

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



**MEETING MINUTES
WEDNESDAY, JUNE 1, 2016
CITY HALL COUNCIL CHAMBER**

CALL TO ORDER: Mayor Moon called the meeting to order at 6:04 p.m.

PLEDGE OF ALLEGIANCE: Girl Scout Troop 1257, led the Pledge.

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

The City Council received a presentation from Dr. Joel Kinnamon and Lisa Howell regarding the proposed College of the Desert West Valley Campus.

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

REPORT OF CLOSED SESSION:

The meeting was called to order 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 Roberts requested Item 2.J. be removed from the Consent Calendar for separate discussion.

Mayor Pro Tem Mills noted a business related abstention on Item 2.C. Warrant No. 1085629 and requested Items 2.S. and 2.T be removed from the Consent Calendar for separate discussion.

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

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

1. PUBLIC HEARINGS:

1.A. CONSIDERATION OF THE VACATION OF A PORTION OF CAHUILLA ROAD RIGHT-OF-WAY BETWEEN BARISTO ROAD AND RAMON ROAD LOCATED IN SECTION 15, TOWNSHIP 4 SOUTH, RANGE 4 EAST AND CEQA DETERMINATION (FILE R 15-07):

Marcus Fuller, Assistant City Manager/City Engineer, provided background information as outlined in the Staff Report dated June 1, 2016.

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

ACTION: Adopt Resolution No. 24032, "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 CAHUILLA ROAD LOCATED BETWEEN BARISTO ROAD AND RAMON ROAD LOCATED IN SECTION 15, 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 15-07)." **Motion Councilmember Roberts, seconded by Mayor Pro Tem Mills and unanimously carried on a roll call vote.**

1.B. PUBLIC HEARING ON THE FISCAL YEAR 2016-17 BUDGET, ALLOCATED POSITIONS AND COMPENSATION PLAN, SUCCESSOR AGENCY ADMINISTRATIVE BUDGET, HOUSING SUCCESSOR AGENCY BUDGET, APPROPRIATIONS LIMIT AND APPROVE ANNUAL INSURANCE POLICY RENEWALS FOR THE CITY'S INSURANCE PORTFOLIO FOR FISCAL YEAR 2016-17:

City Manager Ready provided background information on the Fiscal Year 2016-17 Budget and Allocated Positions and Compensation Plan and discussed the Staff recommendations.

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

LINDA FUTTERER, requested the City Council consider funding Phase 1 of the Palm Springs Library Renovation Project.

BORIS STARK, requested the City Council support the proposed Vacation Rental Compliance position and additional funding for vacation rental enforcement services.

KIRK MCLAUGHLIN, requested the City Council support the proposed Vacation Rental Compliance position and additional funding for vacation rental enforcement services.

JOY BROWN MEREDITH, requested the City Council support the proposed Vacation Rental Compliance position and additional funding for vacation rental enforcement services.

AFTAB DADA, requested the City Council support funding the agreement with PS Resorts, and requested the City Council consider extending the current agreement for three-years with the same terms and conditions.

Councilmember Kors requested Staff potential for a State claw back of prior Redevelopment Funds, commented on the potential impact to reserves, and requested Staff address Fire Department response time.

The City Council discussed Fire Department operations, the cost of reopening Station No. 5, effects due to the renovation of Station No. 4, the increase in call volume requesting Fire Department assistance, and potential options for the rapid response paramedic unit.

Mayor Moon commented on transferring the General Fund budget for street repairs to Measure J and using the Measure J reserve, to leave the \$1 million in the General Fund reserves.

Councilmember Roberts stated the City should increase reserves rather than decrease them, commented on the potential State claw back, suggested the reserves remain in case State action, and commented on the capital projects funding including the Downtown Park.

Mayor Pro Tem Mills commented on the potential reserve policy, the timing and funding for the Downtown Park, the effect and timing of a recession, and stated some modifications need to be made but stated a reserve of 10% to 15% is adequate.

