

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



**MEETING MINUTES
WEDNESDAY, MARCH 16, 2016
CITY HALL COUNCIL CHAMBER**

CALL TO ORDER: Mayor Moon called the meeting to order at 6:05 p.m.

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

INVOCATION: Rev. Andrew Green, Church of St. Paul in the Desert, led the Invocation.

ROLL CALL:

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

ABSENT: Councilmember Kors and Mayor Pro Tem Mills.

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

PRESENTATIONS:

Mayor Moon announced the Life Saving Medal awarded to Palm Springs Police Officer Matthew Steed and the Citizen Award for Valor to Spa Resort Security Officer David Ortega.

Mayor Moon presented a check to Desert Healthcare Foundation for the 2016 Mayor's Wellness Race and Festival.

Mayor Moon presented the 2016 Senior Inspiration Award to Sid Craig.

Mayor Moon provided an update on Police Officer Academy graduations, the Bogert Trail Bridge Widening, Principle for the Day, Palm Springs Chalk Art Festival, Sunny Cycle ribbon cutting, Palm Springs Art Gala, VillageFest 25th Anniversary, OnePS Picnic, Budget Town Hall meetings, Sponsorship and Grant applications period, and Family Fun Week at the Palm Springs Library.

Joe Wallace, Coachella Valley Economic Partnership, provided the City Council an update on the activities of CVEP for the previous year.

Mayor Moon and representatives from Modernism Week provided an update on the 2016 Palm Springs Modernism Week.

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

REPORT OF CLOSED SESSION:

The meeting was called to order at 5:00 p.m. and the City Council recessed into Closed Session to discuss items on the posted Closed Session Agenda. City Attorney Holland reported the City Council provided direction to the City Attorney and City Staff, otherwise no reportable actions were taken.

ACCEPTANCE OF THE AGENDA:

Councilmember Foat noted a business related abstention on Item 2.H. Warrant No. 1083971.

ACTION: Accept the Agenda as amended. **Motion Councilmember Roberts, seconded by Mayor Moon and unanimously carried 3-0 on a roll call vote.**

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

NOES: None.

ABSENT: Councilmember Kors and Mayor Pro Tem Mills.

1. PUBLIC HEARINGS:

1.A. CONSIDER THE VACATION OF A PORTION OF THE PUBLIC RIGHT-OF-WAY DEDICATED FOR GIRASOL AVENUE LOCATED AT THE INTERSECTION OF VISTA GRANDE (FILE R 15-10):

Marcus Fuller, Assistant City Manager/City Engineer, provided background information as outlined in the Staff Report dated March 16, 2016.

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

ACTION: Adopt Resolution No. 23983, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, VACATING AND ABANDONING ALL OF ITS RIGHT, TITLE AND INTEREST IN A PORTION OF THE PUBLIC RIGHT-OF-WAY DEDICATED FOR GIRASOL AVENUE LOCATED AT THE INTERSECTION OF VISTA GRANDE IN SECTION 3, TOWNSHIP 4 SOUTH, RANGE 4 EAST, AND APPROVING A DETERMINATION THAT THE ACTION IS CATEGORICALLY EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) (FILE R 15-10)." **Motion Councilmember Foat, seconded by Councilmember Roberts and unanimously carried 3-0 on a roll call vote.**

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

1.B. HOTEL INCENTIVE PROGRAM, PALM MOUNTAIN RESORT, LP (PALM MOUNTAIN RESORT HOTEL), LOCATED AT 155 S. BELARDO ROAD:

Lauri Aylaian, Director of Community and Economic Development, provided background information as outlined in the Staff Report dated March 16, 2016.

Mayor Moon requested Staff address the base TOT and the percentage share, and the requirements to provide room nights for City business.

Councilmember Roberts requested Staff address the application date and timing and the current status of the program.

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

TIM ELLIS, Applicant, commented on the history of the project, presented photos of before and after the project, and requested the City Council approve the TOT incentive agreement.

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

ACTION: 1) Approve a Hotel Operations Covenant Agreement with the Palm Mountain Resort, LP (Palm Mountain Resort Hotel) located at 155 S. Belardo Road, pursuant to provisions of Chapter 5.26 of the Municipal Code, placing restrictions upon the use and operation of the Hotel for a 10-year period and 50% share of the new transient occupancy tax collected; and 2) Authorize the City Manager to execute all necessary documents. A6833. **Motion Councilmember Foat, seconded by Councilmember Roberts and unanimously carried 3-0 on a roll call vote.**

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

PUBLIC COMMENT:

LES YOUNG, presented a draft policy for honorary street names for consideration by the City Council.

