

**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**

October 7, 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:** Girl Scout Troop 1744.

**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. SEWER CONSTRUCTION REFUND AGREEMENT WITH CHRISTOPHER MEYERS FOR A PUBLIC SEWER LINE EXTENSION IN CANTINA WAY:**

**RECOMMENDATION:** 1) Open the public hearing and receive public testimony; 2) Approve the Sewer Construction Refund Agreement with Christopher Meyers for a public sewer line extension in Cantina Way; and 3) Direct the City Clerk to record the Sewer Construction Refund Agreement with the Riverside County Recorder. A\_\_\_\_\_.

**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 October 7, 2015, City Council Agenda.

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

**RECOMMENDATION:** Approve the City Council Minutes of September 2, 2015, and September 16, 2015.

**2.C. ACCEPT THE RESIGNATION OF ROBERT MOON FROM THE MEASURE J OVERSIGHT COMMISSION:**

**RECOMMENDATION:** 1) Accept with regret the resignation of Robert Moon from the Measure J Oversight Commission; and 2) Direct the City Clerk to post a notice of vacancy for the unexpired term ending June 30, 2017.

**2.D. SECOND READING AND ADOPTION OF ORDINANCE NO. 1885 PROVIDING FOR AN EXPEDITED, STREAMLINED PERMITTING PROCESS FOR SMALL RESIDENTIAL ROOFTOP SOLAR ENERGY SYSTEMS PURSUANT TO CALIFORNIA GOVERNMENT CODE SECTION 65850.5:**

**RECOMMENDATION:** Waive the reading of the ordinance text in its entirety and adopt Ordinance No. 1885, "AN ORDINANCE OF THE CITY OF PALM SPRINGS, CALIFORNIA, ADDING CHAPTER 8.100 TO TITLE 8 OF THE PALM SPRINGS MUNICIPAL CODE TO PROVIDE AN EXPEDITED, STREAMLINED PERMITTING PROCESS FOR SMALL RESIDENTIAL ROOFTOP SOLAR ENERGY SYSTEMS."

**2.E. SECOND READING AND ADOPTION OF ORDINANCE NO. 1888 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:** Waive the reading of the ordinance text in its entirety and adopt Ordinance No. 1888, "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."

- 2.F. SECOND READING AND ADOPTION OF ORDINANCE NO. 1886 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:**  
**RECOMMENDATION:** Waive the reading of the ordinance text in its entirety and adopt Ordinance No. 1886, "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)."
- 2.G. TREASURER'S INVESTMENT REPORT AS OF AUGUST 31, 2015:**  
**RECOMMENDATION:** Receive and File the Treasurer's Investment Report as of August 31, 2015.
- 2.H. COACHELLA VALLEY ECONOMIC PARTNERSHIP (CVEP) ANNUAL REPORT FOR THE PERIOD OF JULY 1, 2014, THROUGH JUNE 30, 2015:**  
**RECOMMENDATION:** Receive and file the CVEP Annual Report, for the period of July 1, 2014, through June 30, 2015.
- 2.I. PROPOSED RESOLUTION APPOINTING AN INTERIM RETIRED ANNUITANT TO THE VACANT POSITION OF DIRECTOR OF MAINTENANCE AND FACILITIES PURSUANT TO GOVERNMENT CODE SECTION 21221(H) EFFECTIVE AUGUST 10, 2015:**  
**RECOMMENDATION:** 1) Adopt Resolution No. \_\_\_\_\_, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, APPOINTING AN INTERIM RETIRED ANNUITANT TO THE VACANT POSITION OF DIRECTOR OF MAINTENANCE AND FACILITIES FOR THE CITY OF PALM SPRINGS PURSUANT TO GOVERNMENT CODE SECTION 21221(H) EFFECTIVE AUGUST 10, 2015;" and 2) Authorize the City Manager to execute any documents necessary to effectuate the above actions.
- 2.J. AUTHORIZE THE CITY MANAGER TO PURCHASE NATURAL GAS FOR A PERIOD OF 24 MONTHS THROUGH NOVEMBER 30, 2017:**  
**RECOMMENDATION:** 1) Authorize the City Manager to enter into purchase agreements for natural gas from the wholesale commodity market for a term not-to exceed 24 months through November 30, 2017; and 2) Authorize the City Manager to execute all necessary documents. A6634.
- 2.K. REJECT THE BID RECEIVED FOR THE AIRPORT LANDSCAPE CONVERSION PROJECT (CP 15-22):**

**RECOMMENDATION:** 1) Reject the bid received on July 30, 2015, from KASA Construction, Inc. for the Airport Landscape Conversion Project (CP 15-22); 2) Suspend the Airport Landscape Conversion Project (CP 15-22); and 3) Authorize re-bidding at the time revised construction drawings and specifications are made available.

