

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



**MEETING MINUTES
WEDNESDAY, AUGUST 3, 2016
CITY HALL COUNCIL CHAMBER**

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

PLEDGE OF ALLEGIANCE: Mayor Moon led the Pledge.

PRESENTATIONS: None.

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.

CITY MANAGER'S REPORT:

City Manager Ready provided an update on the West Elm building in the Downtown Revitalization Project, and announced the completion of the Citywide Paving Project.

REPORT OF CLOSED SESSION:

The meeting was called to order at 3:15 p.m. and the following speaker addressed the City Council regarding Items on the Closed Session Agenda.

ALICIA GOMEZ, read a letter submitted by Peter Mahler regarding the performance evaluation of the City Manager.

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 City Staff and the City Attorney, otherwise no reportable actions were taken.

Councilmember Kors reported on the City Manager Performance Evaluation and stated the City Manager received an outstanding performance evaluation.

ACCEPTANCE OF THE AGENDA:

Mayor Moon requested the City Council add an Item to the Agenda to appoint a replacement for Mayor Pro Tem Mills to the City Council standing Subcommittee for Vacation Rentals.

ACTION: Add Item 5.F. to the Agenda to appoint a new member to the City Council standing Subcommittee for Vacation Rentals to replace Mayor Pro Tem Mills. **Motion Councilmember Roberts, seconded by Councilmember Kors and unanimously carried (5-0).**

Mayor Moon requested Items 1.B. and 1.R. be removed from the Consent Calendar for separate discussion.

Councilmember Kors requested Item 1.B. be removed from the Consent Calendar for separate discussion.

Councilmember Foat requested Item 1.R. be removed from the Consent Calendar for separate discussion.

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

PUBLIC TESTIMONY:

ANDREW HIRSCH, Palm Springs, commented on Item 1.A. regarding the posting of the agenda.

DON DONNELLY, commented on Item 1.D. regarding non-discrimination in City contracting and questioned the bidding process.

JACK NEWBY, Palm Springs, commented on Item 1.G. regarding the accomplishments of the Human Rights Commission.

JANIE HUGHES, Palm Springs, commented on Items 5.D. and 5.E., stated her support for the BID for small hotels, and her support for the return of the Marilyn statue.

MARK HUNTER, Palm Springs, commented on Item 5.E., and stated his support for the BID for small hotels.

BILL SANDERSON, Palm Springs, commented on Item 5.E., and stated his support for the BID for small hotels.

JOHN-MICHAEL COOPER, Palm Springs, commented on Item 5.E., and stated his support for the BID for small hotels.

MICHAEL GREEN, Palm Springs, commented on Item 5.E., and stated his support for the BID for small hotels.

AFTAB DADA, commented on Item 3.A., requested the City Council consider allowing TNC's at the Palm Springs International Airport at the Baggage Area, and stated his support for the return of Marilyn at the Downtown Park.

BILL MEYERS, Palm Springs, commented on Item 3.A. regarding TNC's at the Palm Springs International Airport and requested fair regulations.

JOY SOUTHERLAND, Palm Springs, commented on Item 3.A. stated her concerns regarding TNC's at the Palm Springs International Airport.

ANNA MARIA JULIANELLI, Desert Hot Springs, commented on Item 3.A. stated her concerns regarding TNC's at the Palm Springs International Airport.

ROSS SEIDNER, Rancho Mirage, commented on Item 3.A. stated his concerns regarding TNC's at the Palm Springs International Airport.

RICK BLACKBURN, Palm Desert, commented on Item 3.A. and stated his support for allowing TNC's at the Palm Springs International Airport.

VINCENT CORRALES, Palm Springs, commented on Item 3.A. and stated his support for allowing TNC's at the Palm Springs International Airport.

TATIANA WINOGRAD, Los Angeles, commented on Item 3.A. and stated her support for allowing TNC's at the Palm Springs International Airport.

LAURA BOSESTRO, commented on Item 3.A. and stated her for support allowing TNC's at the Palm Springs International Airport.

TIM DONOVAN, Palm Springs, commented on Item 3.A. and stated his support allowing TNC's at the Palm Springs International Airport.

RICHARD SINGERMAN, Palm Springs, commented on Item 3.A. and stated his support for allowing TNC's at the Palm Springs International Airport.

STEPHANIE BURIEL, Desert Hot Springs, commented on Item 3.A. regarding regulations for taxi drivers and TNC's at the Palm Springs International Airport.

DUNCAN MACLOUD, Palm Springs, commented on Item 3.A. and the requirements for taxi drivers and TNC's.

CHAD ROBERTSON, Palm Springs, commented on Item 3.A. and the requirements for taxi drivers and TNC's.

RUDY LEFEBRE, commented on Item 3.A. and stated there are many issues related to TNC's and issues regulating TNC's at the Palm Springs International Airport.

