

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



**MEETING MINUTES
WEDNESDAY, JULY 13, 2016
CITY HALL COUNCIL CHAMBER**

CALL TO ORDER: Mayor Moon called the meeting to order at 6:06 p.m.

PLEDGE OF ALLEGIANCE: Mayor Moon led the Pledge.

ROLL CALL:

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

ABSENT: Councilmember Roberts.

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

REPORT OF CLOSED SESSION:

The meeting was called to order at 5:00 p.m., and City Attorney Holland requested the City Council consider adding one Item to the Closed Session Agenda pursuant to Cal. Gov. Code Section 54956.8, *Conference with Real Property Negotiator, for the property described as a 120 acre parcel of land located at the northwest corner of Tramview Road and North Indian Canyon, Agency Negotiator David Ready, City Manager or Designee, Negotiating Parties, Lisa Howell, College of the Desert, to discuss price and terms of payment for the purchase.* City Attorney Holland stated the City received information regarding this parcel after the posting the Agenda, and there is an immediate need to hear and/or take action.

ACTION: 1) Find the Item came to the attention of the City after the posting of the Agenda, and there is an immediate need to hear and/or take action on the Item; and 2) Add to the Closed Session Agenda one Item pursuant to Cal. Gov. Code Section 54956.8, *Conference with Real Property Negotiator, for the property described as a 120 acre parcel of land located at the northwest corner of Tramview Road and North Indian Canyon, Agency Negotiator David Ready, City Manager or Designee, Negotiating Parties, Lisa Howell, College of the Desert, to discuss price and terms of payment for the purchase.* **Motion Mayor Pro Tem Mills, seconded by Councilmember Foat and unanimously carried (4-0) noting the absence of Councilmember Roberts.**

The following speakers addressed the City Council on Items on the Closed Session Agenda:

ALLEN WORTHY, commented on the performance evaluation of the City Manager.

ITEM NO. 13

City Attorney Holland stated the City Council recessed into Closed Session to discuss Items on the Closed Session Agenda, and reported the City Council provided City Staff and the City Attorney direction, otherwise no reportable actions were taken.

ACCEPTANCE OF THE AGENDA:

ACTION: Accept the Agenda as presented. **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.

PUBLIC COMMENT:

FRED BELL, commented on Item 1.A., and requested the City Council fund the Palm Springs Air Museum.

DEBBIE KAHNG, commented on Item 1.A., and requested the City Council fund LGBT Youth Education Funding and the Walk in Palm Desert.

LINDA GOORMAN, commented on Item 1.A., and requested the City Council fund the Mizell Senior Center.

JOSEPH JACKSON, commented on Item 1.A., and requested the City Council fund the Gay Men's Chorus.

SID CRAIG, commented on Item 1.A., and requested the City Council fund the Concerts and Movies in the City Parks, the Holiday Concert, the Mizell Senior Center and the Palm Springs International Film Festival.

SUSAN FRANCIS, commented on Item 1.A., and requested the City Council fund the Ophelia Project for the Palm Springs Unified School District.

TEDDY GOUYA, commented on Item 1.A., and requested the City Council fund the American Documentary Film Festival with the Palm Springs Cultural Center.

MIKE THOMPSON commented on Item 1.A., and requested the City Council fund the LGBT Center of the Desert.

CARA VAN DYKE, commented on Item 1.A., and requested the City Council fund the Palm Canyon Theatre.

TERRY GREEN, commented on Item 1.A., and requested the City Council fund DigiCOM.

MICHAEL HOLLINGSWORTH, commented on Item 1.A., and requested the City Council fund the Palm Springs International Song Fest.

LAURI KIBBY, commented on Item 1.A., and requested the City Council fund the Mizell Senior Center.

LUPE RAMOS WATSON, commented on Item 1.A., and requested the City Council fund the Act for MS programs.

GARY MOLINE, commented on Item 1.A., and requested the City Council fund the Desert Winds Freedom Band.

ROSIE PUENTES TERRY, commented on Item 1.A., and requested the City Council fund the Desert Hot Springs Healthy City Programs.

CHRIS MOBLEY, commented on Item 1.A., and requested the City Council fund Modernism Week.

MICHAEL GREEN, commented on Item 1.A., and requested the City Council fund the Palm Springs Cultural Center Programs.

KRISTAL GRANADOS, commented on Item 1.A., and requested the City Council fund the United Way of the Desert.

MITCH BLUMBERG, commented on Item 1.A., and requested the City Council fund the Desert Arc Programs.

STEVE KAUFER, commented on Item 1.A., and requested the City Council fund the Desert AIDS Project.

NONA WATSON, commented on Item 1.A., and requested the City Council fund the Palm Springs Chamber of Commerce Events.

BOBBI GOODMAN , commented on Item 1.A., and requested the City Council fund the Coachella Valley Chapter of the Los Angeles Jazz Society.

THOMI CLINTON, commented on Item 1.A., and requested the City Council fund the Transgender Community Coalition Programs.

LINDA ATKINS, commented on Item 1.A., and requested the City Council fund the Palm Springs Symphony Orchestra.

DINO ZONIC, commented on Item 1.A., and requested the City Council fund the Palm Springs Symphony Orchestra.

JACK NEWBY, commented on Item 1.A., and requested the City Council fund the Mizell Senior Center.

CARRIE ALLAN, commented on Item 1.A., and requested the City Council fund the Mizell Senior Center.

JOSH ZIPPERMAN, commented on Item 1.A., and requested the City Council fund the Mizell Senior Center.

MARJORIE CONLEY AIKENS, commented on Item 1.A., and requested the City Council fund the Mizell Senior Center.

TAMMY MARTIN, commented on Item 1.A., and requested the City Council fund the Friends of the Desert Mountains.

MARK MARSHALL, commented on Item 1.A., and requested the City Council fund the Mizell Senior Center.

KENNY CASSADY, commented on Item 1.A., and requested the City Council fund Equality California and the Equality California Institute.

MARTY NARTLEY, commented on Item 1.A., and requested the City Council fund the Habitat for Humanity Programs.

DEAN MCDOWELL, commented on Item 1.A., and requested the City Council fund the Desert Winds Freedom Band.

AFTAB DADA, commented on Item 1.A., and requested the City Council fund the Tour de Palm Springs.

JULIE BORNSTEIN, commented on Item 1.A., and requested the City Council fund the Coachella Valley Housing Coalition programs.

JARVIS CRAWFORD, commented on Item 1.A., and requested the City Council fund Black History Month events.

JEFFREY GILSON, commented on Item 1.A., and requested the City Council fund the Palm Springs Symphony Orchestra.

RAE HENDRYX, commented on Item 1.A., and requested the City Council fund the Mizell Senior Center.

RON DeHART, commented on Item 1.A., and requested the City Council fund the Greater Palm Springs Pride Event.

SHELLEY SOMERVILLE, commented on Item 1.A., and requested the City Council fund the Mizell Senior Center.

HAROLD MATZNER, commented on Item 1.A., and requested the City Council fund the Palm Springs International Film Festival.

JEB BONNER, commented on Item 1.A., and requested the City Council fund the Palm Springs Art Museum.

MEGAN GOEHRING, commented on Item 1.A., and requested the City Council fund the Palm Springs Cultural Center Farmers Market.

ROBERT TERRY, commented on Item 1.B., and requested the City Council approve and fund the day time programming at Roy's Desert Resource Center.

JOHN F. LEWIS, commented on Item 1.D., and requested the City Council not extend the moratorium on the conversion of apartments to vacation rentals.

JIM WEBB, commented on Item 1.D., and requested the City Council not extend the moratorium on the conversion of apartments to vacation rentals.

RICHARD LAFERRIER, commented on Item 1.D., and requested the City Council not extend the moratorium on the conversion of apartments to vacation rentals.

MIKE ZISKIND, commented on Item 1.D., and requested the City Council extend the urgency ordinance on the conversion of apartments to vacation rentals.

MARLA MALASPINA, commented on Item 1.D., and requested the City Council extend the urgency ordinance on the conversion of apartments to vacation rentals.

PHILIP STROUT, commented on Item 1.D., and requested the City Council extend the urgency ordinance on the conversion of apartments to vacation rentals.

STEPHEN SULLIVAN, commented on Item 1.D., and requested the City Council not extend the moratorium on the conversion of apartments to vacation rentals.

JAIME KOWAL, commented on Item 1.D., and requested the City Council not extend the moratorium on the conversion of apartments to vacation rentals.

SHON TOMLIN, commented on Item 1.D., and requested the City Council not extend the moratorium on the conversion of apartments to vacation rentals.

MICHAEL MCLEAN, commented on Item 1.D., and requested the City Council not extend the moratorium on the conversion of apartments to vacation rentals.

ALLEN WORTHY, commented on his ongoing issues with the Palm Springs Police Department.

RUTH DEBRA, requested the City Council rename Crossley Road and requested a meeting of the City Council Subcommittee.

ANN BLANCHARD, stated her support for the Buzz in the Historic Tennis Club Neighborhood.

RICHARD NOBLE, commented on the support of the Equality Act and upcoming events for addiction services.

CITY COUNCIL SUB-COMMITTEE REPORTS AND UPDATES: None.

COUNCILMEMBER COMMENTS:

Mayor Moon requested the City Manager schedule a special Town Hall meeting at the Palm Springs Convention Center in September or October to publicly address the vacation rental ordinance.

Councilmember Kors requested the City Manager place on the next agenda further discussion on the City Council Rules of Procedure.

Councilmember Foat commented on the scheduling of a special meeting for vacation rentals until the City Council Subcommittee conducts public meetings, and commented on the process for Sponsorships and Grants.

Mayor Pro Tem Mills commented on the scheduling of a special meeting for vacation rentals and recommended the City Council Subcommittee conduct public meetings prior to a special City Council meeting for vacation rentals, and requested Code Enforcement address the landscaping at the Palm Springs Mall.

The City Council discussed conducting a special Town Hall meeting for vacation rentals. Councilmember Kors requested the City Council Vacation Rental Subcommittee meet prior to the next City Council meeting to discuss the time frame for a meeting.

CITY MANAGER'S REPORT:

City Manager Ready commented on Vacation Rental enforcement and suggested a monthly meeting with Vacation Rental Enforcement Staff and stakeholders.

