

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



**MEETING MINUTES
WEDNESDAY, JUNE 3, 2015
CITY HALL COUNCIL CHAMBER**

CALL TO ORDER: Mayor Pro Tem Lewin called the meeting to order at 6:15 p.m.

PLEDGE OF ALLEGIANCE: Girl Scout Troop 262, led the Pledge.

INVOCATION: Michale Cashe, Inner Faith Spiritual Center, led the Invocation.

ROLL CALL:

PRESENT: Councilmember Foat, Councilmember Hutcheson, Councilmember Mills, and Mayor Pro Tem Lewin.

ABSENT: Mayor Pougnet.

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

PRESENTATIONS: Mayor Pro Tem Lewin provided an update on the Palm Springs Chamber Awards and the Palm Springs Fire Department 2015 Annual Fish Fry.

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 4:30 p.m. and City Attorney Holland requested the City Council add one item to the Closed Agenda, pursuant to Cal. Gov. Code. Section 54956.9(b) one case of Exposure to Litigation, and stated the City received a threat of litigation after the posting of the Agenda.

ACTION: 1) Find the item came to the attention of the City after the posting of the Agenda and there is an immediate need to hear and/or take action on the Item; and 2) Add to the Closed Session Agenda one case of Exposure to Litigation, pursuant to Cal. Gov. Code Section 54956.9(b). **Motion Councilmember Mills, seconded by Councilmember Hutcheson and unanimously carried (4-0) noting the absence of Mayor Pougnet.**

The City Council recessed into Closed Session to discuss items on the Closed Session Agenda.

City Attorney Holland stated the City Council did not discuss the property matter related to 128 South Palm Canyon. City Attorney Holland reported the City Council authorized

the payment of \$7,800 to Villas De Las Flores for the Tort Claim, City Claim No. 12-0348, provided direction to City Staff and the City Attorney otherwise no reportable actions were taken.

ACCEPTANCE OF THE AGENDA:

Councilmember Foat requested Item 2.K. be removed from the Consent Calendar for separate discussion.

City Clerk Thompson stated City Staff has requested Items 2.O. and 5.A. be withdrawn from the Agenda.

ACTION: Accept the Agenda as amended. **Motion Councilmember Hutcheson, seconded by Councilmember Mills and unanimously carried 4-0 on a roll call vote.**

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

1. PUBLIC HEARINGS:

1.A. PUBLIC HEARING ON THE FISCAL YEAR 2015-16 BUDGET, ALLOCATED POSITIONS AND COMPENSATION PLAN, SUCCESSOR AGENCY ADMINISTRATIVE BUDGET, HOUSING SUCCESSOR AGENCY BUDGET, APPROPRIATIONS LIMIT, AND PRESENTATION OF THE USER FEE STUDY / COST ALLOCATION PLAN, AND COMPREHENSIVE FEE SCHEDULE:

Geoffrey Kiehl, Director of Finance, provided background information as outlined in the Staff Report dated June 3, 2015.

Mayor Pro Tem Lewin opened the public hearing, and the following speakers addressed the City Council.

DEBORAH McGARREY, commented on the proposed fees for encroachments for Southern California Gas Company.

DINO ZONIC and JEFFREY GILSON, requested grant funding for the proposed Palm Springs Orchestra.

Councilmember Foat requested Staff address the recommended positions to be added to the Allocated Positions and Compensation Schedule, the Appropriation Summary by Fund Type, stated the Planning Department is understaffed for current work load and recommended the addition of a Principal Planner.

Mayor Pro Tem Lewin requested the City Manager follow-up with the Gas Company, submit fund balance information to the City Council, and provide additional detail on potential positions that could be added including a Principle Planner.

Councilmember Foat requested the City Council consider additional funding for the Palm Springs Animal Shelter.

Councilmember Mills commented on the proposed fees and requested City Staff explain the basis of the increased fees.

ACTION: 1) Continue the Public Hearing and the adoption of the Budget and the Allocated Positions and Compensation Plan to the June 17, 2015, City Council Meeting; 2) Direct the City Clerk to post a Notice of Continued Public Hearing; and 3) Receive the User Fee Study and Cost Allocation Plan, the draft Comprehensive Fee Schedule, and conduct a Public Hearing at the June 17, 2015, City Council meeting. **Motion Councilmember Mills, seconded by Councilmember Hutcheson and unanimously carried 4-0 on a roll call vote.**

AYES: Councilmember Foat, Councilmember Hutcheson, Councilmember Mills, and Mayor Pro Tem Lewin.

