

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



**MEETING MINUTES
WEDNESDAY, APRIL 20, 2016
CITY HALL COUNCIL CHAMBER**

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

PLEDGE OF ALLEGIANCE: Mayor Moon led the Pledge.

INVOCATION: Pastor Schezarone Carter, New Bethel Church of God in Christ, led the Invocation.

ROLL CALL:

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

ABSENT: None.

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

PRESENTATIONS: None.

REPORT OF CLOSED SESSION:

City Attorney Holland stated the meeting was called to order at 4:30 p.m. and the City Council recessed into Closed Session to discuss items on the posted Closed Session Agenda, and reported the City Council provided direction to the City Attorney regarding the Existing Litigation Items on the Agenda and to City Staff regarding the real property negotiations, otherwise no reportable actions or direction to Staff on any other Items.

ACCEPTANCE OF THE AGENDA:

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

Councilmember Roberts request Item 5.A., regarding the 2016-17 Budget be tabled to the next regular meeting, and referred to the Budget Subcommittee.

Councilmember Kors requested Item 3.A., regarding the sign ordinance, be withdrawn from the Agenda and referred to the Sign Subcommittee.

City Attorney Holland noted City Staff has prepared a revised ordinance regarding Item 3.B, vacation rentals for consideration by the City Council, and noted the portion of Item

1.B., regarding the TOT incentive agreement, will not be heard by the City Council at this meeting, and will be placed on the agenda for the next meeting.

ACTION: Accept the Agenda as amended. **Motion Mayor Pro Tem Mills, seconded by Councilmember Roberts and unanimously carried (5-0).**

1. PUBLIC HEARINGS:

1.A. CLASS 1 HISTORIC DESIGNATION OF "THE TOWN & COUNTRY CENTER" LOCATED AT 146-174 NORTH PALM CANYON DRIVE AND 167-181 NORTH INDIAN CANYON DRIVE AND NOTICE OF EXEMPTION FROM CEQA (HSPB 51):

Flinn Fagg, Director of Planning Services, provided background information as outlined in the Staff Report dated April 20, 2016.

The City Council requested clarification on the building located at 181 North Indian Canyon Drive, and questioned if the City Council designated the entire property, could the City Council consider an amendment regarding the 181 North Indian Canyon Drive building at a later time.

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

LEO MARMOL, representing the property owner, stated the property owner supports the designation of the site, commented on the submitted site protection plan, stated the property owner has worked with the preservation community regarding amendments to the nomination, and requested the removal of building 171 North Indian Canyon Drive for the same reasons the building at 181 North Indian Canyon Drive is being considered for exclusion from the historic designation.

ERIC ROSENOW, urged the City Council to support the designation with all the supporting buildings studied by the Palm Springs Preservation Foundation.

STEVEN PRICE, supported the application as submitted in its entirety, and requested the City Council approve the designation, thanked the property owner for his turn-around and support of the designation.

BARBARA MARSHALL, stated her support for the designation, commented on the private funding of historic designation in the City of Palm Springs.

MICHELE JOHNSON, requested the City Council support the designation in its entirety with a Class 1 designation.

JADE NELSON, read a Statement in support of the Class 1 designation by Robert Imber.

TRACY BECKMAN, read a Statement by Beth Edwards Harris in support of the Class 1 designation as submitted.

ALLEN WORTHY, stated his support for the designation of the Town and Country Center.

RON MARSHALL, commented on the hearing process, commented on the importance of the 171 North Indian Canyon building, and requested the City Council leave in the designation the for 171 North Indian Canyon building.

SUSAN JENSEN, commented on the historic content of the designation and the nomination to the Federal designation, and requested the City Council support the designation as submitted.

CHRIS MENRAD, stated the Palm Springs Modernism Committee has been working for over 10-years for the historic designation of the Town and Country Center, and requested the City Council support the designation as written.

No further speakers coming forward the public hearing was closed.