BOB RICHMOND, Palm Springs, commented on Item 3.A., and stated his support for allowing TNC's at the Palm Springs International Airport.

VINCENT BUCCI, Palm Springs, commented on Item 3.A., stated his support for allowing TNC's at the Palm Springs International Airport.

BARBARA KLICKSTEIN, Palm Springs, commented on Item 3.A., stated her support for allowing TNC's at the Palm Springs International Airport.

YARA SILVA HEYLEY, Palm Springs, commented on Item 3.A., stated her support for allowing TNC's at the Palm Springs International Airport.

JOHN MCCOY, Palm Springs, commented on Item 5.A. regarding the proposed stop sign installation at Bogert Trail and Marigold Circle.

TIM ERKINS, Palm Springs, commented on Item 3.A. and 5.E. in support of the BID for small hotels, and in support of TNC's at the Palm Springs International Airport.

MICHELLE BROCK, commented on Item 3.A., and stated her concerns for TNC's at the Palm Springs International Airport.

1. CONSENT CALENDAR:

ACTION: Approve Items 1.A., 1.C., 1.D., 1.E., 1.F., 1.G., 1.H., 1.I., 1.J., 1.K., 1.L., 1.M., 1.N., 1.O., 1.P., 1.Q., 1.S., 1.T. 1.U., 1.V., 1.W., 1.X., 1.Y., 1.Z., and 1.AA. **Motion Councilmember Roberts, seconded by Councilmember Foat and unanimously carried on a roll call vote.**

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

ACTION: Receive and file Report on the Posting of the August 3, 2016, City Council Agenda. **Approved as part of the Consent Calendar.**

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

ACTION: 1) Adopt Resolution No. 24060, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, APPROVING PAYMENT OF CLAIMS AND DEMANDS BY WARRANTS NUMBERED 1085712 THROUGH 1085816 IN THE AGGREGATE AMOUNT OF \$1,396,864.58, DRAWN ON BANK OF AMERICA;" 2) Adopt Resolution No. 24061, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, APPROVING PAYMENT OF PAYROLL WARRANTS FOR THE PERIOD ENDED 05-21-2016 BY WARRANTS NUMBERED 419550 THROUGH 419563 TOTALING \$20,322.82, LIABILITY CHECKS NUMBERED 1085817 THROUGH 1085834 TOTALING \$88,369.31, FIVE WIRE TRANSFERS FOR \$58,775.78, AND THREE ELECTRONIC ACH DEBITS OF \$1,179,948.67 IN THE AGGREGATE AMOUNT OF \$1,347,416.58, DRAWN ON BANK OF AMERICA;" 3) Adopt Resolution No. 24062, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, APPROVING PAYMENT OF CLAIMS AND DEMANDS BY WARRANTS NUMBERED 1085835 THROUGH 1085949 IN THE AGGREGATE AMOUNT OF \$1,348,074.43, DRAWN ON BANK OF AMERICA;" 4) Adopt

Resolution No. 24063, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, APPROVING PAYMENT OF CLAIMS AND DEMANDS BY WARRANTS NUMBERED 1085950 THROUGH 1086029 IN THE AGGREGATE AMOUNT OF \$1,631,474.19, DRAWN ON BANK OF AMERICA;" 5) Adopt Resolution No. 24064, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, APPROVING PAYMENT OF PAYROLL WARRANTS FOR THE PERIOD ENDED 06-04-2016 BY WARRANTS NUMBERED 419564 THROUGH 419578 TOTALING \$30,740.96, LIABILITY CHECKS NUMBERED 1086030 THROUGH 1086047 TOTALING \$89,201.38, FIVE WIRE TRANSFERS FOR \$59,485.28, AND THREE ELECTRONIC ACH DEBITS OF \$1,237,296.39 IN THE AGGREGATE AMOUNT OF \$1,416,724.01, DRAWN ON BANK OF AMERICA;" 6) Adopt Resolution No. 24065, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, APPROVING PAYMENT OF CLAIMS AND DEMANDS BY WARRANTS NUMBERED 1086048 THROUGH 1086154 IN THE AGGREGATE AMOUNT OF \$1,443,162.81, DRAWN ON BANK OF AMERICA;" and 7) Adopt Resolution No. 24066, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, APPROVING PAYMENT OF CLAIMS AND DEMANDS BY WARRANTS NUMBERED 1086155 THROUGH 1086262 IN THE AGGREGATE AMOUNT OF \$1,306,180.15, DRAWN ON BANK OF AMERICA."
Approved as part of the Consent Calendar.

1.D. STAFF AUTHORIZED AGREEMENTS AND PURCHASE ORDERS FOR THE MONTH OF JUNE 2016:

ACTION: Receive and file the report of Staff Authorized Agreements and Purchase Orders for the period of June 1 through June 30, 2016.
Approved as part of the Consent Calendar.