**2.L. ACCEPTANCE OF FIRE STATION NO. 442 EMERGENCY GENERATOR INSTALLATION (CP 13-29):**

**RECOMMENDATION:** 1) Accept the public works improvement identified as Fire Station 442 Emergency Generator Installation Project as completed (CP 13-29); and 2) Authorize the City Engineer to execute and file for recordation with the Riverside County Recorder a Notice of Completion for Fire Station 442 Emergency Generator Installation (CP 13-29). A\_\_\_\_\_.

**2.M. CHANGE ORDER NO. 2 IN THE AMOUNT OF \$26,669.76 WITH GOLDEN VALLEY CONSTRUCTION FOR A TOTAL CONTRACT AMOUNT OF \$188,734.10, AND ACCEPTANCE OF THE ANDREAS ROAD TWO-WAY CONVERSION (CP 13-27):**

**RECOMMENDATION:** 1) Approve Change Order No. 2 in the amount of \$26,669.75 with Golden Valley Construction for a final contract amount of \$188,734.10 for the Andreas Road Two-Way Conversion (CP 13-27); 2) Accept the public work improvement identified as the Andreas Road Two-Way Conversion as completed (CP 13-27); and 3) Authorize the City Engineer to execute and file for recordation with the Riverside County Recorder a Notice of Completion for the Andreas Road Two-Way Conversion (CP 13-27). A6578.

**2.N. APPROVAL OF A SEWER CONNECTION EXEMPTION FOR THE PROPERTY LOCATED 2425 TUSCAN ROAD IN ACCORDANCE WITH TITLE 15 OF THE PALM SPRINGS MUNICIPAL CODE:**

**RECOMMENDATION:** Approve an exemption to the requirement to connect to the public sewer system for the property located at 2425 Tuscan Road, in accordance with Chapter 15.14.010 of the Palm Springs Municipal Code, and Resolution No. 20650 subject to a requirement to execute a Sewer Covenant obligating connection to the public sewer when available in the future.

**2.O. APPROVAL OF AN ENCROACHMENT LICENSE TO DEAD OR ALIVE LLC, FOR CERTAIN PRIVATE IMPROVEMENTS LOCATED AT 150 E. PALM CANYON DRIVE, ENGINEERING FILE ENCROACHMENT LICENSE (EL) 15-01:**

**RECOMMENDATION:** 1) Approve an Encroachment License with Dead or Alive, LLC for installation of an overhead light fixture on an existing building overhang, with existing lighting, and a wrought iron fence located in the public right-of-way located at 150 E. Palm Canyon Drive; and

2) Authorize the City Manager to execute all necessary documents.  
A\_\_\_\_\_.

**2.P. APPROVE THE USE OF SPECIFIED LIBRARY NAMES TO THE FRIENDS OF THE PALM SPRINGS LIBRARY AND THE PALM SPRINGS PUBLIC LIBRARY FOUNDATION FOR FUNDRAISING PURPOSES:**

**RECOMMENDATION:** Authorize the Friends of the Palm Springs Library and the Palm Springs Public Library Foundation the non-exclusive use of specific names "Palm Springs Public Library, Palm Springs Library, and Welwood Murray Memorial Library," to enter into fundraising licensing agreements under certain limited terms: a) to use the terms in a manner that reflects favorably to the City and the Library, b) any agreement shall be no more than three (3) years, c) ability to terminate the agreement for convenience after 60-day notice, d) agreements shall be for the non-exclusive use of the name, and e) all agreements shall be subject to review and approval by the City Attorney.

**2.Q. ACCEPT THE RESIGNATION OF ALISON ELSNER FROM THE PARKS AND RECREATION COMMISSION:**

**RECOMMENDATION:** 1) Accept with regret the resignation of Alison Elsner from the Parks and Recreation Commission; and 2) Direct the City Clerk to post a notice of vacancy for the unexpired term ending June 30, 2017.

