** 1) Approve the Fiscal Year 2013-14 Proposed Bike Route, Items 1-5; and 2) Direct staff on proceeding with a Capital Improvement Bicycle Route Project (CP 13-32).

**5. NEW BUSINESS:**

**5.A. APPROVAL OF PLANS, SPECIFICATIONS AND ESTIMATE (PS&E) AND AUTHORIZATION TO BID FOR THE TRAFFIC MANAGEMENT CENTER AND CITYWIDE TRAFFIC SIGNAL INTERCONNECT PROJECT (CP 08-04) (FEDERAL AID PROJECT NO. CML 5282 031):**

**RECOMMENDATION:** 1) Approve the Plans, Specifications, and estimate for the Traffic Management Center (TMC) and Citywide Traffic Signal Interconnect Project (CP 08-04) (Federal Project No. CML 5282 031); and 2) Authorize staff to advertise and solicit bids.

**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, September 17, 2014, at 6:00 P.M. Council Chamber, City Hall, preceded by Closed Session, Small Conference Room, City Hall, 3200 East Tahquitz Canyon Way, Palm Springs.

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



CLOSED SESSION AGENDA  
Wednesday, September 3, 2014 – 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. *Palm Springs Police Officers Association v. City of Palm Springs*  
Case No. PSC 1403379, Riverside Superior Court, Palm Springs Division
2. *Intervention911 v. City of Palm Springs*  
Case No. ED CV 13-01117, United States District Court, Central District

**LIABILITY CLAIMS** **G.C. 54956.9(b)(3)(B)**

3. Tort Claim filed 05-22-2014 by Mark Skiles  
City Claim No. 14-0443

**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: PSPOA, PSPMA, and Unrepresented Employees

**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: 1450 Baristo Road, Palm Springs  
Agency: City of Palm Springs  
Agency Negotiator: David Ready, City Manager or Designee  
Negotiating Parties: Palm Springs Unified School District  
Represented By: Julie Arthur, Director of Facilities  
Under Negotiation: Price and Terms of Payment (Purchase)

Property Address/Description: Parcel 6 of Tentative Tract Map No 36446  
Agency: City of Palm Springs  
Agency Negotiator: David Ready, City Manager or Designee  
Negotiating Parties: Palm Springs Promenade, LLC  
John Wessman  
Under Negotiation: Price and Terms of Payment (Purchase)

Property Address/Description: 310 acre site APN's 505-020-027, 505-020-029, 505-020-031, and 505-020-035  
Agency: City of Palm Springs  
Agency Negotiator: David Ready, City Manager or Designee  
Negotiating Parties: Shadowrock Palm Springs Development LLC  
Under Negotiation: Price and Terms of Payment (Purchase)

Property 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	1 acre parcel plus a 32,000 square foot parcel at the Southwest corner N. Palm Canyon and Stevens Road
Agency:	City of Palm Springs
Agency Negotiator:	David Ready, City Manager or Designee
Negotiating Parties:	Rich Meaney
Under Negotiation	Price and Terms of Payment (Sale)