

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



**MEETING MINUTES
WEDNESDAY, FEBRUARY 17, 2016
CITY HALL COUNCIL CHAMBER**

CALL TO ORDER: Mayor Moon called the meeting to order at 6:10 p.m.

PLEDGE OF ALLEGIANCE: Palm Springs Air Force ROTC Junior Color Guard, led the Pledge.

INVOCATION: Rabbi Sally Olins, Rabi America Temple Isaiah, led the Invocation.

ROLL CALL:

PRESENT: Councilmember Foat, Councilmember Kors, Councilmember Roberts, Mayor Pro Tem Mills, and Mayor Moon.

ABSENT: None.

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

PRESENTATIONS:

Mayor Moon administered the Oath of Office to Police Chief Bryan Reyes.

Mayor Moon provided an update on the Presidential visit to Palm Springs, William Krisel Way dedication, tour of Desert Regional, the Human Rights Commission awards, and the Black History Month Gala.

Mayor Moon announced upcoming Palm Springs Black History Month Parade.

The VillageFest Board presented an update of the activities at Palm Springs VillageFest, and announced the upcoming 25th Anniversary.

Mayor Moon and Jeannie Kays, Director of Library Services, announced the 75th Anniversary of the Welwood Murray Memorial Library and the upcoming events.

Councilmember Foat provided an update on the animals for adoption at the Palm Springs Animal Shelter.

Lance, Soll and Lunghard LLP, the City's independent auditors, presented the City of Palm Springs Fiscal Year 2014-15 Financial Audit.

REPORT OF CLOSED SESSION:

The meeting was called to order at 4:00 p.m. and the following speaker addressed the City Council regarding items on the Closed Session Agenda:

RICHARD MANARY, Alta Neighborhood Association, requested the City Council address ownership of the retention basin in the development, and revoking short-term vacation rental certificates to properties within the development.

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

City Attorney Holland stated the City Council did not discuss the labor negotiation and the property negotiation items on the Closed Session Agenda, noted Councilmember Mills did not participate in one Item of Initiation of Litigation, and reported the City Council provided direction to City Staff and the City Attorney, otherwise no reportable actions were taken.

ACCEPTANCE OF THE AGENDA:

City Clerk Thompson requested the City Council remove Items 2.C., 2.G., and 2.H. from the Consent Calendar for a Staff report, and requested Item 2.I. be withdrawn from the Agenda.

Councilmember Roberts requested Item 2.N. be removed from the Consent Calendar for separate discussion.

Councilmember Foat requested Items 2.O. and 2.Q. be removed from the Consent Calendar for separate discussion.

Councilmember Kors requested Item 2.J. be removed from the Consent Calendar for separate discussion.

Mayor Pro Tem Mills noted his business related abstention on Consent Calendar Item 2.L.

ACTION: Accept the Agenda as amended. **Motion Mayor Pro Tem Mills, seconded by Councilmember Foat and unanimously carried on a roll call vote.**

1. PUBLIC HEARINGS:

- 1.A. ROBERT HERSCU OF SOUTH PALM CANYON, LLC, APPEALING THE DECEMBER 9, 2015, DECISION OF THE PLANNING COMMISSION TO DENY A REQUEST FOR A ONE-YEAR EXTENSION OF TIME FOR A PREVIOUSLY APPROVED MIXED-USE PLANNED DEVELOPMENT DISTRICT CONSISTING OF 125 CONDOMINIUM**

UNITS AND APPROXIMATELY 39,000-SQUARE FEET OF COMMERCIAL RETAIL SPACE ON A 2.67-ACRE SITE LOCATED AT 440-490 SOUTH PALM CANYON DRIVE (PDD 311):

Flinn Fagg, Director of Planning Services, provided background information as outlined in the Staff Report dated February 17, 2016.

Councilmember Foat requested the City Council consider postponement of the hearing.

Councilmember Roberts questioned if any new information has been provided by the Applicant.

ACTION: 1) Public Testimony was closed on February 3, 2016; 2) Continue the public hearing to March 2, 2016, and 3) Direct the City Clerk to post a Notice of Continued Public Hearing as required by law. **Motion Councilmember Foat, seconded by Mayor Pro Tem Mills and unanimously carried on a roll call vote.**

1.B. CONSIDERATION OF THE VACATION OF PORTIONS OF CAMINO PAROCELA RIGHT-OF-WAY AT THE END OF FERN CANYON DRIVE, AND APPROVING A DETERMINATION THAT THE ACTION IS CATEGORICALLY EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) (FILE R 14-26):

Marcus Fuller, Assistant City Manager/City Engineer, provided background information as outlined in the Staff Report dated February 17, 2016.

Councilmember Foat questioned who currently owns the land.

