

CITY COUNCIL
AND AS SUCCESSOR AGENCY TO THE PALM SPRINGS COMMUNITY REDEVELOPMENT AGENCY
CITY OF PALM SPRINGS, CALIFORNIA

Council Chamber, 3200 East Tahquitz Canyon Way, Palm Springs, California 92262
www.palmspringsca.gov

AGENDA

September 21, 2016



4:15 PM CLOSED SESSION
6:00 PM REGULAR MEETING

Robert Moon, Mayor
Chris Mills, Mayor Pro Tem
Ginny Foat, Councilmember
Geoff Kors, Councilmember
J.R. Roberts, Councilmember

City of Palm Springs Mission Statement: Palm Springs is an inclusive world-class city dedicated to providing excellent and responsive public services to enhance the quality of life for current and future generations.

David H. Ready, Esq., Ph.D., City Manager
James Thompson, Chief of Staff/City Clerk
Marcus Fuller, Assistant City Manager/City Engineer
Douglas C. Holland, City Attorney
Geoffrey S. Kiehl, Director of Finance and Treasurer

Any person who wishes to provide public testimony for an Item on the Agenda MUST file a speaker card prior to the Public Testimony (Non-Public Hearing Agenda Items Only) prior to that portion of the meeting. Testimony for Public Hearings will be allowed only during the Public Hearing. [Two (2) minutes per speaker]

Testimony for Public Hearings will only be taken at the time of the hearing. Any person who wishes to speak at a Public Hearing must file a "Speaker Card" with the City Clerk BEFORE the Public Hearing is called. [Two (2) minutes per speaker]

Any person who wishes to speak on a topic not on the agenda within the City's jurisdiction during the "Public Comments" portion of the agenda must file a "Speaker Card" with the City Clerk BEFORE that portion of the agenda is called. [Two (2) minutes per speaker] Although the City Council values your comments, pursuant to the Brown Act, it generally cannot take any action on items not listed on the posted agenda.

Please note, any agenda item which has not been initiated by 11:00 P.M. may be continued to a subsequent meeting.

At approximately 10:00 P.M., the City Council will determine the number of speakers who wish to address the City Council during Public Comment for non-Agenda Items, and determine which agenda items will be considered before the 11:00 P.M. Adjournment time.

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4:15 P.M. CLOSED SESSION

CALL TO ORDER (*Council Chamber*):

PUBLIC COMMENT (*Council Chamber*): This time has been set aside for members of the public to address the City Council on items contained only on the Closed Session Agenda.

RECESS TO CLOSED SESSION (*Small Conference Room*): See Closed Session Agenda.

6:00 P.M. REGULAR MEETING

CALL TO ORDER:

PLEDGE OF ALLEGIANCE:

ROLL CALL:

PRESENTATIONS:

CITY MANAGER'S REPORT: This time is set aside for the City Manager to update the City Council on important items initiated by staff or previously requested by the City Council.

REPORT OF CLOSED SESSION:

ACCEPTANCE OF THE AGENDA: The City Council will discuss the order of the agenda, may amend the order, add urgency items, note abstentions or "no" votes on Consent Calendar items, and request Consent Calendar items be removed from the Consent Calendar for discussion. The City Council may also remove items from the Consent Calendar prior to that portion of the Agenda.

PUBLIC TESTIMONY: (Non-Public Hearing Agenda Items ONLY)

This time has been set aside for members of the public to address the City Council only on agenda items. Two (2) minutes will be assigned to each speaker. Testimony for Public Hearings will only be taken at the time of the hearing, and General Public Comments, non-agenda items, will be taken later in the meeting.

1. CONSENT CALENDAR:

The following routine matters may be acted upon by one motion. Individual items may be removed by the Council for separate discussion at this time or under Approval of the Agenda. The title is deemed to be read and further reading waived on any ordinance listed on the Consent Calendar for introduction or adoption.

1.A. STAFF AUTHORIZED AGREEMENTS AND PURCHASE ORDERS FOR THE MONTH OF AUGUST 2016:

The City Council encourages written public testimony prior to the meeting, which provides the City Council ample time and attention for consideration. All written testimony will be provided to the City Council prior to the discussion. Written testimony may be sent via email to City.Clerk@palmspringsca.gov, by fax at (760) 322-8332, or hand delivery to the City Clerk, Palm Springs City Hall, 3200 E. Tahquitz Canyon Way, Palm Springs, CA 92262.