1.E. ACCEPT THE RESIGNATION OF TARA LAZAR FROM THE SUSTAINABILITY COMMISSION:

ACTION: 1) Accept with regret the resignation of Tara Lazar from the Sustainability Commission; and 2) Direct the City Clerk to post a Notice of Vacancy for the term ending June 30, 2017. **Approved as part of the Consent Calendar.**

1.F. SECOND READING AND ADOPTION OF ORDINANCE NO. 1896 RELATING TO NON-DISCRIMINATION IN CITY CONTRACTING:

ACTION: Waive the reading of the ordinance text in its entirety and adopt 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." **Approved as part of the Consent Calendar.**

- 1.G. ACCEPTANCE OF THE PALM SPRINGS HUMAN RIGHTS COMMISSION'S ANNUAL REPORT FOR FISCAL YEAR 2015-16:**
ACTION: Receive and file the Palm Springs Human Rights Commission's Annual Report for Fiscal Year 2015-16. **Approved as part of the Consent Calendar.**
- 1.H. RATIFY AND APPOINT THE NOMINATION OF THE CITY OF COACHELLA TO THE PALM SPRINGS INTERNATIONAL AIRPORT COMMISSION FOR THE TERM ENDING DECEMBER 31, 2016:**
ACTION: Reappoint David Garcia, as the City of Coachella representative, to the Palm Springs International Airport Commission for the term ending December 31, 2016. **Approved as part of the Consent Calendar.**
- 1.I. ACCEPTANCE OF CITYWIDE ADA CURB RAMP IMPROVEMENTS PROJECT (CP 15-18):**
ACTION: 1) Accept the public works improvement identified as Citywide ADA Curb Ramp Improvements Project (CP 15-18) 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 the Citywide ADA Curb Ramp Improvements Project (CP 15-18). A6846. **Approved as part of the Consent Calendar.**
- 1.J. ACCEPTANCE OF DEMUTH PARK AND RUTH HARDY PARK SECURITY PATH LIGHTING IMPROVEMENTS PROJECT (CP 14-19):**
ACTION: 1) Accept the public works improvement identified as Demuth Park and Ruth Hardy Park Security Path Lighting Improvements (CP 14-19) 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 Demuth Park and Ruth Hardy Park Security Path Lighting Improvements (CP 14-19). A6770. **Approved as part of the Consent Calendar.**
- 1.K. APPROVAL OF PROGRAM SUPPLEMENT AGREEMENT NO. N036-R1, WITH THE STATE OF CALIFORNIA FOR USE OF HIGHWAY BRIDGE PROGRAM (HBP) FEDERAL-AID FUNDS FOR THE RAMON ROAD BRIDGE WIDENING OVER THE WHITEWATER RIVER PROJECT (CP 08-25) FEDERAL-AID PROJECT NO. BHLS-5282 (040):**
ACTION: Adopt Resolution No. 24067, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, APPROVING PROGRAM SUPPLEMENT AGREEMENT NO. N036-R1 (AMENDMENT NO. 1 TO CITY AGREEMENT NO. A6122) TO ADMINISTERING AGENCY-STATE AGREEMENT FOR FEDERAL-AID PROJECTS NO. 08-5282R WITH THE STATE OF CALIFORNIA, IN THE AMOUNT OF \$3,483,655 FOR THE RAMON ROAD BRIDGE WIDENING OVER THE WHITEWATER RIVER (CP 08-25) FEDERAL-AID PROJECT

NO. BHLS-5282 (040), AND AUTHORIZING THE CITY MANAGER TO EXECUTE THE AGREEMENT ON BEHALF OF THE CITY OF PALM SPRINGS." A6122. **Approved as part of the Consent Calendar.**

1.L. AWARD A CONSTRUCTION CONTRACT TO MATICH CORPORATION IN THE AMOUNT OF \$344,500 FOR THE MESQUITE AVENUE STREET IMPROVEMENTS PROJECT (CP 12-01):

ACTION: 1) Award a construction contract to Matich Corporation, in the amount of \$344,500 for the Mesquite Avenue Street Improvements (CP 12-01); and 2) Authorize the City Manager to execute all necessary documents. A6888. **Approved as part of the Consent Calendar.**

1.M. AMENDMENT NO. 4 TO AGREEMENT NO. A4898 A MEMORANDUM OF UNDERSTANDING WITH CVAG REGARDING AB2766 MOTOR VEHICLE REGISTRATION FEE ASSESSMENTS:

ACTION: 1) Approve Amendment No. 4 to Agreement No. A4898 with CVAG regarding AB2766 motor vehicle registration fee assessments; and 2) Authorize the City Manager to execute all necessary documents. A4898. **Approved as part of the Consent Calendar.**

