

**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](http://www.palmspringsca.gov)

**AGENDA**

September 16, 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](http://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](http://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:** David Sanger, Our Savior's Community 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. **DEBBIE GORDON APPEALING THE JUNE 24, 2015, DECISION OF THE PLANNING COMMISSION TO GRANT A VARIANCE APPLICATION AND APPROVE MAJOR ARCHITECTURAL APPLICATION BY GANDO PROPERTIES FOR THE CONSTRUCTION OF AN APPROXIMATE 96,445 SQ. FT. OFFICE SPACE, WAREHOUSE, AND SELF STORAGE FACILITY ON AN APPROXIMATE 4.5-ACRE PARCEL AT THE SOUTHEAST CORNER OF GENE AUTRY TRAIL AND TACHEVAH DRIVE:**

**RECOMMENDATION:** 1) Continue the public hearing from September 2, 2015, and receive public testimony; and 2) Adopt Resolution No. \_\_\_\_\_, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, UPHOLDING THE PLANNING COMMISSION DECISION TO GRANT A VARIANCE REQUEST FOR REQUIRED REAR AND SIDE YARD SETBACK REDUCTIONS AND APPROVAL OF A MAJOR ARCHITECTURAL APPLICATION FOR THE CONSTRUCTION OF AN APPROXIMATE 96,445 SQ. FT. OFFICE SPACE, WAREHOUSE, AND SELF STORAGE FACILITY ON AN

APPROXIMATE 4.5-ACRE PARCEL LOCATED AT THE SOUTHEAST CORNER OF GENE AUTRY TRAIL AND TACHEVAH DRIVE (CASE 3.3830-MAJ AND 6.542-VAR).”

**1.B. TWIN PALMS NEIGHBORHOOD ORGANIZATION REQUESTING A STREET NAME CHANGE OF ARQUILLA ROAD SOUTH OF EAST PALM CANYON DRIVE AND NORTH OF EAST TWIN PALMS DRIVE TO WILLIAM KRISEL WAY AND APPROVING A CEQA CATEGORICAL EXEMPTION (CASE 5.1380 SNC):**

**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 A REQUEST TO CHANGE THE STREET NAME OF ARQUILLA ROAD SOUTH OF EAST PALM CANYON DRIVE AND NORTH OF EAST TWIN PALMS DRIVE TO WILLIAM KRISEL WAY AND APPROVING A CEQA CATEGORICAL EXEMPTION.”

**1.C. 750 LOFTS, LLC, FOR THE DEVELOPMENT OF A 39-UNIT HOTEL WITH ACCESSORY USES ON A 1.13-ACRE PARCEL LOCATED AT 750 NORTH PALM CANYON DRIVE AND ADOPTING A MITIGATED NEGATIVE DECLARATION UNDER CEQA, ZONE C-1/R-3/PDD 104/RESORT COMBINING ZONE/LAS PALMAS BUSINESS HISTORIC DISTRICT HD-1 (CASE 5.1350 PDD 374/GPA/CUP/3.3795 MAJ):**

**RECOMMENDATION:** 1) Open the public hearing and receive public testimony; 2) Adopt Resolution No. \_\_\_\_\_, “A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, ADOPTING A MITIGATED NEGATIVE DECLARATION FOR A PROPOSED GENERAL PLAN AMENDMENT, PRELIMINARY PLANNED DEVELOPMENT IN LIEU OF A CHANGE OF ZONE, A CONDITIONAL USE PERMIT, AND A MAJOR ARCHITECTURAL APPLICATION FOR A 39-ROOM HOTEL WITH ACCESSORY SPA, RESTAURANT AND COCKTAIL LOUNGE/BAR USES ON A 1.13-ACRE PARCEL LOCATED AT 750 NORTH PALM CANYON DRIVE (CASE 5.1350 PDD 374/GPA/CUP/3.3795 MAJ);” 3) Adopt Resolution No. \_\_\_\_\_, “A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, APPROVING A MAJOR ARCHITECTURAL APPLICATION FOR A 39-ROOM HOTEL, A CONDITIONAL USE PERMIT FOR A HIGH-RISE BUILDING, AND A CONDITIONAL USE PERMIT FOR ACCESSORY SPA, COCKTAIL LOUNGE/BAR USES, AND HOTEL UNITS WHERE MORE THAN 10% OF THE UNITS HAVE KITCHEN FACILITIES ON A 1.13-ACRE PARCEL LOCATED AT 750 NORTH PALM CANYON DRIVE (CASE 5.1350 PDD 374/GPA/CUP/3.3795 MAJ);” 4) Waive the reading of the ordinance text in its entirety and introduce Ordinance No. \_\_\_\_\_, “AN ORDINANCE OF THE CITY OF PALM SPRINGS, CALIFORNIA, APPROVING A GENERAL PLAN AMENDMENT FROM NCC (NEIGHBORHOOD COMMUNITY COMMERCIAL) TO CBD (CENTRAL BUSINESS DISTRICT) FOR A 39-