Councilmember Kors requested the City Council consider an increase in fee to offset the additional costs of vacation rental enforcement, raising fees for the golf course, the swim center and other recreational programs, increase fines for code enforcement, requested Staff address funding for additional historic sites.

Councilmember Foat commented on private fundraising for large capital expenditures, commented on the reserve, and stated her support for the 10% to 15% reserve to include the potential State claw back.

Councilmember Roberts commented on raising fees, commented on the reserve policy, and stated his opposition to a 10% reserve.

Mayor Moon commented on the City Manager recommended budget, stated his support for the Fire Department service increase, and commented on the reserve policy.

Councilmember Foat commented on the reserves during the economic discussion.

ACTION: Approve the City Manager recommendations for the Fiscal Year 2016-17 Budget and Allocated Positions and Compensation Plan as follows: 1) adding two Airport Maintenance Supervisor and deleting the Airport Maintenance Superintendent; 2) adding Building Permit Center Technician, Vacation Rental Compliance Official, City Clerk, Director of Information Technology, three Firefighter/Paramedic, three Fire Engineer, three Fire Captain, Police Officer, two 1/2 FTE Lifeguards; 3) funding the Vacation Rental Dispatch and Security Services \$155,000, Graffiti and Transient Services \$159,000, Citywide Communications Services \$75,000, Fire Truck Annual Lease Payment (Station No. 5) \$65,000, and Landscaping Contract increase \$290,000; and 4) Direct Staff to bring forward fee increases to offset the cost of the Vacation Rental Compliance Official and the Vacation Rental Dispatch and Security Services. **Motion Councilmember Roberts, seconded by Councilmember Kors and unanimously carried on a roll call vote.**

ACTION: Fund Palm Springs Resorts in an additional amount of \$310,000 to fund the entire Fiscal Year 2016-17. **Motion Mayor Pro Tem Mills, seconded by Councilmember Kors and unanimously carried on a roll call vote.**

ACTION: 1) Shift \$1,000,000 of General Fund Street Repair Improvement Projects to the Measure J Street Repair Improvement Projects; and 2) Fund the City Council/City Attorney Office Space Capital Improvement Project from the General Fund. **Motion Councilmember Foat, seconded by Councilmember Roberts and unanimously carried on a roll call vote.**

ACTION: Fund an additional \$30,000 in the Planning Department for Historic Preservation Class 1 Designations. **Motion Councilmember Roberts, seconded by Councilmember Kors and unanimously carried on a roll call vote.**

ACTION: 1) Adopt Resolution No. 24033, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, ADOPTING THE ALLOCATED POSITIONS AND COMPENSATION PLAN FOR FISCAL YEAR 2016-17;" 2) Adopt Resolution No. 24034, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, APPROVING THE BUDGET FOR FISCAL YEAR 2016-17 AND SUCH OTHER MATTERS AS REQUIRED;" 3) Adopt Resolution No. 24035, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, ACTING SOLELY IN ITS CAPACITY AS THE SUCCESSOR AGENCY TO THE CITY OF PALM SPRINGS COMMUNITY REDEVELOPMENT AGENCY, AND IN ITS CAPACITY AS THE HOUSING SUCCESSOR AGENCY TO THE CITY OF PALM SPRINGS COMMUNITY REDEVELOPMENT AGENCY, APPROVING THE SUCCESSOR AGENCY AND HOUSING SUCCESSOR AGENCY BUDGETS FOR FISCAL YEAR 2016-17, AND OTHER SUCH MATTERS AS REQUIRED;" 4) Adopt Resolution No. 24036, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, ADOPTING AN APPROPRIATIONS LIMIT FOR THE FISCAL YEAR ENDING JUNE 30, 2017;" and 5) Direct the City Manager and Director of Finance and Treasurer to make the appropriate modifications to the Budget and prepare the final budget document for Fiscal Year 2016-17," *i) amending the Fiscal Year 2016-17 Budget and the Allocated Positions and Compensation Plan by the previous four actions, ii) all Measure J Capital budget shall be unallocated to be discussed by the City Council at the June 15, 2016, meeting, and iii) Approving the allocations for Insurance Renewal, the approval of insurance policies to be on the June 15, 2016, meeting.* **Motion Mayor Pro Tem Mills, seconded by Councilmember Kors and unanimously carried on a roll call vote.**

The City Council recessed at 8:22 p.m.
The City Council reconvened at 8:31 p.m.