1.N. INITIATION OF ANNEXATION NO. 13 TO COMMUNITY FACILITIES DISTRICT NO. 2005-1 (PUBLIC SAFETY SERVICES):

ACTION: Adopt Resolution No. 24068, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, DECLARING ITS INTENTION TO ANNEX TERRITORY INTO A COMMUNITY FACILITIES DISTRICT AND TO AUTHORIZE THE LEVY OF SPECIAL TAXES FOR THE CITY OF PALM SPRINGS COMMUNITY FACILITIES DISTRICT NO. 2005-1, (PUBLIC SAFETY SERVICES), ANNEXATION NO. 13, TRACT MAP NO. 31095 (BOULDERS) AND TRACT MAP NO. 31766 (CRESCENDO)." **Approved as part of the Consent Calendar.**

1.O. AMENDMENT NO. 6 TO CONSULTING SERVICES AGREEMENT NO. A6401 WITH NEWCOMB/ANDERSON/MCCORMICK, INC. IN THE AMOUNT OF \$177,480 FOR THE CITYWIDE SOLAR PROJECT (CP 15-03):

ACTION: 1) Approve Amendment No. 6 to Agreement No. A6401, increasing the contract amount by \$177,480 for a total not to exceed \$520,878 with Newcomb/Anderson/McCormick, Inc. for construction inspection and management services; and 2) Authorize the City Manager to execute all necessary documents. A6401. **Approved as part of the Consent Calendar.**

1.P. ACCEPTANCE OF FIRE STATION NO. 2 CHILLER REPLACEMENT (CP 14-17):

ACTION: 1) Accept the public works improvement identified as Fire Station No. 2 Chiller Replacement Project (CP 14-17) 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 Fire Station No. 2 Chiller Replacement (CP 14-17). A6769. **Approved as part of the Consent Calendar.**

1.Q. APPROVE A REIMBURSEMENT AGREEMENT IN THE AMOUNT OF \$43,717 WITH SMOKE TREE, INC. FOR THE RECONSTRUCTION OF SMOKE TREE LANE AS PART OF THE 2016 PAVEMENT REHABILITATION PROJECT (CP 16-01):

ACTION: 1) Approve a Reimbursement Agreement with Smoke Tree, Inc. in the amount of \$43,717 to accommodate reconstruction of Smoke Tree Lane as part of the 2016 Pavement Rehabilitation Project (CP 16-01); 2) Authorize the City Manager to approve a Construction Contract Change Order in the amount of \$43,717 with Matich Corporation to include the reconstruction of Smoke Tree Lane as part of the 2016 Pavement Rehabilitation Project (CP 16-01); and 3) Authorize the City Manager to execute all necessary documents. A6889. A6878. **Approved as part of the Consent Calendar.**

1.S. TREASURER'S INVESTMENT REPORT AS OF JUNE 30, 2016:

ACTION: Receive and File the Treasurer's Investment Report as of June 30, 2016. **Approved as part of the Consent Calendar.**

1.T. AMENDMENT NO. 1 TO CONSULTING SERVICES AGREEMENT NO. A6434 WITH MRC ENGINEERING, INC. IN THE AMOUNT OF \$6,690 FOR THE PALM CANYON DRIVE ELECTRICAL SYSTEM REPLACEMENT PROJECT (CP 14-20):

ACTION: 1) Approve Amendment No. 1 in the amount of \$6,690 to Consulting Services Agreement No. A6434 with MRC Engineering, Inc. for a revised total contract amount of \$28,990 for the Palm Canyon Drive Electrical System Replacement Project (CP 14-20); and 2) Authorize the City Manager to execute all necessary documents. A6434. **Approved as part of the Consent Calendar.**

1.U. AUTHORIZE STAFF, IN CONCERT WITH THE COACHELLA VALLEY HOUSING COALITION, TO SUBMIT A GRANT REQUEST TO KABOOM, INC. FOR PLAY EQUIPMENT, DESIGN, AND INSTALLATION EXPERTISE TO CONSTRUCT A PUBLIC PLAYGROUND ON VACANT CITY-OWNED LAND AT THE COYOTE RUN APARTMENTS, LOCATED AT 3401 N. SUNRISE WAY:

ACTION: 1) Authorize City staff, in concert with the lead agency the Coachella Valley Housing Coalition, to submit a grant request to KaBOOM, Inc. for the design, engineering, materials, delivery, and installation expertise for construction of a new playground at the Coyote Run Apartments located at 3401 N. Sunrise Way; and 2) Authorize the City Manager to execute such documents as are necessary to apply for

the grant, give permission to the Coachella Valley Housing Coalition to build the park, and commit to maintenance of play structures and associated landscaping. A6890. **Approved as part of the Consent Calendar.**

