

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



**MEETING MINUTES
WEDNESDAY, MARCH 2, 2016
CITY HALL COUNCIL CHAMBER**

CALL TO ORDER: Mayor Moon called the meeting to order at 6:07 p.m.

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

INVOCATION: Rev. Kevin Johnson, Bloom of the Desert United Church of Christ, 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:

Councilmember Kors announced the Brightwood College Ribbon-Cutting.

Mayor Moon announced the Fine Arts Fair, Fallen Heroes Memorial Exhibit and the Welwood Memorial Library 75th Anniversary.

Councilmember Mills provided an update on the Palm Springs Black History Month Parade.

Councilmember Foat announced the PS Organica Ribbon-Cutting.

Mayor Moon announced the Bogert Trail Bridge Grand Opening.

Councilmember Kors announced the upcoming meeting of the Ethics, Transparency and Governmental Reform Task Force and the Sustainability Commission Retreat.

Mayor Moon provided an update on the Palm Springs Chamber of Commerce Luncheon regarding homelessness.

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

ITEM NO. 8B

REPORT OF CLOSED SESSION:

The meeting was called to order at 4:30 p.m. and the following speakers addressed the City Council regarding Closed Session items.

FRANK TYSEN, urged the City Council to resolve the Downtown matter to avoid litigation.

DAVID ZIPPEL, commented on the Downtown Revitalization project.

JUDY DEERTRACK, submitted a demand letter, and requested the City Council consider obtaining the services of the California Attorney General.

TIM ERKINS, commented on the Downtown Revitalization project.

STEVEN SIMS, commented on the Downtown Revitalization project.

LUCIE ARNAZ LUCKINBILL, stated the City is in violation of several planning and conflict of interest laws, and threatened litigation.

LAWRENCE LUCKINBILL, commented on the Downtown Revitalization project.

JOHN NANOS, commented on the Downtown Revitalization project, and requested the City Council wait until the FBI investigation is complete.

SAMMY RAFAEL, commented on the Downtown Revitalization project.

THOMAS WORTHY, commented on his claim against the City.

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

City Attorney Holland stated Councilmember Roberts did not participate in one Item of Initiation of Litigation as it pertained to a property located in the vicinity of his residence.

City Attorney Holland reported the City Council provided direction to the City Attorney and City Staff, otherwise no reportable actions were taken.

ACCEPTANCE OF THE AGENDA:

Mayor Moon requested the City Council consider reopening the public hearing and accept further public testimony for Public Hearing Item 1.C.

The City Council discussed and/or commented on the process and merits of re-opening the public hearing.

ACTION: Reopen the public hearing and accept further public testimony for Public Hearing Item 1.C. for the Museum Market Plaza Specific Plan. **Motion Mayor Moon, seconded by Councilmember Kors and carried 4-1 on a roll call vote.**

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

NOES: Mayor Pro Tem Mills.

Mayor Pro Tem Mills noted a business related abstention on Item 2.G. Tract Map No. 33561.

Councilmember Foat requested Items 2.G., 2.H., and 2.J. be removed from the Consent Calendar for separate discussion.

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

City Attorney Holland requested the City Council consider adding an Item to the Agenda as Item 5.D. titled DISCUSSION AND PROPOSED ACTION ON SB876 (LIU) ENFORCEMENT OF ORDINANCES, and stated this 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.

ACTION: 1) Determine 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 Agenda as Item 5.D. DISCUSSION AND PROPOSED ACTION ON SB876 (LIU) ENFORCEMENT OF ORDINANCES. **Motion Councilmember Roberts, seconded by Councilmember Kors and unanimously carried (5-0) on a roll call vote.**

ACTION: Accept the Agenda as amended. **Motion Councilmember Roberts, seconded by Councilmember Kors 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 March 2, 2016.

Councilmember Roberts questioned if any new information has been submitted by the applicant.