RECOMMENDATION: Receive and file the report of Staff Authorized Agreements and Purchase Orders for the period of August 1 through August 31, 2016.

1.B. CONFLICT OF INTEREST CODE 2016 BIENNIAL NOTICE PURSUANT TO THE POLITICAL REFORM ACT:

RECOMMENDATION: 1) Receive and File the 2016 Local Agency Biennial Notice; and 2) Direct staff to promulgate the necessary amendments and return to the City Council in December 2016 for adoption pursuant to the Political Reform Act.

1.C. CONSIDERATION OF THE SUMMARY VACATION OF A PUBLIC UTILITY AND SEWER EASEMENT OVER THE VACATED PORTION OF PATENCIO ROAD, BETWEEN LINDA VISTA DRIVE AND RAMON ROAD (FILE R 15-14):

RECOMMENDATION: Adopt Resolution No. ____, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, SUMMARILY VACATING AND ABANDONING ALL OF ITS RIGHT, TITLE AND INTEREST IN A SEWER AND PUBLIC UTILITY EASEMENT PREVIOUSLY RESERVED WITHIN THE VACATED PORTION OF PATENCIO ROAD, BETWEEN LINDA VISTA DRIVE AND RAMON ROAD, SECTION 15, TOWNSHIP 4 SOUTH, RANGE 4 EAST, S.B.M., FILE R 15-14, AND APPROVING A DETERMINATION THAT THE ACTION IS CATEGORICALLY EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA)."

1.D. SECOND READING AND ADOPTION OF ORDINANCE NO. 1898 APPROVING PLANNED DEVELOPMENT DISTRICT (PD-366) IN LIEU OF A CHANGE OF ZONE FOR A ROUGHLY 126-ACRE SITE FORMERLY KNOWN AS THE PALM SPRINGS COUNTRY CLUB GOLF COURSE GENERALLY LOCATED NORTH OF VERONA ROAD, EAST OF SUNRISE WAY AND SOUTHWEST OF THE WHITEWATER RIVER WASH:

RECOMMENDATION: Waive the second reading of the ordinance text in its entirety and adopt Ordinance No. 1898, "AN ORDINANCE OF THE CITY OF PALM SPRINGS, CALIFORNIA, APPROVING PLANNED DEVELOPMENT DISTRICT (PD-366) IN LIEU OF A CHANGE OF ZONE FOR A ROUGHLY 126-ACRE SITE FORMERLY KNOWN AS THE PALM SPRINGS COUNTRY CLUB GOLF COURSE GENERALLY LOCATED NORTH OF VERONA ROAD, EAST OF SUNRISE WAY AND SOUTHWEST OF THE WHITEWATER RIVER WASH."

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1.E. SECOND READING AND ADOPTION OF ORDINANCE NO. 1899 RELATING TO FIREARMS:

RECOMMENDATION: Waive the second reading of the ordinance text in its entirety and adopt Ordinance No. 1899, "AN ORDINANCE OF THE CITY OF PALM SPRINGS, CALIFORNIA, AMENDING CHAPTER 11.16 OF THE PALM SPRINGS MUNICIPAL CODE, RELATING TO FIREARMS."

1.F. APPROVAL OF PAYROLL WARRANTS, CLAIMS AND DEMANDS:

