

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

July 1, 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: 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. ANNUAL LEVY OF ASSESSMENTS FOR VARIOUS CITYWIDE STREET LIGHTING AND PARKWAY MAINTENANCE ASSESSMENT DISTRICTS FOR FISCAL YEAR 2015-16:

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 THE ENGINEER’S REPORT AND ORDERING THE CONTINUED OPERATION AND MAINTENANCE OF IMPROVEMENTS FOR STREET LIGHTING MAINTENANCE DISTRICT NO. 3, AND PARKWAY MAINTENANCE DISTRICT NOS. 6A, 6C, 7, 8, 9, AND 10 (ZONES 1 AND 2), AND LANDSCAPE MAINTENANCE DISTRICT NO. 12, AND ORDERING THE LEVY AND COLLECTION OF ANNUAL ASSESSMENTS RELATED THERETO FOR FISCAL YEAR 2015-16.”

1.B. CONSIDERATION OF A ZONE TEXT AMENDMENT TO AMEND THE PALM SPRINGS ZONING CODE (PSZC) CHAPTERS 92 AND 93 TO MODIFY THE SETBACK REQUIREMENTS AND AESTHETIC STANDARDS FOR NEW CARPORT STRUCTURES IN THE R-2 (LIMITED MULTIFAMILY RESIDENTIAL) AND R-3 (MULTIPLE-FAMILY RESIDENTIAL AND HOTEL) ZONING DISTRICTS AND APPROVAL OF AN ASSOCIATED NOTICE OF EXEMPTION PURSUANT TO CEQA (CASE 5.1368 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 introduce for the first reading of Ordinance No._____, “AN ORDINANCE OF THE CITY OF PALM SPRINGS, CALIFORNIA, AMENDING SECTIONS 92.04.03 AND 93.01.00 OF THE PALM SPRINGS ZONING CODE (PSZC) RELATING TO NEW CARPORT STRUCTURES IN THE R-2 (LIMITED MULTIFAMILY RESIDENTIAL) AND R-3 (MULTIPLE-FAMILY RESIDENTIAL AND HOTEL) ZONING DISTRICTS;” and 3) Approve the filing of a Notice of Exemption pursuant to Section 15305 of the CEQA Guidelines.

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 July 1, 2015, City Council Agenda.

2.B. APPROVAL OF MINUTES:

RECOMMENDATION: Approve the City Council Minutes of June 3, 2015, June 16, 2015, and Special Meeting Minutes of June 17, 2015.

- 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 05-23-2015 BY WARRANTS NUMBERED 419140 THROUGH 419156 TOTALING \$45,907.08, LIABILITY CHECKS NUMBERED 1078848 THROUGH 1078852 TOTALING \$3,751.61, FIVE WIRE TRANSFERS FOR \$386.76, AND THREE ELECTRONIC ACH DEBITS OF \$1,264,933.15, IN THE AGGREGATE AMOUNT OF \$1,314,978.60, 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 1078853 THROUGH 1078993 IN THE AGGREGATE AMOUNT OF \$1,038,009.42, 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 WARRANT NUMBERED 1078994 IN THE AMOUNT OF \$250,000.00, DRAWN ON BANK OF AMERICA."
- 2.D. RATIFY AND APPOINT THE NOMINATION OF THE CITY OF PALM DESERT TO THE PALM SPRINGS INTERNATIONAL AIRPORT COMMISSION FOR THE TERM ENDING JUNE 30, 2018:
RECOMMENDATION:** Reappoint Rolf Hoehn, as the City of Palm Desert representative, to the Palm Springs International Airport Commission for the term ending June 30, 2018.
- 2.E. APPOINT TWO MEMBERS OF THE CITY COUNCIL TO AN AD HOC CV LINK CITY COUNCIL SUBCOMMITTEE:
RECOMMENDATION:** Appoint Councilmember Foat and Councilmember Mills to an ad hoc CV Link City Council Subcommittee.
- 2.F. TREASURER'S INVESTMENT REPORT AS OF MAY 31, 2015:
RECOMMENDATION:** Receive and File the Treasurer's Investment Report as of May 31, 2015.
- 2.G. ACCEPT GRANT AWARD NUMBER ARV-14-062 IN THE AMOUNT OF \$57,500 FROM THE CALIFORNIA ENERGY COMMISSION FOR THE ELECTRIC VEHICLE READINESS PLAN:
RECOMMENDATION:** 1) Accept Grant Award Number ARV-14-062 from the California Energy Commission in the amount of \$57,500 for electric vehicle infrastructure and education requiring a local match of \$6,000 consisting of in-kind staff coordination; and 2) Authorize the City Manager to execute the CEC Grant Agreement, Form CEC-146. A_____.
- 2.H. ACCEPTANCE OF THE CITY HALL AND POLICE STATION PARKING LOT REHABILITATION (CP 01-17 AND 13-34):**