PUBLIC COMMENT:

DAVID FREEDMAN, commented on Item 5.F. regarding the appointment of ad hoc and standing City Council Subcommittees.

CAROL NELSON, Palm Springs, commented on the Downtown Revitalization Project.

ROBERT VAN ROO, commented on Item 2.J., spoke in support of extending the hours, and requested the City Council reconsider the cultivation amendments.

ALLEN WORTHY, commented on the condition of the Cornella While House and his complaints with the Palm Springs Police Department.

PATRICIA BRESLIN, commented on the Greater Palm Springs Restaurants and Bar Association.

JOY BROWN MEREDITH, commented on Item 2.J., spoke in support of extending the hours, stated her support for the cultivation amendments, and requested the collective operators meet with the City Council Subcommittee regarding amendments.

JULIE MONTANTE, commented on Item 2.J., stated her support for additional hours and the cultivation amendments.

CITY COUNCIL SUB-COMMITTEE REPORTS AND UPDATES:

Councilmember Foat requested an update regarding the Greater Palm Springs Tourism Bureau.

Councilmember Kors announced the next meeting of the Governmental Reform, Ethics and Transparency Subcommittee.

Councilmember Roberts provided an update on the Rules of Procedure Subcommittee.

Councilmember Foat provided an update on the Affordable Housing Subcommittee.

COUNCILMEMBER COMMENTS: None.

CITY MANAGER'S REPORT:

City Manager Ready provided an update on the 2016 Strategic Planning and Goals.

2. CONSENT CALENDAR:

ACTION: Approve Items 2.A., 2.B., 2.C., 2.D., 2.E., 2.F., 2.G., 2.H., 2.K., 2.L., 2.M., 2.N., 2.O., 2.P., 2.Q., 2.R., and 2.U. **Motion Councilmember Roberts, seconded by Mayor Pro Tem Mills and unanimously carried on a roll call vote.**

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

ACTION: Receive and file Report on the Posting of the June 1, 2016, City Council Agenda. **Approved as part of the Consent Calendar.**

2.B. APPROVAL OF MINUTES:

ACTION: Approve the City Council Minutes of May 18, 2016, and May 11, 2016. **Approved as part of the Consent Calendar.**

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

ACTION: 1) Adopt Resolution No. 24038, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, APPROVING PAYMENT OF PAYROLL WARRANTS FOR THE PERIOD ENDED 04-23-2016 BY WARRANTS NUMBERED 419515 THROUGH