**2.R. DECLARE PARKS AND RECREATION COMMISSION APPOINTIVE POSITION AS VACANT, PURSUANT TO CITY CHARTER SECTION 605(c) AND PSMC SECTION 2.06.010(f):**

**RECOMMENDATION:** 1) Declare the Parks and Recreation Commission appointive office held by Jeff Conwell vacant; and 2) Direct the City Clerk to post a Notice of Vacancy.

**2.S. AUTHORIZATION TO APPLY FOR PROPOSITION 1 GRANT FUNDS THROUGH THE COACHELLA VALLEY MOUNTAINS CONSERVANCY:**

**RECOMMENDATION:** Adopt Resolution No. \_\_\_\_\_, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, SUPPORTING AND AUTHORIZING SUBMITTAL OF APPLICATIONS FOR GRANT FUNDS FROM THE COACHELLA VALLEY MOUNTAINS CONSERVANCY PROPOSITION 1 PROGRAM, AND AUTHORIZING THE CITY MANAGER OR DESIGNEE TO EXECUTE ALL SUCH APPLICATIONS AND AGREEMENTS."

**2.T. AMENDMENT NO. 2 TO LEASE AGREEMENT NO. A5917 WITH THE AGUA CALIENTE BAND OF CAHUILLA INDIANS FOR COUNTER USE AT THE VISITOR CENTER LOCATED AT 2901 NORTH PALM CANYON DRIVE FOR THE PURPOSE OF PROMOTING TOURISM:**

**RECOMMENDATION:** 1) Approve Amendment No. 2 to Lease Agreement A5917 with the Agua Caliente Band of Cahuilla Indians for non-exclusive use of the City owned Visitor Center at 2901 North Palm Canyon Drive for the purpose of promoting tourism; and 2) Authorize the City Manager or his designee to execute all the necessary documents. A5917.

**2.U. MEMORANDUM OF UNDERSTANDING WITH THE GREATER PALM SPRINGS CONVENTION & VISITORS BUREAU FOR COOPERATIVE AIR SERVICE DEVELOPMENT COST SHARING:**

**RECOMMENDATION:** 1) Approve Air Service Memorandum of Understanding with Greater Palm Springs Convention & Visitors Bureau in an amount not to exceed \$50,000; and 2) Authorize the City Manager to execute all necessary documents. A\_\_\_\_\_.

**2.V. ACCEPTANCE OF THE PAVEMENT OVERLAY AND RECONSTRUCTION PROJECT (CP 14-04):**

**RECOMMENDATION:** 1) Accept the public work of improvement identified as the Pavement Reconstruction and Overlay Project as completed (CP 14-04); and 2) Authorize the City Engineer to execute and file for recordation with the Riverside County Recorder a Notice of Completion for the Pavement Reconstruction and Overlay Project (CP 14-04). A6565.

**2.W. APPROVAL OF PLANS, SPECIFICATIONS AND ESTIMATE (PS&E) AND AUTHORIZATION TO BID FOR THE RAMON ROAD PAVEMENT REHABILITATION (CP 14-02) FEDERAL AID PROJECT NO. STPLN-5282 (043):**

**RECOMMENDATION:** 1) Approve the plans, specifications and estimate; and 2) Authorize staff to advertise and solicit bids for the Ramon Road Pavement Rehabilitation (CP 14-02).

**2.X. AWARD A CONSTRUCTION CONTRACT TO CCS CONTRACTORS INC. IN THE AMOUNT OF \$157,500 FOR THE FIRE STATION NO. 2 CHILLER REPLACEMENT PROJECT (CP 14-17):**

**RECOMMENDATION:** 1) Award a construction contract to CCS Contractors, Inc. for the Fire Station No. 2 Chiller Replacement Project in the amount of \$157,500 (CP 14-17); and 2) Authorize the City Manager to execute all necessary documents. A\_\_\_\_\_.

**2.Y. AWARD A CONSTRUCTION CONTRACT TO HOT LINE CONSTRUCTION, INC. IN THE AMOUNT OF \$219,800 FOR THE DEMUTH PARK AND RUTH HARDY PARK SECURITY PATH LIGHTING IMPROVEMENTS (CP 14-19):**

**RECOMMENDATION:** 1) Award a construction contract to Hot Line Construction, Inc. in the amount of \$219,800 for Bid Schedules A, B and C for the Demuth Park and Ruth Hardy Park Security Path Lighting

Improvements Project (CP 14-19); and 2) Authorize the City Manager to execute all necessary documents. A\_\_\_\_\_.

