

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

June 17, 2015



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

Steve Pougnet, Mayor
Paul Lewin, Mayor Pro Tem
Ginny Foat, Councilmember
Rick Hutcheson, 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
Marcus Fuller, Assistant City Manager/City Engineer
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:

INVOCATION: Pastor Schezarone Carter, New Bethel Church of God in Christ.

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. PUBLIC HEARING ON THE ADOPTION OF THE FISCAL YEAR 2015-16 BUDGET, ALLOCATED POSITIONS AND COMPENSATION PLAN, SUCCESSOR AGENCY ADMINISTRATIVE BUDGET, HOUSING SUCCESSOR AGENCY BUDGET, APPROPRIATIONS LIMIT, AND COMPREHENSIVE FEE SCHEDULE:

RECOMMENDATION: 1) Open the Public Hearing and accept public testimony on the Fiscal Year 2015-16 Budget and Comprehensive Fee Schedule; 2) Adopt Resolution No. _____, “A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, ADOPTING THE ALLOCATED POSITIONS AND COMPENSATION PLAN FOR FISCAL YEAR 2015-16;” 3) Adopt Resolution No. _____, “A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, APPROVING THE BUDGET FOR FISCAL YEAR 2015-16 AND SUCH OTHER MATTERS AS REQUIRED;” 4) Adopt Resolution No. _____, “A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, ACTING SOLELY IN ITS CAPACITY AS THE SUCCESSOR AGENCY TO THE CITY OF PALM

SPRINGS COMMUNITY REDEVELOPMENT AGENCY, AND IN ITS CAPACITY AS THE HOUSING SUCCESSOR AGENCY TO THE CITY OF PALM SPRINGS COMMUNITY REDEVELOPMENT AGENCY, APPROVING THE SUCCESSOR AGENCY AND HOUSING SUCCESSOR AGENCY BUDGETS FOR FISCAL YEAR 2015-16, AND OTHER SUCH MATTERS AS REQUIRED;" 5) Adopt Resolution No. _____, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, ADOPTING AN APPROPRIATIONS LIMIT FOR THE FISCAL YEAR ENDING JUNE 30, 2016;" 6) Adopt Resolution No. _____, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, ACCEPTING A USER FEE STUDY AND COST ALLOCATION PLAN, MODIFYING AND APPROVING CERTAIN USER FEES AND CHARGES AND ADOPTING THE COMPREHENSIVE FEE SCHEDULE FOR FISCAL YEAR 2015-16;" and 7) Direct the City Manager and Director of Finance and Treasurer to make the appropriate modifications to the Budget and prepare the final budget document for Fiscal Year 2015-16.

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 June 17, 2015, City Council Agenda.

2.B. APPROVAL OF MINUTES:

RECOMMENDATION: Approve the City Council Minutes of June 3, 2015, Special Meeting, and June 4, 2015, Special Meeting.

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 05-09-2015 BY WARRANTS NUMBERED 419124 THROUGH 419139 TOTALING \$28,409.90 LIABILITY CHECKS NUMBERED 1078579 THROUGH 1078599 TOTALING \$106,274.20, FIVE WIRE TRANSFERS FOR \$55,985.81, AND THREE ELECTRONIC ACH DEBITS OF \$1,122,824.15 IN THE AGGREGATE AMOUNT OF \$1,313,494.06, 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 1078600 THROUGH 1078680 IN THE AGGREGATE AMOUNT OF \$1,070,458.32, DRAWN ON BANK OF AMERICA;" and 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 1078681 THROUGH 1078847 IN THE AGGREGATE AMOUNT OF \$2,893,837.13, DRAWN ON BANK OF AMERICA."

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

RECOMMENDATION: Receive and file the report of Staff Authorized Agreements and Purchase Orders for the period of May 1 through May 31, 2015.

2.E. ACCEPT THE RESIGNATION OF PENNIE FEEHAN FROM THE BOARD OF APPEALS:

RECOMMENDATION: 1) Accept with regret the resignation of Pennie Feehan from the Board of Appeals; and 2) Direct the City Clerk to post a notice of vacancy.

