

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



**MEETING MINUTES  
WEDNESDAY, APRIL 15, 2015  
CITY HALL COUNCIL CHAMBER**

**CALL TO ORDER:** Mayor Pougnet called the meeting to order at 6:10 p.m.

**PLEDGE OF ALLEGIANCE:** Palm Springs Air Force ROTC Junior Color Guard, led the Pledge.

**INVOCATION:** Dr. Sharon Stroud, Inner Faith Spiritual Center, led the Invocation.

**ROLL CALL:**

**PRESENT:** Councilmember Foat, Mayor Pro Tem Lewin, and Mayor Pougnet.

**ABSENT:** Councilmember Hutcheson and Councilmember Mills.

**ALSO PRESENT:** City Manager Ready, City Attorney Holland, City Clerk Thompson.

**PRESENTATIONS:**

Mayor Pougnet and the City Council presented a Certificate of Recognition to Daniel Miltonian, for his design and volunteer work on the VillageFest Poster Art.

Mayor Pougnet presented Carry Allen the 2015 Palm Springs Senior Inspiration Award.

Mayor Pougnet announced the 2015 Palm Springs Green Citizens of the Year Award to Kate Castle and the Boys and Girls Club, and the Public Meeting for input on homelessness.

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 the City Council recessed into Closed Session to discuss items on the posted Closed Session Agenda. City Attorney Holland reported the City Council provided direction to Staff, otherwise no reportable actions were taken.

**ACCEPTANCE OF THE AGENDA:**

City Clerk Thompson requested Item 2.J. be withdrawn from the Agenda at the request of Staff.

**ACTION:** Accept the Agenda as amended. **Motion Mayor Pro Tem Lewin, seconded by Councilmember Foat and unanimously carried 3-0 on a roll call vote.**

**AYES:** Councilmember Foat, Mayor Pro Tem Lewin, and Mayor Pougnnet.

**NOES:** None.

**ABSENT:** Councilmember Hutcheson and Councilmember Mills.

**1. PUBLIC HEARINGS:**

**1.A. AMENDMENT TO THE PALM SPRINGS ZONING CODE RELATING TO ACCESSORY SECOND DWELLING UNITS (CASE 5.1341 ZTA):**

**ACTION:** 1) Table the public hearing with no public testimony at this time; 2) Continue the Public Hearing to May 6, 2015; and 3) Direct the City Clerk to post a Notice of Continued Public Hearing pursuant to law. **Motion Mayor Pro Tem Lewin, seconded by Councilmember Foat and unanimously carried 3-0 on a roll call vote.**

**AYES:** Councilmember Foat, Mayor Pro Tem Lewin, and Mayor Pougnnet.

**NOES:** None.

**ABSENT:** Councilmember Hutcheson and Councilmember Mills.

**1.B. 750 LOFTS, LLC MIXED-USE HOTEL DEVELOPMENT ON A 1.13 ACRE PARCEL LOCATED AT 750 NORTH PALM CANYON DRIVE, ZONE C-1 / R-3 / PD 104 / RESORT COMBINING ZONE / LAS PALMAS BUSINESS HISTORIC DISTRICT, CEQA MITIGATED NEGATIVE DECLARATION AND REPEALING RESOLUTION NO. 23757 REGARDING THE PREVIOUS APPROVAL OF THE HISTORIC SITE CERTIFICATE OF APPROVAL (HD-1) (CASE 5.1350 PDD 374 / GPA):**

Councilmember Foat stated she has a property related conflict of interest. No action taken due to a lack of quorum. City Clerk to re-notice the public hearing as required by law.

**1.C. O & M HR, LLC (NEXUS DEVELOPMENT CORP.) APPEALING THE MARCH 25, 2015, DECISION OF THE PLANNING COMMISSION TO DENY DEMOLITION OF EXISTING DEVELOPMENT AND PARKING AREA TO CONSTRUCT "ABERDEEN," A MIXED-USE PROJECT CONSISTING OF 74 ATTACHED AND DETACHED RESIDENTIAL DWELLINGS, 17 LIVE-WORK UNITS AND APPROXIMATELY 1,568-**

**SQUARE FEET OF RETAIL ON 8.05-ACRES LOCATED AT THE NORTHEAST CORNER OF TAHQUITZ CANYON WAY AND CALLE EL SEGUNDO AND MAKE A CEQA DETERMINATION (ZONE REO AND CU) (CASE NOS. 5.1361 PD-375, CUP, 3.3820 MAJ AND TTM 36876):**

City Clerk Thompson stated Mayor Pougnet has a business related conflict of interest with respect to Public Hearing Item 1.C., as such there is not a quorum of the City Council to hear the Item, and the City Clerk's Office will re-notice the public hearing.