NOES: None.

ABSENT: Mayor Pougnet.

PUBLIC COMMENT:

ALLEN WORTHY, commented on recent claims filed with the City and the Palm Springs Police Department.

CRAIG SCOTT, Palm Springs, commented on Item 3.A. regarding Medical Cannabis cultivation, and requested the City Council consider allowing cultivation outdoors.

KAY BUTLER, Palm Springs, commented on tennis programs for youth and requested the City Council consider a contribution of \$5,000 for equipment.

ROBERT FINDLEY, Palm Springs, questioned what the City is doing for public safety and beautification of South Palm Springs, requested the City Council demolish the Magruder Chevrolet building.

JONATHAN FREEMAN, Palm Springs, requested the City Council demolish the Magruder Chevrolet building.

PAUL MERRITT, commented on a recent incident with the Palm Springs Police Department.

NIKOHL VANDEL, Palm Springs, commented on development, homeless, and tax breaks.

RICK PANTELE, commented on Item 3.B. regarding Medical Cannabis, and requested the closure of illegal collectives and mobile collectives.

ROBERT VAN ROO, commented on Item 3.B. regarding Medical Cannabis, stated Palm Springs Safe Access is now open for business, commented on the services, requested the City Council consider the economic benefits as a result of additional collectives.

DIANE BLASDEL, commented on Item 3.A., regarding medical cannabis, stated they are opposed to the number of permits, and stated support for cultivation.

JIM CAMPER, commented on Item 3.A., regarding medical cannabis, stated the new opportunities for locations are unfair to the existing permitted collectives, requested the City Council not approve two new permits.

TOM EVANSON, requested the City Council demolish the Magruder Chevrolet building.

JOY BROWN MEREDITH, requested the City Council consider funding public restrooms in the Downtown area, and provided an update on the activities of MainStreet.

WESLEY ROSS, commented on Item 5.A., and stated it is unfair for the City to bear the full cost to benefit the property owners.

ANDREW MILKS, commented on Item 3.A., regarding medical cannabis, requested Brown Dog Farms be considered for a new permit.

STEVE ROSENBERG, commented on Item 5.C. and the demolition of the former Magruder Chevrolet site.

COUNCILMEMBER COMMENTS:

Councilmember Foat commented on the recent CVAG meeting regarding CVLink, and requested the City Council consider forming a City Council Subcommittee regarding CVLink.

Councilmember Mills requested a map be included with formation of assessment districts.

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.L., 2.M., 2.N., 2.P., and 2.Q. **Motion Councilmember Hutcheson, seconded by Councilmember Foat and unanimously carried 4-0 on a roll call vote.**

AYES: Councilmember Foat, Councilmember Hutcheson, Councilmember Mills, and Mayor Pro Tem Lewin.

NOES: None.

ABSENT: Mayor Pougnet.

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

ACTION: Receive and file Report on the Posting of the June 3, 2015, City Council Agenda. **Approved as part of the Consent Calendar.**

2.B. APPROVAL OF MINUTES:

ACTION: Approve the City Council Minutes of May 20, 2015. **Approved as part of the Consent Calendar.**

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

ACTION: 1) Adopt Resolution No. 23826, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, APPROVING PAYMENT OF PAYROLL WARRANTS FOR THE PERIOD ENDED 04-25-2015 BY WARRANTS NUMBERED 419107 THROUGH 419123 TOTALING \$29,775.04 LIABILITY CHECKS NUMBERED 1078241 THROUGH 1078261 TOTALING \$106,969.54, FIVE WIRE TRANSFERS FOR \$55,729.56, AND THREE ELECTRONIC ACH DEBITS OF \$1,282,040.19 IN THE AGGREGATE AMOUNT OF \$1,474,514.33, DRAWN ON BANK OF AMERICA;" 2) Adopt Resolution No. 23827, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, APPROVING PAYMENT OF CLAIMS AND DEMANDS BY WARRANTS NUMBERED 1078262 THROUGH 1078389 IN THE AGGREGATE AMOUNT OF \$1,280,220.12, DRAWN ON BANK OF AMERICA;" and 3) Adopt Resolution No. 23828, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, APPROVING PAYMENT OF CLAIMS AND DEMANDS BY WARRANTS NUMBERED 1078390 THROUGH 1078578 IN THE AGGREGATE AMOUNT OF \$2,560,927.96, DRAWN ON BANK OF AMERICA." **Approved as part of the Consent Calendar.**