The City Council discussed and/or commented on the following: the site security plan, the status of the building at 181 North Indian Canyon Drive, the vote and discussion of the HSPB, the significance of the site with respect to the Downtown Specific Plan, the inclusion of 171 North Indian Canyon in the designation, maintaining the character of the courtyard, and the history of the site.

ACTION: Adopt Resolution 24001, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, DESIGNATING THE TOWN & COUNTRY CENTER LOCATED AT 146-174 N. PALM CANYON DRIVE AND 167-181 N. INDIAN CANYON DRIVE AS CLASS 1 HISTORIC SITE AND NOTICE OF EXEMPTION FROM CEQA AS A CLASS 1 HISTORIC SITE, ZONE CBD, MUSEUM MARKET PLAZA SPECIFIC PLAN (BLOCK "K") (HSPB 51);" *amending the resolution by removing the building at 181 North Indian Canyon.* **Motion Councilmember Foat, seconded by Councilmember Roberts 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 stated his "no" vote was reflective only of the inclusion of the 171 North Indian Canyon building, and noted his support for the remainder of the designation.

ACTION: Amend the Conditions of Approval for Resolution No. 24001 to require a comprehensive site protection and security plan be submitted and approved by the Fire Department and the City Council in two-weeks. **Motion Councilmember Roberts, seconded by Councilmember Foat and unanimously carried (5-0).**

JOINT PUBLIC HEARING WITH THE PLANNING COMMISSION AND THE ARCHITECTURAL ADVISORY COMMITTEE.

ROLL CALL ARCHITECTURAL ADVISORY COMMITTEE:

PRESENT: Committee Members Lockyer, Purnel, Secoy-Jensen, Song, Vice Chair Cassady, and Chair Fredricks.

ABSENT: Committee Member Fauber.

ROLL CALL PLANNING COMMISSION:

PRESENT: Commissioners Donenfeld, Lowe, Middleton, Weremiuk, Vice Chair Calerdine, and Chair Klatchko.

ABSENT: Commissioner Hirschbein.

1.B. FINAL APPROVAL OF THE AMENDMENT TO THE DOWNTOWN PALM SPRINGS SPECIFIC PLAN (FORMERLY MUSEUM MARKET PLAZA SPECIFIC PLAN) (CASE 5.1204 SP) AND PALM SPRINGS PROMENADE, LLC FOR THREE ARCHITECTURAL REVIEW APPLICATIONS PROPOSED WITHIN THE DOWNTOWN PALM SPRINGS SPECIFIC PLAN FOR BLOCK A-1 PARKING LOT, BLOCK B-1 142-ROOM HOTEL, AND BLOCK C REVISED MIXED-USE BUILDING:

Flinn Fagg, Director of Planning Services, provided background information as outlined in the Staff Report dated April 20, 2016.

City Attorney Holland outlined the procedure for the Joint Public Hearing.

The Architectural Advisory Committee, the Planning Commission and the City Council questioned and requested clarification on the Staff Report.

Mayor Moon opened the Joint Public Hearing, and the following speakers addressed the Architectural Advisory Committee, the Planning Commission, and the City Council.

EMILY HEMPHILL, Representing Applicant, commented on the letter submitted regarding the Block A-1 Parking, discussed the modifications to the project, and stated the Advocates for Better Community Development have already filed a lawsuit.

CHRIS PARDO, Representing Applicant, commented on the revised architecture of the project and the materials.

TIM O'BAILEY, commented on the Desert Sun editorial and the filed litigation, and requested the City Council approve the projects.

ROBERT FINDLEY, stated City Staff has answered his questions and commented on the filed litigation.

CAROL NELSON, commented on the proposed occupants, the names of the streets, commented on solar energy at the project.

MATT ROBINSON, stated his support for the project and requested the City Council approve the project.

ROBERT BRUGERMAN, stated his support for the project, and stated the City needs to broaden the brand including the Virgin Hotel, and the project will revitalize the Downtown area.

EMILY HEMPHILL, Applicant Rebuttal, stated the community is in support of the project and further comments on the ABCD litigation.