419531 TOTALING \$28,922.85, LIABILITY CHECKS NUMBERED 1085370 THROUGH 1085372 TOTALING \$2,092.27, FIVE WIRE TRANSFERS FOR \$386.76, AND THREE ELECTRONIC ACH DEBITS OF \$1,441,776.57 IN THE AGGREGATE AMOUNT OF \$1,473,178.45, DRAWN ON BANK OF AMERICA;" 2) Adopt Resolution No. 24039, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, APPROVING PAYMENT OF CLAIMS AND DEMANDS BY WARRANTS NUMBERED 1085373 THROUGH 1085475 IN THE AGGREGATE AMOUNT OF \$1,199,984.80, DRAWN ON BANK OF AMERICA;" 3) Adopt Resolution No. 24040, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, APPROVING PAYMENT OF CLAIMS AND DEMANDS BY TWO WIRE TRANSFERS IN THE AGGREGATE AMOUNT OF \$254,121.39, DRAWN ON BANK OF AMERICA;" 4) Adopt Resolution No. 24041, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, APPROVING PAYMENT OF CLAIMS AND DEMANDS BY WARRANTS NUMBERED 1085476 THROUGH 1085591 IN THE AGGREGATE AMOUNT OF \$1,990,157.40, DRAWN ON BANK OF AMERICA;" 5) Adopt Resolution No. 24042, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, APPROVING PAYMENT OF PAYROLL WARRANTS FOR THE PERIOD ENDED 05-07-2016 BY WARRANTS NUMBERED 419532 THROUGH 419549 TOTALING \$34,136.79, LIABILITY CHECKS NUMBERED 1085592 THROUGH 1085609 TOTALING \$88,601.35, FIVE WIRE TRANSFERS FOR \$58,889.04, AND THREE ELECTRONIC ACH DEBITS OF \$1,265,507.19 IN THE AGGREGATE AMOUNT OF \$1,447,134.37, DRAWN ON BANK OF AMERICA;" and 6) Adopt Resolution No. 24043, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, APPROVING PAYMENT OF CLAIMS AND DEMANDS BY WARRANTS NUMBERED 1085610 THROUGH 1085711 IN THE AGGREGATE AMOUNT OF \$2,002,892.80, DRAWN ON BANK OF AMERICA." **Approved as part of the Consent Calendar, noting the business related abstention of Mayor Pro Tem Mills on Warrant No. 1085629.**

- 2.D. TREASURER'S INVESTMENT REPORT AS OF APRIL 30, 2016:**
ACTION: Receive and File the Treasurer's Investment Report as of April 30, 2016. **Approved as part of the Consent Calendar.**
- 2.E. 2016 BIENNIAL NOTICE FOR CITY STAFF TO REVIEW THE CONFLICT OF INTEREST CODE PURSUANT TO THE POLITICAL REFORM ACT:**
ACTION: Adopt Resolution No. 24044, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, REQUIRING CITY STAFF TO REVIEW THE CONFLICT OF INTEREST CODE AND SUBMIT THE 2016 BIENNIAL NOTICE AS REQUIRED

UNDER THE POLITICAL REFORM ACT.” **Approved as part of the Consent Calendar.**

2.F. APPROVAL OF PLANS, SPECIFICATIONS AND ESTIMATE (PS&E) AND AUTHORIZATION TO BID THE MESQUITE AVENUE STREET IMPROVEMENTS (CITY PROJECT NO. 12-01):

ACTION: 1) Approve the plans, specifications and estimate and 2) Authorize staff to advertise and solicit bids for Mesquite Avenue Street Improvements project (City Project No. 12-01). **Approved as part of the Consent Calendar.**

2.G. APPOINTMENT OF THE CITY OF PALM SPRINGS REPRESENTATIVE TO THE COACHELLA VALLEY MOSQUITO AND VECTOR CONTROL DISTRICT BOARD OF TRUSTEES:

ACTION: Appoint Dr. W. Douglas Kunz as the City of Palm Springs Representative to the Coachella Valley Mosquito and Vector Control Board of Trustees for the term ending December 31, 2017. **Approved as part of the Consent Calendar.**

2.H. APPROVAL OF A SEWER CONNECTION EXEMPTION FOR THE PROPERTY LOCATED AT 2379 LEONARD ROAD IN ACCORDANCE WITH TITLE 15 OF THE PALM SPRINGS MUNICIPAL CODE:

ACTION: Approve an exemption to the requirement to connect to the public sewer system for the property located at 2379 Leonard Road, in accordance with Chapter 15.14.010 of the Palm Springs Municipal Code, and Resolution No. 20650, subject to a requirement to execute a Sewer Covenant obligating connection to the public sewer when available in the future. **Approved as part of the Consent Calendar.**

2.K. APPROVE ONE (1) ADDITIONAL YEAR TO ANNUAL SOFTWARE MAINTENANCE AGREEMENT FOR WEB BASED REGISTRATION FOR PROGRAMS AND FACILITY RENTALS:

ACTION: 1) Approve a software maintenance and usage agreement in a form acceptable to the City Attorney for a one (1) year term with The Active Network, LLC for their web based registration, facility rentals, etc. proprietary system. 2) Authorize the City Manager to execute all necessary documents. A6001. **Approved as part of the Consent Calendar.**

2.L. APPROVE A PROFESSIONAL SERVICES AGREEMENT WITH ENGINEERING RESOURCES OF SOUTHERN CALIFORNIA, INC., FOR ON-CALL ENGINEERING PLAN CHECK SERVICES:

ACTION: 1) Approve a Professional Services Agreement with Engineering Resources of Southern California, Inc., a California corporation, for “on-call” engineering plan check services for an initial three (3) year term, subject to two (2) additional one (1) year extensions; 2) Authorize the issuance of Purchase Orders in amounts sufficient to cover the cost of

required services pursuant to the Agreement on a "pass-through" basis, with plan check fees collected by the City from a developer received as payment for requested plan check services; and 3) Authorize the City Manager to execute all necessary documents. A6857. **Approved as part of the Consent Calendar.**

2.M. APPROVE A CONTRACT SERVICES AGREEMENT WITH ST. FRANCIS ELECTRIC, LLC, FOR ON-CALL TRAFFIC SIGNAL MAINTENANCE SERVICES:

ACTION: 1) Approve a Contract Services Agreement for "On-Call" Traffic Signal Maintenance Services to St. Francis Electric, LLC, a California limited liability company, at an annual maximum contract amount of \$380,000 for an initial three (3) year term, subject to two (2) additional one (1) year extensions; 2) Approve a 90-day extension of Agreement No. 5793 with Siemens Industry, Inc. (formerly known as Republic ITS), effective July 1, 2016, and authorize issuance of a Purchase Order in an amount not to exceed \$50,000 for completion of previously approved traffic signal maintenance work orders with Siemens Industry, Inc.; and 3) Authorize the City Manager to execute all necessary documents. A6858. A5793. **Approved as part of the Consent Calendar.**

2.N. PROPOSED RESOLUTION SETTING THE PUBLIC HEARING FOR THE ANNUAL LEVY OF ASSESSMENTS FOR VARIOUS CITYWIDE STREET LIGHTING AND PARKWAY MAINTENANCE DISTRICTS, FISCAL YEAR 2016-17 AND ENGINEER'S REPORT:

ACTION: 1) Adopt Resolution No. 24045, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, ORDERING THE PREPARATION OF AND GIVING PRELIMINARY APPROVAL OF THE ENGINEER'S REPORT REGARDING STREET LIGHTING MAINTENANCE DISTRICT NO. 3, AND PARKWAY MAINTENANCE DISTRICTS NO. 6A, 6C, 7, 8, 9, AND 10 (ZONES 1 AND 2), AND LANDSCAPE MAINTENANCE DISTRICT NO. 12, TO ESTABLISH ANNUAL ASSESSMENTS AND THE LEVY AND COLLECTION RELATED THERETO FOR FISCAL YEAR 2016-17;" and 2) Adopt Resolution No. 24046, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, DECLARING ITS INTENTION TO CONDUCT A PUBLIC HEARING ON JULY 6, 2016, REGARDING STREET LIGHTING MAINTENANCE DISTRICT NO. 3, AND PARKWAY MAINTENANCE DISTRICTS NO. 6A, 6C, 7, 8, 9, AND 10 (ZONES 1 AND 2), AND LANDSCAPE MAINTENANCE DISTRICT NO. 12, AND TO LEVY AND COLLECT ANNUAL ASSESSMENTS RELATED THERETO FOR FISCAL YEAR 2016-17." **Approved as part of the Consent Calendar.**

2.O. APPROVE AMENDMENT NO. 3 IN THE AMOUNT OF \$16,500 TO THE CONSULTING SERVICES AGREEMENT WITH INTERACTIVE DESIGN CORPORATION FOR THE JAMES O. JESSIE DESERT HIGHLAND

UNITY CENTER OUTDOOR PERFORMANCE STAGE AND OUTDOOR BALL FIELD LIGHTING PROJECT (CITY PROJECT NO. 14-18):