1.V. APPROVAL OF VARIOUS ACTIONS RELATED TO THE JAMES O. JESSIE DESERT HIGHLAND UNITY CENTER OUTDOOR PERFORMANCE STAGE AND OUTDOOR BALL FIELD LIGHTING PROJECT (CP 14-18):

ACTION: 1) Authorize an appropriation of \$90,000 from Measure J Capital Project Fund contingency reserve for the James O. Jessie Desert Highland Unity Center Outdoor Performance Stage and Outdoor Ball Field Lighting Project (CP 14-18); 2) Approve Contract Change Order No. 4 in the amount of \$60,000 to include Additive Bid Schedule C to the construction contract (A6832) with M. Brey Electric, Inc., for a revised total contract amount of \$475,528.84 for the James O. Jessie Desert Highland Unity Center Outdoor Performance Stage and Outdoor Ball Field Lighting Project (CP 14-18); 3) Delegate authority to the City Manager to approve and execute construction contract change orders up to an additional amount of \$25,000 for a total contract not to exceed \$500,529; and 4) Authorize the City Manager to execute all necessary documents. A6832. **Approved as part of the Consent Calendar.**

1.W. AMENDMENT NO. 6 TO AGREEMENT NO. A5862 WITH KEENAN & ASSOCIATES FOR LOSS CONTROL AND REGULATORY SERVICES:

ACTION: 1) Approve Amendment No. 6 to consulting services agreement for Loss Control and Regulatory Services with Keenan & Associates, in the amount of \$65,000; and 2) Authorize The City Manager to execute all necessary documents. A5862. **Approved as part of the Consent Calendar.**

1.X. APPROVE A PURCHASE ORDER CHANGE ORDER PER AGREEMENT NO. A5208 FOR FINANCE SYSTEM SOFTWARE LICENSE AND MAINTENANCE WITH SUNGARD:

ACTION: 1) Approve a \$1,052.07 change order to Purchase Order 17-0290 per Agreement No. A5208 with SunGard to provide annual maintenance services for the City Finance System through June 30, 2017, for a total of \$25,535.87 and 2) Authorize the City Manager to execute all necessary documents. A5208. **Approved as part of the Consent Calendar.**

1.Y. APPROVE AN AGREEMENT WITH RISELO ENGINEERING SOLUTIONS INC. FOR THE MAINTENANCE AND REPAIRS OF THE AIRPORT BAGGAGE CLAIM HANDLING SYSTEMS AND PASSENGER BOARDING BRIDGES:

ACTION: 1) Approve an agreement with Riselo Engineering Solutions Inc. as specified in Request for Proposals 06-16 in the amount of \$235,850.00

for a three year term with two one-year extensions for routine fixed services, and on-call hourly rates for non-routine maintenance and repairs; and 2) Authorize the City Manager to execute all necessary documents. A6891. **Approved as part of the Consent Calendar.**

1.Z. ACCEPT FAA GRANT NO. 3-06-0181-054-2016 FOR AIRPORT PROJECTS, AND APPROVE AMENDMENT NO. 6 IN THE AMOUNT OF \$2,554,344 FOR A PROFESSIONAL SERVICES CONTRACT TO DESIGN AIRPORT TICKETING WING RENOVATION, AIRFIELD ELECTRICAL UPGRADES, AND TAXIWAY J PAVEMENT REHABILITATION:

ACTION: 1) Approve the acceptance of Federal Aviation Administration AIP Grant No. 3-06-0181-054-2016 in the amount of \$2,554,344; 2) Approve Amendment No. 6 to Parsons Brinckerhoff, Inc. Agreement No. A6256 Airport Consulting for the design and bid services on the Terminal Ticket Wing Renovation, Airfield Electrical Systems Upgrade, and Taxiway J Pavement Rehabilitation in the amount not to exceed \$1,922,380; and 3) Authorize the City Manager to execute all necessary documents including up to ten percent (10%) additional change order work as required to address changes in the project scope. A6892. A6256. **Approved as part of the Consent Calendar.**

1.AA. PURCHASE ONE (1) X-SERIES ADVANCED LIFE SUPPORT (ACLS) MONITOR/DEFIBRILLATOR, WARRANTY, AND RELATED EQUIPMENT FROM ZOLL MEDICAL CORPORATION:

ACTION: 1) Purchase one (1) new ZOLL X-Series advanced life support (ACLS) Manual Monitor/Defibrillator, related equipment, and one (1)-year EMS warranty utilizing Riverside contract discount pricing in the amount of \$27,956.25 from ZOLL Medical Corporation; and 2) Authorize the City Manager to execute all necessary documents. **Approved as part of the Consent Calendar.**

EXCLUDED CONSENT CALENDAR:

1.B. APPROVAL OF MINUTES:

Mayor Moon requested on the July 6, 2016 Minutes, his comments regarding the invocation be added.

Councilmember Kors noted a correction on the July 13, 2016, Minutes for Item 1.A.