No further speakers coming forward the public hearing was closed.

ACTION: (City Council) Waive the reading of the text and adopt 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 (CASE 5.1204). **Motion Councilmember Kors, seconded by Councilmember Roberts and unanimously carried (5-0).**

The City Council recessed at 8:44 p.m.

The City Council reconvened at 8:56 p.m.

The Architectural Advisory Committee, the Planning Commission, and the City Council discussed the following with respect to Block C: the tumbled brick, the combination use of two materials, access to the second floor, the vertical circulation, the design on the west elevation, the windows to the floor, the corner of the steel post, the height of the one-story and two-story elevation, the primary use of brick, further review of the hardscape and landscape by the AAC, further conditions on the sidewalks to restrict outdoor dining and minimum requirement for sidewalks with outdoor dining, the location of the mechanical equipment on the two-story options, any improvements with access to the second story, the location and provisions of trash, loading and delivery access, the use of the second

story, the roof view from the Kimpton Hotel, the treatment on the eaves, the shading plan, the use of misting systems, remote parking for any residential use, and the articulation on the west elevation.

Architectural Application Block C Mixed Use Building:

ACTION: (Architectural Advisory Committee) recommend approval of the Block C Mixed Use Building to the Planning Commission, recommending the two-story option, further condition the two-story portion to be reviewed and approved by the AAC at a later date, along with further articulation on the west elevation and the trash enclosure be returned to the AAC for final approval. **Motion Chair Fredricks, seconded by Member Secoy-Jensen and unanimously carried (6-0) noting the absence of Member Fauber.**

ACTION: (Planning Commission) 1) Recommend approval to the City Council; and 2) Adopt Resolution No. 6563, "A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF PALM SPRINGS, CALIFORNIA, APPROVING CASE 3.3607 MAJ AMEND, FOR A ONE- AND TWO-STORY BUILDING LOCATED ON BLOCK C OF THE DOWNTOWN PALM SPRINGS SPECIFIC PLAN AT THE SOUTHWEST CORNER OF PALM CANYON DRIVE AND MAIN STREET, ZONE CBD;" recommending the two-story option and amending the conditions as follows: *i) incorporating the AAC recommended conditions; ii) provide an option to increase the height of the one-story portion of the building to 28 feet to screen mechanical equipment, and allow the second-story portion of the building at 34 feet; iii) west facade of the building design shall be revised to provide additional articulation to be reviewed and approved by the AAC and the Planning Commission; iv) the building shall conform to the City's Green Building Program "tree level" in accordance with the requirements of the Downtown Specific Plan; v) sorting area for recyclable materials shall be provided in accordance with the Downtown Specific Plan and to the extent reasonable recyclable materials shall be used; and vi) Revisions to the approved landscape/hardscape plan shall be reviewed and approved by the Downtown Subcommittee, AAC, and Planning Commission prior to the issuance of building permits. Motion Commission Weremiuk, seconded by Vice Chair Calerdine and unanimously carried (6-0) noting the absence of Commissioner Hirschbein.*

ACTION: (City Council) Adopt Resolution No. 24002, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, APPROVING A MAJOR ARCHITECTURAL APPLICATION FOR A ONE AND TWO-STORY BUILDING LOCATED ON BLOCK C OF THE DOWNTOWN PALM SPRINGS SPECIFIC PLAN AT THE SOUTHWEST CORNER OF PALM CANYON DRIVE AND MAIN STREET;" approving the two-story option as submitted, *amending the*

conditions of approval as follows: i) screening of mechanical equipment shall be submitted, reviewed and approved by the AAC; ii) west facade of the building design shall be revised to provide additional articulation to be reviewed and approved by the AAC and the Planning Commission, iii) the building shall conform to the City's Green Building "tree level" in accordance with the requirements of the Downtown Palm Springs Specific Plan; iv) Sorting area for recyclable materials shall be provided in accordance with the Downtown Palm Springs Specific Plan; v) revisions to the approved landscape/hardscape shall be reviewed and approved by the Downtown Subcommittee, AAC and the Planning Commission prior to the issuance of building permits. Motion Councilmember Roberts, seconded by Mayor Pro Tem Mills and unanimously carried (5-0).