2.F. PROFESSIONAL SERVICES AGREEMENT WITH ESGIL CORPORATION FOR "ON CALL" BUILDING PLAN CHECK SERVICES AND APPROVAL OF AMENDMENT NO. 2 TO THE PROFESSIONAL SERVICES AGREEMENT WITH RKA CONSULTING, INC. FOR "ON CALL" BUILDING PLAN CHECK SERVICES:

RECOMMENDATION: 1) Terminate Agreement No. A2683 with Esgil Corporation effective July 1, 2015, 2) Approve an agreement with Esgil Corporation for "On-Call" Building Plan Review Services for an initial term through June 30, 2018, subject to two additional one year extensions approved at the discretion of the City Manager; 3) Approve Amendment No. 2 to Agreement No. A6208 with RKA Consulting Group, Inc. for "On-Call" Building Plan Review Services; and 4) Authorize the City Manager to execute all necessary documents. A2683. A____. A6208.

2.G. APPROVE AN AGREEMENT WITH FIRE RECOVERY USA TO PROVIDE THIRD PARTY BILLING SERVICES FOR FIRE

DEPARTMENT INSPECTION FEES LISTED IN THE CITY'S COMPREHENSIVE FEE SCHEDULE:

RECOMMENDATION: 1) Approve an agreement with Fire Recovery USA for five (5) years to conduct fire department billing services for specific fire department fees approved in the July 1, 2015, Master Fee Schedule, on a per transaction flat rate; and 2) Authorize the City Manager to execute all necessary documents. A_____.

2.H. CALIFORNIA DESERT CONSERVATION AND RECREATION ACT 2015 (U.S. SENATE BILL 414):

RECOMMENDATION: Receive and file.

2.I. REAFFIRM THE CITY'S INVESTMENT POLICY GOVERNING THE INVESTMENT OF CITY FUNDS:

RECOMMENDATION: Reaffirm the City's Investment Policy governing the investment of City funds, as adopted by Resolution No. 23539, dated May 7, 2014.

2.J. PALM SPRINGS UNIFIED SCHOOL DISTRICT ANNUAL REPORT FOR THE MEASURE J PALM SPRINGS HIGH SCHOOL AUDITORIUM/THEATER EQUIPMENT REPLACEMENT PROJECT AND AUTHORIZE PAYMENT OF FISCAL YEAR 2014-15 PROJECT FUNDING:

RECOMMENDATION: 1) Receive and file the PSUSD's Measure J Palm Springs High School Auditorium/Theater Equipment Replacement Annual Report, dated June 2015; and 2) Authorize the release of Fiscal Year 2014-15 funding in the amount of \$291,000.

2.K. RENEW A FACILITIES USE AGREEMENT WITH THE STATE OF CALIFORNIA, DEPARTMENT OF CORRECTIONS, TO USE THE PALM SPRINGS POLICE DEPARTMENT'S FIREARM RANGE:

RECOMMENDATION: 1) Approving a Facilities Use Agreement with the State of California, Department of Corrections, to use the Palm Springs Police Department's Firearm Range, in the amount of \$9,960, revenue to the City, from July 1, 2015, through June 30, 2017, in a form approved by the City Attorney; and 2) Authorize the City Manager to execute all necessary documents. A6199.

2.L. ACCEPTANCE OF \$64,000 IN GRANT FUNDING FROM THE CALIFORNIA DEPARTMENT OF ALCOHOLIC BEVERAGE CONTROL (ABC) FOR AN ALCOHOL ENFORCEMENT AND AWARENESS PROJECT TO BE USED TO ENFORCE, EDUCATE, AND BRING AWARENESS TO THE PUBLIC:

RECOMMENDATION: 1) Adopt Resolution No. _____, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, ACCEPTING A GRANT FROM THE CALIFORNIA

DEPARTMENT OF ALCOHOLIC BEVERAGE CONTROL IN THE AMOUNT OF \$64,000 FOR ALCOHOL ENFORCEMENT;" and 2) Authorize the City Manager to execute all necessary documents. A6126.