ACTION: 1) Public Testimony was closed on February 3, 2016; 2) Continue the hearing and City Council deliberations to April 6, 2016; and 3) Direct the City Clerk to post a Notice of Continuance as required by law. **Motion Mayor Pro Tem Mills, seconded by Councilmember Roberts and unanimously carried on a roll call vote.**

1.B. HOTEL INCENTIVE PROGRAM, THE PALM GROVE GROUP (THE ARRIVE HOTEL), 1551 NORTH PALM CANYON DRIVE:

Laurie Aylaian, Director of Community and Economic Development, provided background information as outlined in the Staff Report dated March 2, 2016.

Councilmember Kors requested the City Attorney address the project and the public hearing requirements.

Mayor Moon questioned the estimated amount of the TOT incentive for the applicant.

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

CHRIS PARDO, Applicant, stated the incentive program was instrumental in his decision to build the hotel in the City of Palm Springs and at the site due to the allowable size.

JUDY DEERTRACK, stated she thought the Arrive had requested an economic incentive grant in the past.

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

ACTION: 1) Approve a Hotel Operations Covenant Agreement with the Palm Grove Group, LLC (Arrive Hotel) located at 1551 North Palm Canyon Drive, pursuant to provisions of Chapter 5.26 of the Municipal Code, placing restrictions upon the use and operation of the Hotel for a 10-year period and 50% share of the new transient occupancy tax collected; and 2) Authorize the City Manager to execute all necessary documents. A6830. **Motion Councilmember Roberts, seconded by Councilmember Foat and unanimously carried on a roll call vote.**

1.C. CONSIDERATION OF AN AMENDMENT TO THE MUSEUM MARKET PLAZA SPECIFIC PLAN AND ADDENDUM NO. 2 TO THE FINAL ENVIRONMENTAL IMPACT REPORT (CASE NO. 5.1204 SP A-1):

Flinn Fagg, Director of Planning Services, provided background information as outlined in the Staff Report dated March 2, 2016.

Councilmember Kors questioned the setbacks on Block B and B1 and the process of approval for the current project.

Mayor Moon questioned if the Specific Plan required the developer to build a lot on Block K and questioned provisions for intermediate action on the Town and Country Center.

Councilmember Roberts provided an update on the proposed Development Agreement and questioned if the permit that was issued on Block B was for the parking garage only.

Mayor Moon questioned the history of the proposed name change for the plan.

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

ROBERT JOHNSTON, Palm Springs, commented on bicycle lanes on Palm Canyon and Indian Canyon near the project.

JUDY DEERTRACK, requested the City Council consider contacting the California Attorney General for G.C. 1090 violations.

LISA MIDDLETON, requested the City Council consider if the Green Building Codes will apply to the projects.

MICHAEL JOHNSTON, commented on the allowable setbacks for the Virgin Hotel.

EMILY HEMPHILL, commented on the Applicant's relationship with the Palm Springs Film Festival and the G.C. 1090 allegations, and stated this City Council needs to decide to move forward for the benefit of the community.

CHRIS PARDO, Representing Applicant, commented on setbacks on Block B1.

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

Councilmember Roberts requested the City Council consider increasing the setbacks on Block B and Block B1, eliminate three rooms at the proposed Virgin Hotel, commented on comparison of height of Block C to the Annex, requested the City Council consider restriction of Block F to

residential use only above the first floor, requested the City Council consider green building methods, require 24 hour security on the Town and Country Center, requested a committee to address the restoration of the Town and Country, and commented on the proposed National Register Listing for the Town and Country Center.

Councilmember Kors requested Staff outline the setbacks on Main Street, questioned if Block G was to be commercial with residential above the ground floor, requested the word "should" be changed to "shall" in several places throughout the Plan, commented on the requirements for a green building program, the height for Block B1, requested "all gender" single restrooms, and commented on the National Register Listing.

Councilmember Foat requested a maximum of 10-years in the Development Agreement, commented on the setbacks on Block B, the ability to close Main Street for events, and commented on the setbacks for Block B and Block B1 on Main Street.