Architectural Application Block B-1 Hotel:

ACTION: (Architectural Advisory Committee) recommend approval of Block B-1 Hotel to the Planning Commission. **Motion Chair Fredricks, seconded by Vice Chair Cassady and unanimously carried (6-0) noting the absence of Member Fauber.**

ACTION: (Planning Commission) 1) Recommend approval to the City Council; and 2) Adopt Resolution No. 6564, "A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF PALM SPRINGS, CALIFORNIA, RECOMMENDING CITY COUNCIL APPROVAL OF CASE 3.3908 MAJ, A MAJOR ARCHITECTURAL APPLICATION TO CONSTRUCT A SIX STORY RESORT HOTEL WITH 142 ROOMS WITHIN THE DOWNTOWN PALM SPRINGS SPECIFIC PLAN LOCATED AT THE NORTHEAST CORNER OF BELARDO ROAD AND MAIN STREET, ZONE CBD;" *amending the conditions of approval as follows: i) require a separate unisex bathroom to be provided on the lobby floor of the building; and ii) provide a plan for stub out locations for future recessed bollards in the Main Street right-of-way, to reduce the street travel lane and allow greater pedestrian access, subject to review by the Downtown Subcommittee. Motion Vice Chair Calerdine, seconded by Commissioner Lowe and unanimously carried (6-0) noting absence of Commissioner Hirschbein.*

ACTION: (City Council) Adopt Resolution No. 24003, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, APPROVING A MAJOR ARCHITECTURAL APPLICATION FOR A SIX-STORY HOTEL WITH 142 ROOMS LOCATED ON BLOCK B-1 OF THE DOWNTOWN PALM SPRINGS SPECIFIC PLAN AT THE NORTHEAST CORNER OF BELARDO ROAD AND MAIN STREET;" *amending the conditions of approval as follows: i) require a separate unisex bathroom to be provided on the lobby floor of the building; and ii) Provide a plan for stub out locations for future recessed bollards in the Main Street right-of-way, to reduce the street travel lane and allow greater*

pedestrian access, subject to review by the Downtown Subcommittee, iii) provide a comprehensive recycling plan for the entire Specific Plan project area prior to the issuance of a building permit; iv) revise the Market Street east facade of the building to provide additional glazing and balconies prior to the issuing of a building permit; and v) the building shall conform to the City's Green Building Program "tree level" in accordance with the requirements of the Downtown Palm Springs Specific Plan. Motion Councilmember Roberts, seconded by Councilmember Kors and unanimously carried (5-0)

Planning Commissioner Vice Chair Calerdine left the meeting.

Architectural Application Block A-1 Parking Lot:

ACTION: (Architectural Advisory Committee) Recommend approval of Block A1 Parking Lot to the Planning Commission. **Motion Chair Fredricks, seconded by Member Lockyer and unanimously carried (6-0) noting the absence of Member Fauber.**

ACTION: (Planning Commission) 1) Recommend approval to the City Council, and 2) Adopt Resolution No. 6565, "A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF PALM SPRINGS, CALIFORNIA, RECOMMENDING CITY COUNCIL APPROVAL OF CASE 3.3948 MAA, A MINOR ARCHITECTURAL APPLICATION TO CONSTRUCT A 70-SPACE PARKING LOT LOCATED ON BLOCK A-1 OF THE DOWNTOWN PALM SPRINGS SPECIFIC PLAN AT THE NORTHEAST CORNER OF BELARDO ROAD AND ANDREAS ROAD, ZONE CBD. (CASE 3.3948 MAA);" *amending the conditions by removing Planning Condition No. PLN 4. Motion Commissioner Donenfeld, seconded by Commissioner Lowe and unanimously carried (5-0) noting the absence of Commissioner Hirschbein and Vice Chair Calerdine.*

