

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



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

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

PLEDGE OF ALLEGIANCE: Mayor Moon led the Pledge.

ROLL CALL:

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

ABSENT: Councilmember Roberts.

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

REPORT OF CLOSED SESSION:

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

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

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

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

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

ACCEPTANCE OF THE AGENDA:

ACTION: Accept the Agenda as presented. **Motion Councilmember Kors, seconded by Mayor Pro Tem Mills and unanimously carried 4-0 on a roll call vote.**

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

NOES: None.

ABSENT: Councilmember Roberts.

PUBLIC COMMENT:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

CITY COUNCIL SUB-COMMITTEE REPORTS AND UPDATES: None.

COUNCILMEMBER COMMENTS:

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

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

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

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

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

CITY MANAGER'S REPORT:

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

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

1. ADJOURNED REGULAR MEETING ITEMS:

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

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

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

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

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

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

Councilmember Foat returned to the dais.

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

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

Palm Springs Pride \$85,000 In-Kind

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

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

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

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

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

Boys and Girls Club \$10,000

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

Desert AIDS Walk \$2,500

Desert AIDS Dining Out for Life \$2,500

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

Equality California Institute \$5,000

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

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

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

Palm Springs Frontrunners In-Kind \$2,500

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

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

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

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

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

Palm Springs Opera Guild \$7,500

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

Transgender Community Coalition In-Kind \$5,000

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

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

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

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

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

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

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

2) Authorize the City Manager to execute individual Sponsorship and Program Fund Grants, subject to approval by the City Attorney as to form. **Motion Mayor Moon, seconded by Mayor Pro Tem Mills carried 4-0 on a roll call vote.**

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

NOES: None.

ABSENT: Councilmember Roberts.

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

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

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

ACTION: 1) Authorize the City Manager to execute an operations agreement, for an amount not to exceed \$75,000, to provide a Day Program at Roy's Desert Resource Center, for a four month period; and 2) Adopt Resolution No. 24059, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, AMENDING THE BUDGET FOR FISCAL YEAR 2016-17 TO PROVIDE AN ADDITIONAL \$75,000 FOR THE HOMELESS DAY CARE PROGRAM." **Motion Councilmember Kors, seconded by Councilmember Foat and unanimously carried 4-0 on a roll call vote.**

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

NOES: None.

ABSENT: Councilmember Roberts.

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

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

ACTION: 1) Approve Amendment No. 6 to Agreement No. A6329 with Selene Palm Springs LLC, for the sale of a 7.8 acre parcel at the

northeast corner of Calle Alvarado and Amado; and 2) Authorize the City Manager to execute all necessary documents. A6329. **Motion Councilmember Foat, seconded by Councilmember Kors and unanimously carried 4-0 on a roll call vote.**

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

NOES: None.

ABSENT: Councilmember Roberts.

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

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

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

ACTION: Adopt Urgency Ordinance No. 1897, "AN URGENCY ORDINANCE OF THE CITY OF PALM SPRINGS, CALIFORNIA, EXTENDING URGENCY ORDINANCE NO. 1891 PROHIBITING THE RENTAL OF APARTMENTS AS VACATION RENTALS TO NOVEMBER 30, 2016," *amending Section 1 of the Ordinance for the ordinance to expire on November 30, 2016, and adding a section to the ordinance to read "Apartment means a residential unit in a multi-family development of five (5) or more dwelling units where each unit is rented or leased for occupancy as a residence for one individual or family."* **Motion Mayor Pro Tem Mills, seconded by Councilmember Kors and unanimously carried 4-0 on a roll call vote.**

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

NOES: None.

ABSENT: Councilmember Roberts.

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

1.E. SECOND READING AND ADOPTION OF ORDINANCE NO. 1894 AMENDING THE PALM SPRINGS MUNICIPAL CODE RELATING TO ACCEPTANCE OF INDUSTRIAL COOLING WATER OR UNPOLLUTED

PROCESS WATER INTO THE CITY'S SANITARY SEWER SYSTEM FOR TREATMENT:

ACTION: Waive the reading of the ordinance text and adopt Ordinance No. 1894, "AN ORDINANCE OF THE CITY OF PALM SPRINGS, CALIFORNIA, AMENDING CHAPTER 15.28 'WATER AND SEWERS' OF THE CITY OF PALM SPRINGS MUNICIPAL CODE TO CAPTURE INDUSTRIAL COOLING WATER OR UNPOLLUTED PROCESS WATER IN CITY SEWERS FOR TREATMENT." **Motion Councilmember Foat, seconded by Councilmember Kors and unanimously carried 3-0 on a roll call vote.**

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

NOES: None.

ABSENT: Councilmember Roberts and Mayor Pro Tem Mills.

Mayor Pro Tem Mills returned to the dais.

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

ACTION: Waive the reading of the ordinance text and adopt Ordinance No. 1895, "AN ORDINANCE OF THE CITY OF PALM SPRINGS, CALIFORNIA, ADDING ARTICLE IX TO CHAPTER 8.04 OF THE PALM SPRINGS MUNICIPAL CODE, RELATING TO ALL-GENDER RESTROOMS IN BUSINESSES AND PUBLIC ACCOMMODATIONS." **Motion Councilmember Foat, seconded by Councilmember Kors and unanimously carried 4-0 on a roll call vote.**

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

NOES: None.

ABSENT: Councilmember Roberts.

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

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

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

Kors, seconded by Mayor Pro Tem Mills and unanimously carried 4-0 on a roll call vote.

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

NOES: None.

ABSENT: Councilmember Roberts.

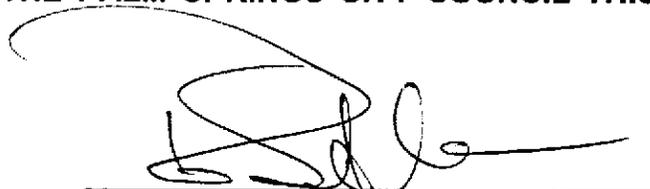
COUNCILMEMBER COMMENTS, REQUESTS, AND REPORTS:

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

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

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

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



ROBERT MOON, MAYOR

ATTEST:



JAMES THOMPSON, CITY CLERK