ROBBIN HOWARD, commented on Item 5.B. regarding the conceptual plans for the reconstruction of the Palm Springs Dog Park, stated the plans were very good, and requested the City Council approve the conceptual plans.

NANCY STUART, provided an update on the activities of the San Jacinto Winter Park Authority and the Palm Springs Tram.

JIM STUART, commented on the increase in Fire Department Inspection Fees.

KENN CATTERLIN, Palm Springs, commented on Item 5.B. regarding the conceptual plans for the reconstruction of the Palm Springs Dog Park, requested the City Council consider a few minor amendments and approve the plan.

CITY COUNCIL SUB-COMMITTEE REPORTS AND UPDATES:

Mayor Moon provided a brief report on the relocation of the Plaza Racquet Club Subcommittee.

Councilmember Roberts provided a report on the activities of the Downtown Revitalization Project Subcommittee.

COUNCILMEMBER COMMENTS:

Mayor Moon commented on the recruitment of Commission and Boardmembers.

CITY MANAGER'S REPORT: None.

2. CONSENT CALENDAR:

Discussion was held regarding the payment of warrants, and City Clerk Thompson stated the City Council should consider removing Warrant Nos. 1084169, 1084170 and 1083971.

ACTION: Approve Items 2.A., 2.B., 2.C., 2.D., 2.E., 2.F., 2.G., 2.H., 2.I., 2.J., 2.K., 2.M., and 2.N. **Motion Councilmember Roberts, seconded by Councilmember Foat and unanimously carried 3-0 on a roll call vote.**

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

NOES: None.

ABSENT: Councilmember Kors and Mayor Pro Tem Mills.

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

ACTION: Receive and file Report on the Posting of the March 16, 2016, City Council Agenda. **Approved as part of the Consent Calendar.**

2.B. APPROVAL OF MINUTES:

ACTION: Approve the City Council Minutes of March 2, 2016. **Approved as part of the Consent Calendar.**

- 2.C. APPOINTMENT TO THE VILLAGEFEST BOARD TO FILL AN UNEXPIRED TERM:**
ACTION: Appoint Tina Louise Moreno-Zook to the Villagefest Board for the unexpired term ending June 30, 2018. **Approved as part of the Consent Calendar.**
- 2.D. APPOINTMENT TO THE PUBLIC ARTS COMMISSION TO FILL AN UNEXPIRED TERM:**
ACTION: Appoint Alfonso Murray for the unexpired term ending June 30, 2018. **Approved as part of the Consent Calendar.**
- 2.E. ACCEPT THE RESIGNATION OF EDUARDO CARRIAZO FROM THE HUMAN RIGHTS COMMISSION:**
ACTION: 1) Accept with regret the resignation of Eduardo Carriazo from the Human Rights Commission; and 2) Direct the City Clerk to post a Notice of Vacancy for the term ending June 30, 2018. **Approved as part of the Consent Calendar.**
- 2.F. APPROVAL OF TIME EXTENSION OF SUBDIVISION IMPROVEMENT AGREEMENT NO. A4814 WITH TRIPALMSVIEW PROPERTIES, LLC FOR TRACT MAP 28966:**
ACTION: Adopt Resolution No. 23984, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, AUTHORIZING A ONE YEAR TIME EXTENSION OF THE SUBDIVISION IMPROVEMENT AGREEMENT NO. A4814 FOR TRACT MAP 28966." A4814. **Approved as part of the Consent Calendar.**
- 2.G. STAFF AUTHORIZED AGREEMENTS AND PURCHASE ORDERS FOR THE MONTH OF FEBRUARY 2016:**
ACTION: Receive and file the report of Staff Authorized Agreements and Purchase Orders for the period of February 1 through February 29, 2016. **Approved as part of the Consent Calendar.**
- 2.H. APPROVAL OF PAYROLL WARRANTS, CLAIMS AND DEMANDS:**
ACTION: 1) Adopt Resolution No. 23985, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, APPROVING PAYMENT OF CLAIMS AND DEMANDS BY WARRANTS NUMBERED 1083770 THROUGH 1083901 IN THE AGGREGATE AMOUNT OF \$1,095,095.48, DRAWN ON BANK OF AMERICA;" 2) Adopt Resolution No. 23986, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, APPROVING PAYMENT OF PAYROLL WARRANTS FOR THE PERIOD ENDED 02-13-2016 BY WARRANTS NUMBERED 419452 THROUGH 419464 TOTALING \$19,849.64, LIABILITY CHECKS NUMBERED 1083902 THROUGH 1083920 TOTALING \$90,198.75, FIVE WIRE TRANSFERS FOR \$57,180.01, AND THREE ELECTRONIC ACH DEBITS OF \$1,224,664.88