RECOMMENDATION: 1) Adopt Resolution No. _____, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, APPROVING PAYMENT OF PAYROLL WARRANTS FOR THE PERIOD ENDED 07-30-2016 BY WARRANTS NUMBERED 419627 THROUGH 419639 TOTALING \$19,402.09 LIABILITY CHECKS NUMBERED 1086978 THROUGH 1086995 TOTALING \$86,612.04, FIVE WIRE TRANSFERS FOR \$58,619.83, AND THREE ELECTRONIC ACH DEBITS OF \$1,288,506.35 IN THE AGGREGATE AMOUNT OF \$1,453,140.31, DRAWN ON BANK OF AMERICA;" 2) Adopt Resolution No. _____, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, APPROVING PAYMENT OF CLAIMS AND DEMANDS BY WARRANTS NUMBERED 1086996 THROUGH 1087105 IN THE AGGREGATE AMOUNT OF \$903,580.28, DRAWN ON BANK OF AMERICA;" 3) Adopt Resolution No. _____, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, APPROVING PAYMENT OF CLAIMS AND DEMANDS BY WARRANTS NUMBERED 1087106 THROUGH 1087248 IN THE AGGREGATE AMOUNT OF \$3,388,445.07, DRAWN ON BANK OF AMERICA;" 4) Adopt Resolution No. _____, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, APPROVING PAYMENT OF CLAIMS AND DEMANDS BY WARRANTS NUMBERED 1087249 AND 1087250 IN THE AGGREGATE AMOUNT OF \$56,224.25, DRAWN ON BANK OF AMERICA;" 5) Adopt Resolution No. _____, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, APPROVING PAYMENT OF PAYROLL WARRANTS FOR THE PERIOD ENDED 08-13-2016 BY WARRANTS NUMBERED 419640 THROUGH 419652 TOTALING \$22,912.92 LIABILITY CHECKS NUMBERED 1087251 THROUGH 1087268 TOTALING \$86,219.54, FIVE WIRE TRANSFERS FOR \$58,437.07, AND THREE ELECTRONIC ACH DEBITS OF \$1,259,263.01 IN THE AGGREGATE AMOUNT OF \$1,426,832.54, DRAWN ON BANK OF AMERICA;" 6) Adopt Resolution No. _____, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, APPROVING PAYMENT OF CLAIMS AND DEMANDS BY WARRANTS

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NUMBERED 1087269 THROUGH 1087366 IN THE AGGREGATE AMOUNT OF \$2,279,155.14, DRAWN ON BANK OF AMERICA;” and 7) Adopt Resolution No. _____, “A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, APPROVING PAYMENT OF CLAIMS AND DEMANDS BY WARRANTS NUMBERED 1087367 THROUGH 1087493 IN THE AGGREGATE AMOUNT OF \$1,993,965.69, DRAWN ON BANK OF AMERICA.”

- 1.G. AUTHORIZE A PURCHASE ORDER IN THE AMOUNT OF \$45,060 WITH HARRIS & ASSOCIATES FOR ENGINEERING DESIGN SERVICES FOR THE CALLE SANTA CRUZ AND SONORA ROAD STORM DRAIN IMPROVEMENTS PROJECT (CP 16-12):**
RECOMMENDATION: 1) Authorize a Purchase Order in the amount of \$45,060 with the City’s “on-call” civil engineering firm, Harris & Associates, pursuant to Agreement No. A6444, for engineering design services relative to the Calle Santa Cruz and Sonora Road Storm Drain Improvements Project, City Project No. 16-12; and 2) Authorize the City Manager to execute all necessary documents. A6444.
- 1.H. AUTHORIZATION OF PAYMENT TO SOUTHERN CALIFORNIA EDISON IN THE AMOUNT OF \$69,579.93 FOR UTILITY UPGRADES AT THE WASTEWATER TREATMENT PLANT ASSOCIATED WITH THE SOLAR PHOTOVOLTAIC SYSTEM:**
RECOMMENDATION: Authorize payment to Southern California Edison in the amount of \$69,579.93 to upgrade the existing SCE transformer serving the City’s Wastewater Treatment Plant.
- 1.I. APPROVAL OF AMENDMENT NO. 4 IN THE AMOUNT OF \$367,911.49 TO PROFESSIONAL SERVICES AGREEMENT NO. A6190 WITH CNS ENGINEERS, INC. AND A COOPERATIVE AGREEMENT WITH CATHEDRAL CITY FOR THE RAMON ROAD WIDENING (FROM SAN LUIS REY DR. TO LANDAU BLVD.) INCLUDING THE WHITEWATER RIVER BRIDGE WIDENING, CITY PROJECT NO. 08-25, FEDERAL-AID PROJECT NO. BHLS-5282 (040):**
RECOMMENDATION: 1) Approve Amendment No. 4 to Professional Services Agreement No. A6190 with CNS Engineers, Inc. to incorporate right-of-way services in the amount of \$367,911.49 for an increased total contract amount of \$3,030,254.85 for the Ramon Road Widening (San Luis Rey Dr. to Landau Blvd.) including the Whitewater River Bridge Widening, City Project No. 08-25, Federal-Aid Project No. BHLS-5282 (040); 2) Approve an agreement with the City of Cathedral City for funding the Local Share costs of the Preliminary Engineering, Right of Way Phase, and the Construction Phase for the Widening of the Ramon Road Bridge

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over the Whitewater River Channel and Associated Street Improvements; and 3) Authorize the City Manager to execute all necessary documents. A6190. A_____.