Mayor Moon opened the public hearing, and the following speakers addressed the City Council.

ANDREW JESSUP, Palm Springs, commented on safety in the neighborhood and requested the vacation to provide additional security to the property.

DEBBIE FINSTEN, read a statement from the surrounding neighborhood in support of the vacation of the street, and commented on traffic access to proposed developments.

No further speakers coming forward, the public hearing was closed.

Councilmember Roberts requested City Council consider approving the vacation, and requested Staff address proposed use of streets for future development.

ACTION: Adopt Resolution No. 23973, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, VACATING AND ABANDONING ALL OF ITS RIGHT, TITLE AND INTEREST IN PORTIONS OF THE PUBLIC RIGHT-OF-WAY DEDICATED FOR CAMINO PAROCOLA LOCATED ON THE EAST AND WEST SIDES OF FERN CANYON DRIVE, IN SECTION 22, TOWNSHIP 4 SOUTH, RANGE 4 EAST, FILE R 14-26, AND APPROVING A DETERMINATION THAT THE ACTION IS CATEGORICALLY EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA)." **Motion Councilmember Roberts, seconded by Mayor Pro Tem Mills and unanimously carried on a roll call vote.**

PUBLIC COMMENT:

JERI BARRY, Palm Springs, commented on the CV Link and the installation of the CV Link in the City of Palm Springs.

DOUG JONES, Palm Springs, commented on Item 2.K., and requested the City Council approve the time-limited parking, as it is being used for the sale of used vehicles.

ELLEN LOCKERT, Palm Springs, commented on greenhouse gases, and requested the City Council consider additional regulations.

RICHARD JENKINS, Palm Springs, commented on fees at Demuth Park for preparation of softball fields.

WES RANKINS, commented on Item 4.A. and noted the Human Rights Commission support of the street name change.

JONATHAN VISCHNER, commented on the purpose of government.

STEPHANIE AUSTIN, Palm Springs, commented on the Downtown Revitalization project, and requested the City Council consider a moratorium on Downtown development.

PATRICK BROWN, Palm Springs, commented on Item 4.A. and stated the majority of residents at the Esprit development are opposed to the name change.

ALEXANDER MARR, commented on Item 4.A. and stated his opposition to the street name change of Golf Club.

CLEMENT LUMLEY, Palm Springs, commented on Item 4.A., and requested the City Council support the street name change.

PAULA AUBURN, commented on Item 4.A., and requested the City Council support the street name change.

JOHN TREJBAL, commented on Item 4.A. and stated the majority of residents at the Esprit development are opposed to the name change of Golf Club.

LISA MIDDLETON, commented on recent discussion with OnePS regarding street repairs and requested the City Council commit to street repairs over the next seven years, and short-term vacation rentals.

KEVIN HARMON, commented on Item 4.A., and requested the City Council support the street name change.

VIRGINIA TREJBAL, commented on Item 4.A., and requested the City Council oppose the street name change.

RUTH DEBRA, commented on Item 4.A., and requested the City Council support the street name change.

PAMELA STEELE, commented on the closure of Plaza Racquet Club, and requested the City Council consider an historic designation.

LOUISE BLEIER, Palm Springs, commented on Item 4.A., and requested the City Council oppose the street name change.

LORNA KELLS, commented on Item 4.A., and requested the City Council oppose the street name change.

JANEL HUNT, commented on Item 4.A., and requested the City Council support the street name change.

MARK WALTHOUR, Palm Springs, commented on the mural at the Desert Highland Unity Center, Item 4.A., and requested the City Council support the street name change.

JOSEPH McDONOUGH, commented on the closure of the Plaza Racquet Club.

JAY FRANCIS, commented on Item 4.A., and requested the City Council oppose the street name change.

MARIAM BARTRAM, Palm Springs, commented on Item 4.A., and requested the City Council oppose the street name change.

DANIEL ALGAZI, Palm Springs, commented on Item 4.A., and requested the City Council oppose the street name change.

SHANE FEAZELL, commented on Item 4.A., and requested the City Council oppose the street name change.

MATT LEVY, commented on Item 4.A., and requested the City Council oppose the street name change.

RON MATLIN, commented on the BUZZ and requested the City Council remove the BUZZ from the residential neighborhood.

PATRICIA BRESLIN, commented on Item 4.A., and requested the City Council oppose the street name change.

MELANIE MOREIRA, commented on Item 4.A., and requested the City Council oppose the street name change.

YARA DA SILVA-HEYING, commented on Item 4.A., and requested the City Council oppose the street name change.

JUDY DEERTRACK, commented on Item 4.B., and the lack of information on the item, and requested public meetings and hearings.

DANA MATTHOW, commented on the Historic Plaza Theatre and requested the City reopen the theatre.