- 2.M. SECOND READING AND ADOPTION OF ORDINANCE NO. 1879 RELATING TO MEDICAL CANNABIS CULTIVATION AND INCREASING THE NUMBER OF PERMITTED MEDICAL CANNABIS COOPERATIVES OR COLLECTIVES FROM FOUR (4) TO SIX (6):**
RECOMMENDATION: Waive the reading of the ordinance text in its entirety and adopt Ordinance No. 1879, " AN ORDINANCE OF THE CITY OF PALM SPRINGS, CALIFORNIA, AMENDING SECTIONS 5.35.110 AND 5.35.120 OF, AND ADDING SUBSECTION C TO SECTION 5.35.340 OF, THE PALM SPRINGS MUNICIPAL CODE RELATING TO MEDICAL CANNABIS CULTIVATION AND INCREASING THE NUMBER OF PERMITTED MEDICAL CANNABIS COOPERATIVES OR COLLECTIVES FROM FOUR (4) TO SIX (6)."
- 2.N. AMENDMENT NO. 3 TO AGREEMENT NO. A5960 WITH LANCE, SOLL & LUNGHARD LLP TO ADD SERVICES FOR GASB 68 FOR THE FISCAL YEAR 2014-15 AUDIT:**
RECOMMENDATION: 1) Approve Amendment No. 3 to Agreement No. A5960 with Lance, Soll, and Lunghard, LLP in the amount \$12,000 for the Fiscal Year 2014-15 Financial Audit to add additional services required pursuant to GASB 68, in a form approved by the City Attorney; and 2) Authorize the City Manager to execute all necessary documents. A5960.
- 2.O. CITY OF PALM SPRINGS TREE INVENTORY AND URBAN FOREST MANAGEMENT REPORT:**
RECOMMENDATION: Receive and file.
- 2.P. AMENDMENT NO. 2 TO AGREEMENT NO. A6557 WITH DESERT SECURITY SERVICES FOR UNARMED SECURITY SERVICES AT CITY-OWNED FACILITIES:**
RECOMMENDATION: 1) Approve Amendment No. 2 to Agreement No. A6557 with Desert Security Services, Inc. for Unarmed Security Services at City-owned facilities, to expand the ability to increase or decrease security services based on need insofar as budgeted in the fiscal year budget; and 2) Authorize the City Manager to execute all necessary documents. A6557.
- 2.Q. APPROVE ACTIONS RELATED TO THE SUBDIVISION IMPROVEMENT AGREEMENT FOR TRACT MAP NO. 31848-1 (AVALON):**
RECOMMENDATION: 1) Rescind approval of the First Amendment to a Subdivision Improvement Agreement for Tract Map 31848-1 ("Avalon"),

A5393, between LV Palm Springs Village, LLC, and the City of Palm Springs, approved February 18, 2015; 2) Approve a First Amendment to the Subdivision Improvement Agreement for Tract Map 31848-1 ("Avalon"), A5393, between LV Palm Springs Village, LLC, and the City of Palm Springs; and 3) Authorize the City Manager to execute all necessary documents. A5393.

2.R. APPROVAL OF AN AB 2766/MSRC LOCAL GOVERNMENT MATCH PROGRAM CONTRACT NO. ML14011, AS AMENDED, IN THE AMOUNT OF \$158,000 WITH SOUTH COAST AIR QUALITY MANAGEMENT DISTRICT FOR INSTALLATION OF BICYCLE RACKS AND IMPLEMENTATION OF A BICYCLE OUTREACH AND EDUCATION PROGRAM:

RECOMMENDATION: 1) Ratify approval of an AB2766/MSRC Local Government Match Program Contract No. ML14011 with South Coast Air Quality Management District, as amended, in the amount of \$158,000 (\$79,000 AQMD Grant / \$79,000 Local Funding) for installation of bicycle racks and implementation of a bicycle outreach and education program; 2) Ratify expenditure of local matching funds in the amount of \$79,000 from previously budgeted funds appropriated in the Sustainability Fund (Fund 138); and 3) 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. CITY COUNCIL DISCUSSION REGARDING THE PUBLIC UTILITY COMMISSION'S PENDING RESIDENTIAL RATE REFORMS APPLICABLE TO INVESTOR OWNED UTILITIES, INCLUDING SOUTHERN CALIFORNIA EDISON:

RECOMMENDATION: Provide direction to staff as the Council deems appropriate.