The City Council recessed at 9:00 p.m.
The City Council reconvened at 9:13 p.m.

1. ADJOURNED REGULAR MEETING ITEMS:

Councilmember Foat stated she has a business related conflict of interest with respect to Item 1.A. for consideration of the Mizell Senior Center, would not participate in the discussion or the vote, and left Council Chamber.

1.A. REVIEW APPLICATIONS, ALLOCATE AND AWARD THE FISCAL YEAR 2016-17 SPONSORSHIP AND PROGRAM FUNDING GRANTS AND CITY SPONSORED SPECIAL EVENTS:

City Clerk Thompson provided background information as outlined in the Staff Report dated July 13, 2016.

Councilmember Kors provided background information on the City Council Subcommittee process and recommendations.

The City Council discussed the allocation of contributions, sponsorships, and requests for support.

ACTION: Approve the Fiscal Year 2016-17 funding to the Mizell Senior Center in the amount of \$80,000. **Motion Mayor Pro Tem Mills, seconded by Councilmember Kors and carried (3-0) noting the absence of Councilmember Foat and Councilmember Roberts.**

Councilmember Foat returned to the dais.

ACTION: 1) Award the Fiscal Year 2016-17 Sponsorship and/or Program Funding Grants as follows:

CVSPIN, Inc. Tour de Palm Springs \$25,000 In-Kind

Palm Springs Pride \$85,000 In-Kind

Palm Springs International Film Festival \$50,000 In-Kind and \$350,000 for a total of \$400,000

Palm Springs Modernism Week \$6,000 In-Kind and \$35,000 for a total of \$41,000

Agua Caliente Band of Cahuilla Indians Milanovich Legacy Hike \$5,000

Agua Caliente Band of Cahuilla Indians Native FilmFest \$1,000

Black History Parade and Town Fair \$3,500 In-Kind and \$16,500 for a total of \$20,000

Boys and Girls Club \$10,000

Coachella Valley Housing Coalition KaBOOM Park at Coyote Run \$10,000

Desert AIDS Walk \$2,500

Desert AIDS Dining Out for Life \$2,500

DigiCOM Film Festival (Waiver of Convention Center Fees) \$5,000 In-Kind

Equality California Institute \$5,000

LGBT Center of the Desert (Furniture) \$25,000

Palm Springs Chamber of Commerce (Presidents Circle) \$8,000

Palm Springs Cultural Center \$7,000 In-Kind and \$15,000 for a total of \$22,000

Palm Springs Frontrunners In-Kind \$2,500

Palm Springs High School In-Kind \$2,500

Palm Springs Marathon Runners (Run for Ike) In-Kind \$2,500

Palm Springs Marathon Runners (Film Festival Red Carpet Run) In-Kind \$2,500

Palm Springs Marathon Runners (Santa Paws 5K) In-Kind \$2,500

Palm Springs Marathon Runners (Veterans Day Hero's Run) In-Kind \$2,500

Palm Springs Opera Guild \$7,500

Shelter from the Storm (Palm Springs Residents only) \$2,500

Transgender Community Coalition In-Kind \$5,000

Well in the Desert (Programing) \$24,000

Well in the Desert (Christmas Dinner) \$3,500

July 4th Celebration (City Event) \$30,000

Festival of Lights (City Event) \$30,000

Veteran's Day Parade (City Event) \$15,000

Cash Reserve to Provide Certain In-Kind Services \$30,000

Palm Springs Art Museum (Public Arts Fund) \$50,000

2) Authorize the City Manager to execute individual Sponsorship and Program Fund Grants, subject to approval by the City Attorney as to form.
Motion Mayor Moon, seconded by Mayor Pro Tem Mills.

1.B. AUTHORIZE AN AGREEMENT FOR THE OPERATION OF A DAY PROGRAM FOR HOMELESS PERSONS AT ROY'S DESERT RESOURCE CENTER FOR A FOUR MONTH PERIOD AND PROPOSED RESOLUTION AMENDING THE FISCAL YEAR 2016-17 BUDGET TO APPROPRIATE \$75,000 FROM THE GENERAL FUND:

Laurie Aylain, Director of Community and Economic Development, provided background information as outlined in the Staff Report dated July 13, 2016.

The City Council discussed and/or commented on the following: measuring the success of the pilot program for future recommendations, the details of the services to be provided, and requested progress reports from the Subcommittee.

ACTION: 1) Authorize the City Manager to execute an operations agreement, for an amount not to exceed \$75,000, to provide a Day Program at Roy's Desert Resource Center, for a four month period; and 2) Adopt Resolution No. 24059, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, AMENDING THE BUDGET FOR FISCAL YEAR 2016-17 TO PROVIDE AN ADDITIONAL \$75,000 FOR THE HOMELESS DAY CARE PROGRAM."
Motion Councilmember Kors, seconded by Councilmember Foat 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.

1.C. APPROVE AGREEMENT NO. 6 TO A PURCHASE AND SALE AGREEMENT WITH SELENE PALM SPRINGS, LLC, AND AUTHORIZE THE CITY MANAGER TO EXECUTE ALL DOCUMENTS RELATED TO THE AGREEMENTS:

City Attorney Holland provided background information as outlined in the Staff Report dated July 13, 2016.

ACTION: 1) Approve Amendment No. 6 to Agreement No. A6329 with Selene Palm Springs LLC, for the sale of a 7.8 acre parcel at the northeast corner of Calle Alvarado and Amado; and 2) Authorize the City Manager to execute all necessary documents. A6329. **Motion Councilmember Foat, 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.

1.D. PROPOSED URGENCY ORDINANCE EXTENDING URGENCY ORDINANCE NO. 1891 PROHIBITING THE RENTAL OF APARTMENTS AS VACATION RENTALS:

City Clerk Thompson provided background information as outlined in the Staff Report dated July 13, 2016.

The City Council discussed and/or commented on the following with respect to the Urgency Ordinance: the continued need for the moratorium on apartments as vacation rentals, the sunset date, the definition of an apartment, and how conversions may affect affordable housing.

ACTION: Adopt Urgency Ordinance No. 1897, "AN URGENCY ORDINANCE OF THE CITY OF PALM SPRINGS, CALIFORNIA, EXTENDING URGENCY ORDINANCE NO. 1891 PROHIBITING THE RENTAL OF APARTMENTS AS VACATION RENTALS TO NOVEMBER 30, 2016," *amending Section 1 of the Ordinance for the ordinance to expire on November 30, 2016, and adding a section to the ordinance to read "Apartment means a residential unit in a multi-family development of five (5) or more dwelling units where each unit is rented or leased for occupancy as a residence for one individual or family."* **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.

Mayor Pro Tem Mills stated he has a business related conflict of interest with respect to Item 1.E., would not participate in the discussion and the vote, and left Council Chamber.

1.E. SECOND READING AND ADOPTION OF ORDINANCE NO. 1894 AMENDING THE PALM SPRINGS MUNICIPAL CODE RELATING TO ACCEPTANCE OF INDUSTRIAL COOLING WATER OR UNPOLLUTED PROCESS WATER INTO THE CITY'S SANITARY SEWER SYSTEM FOR TREATMENT:

ACTION: Waive the reading of the ordinance text and adopt Ordinance No. 1894, "AN ORDINANCE OF THE CITY OF PALM SPRINGS, CALIFORNIA, AMENDING CHAPTER 15.28 'WATER AND SEWERS' OF THE CITY OF PALM SPRINGS MUNICIPAL CODE TO CAPTURE

INDUSTRIAL COOLING WATER OR UNPOLLUTED PROCESS WATER IN CITY SEWERS FOR TREATMENT.” 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.

1.F. SECOND READING AND ADOPTION OF ORDINANCE NO. 1895 RELATING TO ALL-GENDER RESTROOMS IN BUSINESSES AND PUBLIC ACCOMMODATIONS:

ACTION: Waive the reading of the ordinance text and adopt Ordinance No. 1895, "AN ORDINANCE OF THE CITY OF PALM SPRINGS, CALIFORNIA, ADDING ARTICLE IX TO CHAPTER 8.04 OF THE PALM SPRINGS MUNICIPAL CODE, RELATING TO ALL-GENDER RESTROOMS IN BUSINESSES AND PUBLIC ACCOMMODATIONS.” **Motion Councilmember Foat, 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.

1.G. PROPOSED ORDINANCE AMENDING THE PALM SPRINGS MUNICIPAL CODE, RELATING TO NON-DISCRIMINATION IN CITY CONTRACTING:

City Attorney Holland provided background information as outlined in the Staff Report dated July 13, 2016.

ACTION: Waive the reading of the ordinance text in its entirety and introduce by title only for first reading Ordinance No. 1896, "AN ORDINANCE OF THE CITY OF PALM SPRINGS, CALIFORNIA, AMENDING SECTION 7.01.040 OF, AND ADDING SECTION 7.06.090 TO, THE PALM SPRINGS MUNICIPAL CODE, RELATING TO NON-DISCRIMINATION IN CITY CONTRACTING.” **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.

COUNCILMEMBER COMMENTS, REQUESTS, AND REPORTS:

Mayor Moon requested City Staff address using nails for street repairs and striping, and requested an Item placed on an upcoming agenda to discuss the Event House Ordinance, regarding the required notice time.

Councilmember Kors requested dates be set for the September and October special meetings of the City Council.

ADJOURNMENT: The City Council adjourned at 10:49 p.m. to an adjourned regular meeting at 6:00 p.m., Wednesday, August 3, 2016, Council Chamber, City Hall, preceded by Closed Session, Small Conference Room, City Hall, 3200 East Tahquitz Canyon Way, Palm Springs. The City Council will NOT conduct a meeting on Wednesday, July 20, 2016.

**APPROVED BY A MOTION OF THE PALM SPRINGS CITY COUNCIL THIS
3RD DAY OF AUGUST, 2016.**

ROBERT MOON, MAYOR

ATTEST:

JAMES THOMPSON, CITY CLERK

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



**SPECIAL MEETING MINUTES
TUESDAY, JULY 12, 2016
CITY HALL LARGE CONFERENCE ROOM**

CALL TO ORDER: Mayor Moon called the meeting to order at 5:10 p.m.