JOY BROWN MEREDITH, thanked Police Chief Reyes for his service, and Downtown and Code Enforcement Staff, commented on Item 4.B., and requested the City Council consider a MainStreet representative to the committee.

ANGEL DE LA TORRE, commented on Item 4.A., and requested the City Council oppose the street name change.

CAROL DAVIS, commented on Item 4.A., and requested the City Council support the street name change.

SID CRAIG, commented on the Parks and Recreation Commission and City Council deliberations on the Plaza Racquet Club.

The City Council recessed at 8:38 p.m.
The City Council reconvened at 8:50 p.m.

COUNCILMEMBER COMMENTS:

Councilmember Roberts and Councilmember Foat requested exterminator service in City Hall.

Mayor Moon requested Staff place a discussion item on the next agenda regarding fees to prepare softball fields.

Councilmember Foat commented on the public input and CVAG process for the CV Link.

Mayor Moon apologized for his absence at the last Parks and Recreation Commission meeting.

CITY MANAGER'S REPORT: None.

2. CONSENT CALENDAR:

ACTION: Approve Items 2.A., 2.B., 2.D., 2.E., 2.F., 2.K., 2.M., 2.P., 2.Q., 2.R., and 2.S. **Motion Councilmember Foat, seconded by Mayor Pro Tem Mills and unanimously carried on a roll call vote.**

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

ACTION: Receive and file Report on the Posting of the February 17, 2016, City Council Agenda. **Approved as part of the Consent Calendar.**

2.B. APPROVAL OF MINUTES:

ACTION: Approve the City Council Minutes of January 29, 2016, and February 2, 2016. **Approved as part of the Consent Calendar.**

2.D. STAFF AUTHORIZED AGREEMENTS AND PURCHASE ORDERS FOR THE MONTH OF JANUARY 2016:

ACTION: Receive and file the report of Staff Authorized Agreements and Purchase Orders for the period of January 1 through 31, 2016. **Approved as part of the Consent Calendar.**

2.E. FISCAL YEAR 2014-15 AUDIT REPORTS BY THE CITY'S INDEPENDENT AUDITORS:

ACTION: Receive and file the Fiscal Year 2014-15 Audit Reports prepared by the City's independent auditors. **Approved as part of the Consent Calendar.**

2.F. PURCHASE A NETWORK SERVER AND ASSOCIATED SOFTWARE FROM DELL INC. IN THE AMOUNT OF \$26,102.96:

ACTION: 1) Approve the purchase of a new PowerEdge R730 Server and associated software from Dell Inc. utilizing the national cooperative NASPO ValuePoint agreement #WN03AGW in the amount of \$26,102.96; and 2) Authorize the City Manager to execute all necessary documents. **Approved as part of the Consent Calendar.**

2.K. APPROVAL OF 2-HOUR TIME LIMITED PARKING ON THE EAST PALM CANYON DRIVE FRONTAGE ROAD ADJACENT TO THE

CANYON SANDS CONDOMINIUM DEVELOPMENT (LINDEN WAY TO GENE AUTRY TRAIL):

ACTION: Adopt Resolution No. 23974, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, ESTABLISHING A 2-HOUR TIME LIMITED PARKING ZONE FROM 8:00 A.M. TO 6:00 P.M. INCLUDING SATURDAYS AND SUNDAYS ON THE 4300 BLOCK OF THE EAST PALM CANYON DRIVE FRONTAGE ROAD ADJACENT TO THE CANYON SANDS CONDOMINIUM DEVELOPMENT." **Approved as part of the Consent Calendar.**

2.M. LEASE EXTENSION OPTION WITH THE COACHELLA VALLEY ECONOMIC PARTNERSHIP FOR OFFICE SPACE AT A CITY OWNED BUILDING AT 3111 E. TAHQUITZ CANYON WAY:

ACTION: 1) Approve Lease Amendment No 1, Extension Option, with the Coachella Valley Economic Partnership for the property at 3111 E. Tahquitz Canyon Way; and 2) Authorize the City Manager to execute all necessary documents. A6037. **Approved as part of the Consent Calendar.**

2.P. CONSIDERATION OF THE SUMMARY VACATION OF A PUBLIC UTILITY AND SEWER EASEMENT OVER LOT "I" OF TRACT MAP 32233-5 AND APPROVING A DETERMINATION THAT THE ACTION IS CATEGORICALLY EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) LOCATED IN THE ESCENA DEVELOPMENT (FILE R 15-13):

