

**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. **WOODBRIAGE 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 advertizing 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 Symlaze, 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.

Mayor Moon noted his support for trying the proposed modifications to the Rules of Procedure, but did not support the elimination of the Invocation.

**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 Match 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.

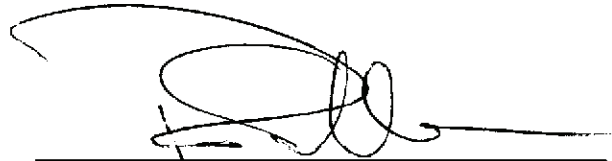
Councilmember Roberts commented on the installation of the all-inclusive play equipment installed in Sunrise Park, and stated the City will be hosting an event to celebrate the new equipment that can be used by all children including those with disabilities.

**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  
3<sup>RD</sup> DAY OF AUGUST, 2016.**



ROBERT MOON, MAYOR

ATTEST:



JAMES THOMPSON, CITY CLERK