ACTION: 1) Approve Amendment No. 3 in the amount of \$16,500 to the Consulting Services Agreement (A6697) with Interactive Design Corporation for revised total contract amount of \$62,400 for the James O. Jessie Desert Highland Unity Center Outdoor Performance Stage and Outdoor Ball Field Lighting Project, City Project No. 14-18; and 2) Authorize the City Manager to execute all necessary documents. A6697. **Approved as part of the Consent Calendar.**

2.P. APPROVE AMENDMENT NO. 4 IN THE AMOUNT OF \$9,050 TO THE CONSULTING SERVICES AGREEMENT WITH URRUTIA ARCHITECTS (A6465) FOR THE POLICE DEPARTMENT REMODEL (CITY PROJECT NO. 15-05):

ACTION: 1) Approve Amendment No. 4 in the amount of \$9,050 to the Consulting Services Agreement with Urrutia Architects for a revised total contract amount of \$193,430 for the Police Department Remodel, City Project No. 15-05; and 2) Authorize the City Manager to execute all necessary documents. A6465. **Approved as part of the Consent Calendar.**

2.Q. APPROVE AMENDMENT NO. 5 IN THE AMOUNT OF \$165,900 TO THE PROFESSIONAL SERVICES AGREEMENT NO. 4461 WITH DOKKEN ENGINEERING FOR ADDITIONAL DESIGN SERVICES FOR THE INDIAN CANYON DRIVE WIDENING & BRIDGE REPLACEMENT, CITY PROJECT NO. 01-11, FEDERAL AID PROJECT NO. BRLO 5282 (017):

ACTION: 1) Approve Amendment No. 5 in the amount of \$165,900 to Professional Services Agreement No. 4461 with Dokken Engineering for a revised total contract amount of \$1,390,600 for additional design services; and 2) Authorize the City Manager to execute all necessary documents. A4461. **Approved as part of the Consent Calendar.**

2.R. APPROVAL OF PARCEL MAP 35507 FOR PROPERTY LOCATED AT THE SOUTHEAST CORNER OF RAMON ROAD AND GENE AUTRY TRAIL, IN SECTION 20, TOWNSHIP 4 SOUTH, RANGE 5 EAST:

ACTION: Adopt Resolution No. 24037, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, APPROVING PARCEL MAP 35507 FOR PROPERTY LOCATED AT THE SOUTHEAST CORNER OF RAMON ROAD AND GENE AUTRY TRAIL, IN SECTION 20, TOWNSHIP 4 SOUTH, RANGE 5 EAST." **Approved as part of the Consent Calendar.**

2.U. APPROVAL OF CONTRACT CHANGE ORDER NO. 2 IN THE AMOUNT OF \$25,259.92 WITH CCS CONTRACTORS, INC. FOR THE FIRE

STATION NO. 2 CHILLER REPLACEMENT (CITY PROJECT NO. 14-17):

ACTION: 1) Approve Contract Change Order No. 2 in the amount of \$25,259.92 to the construction contract with CCS Contractors, Inc. for a revised total contract amount of \$204,094.22 for the Fire Station No. 2 Chiller Replacement, City Project No. 14-17; and 2) Authorize the City Manager to execute all necessary documents. A6769. **Approved as part of the Consent Calendar.**

EXCLUDED CONSENT CALENDAR:

2.I. APPROVE THE PURCHASE OF TACTICAL PATROL VESTS FROM MIDWEST ARMOR UTILIZING FUNDS DONATED BY THE AGUA CALIENTE BAND OF CAHUILLA INDIANS:

The City Council thanked the Agua Caliente Band of Cahuilla Indians for their donation.

ACTION: 1) Approve a purchase order to Midwest Armor and Strategic Solutions, in the amount of \$27,277.25, for the purchase of 65 new tactical patrol vests; and 2) Authorize the City Manager to execute any necessary documents to effectuate the purchase. **Motion Mayor Moon, seconded by Councilmember Foat and unanimously carried on a roll call vote.**

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

The City Council discussed and/or commented on the following with respect to medical cannabis: the process with the collectives and the City Council Subcommittee, the current modifications being proposed, the fairness of the regulations, the enforcement of legal collectives, and the enforcement of unpermitted collectives.