ROLL CALL:

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

ABSENT: None.

ALSO PRESENT: City Clerk Thompson.

PUBLIC COMMENT: None.

INTERVIEW AND APPOINT APPLICANTS TO THE PLANNING COMMISSION AS PART OF THE 2016 ANNUAL RECRUITMENT:

ACTION: 1) Reappoint Randy Lowe to the Planning Commission for the term ending June 30, 2019; and 2) Appoint Douglas Hundson to the Planning Commission for the term ending June 30, 2019. **Motion Councilmember Roberts, seconded by Councilmember Foat and carried (4-0) noting the no vote of Mayor Pro Tem Mills.**

ADJOURNMENT: The City Council adjourned at 6:45 p.m. to the regular adjourned meeting Wednesday, July 23, 2016, at 6:00 p.m. Council Chamber, City Hall, 3200 East Tahquitz Canyon Way, Palm Springs, preceded by Closed Session.

APPROVED BY A MOTION OF THE PALM SPRINGS CITY COUNCIL THIS 3RD DAY OF AUGUST, 2016.

ROBERT MOON, MAYOR

ATTEST:

JAMES THOMPSON, CITY CLERK

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



**MEETING MINUTES
WEDNESDAY, JULY 6, 2016
CITY HALL COUNCIL CHAMBER**

CALL TO ORDER: Mayor Moon called the meeting to order at 6:06 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 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 and the City Council presented a proclamation for Lee Bonno, Director of Neighborhoods and wished her well in her retirement.

REPORT OF CLOSED SESSION:

The meeting was called to order at 4:00 p.m., and City Attorney Holland requested the City Council consider adding two items to the Closed Session Agenda, pursuant to Cal. Gov. Code Section 54956.9(d)(1) Existing Litigation titled *Advocates for Better Community Development v. City of Palm Springs*, Case No. PSC 1405677, Riverside Superior Court, *Palm Springs Division*, and *Robles v. City of Palm Springs et al.*, Case No. PSC 1600289, Riverside Superior Court, Palm Springs Division, and stated he received information regarding the cases after the posting of the Agenda, and there is an immediate need to hear and/or take action.

ACTION: 1) Find the matter 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; and 2) Add to the Closed Session Agenda, pursuant to Cal. Gov. Code Section 54956.9(d)(1) two cases of existing litigation titled *Advocates for Better Community Development v. City of Palm Springs*, Case No. PSC 1405677, Riverside Superior Court, Palm Springs Division, and

Robles v. City of Palm Springs et al., Case No. PSC 1600289, Riverside Superior Court, Palm Springs Division. **Motion Councilmember Foat, seconded by Mayor Pro Tem Mills and unanimously carried (5-0).**

City Attorney Holland stated the City Council recessed into Closed Session to discuss items on the Closed Session Agenda and reported the City Council provided direction to the City Attorney and City Staff, otherwise no reportable actions were taken.

ACCEPTANCE OF THE AGENDA:

City Attorney Holland requested Item 3.D. be pulled from the Agenda as the Ordinance did not reflect all of the direction from the Subcommittee, and stated the extension of the urgency will be on the July 13, 2016, City Council Agenda.

Councilmember Kors requested Items 2.H. and 2.N. be removed from the Consent Calendar for separate discussion.

Mayor Pro Tem Mills requested Items 2.L. and 2.M. be removed from the Consent Calendar for separate discussion.

Councilmember Foat requested Items 2.C. and 2.I. be removed from the Consent Calendar for separate discussion, and stated she would abstain from the discussion and the vote for Item 2.M. due to the location on the Agenda being described as on the Mizell property, although the Mizell does not receive any direct funding with the Item.

Mayor Moon requested Item 2.J. be removed from the Consent Calendar for separate discussion.

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

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. ANNUAL LEVY OF ASSESSMENTS FOR VARIOUS CITYWIDE STREET LIGHTING, PARKWAY, AND LANDSCAPE MAINTENANCE DISTRICTS, FISCAL YEAR 2016-17:

City Manager Ready provided background information as outlined in the Staff Report dated July 6, 2016.

Mayor Moon opened the public hearing, and no speakers coming forward the public hearing was closed.

ACTION: Adopt Resolution No. 24056, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, APPROVING THE ENGINEER'S REPORT AND ORDERING THE CONTINUED OPERATION AND MAINTENANCE OF IMPROVEMENTS FOR STREET LIGHTING MAINTENANCE DISTRICT NO. 3, AND PARKWAY MAINTENANCE DISTRICT NOS. 6A, 6C, 7, 8, 9, AND 10 (ZONES 1 AND 2), AND LANDSCAPE MAINTENANCE DISTRICT NO. 12, AND ORDERING THE LEVY AND COLLECTION OF ANNUAL ASSESSMENTS RELATED THERETO FOR FISCAL YEAR 2016-17." **Motion Mayor Pro Tem Mills, seconded by Councilmember Roberts and unanimously carried on a roll call vote.**

- 1.B. **WOODBRIIDGE PACIFIC GROUP ON BEHALF OF PALM CANYON 65, LLC. FOR A PLANNED DEVELOPMENT IN LIEU OF ZONE CHANGE, TENTATIVE TRACT MAP AND MAJOR ARCHITECTURAL APPLICATION TO CONSTRUCT A RESIDENTIAL PROJECT CONSISTING OF 57 SINGLE-FAMILY RESIDENCES AND 25 MULTI-FAMILY RESIDENTIAL CONDOMINIUMS ON A 12.38-ACRE SITE LOCATED AT 777 SOUTH PALM CANYON DRIVE, ZONE C-1 & R-3 (CASE NOS. 5.1378 PD-379 ZC, 3.3876 MAJ AND TTM 36914):**
Flinn Fagg, Director of Planning Services, provided background information as outlined in the Staff Report dated July 6, 2016.

The City Council discussed and/or commented on the following: requested Staff address the density without a PDD application, rock crushing, the public benefit, the number of trips to move the rocks, the side yard set-back, and the allowable use along Palm Canyon Drive.

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

TODD CUNNINGHAM, Applicant, outlined the process thru the AAC and the Planning Commission, noted changes to the project through the process, requested relief for the removal of the unit for the park, requested the City Council maintain the project as a gated project, commented on the set-back, the proposed dog park, the elimination of units for the creation of open space, and the proposed rock crushing technology and location.

DR. JONATHAN FREEMAN, commented on the installation of gates and the requirement for a public park as it may affect the surrounding neighborhood.

ROBERT FAY, stated the project only has one-gate, commented on the lot size, setbacks, and other variations from the zoning code, the location of the one community pool and the dog park.

TIM ERKINS, stated he is opposed to the installation of gates, commented on the height of the structure and the height of the pad, density, and the location of the paths behind the units.

RANDY BLANCHARD, stated the project is a good project, commented on the price point, and requested the City Council address the Planning Commission requirement for the installation of the park, and requested the City Council eliminate the park requirement.

JUDY DEERTRACK, commented on the lack of compliance with the General Plan and State law, the lack of commercial mix, the small lot size, the reduced set-backs, the size of interior street, and the public benefit.

ALLEN WORTHY, commented on the architecture and commented on the requirement to remove the gate.

FRANK TYSEN, commented on the use of PDD and the deviation from the City's development standards.

RICHARD SAMUELS, commented on the history of the lot and current problems with the vacant lot, stated his support for the development of the site, and his support for a gated community.

TODD CUNNINGHAM, Applicant Rebuttal, commented on individual pools, the grading of the site, the view corridor from Belardo, and the lot sizes.

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

The City Council discussed and/or commented on the following: the General Plan requirements for non-gated communities, questioned the Applicant on pedestrian gates and public open space, street width and street parking, the rocking technology and if not successful a requirement to remove rocks with trucks, the General Plan requirement for non-gated communities, the lack of pedestrian connection, the lack of open space, the public benefit, the lighting of the Palm Trees, truck delivery hours, the landscaping plan, the tree selection and conformity with the Tahquitz Creek Master Plan, the repeating feature in the landscape along Palm Canyon, the view corridors along Palm Canyon, the site plan, parking, the street width, the grading plan and retaining wall, the lack of overhang and shading, maintenance requirement and costs for the park, the lot size, the public benefit, changes needed and the process for the return of the project to the City Council.

ACTION: Appoint Councilmember Roberts and Mayor Pro Tem Mills to a City Council ad hoc Subcommittee to further incorporate the City Council discussion and concepts and return to the City Council. **Motion Councilmember Foat, seconded by Councilmember Roberts and unanimously carried on a roll call vote.**

1.C. HOTEL INCENTIVE PROGRAM, COLT'S LODGE, LLC (COLT'S LODGE) LOCATED AT 1586 EAST PALM CANYON DRIVE:

Lauri Aylaian, Director of Community and Economic Development provided background information as outlined in the Staff Report dated July 6, 2016.

The City Council questioned if the application was timely submitted, prevailing wage requirements, indemnification of prevailing wage.

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

JEANIE HUGHES, Applicant, provided a history of the development and the site, and requested the City Council approve the agreement.

SID CRAIG, commented on the facility.

FRANK TYSEN, requested the City Council approve the incentive grant and was in support for smaller boutique hotels.

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

ACTION: Approve a Hotel Operations Covenant Agreement with Colt's Lodge, LLC (Colt's Lodge) located at 1586 East 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 3) Authorize the City Manager to execute all necessary documents. A6872. **Motion Councilmember Roberts, seconded by Councilmember Foat and unanimously carried on a roll call vote.**

The City Council recessed at 8:45 p.m.

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

PUBLIC COMMENT:

ALLEN WORTHY, commented on his ongoing issues with the Palm Springs Police Department, and requested the City Council fund the renovation of the Cornelia White House.

SHELLY SAUNDERS, commented on the homeless problems in the City and encouraged the City Council to prioritize homeless issues.

MICHAEL HARRINGTON, commented on Item 5.F. and suggested the City Council defer to recent State law regarding gun control.

BOB RICHMOND, commented on Item 5.F. regarding gun control, commented on automatic weapon and semi-automatic weapons.

JIM STUART, commented on Item 5.F. regarding gun control, and recommended the City Council consider a committee to work with stakeholders and the Police Department to review any regulations.