No action taken due to a lack of quorum. City Clerk to re-notice the public hearing as required by law.

**PUBLIC COMMENT:**

KATHY WEREMIUK, Palm Springs, commented on the current water emergency in the State of California.

JERI BARRY, Palm Springs, commented on the impacts of CVLink to the Four Seasons community and the City of Palm Springs.

NIKOHL VANDEL, Palm Springs, commented on Item 2.N. regarding discrimination and the water shortage.

DOTTIE WILDER, commented on the lack of parking on Civic Drive, and requested the City Council allow parking in the City Yard.

DONNA CHABAN-DELMAS, Palm Springs, commented on developers in the City and the need for developers to work with surrounding neighborhoods.

MARK DAVIS, commented on Item 2.L. and requested the City Council not consider low income and homeless services at that location.

CATHERINE MEYLER, commented on Item 2.L. and requested the City Council not consider low income and homeless services at that location.

JOY BROWN MEREDITH, provided an update on the activities of MainStreet, and stated her support for Item 2.I. approving VillageFest restrooms.

**COUNCILMEMBER COMMENTS:**

Councilmember Foat commented on the current status and process on the CVLink project and commented on the purchase of property on Indian Canyon.

**CITY MANAGER'S REPORT:** None.

**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.K., 2.L., 2.M., and 2.N. **Motion Mayor Pro Tem Lewin, seconded by Councilmember Foat and unanimously carried 3-0 on a roll call vote.**

**AYES:** Councilmember Foat, Mayor Pro Tem Lewin, and Mayor Pougnet.

**NOES:** None.

**ABSENT:** Councilmember Hutcheson and Councilmember Mills.

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

**ACTION:** Receive and file Report on the Posting of the April 15, 2015, City Council Agenda. **Approved as part of the Consent Calendar.**

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

**ACTION:** Approve the City Council Minutes of March 18, 2015, and April 1, 2015. **Approved as part of the Consent Calendar.**

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

**ACTION:** 1) Adopt Resolution No. 23808, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, APPROVING PAYMENT OF CLAIMS AND DEMANDS BY WARRANTS NUMBERED 1077191 THROUGH 1077363 IN THE AGGREGATE AMOUNT OF \$1,564,512.05, DRAWN ON BANK OF AMERICA;" 2) Adopt Resolution No. 23802, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, APPROVING PAYMENT OF PAYROLL WARRANTS FOR THE PERIOD ENDED 03-14-2015 BY WARRANTS NUMBERED 419059 THROUGH 419074 TOTALING \$26,090.03 LIABILITY CHECKS NUMBERED 1077364 THROUGH 1077384 TOTALING \$107,055.13, FIVE WIRE TRANSFERS FOR \$52,423.31, AND THREE ELECTRONIC ACH DEBITS OF \$1,133,864.93 IN THE AGGREGATE AMOUNT OF \$1,319,433.40, DRAWN ON BANK OF AMERICA;" 3) Adopt Resolution No. 23803, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, APPROVING PAYMENT OF CLAIMS AND DEMANDS BY WARRANTS NUMBERED 1077385 THROUGH 1077545 IN THE AGGREGATE AMOUNT OF \$1,994,891.36, DRAWN ON BANK OF AMERICA;" 4) Adopt Resolution No. 23804, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, APPROVING PAYMENT OF CLAIMS AND DEMANDS BY WARRANTS NUMBERED 1077546 THROUGH 1077714 IN THE AGGREGATE AMOUNT OF \$2,522,686.78, DRAWN ON BANK OF AMERICA;" and 5) Adopt Resolution No. 23805, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, APPROVING PAYMENT OF PAYROLL WARRANTS FOR THE PERIOD ENDED 03-28-2015 BY WARRANTS NUMBERED 419075 THROUGH 419087 TOTALING \$22,017.74

LIABILITY CHECKS NUMBERED 1077715 THROUGH 1077736 TOTALING \$107,040.52, FIVE WIRE TRANSFERS FOR \$72,598.31, AND THREE ELECTRONIC ACH DEBITS OF \$1,263,891.96 IN THE AGGREGATE AMOUNT OF \$1,465,548.53, DRAWN ON BANK OF AMERICA." **Approved as part of the Consent Calendar.**

