

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

March 5, 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 Channels 17, 26.103, and 121. 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: Boy Scout Troop 262.

INVOCATION: Pastor Jerrold Thompson, Hope Community Seventh-Day Adventist 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. **DOS PALMAS DEVELOPMENT LLC FOR TENTATIVE PARCEL MAP 36693 TO SUBDIVIDE ONE LARGE PARCEL INTO TWO LOTS RESULTING IN A 10,070-SQUARE FOOT LOT AND A REMAINDER LOT APPROXIMATELY 58,831-SQUARE FEET AT THE CORNER OF EAST SUNNY DUNES ROAD AND SOUTH SUNRISE WAY (CASE TPM 36693):**

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, APPROVING TENTATIVE PARCEL MAP 36693 TO SUBDIVIDE ONE LARGE PARCEL INTO TWO LOTS RESULTING IN A 10,070-SQUARE FOOT LOT AND A REMAINDER LOT APPROXIMATELY 58,831-SQUARE FEET AT THE CORNER OF EAST SUNNY DUNES ROAD AND SOUTH SUNRISE WAY, ZONE R-1-C AND RMHP, SECTION 23 (Case TPM 36693).”

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 March 5, 2014, City Council Agenda.

2.B. APPROVAL OF MINUTES:

RECOMMENDATION: Approve the City Council Minutes of February 19, 2014.

2.C. ACCEPT THE RESIGNATION OF PAUL MCCREESH FROM THE SUSTAINABILITY COMMISSION:

RECOMMENDATION: 1) Accept with regret the resignation of Paul McCreesh; and 2) Direct the City Clerk to post a notice of vacancy for the unexpired term ending June 30, 2014.

2.D. SECOND READING AND ADOPTION OF ORDINANCE NO. 1845 AMENDING SECTION 1.01.110, PARAGRAPH A.20 OF SECTION 92.15.01, PARAGRAPH A.6 OF SECTION 92.10.01, PARAGRAPH A.5 OF SECTION 92.17.1.01, AND SECTION 93.23.15 OF, AND ADDING CHAPTER 5.35 TO, THE PALM SPRINGS MUNICIPAL CODE, RELATING TO REGULATIONS FOR MEDICAL CANNABIS COOPERATIVES AND COLLECTIVES IN THE CITY:

RECOMMENDATION: Waive the reading of the full text of the ordinance and adopt by title only Ordinance No. 1845, "AN ORDINANCE OF THE CITY OF PALM SPRINGS, CALIFORNIA, AMENDING SECTION 1.01.110, PARAGRAPH A.20 OF SECTION 92.15.01, PARAGRAPH A.6 OF SECTION 92.10.01, PARAGRAPH A.5 OF SECTION 92.17.1.01, AND SECTION 93.23.15 OF, AND ADDING CHAPTER 5.35 TO, THE

PALM SPRINGS MUNICIPAL CODE, RELATING TO REGULATIONS FOR MEDICAL CANNABIS COOPERATIVES AND COLLECTIVES IN THE CITY.”

2.E. SECOND READING AND ADOPTION OF ORDINANCE NO. 1846 APPROVING PLANNED DEVELOPMENT DISTRICT PDD 365 IN LIEU OF A CHANGE OF ZONE FOR A ROUGHLY 6.37 ACRE PARCEL ON THE WEST SIDE OF SOUTH BELARDO ROAD, APPROXIMATELY 500 FEET SOUTH OF THE MORONGO ROAD INTERSECTION:

RECOMMENDATION: Waive the reading of the full text of the ordinance and adopt by title only Ordinance No. 1846, “AN ORDINANCE OF THE CITY OF PALM SPRINGS, CALIFORNIA, APPROVING PLANNED DEVELOPMENT DISTRICT PDD 365 IN LIEU OF A CHANGE OF ZONE FOR A ROUGHLY 6.37 ACRE PARCEL ON THE WEST SIDE OF SOUTH BELARDO ROAD, APPROXIMATELY 500 FEET SOUTH OF THE MORONGO ROAD INTERSECTION.”

2.F. SECOND READING AND ADOPTION OF ORDINANCE NO. 1847 AMENDING THE PALM SPRINGS MUNICIPAL CODE PERTAINING TO SITTING OR LYING ON SIDEWALKS IN DOWNTOWN PALM SPRINGS:

RECOMMENDATION: Waive the reading of the full text of the ordinance and adopt by title only Ordinance No. 1847, “AN ORDINANCE OF THE CITY OF PALM SPRINGS, CALIFORNIA, AMENDING SECTION 12.12.050 OF, AND ADDING SECTION 12.12.055 TO, THE PALM SPRINGS MUNICIPAL CODE, PERTAINING TO SITTING OR LYING ON SIDEWALKS IN DOWNTOWN PALM SPRINGS.”

2.G. TREASURER’S INVESTMENT REPORT AS OF JANUARY 31, 2014:

RECOMMENDATION: Receive and file the Treasurer’s Investment Report as of January 31, 2014.

2.H. RESOLUTION OF PUBLIC CONVENIENCE OR NECESSITY (PCN) TO SELL BEER, WINE, AND DISTILLED SPIRITS AT A PROPOSED COCKTAIL LOUNGE LOCATED AT 212 AND 216 SOUTH INDIAN CANYON DRIVE BY CULLEN 111 INVESTMENTS, LLC (CASE: 5.1305-PCN):

RECOMMENDATION: Adopt Resolution No. _____, “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 48 STATE ALCOHOLIC BEVERAGE CONTROL LICENSE) FOR THE PROPERTY LOCATED AT 212 AND 216 SOUTH INDIAN CANYON DRIVE, WITHIN CENSUS TRACT 9414.00.”