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

ACTION: Receive and file the report of Staff Authorized Agreements and Purchase Orders for the period of April 1 through April 30, 2015. **Approved as part of the Consent Calendar.**

- 2.E. ACCEPT THE RESIGNATION OF KEVIN TOWNER FROM THE MEASURE J COMMISSION:**
ACTION: 1) Accept the resignation of Kevin Towner from the Measure J Commission; and 2) Direct the City Clerk to post a notice of vacancy for the unexpired term ending June 30, 2015. **Approved as part of the Consent Calendar.**
- 2.F. PROPOSED RESOLUTIONS CALLING THE NOVEMBER 3, 2015, GENERAL MUNICIPAL ELECTION, ORDERING SERVICES, AND ADOPTING REGULATIONS FOR CANDIDATE STATEMENTS:**
ACTION: 1) Adopt Resolution No. 23829, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, CALLING AND GIVING NOTICE OF THE HOLDING OF A GENERAL MUNICIPAL ELECTION TO BE HELD ON NOVEMBER 3, 2015, FOR THE ELECTION OF CERTAIN OFFICERS AS REQUIRED BY THE PROVISIONS OF THE LAWS OF THE STATE OF CALIFORNIA AND CITY CHARTER;" 2) Adopt Resolution No. 23830, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, REQUESTING THE BOARD OF SUPERVISORS OF THE COUNTY OF RIVERSIDE TO RENDER SPECIFIED SERVICES TO THE CITY RELATING TO THE CONDUCT OF A GENERAL MUNICIPAL ELECTION TO BE HELD ON TUESDAY, NOVEMBER 3, 2015;" and 3) Adopt Resolution No. 23831, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, ADOPTING REGULATIONS FOR CANDIDATES STATEMENTS/PROFILES FOR ELECTIVE OFFICE PERTAINING TO CANDIDATE STATEMENTS/PROFILES SUBMITTED TO THE VOTERS AT THE GENERAL MUNICIPAL ELECTION TO BE HELD ON NOVEMBER 3, 2015." **Approved as part of the Consent Calendar.**
- 2.G. CITY TREASURER'S INVESTMENT REPORT AS OF APRIL 30, 2015:**
ACTION: Receive and File the City Treasurer's Investment Report as of April 30, 2015. **Approved as part of the Consent Calendar.**
- 2.H. DONATION OF TWO (2) HURST JL-150 CUTTERS, ONE (1) X-TRACTOR CUTTER, ONE (1) MAVERICK COMBI, AND TWO (2) HYDRAULIC POWER UNITS TO THE COLLEGE OF THE DESERT REGIONAL PUBLIC SAFETY FIRE ACADEMY:**
ACTION: 1) Waive the Public Auction requirement in Section 7.07.020 (3) of the Palm Springs Municipal Code for Disposition of Surplus Property and authorize the donation of two (2) JL-150 cutters, one (1) X-tractor cutter, one (1) Maverick Combi, and two (2) power units to the Public Safety Academy at College of the Desert; and 2) Authorize the City Manager to execute all necessary documents. **Approved as part of the Consent Calendar.**

