

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

AGENDA

May 21, 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. 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 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: Pastor David Sanger, Our Savior's Community Church.

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. PLACEMENT OF DELINQUENT WASTE DISPOSAL CHARGES ON THE COUNTY TAX ROLLS AS A SPECIAL ASSESSMENT:

RECOMMENDATION: 1) Open the public hearing and receive public testimony; and 2) Adopt Resolution No. _____, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, DETERMINING CERTAIN WASTE DISPOSAL ACCOUNTS TO BE DELINQUENT AND DIRECTING THE PLACEMENT OF THESE ACCOUNTS ON THE FISCAL YEAR 2014-15 COUNTY PROPERTY TAX ROLLS FOR COLLECTION."

1.B. REVIEW OF THE PUBLIC ARTS COMMISSION'S DECISION OF APRIL 10, 2014, TO DECLINE THE DONATION OF A SECOND "R. HERO" SCULPTURE FOR PLACEMENT AT A FIRE STATION FACILITY:

RECOMMENDATION: 1) Open the public hearing and receive public testimony; and 2) Review the decision of the Public Arts Commission

regarding the donation of the sculpture *R. Hero* to the Public Art Collection and uphold, modify, or reverse said decision.

1.C. REVIEW OF THE HISTORICAL SITE PRESERVATION BOARD'S (HSPB) DECISION MAY 13, 2014, TO APPROVE AS CONDITIONED THE INTERIOR DESIGN OF THE WELWOOD MURRAY MEMORIAL LIBRARY (WMML):

RECOMMENDATION: 1) Open the public hearing and receive public testimony; and 2) Review the actions of the HSPB concerning the Interior of the WMML to uphold, modify, or reverse said decision.

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 May 21, 2014, City Council Agenda.

2.B. APPROVAL OF MINUTES:

RECOMMENDATION: Approve the City Council Minutes of May 7, 2014.

2.C. SECOND READING AND ADOPTION OF ORDINANCE NO. 1852, AMEND THE PALM SPRINGS ZONING CODE (PSZC) TO ALLOW RESTAURANTS IN HOTELS HAVING 20 ROOMS OR MORE IN THE R-3 ZONE WITH A CONDITIONAL USE PERMIT AND APPROVING A CEQA CATEGORICAL EXEMPTION (CASE 5.1334 ZTA):

RECOMMENDATION: Waive the reading of the ordinance text in its entirety and adopt Ordinance No. 1852, "AN ORDINANCE OF THE CITY OF PALM SPRINGS, CALIFORNIA, AMENDING SUBSECTION D.16 OF SECTION 92.04.01 OF THE PALM SPRINGS MUNICIPAL CODE ALLOWING RESTAURANTS THAT ARE AN INTEGRAL PART OF

HOTELS WITH AT LEAST 20 GUEST ROOMS IN THE R-3 ZONE SUBJECT TO A CONDITIONAL USE PERMIT.” (CASE 5.1334 ZTA)

2.D. REINTRODUCTION OF ORDINANCE NO. 1853, PROPOSED AMENDMENT TO THE PALM SPRINGS MUNICIPAL CODE SECTION 93.20.00 AND 93.20.03 AND ADD CHAPTER 5.81 REGARDING THE REGULATION OF ORIGINAL ART MURALS AND APPROVING A CEQA CATEGORICAL EXEMPTION (CASE 5.1335 ZTA):

RECOMMENDATION: Waive the reading of the ordinance text in its entirety and re-introduce by title only, Ordinance No. 1853, “AN ORDINANCE OF THE CITY OF PALM SPRINGS, CALIFORNIA, AMENDING SECTIONS 93.20.00 AND 93.20.03 OF, AND ADDING CHAPTER 5.81 TO, THE PALM SPRINGS MUNICIPAL CODE REGARDING THE REGULATION OF ORIGINAL ART MURALS.”

2.E. STAFF AUTHORIZED AGREEMENTS AND PURCHASE ORDERS FOR THE MONTH OF APRIL 2014:

RECOMMENDATION: Receive and file the report of Staff Authorized Agreements and Purchase Orders for the period of April 1 through April 30, 2014.