Councilmember Roberts noted his abstention on the Minutes of July 13, 2016.

ACTION: Approve the City Council Minutes of July 13, 2016 (as amended), July 12, 2016, July 6, 2016, and June 15, 2016. **Motion Mayor Moon, seconded**

by Councilmember Foat and unanimously carried on a roll call vote, noting the abstention of Councilmember Roberts on the Minutes of July 13, 2016.

1.R. AMENDMENT NO. 4 TO CONSULTING SERVICES AGREEMENT A6503 WITH TRITON TECHNOLOGY SOLUTIONS, INC. IN THE AMOUNT OF \$9,450 FOR THE COUNCIL CHAMBER AUDIO/VISUAL SYSTEM UPGRADE PROJECT (CP 15-06):

ACTION: 1) Approve Amendment No. 4 in the amount of \$9,450 to Consulting Services Agreement No. A6503 with Triton Technology Solutions, Inc. for a revised total contract amount of \$84,130; and 2) Authorize the City Manager to execute all necessary documents. A6503. **Motion Councilmember Foat, seconded by Councilmember Kors and unanimously carried on a roll call vote.**

2. PUBLIC HEARINGS:

2.A. SERENA PARK – PALM SPRINGS COUNTRY CLUB, LLC, FOR A GENERAL PLAN AMENDMENT, PLANNED DEVELOPMENT DISTRICT IN LIEU OF ZONE CHANGE, MAJOR ARCHITECTURAL APPLICATION, DEVELOPMENT AGREEMENT, AND TENTATIVE TRACT MAP FOR THE REDEVELOPMENT OF THE PALM SPRINGS COUNTRY CLUB AND APPROXIMATELY 126-ACRES OF PREVIOUSLY DISTURBED LAND FOR 137 ATTACHED RESIDENCES, 292 DETACHED RESIDENCES, STREETS, PRIVATE OPEN SPACE, AND PUBLIC PARK LOCATED NORTH OF VERONA ROAD, EAST OF SUNRISE WAY, AND SOUTHWEST OF THE WHITEWATER RIVER WASH (CASE NOS. 5.1327 PD-366, ZC, DA, MAJ, AND TTM 36691):

Flinn Fagg, Director of Planning Services, provided background information as outlined in the Staff Report dated August 3, 2016.

Councilmember Roberts requested Staff address the amount of open space required under the Planning Commission recommendation, the amenities for seniors and the inclusion of common facilities for seniors.

Councilmember Foat requested Staff address the retention basin and the proposed park in the retention basin.

MARK ALLEN, Representing Applicant, requested the City Council adopt the Applicants proposal, noted the challenging design issues related to the property, commented on the issues created by the decrease in the number of units, requested the City Council certify the EIR, and commented on the financing and the requirements of the Development Agreement.

MARK SHERMAN, Palm Springs, stated his support for the project, but requested the City Council find alternatives for the construction traffic on Golden Sands.

MICHAEL AMARO, Palm Springs, commented on the number of homes, the Planning Commission conditions, and requested the City Council find alternatives for the construction traffic on Golden Sands.

JERRY HEMSTOCK, Palm Springs, stated the Developer has worked with the community, stated his support for the project, but requested the City Council find alternatives for the construction traffic on Golden Sands.

SANTINA MEATH, Palm Springs, stated the property has been vacant for 10-years, commented on the Developer interactions with the surrounding neighbors, and stated her opposition to the relocation of the gate.

JIM OKEEFE, Palm Springs, commented on the current zoning of the property and the current entitlements for the property, and noted the impacts to the Desert Park Estates Neighborhood.

DIANA GRACE, Palm Springs, noted the letters of support for the Development, but requested the City Council find alternatives for the construction traffic on Golden Sands.

JANE GARRISON, Palm Springs, stated her support for the reduction in density and an increase in open space.

ROGER CONWAY, Palm Springs, requested the City Council find alternatives for the construction traffic on Golden Sands.

TOM MARTIN, Palm Springs, requested all access roads be utilized and requested the City Council find alternatives for the construction traffic on Golden Sands.

KATHY WEREMIUK, Palm Springs, commented on the Planning Commission recommendation for a third access/entry point and construction traffic.

TAD SMITH, Palm Springs, commented on the entry access point on Francis and noted the impact to the neighborhood by the third access point.

GREG WILDMAN, requested the City Council and the Developer come to an agreement, and requested the City Council find alternatives for the construction traffic on Golden Sands.

TERRI MCCOPPIN, spoke against the use of a PDD for the project, the Planning Commission Conditions, the traffic impact to the surrounding neighborhood, and the lack of public benefit to the community.

ERIC TAYLOR, Applicant Rebuttal, commented on the amount of work by the Planning Commission, commented on the third point of access and the traffic impact with the third point of access.