**2.Z. PROPOSED RESOLUTION TEMPORARILY SETTING THE RATE ON THE 911 EMERGENCY ACCESS LINE TAX ON PREPAID WIRELESS SERVICE AND CONVERTING THE RATE TO A PERCENTAGE PURSUANT TO AB 1717 TO ENSURE COLLECTION OF THE CITY'S 911 EMERGENCY ACCESS LINE TAX ON PREPAID WIRELESS SERVICE:**

**RECOMMENDATION:** 1) Adopt Resolution No. \_\_\_\_\_, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, TEMPORARILY REDUCING THE 911 ACCESS LINE TAX ON PREPAID WIRELESS SERVICES FROM \$1.21 TO \$0.86 FROM JANUARY 1, 2016, TO JANUARY 1, 2020;" and 2) Authorize the City Manager and City Attorney to execute all necessary documents.

**2.AA. AWARD A CONSTRUCTION CONTRACT TO GOLDEN VISTA CONSTRUCTION INC. DBA GOLDEN VALLEY CONSTRUCTION, IN THE AMOUNT OF \$346,141 FOR THE TAHQUITZ CREEK TRIANGLE GATEWAY (CP 14-16):**

**RECOMMENDATION:** 1) Award a construction contract to Golden Vista Construction, Inc. dba Golden Valley Construction, in the amount of \$346,141 for the Tahquitz Creek Triangle Gateway (CP 14-16); and 2) Authorize the City Manager to execute all necessary documents. A\_\_\_\_\_.

**2.BB. AWARD A CONSTRUCTION CONTRACT TO HIGH-LIGHT ELECTRIC INC. IN THE AMOUNT OF \$450,000 FOR THE PALM SPRINGS ENTRY SIGNS (CP 13-31):**

**RECOMMENDATION:** 1) Award a construction contract to High-Light Electric, Inc. in the amount of \$450,000 for Bid Schedules A, B, C and D for the Palm Springs Entry Signs (CP 13-31); and 2) 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:**

**4.A. CITY COUNCIL DIRECTED INDEPENDENT LEGAL REVIEW OF POLICY, PROCEDURES, REGULATIONS AND PRACTICES FOR THE TRANSFER AND/OR SALE OF CITY AND SUCCESSOR AGENCY OWNED REAL PROPERTY AND THE LONG TERM PROPERTY MANAGEMENT PLAN:**



**RECOMMENDATION:** Receive the Independent legal review report, from Kane, Ballmer and Berkman, on the former Redevelopment Agency property transactions and the long term property management plan as approved by the Successor Agency, the Oversight Board and the California Department of Finance.

**4.B. APPROVAL OF VARIOUS AGREEMENTS WITH SOLARCITY CORPORATION FOR SOLAR PHOTOVOLTAIC SYSTEMS AT THE WASTEWATER TREATMENT PLANT AND SUNRISE PARK, AND APPROVAL OF A CEQA CATEGORICAL EXEMPTION, AS PART OF THE CITYWIDE SOLAR PROJECT (CP 15-03):**

**RECOMMENDATION:** 1) Adopt Resolution No. \_\_\_\_\_, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, MAKING FINDINGS AND AUTHORIZING THE CITY MANAGER TO ENTER INTO CERTAIN INFRASTRUCTURE FINANCING AGREEMENTS AND ASSOCIATED CONTRACTS WITH SOLARCITY CORPORATION PURSUANT TO GOVERNMENT CODE 5956, ET SEQ., FOR THE COMPLETE DESIGN, CONSTRUCTION, OPERATION AND MAINTENANCE OF SOLAR PHOTOVOLTAIC SYSTEMS AT THE WASTEWATER TREATMENT PLANT AND AT SUNRISE PARK, AND APPROVING AND ORDERING THE FILING OF A CEQA NOTICE OF EXEMPTION;" 2) Approve Amendment No. 4 to Agreement No. A6401 increasing the contract amount by \$69,650 for a total not to exceed amount of \$246,213 with Newcomb/Anderson/McCormick, Inc., for contract negotiation and coordination services; and 3) Authorize the City Manager to execute all necessary documents. A\_\_\_\_. A\_\_\_\_. A6401.

**5. NEW BUSINESS:**

**5.A. PROPOSED RESOLUTION APPROVING AN AMENDED AND RESTATED JOINT POWERS AGREEMENT FOR THE GREATER PALM SPRINGS CONVENTION AND VISITORS BUREAU:**

**RECOMMENDATION:** 1) Adopt Resolution No. \_\_\_\_\_, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, APPROVING THE GREATER PALM SPRINGS CONVENTION AND VISITORS BUREAU AMENDED AND RESTATED JOINT POWERS AGREEMENT;" and 2) Authorize the City Manager to execute all necessary documents. A2660.