Mayor Pro Tem Mills commented on the setbacks for Block B and Block B1 on Main Street, stated his support of Block B1 for the Virgin Hotel brand added to the Specific Plan, green building code requirements, adding the distance between Block C and Block C1 in the Specific Plan, proposed changes to footnote 19, the use on Block D, the parking requirements for Blocks D, F, and G, clearance for emergency vehicles and deliveries, and substitute conception plan for the Event Space.

Councilmember Kors requested Staff address the impact of moving setbacks on Block B and Block B1, the setbacks on Block F, and requested the Applicant address the sightlines.

Councilmember Roberts commented on the impacts of an increased setback for Block B and Block B1 on Main Street, and requested an aesthetic plan for the stair tower on Block C1.

Councilmember Foat questioned the pedestrian route to the parking garage.

Mayor Moon requested 24-hour security and the need to take immediate remedial action for the Town and Country Center, stated his support of the reduction of the Annex, commented on the setbacks on Block B and Block B1.

Mayor Pro Tem Mills commented on the height of the Annex, and suggested a required stepping of maximum height up to 40 feet and reducing to 28 feet on Palm Canyon, expressed concern for imposing

requirements on the entitled Kimpton stairwell structure, and commented on access to parking.

Councilmember Kors commented on the proposed amendment for stepping of the Annex building, and the setbacks for Block B and Block B1.

ACTION: Increase the set-back on Block B and B1 by six-feet on the south side of the buildings. **Motion Councilmember Roberts, seconded by Councilmember Foat and carried 3-2 on a roll call vote.**

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

NOES: Councilmember Kors and Mayor Pro Tem Mills.

MOTION: Reduce the height for the Annex to 28 feet in height on Block C. **Motion Councilmember Roberts, failed for lack of a second.**

ACTION: Limit the Annex height on Block C not higher than 28 feet along Palm Canyon and Main Street and the height may step up to 40 feet toward Block C. **Motion Councilmember Foat, seconded by Councilmember Kors and carried 3-2 on a roll call vote.**

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

NOES: Councilmember Roberts, and Mayor Pro Tem Mills.

ACTION: Create a Committee consisting of Councilmember Roberts and Councilmember Foat, and representatives from the Planning Commission, HSPB, ModCom and the Applicant to further study Block K and the Town and Country. **Motion Councilmember Roberts, seconded by Councilmember Foat and carried 4-1 on a roll call vote.**

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

NOES: Mayor Pro Tem Mills.

ACTION: Require future buildings be subject to Green Building "tree" level guidelines at the time a building permit is issued. **Motion Councilmember Kors, seconded by Councilmember Foat and carried 4-1 on a roll call vote.**

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

NOES: Mayor Pro Tem Mills.

MOTION: Eliminate/reduce the three hotel rooms on the southwest corner of Block B1. **Motion Councilmember Roberts, failed for lack of a second.**

ACTION: Require Virgin Hotel "brand" for Block B1. **Motion Councilmember Kors, seconded by Mayor Pro Tem Mills and unanimously carried on a roll call vote.**

ACTION: 1) Adopt Resolution No. 23977, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, APPROVING ADDENDUM NO. 2 TO THE PREVIOUSLY-CERTIFIED ENVIRONMENTAL IMPACT REPORT FOR, AND AMENDING THE MUSEUM MARKET PLAZA SPECIFIC PLAN, REDESIGNATED AS THE DOWNTOWN PALM SPRINGS SPECIFIC PLAN;" 2) Waive the reading of the ordinance text in its entirety and introduce for first reading Ordinance No. 1889, "AN ORDINANCE OF THE CITY OF PALM SPRINGS, CALIFORNIA, AMENDING THE MUSEUM MARKET PLAZA SPECIFIC PLAN, AND REDESIGNATING IT AS THE DOWNTOWN PALM SPRINGS SPECIFIC PLAN," as amended by the previous approved motions and minor verbiage changes; and 3) Direct the City Council Subcommittee to coordinate with staff and Palm Springs Promenade, LLC, to discuss the terms and conditions of a draft Development Agreement related to the timely construction of public and private improvements, and vesting of certain entitlements pursuant to the scope of final changes to the Museum Market Plaza Specific Plan. **Motion Councilmember Roberts, seconded by Councilmember Kors and unanimously carried on a roll call vote.**

The City Council recessed at 9:18 p.m.