The City Council discussed and/or commented on the following with respect to the project: the list of public benefits for the PDD, gated community for only the senior housing portion of the project, the dedication of the Whitewater channel to the City, community amenities for the senior portion of the project, the construction traffic, the calculation for the open space and density, the hammerhead design of the street, the number of trips per day, the requirements for the architecture at the final PDD, the current state of the property, the condition for construction access on adjacent owners property, the alternate paths for the CVLink, the contents of the Development Agreement, the access point on a property the owner and/or the City does not control or own, and all of the Planning Commission recommended conditions.

ACTION: Direct Staff to proceed with the Planning Commission Plan regarding 386 Units, with 47% to 50% open space, Staff to confirm any available options for a third entry point. **By consensus of the City Council.**

ACTION: 1) Close the Public Testimony portion of the Hearing and Continue the City Council deliberations and Public Hearing to Wednesday, September 7, 2016; and 2) Direct the City Clerk to post a Notice of Continued Public Hearing pursuant to law. **Motion Mayor Moon, seconded by Councilmember Roberts and unanimously carried on a roll call vote.**

3. LEGISLATIVE:

3.A. PROPOSED ORDINANCE RELATING TO PERMITTING TRANSPORTATION NETWORK COMPANIES TO OPERATE AT THE PALM SPRINGS INTERNATIONAL AIRPORT:

Tom Nolan, Director of Aviation, provided background information as outlined in the Staff Report dated August 3, 2016.

The City Council discussed and/or commented on the following with respect to the TNC's: outline the differences between the requirements for a taxi driver and a TNC driver.

ACTION: 1) Take no action on the Ordinance; 2) Direct Staff to continue to work and meet with the TNC's for additional regulatory requirements; and 3) Direct Staff and the City Representative to Sunline work and meet with Sunline to further review regulations for Taxi drivers. **Motion Councilmember Foat, seconded by Councilmember Roberts and carried 4-1 on a roll call vote.**

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

4. UNFINISHED BUSINESS:

4.A. APPROVE ESCROW INSTRUCTIONS RELATED TO THE CONVEYANCE OF CITY PROPERTY TO SELENE PALM SPRINGS, LLC AND AUTHORIZE THE CITY MANAGER TO EXECUTE ALL DOCUMENTS RELATED TO THE AGREEMENTS:

Lauri Aylaian, Director of Community and Economic Development, provided background information as outlined in the Staff Report dated August 3, 2016.

The City Council discussed and/or commented on the following: the number of parking spaces, the demolition plan and required permit, and the date for the close of escrow.

ACTION: 1) Approve Escrow Instructions for the conveyance of a 7.8 acre parcel at the northeast corner of Calle Alvarado and Amado to Selene Palm Springs LLC; 2) Authorize the City Manager to execute all necessary documents. A6893. **Motion Councilmember Foat, seconded by Mayor Pro Tem Mills and unanimously carried on a roll call vote.**

5. NEW BUSINESS:

5.A. APPROVE THE INSTALLATION OF A MULTI-WAY STOP CONTROL AT BOGERT TRAIL AND MARIGOLD CIRCLE:

Marcus Fuller, Assistant City Manager/City Engineer, provided background information as outlined in the Staff Report dated August 3, 2016.

The City Council discussed and/or commented on the following: the Traffic Engineer's recommendation, the potential to remove the adjacent stop sign, and other potential signs to warn drivers.

ACTION: 1) Authorize the City Engineer to install a multi-way stop control at the intersection of Bogert Trail and Marigold Circle in accordance with Chapter 12.16 "Traffic Control Devices" of the Palm Springs Municipal Code; and 2) Direct the City Engineer to continue monitoring the intersections of S. Palm Canyon Drive and La Verne Way, and S. Palm Canyon Drive and Murray Canyon Drive, for correctable collisions over the next 12 months and re-evaluate warrants for multi-way stop controls at that time. **Motion Councilmember Roberts, seconded by Councilmember Kors and carried 4-1 on a roll call vote.**

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

NOES: Mayor Pro Tem Mills.

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

ACTION: 1) Reappoint Janel Hunt and Jilska Chandrasena to the Human Rights Commission for the term ending June 30, 2019; 2) Appoint Ron deHarte to the Human Rights Commission for the term ending June 30, 2019; and 3) Appoint Sam Ciraulo and Christy Holstege to the Human Rights Commission for the unexpired term ending June 30, 2018. **Motion Mayor Pro Tem Mills, seconded by Councilmember Roberts and unanimously carried on a roll call vote.**

5.C. APPROVAL OF A CONTRACT SERVICES AGREEMENT IN THE AMOUNT OF \$77,850 WITH MERCURY ASSOCIATES, INC., FOR FLEET MANAGEMENT CONSULTING SERVICES:

Marcus Fuller, Assistant City Manager/City Engineer, provided background information as outlined in the Staff Report dated August 3, 2016.