RECOMMENDATION: 1) Accept the public work improvement identified as the City Hall and Police Station Parking Lot Rehabilitation (CP 01-17 and 13-34); and 2) Authorize the City Engineer to execute and file for recordation with the Riverside County Recorder a Notice of Completion for the City Hall and Police Station Parking Lot Rehabilitation (CP 01-17 and 13-34). A6636.

2.I. ACCEPTANCE OF THE SUNRISE WAY AT BOYS AND GIRLS CLUB / RALPH'S DRIVEWAYS TRAFFIC SIGNAL INSTALLATION (CP 13-25):

RECOMMENDATION: 1) Accept the public work improvement identified as the Sunrise Way at Boys and Girls Club/Ralph's Driveways Traffic Signal Installation (CP 13-25); and 2) Authorize the City Engineer to execute and file for recordation with the Riverside County Recorder a Notice of Completion for Sunrise Way at Boys and Girls Club / Ralph's Driveways Traffic Signal Installation (CP 13-25). A6633.

2.J. PROPOSED RESOLUTION IN SUPPORT OF THE CALIFORNIA DESERT CONSERVATION AND RECREATION ACT OF 2015:

RECOMMENDATION: Adopt Resolution No. _____, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, SUPPORTING WILDERNESS, WILD AND SCENIC RIVERS, NATIONAL MONUMENTS, NATIONAL PARK AND PRESERVE ADDITIONS IN THE CALIFORNIA DESERT CONSERVATION AND RECREATION ACT OF 2015."

2.K. CONSULTING SERVICES AGREEMENT WITH EVERGREEN RECYCLING SOLUTIONS FOR TECHNICAL ASSISTANCE AND PROFESSIONAL SERVICES ON SOLID WASTE AND RECYCLING PROGRAMS:

RECOMMENDATION: 1) Approve a Consulting Services Agreement with Evergreen Recycling Solutions for municipal solid waste management and recycling consulting services, in an amount not to exceed \$50,000 for one (1) year, beginning July 1, 2015, and ending on June 30, 2016; and 2) Authorize the City Manager to execute all necessary documents. A5336.

2.L. AMENDMENT NO. 3 IN THE AMOUNT OF \$1,502,353.05 TO PROFESSIONAL SERVICES AGREEMENT WITH CNS ENGINEERS, INC., (A6190) FOR THE RAMON ROAD WIDENING (SAN LUIS REY DR. TO LANDAU BLVD.) INCLUDING THE WHITEWATER RIVER BRIDGE WIDENING, FEDERAL-AID PROJECT NO. BHLS-5282 (040) (CP 08-25):

RECOMMENDATION: 1) Approve Amendment No. 3 to a Professional Services Agreement with CNS Engineers, Inc., (Agreement No. A6190) to incorporate final design phase services in the amount of \$1,502,353.05 for an increased total contract amount of \$2,662,343.36 for the Ramon Road Widening (San Luis Rey Dr. to Landau Blvd.) including the Whitewater

River Bridge Widening Federal-Aid Project No. BHLS-5282 (040) (CP 08-25); and 2) Authorize the City Manager to execute all necessary documents. A6190.

2.M. APPROVING A SIGNATURE OF 'ZERO' BALANCE PURCHASE ORDER REQUIRED FOR UPGRADE OF THE POLICE DEPARTMENT'S 9-1-1 SYSTEM:

RECOMMENDATION: Authorize the issuance of a purchase order to the State 9-1-1 Emergency Communications Office and AT&T for upgrades to the Palm Springs Police Department's 9-1-1 system with a "zero" balance as all funding is provided by the State 9-1-1 Emergency Communications Office.