IN THE AGGREGATE AMOUNT OF \$1,391,893.28, DRAWN ON BANK OF AMERICA;" 3) Adopt Resolution No. 23987, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, APPROVING PAYMENT OF CLAIMS AND DEMANDS BY WARRANTS NUMBERED 1083921 THROUGH 1084033 IN THE AGGREGATE AMOUNT OF \$4,739,724.72, DRAWN ON BANK OF AMERICA;" 4) Adopt Resolution No. 23988, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, APPROVING PAYMENT OF CLAIM AND DEMAND BY WARRANT NUMBERED 1084034 IN THE AMOUNT OF \$650,000.00, DRAWN ON BANK OF AMERICA;" and 5) Adopt Resolution No. 23989, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, APPROVING PAYMENT OF CLAIMS AND DEMANDS BY WARRANTS NUMBERED 1084035 THROUGH 1084192 IN THE AGGREGATE AMOUNT OF \$2,619,573.11, DRAWN ON BANK OF AMERICA." **Approved as part of the Consent Calendar, amending the Resolutions by removing Warrant Nos. 1084169, 1084170 and 1083971.**

- 2.I. REPORT OF THE COOLING TOWER REPAIRS AT THE PALM SPRINGS INTERNATIONAL AIRPORT PURSUANT TO PALM SPRINGS MUNICIPAL CODE SECTION 7.04.040:**
ACTION: Receive and File. **Approved as part of the Consent Calendar.**
- 2.J. PURCHASE FROM DELL INC. TEN NEW RUGGEDIZED LAPTOP COMPUTERS AND ASSOCIATED HARDWARE:**
ACTION: 1) Approve the purchase of 10 new 14" Ruggedized Laptop Computers, Dell Mobile Docking Stations, and Multimode Combo Antennas, along with associated hardware from Dell Inc. utilizing the national cooperative NASPO ValuePoint Agreement No. WN03AGW in the amount of \$52,841.09; and 2) Authorize the City Manager to execute all necessary documents. **Approved as part of the Consent Calendar.**
- 2.K. RATIFY CONTRACT WITH COMSERCO, INC., FOR PURCHASE AND INSTALLATION OF BI-DIRECTIONAL ANTENNA:**
ACTION: Ratify the contract with ComSerCo, Inc., for the sole-source purchase and installation of a bi-directional antenna in the amount of \$53,174.77. **Approved as part of the Consent Calendar.**
- 2.M. AMENDMENT NO. 1 IN THE AMOUNT OF \$25,000 TO THE PROFESSIONAL SERVICES AGREEMENT NO. A6670 WITH LYNN MERRILL (NOW KNOWN AS, LYNN MERRILL AND ASSOCIATES, INC.) FOR CONTINUED NPDES PROGRAM SUPPORT THROUGH SEPTEMBER 30, 2016:**
ACTION: 1) Approve Amendment No. 1 in the amount of \$25,000 to the Professional Services Agreement with Lynn Merrill and Associates, Inc., for revised total contract amount of \$50,000 for on-going NPDES Program Support to the City; and 2) Authorize the City Manager to execute all

necessary documents. A6670. **Approved as part of the Consent Calendar.**

2.N. ADMINISTRATIVE ANALYSIS OF A PARKING STRUCTURE PROJECT ON TRIBAL TRUST LAND CONSISTING OF A FOUR LEVEL 850-SPACE PARKING STRUCTURE ON A 2.8 ACRE PARCEL LOCATED AT THE SOUTHEAST CORNER OF CALLE ENCILIA AND AMADO ROAD, ZONE RA (RESORT ATTRACTION), SECTION 14 SPECIFIC PLAN, (CASE 5.1390):

ACTION: Review and file the Administrative Analysis. **Approved as part of the Consent Calendar.**

EXCLUDED CONSENT CALENDAR:

2.L. AMENDMENT NO. 1 TO THE FISCAL YEAR 2015-16 ALLOCATED POSITIONS AND COMPENSATION PLAN ADDING ONE POLICE OFFICER FOR HOMELESSNESS SERVICES OUTREACH:

Councilmember Foat commented on the activities of the CVAG Committee for homelessness throughout the Coachella Valley.

Mayor Moon commented on the Police Officer services to the homeless.

ACTION: Adopt Resolution No. 23990, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, APPROVING AMENDMENT NO. 1 TO THE ALLOCATED POSITIONS AND COMPENSATION PLAN FOR FISCAL YEAR 2015-16, ADOPTED BY RESOLUTION 23837." **Motion Councilmember Foat, seconded by Mayor Moon and unanimously carried 3-0 on a roll call vote.**

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

NOES: None.