1.J. ACCEPTANCE OF CONVENTION CENTER PARKING LOT PROJECT AS COMPLETED (CP 14-09):

RECOMMENDATION: 1) Accept the public works improvement identified as Convention Center Parking Lot Project (CP 14-09) as completed in accordance with the plans and specifications; and 2) Authorize the City Engineer to execute and file for recordation with the Riverside County Recorder a Notice of Completion for Convention Center Parking Lot Project (CP 14-09). A6802.

1.K. ADOPTION OF A WASTEWATER FUND PLEDGED REVENUE RESOLUTION FOR A CLEAN WATER STATE REVOLVING FUND LOAN ASSOCIATED WITH THE CITY OF PALM SPRINGS WASTEWATER TREATMENT PLANT UPGRADE (CP 15-14):

RECOMMENDATION: Adopt Resolution No. _____, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, PLEDGING ITS WASTEWATER ENTERPRISE FUNDS AS PAYMENT TO THE STATE WATER RESOURCES CONTROL BOARD UNDER THE CLEAN WATER STATE REVOLVING FUND FOR THE CITY OF PALM SPRINGS WASTEWATER TREATMENT PLANT UPGRADE (CP 15-14)."

1.L. APPROVAL OF A THREE YEAR LEASE WITH TCF EQUIPMENT FINANCE FOR 152 E-Z-GO TXT 48 ELECTRIC GOLF CARTS NEGOTIATED BY CENTURY GOLF TO SERVE THE PALM SPRINGS TAHQUITZ CREEK "LEGENDS" AND "RESORT" GOLF COURSES:

RECOMMENDATION: 1) Approve a three year lease with TCF Equipment Finance for the equipment lease amount of \$13,396.81 per month, and a total of \$14,602.52 per month inclusive of taxes, for 152 E-Z-GO TXT 48 electric golf carts, plus documentation fee; 2) Adopt Resolution No. _____, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, AUTHORIZING THE NEGOTIATION, EXECUTION AND DELIVERY OF LEASE NO. 008-0185560-100 BETWEEN THE CITY OF PALM SPRINGS AND TCF EQUIPMENT FINANCE;" and 3) Authorize the City Manager and City Clerk to execute all documents necessary for the lease subject to final approval by the City Attorney. A_____.

1.M. AMENDMENT NO. 1 TO AGREEMENT NO. A6799 WITH BRUCE BOWER INVESTIGATIONS FOR BACKGROUND SERVICES:

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RECOMMENDATION: 1) Approve Amendment No. 1 to Agreement No. A6799 with Bruce Bower Investigations for background services; and 2) Authorize the City Manager to execute all necessary documents. A6799.

1.N. ACCEPT A FISCAL YEAR 2016 EMERGENCY MANAGEMENT PERFORMANCE GRANT FROM FEDERAL EMERGENCY MANAGEMENT AGENCY IN THE AMOUNT OF \$12,142 AND AUTHORIZE FUNDING OF THE “ESSENTIAL EMERGENCY MANAGEMENT CONCEPTS” COURSE FROM THE CALIFORNIA SPECIALIZED TRAINING INSTITUTE:

RECOMMENDATION: 1) Accept the Fiscal Year 2016 Emergency Management Performance Grant through the California Governor’s Office of Emergency Services in the amount of \$12,142.00; 2) Authorize the City Manager to contract with the California Specialized Training Institute (CSTI) through the California Office of Emergency Services (CalOES) for the course delivery of the Essential Emergency Management Concepts course in an amount up to \$65,000; and 3) Authorize the City Manager to execute all necessary documents. A____.

1.O. ACCEPTANCE OF \$110,000 IN GRANT FUNDING FROM THE CALIFORNIA OFFICE OF TRAFFIC SAFETY (OTS) FOR A SELECTIVE TRAFFIC ENFORCEMENT PROGRAM TO BE USED TO ENFORCE, EDUCATE, AND BRING AWARENESS TO THE PUBLIC:

RECOMMENDATION: 1) Accept \$110,000 in grant funding from the California Office of Traffic Safety for a Selective Traffic Enforcement Program for Fiscal Year 2016-17; and 2) Authorize the City Manager to execute all necessary documents. A5524.