**5.B. PALM SPRINGS AIR MUSEUM LEASE AMENDMENT FOR EXPANSION:**

**RECOMMENDATION:** Direct staff as appropriate.

**5.C. APPROVE SIDE LETTERS OF AGREEMENT WITH THE PALM SPRINGS FIRE MANAGEMENT ASSOCIATION AND THE FIRE SAFETY ASSOCIATION MODIFYING THE FIRE SUPPRESSION SHIFT SCHEDULE ON A TRIAL BASIS:**

**RECOMMENDATION:** 1) Approve Side Letters of Agreement with the Palm Springs Fire Management Association and the Palm Springs Fire Safety Association modifying the fire suppression shift schedule to a “48/96” schedule for a 384 day trial period to be in compliance with Fair Labor Standards Act; and 2) Authorize the City Manager to execute all necessary documents. A5428. A5364.

**5.D. AWARD A CONSTRUCTION CONTRACT TO INTERMOUNTAIN SLURRY SEAL COMPANY IN THE AMOUNT OF \$1,760,067, APPROVE AN ADDITIONAL LIST OF STREETS AND AUTHORIZE A CONSTRUCTION CONTRACT CHANGE ORDER NOT TO EXCEED \$540,000, AND AUTHORIZE A PURCHASE ORDER IN AN AMOUNT NOT TO EXCEED \$100,862 TO WILLDAN ENGINEERING FOR CONSTRUCTION MANAGEMENT AND INSPECTION SERVICES FOR THE 2015 CITYWIDE ANNUAL SLURRY SEAL (CP 15-02):**

**RECOMMENDATION:** 1) Award a construction contract to Intermountain Slurry Seal, Inc. in the amount of \$1,760,067 for the 2015 Citywide Annual Slurry Seal, City Project No. 15-02; 2) Approve the list of recommended additional streets to include in the 2015 Citywide Annual Slurry Seal, City Project No. 15-02, 3) Approve a Construction Contract Change Order in an amount not to exceed \$540,000; 4) Authorize a Purchase Order to Willdan Engineering, pursuant to On-Call Agreement No. A6688 in the amount of \$100,862 for construction management and inspection services for the 2015 Citywide Annual Slurry Seal (CP 15-02); and 5) Authorize the City Manager to execute all necessary documents. A\_\_\_\_. A6688.

**5.E. FACADE GRANT AGREEMENT WITH MARIANNE HUNZINGER FOR A PROPERTY LOCATED AT 236 NORTH PALM CANYON DRIVE IN THE AMOUNT OF \$1,269.00:**

**RECOMMENDATION:** 1) Approve a Facade Grant Agreement with Marianne Hunzinger for property located at 236 North Palm Canyon Drive in the amount of \$1,269.00; and 2) Authorize the City Manager to execute all documents related to the Facade Grant Agreement. A\_\_\_\_.

**5.F. APPROVE A FACADE GRANT AGREEMENT WITH TAREEF TALALA FOR A PROPERTY LOCATED AT 266 SOUTH PALM CANYON DRIVE IN THE AMOUNT OF \$5,000:**

**RECOMMENDATION:** 1) Approve a Facade Grant Agreement in the amount of \$5,000.00 with Tareef Talala for property located at 266 South Palm Canyon Drive; and 2) Authorize the City Manager to execute all documents related to the Facade Grant Agreement. A\_\_\_\_.

**5.G. APPROVAL OF TEMPORARY OFFICE SPACE AT MIZELL SENIOR CENTER PURSUANT TO THE TERMS OF THE 1988 LEASE AGREEMENT:**

**RECOMMENDATION:** 1) Approve the request to locate a temporary 10' x 24' temporary office trailer on the senior center property through

June 2017; and 2) Direct staff to issue a Land Use Permit for the temporary office trailer, subject to conditions.

**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 21, 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, October 7, 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)**

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)

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: A portion of 425 S. Civic Drive, Palm Springs  
Agency: City of Palm Springs  
Agency Negotiator: David Ready, City Manager or Designee  
Negotiating Parties: Sun Community Federal Credit Union  
Under Negotiation: Price and Terms of Payment (Lease)