- 2.I. RATIFY AND APPOINT THE NOMINATION OF THE CITY OF INDIAN WELLS TO THE PALM SPRINGS INTERNATIONAL AIRPORT COMMISSION FOR THE TERM ENDING JUNE 30, 2017:**
ACTION: Appoint Robert Berriman, as the City of Indian Wells representative, to the Palm Springs International Airport Commission for the term ending June 30, 2017. **Approved as part of the Consent Calendar.**
- 2.L. ACCEPT FROM THE AGUA CALIENTE BAND OF CAHUILLA INDIANS A GRANT IN THE AMOUNT OF \$25,000 AND AUTHORIZE THE PURCHASE OF A LASER SCANNING SYSTEM FOR THE PALM SPRINGS POLICE DEPARTMENT:**
ACTION: 1) Accept a grant from the Agua Caliente Band of Cahuilla Indians in the amount of \$25,000; 2) Authorize the purchase of a Focus3D X130 Laser Scanning System, including applicable sales tax, licensing, software, training and accessories, utilizing Federal GSA Schedule 66, #GS24F0044M, cooperative purchase pricing, from FARO Technologies Inc. in an amount not to exceed \$76,913.19; and 3) Authorize the City Manager to execute all necessary documents. **Approved as part of the Consent Calendar.**
- 2.M. NATHAN AND GINA OTTO ART MURAL APPLICATION FOR AN EXISTING ART MURAL ON THE COMMERCIAL BUILDING AT 810 NORTH FARRELL DRIVE (CASE 15-001 MUR):**
ACTION: Adopt Resolution No. 23832, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, APPROVING CASE NO. 15-001-MUR FOR AN ART MURAL ON THE COMMERCIAL BUILDING AT 810 N. FARRELL DRIVE, ZONE M-1-P." **Approved as part of the Consent Calendar.**
- 2.N. AMENDMENT NO. 5 TO AGREEMENT NO. A5862 FOR LOSS CONTROL AND REGULATORY SERVICES WITH KEENAN & ASSOCIATES:**
ACTION: 1) Approve Amendment No. 5 to consulting services agreement for Loss Control and Regulatory Services with Keenan & Associates, in the amount of \$65,000; and 2) Authorize the City Manager to execute all necessary documents. A5862 **Approved as part of the Consent Calendar.**
- 2.P. APPROVE ANNUAL INSURANCE POLICY RENEWALS FOR THE CITY'S INSURANCE PORTFOLIO FOR FISCAL YEAR 2015-16:**
ACTION: Adopt Resolution No. 23833, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, AUTHORIZING KEENAN & ASSOCIATES AS THE CITY'S BROKER OF RECORD, TO PURCHASE PROPERTY LIABILITY, EXCESS EARTHQUAKE/FLOOD LIABILITY (DIFFERENCE IN CONDITION), EXCESS LIABILITY, EXCESS WORKERS COMPENSATION, AIRPORT

OWNERS AND OPERATORS LIABILITY, VILLAGEFEST LIABILITY, MULTI MEDIA LIABILITY, AIRCRAFT HULL LIABILITY, CRIME/FIDELITY LIABILITY, AND CYBER LIABILITY INSURANCE POLICIES FROM VARIOUS CARRIERS FOR POLICY YEAR 2015-2016, EFFECTIVE JULY 1, 2015." **Approved as part of the Consent Calendar.**

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

ACTION: 1) Adopt Resolution No. 23834, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, ORDERING THE PREPARATION OF AND GIVING PRELIMINARY APPROVAL OF THE ENGINEER'S REPORT REGARDING STREET LIGHTING MAINTENANCE DISTRICT NO. 3, AND PARKWAY MAINTENANCE DISTRICTS NOS. 6A, 6C, 7, 8, 9, AND 10 (ZONES 1 AND 2), AND LANDSCAPE MAINTENANCE DISTRICT NO. 12, TO ESTABLISH ANNUAL ASSESSMENTS AND THE LEVY AND COLLECTION RELATED THERETO FOR FISCAL YEAR 2015-16;" and 2) Adopt Resolution No. 23835, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, DECLARING ITS INTENTION TO CONDUCT A PUBLIC HEARING ON JULY 1, 2015, REGARDING STREET LIGHTING MAINTENANCE DISTRICT NO. 3, AND PARKWAY MAINTENANCE DISTRICTS NOS. 6A, 6C, 7, 8, 9, AND 10 (ZONES 1 AND 2), AND LANDSCAPE MAINTENANCE DISTRICT NO. 12, AND TO LEVY AND COLLECT ANNUAL ASSESSMENTS RELATED THERETO FOR FISCAL YEAR 2015-16." **Approved as part of the Consent Calendar.**

EXCLUDED CONSENT CALENDAR:

2.J. APPROVE RESOLUTIONS OF INTENTION AND PROPOSED BOUNDARY MAPS TO ANNEX TERRITORY TO COMMUNITY FACILITIES DISTRICT NO. 2005-1 (PUBLIC SAFETY SERVICES) ANNEXATION NO. 9, ANNEXATION NO. 10, ANNEXATION NO. 11, AND ANNEXATION NO. 12:

The City Council approved Item 2.J. as part of the Consent Calendar and Staff requested they rescind that action and table the Item.

ACTION: Rescind the approval of Item 2.J. adopting Resolutions of Intention and proposed boundary maps to Annex Territory to Community Facilities District. **Motion Mayor Pro Tem Lewin, seconded by Councilmember Mills and unanimously carried 4-0 on a roll call vote.**

AYES: Councilmember Foat, Councilmember Hutcheson, Councilmember Mills, and Mayor Pro Tem Lewin.