ROOM HOTEL DEVELOPMENT WITH ACCESSORY USES ON A 1.13-ACRE PARCEL LOCATED AT 750 NORTH PALM CANYON DRIVE (CASE 5.1350 PDD 374/GPA/CUP/3.3795 MAJ);” and 5) Waive the reading of the ordinance text in its entirety and introduce Ordinance No. \_\_\_\_\_, “AN ORDINANCE OF THE CITY OF PALM SPRINGS, CALIFORNIA, APPROVING PRELIMINARY PLANNED DEVELOPMENT DISTRICT 374 IN LIEU OF A CHANGE OF ZONE FOR A 39-ROOM HOTEL DEVELOPMENT WITH ACCESSORY USES ON A 1.13-ACRE PARCEL LOCATED AT 750 NORTH PALM CANYON DRIVE (CASE 5.1350 PDD 374/GPA/CUP/3.3795 MAJ).”

**1.D. AMENDMENT TO THE DESERT PALISADES SPECIFIC PLAN TO ALLOW RESIDENT ACCESS TO TRAM WAY AND TO DESIGNATE A 5-ACRE PARCEL TO THE PLAN AREA AS PERMANENT OPEN SPACE (CASE 5.1154-A SP):**

**RECOMMENDATION:** 1) Open the public hearing and receive testimony; and 2) Provide direction to staff, considering the following actions:

A) Withdraw the Specific Plan Amendment from further consideration and table indefinitely; or

B) Eliminate reference to either (1) the allowance for resident access to Tram Way in the Specific Plan Amendment, or (2) the incorporation into the Specific Plan Area the approximate 5 acre parcel of land located on the northerly side of Tram Way for boulder placement and landscape enhancement, and direct staff to revise the Specific Plan Amendment accordingly and reschedule for City Council approval at the October 7, 2015, meeting; or

C) Approve the Specific Plan Amendment as presented inclusive of (1) the allowance for resident access to Tram Way in the Specific Plan Amendment, and (2) the incorporation into the Specific Plan Area the approximate 5-acre parcel of land located on the northerly side of Tram Way for boulder placement and landscape enhancement, and adopt Resolution No.\_\_\_\_\_, “A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, APPROVING AN ADDENDUM TO THE PREVIOUSLY CERTIFIED ENVIRONMENTAL IMPACT REPORT FOR, AND AMENDING THE DESERT PALISADES SPECIFIC PLAN TO ALLOW RESIDENT ACCESS TO TRAM WAY AND TO INCORPORATE INTO THE PLAN AREA AN APPROXIMATE 5-ACRE PARCEL OF LAND LOCATED ON THE NORTHERLY SIDE OF TRAM WAY FOR BOULDER PLACEMENT AND LANDSCAPE ENHANCEMENT TO BE DESIGNATED AS PERMANENT OPEN SPACE.”

**1.E. 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) Table the public hearing with no public testimony at this time; and 2) Withdraw Case 5.1368 ZTA.

**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 September 16, 2015, City Council Agenda.

**2.B. APPOINT A MEMBER TO THE ADMINISTRATIVE APPEALS BOARD FOR THE TERM ENDING JUNE 30, 2018:**

**RECOMMENDATION:** Appoint Jerry Howard to the Administrative Appeals Board for the term ending June 30, 2018.

**2.C. SECOND READING AND ADOPTION OF ORDINANCE NOS. 1880, 1881, 1882, AND 1883, AUTHORIZING THE LEVY OF SPECIAL TAXES IN A COMMUNITY FACILITIES DISTRICT, INCLUDING CERTAIN ANNEXATION TERRITORIES:**