2.F. 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 CLAIMS AND DEMANDS BY WARRANTS NUMBERED 1070290 THROUGH 1070441 IN THE AGGREGATE AMOUNT OF \$1,631,643.10, 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 PAYROLL WARRANTS FOR THE PERIOD ENDED 4-12-14 BY WARRANTS NUMBERED 418581 THROUGH 418601 TOTALING \$35,624.74, LIABILITY CHECKS NUMBERED 1070442 THROUGH 1070464 TOTALING \$109,612.30, FIVE WIRE TRANSFERS FOR \$48,950.90, AND THREE ELECTRONIC ACH DEBITS OF \$1,148,927.73, IN THE AGGREGATE AMOUNT OF \$1,343,115.67, 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 1070465 THROUGH 1070547 IN THE AGGREGATE AMOUNT OF \$842,428.66, 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 CLAIMS AND DEMANDS BY WARRANTS NUMBERED 1070548 THROUGH 1070736 IN THE AGGREGATE AMOUNT OF \$1,021,802.09, 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 NUMBERED 1070737 THROUGH 1070850 IN THE AGGREGATE AMOUNT OF \$936,659.61, DRAWN ON BANK OF AMERICA;" 6) 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 4-26-14 BY WARRANTS NUMBERED 418602 THROUGH 418626 TOTALING \$46,939.16, LIABILITY CHECKS NUMBERED 1070851 THROUGH 1070873 TOTALING \$109,431.01, FIVE WIRE TRANSFERS FOR \$50,046.90, AND THREE ELECTRONIC ACH DEBITS OF \$1,228,485.46 IN THE AGGREGATE AMOUNT OF \$1,434,902.53, DRAWN ON BANK OF AMERICA;" and 7) 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 1070874 THROUGH 1071008 IN THE AGGREGATE AMOUNT OF \$1,353,724.72, DRAWN ON BANK OF AMERICA."

2.G. AUTHORIZE A PURCHASE ORDER TO PORTFORD SOLUTIONS TO SCAN AND CONVERT BUILDING DEPARTMENT MICROFICHE TO A DIGITAL FORMAT AS A MEASURE J FUNDED PROJECT:

RECOMMENDATION: 1) Authorize the issuance of a purchase order to Portford Solutions for the conversion of microfiche to digital format, at the per unit prices, in an amount not to exceed \$60,000, pursuant to PSMC Section 7.04.030; and 2) Authorize the City Manager to execute all necessary documents.

2.H. AWARD OF CONTRACT FOR THE TRACT NO. 13257 PHASE 3 SEWER IMPROVEMENTS PROJECT (CP 13-26):

RECOMMENDATION: 1) Approve an agreement with Tri-Star Contracting II, Inc. for the Tract No. 13257 Phase 3 Sewer Improvements Project in the amount of \$324,482 (CP 13-26); and 2) Authorize the City Manager to execute all necessary documents. A_____.

2.I. GRANT OF EASEMENT TO RIVERSIDE COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT (RCFC):

RECOMMENDATION: 1) Approve Easement Deed granting easement for flood control and drainage purposes to RCFC for the Farrell Basin located at the southeast corner of Vista Chino and Cerritos Road; and 2) Authorize City Manager to execute all necessary documents.

2.J. APPROVAL OF PLANS, SPECIFICATIONS AND ESTIMATE (PS&E) AND AUTHORIZATION TO BID FOR THE SUNRISE WAY/BOYS AND GIRLS CLUB/RALPHS SHOPPING CENTER DRIVEWAY TRAFFIC SIGNAL (CP 13-25):

RECOMMENDATION: Approve the Plans, Specifications, and working details for the Sunrise Way/Boys and Girls Club/Ralphs Shopping Center

Driveway Traffic Signal, and authorize staff to advertise and solicit bids (CP 13-25).

2.K. APPROVE A SPECIAL ECONOMIC DEVELOPMENT FOCUS INCENTIVE AREAS PROGRAM GRANT WITH LAWRENCE SALAMEH, LARRY'S WINE SPIRITS AND GOURMET DELI LOCATED AT 2781 NORTH PALM CANYON DRIVE IN THE AMOUNT OF \$25,000:

RECOMMENDATION: 1) Approve an Interior Remodel Grant Agreement with Lawrence Salameh, Larry's Wine Spirits and Gourmet Deli, located at 2781 North Palm Canyon Drive in the amount of \$25,000; and 2) Authorize the City Manager to execute all necessary documents. A_____.