ABSENT: Councilmember Kors and Mayor Pro Tem Mills.

3. LEGISLATIVE:

3.A. PROPOSED ORDINANCE AMENDING CHAPTER 8.60 OF THE PALM SPRINGS MUNICIPAL CODE (PSMC) RELATING TO WATER EFFICIENT LANDSCAPE REGULATIONS:

Flinn Fagg, Director of Planning Services, provided background information as outlined in the Staff Report dated March 16, 2016.

ACTION: Waive the reading of the ordinance text in its entirety and introduce for first reading Ordinance No. 1890, "AN ORDINANCE OF THE CITY OF PALM SPRINGS, CALIFORNIA, AMENDING CHAPTER 8.60 OF THE PALM SPRINGS MUNICIPAL CODE (PSMC) RELATING TO WATER EFFICIENT LANDSCAPE REGULATIONS," amending Section 2

of the Ordinance to delete the definition of the term Xeriscape. **Motion Councilmember Foat, seconded by Mayor Moon and unanimously carried 3-0 on a roll call vote.**

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

NOES: None.

ABSENT: Councilmember Kors and Mayor Pro Tem Mills.

4. **UNFINISHED BUSINESS:** None.

5. **NEW BUSINESS:**

5.A. **CHIEF OF POLICE UPDATE ON THE POLICE DEPARTMENT OPERATIONS, STATISTICAL INFORMATION AND COMMUNITY HOTSPOT RESPONSE:**

Police Chief Reyes presented a PowerPoint presentation regarding activities of the Palm Springs Police Department.

Councilmember Roberts requested the Police Chief address undesirable organizations promoting and trying to plan a meeting in the City of Palm Springs.

Mayor Moon requested the Police Chief address recruitment efforts within community events, community youth and schools.

Councilmember Foat commented on a form provided by the Police Department to record the serial numbers of property, and commented on the Police Department relationship with the neighborhood organizations.

No action taken.

5.B. **REVIEW OF THE CONCEPTUAL DESIGN FOR IMPROVEMENTS TO THE PALM SPRINGS DOG PARK:**

Marcus Fuller, Assistant City Manager/City Engineer, provided background information as outlined in the Staff Report dated March 16, 2016.

Councilmember Roberts requested Staff address the use of concrete and the use of cool surfaces, the use of synthetic grass, and requested the addition of shade trees.

Councilmember Foat commented on the use of synthetic grass, the installation of the separator walkway, the ongoing reseeding schedule and the closure of the park, and increasing the size of the temporary dog park at Demuth Park during the scheduled closure.

Mayor Moon commented on the installation of benches that would surround the existing trees.

Councilmember Roberts commented on sponsorship and naming rights.

ACTION: 1) Approve the conceptual design for the City's Dog Park including natural grass and synthetic turf options; 2) Authorize an increase in the amount of \$25,200 to Purchase Order No. 16-0825 with David Volz Design, for a total amount of \$47,284, in accordance with Professional Services Agreement for On-Call Landscape Architectural Services; 3) Authorize Staff to advertise and solicit bids and return to the City Council with alternative funding options; and 4) Authorize the City Manager to execute all necessary documents. A6786. **Motion Mayor Moon, seconded by Councilmember Roberts and unanimously carried 3-0 on a roll call vote.**

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

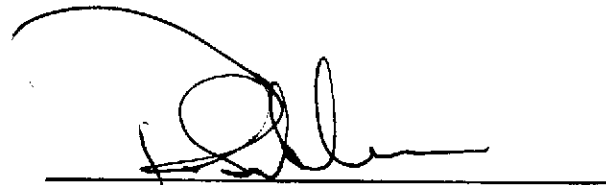
NOES: None.

ABSENT: Councilmember Kors and Mayor Pro Tem Mills.

COUNCILMEMBER COMMENTS, REQUESTS, AND REPORTS: None.

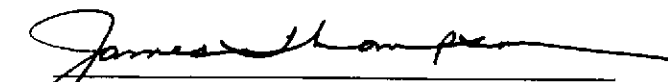
ADJOURNMENT: The City Council adjourned at 8:45 p.m. to the next regular meeting Wednesday, April 6, 2016, at 6:00 p.m. Council Chamber, City Hall, preceded by Closed Session, Small Conference Room, City Hall, 3200 East Tahquitz Canyon Way, Palm Springs.

APPROVED BY A MOTION OF THE PALM SPRINGS CITY COUNCIL THIS 6th DAY OF APRIL, 2016.



ROBERT MOON, MAYOR

ATTEST:


JAMES THOMPSON, CITY CLERK