2.N. APPROVE A PURCHASE ORDER IN THE AMOUNT OF \$37,960 TO WILLDAN ENGINEERING FOR PUBLIC WORKS INSPECTION AND MATERIALS TESTING SERVICES FOR PUBLIC IMPROVEMENTS ASSOCIATED WITH PARCEL MAP 36446 ("DOWNTOWN PALM SPRINGS"):

RECOMMENDATION: 1) Approve a Purchase Order in the amount of \$37,960 to Willdan Engineering, in accordance with Agreement No. A6688, for construction inspection and materials testing services for public sewer, street, and storm drainage improvements associated with the new public streets to be constructed within Parcel Map 36446, "Downtown Palm Springs"; and 2) Authorize the City Manager to execute all necessary documents. A6688.

2.O. AMENDMENT NO. 2 IN THE AMOUNT OF \$11,760.00 TO AGREEMENT NO. A5728 WITH ADVANCED, INC. DBA PROGREEN BUILDING MAINTENANCE FOR JANITORIAL SERVICES AT VARIOUS CITY FACILITIES:

RECOMMENDATION: 1) Approve Amendment No. 2 to Agreement No. A5728 with Advanced, Inc., dba PROGreen Building Maintenance, increasing the janitorial services in the amount of \$11,760.00, for an amended total amount of \$326,848.92 per year; and 2) Authorize the City Manager to execute the Amendment to the Agreement. A5728.

2.P. AMENDMENT NO. 3 IN THE AMOUNT OF \$16,600 TO PROFESSIONAL SERVICES AGREEMENT WITH KOA CORPORATION (A6033) FOR THE VISTA CHINO AT FARRELL DRIVE STREET IMPROVEMENTS, FEDERAL PROJECT CML 5282 (037) (CP 09-11):

RECOMMENDATION: 1) Approve Amendment No. 3 with KOA Corporation in the amount of \$16,600 for a revised total contract amount of \$98,600 for the Vista Chino at Farrell Drive Street Improvements, Federal Project CML 5282 (037), City Project 09-11; and 2) Authorize the City Manager to execute all necessary documents. A6033.

2.Q. APPROVAL OF AMENDMENT NO. 14 TO THE AMENDED AND RESTATED AGREEMENT FOR WASTEWATER SERVICES (OPERATIONS AND MAINTENANCE) TO EXTEND THE TERM THROUGH DECEMBER 31, 2015:

RECOMMENDATION: 1) Approve Amendment No. 14, to the Amended and Restated Agreement No. A4123 with Veolia West Operating Services, Inc., (formerly Veolia Water North America-West, LLC) for Wastewater Services (Operations and Maintenance) to extend the term through December 31, 2015; and 2) Authorize the City Manager to execute all necessary documents. A4123.

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 REQUESTED REVIEW OF THE AMERICAN HEAT PALM SPRINGS MOTORCYCLE WEEKEND 2015, AND CONSIDERATION OF THE ANNUAL EVENT PROMOTIONAL SPONSORSHIP IN THE AMOUNT OF \$26,250:

RECOMMENDATION: Direct Staff as appropriate.

5.B. APPROVAL OF PLANS, SPECIFICATIONS AND ESTIMATE AND AUTHORIZATION TO BID THE ENTRY WAY SIGN IMPROVEMENTS (CP 13-31):

RECOMMENDATION: Approve the plans, specifications and estimate and authorize staff to advertise and solicit bids for the Entry Way Sign Improvements, City Project No. 13-31.

5.C. DISCUSSION ON THE OPERATION OF CITY OWNED RECIRCULATING DECORATIVE WATER FEATURES PURSUANT TO DESERT WATER AGENCY REGULATIONS:

RECOMMENDATION: Direct Staff 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, July 15, 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, July 1, 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.

EXISTING LITIGATION **G.C. 54956.9(a)**

1. *Allan DeVillena et al. vs City of Palm Springs*
Case No. EDCV13-610 VAP (SPx), United States District Court, Central District

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

Two 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: 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)

Property Address/Description: 342 and 344 North Palm Canyon Drive
Agency: Successor Agency
City Negotiator: David Ready, City Manager or Designee
Negotiating Parties: Shane Murphy, BRC Advisors for
Atelier Zinque, LLC
Under Negotiation: Price and Terms of Payment (Sale)