2.L. AMENDMENT NO. 1 TO AIRPORT CAR RENTAL CONCESSION AGREEMENTS:

RECOMMENDATION: 1) Approve Amendment No. 1 to all five airport rental car concession agreements doing business as eight (8) car rental agencies for: Avis/Budget Car Rental, LLC; The Hertz Corporation; Enterprise Rent-A-Car, LLC d/b/a Alamo/National Car Rental; Enterprise Rent-A-Car Company of Los Angeles, LLC, and Dollar/Thrifty Rent-A-Car; for a term of three additional years; and 2) Authorize the City Manager to execute all necessary documents as required. A6110. A6111. A6112. A6113. A6114.

2.M. AMENDMENT NO. 5 TO LEASE AGREEMENT NO. A4821 WITH SIGNATURE FLIGHT SUPPORT:

RECOMMENDATION: 1) Approve Amendment No. 5 of 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 back to the airport, commencing June 1, 2014; and 2) Authorize the City Manager to execute all necessary documents as required. A4821.

2.N. NON-MOTORIZED TRANSPORTATION COMMITTEE BICYCLE ROUTE PLAN AND RECOMMENDED PRIORITIES FOR THE FISCAL YEAR 2013-14 MEASURE J FUNDING:

RECOMMENDATION: Receive and file Bicycle Route Plan (BRP).

2.O. APPROVE AN AGREEMENT WITH THE CITY OF CATHEDRAL CITY FOR FUNDING OF THE CLEANUP PHASE OF THE EAGLE CANYON DAM BEING COMPLETED BY THE RIVERSIDE COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT (RCFC):

RECOMMENDATION: 1) Approve an agreement with the City of Cathedral City (CCC) for payment of the City of Palm Springs' share of the Eagle Canyon Dam cleanup; 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: None.

4. UNFINISHED BUSINESS: None.

5. NEW BUSINESS:

5.A. PRESENTATION BY THE BUREAU OF TOURISM ON THE FISCAL YEAR 2014-15 TOURISM BUDGET, CONTINUED DISCUSSION OF THE FISCAL YEAR 2014-15 BUDGET FOR GENERAL FUND, SPECIAL EVENTS AND SPECIAL PURPOSE AND INTERNAL SERVICE FUNDS, AND A MULTI-YEAR STRATEGIC ACTION PLAN FOR CITY CAPITAL IMPROVEMENTS AND QUALITY OF LIFE ENHANCEMENT RELATED TO MEASURE J FUNDING:

RECOMMENDATION: 1) Direct staff as appropriate; and 2) Direct the City Clerk to provide notice, pursuant to City Charter Section 902, for the City Council public hearing at the regular meeting of June 4, 2014.

5.B. APPOINTMENT OF VARIOUS COMMISSIONERS AND BOARD MEMBERS AS PART OF THE 2014 ANNUAL RECRUITMENT PROCESS:

RECOMMENDATION: Appoint members to various Commissions and Boards as part of the 2014 Annual Recruitment of Boards and Commissions.

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, June 4, 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, May 21, 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.

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

Three Case(s).

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

Three Case(s).

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

Property Address/Description:	6.2 acres at the Southeast corner of Calle El Segundo and Andreas Road
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)
Property Address/Description:	A portion of the 4.41 acre site located at Southeast Corner of Alejo and North 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: 980 E. Tahquitz Canyon Way, 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: 342 North Palm Canyon Drive, Palm Springs
APN 513-081-017
Agency: City of Palm Springs as Successor Agency
Agency Negotiator: David Ready, City Manager or Designee
Negotiating Parties: Del Gagon, Del Gagnon Company Palm Desert
Under Negotiation: Price and Terms of Payment (Sale)

Property Address/Description: 1479 North Palm Canyon Drive, Palm Springs
APN 505-182-004
Agency: City of Palm Springs as Successor Agency
Agency Negotiator: David Ready, City Manager or Designee
Negotiating Parties: Chris Pardo, Palm Groove Group, LLC
Under Negotiation: Price and Terms of Payment (Sale)