NOES: None.

ABSENT: Mayor Pougnet.

2.K. APPROVE RESOLUTIONS OF INTENTION AND PROPOSED BOUNDARY MAPS TO ANNEX TERRITORY TO COMMUNITY FACILITIES DISTRICT NO. 2007-1 (PUBLIC SAFETY SERVICES) ANNEXATION NO. 1 AND ANNEXATION NO. 2:

City Clerk Thompson requested the City Council table Item 2.K.

ACTION: Table the item. **By unanimous consent of the City Council (4-0), noting the absence of Mayor Pougnet.**

2.O. APPROVE EASEMENT AGREEMENT AND COVENANT WITH VILLAS DE LAS FLORES ASSOCIATION FOR THE MAINTENANCE OF CITY TREES ADJACENT TO VILLAS DE LAS FLORES CONDOMINIUM DEVELOPMENT:

Withdrawn from the Agenda at the request of Staff.

The City Council recessed at 7:51 .m.

The City Council reconvened at 7:55 p.m.

3. LEGISLATIVE:

3.A. AN ORDINANCE 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):

City Attorney Holland provided background information as outlined in the Staff Report dated June 3, 2015.

Councilmember Foat requested Staff address if the ordinance applies to permitted facilities in other cities and home grown medical cannabis.

Councilmember Hutcheson requested City Staff clarify if the City Council is required to use the existing list, stated his preference is to limit two permits to the existing applicants, and stated his support for two additional permits.

Councilmember Mills requested the City Council Subcommittee address the recommendation for two additional permits, stated he would not support the ordinance, requested the Subcommittee address outdoor cultivation, commented on the number of collectives needed to supply the City of Palm Springs.

Councilmember Foat commented on the public comments regarding the effects that two additional permits will have on the four permits issued, and stated her support for limiting consideration to applicants in the last process.

Mayor Pro Tem Lewin requested City Staff explain Section 5.35.040(C)(1), requested Staff affirm cultivation is limited to Palm Springs collectives, and questioned enforcement.

Councilmember Mills commented on the business licensing process for medical cannabis.

ACTION: 1) Waive the reading of the ordinance text in its entirety and introduce 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);" *amending the second sentence of Section 5.35.340(c)(1) to read "Nothing in this Section shall prohibit two or more permitted MCCCs from operating or maintain such MCCF, "and Section 5.35.340(c)(2) to read "one hundred percent (100%) of all cannabis or marijuana cultivated at MCCF shall be distributed solely to one or more MCCFs permitted pursuant to the provisions of this Chapter;* and 2) Direct Staff regarding the City Council preference to limit consideration to the applicants in the last process. **Motion Councilmember Foat, seconded by Councilmember Hutcheson and carried 3-1 on a roll call vote.**

AYES: Councilmember Foat, Councilmember Hutcheson, and Mayor Pro Tem Lewin.

NOES: Councilmember Mills.

ABSENT: Mayor Pougnet.

4. **UNFINISHED BUSINESS:** None.

5. **NEW BUSINESS:**

5.A. **CITY HALL LANDSCAPE CONVERSION PROJECT (CP 15-04):**
Tabled at the request of Staff.

5.B. **CITY COUNCIL DIRECTED DISCUSSION FOR REVIEW OF POLICY, PROCEDURES, REGULATIONS, AND PRACTICES FOR THE TRANSFER AND/OR SALE OF CITY AND SUCCESSOR AGENCY OWNED REAL PROPERTY, AND ESTABLISHED AND APPROVED ECONOMIC DEVELOPMENT INCENTIVE PROGRAMS:**

City Manager Ready provided background information as outlined in a PowerPoint presentation regarding RDA real property and incentive programs.

ACTION: Authorize the City Manager to enter into and execute a professional services agreement with the law firm of Kane, Ballmer and Berkman, of Los Angeles, California, to review the Property Disposition Plan and Redevelopment property transactions. A6715. **Motion Mayor Pro Tem Lewin, seconded by Councilmember Hutcheson and unanimously carried 4-0 on a roll call vote.**

AYES: Councilmember Foat, Councilmember Hutcheson, Councilmember Mills, and Mayor Pro Tem Lewin.

NOES: None.

ABSENT: Mayor Pougnet.