ACTION: Adopt Resolution No. 23975, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, VACATING AND ABANDONING ALL OF ITS RIGHT, TITLE AND INTEREST IN A PORTION OF AN EASEMENT FOR PUBLIC UTILITY AND SEWER PURPOSES OVER LOT "I" OF TRACT MAP 32233-5, IN SECTION 7, TOWNSHIP 4 SOUTH, RANGE 5 EAST, AND APPROVING A DETERMINATION THAT THE ACTION IS CATEGORICALLY EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) (FILE R 15-13)." **Approved as part of the Consent Calendar.**

2.R. APPROVE AND AUTHORIZE SUBMITTAL OF CALIFORNIA EMERGENCY MANAGEMENT AGENCY FORM CAL OES 130 DESIGNATING PERSONNEL TO ACT AS THE AGENT FOR THE CITY WHEN SEEKING FINANCIAL ASSISTANCE AFTER A DISASTER:

ACTION: 1) Approve the Form 130 Disaster Designees as the City Manager/Director of Emergency Services, Fire Chief, and Director of Finance and Treasury; and 2) Direct the City Clerk to certify and transmit CalOES Form 130 to the California Office of Emergency Services. **Approved as part of the Consent Calendar.**

2.S. APPROVE AMENDMENT NO. 4 TO THE CONTRACT SERVICES AGREEMENT WITH DOKKEN ENGINEERING IN THE AMOUNT OF

\$35,000 FOR ADDITIONAL CONSTRUCTION SUPPORT SERVICES FOR THE BOGERT TRAIL BRIDGE REHABILITATION PROJECT, CITY PROJECT NO. 07-03, FEDERAL AID PROJECT NO. BHLS 5282 (026):
ACTION: 1) Approve Amendment No. 4 to Agreement No. 5580 with Dokken Engineering, in the amount of \$35,000, for a total contract amount of \$873,985 for the Bogert Trail Bridge Rehabilitation Project, City Project No. 07-03, Federal Aid Project No. BHLS 5282 (026); and 2) Authorize the City Manager to execute all necessary documents. A5580. **Approved as part of the Consent Calendar.**

EXCLUDED CONSENT CALENDAR:

The City Council heard Excluded Consent Calendar Items 2.C., 2.G., and 2.H. concurrently.

City Clerk Thompson provided background information on Commission and Board appointments and requested the City Council take no action on Item 2.C., amend the expiration terms on Item 2.G., and amend the expiration terms on Item 2.H., and take no action on Recommendation No. 4 for Item 2.H.

Councilmember Roberts stated his support for the City Clerk's recommendation on Commission and Board Appointments.

ACTION: 1) Take no action on Item 2.C.; 2) Approve Item 2.G. amending the terms; 3) Approve Item 2.H. amending the terms and taking no action on Recommendation No. 4. **Motion Councilmember Roberts, seconded by Mayor Pro Tem Mills and unanimously carried on a roll call vote.**

2.C. APPOINT MICHAEL JOHNSTON TO THE PLANNING COMMISSION EFFECTIVE JULY 1, 2016, FOR THE TERM ENDING JUNE 30, 2019:
No action taken.

2.G. APPOINTMENT TO THE SUSTAINABILITY COMMISSION:
ACTION: Appoint Robert McCann to the Sustainability Commission for the term ending June 30, 2018. **Unanimously approved (5-0).**

2.H. APPOINTMENTS TO THE PARKS & RECREATION COMMISSION:
ACTION: 1) Appoint Trae Daniel to the Parks & Recreation Commission for the unexpired term ending June 30, 2017; 2) Appoint Les Young to the Parks & Recreation Commission for the unexpired term ending June 30, 2018; 3) Appoint Alan Bowley to the Parks & Recreation Commission for the term expiring June 30, 2016. **Unanimously approved (5-0).**

2.I. CONSULTING SERVICES AGREEMENT WITH THE PALM SPRINGS CHAMBER OF COMMERCE IN THE AMOUNT OF \$32,800 FOR A BUSINESS OUTREACH PROGRAM:

ACTION: Withdrawn from the Agenda at the request of Staff. **Motion Mayor Pro Tem Mills, seconded by Councilmember Foat and unanimously carried on a roll call vote.**

2.J. APPROVAL OF AB 2766/MSRC LOCAL GOVERNMENT MATCH PROGRAM CONTRACT NO. ML16038 IN THE AMOUNT OF \$495,000 WITH THE SOUTH COAST AIR QUALITY MANAGEMENT DISTRICT (SCAQMD) FOR BIKE LANE INSTALLATION AND PURCHASE OF HEAVY DUTY COMPRESSED NATURAL GAS (CNG) FUELED VEHICLES:

Councilmember Kors commented on the success of the City obtaining Sustainability grants.