ACTION: (City Council) Adopt Resolution No. 24004, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, APPROVING A MINOR ARCHITECTURAL APPLICATION FOR A PARKING LOT LOCATED ON BLOCK A-1 OF THE DOWNTOWN PALM SPRINGS SPECIFIC PLAN AT THE NORTHEAST CORNER OF BELARDO ROAD AND ANDREAS ROAD;" *amending the conditions by removing Planning Condition No. PLN 4. Motion Councilmember Roberts, seconded by Councilmember Foat and unanimously carried (5-0).*

The City Council recessed at 11:17 p.m. and the Architectural Advisory Committee and the Planning Commission adjourned.

The City Council reconvened at 11:28 p.m.

PUBLIC COMMENT:

MARLA MALASPINE, commented on Item 3.B., and requested the City Council adopt the Urgency Ordinance.

CHARLENE FARIS, commented on Item 3.B., stated she is being evicted from her affordable unit as the unit is being converted to a vacation rental.

CHRIS CLINE, commented on Item 3.B., and requested the City Council oppose the proposed ordinance.

JIM FRANKLIN, commented on Item 3.A. regarding the Sign Ordinance, and Item 3.B. regarding vacation rental conversions.

DAVIS MEYER, commented on Item 3.B., stated her objection to the proposed Urgency Ordinance, and requested stakeholders be provided an opportunity to study and comment on any proposed ordinance.

DARYL TERRELL, commented on the history and recent events in the City of Palm Springs.

JAMIE KOWAL, commented on Item 3.B., and stated her objection to the proposed Urgency Ordinance.

LISA MIDDLETON, commented on Item 3.B., and stated OnePS is supportive of prohibiting vacation rentals going forward as a temporary measure.

TIM BRINKMAN, commented on Item 3.B., and requested the City Council oppose the ordinance.

KEVIN STACHEL, commented on Item 3.B., and requested the City Council oppose the urgency ordinance.

BRIAN WILSON, commented on Item 3.B., and requested the City Council oppose the ordinance.

CITY COUNCIL SUB-COMMITTEE REPORTS AND UPDATES:

Councilmember Roberts provided an update on the Council Chamber Upgrade ad hoc Subcommittee, and stated the Subcommittee will also be reviewing the Council Chamber upgrades including the foyer.

Mayor Pro Tem Mills provided an update on the City Council Plaza Racquet Club Subcommittee.

COUNCILMEMBER COMMENTS:

Councilmember Roberts requested a discussion item or a City Council Subcommittee to discuss the City Council Rules of Procedure for the conduct of meetings.

Councilmember Kors commented on vacation rental regulations, requested the City Council create a Subcommittee for Affordable Housing, stated the City Council tabled the urgency sign ordinance but requested that Staff address an immediate need for political signs and wanted to ensure Staff does not remove political signs in places where there are other signs and unequal enforcement, requested the Sustainability Commission review the leaf blower ordinance, and place on the next agenda a discussion to employ the services of Rod Pacheco.

Councilmember Foat requested Staff distribute the prepared reports regarding Indian Canyon and place a discussion item on the next City Council agenda, including appointment of a City Council Subcommittee if one has not already been created.

Mayor Pro Tem Mills requested the TOT incentive transfer to the Virgin Hotel be placed on the next agenda as a consent calendar item.

CITY MANAGER'S REPORT: None.