ACTION: Authorize the City Manager to enter into and execute a professional services agreement with an appropriate accounting and auditing firm to audit the Incentive Grant Programs. A6712. **Motion Mayor Pro Tem Lewin, seconded by Councilmember Mills and unanimously carried 4-0 on a roll call vote.**

AYES: Councilmember Foat, Councilmember Hutcheson, Councilmember Mills, and Mayor Pro Tem Lewin.

NOES: None.

ABSENT: Mayor Pougnet.

5.C. DISCUSSION ON POTENTIAL COSTS AND ALTERNATIVES FOR THE DEMOLITION OF THE FORMER MAC MAGRUDER CHEVROLET SITE LOCATED AT 999 SOUTH PALM CANYON DRIVE (ASSESSOR'S PARCEL NUMBER 513-250-014):

Marcus Fuller, Assistant City Manager/City Engineer, provided background information as outlined in the Staff Report dated June 3, 2015.

Mayor Pro Tem Lewin requested Staff address the difficulties with this property.

Councilmember Hutcheson requested Staff comment on the Security provided by the City, and the demands of the property owner.

Councilmember Mills requested the City Attorney address any possibility of the City placing a lien on the property, other legal actions the City could take, other reports and costs needed for demolition, questioned if the City could condition any future lessee for the costs.

Councilmember Foat requested Staff address the dust control issues that may arise if the pad is removed, and questioned if the City has talked directly to the Tribe.

Mayor Pro Tem Lewin commented on the differences between the Tribe and the allottees, stated his support for going out to bid and further dialog with the Tribe.

Councilmember Mills commented on the stabilization of the distributed soil when completed, and recommended the allottee will allow the City to repair any soil stabilization if necessary.

ACTION: Direct Staff to proceed with bidding of the demolition at an estimated cost of \$300,000 with the approval of the City Council pursuant to Section 7.03.040(2)(a) of the Palm Springs Municipal Code, requiring the City Council approval and authorization to bid; and 2) Adopt Resolution No. 23836, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, AMENDING THE BUDGET FOR FISCAL YEAR 2014-15 TO PROVIDE INITIAL FUNDING FOR THE DEMOLITION OF MAGRUDER CHEVROLET BUILDING (CITY PROJECT NO. 15-19). **Motion Councilmember Foat, seconded by Mayor Pro Tem Lewin and unanimously carried 4-0 on a roll call vote.**

AYES: Councilmember Foat, Councilmember Hutcheson, Councilmember Mills, and Mayor Pro Tem Lewin.

NOES: None.

ABSENT: Mayor Pougnet.

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

ACTION: 1) Reappoint Dee Dee Barton to the Human Rights Commission for the term ending June 30, 2018; 2) Appoint Eduardo Carriazo and Denise Chappell to the Human Rights Commission for the term ending June 30, 2018; 3) Appoint Thomas Yanni to the Public Arts Commission for the term ending June 30, 2018; 4) Reappoint Joseph Jackson and Michael Birnberg to the Sustainability Commission for the term ending June 30, 2018; 5) Appoint Nancy Ferguson to the Sustainability Commission for the term ending June 30, 2018; 6) Appoint David Freedman to the Sustainability Commission for the term ending June 30, 2017; 7) Reappoint Claire Zimmer and Michael Ziskind to the VillageFest Board for the term ending June 30, 2018; 8) Reappoint Glen Perry to the Administrative Appeals Board for the term ending June 30, 2018; and 9) Appoint William Johnson to the Board of Appeals with no term limits. **Motion Councilmember Mills, seconded by Councilmember Hutcheson and unanimously carried 4-0 on a roll call vote.**

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

COUNCILMEMBER COMMENTS, REQUESTS, AND REPORTS:

Councilmember Mills requested Staff address the landscape for the Solar project at North Indian near the UPRR.

Councilmember Foat requested the landscape architect review the condition of the landscape at the Palm Springs Animal Shelter.

ADJOURNMENT: The City Council adjourned at 9:58 p.m. to Thursday, June 4, 2015, at 9:00 a.m. West Conference Room, City Hall, 3200 East Tahquitz Canyon Way, Palm Springs.

**APPROVED BY A MOTION OF THE PALM SPRINGS CITY COUNCIL THIS
1ST DAY OF JULY, 2015.**



STEPHEN P. POUGNET, MAYOR

ATTEST:



JAMES THOMPSON, CITY CLERK