The City Council reconvened at 9:32 p.m. and Councilmember Roberts left the meeting.

PUBLIC COMMENT:

RICK PANTELE, commented on the medical cannabis ordinance, and requested the City Council consider the plan he submitted.

STEVE ROSENBERG, commented on the medical cannabis ordinance, and requested the City Council consider the plan he submitted.

NANCY FERGUSON, commented on Item 2.I., regarding bike lanes in the Downtown loop, and requested the City Council approve Item 2.I.

SID CRAIG, requested the City Council consider renaming Sunrise Park as Lawrence Crossley Park, and consider naming a building in the City in tribute to George Zander.

CITY COUNCIL SUBCOMMITTEE REPORTS AND UPDATES:

Councilmember Kors and Councilmember Foat provided an update on the activities of the Homelessness Subcommittee.

Mayor Moon provided an update on the Dog Park Subcommittee and the Plaza Racquet Club Subcommittee.

Councilmember Foat requested the creation of a City Council ad hoc subcommittee to further study Cannabis.

COUNCILMEMBER COMMENTS:

Councilmember Kors commented on Vacation Rentals, and requested Staff review illegal vacation rentals and changes to the ordinance to increase penalties for non-compliance and increased enforcement, and requested Staff to place on the April 6, 2016 meeting agenda, a discussion on gender neutral restrooms.

Mayor Pro Tem Mills requested Staff address the landscaping in the medians including the median and right-of-way at Mountain Gate and other areas in the City.

CITY MANAGER'S REPORT: None.

2. CONSENT CALENDAR:

ACTION: Approve Items 2.A., 2.B., 2.C., 2.D., 2.E., 2.F., 2.K., 2.L., and 2.M.
Motion Councilmember Kors, seconded by Mayor Pro Tem Mills and unanimously carried 4-0 on a roll call vote.

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

NOES: None.

ABSENT: Councilmember Roberts.

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

ACTION: Receive and file Report on the Posting of the March 2, 2016, City Council Agenda. **Approved as part of the Consent Calendar.**

2.B. APPROVAL OF MINUTES:

ACTION: Approve the City Council Minutes of February 17, 2016, and February 24, 2016. **Approved as part of the Consent Calendar.**

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

ACTION: 1) Adopt Resolution No. 23978, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, APPROVING PAYMENT OF CLAIMS AND DEMANDS BY WARRANTS

NUMBERED 1083529 THROUGH 1083637 IN THE AGGREGATE AMOUNT OF \$1,266,428.60, DRAWN ON BANK OF AMERICA;" 2) Adopt Resolution No. 23979, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, APPROVING PAYMENT OF PAYROLL WARRANTS FOR THE PERIOD ENDED 01-30-2016 BY WARRANTS NUMBERED 419436 THROUGH 419451 TOTALING \$28,423.53, LIABILITY CHECKS NUMBERED 1083638 THROUGH 1083656 TOTALING \$89,019.35, FIVE WIRE TRANSFERS FOR \$55,939.10, AND THREE ELECTRONIC ACH DEBITS OF \$1,252,896.23 IN THE AGGREGATE AMOUNT OF \$1,426,278.21, DRAWN ON BANK OF AMERICA;" and 3) Adopt Resolution No. 23980, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, APPROVING PAYMENT OF CLAIMS AND DEMANDS BY WARRANTS NUMBERED 1083657 THROUGH 1083769 IN THE AGGREGATE AMOUNT OF \$945,189.59, DRAWN ON BANK OF AMERICA."
Approved as part of the Consent Calendar.