**RECOMMENDATION:** 1) Waive the reading of the ordinance text in its entirety and adopt Ordinance No. 1880, "AN ORDINANCE OF THE CITY OF PALM SPRINGS, CALIFORNIA, AUTHORIZING THE LEVY OF SPECIAL TAXES IN A COMMUNITY FACILITIES DISTRICT, INCLUDING CERTAIN ANNEXATION TERRITORY IDENTIFIED AS ANNEXATION NO. 9, VIBRANTE, TRACT MAP NO. 32736, INTO COMMUNITY FACILITIES DISTRICT NO. 2005-1 (PUBLIC SAFETY SERVICES);" 2) Waive the reading of the ordinance text in its entirety and adopt Ordinance No. 1881, "AN ORDINANCE OF THE CITY OF PALM SPRINGS, CALIFORNIA, AUTHORIZING THE LEVY OF SPECIAL

TAXES IN A COMMUNITY FACILITIES DISTRICT, INCLUDING CERTAIN ANNEXATION TERRITORY IDENTIFIED AS ANNEXATION NO. 10, CAMERON, TRACT MAP NO. 33575, INTO COMMUNITY FACILITIES DISTRICT NO. 2005-1 (PUBLIC SAFETY SERVICES);”  
3) Waive the reading of the ordinance text in its entirety and adopt Ordinance No. 1882, "AN ORDINANCE OF THE CITY OF PALM SPRINGS, CALIFORNIA, AUTHORIZING THE LEVY OF SPECIAL TAXES IN A COMMUNITY FACILITIES DISTRICT, INCLUDING CERTAIN ANNEXATION TERRITORY IDENTIFIED AS ANNEXATION NO. 11, PALM RIDGE, TRACT MAP NO. 36738, INTO COMMUNITY FACILITIES DISTRICT NO. 2005-1 (PUBLIC SAFETY SERVICES);” and  
4) Waive the reading of the ordinance text in its entirety and adopt Ordinance No. 1883, "AN ORDINANCE OF THE CITY OF PALM SPRINGS, CALIFORNIA, AUTHORIZING THE LEVY OF SPECIAL TAXES IN A COMMUNITY FACILITIES DISTRICT, INCLUDING CERTAIN ANNEXATION TERRITORY IDENTIFIED AS ANNEXATION NO. 12, VIA OLIVERA, TRACT MAP NO. 36737, INTO COMMUNITY FACILITIES DISTRICT NO. 2005-1 (PUBLIC SAFETY SERVICES).”

**2.D. SECOND READING AND ADOPTION OF ORDINANCE NO. 1884 AUTHORIZING THE LEVY OF SPECIAL TAXES IN A COMMUNITY FACILITIES DISTRICT, INCLUDING CERTAIN ANNEXATION TERRITORY:**

**RECOMMENDATION:** Waive the reading of the ordinance text in its entirety and adopt Ordinance No. 1884, "AN ORDINANCE OF THE CITY OF PALM SPRINGS, CALIFORNIA, AUTHORIZING THE LEVY OF SPECIAL TAXES IN A COMMUNITY FACILITIES DISTRICT, INCLUDING CERTAIN ANNEXATION TERRITORY IDENTIFIED AS ANNEXATION NO. 2, 18 @ TWIN PALMS, TRACT MAP NO. 36651, INTO COMMUNITY FACILITIES DISTRICT NO. 2007-1 (PUBLIC SAFETY SERVICES).”

**2.E. TREASURER’S INVESTMENT REPORT AS OF JUNE 30, 2015:**

**RECOMMENDATION:** Receive and File the Treasurer’s Investment Report as of June 30, 2015.

**2.F. PURCHASE ONE (1) X-SERIES ADVANCED LIFE SUPPORT (ACLS) MONITOR/DEFIBRILLATOR, WARRANTY AND RELATED EQUIPMENT FROM ZOLL MEDICAL CORPORATION:**

**RECOMMENDATION:** 1) Purchase one (1) new ZOLL X-Series advanced life support (ACLS) Manual Monitor/Defibrillator, related equipment and One (1)-year EMS warranty utilizing Riverside contract discount pricing in the amount of \$25,694.41 from ZOLL Medical Corporation; and 2) Authorize the City Manager to execute all necessary documents.