5.B. APPROVAL OF THE CONCEPTUAL DESIGN FOR THE EVENT CENTER WITHIN BLOCK E OF THE DOWNTOWN REVITALIZATION PLAN ("DOWNTOWN PALM SPRINGS"), AND AUTHORIZATION TO PROCEED WITH DESIGN DEVELOPMENT, PREPARATION OF CONSTRUCTION DOCUMENTS, BIDDING SERVICES, AND CONSTRUCTION ADMINISTRATION (CP 15-07):

RECOMMENDATION: 1) Approve the conceptual design for the Event Center space located in Block E of the Downtown Revitalization Plan

("Downtown Palm Springs"); 2) Approve a Professional Services Agreement (Agreement No. ____) with the City's "On-Call" Architect, Urrutia A.I.A. and Associates, Inc., dba Urrutia Architects, in the amount of \$396,575 for architectural design services for the Downtown Event Center, City Project No. 15-07; 3) Approve a Professional Services Agreement (Agreement No. ____) with the City's "On-Call" Civil Engineer, MSA Consulting, Inc., in the amount of \$170,700 for civil engineering design services for the Downtown Event Center, City Project No. 15-07; 4) In accordance with Section 7.04.030 of the Palm Springs Municipal Code, determine that RGA Landscape Architects, Inc., and MRC Engineering, Inc., due to their experience demonstrated in prior contracts with the City, are uniquely qualified to provide landscape architectural design services and electrical engineering design services for the Downtown Event Center, City Project No. 15-07; 5) Approve a Professional Services Agreement (Agreement No. ____) with RGA Landscape Architects, Inc., in the amount of \$86,800 for landscape architectural design services for the Downtown Event Center, City Project No. 15-07; 6) Approve a Professional Services Agreement (Agreement No. ____) with MRC Engineering, Inc., in the amount of \$30,000 for electrical engineering design services for the Downtown Event Center, City Project No. 15-07; 7) Request an Ad-Hoc Committee consisting of representatives of the Architectural Advisory Committee, Planning Commission, and the City Council Sub-Committee (Pougnnet/Mills) to participate as an Architectural Review Committee for the Downtown Event Center, City Project No. 15-07; and 8) Authorize the City Manager to execute all necessary documents. A____. A____. A____. A____.

5.C. PROPOSED RESOLUTION ACTING SOLELY IN ITS CAPACITY AS HOUSING SUCCESSOR AGENCY, APPROVING A \$600,000 PAYMENT TOWARD A CASH FLOW LOAN MADE BY THE CITY OF PALM SPRINGS IN THE AMOUNT OF \$1,500,000, DATED DECEMBER 16, 2013:

RECOMMENDATION: Adopt Resolution No. _____, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, ACTING SOLELY IN ITS CAPACITY AS HOUSING SUCCESSOR AGENCY, APPROVING A \$600,000 PAYMENT TOWARD A CASH FLOW LOAN MADE BY THE CITY OF PALM SPRINGS IN THE AMOUNT OF \$1,500,000, DATED DECEMBER 16, 2013."

5.D. APPOINTMENT OF VARIOUS COMMISSIONERS AND BOARD MEMBERS AS PART OF THE 2015 ANNUAL RECRUITMENT PROCESS:

RECOMMENDATION: Appoint members to various Commissions and Boards as part of the 2015 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, July 1, 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.

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



CLOSED SESSION AGENDA
Wednesday, June 17, 2015 – 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)**

Two Case(s).

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

Four 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:	PS Fire Safety and PS Fire Management

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

Property Address/Description:	128 South Palm Canyon Drive
Agency:	City of Palm Springs
City Negotiator:	David Ready, City Manager or Designee
Negotiating Parties:	PS International Film Festival
Under Negotiation:	Price and Terms of Payment (Lease)
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)