2.D. TREASURER'S INVESTMENT REPORT AS OF JANUARY 31, 2016:

ACTION: Receive and File the Treasurer's Investment Report as of January 31, 2016. **Approved as part of the Consent Calendar.**

2.E. APPOINTMENT TO THE PERSONNEL BOARD TO FILL AN UNEXPIRED TERM:

ACTION: Appoint Eugenio (Geno) Ochoa Sexton to the Personnel Board for the term ending June 30, 2017. **Approved as part of the Consent Calendar.**

2.F. AMENDMENT NO. 5 IN THE AMOUNT OF \$97,185 TO CONSULTING SERVICES AGREEMENT NO. A6401 FOR THE CITYWIDE SOLAR PROJECT WITH NEWCOMB/ANDERSON/MCCORMICK, INC. (CP 15-03):

ACTION: 1) Approve Amendment No. 5 to Agreement No. A6401, increasing the contract amount by \$97,185, for a total not to exceed \$343,398, with Newcomb/Anderson/McCormick, Inc., for construction inspection and management services; and 2) Authorize the City Manager to execute all necessary documents. A6401. **Approved as part of the Consent Calendar.**

2.K. AUTHORIZE THE PURCHASE OF 15 NEW REPLACEMENT VEHICLES FOR THE POLICE DEPARTMENT IN AN AMOUNT NOT TO EXCEED \$800,000:

ACTION: 1) Authorize the purchase of 15 new replacement vehicles for the Police Department (conventional gasoline [non-CNG] vehicles), including required outfitting, to replace Units 200506, 201706, 202206, 203107, 204207, 204407, 204807, 205806, 207007, 207808, 209406, 2D0707, 2D0907, 2D1708, and 2D4907, in an amount not to exceed

\$800,000; 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 Purchase Orders for the new replacement vehicles, in a total cumulative amount not to exceed \$800,000. **Approved as part of the Consent Calendar.**

2.L. CHANGE ORDER NO. 1 TO AGREEMENT NO. A6796 IN THE AMOUNT OF \$135,398 WITH ATOM ENGINEERING CONSTRUCTION INC. FOR THE PALM SPRINGS ENTRY SIGNS (CP 13-31):

ACTION: 1) Authorize an additional appropriation from Measure J Unscheduled Capital Projects in the amount of \$130,000 for the Palm Springs Entry Signs; 2) Approve Contract Change Order No. 1 in the amount of \$135,398 with AToM Engineering Construction Inc. for a revised total contract amount of \$498,398 for the Palm Springs Entry Signs (CP 13-31); and 3) Authorize the City Manager to execute all necessary documents. A6796. **Approved as part of the Consent Calendar.**

2.M. AWARD A CONSTRUCTION CONTRACT TO M. BREY ELECTRIC, INC. IN THE AMOUNT OF \$399,000 FOR THE JAMES O. JESSIE DESERT HIGHLAND UNITY CENTER OUTDOOR PERFORMANCE STAGE AND OUTDOOR BALL FIELD LIGHTING PROJECT (CP 14-18):

ACTION: 1) Authorize an additional appropriation from Measure J Capital Project Fund reserve in the amount of \$170,000; 2) Waive any informality (non-responsiveness), and award a construction contract to M. Brey Electric, Inc., in the amount of \$399,000 for the James O. Jessie Desert Highland Unity Center Outdoor Performance Stage and Outdoor Ball Field Lighting Project (CP 14-18); 3) Authorize the City Manager to approve and execute construction contract change orders up to an additional amount of \$40,000; and 4) Authorize the City Manager to execute all necessary documents. A6832. **Approved as part of the Consent Calendar.**

EXCLUDED CONSENT CALENDAR:

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

2.G. APPROVAL OF TIME EXTENSIONS OF SUBDIVISION IMPROVEMENT AGREEMENTS FOR VARIOUS PROJECTS:

Councilmember Foat requested Staff address the condition of the construction fences at the Palermo Development.

ACTION: Adopt Resolution No. 23981, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, AUTHORIZING TIME EXTENSION FOR A SUBDIVISION IMPROVEMENT AGREEMENT." Agreement No. A5246, Tract Map 33561, extended to April 2, 2018. **Motion Councilmember Foat, seconded by Councilmember Kors and unanimously carried 3-0 on a roll call vote.**

AYES: Councilmember Foat, Councilmember Kors, and Mayor Moon.
NOES: None.
ABSENT: Councilmember Roberts, and Mayor Pro Tem Mills.