LOUIS SAPIENZA, commented on Item 5.D. regarding alcohol beverage on pedicabs and social cycles, and requested the City Council allow alcohol beverages on-board.

RICK PANTELE, commented on Item 4.B. and requested the City Council not reduce the public comment time at City Council meetings, and commented on gun control.

JULIE BORNSTEIN, commented on affordable housing and recommended the City consider a partnership with Coyote Run Affordable Housing for the installation of a park, and requested the City Council consider re-designation of their grant application.

STEVE ROSENBERG, commented on Item 4.B. regarding the conduct of City Council meetings, and recommended the City Council meet on a weekly basis.

JACK NEWBY, commented on fatal traffic accidents in the City of Palm Springs, traffic signal timing and protected left turns.

RON deHART, commented on Items 3.B. and 3.C. regarding non-discrimination and all-gender restrooms, and requested the City Council approve both ordinances.

PATRICIA BRESLIN, requested Item 2.F. regarding Buzz Trolley advertising be removed from the Consent Calendar, and spoke against the Buzz Trolley in the Historic Tennis Club Neighborhood.

MICHAEL MCCULLOCH, commented on Item 5.F. regarding firearm safety, and stated the proposed ordinance is over reaching.

TOBIAS WOLFF, commented on Items 3.B. and 5.F. regarding non-discrimination and gun control, and requested the City Council support the proposed ordinances, and commented on homelessness issues.

JIM WEBB, commented on vacation rental regulations and the impact to the real estate industry.

GRETCHEN GUTIERREZ, commented on vacation rental regulations and thanked the City Council for withdrawing the moratorium on new vacation rentals.

LISA MIDDLETON, commented on Item 5.F. regarding gun control, and requested the City Council adopt gun safety regulations.

CITY COUNCIL SUB-COMMITTEE REPORTS AND UPDATES:

Councilmember Foat and Councilmember Kors provided an update on the Homeless Task Force.

COUNCILMEMBER COMMENTS: None.

CITY MANAGER'S REPORT: None.

2. CONSENT CALENDAR:

Mayor Pro Tem Mills requested Item 2.L. be returned to the Consent Calendar for approval.

ACTION: Approve Items 2.A., 2.B., 2.D., 2.E., 2.F., 2.G., 2.K., 2.L., and 2.O. **Motion Councilmember Roberts, seconded by Councilmember Foat 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 July 6, 2016, City Council Agenda. **Approved as part of the Consent Calendar.**

2.B. APPROVAL OF MINUTES:

ACTION: Approve the City Council Minutes of June 23, 2016. **Approved as part of the Consent Calendar.**

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

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

2.E. REAL PROPERTY ACQUISITION AGREEMENT WITH AENEAS VALLEY RANCH, LLC TO ACCEPT DONATED PROPERTY IDENTIFIED BY ASSESSORS PARCEL NUMBER (APN) 635-060-011 FOR THE PROPOSITION 1 GRANT PROGRAM – REMEDIATION OF THE DUNN ROAD SITE:

ACTION: 1) Adopt Resolution No. 24057, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, ACCEPTING THE DONATION OF 40 ACRES OF VACANT REAL PROPERTY FROM AENEAS VALLEY RANCH, LLC, A WASHINGTON LIMITED LIABILITY COMPANY, FOR THE PROPERTY IDENTIFIED BY

ASSESSOR PARCEL NUMBER (APN) 635-060-011”; 2) Approve a Real Property Acquisition Agreement with Aeneas Valley Ranch, LLC in the amount of \$0 to accept the conveyance of donated property identified by APN 635-060-011; 3) Authorize a Purchase Order in the amount of \$65,390 with the City’s “on-call” environmental assessment (CEQA) services firm, Terra Nova Planning and Research, Inc. pursuant to Agreement No. A6559, for preparation of environmental and remediation documentation for the “Dunn Road Project”; and 4) Authorize the City Manager to execute all necessary documents, open escrow, and pay for associated escrow and title costs associated with the acceptance of the donated real property. A6873. A6559. **Approved as part of the Consent Calendar.**

- 2.F. AMENDMENT NO. 4 TO CONSULTING SERVICES AGREEMENT NO. A6552 WITH SYMBLAZE INC. TO PROVIDE ONGOING SUPPORT AND MARKETING SERVICES FOR THE PALM SPRINGS BUZZ TROLLEY SERVICE PROGRAM OVER THE NEXT TWELVE MONTHS IN THE AMOUNT OF \$3,784 PER MONTH INCREASING THE CONTRACT BY \$45,408 WITH A TOTAL CONTRACT AMOUNT NOT TO EXCEED \$184,365:**

ACTION: 1) Approve Amendment No. 4 to Agreement No. A6552 with Symblaze, Inc. for twelve additional months of ongoing support services at an amount of \$45,408 for a revised total contract amount of \$184,365; and 2) Authorize the City Manager to execute all necessary documents. A6552. **Approved as part of the Consent Calendar.**

- 2.G. AMENDMENT NO. 2 TO AGREEMENT A6288 WITH NBS GOVERNMENT FINANCE GROUP FOR ASSESSMENT DISTRICTS, LIGHTING & LANDSCAPE MAINTENANCE DISTRICTS, COMMUNITY FACILITIES DISTRICTS, AND COUNTY SERVICE AREA AUDIT AND ADMINISTRATION SERVICES:**

ACTION: 1) Approve Amendment No. 2 to Agreement No. A6288 with NBS Government Finance Group, for County Service Area audit and administration services for the remainder of the current contract term through June 30, 2017; and 2) Authorize the City Manager to execute all necessary documents. A6288. **Approved as part of the Consent Calendar.**

- 2.K. AUTHORIZE THE ISSUANCE OF A PURCHASE ORDER TO CARRIER CORPORATION IN THE AMOUNT OF \$68,935 FOR EQUIPMENT REPAIRS RELATED TO AN AIR CONDITIONING CHILLER AT THE PALM SPRINGS INTERNATIONAL AIRPORT:**

ACTION: 1) Approve a Purchase Order in the amount of \$68,935 to Carrier Corporation in accordance with Proposal No. LS2016-0044A dated June 8, 2016, for repair of the motor on the Trane chiller Model CVHE260, Serial L91K08700, at the Palm Springs International Airport, inclusive of

bearing replacement of the compressor; and 2) Authorize the City Manager to execute all necessary documents. **Approved as part of the Consent Calendar.**

2.L. APPROVAL OF PLANS, SPECIFICATIONS AND ESTIMATE (PS&E) AND AUTHORIZATION TO BID THE PALM SPRINGS LIBRARY LED INFORMATION SIGN (CP 15-28):

ACTION: 1) Approve the plans, specifications, and estimate; and 2) Authorize staff to advertise and solicit bids for the Palm Springs Library LED Information Sign Project (CP 15-28). **Approved as part of the Consent Calendar.**

2.O. COOPERATIVE AGREEMENT WITH RIVERSIDE COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT AND RREF II – DC CAMERON, LLC, RELATED TO CONSTRUCTION OF PALM SPRINGS MASTER DRAINAGE PLAN (MDP) LINE 29 ASSOCIATED WITH TRACT MAP 33575 (THE “CAMERON PROJECT”):

ACTION: 1) Approve a Cooperative Agreement with the Riverside County Flood Control and Water Conservation District and RREF II – DC Cameron, LLC, associated with the construction, operation, and maintenance of flood control improvements identified as Palm Springs Master Drainage Plan (MDP) Line 29, associated with Tract Map 33575; and 2) Authorize the City Manager to execute all necessary documents. **A6877. Approved as part of the Consent Calendar.**

EXCLUDED CONSENT CALENDAR:

2.C. APPROVAL OF VARIOUS ACTIONS RELATED TO THE TAHQUITZ CREEK TRIANGLE GATEWAY (CP 14-16):

ACTION: 1) Approve the transfer of \$37,982 in Measure J Capital Fund available budget from the Demuth Park and Ruth Hardy Park Security Path Lighting Improvements, City Project No. 14-19, to the Tahquitz Creek Triangle Gateway, City Project No. 14-16; 2) Delegate authority to the City Manager to approve and execute construction contract change orders up to a cumulative amount of \$50,000; and 3) Authorize the City Manager to execute all necessary documents. **Motion Mayor Pro Tem Mills, seconded by Councilmember Kors and unanimously carried on a roll call vote.**

2.H. AWARD A CONSTRUCTION CONTRACT TO PRINCIPLES CONTRACTING, INC. IN THE AMOUNT OF \$329,867.60 FOR THE PALM SPRINGS DOG PARK RENOVATIONS (CP 16-03):

ACTION: 1) Reject the lowest bid received from G & M Construction as non-responsive; 2) Award a construction contract to Principles Contracting Inc. in the amount of \$329,867.60 for Bid Schedule A only, for the Palm Springs Dog Park Renovations, City Project No. 16-03; and 3) Authorize the City Manager to execute all necessary documents. **A6874. Motion Councilmember Foat,**

seconded by Mayor Pro Tem Mills and unanimously carried on a roll call vote.

2.I. CONSULTING SERVICES WITH THE COACHELLA VALLEY ECONOMIC PARTNERSHIP FOR ADMINISTRATIVE AND MANAGEMENT SERVICES OF THE PALM SPRINGS INNOVATION HUB AND ACCELERATOR CAMPUS:

ACTION: 1) Approve the consulting services agreement with the Coachella Valley Economic Partnership; and 2) Authorize the City Manager to execute all necessary documents. A6875. **Motion Councilmember Foat, seconded by Councilmember Kors and unanimously carried on a roll call vote.**

2.J. APPROVAL OF A PURCHASE ORDER IN THE AMOUNT OF \$166,400 TO INTERWEST CONSULTING GROUP, INC., FOR BUILDING INSPECTIONS REQUIRED FOR NEW COMMERCIAL BUILDINGS LOCATED IN THE DOWNTOWN PALM SPRINGS DEVELOPMENT PROJECT:

ACTION: 1) Approve a Purchase Order in the amount of \$166,400 to Interwest Consulting Group, Inc., in accordance with Agreement No. A6686, to coordinate and provide as-needed building inspections through Fiscal Year 2016-17 required for new commercial buildings being constructed within the Downtown Palm Springs development project; and 2) Authorize the City Manager to execute all necessary documents. A6686. **Motion Mayor Pro Tem Mills, seconded by Councilmember Roberts and unanimously carried on a roll call vote.**

Councilmember Foat stated she would abstain from the discussion and the vote for Item 2.M. due to the location on the Agenda being described as on the Mizell property, although the Mizell does not receive any direct funding with the Item, and left Council Chamber.