ACTION: 1) Approve AB 2766 / MSRC Local Government Match Program Contract No. ML16038 with South Coast Air Quality Management District, in the amount of \$495,000 (\$230,000 AQMD Discretionary Funds Grant / \$100,000 City's AB2766 Subvention Funds / \$165,000 Local Funding) for purchase of four (4) CNG heavy duty vehicles and installation of bike lanes; 2) Authorize Procurement to conduct the appropriate bid processes, or utilize cooperative purchase contracts if available, in accordance with the Procurement Ordinance and authorize the City Manager to execute all necessary documents, including all purchase orders, as necessary to purchase the four (4) CNG heavy duty vehicles; and 3) Authorize the City Manager to execute all necessary documents. **A6828. Motion Mayor Pro Tem Mills, seconded by Councilmember Foat and unanimously carried on a roll call vote.**

Mayor Pro Tem Mills stated he has a business related conflict of interest with respect to Item 2.L., would not participate in the discussion or the vote and left Council Chamber.

2.L. APPROVAL OF PLANS, SPECIFICATIONS AND ESTIMATE (PS&E) AND AUTHORIZATION TO BID THE HERMOSA DRIVE, STREET AND STORM DRAINAGE IMPROVEMENTS, FEDERAL PROJECT PLHDL06-5282 (032) & HPLUL-5282 (033), CITY PROJECT NO. 09-04:

ACTION: 1) Approve the plans, specifications and estimate for the Hermosa Drive Street and Storm Drainage Improvements Project; and 2) Authorize staff to advertise and solicit bids for the Hermosa Drive Street and Storm Drainage Improvements Project, Federal Project PLHDL06-5282 (032) & HPLUL-5282 (033), City Project No. 09-04. **Motion Councilmember Roberts, seconded by Councilmember Foat and unanimously carried 4-0 on a roll call vote.**

AYES: Councilmember Foat, Councilmember Kors, Councilmember Roberts, and Mayor Moon.

NOES: None.

ABSENT: Mayor Pro Tem Mills.

Mayor Pro Tem Mills returned to the dais.

2.N. APPROVAL OF A BLANKET PURCHASE ORDER IN THE AMOUNT OF \$100,000 WITH INTERWEST CONSULTING GROUP, INC. FOR ON-CALL PROJECT MANAGEMENT AND ENGINEERING COORDINATION ON VARIOUS PUBLIC WORKS PROJECTS:

ACTION: 1) Authorize the issuance of a blanket purchase order in the amount of \$100,000 with Interwest Consulting Group, Inc., pursuant to on-call agreement for Public Works capital project construction management and inspection services; and 2) Authorize the City Manager to execute all necessary documents. A6686. **Motion Mayor Pro Tem Mills, seconded by Councilmember Foat and unanimously carried on a roll call vote.**

2.O. 2016 STRATEGIC PLANNING SESSION, MISSION STATEMENT, THREE YEAR GOALS, AND SIX MONTH OBJECTIVES:

Councilmember Foat commented on the success of the Strategic Planning session.

Councilmember Kors noted the communication goals were missing in the summary written materials.

Councilmember Roberts requested posting of the mission statement and goals at City Hall, and requested monthly updates to the City Council.

Mayor Moon stated the strategic planning meeting was an open and public session and invited the public to attend the follow-up session.

ACTION: Receive and file the Strategic Planning Record. **Motion Councilmember Foat, seconded by Mayor Moon and unanimously carried on a roll call vote.**

2.Q. AMENDMENT NO. 1 TO THE TROLLEY SERVICES OPERATOR AGREEMENT WITH MV TRANSPORTATION INC:

Councilmember Foat requested the City Council Subcommittee meet to discuss potential improvements and refinements to the BUZZ.

Mayor Pro Tem Mills questioned the established variable rates for service and if the rates were in the established compensation schedule.

ACTION: 1) Approve Amendment No. 1 to Agreement No. A6564, with MV Transportation, Inc. for Trolley Services Operation, authorizing the City Manager to increase hours of operation of the BUZZ trolley insofar as costs for such services are included in the fiscal year budget approved by the City Council; and 2) Authorize the City Manager to execute all necessary documents. A6564. **Motion Councilmember Foat, seconded by Mayor Pro Tem Mills and unanimously carried on a roll call vote.**

3. LEGISLATIVE: None.

4. UNFINISHED BUSINESS:

4.A. REPORT ON THE PLANNING COMMISSION'S RECOMMENDATION FOR APPROVAL OF A STREET NAME CHANGE APPLICATION FROM CROSSLEY ROAD AND GOLF CLUB DRIVE TO LAWRENCE CROSSLEY ROAD BETWEEN EAST RAMON ROAD AND EAST PALM CANYON DRIVE (CASE 5.1376 SNC):

Flinn Fagg, Director of Planning Services, provided background information as outlined in the Staff Report dated February 17, 2016.