Mayor Pro Tem Mills returned to the dais.

ACTION: Adopt Resolution No. 23982, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, AUTHORIZING TIME EXTENSIONS OF VARIOUS SUBDIVISION IMPROVEMENT AGREEMENTS." Agreement No. A5086, Tract Map 32233-1, extended to April 2, 2017, Agreement No. A5089, Tract Map 32233-4, extended to April 2, 2017, Agreement No. A6476, Tract Map 32233-5, extended to August 10, 2018, Agreement No. A6626, Tract Map 36548, extended to November 4, 2017. **Motion Mayor Pro Tem Mills, seconded by Councilmember Kors and unanimously carried 4-0 on a roll call vote.**

AYES: Councilmember Foat, Councilmember Kors, Mayor Pro Tem Mills, and Mayor Moon.
NOES: None.
ABSENT: Councilmember Roberts.

2.H. APPROVAL OF AN ENCROACHMENT LICENSE AGREEMENT ISSUED BY THE RIVERSIDE COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT FOR THE TAHQUITZ CREEK TRIANGLE GATEWAY (CP 14-16):

Councilmember Foat commented on the length of time to complete small capital projects.

ACTION: 1) Approve an Encroachment License Agreement issued by the Riverside County Flood Control and Water Conservation District for the construction, operation, and maintenance of public trail improvements for recreational purposes for the Tahquitz Creek Triangle Gateway (CP 14-16); and 2) Authorize the City Manager to execute all necessary documents. A6831. **Motion Councilmember Foat, seconded by Mayor Pro Tem Mills and unanimously carried 4-0 on a roll call vote.**

AYES: Councilmember Foat, Councilmember Kors, Mayor Pro Tem Mills, and Mayor Moon.
NOES: None.
ABSENT: Councilmember Roberts.

2.I. APPROVE A "DOWNTOWN" CLASS 3 BICYCLE ROUTE LOOP ALONG PALM CANYON DRIVE AND INDIAN CANYON DRIVE BETWEEN ALEJO ROAD AND RAMON ROAD:

Councilmember Kors requested Staff address the installation of sharrows.

ACTION: Approve establishment of a "Downtown" Class 3 bicycle route loop along Palm Canyon Drive and Indian Canyon Drive between Alejo Road and Ramon Road, including installation of appropriate signage and painting of greenback "sharrow" markings as required by the City Engineer. **Motion Mayor Pro Tem Mills, seconded by Councilmember Kors and unanimously carried 4-0 on a roll call vote.**

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

NOES: None.

ABSENT: Councilmember Roberts.

2.J. APPROVAL OF PLANS, SPECIFICATIONS AND ESTIMATE (PS&E) AND AUTHORIZATION TO BID THE TAHQUITZ CANYON WAY AND CIVIC DRIVE TRAFFIC SIGNAL INSTALLATION (CP 15-21):

Councilmember Foat requested Staff address the reasons for the installation.

MOTION: 1) Approve the plans, specifications, and estimate; and 2) Authorize staff to advertise and solicit bids for the Tahquitz Canyon Way and Civic Drive Traffic Signal Installation (CP 15-21). **Motion Mayor Pro Tem Mills, failed for a lack of a second.**

3. LEGISLATIVE: None.

4. UNFINISHED BUSINESS:

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

4.A. DISCUSSION ON CITY ATTORNEY SERVICES:

ACTION: Table to April 6, 2016. **Motion Mayor Pro Tem Mills, seconded by Councilmember Kors and unanimously carried 4-0 on a roll call vote.**

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

NOES: None.

ABSENT: Councilmember Roberts.

City Attorney Holland returned to the dais.