2.M. AWARD A CONSTRUCTION CONTRACT TO NR DEVELOPMENT, INC. IN THE AMOUNT OF \$39,500 FOR THE MIZELL SENIOR CENTER SHADE CANOPY PROJECT (CP 15-12):

ACTION: 1) Appropriate \$25,000 from the remaining balance of the Measure J Fund contingency for the Mizell Senior Center Shade Canopy Project (CP 15-12); 2) Award a construction contract to NR Development, Inc. in the amount of \$39,500 for the Rebid Mizell Senior Center Shade Canopy Project (CP 15-12); and 3) Authorize the City Manager to execute all necessary documents. A6876. **Motion Mayor Pro Tem Mills, seconded by Councilmember Kors and unanimously carried 4-0 on a roll call vote.**

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

NOES: None.

ABSENT: Councilmember Foat.

Councilmember Foat returned to the dais.

2.N. AMENDMENT NO. 1 TO AGREEMENT NO. A6683 WITH SO CAL LAND MAINTENANCE, INC. FOR ROADSIDE MAINTENANCE SERVICES IN THE AMOUNT OF \$93,705:

ACTION: 1) Approve Amendment No. 1 to Agreement No. A6683 in the amount of \$93,705 for a total annual amount of \$174,725 with So Cal Land Maintenance, Inc. for Roadside Maintenance Services; and 2) Authorize the City Manager to execute all necessary documents. A6683. **Motion Mayor Pro Tem Mills, seconded by Mayor Moon and unanimously carried on a roll call vote.**

3. LEGISLATIVE:

Mayor Pro Tem Mills stated Desert Regional Medical Center is a client that may be a permittee under a revised ordinance, due to the appearance of a conflict of interest he would not participate in the discussion and the vote, and left Council Chamber.

3.A. PROPOSED ORDINANCE AMENDING THE PALM SPRINGS MUNICIPAL CODE RELATING TO ACCEPTANCE OF INDUSTRIAL COOLING WATER OR UNPOLLUTED PROCESS WATER INTO THE CITY'S SANITARY SEWER SYSTEM FOR TREATMENT:

Marcus Fuller, Assistant City Manager/City Engineer, provided background information as outlined in the Staff Report dated July 6, 2016. The City Council questioned safety and concern with content and questioned the discharge of pool water.

ACTION: Waive the reading of the ordinance text in its entirety and introduce by title only for first reading Ordinance No. 1894, "AN ORDINANCE OF THE CITY OF PALM SPRINGS, CALIFORNIA, AMENDING CHAPTER 15.28 'WATER AND SEWERS' OF THE CITY OF PALM SPRINGS MUNICIPAL CODE TO CAPTURE INDUSTRIAL COOLING WATER OR UNPOLLUTED PROCESS WATER IN CITY SEWERS FOR TREATMENT." **Motion Councilmember Foat, seconded by Councilmember Roberts.**

Mayor Pro Tem Mills returned to the dais.

3.B. PROPOSED ORDINANCE AMENDING THE PALM SPRINGS MUNICIPAL CODE, RELATING TO NON-DISCRIMINATION IN CITY CONTRACTING:

City Attorney Holland and Councilmember Kors provided background information as outlined in the Staff Report dated July 6, 2016.

ACTION: Continue to the July 13, 2016, City Council meeting. **Motion Councilmember Roberts, seconded by Councilmember Kors and unanimously carried on a roll call vote.**

ACTION: Continue past the 10:00 p.m. tentative adjournment time. **Motion Councilmember Foat, seconded by Councilmember Kors and unanimously carried (5-0).**

3.C. PROPOSED ORDINANCE RELATING TO ALL-GENDER RESTROOMS IN BUSINESSES AND PUBLIC ACCOMMODATIONS:

ACTION: Waive the reading of the ordinance text in its entirety and introduce by title only for first reading Ordinance No. 1895, "AN ORDINANCE OF THE CITY OF PALM SPRINGS, CALIFORNIA, ADDING ARTICLE IX TO CHAPTER 8.04 OF THE PALM SPRINGS MUNICIPAL CODE, RELATING TO ALL-GENDER RESTROOMS IN BUSINESSES AND PUBLIC ACCOMMODATIONS." **Motion Councilmember Roberts, seconded by Mayor Pro Tem Mills and unanimously carried on a roll call vote.**

3.D. PROPOSED URGENCY ORDINANCE IMPOSING A MORATORIUM ON THE ISSUANCE OF VACATION RENTAL CERTIFICATES AND THE IMPOSITION OF FINES AND PENALTIES FOR VIOLATIONS AND/OR CONTINUING URGENCY ORDINANCE NO. 1891:

Withdrawn from the Agenda at the request of Staff.

4. UNFINISHED BUSINESS:

4.A. CONSIDERATION ON THE INITIATION OF AN AMENDMENT TO THE CITY OF PALM SPRINGS GENERAL PLAN TO REVISE THE CIRCULATION ELEMENT AND BIKEWAYS MAP:

Marcus Fuller, Assistant City Manager/City Engineer, provided background information as outlined in the Staff Report dated July 6, 2016.

ACTION: 1) Find the following 4-lane roadways should be reclassified as "Minor Mobility Corridors" as part of an Amendment to the General Plan to revise the Circulation Element and Bikeway Map: a. Camino Real (E. Palm Canyon Dr. to La Verne Way). b. Crossley Road (Ramon Road to 34th Avenue). c. Farrell Drive (Ramon Road to E. Palm Canyon Dr.). d. La Verne Way (S. Palm Canyon Dr. to Twin Palms Dr.). e. Mesquite Avenue (Sunrise Way to Compadre Road). f. San Rafael Drive (N. Palm Canyon Dr. to Sunrise Way). 2) Direct staff to initiate an amendment to the 2007 Palm Springs General Plan to revise the Circulation Element and Bikeways Map, and proceed with further public review in accordance with state law, including review by the Palm Springs Planning Commission and subsequent approval by the City Council. 3) Find the following roadways should be reclassified: Camino Real, Crossley Road, La Verne Way, Mesquite Avenue, and San Rafael Drive to a "Minor Mobility Corridor" to accommodate proposed Class II bike lanes and preserve on-street parking, authorize issuance of a Purchase Order in an amount not to exceed \$100,000 with the City's "on-call" engineering firm,

Albert A. Webb & Associates, pursuant to Agreement No. A6443, for civil and traffic engineering services associated with the CMAC/CVAG Bicycle Lane Project, City Project No. 14-14. 4) Approve the implementation of a "road diet" for that portion of Farrell Drive between Ramon Road and E. Palm Canyon Drive to convert the existing 4-lane roadway to a "Minor Mobility Corridor" as part of the 2015 Citywide Annual Slurry Seal, City Project No. 15-02. 5) Authorize the City Manager to approve Construction Contract Change Orders up to an additional amount not to exceed of \$250,000 with Intermountain Slurry Seal, Inc., to accommodate revised traffic striping to implement proposed Class II bike lanes and other associated work as part of the 2015 Citywide Annual Slurry Seal (CP 15-02). 6) Authorize the City Manager to execute all necessary documents. A6774. **Motion Councilmember Kors, seconded by Councilmember Roberts and unanimously carried on a roll call vote.**

4.B. PROPOSED RESOLUTION MODIFYING THE CITY COUNCIL RULES OF PROCEDURE AND THE CONDUCT OF CITY COUNCIL MEETINGS:

Councilmember Roberts and Councilmember Kors, City Council ad hoc subcommittee provided background information as outlined in the proposed Rules of Procedure.

ACTION: Adopt Resolution No. 24058, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, ADOPTING CITY COUNCIL RULES OF PROCEDURE AND SUPERSEDING RESOLUTION NO. 21201," *amending Section 2.1 of the rules to read "Invitees to lead the Pledge of Allegiance will be limited to the first regular meeting of the month, and only if a school or youth group requests to lead the Pledge," and deleting Section 5.4.5. Motion Councilmember Kors, 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.

5. NEW BUSINESS:

5.A. DESIGNATION OF A VOTING DELEGATE AND ALTERNATE FOR THE LEAGUE OF CALIFORNIA CITIES ANNUAL CONFERENCE OCTOBER 5-7, 2016:

ACTION: Appoint Mayor Moon as the Voting Delegate, and appoint Councilmember Foat as the Alternate Voting Delegate for the 2016 League of California Cities Annual Conference in Long Beach, California, October 5-7, 2016. **Motion Mayor Pro Tem Mills, seconded by Councilmember Kors and unanimously carried on a roll call vote.**

5.B. APPOINTMENT OF VARIOUS COMMISSIONERS AND BOARD MEMBERS AS PART OF THE 2016 ANNUAL RECRUITMENT PROCESS:

ACTION: 1) Reappoint Sid Craig and Alan Bowley to the Parks and Recreation Commission for the term ending June 30, 2019; 2) Appoint Travis Armstrong to the Parks and Recreation Commission for the term ending June 30, 2019; 3) Reappoint Ann Sheffer to the Public Arts Commission for the term ending June 30, 2019; and 4) Appoint Melanie Brenner to the Public Arts Commission for the term ending June 30, 2019. **Motion Mayor Pro Tem Mills, seconded by Councilmember Foat and unanimously carried on a roll call vote.**

5.C. AWARD A CONSTRUCTION CONTRACT TO MATICH CORPORATION IN THE AMOUNT OF \$5,328,933; APPROVE A PURCHASE ORDER IN AN AMOUNT NOT TO EXCEED \$250,000 TO WILLDAN ENGINEERING FOR CONSTRUCTION MANAGEMENT AND INSPECTION SERVICES; AND APPROVE AMENDMENT NO 1. TO A MEMORANDUM OF UNDERSTANDING WITH THE AGUA CALIENTE BAND OF CAHUILLA INDIANS FOR THE 2016 PAVEMENT REHABILITATION PROJECT, CITY PROJECT NO 16-01:

Marcus Fuller, Assistant City Manager/City Engineer, provided background information as outlined in the Staff Report dated July 6, 2016.