1.P. APPEAL BY DENLAR LLC OF THE PLANNING COMMISSION ACTION TO DENY AN AMENDMENT TO AN APPROVED MAJOR ARCHITECTURAL APPLICATION FOR A REDUCTION IN THE SIDE YARD SETBACK OF A NEW HILLSIDE SINGLE-FAMILY RESIDENCE LOCATED AT 2110 NORTH LEONARD ROAD, ZONE R-1-B (CASE 3.3817 MAJ AMND):

RECOMMENDATION: Adopt Resolution No. _____, “A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, UPHOLDING AN APPEAL OF THE PLANNING COMMISSION’S ACTION TO DENY AN AMENDMENT TO A MAJOR ARCHITECTURAL APPLICATION FOR THE CONSTRUCTION OF A SINGLE-FAMILY RESIDENCE ON A 0.59 ACRE HILLSIDE PARCEL LOCATED AT 2110 NORTH LEONARD ROAD, ZONE R-1-B (CASE 3.3817 MAJ).”

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1.Q. APPROVAL OF A RIGHT OF WAY ACQUISITION AGREEMENT IN THE AMOUNT OF \$250,000 FOR THE SOUTH PALM CANYON DRIVE LOW WATER CROSSING BRIDGE REPLACEMENT AT ARENAS CANYON SOUTH, CITY PROJECT NO. 06-18, FEDERAL AID PROJECT NO. BR-NBIL (502):

RECOMMENDATION: 1 Approve a restated Right-of-Way Agreement for Acquisition of Flood Control and Drainage Easement, (A6839), in the amount of \$250,000 with 4348 Lockwood Avenue, LLC, a California Limited Liability Company, as to an undivided twenty-six percent (26%) interest, Michael L. Cole and Janet K. Cole, husband and wife as joint tenants, as to an undivided four percent (4%) interest, and Jogesh Kumar Vashisht and Sunita Kumar Vashisht, Trustees for the Vashisht Family Revocable Trust Dated May 2, 2001 and Restated May 4, 2010, as to an undivided seventy percent (70%) interest, all as tenants in common; and 2) Authorize the Assistant City Manager to execute all necessary documents, open escrow, and pay for escrow and title costs associated with the right-of-way acquisition. A6839.

1.R. RECOGNIZING AND CELEBRATING SEPTEMBER 23, 2016, AS NATIVE AMERICAN DAY IN THE CITY OF PALM SPRINGS:

RECOMMENDATION: Adopt Resolution No. _____, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, RECOGNIZING SEPTEMBER 23, 2016, AS NATIVE AMERICAN DAY IN THE CITY OF PALM SPRINGS."

1.S. AGREEMENT WITH PALM SPRINGS UNIFIED SCHOOL DISTRICT TO PROVIDE A FULL TIME POLICE OFFICER AT THE PALM SPRINGS HIGH SCHOOL CAMPUS:

RECOMMENDATION: 1) Approve an agreement with the Palm Springs Unified School District to provide a full time police officer at the high school campus including the Ramon Academy, for one year expiring at the end of the school year; and 2) Authorize the City Manager to execute all necessary documents. A5553.

2. PUBLIC HEARINGS:

2.A. WOODBRIDGE 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 56 SINGLE-FAMILY RESIDENCES AND 25 MULTI-FAMILY RESIDENTIAL CONDOMINIUMS ON A 12.38-ACRE SITE LOCATED AT 777 SOUTH PALM CANYON DRIVE, AND IN

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ACCORDANCE TO THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) ADOPTING A MITIGATED NEGATIVE DECLARATION, ZONE C-1 & R-3 (CASE NOS. 5.1378 PD-379 ZC, 3.3876 MAJ AND TTM 36914):

RECOMMENDATION: 1) Open the public hearing and receive public testimony; 2) Adopt Resolution No. ____ "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, ADOPTING A MITIGATED NEGATIVE DECLARATION AND APPROVING CASE NOS. 5.1378 PD-379 ZC, 3.3876 MAJ AND TTM 36914 FOR A RESIDENTIAL DEVELOPMENT AND SUBDIVISION CONSISTING OF 56 SINGLE-FAMILY RESIDENTIAL DWELLINGS, 25 MULTI-FAMILY RESIDENTIAL DWELLINGS, OPEN SPACE AND PRIVATE STREETS ON A 12.38-ACRE SITE LOCATED AT 777 SOUTH PALM CANYON DRIVE;" 3) Waive the reading of the ordinance text in its entirety and introduce for first reading Ordinance No. ____, "AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, ADOPTING A MITIGATED NEGATIVE DECLARATION AND APPROVING PLANNED DEVELOPMENT 379 IN LIEU OF A CHANGE OF ZONE FOR A 12.38-ACRE SITE ADDRESSED AT 777 SOUTH PALM CANYON DRIVE AND BOUNDED BY PALM CANYON DRIVE TO THE EAST, TAHQUITZ CREEK (WASH) TO THE NORTH, BELARDO ROAD TO THE WEST AND PRIVATE PROPERTY TO THE SOUTH."