2. CONSENT CALENDAR:

ACTION: Approve Items 2.A., 2.B., 2.C., 2.D., 2.E., 2.G., and 2.H. **Motion Mayor Pro Tem Mills, seconded by Councilmember Foat and unanimously carried (5-0).**

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

ACTION: Receive and file Report on the Posting of the April 20, 2016, City Council Agenda. **Approved as part of the Consent Calendar.**

2.B. AWARD A CONSTRUCTION CONTRACT TO BORDEN EXCAVATING INC. IN THE AMOUNT OF \$1,082,525 FOR THE HERMOSA DRIVE STREET AND STORM DRAINAGE IMPROVEMENTS, FEDERAL PROJECT PLHDL06-5282 (032) & HPLUL-5282 (033) (CP 09-04):

ACTION: 1) Award a construction contract to Borden Excavating Inc. in the amount of \$1,082,525 for the Hermosa Drive Street and Storm Drainage Improvements, Federal Project PLHDL06-5282 (032) & HPLUL-5282 (033) (CP 09-04); 2) Authorize a Purchase Order to Interwest Consulting Group, pursuant to On-Call Agreement No. A6686 in the amount of \$64,578 for construction management inspection and environmental services for the Hermosa Drive Street and Storm Drainage Improvements (CP 09-04) Federal Project PLHDL06-5282 (032) & HPLUL-5282 (033); 3) Authorize the City Manager to approve and execute construction contract change orders up to an additional amount of

\$108,253; and 4) Authorize the City Manager to execute all necessary documents. A6845. A6686. **Approved as part of the Consent Calendar.**

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

ACTION: 1) Adopt Resolution No. 24005, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, APPROVING PAYMENT OF CLAIMS AND DEMANDS BY WARRANTS NUMBERED 1084511 THROUGH 1084622 IN THE AGGREGATE AMOUNT OF \$598,924.57, DRAWN ON BANK OF AMERICA;" 2) Adopt Resolution No. 24006, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, APPROVING PAYMENT OF CLAIMS AND DEMANDS BY WARRANTS NUMBERED 1084623 THROUGH 1084778 IN THE AGGREGATE AMOUNT OF \$2,006,405.89, DRAWN ON BANK OF AMERICA;" 3) Adopt Resolution No. 24007, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, APPROVING PAYMENT OF PAYROLL WARRANTS FOR THE PERIOD ENDED 03-26-2016 BY WARRANTS NUMBERED 419488 THROUGH 419499 TOTALING \$17,764.33, LIABILITY CHECKS NUMBERED 1084779 THROUGH 1084797 TOTALING \$91,377.52, FIVE WIRE TRANSFERS FOR \$58,825.01, AND THREE ELECTRONIC ACH DEBITS OF \$1,233,142.89 IN THE AGGREGATE AMOUNT OF \$1,401,109.75, DRAWN ON BANK OF AMERICA;" and 4) Adopt Resolution No. 24008, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, APPROVING PAYMENT OF CLAIMS AND DEMANDS BY WARRANTS NUMBERED 1084798 THROUGH 1084936 IN THE AGGREGATE AMOUNT OF \$1,302,070.95, DRAWN ON BANK OF AMERICA."
Approved as part of the Consent Calendar.

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

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

2.E. APPROVAL OF CONTRACT CHANGE ORDER NO. 5 IN THE AMOUNT OF \$198,818.16 WITH POWELL CONSTRUCTORS, INC. FOR EMERGENCY BRIDGE REPAIR WORK AT THE RAMON ROAD BRIDGE OVER THE WHITEWATER RIVER:

ACTION: 1) In accordance with Section 7.04.040 of the Palm Springs Municipal Code determine that a state of emergency exists with the condition of the existing expansion joints of the Ramon Road Bridge over the Whitewater River, requiring immediate repair and replacement; 2) Authorize the City Manager to proceed with emergency repairs of the expansion joints of the Ramon Road Bridge over the Whitewater River by utilizing an existing construction contract previously awarded to Powell Constructors, Inc. for the Bogert Trail Bridge Rehabilitation (CP 07-03);

3) Approve Contract Change Order No. 5 in the amount of \$198,818.16 with Powell Constructors, Inc. for a revised total contract amount of \$2,772,771.30 for the Bogert Trail Bridge Rehabilitation (CP 07-03); and 4) Authorize the City Manager to execute all necessary documents. A6657.