ACTION: 1) Waive any informality (non-responsiveness) and award a construction contract to Matich Corporation in the amount of \$5,328,933 for Bid Schedules A through D, inclusive, for the 2016 Pavement Rehabilitation Project, City Project No. 16-01; 2) Allocate \$1,000,000 for additional streets based on street classification (prioritizing based on classification and secondarily by PCI value), and authorize the City Manager to approve a Construction Contract Change Order in an amount not to exceed \$1,000,000; 3) Authorize a Purchase Order to Willdan Engineering, pursuant to On-Call Agreement No. A6688 in an amount not to exceed of \$250,000 for construction management and inspection services for the 2016 Pavement Rehabilitation Project, City Project No. 16-01; 4) Approve Amendment No. 1 to the Intergovernmental Memorandum of Understanding with the Agua Caliente Band of Cahuilla Indians regarding Tribal Transportation Program Funding for the Section 14 Roadway Improvements Project; and 5) Authorize the City Manager to execute all necessary documents. A6878. A6688. A6540. **Motion Councilmember Foat, seconded by Mayor Pro Tem Mills and unanimously carried on a roll call vote.**

5.D. ALCOHOLIC BEVERAGES ON BOARD PEDICABS AS DEFINED BY SENATE BILL 530:

Lauri Aylaian, Community and Economic Development Director, provided background information as outlined in the Staff Report dated July 6, 2016.

ACTION: Direct Staff to return with a draft Ordinance within 90-days. **Motion Mayor Moon, seconded by Mayor Pro Tem Mills and unanimously carried on a roll call vote.**

5.E. PROVIDE STAFF DIRECTION REGARDING POTENTIAL DAY PROGRAM AT ROY'S DESERT RESOURCE CENTER AND FOR OPERATION OF THE PROGRAM FOR A FOUR-MONTH PERIOD:

City Manager Ready and Lauri Aylaian, Director of Community and Economic Development, provided background information as outlined in the Staff Report dated July 6, 2016.

ACTION: Direct Staff to prepare contract and program documents for approval by the City Council. **By unanimous consent of the City Council.**

5.F. DISCUSSION REGARDING FIREARMS SAFETY REGULATIONS:

City Attorney Holland provided background information as outlined in the Staff Report dated July 6, 2016.

ACTION: Direct Staff to prepare a draft ordinance for consideration by the City Council on August 3, 2016. **By unanimous consent of the City Council.**

COUNCILMEMBER COMMENTS, REQUESTS, AND REPORTS:

Councilmember Kors requested Staff consider the ejections in single family homes for vacation rentals.

Mayor Pro Tem Mills requested a City Staff comment on the status of the proposed Spencers turn-around for the Buzz.

Councilmember Roberts commented on the installation of the all-inclusive play equipment installed in Sunrise Park, and stated the City will be hosting an event to celebrate the new equipment that can be used by all children including those with disabilities.

ADJOURNMENT: The City Council adjourned at 12:12 a.m. on Thursday, July 7, 2016, to an adjourned regular meeting at 5:00 p.m., Tuesday, July 12, 2016, Large Conference Room, City Hall, 3200 East Tahquitz Canyon Way, Palm Springs.

There will be an adjourned regular meeting at 6:00 p.m., Wednesday, July 13, 2016, Council Chamber, City Hall, 3200 E. Tahquitz Canyon Way, Palm Springs. There will not be a meeting held on Wednesday, July 20, 2016.

The next regular City Council meeting will be held Wednesday, August 3, 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
3RD DAY OF AUGUST, 2016.**

ROBERT MOON, MAYOR

ATTEST:

JAMES THOMPSON, CITY CLERK

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



**MEETING MINUTES
WEDNESDAY, JUNE 15, 2016
CITY HALL COUNCIL CHAMBER**

CALL TO ORDER: Mayor Moon called the meeting to order at 6:01 p.m.

PLEDGE OF ALLEGIANCE: Mayor Moon 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:

Councilmember Foat provided an update on pet adoptions at the Palm Springs Animal Shelter.

REPORT OF CLOSED SESSION:

The meeting was called to order at 4:15 p.m., and City Attorney Holland requested the City Council consider adding two items to the Closed Session Agenda, pursuant to Cal. Gov. Code Section 54956.9(d)(1) Existing Litigation titled *Advocates for Better Community Development v. City of Palm Springs*, Case No. PSC 1405677, Riverside Superior Court, Palm Springs Division, and *Tennis Club Preservation Society v. City of Palm Springs et al.*, Case No. RIC 1607283, Riverside Superior Court, Riverside Division, and stated he received information regarding the case and was served after the posting of the Agenda, and there is an immediate need to hear and/or take action.

ACTION: 1) Find the matter 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; and 2) Add to the Closed Session Agenda, pursuant to Cal. Gov. Code Section 54956.9(d)(1) two cases of existing litigation titled *Advocates for Better Community Development v. City of Palm Springs*, Case No. PSC 1405677, Riverside Superior Court, Palm Springs Division, and *Tennis Club Preservation Society v. City of Palm Springs et al.*, Case No. RIC 1607283, Riverside Superior Court, Riverside Division. **Motion Mayor Pro Tem Mills, seconded**

by Councilmember Kors and unanimously carried (4-0) noting the absence of Councilmember Foat.

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

City Attorney Holland 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 stated City Staff requested Item 2.M. be removed from the Consent Calendar for a Staff Report and update.

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

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

Mayor Pro Tem Mills requested Item 2.G. be removed from the Consent Calendar for separate discussion, and noted his no vote on Item 2.C.

Mayor Moon noted his no vote on Item 2.C.

ACTION: Accept the Agenda as amended. Motion Councilmember Kors, seconded by Councilmember Foat and unanimously carried on a roll call vote.

1. PUBLIC HEARINGS:

1.A. PROPOSED RESOLUTION TO PLACE DELINQUENT WASTE DISPOSAL CHARGES ON THE RIVERSIDE COUNTY TAX ROLLS FOR COLLECTION:

Marcus Fuller, Assistant City Manager/City Engineer, provided background information as outlined in the Staff Report dated June 15, 2016.

Mayor Moon opened the public hearing, and no speakers coming forward the public hearing was closed.

ACTION: Adopt Resolution No. 24047, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, DETERMINING CERTAIN WASTE DISPOSAL ACCOUNTS TO BE DELINQUENT AND DIRECTING THE PLACEMENT OF THESE ACCOUNTS ON THE COUNTY PROPERTY TAX ROLLS FOR COLLECTION." Motion Councilmember Roberts, seconded by Mayor Pro Tem Mills and unanimously carried on a roll call vote.

- 1.B. **AN APPEAL BY THE ATEF D. JABER TRUST, OWNER OF FIESTA MARKET, REQUESTING THAT THE CITY COUNCIL OVERTURN A CONDITION OF APPROVAL PROHIBITING THE SALE OF ALCOHOL IN SINGLE-SERVE CONTAINERS FOR A CONVENIENCE STORE USE; AND A REQUEST FOR A RESOLUTION OF PUBLIC CONVENIENCE OR NECESSITY (PCN) TO SELL BEER, WINE AND SPIRITS (TYPE 21, OFF-SALE ALCOHOLIC BEVERAGE CONTROL LICENSE) AT THE FIESTA MARKET, LOCATED AT 3700 EAST VISTA CHINO, SUITE G, ZONE M-1-P (CASES 5.0691 CUP/APPEAL AND 5.0691 PCN):**

Flinn Fagg, Director of Planning Services, provided background information as outlined in the Staff Report dated June 15, 2016.

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

DICK EVITT, representing Applicant, stated the condition is unfair for the Applicant as no other business in the area has a similar condition, the owner will take all ABC classes on the sale of alcohol, and commented on the notification provided by the applicant notice.

ALLEN WORTHY, stated the sale of single serve containers of alcohol should be outlawed in the entire City.

DICK EVITT, Applicant Rebuttal, commented on the protections and regulations regarding the sale of alcohol.

The City Council discussed and/or commented on the following: fairness of the condition and that it does not apply to any other business in the City, the applicability to this business since it is a new business, and the location of the business.

ACTION: Adopt Resolution No. 24048, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, UPHOLDING THE APPEAL BY THE ATEF D. JABER TRUST, REMOVING CONDITION OF APPROVAL ITEM PLN 8 FROM THE CONDITIONS RELATED TO APPROVAL OF CASE 5.0691 CUP, A CONDITIONAL USE PERMIT FOR A CONVENIENCE STORE USE FOR "FIESTA MARKET" LOCATED AT 3700 EAST VISTA CHINO, SUITE G, ZONE M-1-P." **Motion Councilmember Foat, seconded by Mayor Pro Tem Mills and unanimously carried on a roll call vote.**

ACTION: Adopt Resolution No. 24049, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, DETERMINING THAT PUBLIC CONVENIENCE WOULD BE SERVED BY THE ISSUANCE OF ALCOHOLIC BEVERAGE CONTROL LICENSE

TYPE 21 AT 3700 EAST VISTA CHINO, SUITE G, WITHIN CENSUS TRACT 9412.00." **Motion Mayor Pro Tem Mills, seconded by Councilmember Kors and unanimously carried on a roll call vote.**

PUBLIC COMMENT:

DAVID POWELL, commented on Item 2.M. and requested the City stop the project and further review the project and the Environmental Impact Report.

ALLEN WORTHY, commented on the recent events in Orlando, Florida and commented on Item 2.E. regarding the Equality Act.

SUSIE BOWMAN, commented on Item 4.B., traffic speed on Farrell, requested the City Council approve the "road-diet," and consider a reduction of the speed limit on Farrell.

DAVID VOGEL, commented on Item 4.C. and the Measure J Commission recommendation for capital improvement projects and programs.

TRAVIS ARMSTRONG, commented on the use of the Palm Springs Dog Park and requested the City Council consider funding the Dog Park improvement project.

DARYL TERRELL, Moreno Valley, commented on the recent events in Orlando, Florida.

WARSLEY ARRUDA, commented on UBER drivers from Los Angeles operating in Palm Springs and at the Palm Springs International Airport.