2.I. AUTHORIZATION TO PARTICIPATE IN THE RIVERSIDE COUNTY MORTGAGE CERTIFICATE (MCC) PROGRAM:

RECOMMENDATION: Adopt Resolution No. _____, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, AUTHORIZING PARTICIPATION IN THE RIVERSIDE COUNTY MORTGAGE CERTIFICATE (MCC) PROGRAM."

2.J. AWARD THE OUTFITTING OF POLICE VEHICLES TO WEST COAST LIGHTS & SIRENS, INC.:

RECOMMENDATION: 1) Award the outfitting of police vehicles via a purchase order on a Unit Price Basis of \$12,047.13 for Patrol Sedan Vehicles; \$14,530.83 for Patrol SUVs; \$6,962.45 for Police Admin/Undercover Sedan Vehicles; and \$15,812.50 for K-9 SUVs (a total purchase price of \$159,537.59 for the current 14 vehicles on-hand), valid through June 30, 2015, on an as-needed basis, to West Coast Lights & Sirens, Inc., inclusive of all applicable taxes and delivery; and 2) Authorize the City Manager to execute all necessary documents.

2.K. APPROVAL OF A CONFORMITY REPORT FOR THE 18 @ TWIN PALMS PROJECT ON TRIBAL TRUST LAND OF THE AGUA CALIENTE BAND OF CAHUILLA INDIANS AT THE SOUTHWEST CORNER OF SOUTH CAMINO REAL AND TWIN PALMS (CASE 5.1323 MISC):

RECOMMENDATION: Adopt Resolution No. _____, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, APPROVING A CONFORMITY REPORT ON THE PROPOSED 18 @ TWIN PALMS PROJECT, LOCATED ON TRIBAL TRUST LAND OF THE AGUA CALIENTE BAND OF CAHUILLA INDIANS, ON THE SOUTHWEST CORNER OF SOUTH CAMINO REAL AND TWIN PALMS; DIRECTING STAFF TO TRANSMIT SAID REPORT TO THE TRIBAL COUNCIL OF THE AGUA CALIENTE BAND OF CAHUILLA INDIANS; AND WAIVING THE JOINT MEETING BETWEEN THE CITY COUNCIL AND TRIBAL COUNCIL (CASE 5.1323 MISC)."

2.L. APPROVAL OF PLANS, SPECIFICATIONS AND ESTIMATE (PS&E) AND AUTHORIZATION TO BID FOR THE 2013-14 ANNUAL SLURRY SEAL PROJECT (CP 14-03):

RECOMMENDATION: Approve the specifications and working details for the 2013-14 Annual Slurry Seal Project (CP 14-03), and authorize staff to advertise and solicit bids.

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

3. LEGISLATIVE:

3.A. PROPOSED ORDINANCE AMENDING CHAPTER 5.25 OF THE PALM SPRINGS MUNICIPAL CODE REGARDING VACATION RENTAL REGULATIONS AND RELATED ADMINISTRATIVE CITATION PROCEDURES:

RECOMMENDATION: 1) Waive the reading of the ordinance text in its entirety and introduce by title only Ordinance No. _____, "AN ORDINANCE OF THE CITY OF PALM SPRINGS, CALIFORNIA, AMENDING AND RESTATING CHAPTER 5.25 OF, AND AMENDING SECTION 1.06.030 OF, THE PALM SPRINGS MUNICIPAL CODE, RELATING TO VACATION RENTALS;" 2) Adopt Resolution No. _____, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, INCREASING THE FEES AND CHARGES FOR VACATION RENTALS, AND MODIFYING THE COMPREHENSIVE FEE SCHEDULE ADOPTED BY RESOLUTION NO. 21578 AS AMENDED;" and 3) Direct staff to place a review on the vacation rental regulations on the City Council agenda for November 19, 2014.

4. UNFINISHED BUSINESS: None.

5. NEW BUSINESS:

5.A. MID-YEAR FISCAL YEAR 2013-14 BUDGET UPDATE:

RECOMMENDATION: Direct staff as appropriate.

5.B. DISCUSS THE REGULATION OF SINGLE-USE CARRYOUT PLASTIC BAGS BY RETAIL ESTABLISHMENTS:

RECOMMENDATION: Direct Staff and the Sustainability Commission as appropriate.

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, March 19, 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, March 5, 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.

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

City Negotiator: David Ready, City Manager or Designee
Perry Madison, Director of Human Resources
Employee Organizations: All City Bargaining Units/Unrepresented Employees

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

Three Case(s).

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

Two Case(s).

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

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: 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: 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: Alleyway leading from the Plaza Theatre
to Indian Canyon
Agency: City of Palm Springs
Agency Negotiator: David Ready, City Manager or Designee
Negotiating Parties: Lawrence Pitts, Plaza Investment Company
Under Negotiation: Price and Terms of Payment (Lease)

Property Address/Description: Courtyard, Alley and Trash Area
Located behind 100 South Palm Canyon Drive
Agency: City of Palm Springs
Agency Negotiator: David Ready, City Manager or Designee
Negotiating Parties: John Wessman, Wessman Family Trust
Under Negotiation: Price and Terms of Payment (Lease)