2.G. AWARD A CONSTRUCTION CONTRACT TO CT&T CONCRETE PAVING, INC. IN THE AMOUNT OF \$51,988 FOR THE CITYWIDE ADA CURB RAMP IMPROVEMENTS PROJECT (CP 15-18):

ACTION: 1) Award a construction contract to CT&T Concrete Paving, Inc. in the amount of \$51,988 for the Citywide ADA Curb Ramp Improvements Project (CP 15-18); and 2) Authorize the City Manager to execute all necessary documents. A6846. **Approved as part of the Consent Calendar.**

2.H. APPROVAL OF MINUTES:

ACTION: Approve the City Council Minutes of April 13, 2016. **Approved as part of the Consent Calendar.**

EXCLUDED CONSENT CALENDAR:

2.F. APPROVAL OF AMENDMENT NO. 3 IN THE AMOUNT OF \$39,738 TO THE PROFESSIONAL SERVICES AGREEMENT NO. A5985 WITH MICHAEL BAKER INTERNATIONAL INC. TO COMPLETE ADDITIONAL CONSTRUCTION MANAGEMENT AND SUPPORT SERVICES FOR THE TRAFFIC MANAGEMENT CENTER (TMC) AND TRAFFIC SIGNAL SYNCHRONIZATION PROJECT (CP 08-04):

Councilmember Foat requested Staff address any coordination with the CVAG traffic signalization project, and requested Staff follow-up with CVAG if a portion of the City project can be funded by the CVAG grant.

ACTION: 1) Approve Amendment No. 3 in the amount of \$39,738 to Professional Services Agreement No. A5985 with Michael Baker International, Inc. (formerly known as RBF Consulting) for a revised total contract amount of \$659,451 to complete additional construction management and support services; and 2) Authorize the City Manager to execute all necessary documents. A5985.

3. LEGISLATIVE:

3.A. PROPOSED URGENCY ORDINANCE IMPOSING INTERIM REGULATIONS FOR THE INSTALLATION AND MAINTENANCE OF TEMPORARY SIGNS:

ACTION: Tabled and referred to the City Council Sign Subcommittee.

3.B. PROPOSED URGENCY ORDINANCE PROHIBITING THE RENTAL OF APARTMENTS (MORE THAN THREE-UNITS) AS VACATION RENTALS

City Attorney Holland provided background information as outlined in the Staff Report dated April 20, 2016, and noted a revised ordinance has been prepared for consideration by the City Council.

ACTION: 1) Adopt Urgency Ordinance No. 1891, "AN URGENCY ORDINANCE OF THE CITY OF PALM SPRINGS, CALIFORNIA, AMENDING SECTIONS 5.25.020 AND 5.25.030 OF, AND ADDING SECTION 5.25.075 TO, THE PALM SPRINGS MUNICIPAL CODE PROHIBITING THE RENTAL OF APARTMENTS AS VACATION RENTALS." **Motion Councilmember Kors, seconded by Councilmember Roberts and unanimously carried (5-0).**

4. UNFINISHED BUSINESS: None.

5. NEW BUSINESS:

5.A. PRELIMINARY OVERVIEW OF THE FISCAL YEAR 2016-17 BUDGET:

ACTION: Tabled to the May 4, 2016, City Council meeting.

5.B. APPROVAL OF CONTRACT CHANGE ORDER NO. 2 IN THE AMOUNT OF \$383,289 WITH INTERMOUNTAIN SLURRY SEAL, INC. FOR THE 2015 CITYWIDE ANNUAL SLURRY SEAL AND APPROVAL OF TRAFFIC STRIPING TO IMPLEMENT A "ROAD DIET" CONVERSION ON FARRELL DRIVE BETWEEN RAMON ROAD AND E. PALM CANYON DRIVE (CP 15-02):

Marcus Fuller, Assistant City Manager/City Engineer, provided background information as outlined in the Staff Report dated April 20, 2016.