KIMBERLY WEBB, commented on UBER drivers operating in the Coachella Valley and the Palm Springs International Airport.

VIC YEPELLO, commented on Item 4.B. and Item 4.C. and requested the City Council continue to support and fund bike lanes in the City of Palm Springs.

CHRISTINE HAMMOND, requested the City Council continued to support street repairs, in support of the OnePS recommendation to fund street repairs in the amount of \$5.7 million for 7-years, and requested the City Council continue to support and fund bike lanes.

BRETT KLEIN, commented on Item 4.B. regarding the circulation element of the General Plan and requested the City Council continue to fund bike lanes.

DAVID FREEDMAN, requested the City Council support the Class 2 bike lanes on Murray Canyon and South Palm Canyon Drive, and La Verne Way.

RICHARD NOBLE, commented on the recent events in Orlando, Florida and the Equality Act.

RICK PANTELE, commented on Item 2.C. regarding medical cannabis permits in the City of Palm Springs.

MICHAEL HARRINGTON, commented on Item 2.E. and discrimination to the LGBT community.

ROBERT FINDLEY, commented on Item 2.E. regarding the Equality Act, requested the City Council direct the City Attorney to research an ordinance banning assault weapons in the City, and requested the City Council approve the BevMo request.

PATRICIA BRESLIN, commented on Item 2.I., requested additional education for alcohol beverage control, commented on the promised BUZZ turnaround at Spencers, and requested the City Council approve the Equality Act of 2015.

MATTHEW SHAPIRO, commented on the issuance of medical cannabis permits in the City of Palm Springs.

SCOTT LYLE, commented on Item 4.A. and requested the City Council support the early morning construction hours for the Andaz Hotel.

JOY BROWN MEREDITH, stated her support for Item 2.C. regarding medical cannabis, Item 4.A. regarding extending the construction hours for the Andaz Hotel, and Item 2.E. in support of the Equality Act.

RON deHARTE, Greater Palm Springs Pride, commented on Item 2.E. in support of the Equality Act, and commented on the Arenas event in support of Orlando, Florida.

PAULINA ANGEL, commented on Item 2.E. in support of the Equality Act.

JIM GAZAN, commented on Item 4.A. in support of the early request for construction hours for the Andaz, and Item 4.B. regarding the "road-diet" on Farrell.

KERRY DEAL, read a letter from Mike Thompson, LGBT Center, in support of the Equality Act.

REWOR EADE, commented on Item 2.E. in support of the Equality Act.

CITY COUNCIL SUB-COMMITTEE REPORTS AND UPDATES:

Councilmember Kors provided an update on the Ethics, Transparency and Governmental Reform Task Force, and requested the City Council schedule a Study Session with the Task Force in October.

Councilmember Roberts provided an update on the Security Plan Committee for the Town and Country Center.

COUNCILMEMBER COMMENTS:

Councilmember Kors commented on the recent events in Orlando, Florida, and requested an item be placed on the next agenda to discuss a gun control ordinance.

Councilmember Roberts commented on gun control ordinances and the recent events in Orlando, Florida.

Mayor Moon thanked the first-responders in the City of Palm Springs.

CITY MANAGER'S REPORT: None.

2. CONSENT CALENDAR:

ACTION: Approve Items 2.A., 2.B., 2.C., 2.D., 2.F., 2.H., 2.I., 2.J., 2.K., 2.L., and 2.N. **Motion Councilmember Roberts, seconded by Councilmember Kors 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 June 15, 2016, City Council Agenda. **Approved as part of the Consent Calendar.**

2.B. APPROVAL OF MINUTES:

ACTION: Approve the City Council Minutes of April 6, 2016, May 4, 2016, and June 1, 2016. **Approved as part of the Consent Calendar.**

2.C. SECOND READING AND ADOPTION OF ORDINANCE NO. 1892 RELATING TO HOURS OF OPERATION AND MEDICAL CANNABIS CULTIVATION FACILITIES FOR PERMITTED MEDICAL CANNABIS COLLECTIVES AND COOPERATIVES:

ACTION: Waive the reading of the ordinance text in its entirety and adopt Ordinance No. 1892, "AN ORDINANCE OF THE CITY OF PALM SPRINGS, CALIFORNIA, AMENDING SECTIONS 5.35.210.D.2, 5.35.340.C.1, AND CHAPTER 3.35 OF THE PALM SPRINGS MUNICIPAL CODE, RELATING TO HOURS OF OPERATION AND MEDICAL CANNABIS CULTIVATION FACILITIES FOR PERMITTED MEDICAL CANNABIS COLLECTIVES AND COOPERATIVES." **Approved as part of the Consent Calendar, noting the no votes of Mayor Pro Tem Mills and Mayor Moon.**

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

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

- 2.F. APPROVAL OF CONTRACT CHANGE ORDER AUTHORIZATION WITH INTERMOUNTAIN SLURRY SEAL, INC. FOR THE 2015 CITYWIDE ANNUAL SLURRY SEAL PROJECT (CP 15-02):**
ACTION: 1) Authorize the City Manager to approve Construction Contract Change Orders up to an additional amount not to exceed \$100,000 with Intermountain Slurry Seal, Inc., for the 2015 Citywide Annual Slurry Seal Project (CP 15-02); and 2) Authorize the City Manager to execute all necessary documents. A6774. **Approved as part of the Consent Calendar.**
- 2.H. REQUEST BY BEVERAGES AND MORE, INC. (BEV MO!) FOR A RESOLUTION OF PUBLIC CONVENIENCE OR NECESSITY (PCN) FOR THE SALE OF BEER, WINE, AND DISTILLED SPIRITS ASSOCIATED WITH THREE LIQUOR LICENSE TYPES, TYPE 21 (GENERAL OFF-SALE); TYPE 42 (ON-SALE BEER AND WINE, PUBLIC PREMISES), AND TYPE 86 (INSTRUCTIONAL TASTING) TO SELL AT A PROPOSED RETAIL STORE LOCATED AT 333 SOUTH PALM CANYON DRIVE, ZONE CBD (CASE 5.1392 PCN):**
ACTION: Adopt Resolution No. 24051, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, DETERMINING THAT PUBLIC CONVENIENCE WOULD BE SERVED BY THE ISSUANCE OF ALCOHOLIC BEVERAGE CONTROL LICENSE TYPE 21 (GENERAL OFF-SALE), TYPE 42 (ON-SALE BEER AND WINE, PUBLIC PREMISES), AND TYPE 86 (INSTRUCTIONAL TASTING) AT 333 SOUTH PALM CANYON DRIVE, SUITE NO. 4, WITHIN CENSUS TRACT 0446.06." **Approved as part of the Consent Calendar.**
- 2.I. ACCEPTANCE OF \$48,619 IN GRANT FUNDING FROM THE CALIFORNIA DEPARTMENT OF ALCOHOLIC BEVERAGE CONTROL (ABC) FOR AN ALCOHOL ENFORCEMENT AND AWARENESS PROJECT:**
ACTION: 1) Accept \$48,619 in grant funding from the California Department of Alcohol Beverage Control for an alcohol enforcement and awareness project; and 2) Authorize the City Manager to execute all necessary documents. A6126. **Approved as part of the Consent Calendar.**
- 2.J. ACCEPT AN AWARD FROM THE U.S. DEPARTMENT OF JUSTICE IN THE AMOUNT OF \$22,730 AND APPROVE AN INTERLOCAL AGREEMENT WITH THE COUNTY AND CITY OF RIVERSIDE AND OTHER PARTICIPATING CITIES FOR THE ADMINISTRATION OF THE GRANT:**
ACTION: 1) Approve the acceptance of a grant award from the United States Department of Justice in the amount of \$22,730 for the 2016 Justice Assistance Grant (JAG) Program; 2) Approve an Interlocal Agreement with the City of Riverside, County of Riverside, and various

cities within Riverside County, for the City of Riverside to administer the grant on behalf of participating agencies; and 3) Authorize the City Manager to execute all necessary documents. A6244. **Approved as part of the Consent Calendar.**

2.K. APPROVE ANNUAL INSURANCE POLICY RENEWALS FOR THE CITY'S INSURANCE PORTFOLIO FOR FISCAL YEAR 2016-17:

ACTION: Adopt Resolution No. 24052, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, AUTHORIZING KEENAN & ASSOCIATES AS THE CITY'S BROKER OF RECORD, TO PURCHASE PROPERTY LIABILITY, EXCESS EARTHQUAKE/FLOOD LIABILITY (DIFFERENCE IN CONDITION), EXCESS LIABILITY, EXCESS WORKERS COMPENSATION, AIRPORT OWNERS AND OPERATORS LIABILITY, VILLAGE FEST LIABILITY, MULTI MEDIA LIABILITY, AIRCRAFT HULL LIABILITY, CRIME/FIDELITY LIABILITY, AND CYBER LIABILITY INSURANCE POLICIES FROM VARIOUS CARRIERS FOR POLICY YEAR 2016-2017, EFFECTIVE JULY 1, 2016." A5656. **Approved as part of the Consent Calendar.**

2.L. APPROVAL OF A BLANKET PURCHASE ORDER IN THE AMOUNT OF \$150,000 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 \$150,000 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. **Approved as part of the Consent Calendar.**

2.N. AWARD A CONSTRUCTION CONTRACT TO NR DEVELOPMENT, INC. IN THE AMOUNT OF \$50,500 FOR THE PALM SPRINGS LIBRARY SHADE STRUCTURE PROJECT (CP 15-27):

ACTION: 1) Award a construction contract to NR Development, Inc. in the amount of \$50,500 for the Palm Springs Library Shade Structure Project (CP 15-27); and 2) Authorize the City Manager to execute all necessary documents. A6865. **Approved as part of the Consent Calendar.**

EXCLUDED CONSENT CALENDAR:

2.E. PROPOSED RESOLUTION SUPPORTING THE EQUALITY ACT:

Councilmember Kors provided background information as outlined in the proposed resolution dated June 15, 2016.

Councilmember Foat requested the Resolution be signed by all Councilmembers.