ACTION: Waive the reading of the ordinance text in its entirety and reintroduce 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," *amending Section 2 of the Ordinance to read, "Each permitted MCCC may operate and maintain one (1) MCCF at its location, subject to the requirements of the City's Zoning Code. Each MCCC may operate and maintain two (2) additional MCCFs as allowed under this Subsection C. Nothing in this Section shall prohibit two or more permitted MCCCs from operating or*

maintaining an MCCF. Motion Councilmember Roberts, seconded by Councilmember Kors and carried 3-2 on a roll call vote.

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

NOES: Mayor Pro Tem Mills and Mayor Moon.

2.S. APPROVE A PROFESSIONAL SERVICES AGREEMENT WITH CASC ENGINEERING AND CONSULTING, INC., FOR ON-CALL NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES) PROGRAM CONSULTING SERVICES:

Mayor Pro Tem Mills commented on the local business preference statements in the Staff Report, and requested City Staff prepare a report on local preference and place a discussion item on a future agenda.

ACTION: 1) Approve a Professional Services Agreement with CASC Engineering and Consulting, Inc., a California corporation, for "on-call" National Pollutant Discharge Elimination System (NPDES) program consulting services for an initial three (3) year term, subject to two (2) additional one (1) year extensions; 2) Authorize a purchase order in the amount of \$200,000 to CASC Engineering and Consulting, Inc. for annual NPDES program consulting services for Fiscal Year 2016-17 and subsequent fiscal years during the term of the Agreement; and; 3) Authorize the City Manager to execute all necessary documents. A6859. **Motion Mayor Pro Tem Mills, seconded by Councilmember Kors and unanimously carried on a roll call vote.**

2.T. UPDATE AND STATUS REPORT REGARDING THE 2016 STRATEGIC PLANNING GOALS AND OBJECTIVES:

The City Council discussed and/or commented on the process of developing the strategic planning goals and the planning session.

ACTION: Receive and File. **Motion Councilmember Kors, seconded by Councilmember Roberts and unanimously carried on a roll call vote.**

3. LEGISLATIVE: None.

4. UNFINISHED BUSINESS: None.

5. NEW BUSINESS:

5.A. CITY COUNCIL AD HOC SUBCOMMITTEE REPORT REGARDING CITY COUNCIL RULES OF PROCEDURE AND THE CONDUCT OF CITY COUNCIL MEETINGS:

The City Council discussed and/or commented on the following with respect to the Rules of Procedure: the length of time for public hearing,

moving public comment on agenda items and consent calendar, submission of written public comment, redesigning public speaker cards, eliminating duplication of public comment, the elimination of invited guests for the Pledge, the reduction but not the elimination of presentations, the elimination of the invocation, the adjournment time would be approximate to complete necessary business, City Council limitations, Rosenberg Rules of Order, and limited to two presentation and time limits on the presentations.

ACTION: Direct Staff to modify the City Council Rules of Procedure for adoption by the City Council. **By unanimous consent of the City Council.**

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

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

ACTION: 1) Appoint Richmond Curtiss to the Rent Review Commission for the term ending June 30, 2019; 2) Reappoint Marlyn Manley and Joy Brown Meredith to the VillageFest Board for the term ending June 30, 2019; and 3) Appoint John Kearns and James Reed to the Administrative Appeals Board for the term ending June 30, 2019. **Motion Councilmember Kors, seconded by Mayor Pro Tem Mills and unanimously carried on a roll call vote.**

The City Council heard Item 5.C. and 5.D. concurrently.