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

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

**2.E. AMENDMENT NO. 3 TO AGREEMENT NO. A6329 WITH SELENE PALM SPRINGS, LLC FOR THE SALE OF A 7.8 ACRE PARCEL AT THE NORTHEAST CORNER OF CALLE ALVARADO AND AMADO:**

**ACTION:** 1) Approve Amendment No. 3 to Agreement No. A6329 with Selene Palm Springs LLC for the sale of a 7.8 acre parcel at the northeast corner of Calle Alvarado and Amado; and 2) Authorize the City Manager to execute all necessary documents. A6329. **Approved as part of the Consent Calendar.**

**2.F. APPROVE A FACADE GRANT AGREEMENT IN THE AMOUNT OF \$50,000 WITH HUFF LATITUDE 33, LP FOR PROPERTY LOCATED AT 449 EAST ARENAS ROAD:**

**ACTION:** 1) Approve Facade Grant Agreement with Huff Latitude 33, LP in the amount of \$50,000 at 449 East Arenas Road; and 2) Authorize the City Manager to execute all documents. A6694. **Approved as part of the Consent Calendar.**

**2.G. APPROVE THE COOPERATIVE PURCHASE OF AN ARCHIVAL SCANNER FOR THE PALM SPRINGS LIBRARY'S ACCESSING THE PAST PROJECT:**

**ACTION:** 1) Approve the purchase of an i2S CopiBook Cobalt HD book scanner for the Palm Springs Public Library from iimage Retrieval Inc. of Carrollton, Texas, under the State of Texas Department of Information Resources (DIR) Interlocal Cooperative Contract DIR-TSO-ICXXX in the amount of \$47,053.58; and 2) Authorize the City Manager to execute all necessary documents, including the purchase order and the Interlocal DIR Agreement. A6672. **Approved as part of the Consent Calendar.**

**2.H. APPROVE A PURCHASE ORDER IN THE AMOUNT OF \$61,600 WITH ALBERT A. WEBB & ASSOCIATES FOR TRAFFIC ENGINEERING DESIGN AND ENVIRONMENTAL SERVICES FOR A SECOND LEFT TURN LANE ON GENE AUTRY TRAIL AT VISTA CHINO (CP 14-13):**

**ACTION:** 1) Approve a Purchase Order in the amount of \$61,600 with Albert A. Webb & Associates for civil engineering design and environmental services for a second left turn lane on Gene Autry Trail at

Vista Chino (CP 14-13); and 2) Authorize the City Manager to execute all necessary documents. A6443. **Approved as part of the Consent Calendar.**

**2.I. APPROVE PURCHASE OF MOBILE RESTROOM TRAILER FOR VILLAGEFEST AND OTHER CITY SPECIAL EVENTS:**

**ACTION:** 1) Find the bid from Verde Inc. as non-responsive for failure to meet specifications; 2) Award the purchase of a new Mobile Restroom Trailer as specified in Invitation for Bid No. 15-13 to Portable Restroom Trailer, LLC in the amount of \$46,273.80, including applicable CA sales tax, CA tire fee, and delivery; and 3) Authorize the City Manager to execute all necessary documents. **Approved as part of the Consent Calendar.**

**2.K. APPROVE THE PURCHASE OF NEW CARPET TILES FOR AIRPORT MAIN TERMINAL FROM DEL'S FLOORING CONTRACTORS INC. IN THE AMOUNT OF \$41,650.24:**

**ACTION:** 1) Approve the purchase of new carpet tiles for the Palm Springs Airport main terminal as per the specifications from Del's Flooring Contractors Inc. in the amount not to exceed \$41,650.24; and 2) Authorize City Manager to execute all necessary documents. **Approved as part of the Consent Calendar.**

**2.L. ACQUISITION OF A 14-UNIT MULTI-FAMILY HOUSING PROPERTY LOCATED AT 2395 NORTH INDIAN CANYON DRIVE FROM THE COUNTY OF RIVERSIDE FOR THE PURPOSE OF FACILITATING THE DEVELOPMENT OF AFFORDABLE HOUSING:**

**ACTION:** Adopt Resolution No. 23806, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, ACTING IN ITS CAPACITY AS THE HOUSING SUCCESSOR AGENCY, TO THE PALM SPRINGS COMMUNITY REDEVELOPMENT AGENCY FORMALLY REQUESTING A CHAPTER 8 AGREEMENT OF SALE WITH THE COUNTY OF RIVERSIDE FOR PROPERTY LOCATED AT 2395 NORTH INDIAN CANYON DRIVE FOR THE PURPOSE OF DEVELOPING AFFORDABLE HOUSING." **Approved as part of the Consent Calendar.**