ACTION: 1) Approve Contract Change Order No. 2 in the amount of \$383,289 to the construction contract with Intermountain Slurry Seal, Inc. for a revised total contract amount of \$2,655,693 for the 2015 Citywide Annual Slurry Seal (CP 15-02); 2) Table the implementation of a "road diet" limited only to that portion of Farrell Drive between E. Palm Canyon Drive and Ramon Road, until such time as Staff notifies and the City receives a response from Mesquite Homeowners Association; and 3) Authorize the City Manager to execute all necessary documents. A6774. **Motion Mayor Pro Tem Mills, seconded by Councilmember Kors and unanimously carried (5-0).**

5.C. AWARD A CONSTRUCTION CONTRACT TO JANUS CORPORATION IN THE AMOUNT OF \$79,200 FOR THE FIRE STATION NO. 4 REHABILITATION (DEMOLITION & ABATEMENT) (CP 15-25):

City Manager Ready and Fire Chief Nalder provided background information as outlined in the Staff Report dated April 20, 2016.

ACTION: 1) Reject the lowest bid received from 5M Contracting, Inc. as non-responsive; 2) Award a construction contract to Janus Corporation in the amount of \$79,200 for the Fire Station No. 4 Rehabilitation (Demolition & Abatement) (CP 15-25); and 3) Authorize the City Manager to execute all necessary documents. A6847. **Motion Councilmember Kors, seconded by Mayor Pro Tem Mills and unanimously carried (5-0).**

5.D. AMENDING THE LONG RANGE PROPERTY MANAGEMENT PLAN TO ALLOW FOR RETENTION OF THOSE REAL PROPERTIES USED FOR PUBLIC PARKING BY DESIGNATING THEM AS GOVERNMENTAL USE PURSUANT TO THE PROVISIONS OF SB 107 AND AMENDED SECTION 34181.3(B) OF THE HEALTH AND SAFETY CODE AND APPROVING TRANSFER OF OWNERSHIP OF CERTAIN REAL PROPERTY TO THE CITY OF PALM SPRINGS FOR CITY GOVERNMENTAL PURPOSES:

ACTION: (City Council) 1) Receive and File Amendment No. 1 to the Long Range Property Management Plan; and 2) Adopt Resolution No. 24009, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, AUTHORIZING THE CITY MANAGER AND THE CITY CLERK TO ACCEPT THE TRANSFER OF SUCCESSOR AGENCY PROPERTIES, NUMBERED 8 THROUGH 12 IN THE LONG RANGE PROPERTY MANAGEMENT PLAN TO THE CITY OF PALM SPRINGS FOR CITY GOVERNMENTAL USE PURSUANT TO THE PROVISIONS OF THE LONG RANGE PROPERTY MANAGEMENT PLAN AND HEALTH & SAFETY CODE SECTION 34181."

(Successor Agency) 1) Receive and File Amendment No. 1 to the Long Range Property Management Plan; and 2) Adopt Resolution No. 24010, "A RESOLUTION OF THE CITY COUNCIL AS SUCCESSOR AGENCY TO THE COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF PALM SPRINGS, CALIFORNIA, APPROVING THE TRANSFER OF CERTAIN REAL PROPERTIES NUMBERED 8 THROUGH 12 IN THE LONG RANGE PROPERTY MANAGEMENT PLAN TO THE CITY OF PALM SPRINGS FOR CITY GOVERNMENTAL USE PURSUANT TO THE PROVISIONS OF THE LONG RANGE PROPERTY MANAGEMENT PLAN AND HEALTH AND SAFETY CODE SECTION 34181." **Motion Councilmember Roberts, seconded by Councilmember Kors and unanimously carried (5-0).**

COUNCILMEMBER COMMENTS, REQUESTS, AND REPORTS:

Councilmember Foat commented on the length of the City Council meetings and suggested the City Council consider additional meetings.

ADJOURNMENT: The City Council adjourned at 12:53 a.m. on Thursday, April 21, 2016, to the next regular meeting Wednesday, May 4, 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 THE 4TH DAY OF MAY, 2016.

MAYOR

ATTEST:

CITY CLERK