Councilmember Roberts commented on the process with the Planning Commission, and stated naming the street after him is not enough and the City needs to honor Lawrence Crossley, and stated his support for sending this item to the Planning Commission.

Mayor Pro Tem Mills requested Staff address the process and application before the Planning Commission, questioned if the Planning Commission can initiate a street name change, commented on the petition, and stated the name change may defeat the purpose with the noted contention of the name change, and the City should look for a better way to recognize Lawrence Crossley.

Councilmember Kors questioned if the street has always been Golf Club or changed, stated his support to referring the name change to the Planning Commission, and requested additional information on cost to businesses.

Councilmember Foat stated the intent was to make the change over a period of time, commented on the petition and the addition of the Planning Commission, questioned if internal streets of Esprit could be changed to Golf Club Drive, requested Staff review the potential of partial change on 34th Street, noted her support for additional recognition, and requested Staff address any affect and cost to land lease properties.

Councilmember Roberts commented on the history of Lawrence Crossley, requested the City Council consider an hoc subcommittee.

Mayor Moon commented on the process, and stated his support of referring to the Planning Commission, and requested Planning Commission, Staff, and the Measure J Commission review and present recommendations.

Councilmember Kors questioned the number of homes that have a Golf Club address.

Councilmember Roberts recommends the City Council form a Subcommittee and the Subcommittee would report recommendations and findings to the Planning Commission.

ACTION: 1) Appoint Councilmember Foat and Councilmember Roberts to a City Council ad hoc subcommittee to further discuss the naming of the street and other methods to recognize Lawrence Crossley; and 2) Direct the subcommittee to make recommendations to the Planning Commission; and 3) Refer the street name change to the Planning Commission. **Motion Councilmember Roberts, seconded by Councilmember Foat and unanimously carried on a roll call vote.**

The City Council recommended the City Council subcommittee bring forth recommendations within two months.

4.B. CITY COUNCIL AD HOC SUBCOMMITTEE REPORT ON THE DOWNTOWN PARK/EVENT CENTER:

The City Council Subcommittee, Mayor Pro Tem Mills and Councilmember Roberts, provided an update to the City Council on the Downtown Park/Event Center, and presented the current renderings of the project.

Councilmember Foat questioned if the project is fenced, stated her support for an open park with no fencing, requested the Subcommittee address the placement of the stage for a major concert and if infrastructure was included, public restrooms, inclusions of dressing rooms and storage, requested the Subcommittee research the potential for artificial turf, and stated the conceptual plan still needs work.

Mayor Moon questioned the ability for the City to pay for the public park and requested financial analysis, the cost of maintenance, and the additional Staff and Police that would be needed.

Councilmember Kors commented on the prioritization of projects, stated his support for the Subcommittee to continue to work through the plans, stated his support for no fencings, and public non-gender restrooms.

Mayor Pro Tem Mills commented on the funding, the previous discussions for funding of \$8.5 million, and requested the City Council provide direction on funding.

Councilmember Kors stated his support for the preliminary funding of \$8.5 million with options for reductions or additions.

Councilmember Roberts stated the Subcommittee will continue working on a design along with options for potential additions or deletions.

No action taken.

5. NEW BUSINESS:

5.A. REQUEST BY AI CALIFORNIA, LLC FOR A RESOLUTION OF PUBLIC CONVENIENCE OR NECESSITY (PCN) TO SELL BEER AND WINE (TYPE 20 ALCOHOLIC BEVERAGE CONTROL LICENSE) FOR OFF-SITE CONSUMPTION AT A PROPOSED GROCERY STORE LOCATED AT 5200 EAST RAMON ROAD (CASE 5.0984 PCN):

Flinn Fagg, Director of Planning Services, provided background information as outlined in the Staff Report dated February 17, 2016.

ACTION: Adopt Resolution No. 23976, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, OF PUBLIC CONVENIENCE IN ORDER TO SELL BEER AND WINE (TYPE 20 STATE ALCOHOLIC BEVERAGE CONTROL LICENSE) FOR THE PROPERTY LOCATED AT 5200 EAST RAMON ROAD, WITHIN CENSUS TRACT 0447.02." **Motion Councilmember Roberts, seconded by Mayor Pro Tem Mills and unanimously carried on a roll call vote.**

5.B. MID-YEAR FISCAL YEAR 2015-16 BUDGET UPDATE:

Geoffrey Kiehl, Director of Finance, provided background information as outlined in the Staff Report dated February 17, 2016.

Councilmember Kors questioned if the City has established a goal for Fund Balance reserve, the purpose for the Measure J contingency reserve, the rate of expenditures vs. the previous year.

Councilmember Foat commented on the TOT and the effect of the TOT incentive program, requested Staff provide net TOT increases.