**2.M. APPROVE FAA GRANT NO. 3-06-0181-053-2015 FOR AIRPORT PROJECT AND AWARD CONTRACT FOR AIRPORT RUNWAY REHABILITATION CONSTRUCTION:**

**ACTION:** 1) Approve FAA AIP Grant No. 3-06-0181-053-2015 in the amount of \$10,850,000.00 for construction and construction management services for the project; 2) Award the construction contract for the Airport Runway Rehabilitation Project in the amount of \$9,952,019.02 to the lowest responsive bidder, Griffith Company, in a form approved by the City Attorney; and 3) Authorize the City Manager to execute all necessary documents including up to ten percent (10%) additional change order work

as required to address changes in the project scope. A6696. A6695.  
**Approved as part of the Consent Calendar.**

**2.N. STRONG OPPOSITION TO RELIGIOUS FREEDOM LEGISLATION THAT DIRECTLY OR INDIRECTLY CONDONES DISCRIMINATION OF PROTECTED CLASSES OF PERSONS:**

**ACTION:** Adopt Resolution No. 23807, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, EXPRESSING STRONG OPPOSITION TO RELIGIOUS FREEDOM LEGISLATION THAT DIRECTLY OR INDIRECTLY CONDONES DISCRIMINATION OF PROTECTED CLASSES OF PERSONS."

**Approved as part of the Consent Calendar.**

**EXCLUDED CONSENT CALENDAR:**

**2.J. AWARD A CONSTRUCTION CONTRACT TO ABOUD DIAMOND CONSTRUCTION, INC. IN THE AMOUNT OF \$414,000 FOR THE DESERT HIGHLAND UNITY CENTER GYM AIR CONDITIONING IMPROVEMENTS PROJECT (CP 14-15):**

Tabled at the request of Staff.

**3. LEGISLATIVE:** None.

**4. UNFINISHED BUSINESS:** None.

**5. NEW BUSINESS:**

**5.A. APPOINTMENT OF CITY COUNCIL SUBCOMMITTEES TO SCREEN COMMISSION AND BOARD APPLICATIONS, TO DETERMINE QUALIFIED APPLICANTS AS PART OF THE 2015 ANNUAL RECRUITMENT OF CITY BOARDS AND COMMISSIONS:**

**ACTION:** 1) Waive the procedures in Resolution No. 18804 Section 7(b), for the 2015 Annual Recruitment process, to allow for the City Council as a whole, to participate in the screening and interview of applicants for the Historic Site Preservation Board, Measure "J" Oversight Commission and the Planning Commission; 2) Waive the procedures in Resolution No. 18804 Section 7(b), for the 2015 Annual Recruitment process that provides for the Mayor to select and participate in all subcommittees; and 3) Appoint two-member ad hoc City Council Subcommittees to screen and interview applicants for the following Commissions and Boards:

Administrative Appeals Board	Pouget and Foat
Airport Commission	Mills and Pouget
Board of Appeals	Pouget and Foat
Board of Library Trustees	Pouget and Lewin
Human Rights Commission	Mills and Lewin
Parks and Recreation Commission	Foat and Mills

Personnel Board  
Public Arts Commission  
Rent Review Commission  
Sustainability Commission  
Tramway Board  
VillageFest Board

Pouget and Hutcheson  
Hutcheson and Lewin  
Foat and Mills  
Hutcheson and Lewin  
Hutcheson and Mills  
Hutcheson and Lewin

**Motion Mayor Pro Tem Lewin, seconded by Councilmember Foat and unanimously carried 3-0 on a roll call vote.**

**AYES:** Councilmember Foat, Mayor Pro Tem Lewin, and Mayor Pouget.  
**NOES:** None.  
**ABSENT:** Councilmember Hutcheson and Councilmember Mills.

**COUNCILMEMBER COMMENTS, REQUESTS, AND REPORTS:**

Mayor Pro Tem Lewin announced the Tachevah Block Party.

**ADJOURNMENT:** The City Council adjourned at 7:17 p.m. to Wednesday, May 6, 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 6<sup>TH</sup> DAY OF May, 2015.**

  
STEPHEN P. POUGET, MAYOR

ATTEST:

  
JAMES THOMPSON, CITY CLERK