2.B. APPEAL BY WESSMAN HOLDINGS OF THE PLANNING COMMISSION ACTION TO DENY AN EXTENSION OF TIME REQUEST FOR THE CRESCENDO PLANNED DEVELOPMENT DISTRICT (PDD 294), A PREVIOUSLY APPROVED PROJECT CONSISTING OF A TENTATIVE TRACT MAP (TTM 31766), AND PLANNED DEVELOPMENT DISTRICT 294 FOR THE CONSTRUCTION OF 79 HOMES LOCATED AT W. RACQUET CLUB ROAD AND VISTA GRANDE AVENUE, (CASE 5.0996/PDD 294/TTM 31766):

RECOMMENDATION: 1) Open the public hearing and receive public testimony; 2) Adopt Resolution No. ____, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, UPHOLDING THE PLANNING COMMISSION'S ACTION TO DENY AN EXTENSION OF TIME REQUEST FOR THE CRESCENDO PLANNED DEVELOPMENT DISTRICT 294 FOR THE CONSTRUCTION OF 79 SINGLE-FAMILY RESIDENTIAL HOMES ON A 42.2-ACRE PARCEL LOCATED AT WEST RACQUET CLUB ROAD AND VISTA GRANDE AVENUE (CASE 5.0996-PDD 294);"

Or – Alternatively:

3) Adopt Resolution No. ____, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, OVERTURNING THE

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PLANNING COMMISSION'S ACTION TO DENY AN EXTENSION OF TIME REQUEST FOR THE CRESCENDO PLANNED DEVELOPMENT DISTRICT 294, AND GRANTING A LIMITED EXTENSION OF TIME FOR A PERIOD OF THREE MONTHS TO ALLOW THE APPELLANT TIME TO SUBMIT AN AMENDED CRESCENDO PLANNED DEVELOPMENT DISTRICT (PDD 294) FOR THE 42.2-ACRE PARCEL LOCATED AT WEST RACQUET CLUB ROAD AND VISTA GRANDE AVENUE (CASE 5.0996-PDD 294).”

2.C. CALLING AND CONDUCTING THE SPECIAL ELECTION AND INTRODUCTION OF AN ORDINANCE AUTHORIZING THE LEVY OF SPECIAL TAXES WITHIN ANNEXATION NO. 13 TO COMMUNITY FACILITIES DISTRICT NO. 2005-1 (PUBLIC SAFETY SERVICES):

RECOMMENDATION: 1) Open the public hearing, take public testimony, and consider property owner protests associated with Annexation No. 13 (for Tract Map No. 31095, “Boulders” and Tract Map No. 31766, “Crescendo”); 2) Adopt Resolution No. _____, “A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, AUTHORIZING ANNEXATION NO. 13, BOULDERS, TRACT MAP NO. 31095 AND CRESCENDO, TRACT MAP NO. 31766, INTO COMMUNITY FACILITIES DISTRICT NO. 2005-1, (PUBLIC SAFETY SERVICES), AUTHORIZING THE LEVY OF A SPECIAL TAX, AND SUBMITTING THE LEVY OF A SPECIAL TAX TO QUALIFIED ELECTORS”; 3) Conduct the special election and direct the City Clerk to canvass the results; 4) Adopt Resolution No. _____, “A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, DECLARING THE RESULTS OF A SPECIAL ANNEXATION LANDOWNER ELECTION, DETERMINING VALIDITY OF PRIOR PROCEEDING, AND DIRECTING THE RECORDING OF AN AMENDMENT TO NOTICE OF SPECIAL TAX LIEN FOR ANNEXATION NO. 13, BOULDERS, TRACT MAP NO. 31095 AND CRESCENDO, TRACT MAP NO. 31766, INTO COMMUNITY FACILITIES DISTRICT NO. 2005-1, (PUBLIC SAFETY SERVICES); and 5) Waive the reading of the ordinance text in its entirety and read by title only, and introduce on first reading Ordinance No. _____, “AN ORDINANCE OF THE CITY OF PALM SPRINGS, CALIFORNIA, AUTHORIZING THE LEVY OF SPECIAL TAXES IN A COMMUNITY FACILITIES DISTRICT, INCLUDING CERTAIN ANNEXATION TERRITORY IDENTIFIED AS ANNEXATION NO. 13, BOULDERS, TRACT MAP NO. 31095 AND CRESCENDO, TRACT MAP NO. 31766, INTO COMMUNITY FACILITIES DISTRICT NO. 2005-1, (PUBLIC SAFETY SERVICES).