5.C. REPORT ON BUILDING OFFICIAL APPROVAL OF A REQUEST FOR EARLY CONSTRUCTION START TIME OF 5:00 A.M. FROM MONDAY THRU THURSDAY FOR CERTAIN WORK ACTIVITIES AT THE KIMPTON HOTEL CONSTRUCTION SITE FROM JUNE 15, 2016, THROUGH OCTOBER 15, 2016:

Marcus Fuller, Assistant City Manager/City Engineer, provided background information as outlined in the Staff Report dated June 1, 2016.

The City Council discussed and/or commented on the following: providing public notice, ramifications for complaints, the extraordinary hours being requested, the impact to the residential neighbors, the route of the concrete trucks, truck back-up warnings, lighting of the site, changing of the schedule, and requiring on-site cell number.

ACTION: 1) Receive and File the request from Kimpton; and 2) Table the Andaz request for two-weeks and provide public notice. **By unanimous consent of the City Council.**

5.D. REPORT ON BUILDING OFFICIAL APPROVAL OF A REQUEST FOR EARLY CONSTRUCTION START TIME OF 12:00 A.M. TO 7:00 A.M. FROM MONDAY THRU FRIDAY FOR CERTAIN WORK ACTIVITIES AT THE ANDAZ HOTEL CONSTRUCTION SITE FROM JUNE 2, 2016, THROUGH NOVEMBER 3, 2016:

Tabled to June 15, 2016.

5.E. AWARD A CONSTRUCTION CONTRACT TO MARIPOSA LANDSCAPES, INC. IN THE AMOUNT OF \$1,494,970.76 FOR LANDSCAPE AND GROUNDS MAINTENANCE SERVICES (INVITATION FOR BIDS NO. 16-02):

Marcus Fuller, Assistant City Manager/City Engineer, provided background information as outlined in the Staff Report dated June 1, 2016.

The City Council discussed and/or commented on the following: responsibility of current vendor for plant material that is damaged, the purpose of complete tree removal, the inclusion of replacement of trees that are removed, the removal of the ficus trees at the swim center, the inclusion of an arborist when trimming trees, the landscaping at the Animal Shelter.

ACTION: 1) Award a Contract Services Agreement for Landscape and Grounds Maintenance Services to Mariposa Landscapes, Inc. in the amount of \$1,494,970.76 for the services identified in Bid Schedules A through F, inclusive, (excluding the full amount of \$929,480 for Bid Schedule G for annual tree trimming services); 2) Authorize a Contract Change Order and issuance of an additional Purchase Order in the amount of \$339,880 in accordance with the unit prices identified in Bid Schedule G for annual tree trimming services; 3) Authorize the City Manager to approve and execute Contract Change Orders up to an additional cumulative amount of \$100,000 for additional or emergency landscape, grounds maintenance or tree trimming services; and 4) Authorize the City Manager to execute all necessary documents. A6860. **Motion Councilmember Roberts, seconded by Mayor Pro Tem Mills and unanimously carried on a roll call vote.**

5.F. REVIEW AND APPOINT AD HOC AND STANDING CITY COUNCIL SUBCOMMITTEES:

ACTION: 1) Replace Councilmember Foat with Councilmember Roberts on the Vacation Rental Subcommittee; 2) Replace Councilmember Foat with Councilmember Kors on the Sign Subcommittee; 3) Appoint Councilmember Kors as a City Council Liaison to PS Resorts and appoint

Mayor Moon as the Alternate Liaison to PS Resorts; and 4) Continue all other discussion and appointments to the June 15, 2016, meeting. **By unanimous consent of the City Council.**


COUNCILMEMBER COMMENTS, REQUESTS, AND REPORTS:

Councilmember Kors requested the City Manager performance evaluation be placed on the June 15, 2016, closed session agenda.

Mayor Moon requested a Joint Meeting of the City Council and the Planning Commission be scheduled in September, 2016.


ADJOURNMENT: The City Council adjourned at 11:13 p.m. to the next regular meeting Wednesday, June 15, 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 15TH DAY OF JUNE, 2016.



ROBERT MOON, MAYOR

ATTEST:



JAMES THOMPSON, CITY CLERK