

CITY COUNCIL  
CITY OF PALM SPRINGS, CALIFORNIA

Council Chamber, 3200 East Tahquitz Canyon Way, Palm Springs, California 92262  
[www.palmspringsca.gov](http://www.palmspringsca.gov)

**STUDY SESSION  
ADJOURNED REGULAR MEETING  
AGENDA**

December 14, 2016



3:45 PM CLOSED SESSION  
5:00 PM STUDY SESSION /  
ADJOURNED REGULAR  
MEETING

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

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

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

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

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

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

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

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

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

### **3:45 P.M. CLOSED SESSION**

**CALL TO ORDER (*Council Chamber*):**

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

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

### **5:00 P.M. STUDY SESSION**

**CALL TO ORDER:**

**PLEDGE OF ALLEGIANCE:**

**ROLL CALL:**

**PRESENTATIONS:**

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

**REPORT OF CLOSED SESSION:**

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

**PUBLIC TESTIMONY: (Study Session Items ONLY)**

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

#### **SS. STUDY SESSION**

**SS1. CITY COUNCIL DISCUSSION AND DIRECTION ON THE PROPOSALS AND RECOMMENDATIONS OF THE ETHICS, TRANSPARENCY AND GOVERNMENTAL REFORM TASK FORCE CREATED BY THE CITY COUNCIL SUBCOMMITTEE (MAYOR MOON AND COUNCILMEMBER KORS):**

**RECOMMENDATION:** 1) Receive Reports from the Chairs of the Ethics, Transparency and Governmental Reform Task Force Working Committees; and 2) Direct the City Council Subcommittee and City Staff as appropriate.

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**PUBLIC TESTIMONY: (Agenda Items ONLY)**

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

**1. CONSENT CALENDAR:**

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

**1.A. SECOND READING AND ADOPTION OF ORDINANCE NO. 1907 AMENDING AND RESTATING CHAPTER 5.25 OF THE PALM SPRINGS MUNICIPAL CODE RELATING TO VACATION RENTALS AND CEQA DETERMINATION:**

**RECOMMENDATION:** Waive the second reading of the ordinance text in its entirety and adopt Ordinance No. 1907, "AN ORDINANCE OF THE CITY OF PALM SPRINGS, CALIFORNIA, AMENDING AND RESTATING CHAPTER 5.25 OF THE PALM SPRINGS MUNICIPAL CODE RELATING TO VACATION RENTALS."

**1.B. SECOND READING AND ADOPTION OF ORDINANCE NOS. 1908 AND 1909 AMENDING THE PALM SPRINGS MUNICIPAL CODE RELATING TO MEDICAL CANNABIS REGARDING THE DEVELOPMENT STANDARDS FOR MEDICAL CANNABIS FACILITIES IN VARIOUS ZONING DISTRICTS, MEDICAL CANNABIS BUSINESSES IN THE CITY:**

**RECOMMENDATION:** 1) Waive the second reading of the ordinance text in its entirety and adopt Ordinance No. 1908, "AN ORDINANCE OF THE CITY OF PALM SPRINGS, CALIFORNIA, AMENDING SECTIONS 93.23.15, 92.17.2.00, AND SUBSECTION F OF SECTION 92.17.2.03 OF THE PALM SPRINGS MUNICIPAL CODE RELATING TO MEDICAL CANNABIS FACILITIES; AMENDING SECTIONS 92.15.01.C, 92.16.01.C, 92.17.01.C, 92.17.1.02, 92.17.2.00, AND 92.17.2.01.C RELATING TO MEDICAL CANNABIS MANUFACTURING AND MEDICAL CANNABIS TESTING FACILITIES IN THE C-M, M-1-P, M-1, M-2, AND E-1 ZONES OF THE CITY; AND AMENDING SECTIONS 92.14.01.A, 92.14.1.01.A, 92.15.01.A, 92.16.01.A, 92.17.01.A, AND 92.18.01.A RELATING TO MEDICAL CANNABIS DISPENSARY FACILITIES IN THE C-2, H-C, C-M, M-1-P, M-1, M-2, AND A ZONES OF THE CITY;" and 2) Waive the second reading of the ordinance text in its entirety and adopt Ordinance No. 1909, "AN ORDINANCE OF THE CITY OF PALM SPRINGS, CALIFORNIA, ADDING CHAPTER 5.45 TO, AND AMENDING SECTION

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5.35.100 OF, THE PALM SPRINGS MUNICIPAL CODE, RELATING TO MEDICAL CANNABIS BUSINESSES IN THE CITY OF PALM SPRINGS.”