ACTION: 1) Authorize sole source procurement of fleet management consulting services by Mercury Associates, Inc., in accordance with Section 7.04.020 of the Palm Springs Municipal Code finding that Mercury Associates, Inc., has demonstrated experience and expertise providing the required fleet management consulting services to other public agencies; 2) Approve a Contract Services Agreement in the amount of \$77,850 with Mercury Associates, Inc., for fleet management consulting services; and 3) Authorize the City Manager to execute all necessary documents. A6894. **Motion Councilmember Kors, seconded by Councilmember Roberts and unanimously carried on a roll call vote.**

5.D. REQUEST FROM PS RESORTS FOR CONSIDERATION OF THE RE-INSTALLATION OF THE FOREVER MARILYN SCULPTURE IN THE NEW DOWNTOWN PARK:

City Manager Ready and Marcus Fuller, Assistant City Manager/City Engineer, provided background information as outlined in the Staff Report dated August 3, 2016.

The City Council discussed and/or commented on the following: any signage and/or other requirements for sponsor, the ownerships of the artwork, timing and storage.

ACTION: Authorize the City Manager to commence negotiations with PS Resorts on an easement and other appropriate contractual documents for City Council consideration, as related to the relocation of Forever Marilyn at the new Downtown Park. **Motion Councilmember Kors, seconded by Mayor Moon and unanimously carried on a roll call vote.**

5.E. DISCUSSION ON THE POTENTIAL CREATION OF A TOURISM BUSINESS IMPROVEMENT DISTRICT FOR SMALL HOTELS:

Directed the City Manager to develop further materials for implementation for consideration by the City Council.

5.F. ADDED ITEM TO APPOINT A MEMBER OF THE CITY COUNCIL TO THE STANDING SUBCOMMITTEE FOR VACATION RENTALS:

ACTION: Appoint Councilmember Kors to the City Council Standing Subcommittee for Vacation Rentals to replace Mayor Pro Tem Mills.
Motion Councilmember Roberts, seconded by Councilmember Foat and unanimously carried on a roll call vote.

PUBLIC COMMENT:

ERICA STONE, Palm Desert, requested a location for the SOS at the Palm Springs International Airport for pick-up of military service personnel.

PHYLLIS BURGESS, Palm Springs, requested the City Council allow an invocation at City Council meetings.

CARRIE ALLAN, Palm Springs, requested the City Council allow an invocation at City Council meetings.

JUDY SUMICH, Palm Springs, requested the City Council allow an invocation at City Council meetings.

UPCOMING AGENDA DEVELOPMENT:

Councilmember Foat requested an Ordinance be placed on the next meeting agenda to consider temporary signs in the Sunny Dunes area at the City Council meeting on September 21, 2016.

Councilmember Kors recommended if the City Council is going to discuss signs the discussion includes signs in all business districts and requested a meeting of the City Council Sign Subcommittee, requested various Fees for the Festival of Light Parade be on the September 7, 2016, and the Gun Safety Ordinance to be on the City Council agenda on September 7, 2016.

Mayor Moon requested the appointment of a City Council ad hoc Subcommittee to review and further study Downtown public restrooms.

Mayor Pro Tem Mills requested further review of the Rules of Procedure to discuss adding the invocation to the agenda.

The City Council discussed moving the Joint Meeting with the Planning Commission and that a special meeting may be needed for discussion items such as cannabis and

signs, the Vacation Rental Subcommittee recommended the October special meeting be for the Vacation Rental Regulations, and move the Joint Meeting with the Ethics, Transparency and Government Reform Task Force to November.

COUNCILMEMBER COMMENTS, REQUESTS, AND REPORTS:

Councilmember Kors commented on organizing public comment by agenda item, and requested public comment continue to be organized by agenda item if feasible.

Mayor Moon commented on the condition of the trees at Ruth Hardy Park, and requested the City Manager report on the watering of trees at Ruth Hardy Park.

Councilmember Foat requested a meeting be set-up with SOS to discuss a location for their operations at the Palm Springs International Airport, and requested an Airport Commissioner be included in the discussions.

Councilmember Roberts requested meetings be scheduled for the Indian Avenue City Council Subcommittee, the Downtown Park Subcommittee, and the Vacation Rental Subcommittee, and the City Council discussed the need for the Downtown Street Naming Subcommittee and the Fundraising Subcommittee to meet.

Councilmember Kors provided an update on the City Council Fundraising Subcommittee and reported on a meeting with Desert Hospital regarding fundraising for homeless mental health services.


ADJOURNMENT: The City Council adjourned at 11:30 p.m. to the next regular meeting Wednesday, September 7, 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 7TH DAY OF SEPTEMBER, 2016.



ROBERT MOON, MAYOR

ATTEST:



JAMES THOMPSON, CITY CLERK