**2.G. AGREEMENT WITH AON FIRE PROTECTION ENGINEERING CORPORATION FOR ON-CALL FIRE PROTECTION ENGINEER DESIGN SERVICES:**

**RECOMMENDATION:** 1) Approve an agreement with Aon Fire Protection Engineering Corporation, for on-call fire protection engineer design services for an initial term of three years, subject to two additional one year extensions approved at the discretion of the City Manager; and 2) Authorize the City Manager to execute all necessary documents. A\_\_\_\_\_.

**2.H. REQUEST BY DEAD OR ALIVE LLC ON BEHALF OF FELIPE CASTANEDA FOR A RESOLUTION OF PUBLIC CONVENIENCE OR NECESSITY (PCN) TO SELL BEER AND WINE (TYPE 42 ALCOHOLIC BEVERAGE CONTROL LICENSE) AT A PROPOSED BEER AND WINE LOUNGE LOCATED AT 150 EAST PALM CANYON DRIVE (CASE 5.1381 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 AND WINE (TYPE 42 STATE ALCOHOLIC BEVERAGE CONTROL LICENSE) FOR THE PROPERTY AT 150 EAST PALM CANYON DRIVE, WITHIN CENSUS TRACT 0448.05 (CASE 5.1381 PCN)."

**2.I. ACCEPT A FISCAL YEAR 2016 ACCESSING THE PAST GRANT FROM FEDERAL LIBRARY SERVICES AND TECHNOLOGY ACT (LSTA) FUNDS IN THE AMOUNT OF \$54,000 AND AUTHORIZE THE DIGITIZATION OF THE DESERT SUN NEWSPAPER MICROFILM:**

**RECOMMENDATION:** 1) Accept the Fiscal Year 2016 *Accessing the Past Grant* from the California State Library in the amount of \$54,000; 2) Approve the issuance of a purchase order to University of California-Regents in the amount of \$40,000 for digitization of "The Desert Sun" newspaper microfilm; and 3) Authorize the City Manager to execute all necessary documents, including the purchase order.

**2.J. AUTHORIZE THE PURCHASE OF A NEW REPLACEMENT VEHICLE FOR THE POLICE DEPARTMENT IN AN AMOUNT NOT TO EXCEED \$70,000:**

**RECOMMENDATION:** 1) Authorize the purchase of one new jail transport van (conventional gasoline [non-CNG] vehicle) to replace Unit #209098 (1998 Ford E-350 CNG Van) in an amount not to exceed \$70,000; and 2) Authorize staff to conduct the appropriate bid processes, or utilize cooperative purchase contracts if available, in accordance with Procurement procedures; and 3) Authorize the City Manager to execute all necessary documents, including a Purchase Order for the new van, in an amount not to exceed \$70,000.

**2.K. APPROVE A CONTRACT SERVICES AGREEMENT FOR CLAIMS**

**ADJUSTMENT AND ADMINISTRATIVE SERVICES WITH CARL WARREN & COMPANY THROUGH JUNE 30, 2018:**

**RECOMMENDATION:** 1) Approve an agreement with Carl Warren & Company, for claims adjustment and administrative services through June 30, 2018; and 2) Authorize the City Manager to execute the Agreement. A5322.

**2.L. AMENDMENT NO. 1 TO THE LEASE AGREEMENT WITH THE AGUA CALIENTE CULTURAL MUSEUM FOR THE USE OF CITY OWNED PROPERTY AT 219 SOUTH PALM CANYON DRIVE FOR THE PURPOSE OF CULTURAL EXHIBITS AND EDUCATION:**

**RECOMMENDATION:** 1) Approve Amendment No. 1 to Agreement No. A5961 with Agua Caliente Cultural Museum in the amount of \$680 per month, for non-exclusive use of the City owned property at 219 South Palm Canyon Drive for the purpose of promoting cultural education, for three (3) years and an option to extend for two years at the mutual consent of both parties; and 2) Authorize the City Manager to execute all the necessary documents, subject to review and approval of the City Attorney. A5961.