Councilmember Roberts commented on the trending and the booming economy in Palm Springs as compared to other cities, stated his support for setting a higher percentage for reserves.

Mayor Pro Tem Mills commented on reserves and requested Staff address the history of reserves in the City and for other cities.

No action taken.

5.C. APPOINT TWO MEMBERS OF THE CITY COUNCIL TO THE INFORMATION TECHNOLOGY AD HOC SUBCOMMITTEE :

ACTION: Appoint Mayor Moon and Councilmember Kors to the Information Technology ad hoc City Council Subcommittee. **Motion Councilmember Foat, seconded by Mayor Pro Tem Mills and unanimously carried on a roll call vote.**

City Attorney Holland stated he may have a business income related conflict of interest with respect to Item 5.D., would not participate in the discussion or the vote and left Council Chamber.

5.D. PRELIMINARY DISCUSSION ON CITY ATTORNEY SERVICES:

City Manager Ready provided background information as outlined in the Staff Report dated February 17, 2016.

Councilmember Kors questioned the costs, and commented on a process of separation of services regarding recommending litigation and performing the litigation services.

Councilmember Foat commented on the process for initiation of litigation, and special expertise services when contracting legal services.

Councilmember Roberts questioned the comparison of hours of both models compared to the costs.

Mayor Moon stated if City Staff performed the service, the management team puts in many more hours and days than the normal work week.

Mayor Pro Tem Mills commented on the 2004-05 City Council discussion on City Attorney services, the challenges regarding the previous in-house attorney, and stated the decision should be about the people and who the City Council hires as the City Attorney.

Councilmember Kors commented and compared the costs for the contract legal counsel, and stated perhaps the City should explore two paths of contracting and looking at an in-house model.

Councilmember Foat stated a City Attorney is unique, and commented on the benefits to having contract attorney services that specialize in municipal law.

Mayor Pro Tem Mills stated the benefits of retention when contracting for legal services.

Councilmember Kors stated his preference for an in-house attorney if the City could find the right person.

Discussion was held regarding forming a City Council ad hoc Subcommittee or tabling the item.

ACTION: Table and continue the discussion to the March 2, 2016 meeting. **Motion Councilmember Kors, seconded by Mayor Pro Tem Mills and unanimously carried on a roll call vote.**

City Attorney Holland returned to Council Chamber.

COUNCILMEMBER COMMENTS, REQUESTS, AND REPORTS:

Mayor Pro Tem Mills requested Staff address the screening of equipment on the co-generation plant at City Hall.

Mayor Moon requested the City Manager place on the next Agenda a City Council Subcommittee report on the Dog Park and the Plaza Racquet Club, including a report from the Parks and Recreation Commission.

ADJOURNMENT: The City Council adjourned at 11:27 p.m. to a Joint Meeting with the Tribe on Wednesday, February 24, 2016, at 6:00 p.m. at the Palm Springs Convention Center. The next regular meeting will be held on Wednesday, March 2, 2016, 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.

APPROVED BY A MOTION OF THE PALM SPRINGS CITY COUNCIL THIS 2nd DAY OF MARCH, 2016.

ROBERT MOON, MAYOR

ATTEST:

JAMES THOMPSON, CITY CLERK

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



**JOINT MEETING MINUTES
WITH THE AGUA CALIENTE TRIBAL COUNCIL**

WEDNESDAY, FEBRUARY 24, 2016
Palm Springs Convention Center, Primrose C

CALL TO ORDER: Mayor Moon and Vice Chairman Olinger called the meeting to order at 6:11 p.m.

PLEDGE OF ALLEGIANCE: Mayor Moon led the Pledge.

CITY COUNCIL ROLL CALL:

PRESENT: Councilmember Foat, Councilmember Kors, Councilmember Roberts, Mayor Pro Tem Mills, and Mayor Moon.

ABSENT: None.

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

TRIBAL COUNCIL ROLL CALL:

PRESENT: Larry N. Olinger, Vice Chairman, Vincent Gonzales III, Secretary/Treasurer, and Anthony Andreas III, Member.

ABSENT: Jeff L. Grubbe, Chairman and Reid D. Milanovich, Member.

ALSO PRESENT: Tom Davis, Tribal Council Chief Planning Officer, Margaret Park, Director of Planning and Natural Resources, John Plata, In-House Counsel, Todd Hooks, Economic Development Director, Rahsaan Tilford, Associate General Counsel, Kate Anderson, Director of Public Affairs, and Laura Fregozo, Executive Assistant to the Tribal Council.

INTRODUCTIONS:

The Members of the City Council and Tribal Council introduced themselves, along with the City Staff and Tribal Staff.