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EXCLUDED CONSENT CALENDAR: Items removed from the Consent Calendar for separate discussion are considered at this time.

3. LEGISLATIVE:

3.A. PROPOSED ORDINANCE AMENDING PALM SPRINGS MUNICIPAL CODE CHAPTER 11.100, ABATEMENT OF ABANDONED SHOPPING CARTS, TO FURTHER REDUCE THE NUMBER OF SUCH CARTS LITTERING PRIVATE PROPERTIES AND THE PUBLIC RIGHTS-OF-WAY:

RECOMMENDATION: 1) Waive the reading of the ordinance text in its entirety and read by title only; and 2) Introduce on first reading Ordinance No. ____, "AN ORDINANCE OF THE CITY OF PALM SPRINGS, CALIFORNIA, AMENDING CHAPTER 11.100 OF THE PALM SPRINGS MUNICIPAL CODE RELATING TO ABATEMENT OF ABANDONED SHOPPING CARTS."

4. UNFINISHED BUSINESS:

4.A. APPROVE 15 GRANT APPLICATIONS OF UP TO \$5,000 EACH IN ACCORDANCE WITH THE FISCAL YEAR 2014-15 FACADE IMPROVEMENT PROGRAM GUIDELINES:

RECOMMENDATION: 1) Approve Facade Improvement Grant applications and authorize payments not to exceed \$5,000 each, wherein qualifying work has been completed at House 849, Modern Home Design, Chill Bar, MCB Properties, MCB Properties-Matt Bousquette, Timberlake Holdings, Palm Springs Art & Design Gallery, Pho 533, and Desert Landscape/Figg Studios; 2) Approve Facade Improvement Grant applications and authorize payments not to exceed \$5,000 each, wherein qualifying work has not yet been completed at: Knights Inn Palm Springs, The LGBT Community Center, HJH Construction, Greek Island Restaurant, Peabody's Café, and Lola Properties; and 3) Authorize the City Manager to execute all documents related to the Facade Improvement Grant Agreements and payments upon audit of all documentation by Economic Development and Finance Departments and review by the City Attorney. A____. A____. A____. A____. A____. A____. A____. A____. A____. A____. A____.

5. NEW BUSINESS:

5.A. AUTHORIZE THE PURCHASE OF ONE FIRE DEPARTMENT 105' AERIAL LADDER TRUCK AND THREE FIRE ENGINES:

The City Council encourages written public testimony prior to the meeting, which provides the City Council ample time and attention for consideration. All written testimony will be provided to the City Council prior to the discussion. Written testimony may be sent via email to City.Clerk@palmspringsca.gov, by fax at (760) 322-8332, or hand delivery to the City Clerk, Palm Springs City Hall, 3200 E. Tahquitz Canyon Way, Palm Springs, CA 92262.

RECOMMENDATION: 1) Approve the purchase of one new Aerial and three new Engines from Pierce Manufacturing, Inc. through the national Houston-Galveston Area Council (H-GAC) cooperative purchase agreement in the amount of \$3,388,951 which includes the applicable 9% California state sales tax of \$279,050; 2) Adopt Resolution No. _____, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, AUTHORIZING THE PURCHASE OF FIRE APPARATUS AND EXECUTION OF LEASE PURCHASE AGREEMENTS WITH PNC EQUIPMENT FINANCING, LLC IN CONNECTION THEREWITH;" 3) Declare the 1999 75' aerial and two 2000 Pierce fire engines as surplus and sell at auction after delivery of the new aerial and engines following the City Procurement Ordinance; and 4) Authorize the City Manager to execute all necessary documents, subject to review and approval of the City Attorney. A_____.

PUBLIC COMMENT: (Non-Agenda Items) This time has been set aside for members of the public to address the City Council on items of general interest within the subject matter jurisdiction of the City. Although the City Council values your comments, pursuant to the Brown Act, it generally cannot take any action on items not listed on the posted agenda. Two (2) minutes will be assigned to each speaker. Testimony for Public Hearings will only be taken at the time of the hearing.