ACTION: Adopt Resolution No. 24050, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, REQUESTING CONGRESS TO PASS THE EQUALITY ACT TO ENSURE THAT FEDERAL CIVIL RIGHTS LAWS ARE FULLY INCLUSIVE OF PROTECTIONS ON THE BASIS OF SEXUAL ORIENTATION, GENDER IDENTITY, AND SEX." **Motion Councilmember Foat, seconded by Mayor Moon and unanimously carried on a roll call vote.**

2.G. APPROVAL OF PLANS, SPECIFICATIONS AND ESTIMATE (PS&E) AND AUTHORIZATION TO BID THE TAHQUITZ CREEK LEVEE IMPROVEMENTS (CP 08-26):

Councilmember Mills questioned if the plans and specifications were reviewed by the Golf Course Staff.

ACTION: 1) Approve the plans, specifications, and estimate; and 2) Authorize staff to advertise and solicit bids for the Tahquitz Creek Levee Improvements Project (CP 08-26). **Motion Mayor Pro Tem Mills, seconded by Councilmember Roberts and unanimously carried on a roll call vote.**

2.M. APPROVE THE DREAM HOTEL AS THE DESIGNATED HOTEL FOR THE SELENE PROJECT AND AUTHORIZE EXTENSION OF THE CLOSE OF ESCROW ON THE SALE OF PROPERTY FROM THE CITY TO SELENE:

Lauri Aylaian, Director of Community Development, provided background information as outlined in the Staff Report dated June 15, 2016.

The City Council discussed and/or commented on the following: the entitlements have been approved, the design and architecture have been approved and any changes would require additional approval, building permits have not been approved, the approval process with the Planning Commission, changes in the mix of use between residential and hotel rooms would require additional approval, the City Council actions on this item are only for the brand, any other changes would require additional approval, the discussion and negotiation between the developer and the neighborhood, and the residential component within the project for self-policing of noise.

ACTION: 1) Approve the Dream Hotel as the designated hotel brand for the Selene project; 2) Authorize an extension of the closing date for the sale of the property from the City to Selene Palm Springs LLC for one month to July 31, 2016; and 3) Authorize the City Manager to execute all necessary documents. A6329. **Motion Mayor Pro Tem Mills, seconded by Councilmember Foat and unanimously carried on a roll call vote.**

3. LEGISLATIVE: None.

The City Council recessed at 8:11 p.m.
The City Council reconvened at 8:22 p.m.

4. UNFINISHED BUSINESS:

4.A. REPORT ON BUILDING OFFICIAL APPROVAL OF A REQUEST FOR EARLY CONSTRUCTION START TIME OF 3:00 A.M. TO 7:00 A.M. FROM MONDAY THRU FRIDAY FOR CERTAIN WORK ACTIVITIES AT THE ANDAZ HOTEL CONSTRUCTION SITE FROM JUNE 20, 2016, THROUGH NOVEMBER 3, 2016:

Marcus Fuller, Assistant City Manager/City Engineer, provided background information as outlined in the Staff Report dated June 15, 2016.

The City Council questioned if any calls or correspondence was received regarding the early hours, conditioning the approval to end if complaints are received, the number of trucks per hour, the routes of the trucks, the staging of trucks, impacts to surrounding neighborhood, the proximity of the route to residential neighborhood, the impact of parking, previous approvals for other projects, the requirement to include the project superintendent's phone number included on materials distributed to neighbors, the distribution of the notice, the benefits of doing this off-season, the reason for the reduction of hours, adding recourse into the approval to end the permit, the impact to the developer should the approval be withdrawn, the process to inform the City of complaints, compiling a record of all complaints, and amending the start time to 2:00 a.m.

ACTION: Authorize the Building Official's issuance of an Early Construction Start Permit, amending the start time to 2:00 a.m. **Motion Mayor Pro Tem Mills, seconded by Mayor Moon and unanimously carried on a roll call vote.**

4.B. CONSIDER INITIATION OF AN AMENDMENT TO THE CITY OF PALM SPRINGS GENERAL PLAN TO REVISE THE CIRCULATION ELEMENT AND BIKEWAYS MAP:

Marcus Fuller, Assistant City Manager/City Engineer, provided background information as outlined in the Staff Report dated June 15, 2016.

The City Council discussed and/or commented on the following: any impact to CVLink, the speed along Farrell, the elimination of street parking, the implementation schedule, funds needed to implement the plan, the preference of Measure J to fund bike lanes, phasing with CVLink, the positive impact of Farrell to the high school and the Leisure Center, request the City Council move forward with a budget and refer to the Subcommittee.

ACTION: 1) Direct Staff to proceed with the reclassification of the following four-lane streets for approved Class II bike lanes: Alejo Road, Amado Road, Arenas Road, Avenida Caballeros, Baristo Road, Calle El Segundo, El Cielo Road, Escoba Drive, Murray Canyon Drive and Toledo Avenue; 2) Direct Staff to proceed to revise Class II bike lanes to Class III bike routes on the following two-lane streets to maintain on-street parking: Araby Road, Barona Road, Compadre Road (Mesquite Avenue to Sonora Road), Mesquite Avenue (west of Sunrise Way), North Palm Canyon Drive (Tram Way to Alejo Road), Paseo Dorotea, Sonora Road (Compadre Road to El Cielo Road), Sunny Dunes Road and Via Escuela, 3) Direct the City Council Subcommittee to review four-lane streets to two-lane streets; and 4) Initiate an amendment to the 2007 Palm Springs General Plan to revise the Circulation Element and the Bikeways Map. **Motion Councilmember Roberts, seconded by Councilmember Kors and unanimously carried on a roll call vote.**

4.C. CONTINUED DISCUSSION ON THE MEASURE J CAPITAL PROJECTS AND AUTHORIZATION TO APPROPRIATE FUNDS AS PART OF THE FISCAL YEAR 2016-17 BUDGET:

City Manager Ready provided background information as outlined in the Staff Report dated June 15, 2016.

The City Council discussed the priorities and capital projects.

ACTION: Continue past the 10:00 p.m. tentative adjournment time. **By consensus of the City Council.**

ACTION: 1) Fund the Downtown Park using \$2,400,000 of Quimby Funds and a General Fund Loan to the Measure J Fund of \$1,000,000 per year for three-years as needed, for a total funding amount of \$5,400,000; 2) Authorize the City Manager to appropriate the Measure J Unallocated Capital Improvement Projects for the projects as follows:

Decrease Allocated Funding of Bike Lanes from \$2,400,000 to \$600,000.
Decrease Allocated Funding for the BUZZ from \$947,962 to \$847,962.

Evaluation of all City Facilities	\$350,000.
Demuth Park ADA Design and Compliance	\$500,000.
Roof Replacements (City Hall/Leisure Center/Demuth)	\$275,000.
Swim Center Re-plaster	\$250,000.
HVAC Chiller Cooling Tower	\$210,000.
IT Backup Server, Firewalls and Security	\$100,000.
Police Technology Enhancements	\$600,000.
Cornelia White House Restoration	\$200,000.
Library Infrastructure Phase 1	\$500,000.
Dog Park Improvement Project	\$330,000.
Chino Cone Trail	\$238,000.

Motion Councilmember Foat, seconded by Councilmember Kors and unanimously carried on a roll call vote.

4.D. REVIEW AND APPOINT AD HOC AND STANDING CITY COUNCIL SUBCOMMITTEES:

The City Council discussed and/or commented on the standing and ad hoc subcommittees.

ACTION: 1) The following Ad Hoc Subcommittees to be modified to Standing Subcommittees: Fundraising, Trails, Medical Cannabis, Information Technology, Palm Springs International Film Festival, Historic Plaza Theatre; 2) The following Subcommittees to be deleted: Plaza Racquet Club, Tahquitz Median Landscape, Holiday Lighting; 3) Separate Street Naming from the Downtown Museum Market Plaza Project and appoint Mayor Pro Tem Mills and Councilmember Roberts to ad hoc Street Naming Subcommittee; 4) Appoint Mayor Moon and Councilmember Kors to an ad hoc City Council Subcommittee for the City Attorney recruitment; 5) Appoint Councilmember Kors and Mayor Moon to an ad hoc City Council Subcommittee for the Palm Canyon and Desert Arts Center; and 6) Appoint Councilmember Foat and Councilmember Roberts to an ad hoc City Council Subcommittee to Annexations and land acquisitions. **Motion Mayor Moon, seconded by Councilmember Roberts and unanimously carried on a roll call vote.**

5. NEW BUSINESS:

5.A. APPOINTMENT OF VARIOUS COMMISSIONERS AND BOARD MEMBERS AS PART OF THE 2016 ANNUAL RECRUITMENT PROCESS:

ACTION: 1) Reappoint Norm King and Michael Call to the Palm Springs International Airport Commission for the terms ending June 30, 2019; 2) Appoint Hunter Johnson to the Palm Springs International Airport Commission for the term ending June 30, 2019; 3) Reappoint Grant Wilson to the Sustainability Commission for the term ending June 30, 2019; 4) Appoint Jennifer Futterman and Roy Clark to the Sustainability Commission for the term ending June 30, 2019; 5) Waive the requirement of Section 6 of Resolution No. 18804 for a one-time appointment to the Rent Review Commission; 6) Appoint Bob Elsner and Travis Armstrong to the Rent Review Commission for one pending Rent Review Hearing; and 7) Declare the appointments of Bob Elsner and Travis Armstrong to the Rent Review Commission automatically vacated once the Rent Review hearing is concluded. **Motion Mayor Pro Tem Mills, seconded by Councilmember Kors and unanimously carried on a roll call vote.**

COUNCILMEMBER COMMENTS, REQUESTS, AND REPORTS:

Mayor Moon requested an update on the Council Chamber Improvement Project.

Mayor Pro Tem Mills requested a discussion on the SHoPS request for a Business Improvement District.

Councilmember Kors commented on the Urgency Ordinance regarding Vacation Rentals, requested the July 6, 2016, Closed Session begin at 4:00 p.m. and include the City Manager Performance Evaluation.

ADJOURNMENT: The City Council adjourned at 10:44 p.m. to an adjourned meeting and study session with the Sustainability Commission on Thursday, June 23, 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
3RD DAY OF AUGUST, 2016.**

ROBERT MOON, MAYOR

ATTEST:

JAMES THOMPSON, CITY CLERK