PUBLIC COMMENT:

BRETT KLEIN, Palm Springs, commented on the Transportation Plan and alternatives within the Section 14 Master Plan.

NANCY FERGUSON, Palm Springs, commented on the Section 14 Master Plan regarding residential opportunities and transportation.

ALLEN WORTHY, Palm Springs, commented on crime in the City of Palm Springs, and the litigation regarding his property.

JUDY DEERTRACK, Palm Springs, commented on the relationship between the City and the Tribe and the responsibility for the resources.

ANDREW STARKE, Palm Springs, commented on the challenges with homelessness in the City of Palm Springs and Sunrise Park.

NANCY STUART, Palm Springs, provided an update on the activities at the Palm Springs Aerial Tramway.

DARYL TERRELL, Moreno Valley, commented on the relationship and partnership between the City and the Tribe.

JIM STEWART, Palm Springs, congratulated Police Chief Bryan Reyes, commented on the challenges with homelessness in the City of Palm Springs, and noted illegal activities on City property in the Chino Cone.

CHARLES SACHS, Palm Springs, commented on the BUZZ, commented on property rights of renters and the homeless.

DAVID CARDEN, Palm Springs, commented on the Baristo neighborhood in Section 14, the paving of streets, and the installation of artwork in Section 14.

MICHAEL McWHIRTER, thanked the Palm Springs Police Department and Police Chief Bryan Reyes, and commented on the challenges of homelessness in the City of Palm Springs.

1. DISCUSSION ITEMS:

1.A. DOWNTOWN PROJECT DISCUSSION/UPDATE:

Flinn Fagg, Director of Planning Services, provided background information on the Downtown Revitalization Project and presented a PowerPoint presentation.

No action taken.

1.B. HOMELESSNESS ISSUES DISCUSSION/UPDATE:

City Manager Ready and the City Council Subcommittee, Councilmember Foat and Councilmember Kors, provided background information on Homelessness in the City of Palm Springs.

Discussion was held regarding: the lack of Police service on the reservation for homelessness, the Police Department access to Tribal property to remove homeless encampments, the need for Tribal and City Staff to work together and meet more often to address this issue, the

addition of an additional homeless officer and the use of overtime funds for the Police Department to assist with homelessness.

No action taken.

1.C. CHINO CONE LAND ACQUISITIONS DISCUSSION/UPDATE:

Mayor Pro Tem Mills provided background information on the Chino Cone Land Acquisitions by the City of Palm Springs, and presented a map detailing the ownership of property on the Chino Cone.

Discussion was held regarding: the designation of tribal property and allottee property and the potential for a partnership for providing, preserving and maintaining trails and open space on the Chino Cone.

No action taken.

1.D. SECTION 14 SPECIFIC PLAN DISCUSSION/UPDATE:

Tom Davis Tribal Council Chief Planning Officer, and Margaret Park, Director of Planning and Natural Resources, provided background information on the Section 14 Specific Plan.

No action taken.

1.E. CALLE ENCILIA PARKING STRUCTURE DISCUSSION/UPDATE:

Tom Davis Tribal Council Chief Planning Officer, and Margaret Park, Director of Planning and Natural Resources, provided background information on the proposed Calle Encilia Parking Structure.

Discussion was held regarding: the submission of a project report to the City Planning Department, the location of the parking structure, the availability of free parking, the availability of public parking, and changing the street parking to diagonal parking from parallel parking.

No action taken.

1.F. VISION AGUA CALIENTE UPDATE DISCUSSION/UPDATE:

Tom Davis Tribal Council Chief Planning Officer, and Margaret Park, Director of Planning and Natural Resources, provided background information on the Vision Agua Caliente program and projects.

Discussion was held regarding: the return of the spa facility at the location, the street vacation for Andreas and Calle Encilia, the review and approval process, the height in the Environmental Impact Statement and consistency with the Section 14 Master Plan, and the reconditioning work performed at the natural spa.

No action taken.

IDENTIFICATION OF FUTURE AGENDA/DISCUSSION ITEMS:

Continue discussion on Homelessness at the next meeting, an update on every item on this agenda, and discussion was held on scheduling the next meeting in September, 2016.

CITY COUNCILMEMBER AND TRIBAL COUNCILMEMBER COMMENTS:

Vice Chairman Olinger commented on the partnership of the City Council and the Tribal Council and the need to continue to work together.

ADJOURNMENT: The Palm Springs City Council adjourned at 7:50 p.m. to Wednesday, March 2, 2016, 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.

**APPROVED BY A MOTION OF THE PALM SPRINGS CITY COUNCIL THIS
2ND DAY OF MARCH, 2016.**

ROBERT MOON, MAYOR

ATTEST:

JAMES THOMPSON, CITY CLERK