UPCOMING AGENDA DEVELOPMENT: This time is set aside for the City Council to prioritize and set future agenda items.

COUNCILMEMBER COMMENTS, REQUESTS, AND REPORTS: Additional general comments, reports, announcements, requests of staff and/or issues of concern to Councilmembers are briefly presented at this time.

ADJOURNMENT: The City Council will adjourn to a special meeting Thursday, September 22, 2016, at 9:30 A.M., Hard Rock Hotel, Second Floor Club Room, 150 South Indian Canyon Drive, Palm Springs, CA 92262.

The next regular City Council meeting will be Wednesday, October 5, 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.

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AFFIDAVIT OF POSTING

State of California)	
County of Riverside)	ss.
City of Palm Springs)	

I, James Thompson, City Clerk of the City of Palm Springs, California, hereby certify this Agenda was delivered to each member of the City Council, provided to all parties who have requested such notice, posted at City Hall before 11:30 p.m., on September 15, 2016, and posted on the City's website as required by established policies and procedures.

JAMES THOMPSON
City Clerk, City of Palm Springs, CA

PUBLIC NOTICES

Pursuant to G.C. Section 54957.5(b)(2) the designated office for inspection of records in connection with the meeting is the Office of the City Clerk, City Hall, 3200 E. Tahquitz Canyon Way. Complete Agenda Packets are available for public inspection at: City Hall Office of the City Clerk. Agenda and staff reports are available on the City's website www.palmspringsca.gov. If you would like additional information on any item appearing on this agenda, please contact the Office of the City Clerk at (760) 323-8204.

It is the intention of the City of Palm Springs to comply with the Americans with Disabilities Act (ADA) in all respects. If, as an attendee or a participant at this meeting, or in meetings on a regular basis, you will need special assistance beyond what is normally provided, the City will attempt to accommodate you in every reasonable manner. Please contact the Office of the City Clerk, 323-8204, at least 48 hours prior to the meeting to inform us of your particular needs and to determine if accommodation is feasible.

City Council meetings are webcast live on the City's website www.palmspringsca.gov and cablecast live on PSCTV Channel 17 and 26.103. Meetings are re-broadcast (following the meeting) on Thursday at 8:00 P.M., Saturday at 1:30 P.M. and Tuesday at 7:00 P.M.

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**CITY COUNCIL
CITY OF PALM SPRINGS, CALIFORNIA
AND AS SUCCESSOR AGENCY TO THE PALM SPRINGS COMMUNITY REDEVELOPMENT AGENCY**



CLOSED SESSION AGENDA
Wednesday, September 21, 2016 – 4:15 P.M.

City Hall, Small Conference Room
3200 East Tahquitz Canyon Way, Palm Springs

CONFERENCE WITH LEGAL COUNSEL. The City Council finds, based on advice from the City Attorney, that discussion in open session of the following described matter(s) will prejudice the position of the City in existing and anticipated litigation.

EXISTING LITIGATION **G.C. 54956.9(d)(1)**

1. *Julie K. Nelson v. City of Palm Springs*
Case No. PSC 1401755, Riverside County Superior Court, Palm Springs Division

EXPOSURE TO LITIGATION **G.C. 54956.9(d)(2)**

Two Case(s)

INITIATION OF LITIGATION **G.C. 54956.9(d)(4)**

Three Case(s)

PUBLIC EMPLOYEE EVALUATION **G.C. 54957(b)(1)**

Position: City Manager

PUBLIC EMPLOYEE DISCIPLINE/DISMISSAL/RELEASE **G.C. 54957(b)(1)**

One Case

CONFERENCE WITH REAL PROPERTY NEGOTIATOR **G.C. 54956.8**

Property Address/Description: APN's 513-560-055 and 513-560-060 as it relates to public rights-of-way for Belardo and Andreas Road
Agency: City of Palm Springs
Agency Negotiator: David Ready, City Manager or Designee
Negotiating Parties: John Wessman, Palm Springs Promenade
Under Negotiation: Price and Terms of Payment (Purchase)

Property Address/Description: APN 512-290-041 as it relates to the flood control drainage easement
Agency: City of Palm Springs
Agency Negotiator: David Ready, City Manager or Designee
Negotiating Parties: IRP EI Portal Association
ALTA Neighborhood Association
Under Negotiation: Price and Terms of Payment (Purchase)