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

**3. LEGISLATIVE:**

**3.A. URGENCY ORDINANCE AND A NON-URGENCY ORDINANCE OF THE ADDING SECTION 10.24.021 TO THE PALM SPRINGS MUNICIPAL CODE, PROHIBITING THE RETAIL SALE OF DOGS AND CATS WITHIN THE CITY OF PALM SPRINGS AND CEQA EXEMPTION :**

**RECOMMENDATION:** 1) Waive the reading of the ordinance text in its entirety and read by title only and adopt Ordinance No. \_\_\_\_\_, "AN URGENCY ORDINANCE OF THE CITY OF PALM SPRINGS, CALIFORNIA, ADDING SECTION 10.24.021 TO THE PALM SPRINGS MUNICIPAL CODE, PROHIBITING THE RETAIL SALE OF DOGS AND CATS WITHIN THE CITY OF PALM SPRINGS, SUBJECT TO CERTAIN EXCEPTIONS;" and 2) Introduce on first reading, and refer to the Planning Commission, Ordinance No. \_\_\_\_\_, "AN ORDINANCE OF THE CITY OF PALM SPRINGS, CALIFORNIA, ADDING SECTION 10.24.021 TO THE PALM SPRINGS MUNICIPAL CODE, PROHIBITING THE RETAIL SALE OF DOGS AND CATS WITHIN THE CITY OF PALM SPRINGS, SUBJECT TO CERTAIN EXCEPTIONS."

**4. UNFINISHED BUSINESS:**

**4.A. DEFERRAL OF ANNUAL TURF OVER-SEEDING AND CONSIDERATION OF A DROUGHT RESPONSE PLAN AT CITY PARKS:**



**RECOMMENDATION:** 1) Authorize the deferral of rye-grass over-seeding at: Airport, Baristo Park, City Hall/Civic Center Campus, Dog Park, Frances Stevens Park, Desert Highland Park, Ruth Hardy Park, Sunrise Park (with the exception of Palm Springs Stadium baseball field), and Victoria Park; 2) Authorize rye-grass over-seeding at: Demuth Park (irrigated with reclaimed water), the Palm Springs Stadium baseball field at Sunrise Park, and Village Green; and 3) Approve the conceptual plans for future desert landscape conversions at various City parks.

**5. NEW BUSINESS:**

**5.A. APPROVE AN AIR SERVICE INCENTIVE PROGRAM FUNDING AWARD TO JETBLUE AIRWAYS:**

**RECOMMENDATION:** 1) Approve Air Service Incentive funding for JetBlue Airways in an amount not to exceed \$50,000; and 2) Authorize City Manager to execute all necessary documents. A\_\_\_\_\_.

**5.B. APPROVE AN AIR SERVICE INCENTIVE PROGRAM FUNDING AWARD TO WESTJET AIRLINES:**

**RECOMMENDATION:** 1) Approve Air Service Incentive funding for WestJet Airlines in an amount not to exceed \$60,000; and 2) Authorize City Manager to execute all necessary documents. A\_\_\_\_\_.

**5.C. AS SUCCESSOR AGENCY APPROVING THE SALE OF THE HISTORIC PLAZA THEATRE TO THE CITY OF PALM SPRINGS IN THE AMOUNT OF \$1.00, AND AS THE CITY COUNCIL APPROVING THE LEASE OF THE PLAZA THEATRE TO THE PALM SPRINGS INTERNATIONAL FILM FESTIVAL LOCATED AT 128 SOUTH PALM CANYON DRIVE:**

**RECOMMENDATION:** 1) **(Successor Agency)** Approve the sale of the Plaza Theatre to the City of Palm Springs in the amount of \$1.00 and the execution of a grant deed; 2) **(City Council)** Approve the purchase of the Plaza Theatre from the Successor Agency in the amount of \$1.00 and the execution of a certificate of acceptance; 3) **(City Council)** Approve an Agreement with the Palm Springs International Film Festival for tenant improvements and the lease of the Plaza Theatre, located at 128 South Palm Canyon Drive; and 4) Authorize the City Manager and City Clerk execute all necessary documents. A\_\_\_\_\_.

**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, October 7, 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, September 16, 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.

**LIABILITY CLAIMS** **G.C. 54956.9(b)(3)(B)**

1. Tort Claim filed 02-24-2015 by Flavio Semas  
City Claim No. 15-0478

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

Four 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 Police Safety and PS Police 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: 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)

Property Address/Description: Palm Springs Stadium 1901 E. Baristo  
Agency: City of Palm Springs  
City Negotiator: David Ready, City Manager or Designee  
Negotiating Parties: Andrew Starke, Palm Springs Power  
Under Negotiation: Price and Terms of Payment (Lease)