5. NEW BUSINESS:

5.A. APPROVAL OF PLANS, SPECIFICATIONS AND ESTIMATE (PS&E) AND AUTHORIZATION TO BID THE CITY COUNCIL CHAMBER AUDIO/VISUAL SYSTEM UPGRADE (CP 15-06):

Marcus Fuller, provided background information as outlined in the Staff Report dated March 2, 2016.

Mayor Pro Tem Mills requested Staff address the cabinet in the Large Conference Room, and requested the City Council appoint an ad hoc subcommittee.

ACTION: Appoint Mayor Pro Tem Mills and Councilmember Roberts to an ad hoc City Council Subcommittee to further make recommendations for the Council Chamber upgrade project. **By unanimous consensus of the City Council (4-0), noting the absence of Councilmember Roberts.**

5.B. RESCIND APPROVAL OF CONSTRUCTION CONTRACT CHANGE ORDER AUTHORITY OF \$2,500,000 FOR CERTAIN ADDITIONAL STREETS TO BE INCLUDED IN THE 2015 PAVEMENT REHABILITATION PROJECT (CP 15-01), AND AUTHORIZE BIDDING OF THE ADDITIONAL STREETS AS A NEW CAPITAL IMPROVEMENT PROJECT, THE 2016 PAVEMENT REHABILITATION PROJECT (CP 16-01):

Marcus Fuller, provided background information as outlined in the Staff Report dated March 2, 2016.

Mayor Pro Tem Mills questioned if the bid was for unit pricing, the potential for further reductions by rebidding, and requested the City Attorney review any potential conflicts of interest with regard to City wide street paving repair projects.

ACTION: 1) Rescind the authority granted by the City Council on May 20, 2015, to the City Manager to approve a Construction Contract Change Order in an amount not to exceed \$2,500,000 to include various additional streets as part of the scope of the 2015 Pavement Rehabilitation Project (CP 15-01); and 2) Approve the plans, specifications, and estimate; and 3) Authorize staff to advertise and solicit bids for the 2016 Pavement Rehabilitation Project (CP 16-01). **Motion Mayor Pro Tem Mills, seconded by Councilmember Kors and unanimously carried 4-0 on a roll call vote.**

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

NOES: None.

ABSENT: Councilmember Roberts.

5.C. PRELIMINARY OVERVIEW OF THE FISCAL YEAR 2016-17 GENERAL FUND BUDGET:

City Manager Ready provided background information as outlined in the Staff Report dated March 2, 2016.

Councilmember Kors announced the Town Hall Budget meetings, the City Council Study Session, and stated the City Council Subcommittee has directed City Staff to develop an application for Sponsorship and Program funding.

Mayor Moon commented on the Town Hall meetings and other meetings, and recommended the City Council consider a joint meeting with the Measure J Commission to discuss Measure J funding.

Councilmember Foat questioned the budget process and how to prioritize the requests, commented on special funds and agency funding.

Mayor Pro Tem Mills questioned if the process was going to be similar to Block Grant funding.

No action taken.

5.D. ADDED ITEM DISCUSSION AND PROPOSED ACTION ON SB876 (LIU) ENFORCEMENT OF ORDINANCES:

City Attorney Holland provided background information as outlined in the Staff Report dated March 2, 2016.

ACTION: Direct the City Council Homelessness Subcommittee and the Mayor to execute and send opposition to SB876 as drafted in its current form. **Motion Councilmember Foat, seconded by Mayor Moon and unanimously carried 4-0 on a roll call vote.**

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

NOES: None.

ABSENT: Councilmember Roberts.

COUNCILMEMBER COMMENTS, REQUESTS, AND REPORTS:

Mayor Moon requested an item be placed on the April 6, 2016, agenda for the City Council to appoint a City Council ad hoc Subcommittee to further study opportunities for Trails with the Tribe and the Palm Springs Tram.

ADJOURNMENT: The City Council adjourned at 11:13 p.m. to the next regular meeting Wednesday, March 16, 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
16th DAY OF MARCH, 2016.**

ROBERT MOON, MAYOR

ATTEST:

JAMES THOMPSON, CITY CLERK