**1.C. SECOND READING AND ADOPTION OF ORDINANCE NO. 1910 AMENDING THE PALM SPRINGS MUNICIPAL CODE TO INCORPORATE EDUCATION REQUIREMENTS ASSOCIATED WITH WATER EFFICIENT LANDSCAPING FOR LANDSCAPE RELATED BUSINESSES AS A PREREQUISITE TO OBTAINING A BUSINESS LICENSE:**

**RECOMMENDATION:** Waive the second reading of the ordinance text in its entirety and adopt Ordinance No. 1910, "AN ORDINANCE OF THE CITY OF PALM SPRINGS, CALIFORNIA, AMENDING SECTION 5.78.030 OF THE PALM SPRINGS MUNICIPAL CODE 'OVERSEEDING EDUCATION REQUIREMENT' TO INCORPORATE REQUIREMENTS FOR EDUCATION RELATED TO LANDSCAPING WATER EFFICIENCY."

**1.D. ACCEPT THE RESIGNATION OF JOSHUA EDMUNDSON FROM THE PUBLIC ARTS COMMISSION:**

**RECOMMENDATION:** 1) Accept with regret the resignation of Joshua Edmundson from the Public Arts Commission; and 2) Direct the City Clerk to post a notice of vacancy for the term ending June 30, 2017.

**1.E. ACCEPT THE RESIGNATION OF SUZANNE SEVERIN FROM THE HUMAN RIGHTS COMMISSION:**

**RECOMMENDATION:** 1) Accept with regret the resignation of Suzanne Severin from the Human Rights Commission; and 2) Direct the City Clerk to post a notice of vacancy for the term ending June 30, 2017.

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

**2. PUBLIC HEARINGS:** None.

**3. LEGISLATIVE:**

**3.A. PROPOSED ORDINANCE EXPANDIG THE PARKS AND RECREATION COMMISSION FROM NINE TO ELEVEN MEMBERS, APPOINT TWO MEMBERS TO THE COMMISSION, AND AMENDING THE QUORUM REQUIREMENT FOR THE SUSTAINABILITY COMMISSION:**

**RECOMMENDATION:** 1) Waive the reading of the text and introduce by title for first reading Ordinance No. \_\_\_\_\_, "AN ORDINANCE OF THE CITY OF PALM SPRINGS, CALIFORNIA, AMENDING SECTION

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2.18.010, AND SECTION 2.28.020(b) OF THE PALM SPRINGS MUNICIPAL CODE RELATING TO BOARDS AND COMMISSIONS; and 2) Appoint Ellen Goodman to the Parks and Recreation Commission for the term ending June 30, 2019, and appoint Mark Acker to the Parks and Recreation Commission for the term ending June 30, 2018, upon the effective date of Ordinance No. \_\_\_\_\_.

4. **UNFINISHED BUSINESS:** None.

5. **NEW BUSINESS:**

5.A. **APPROVAL OF A PARTIAL RELEASE OF THE PERFORMANCE DEED OF TRUST FOR BLOCK A-1, BLOCK B, AND BLOCK C OF THE DOWNTOWN PALM SPRINGS PROJECT:**

**RECOMMENDATION:** Authorize the City Manager to execute a Substitution of Trustee and Deed of Partial Reconveyance by and between the City of Palm Springs (Beneficiary) and Palm Springs Promenade, LLC, (Trustor) for Block A-1, Block B, and Block C. A6144

5.B. **APPOINTMENT OF A CITY COUNCIL STANDING SUBCOMMITTEE FOR THE BUZZ TROLLEY:**

**RECOMMENDATION:** Appoint two members of the City Council to a BUZZ Trolley City Council Standing Subcommittee.

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

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

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

**ADJOURNMENT:** The City Council will adjourn to the next regular meeting, Wednesday, January 4, 2017, 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.

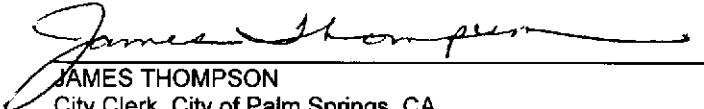
Happy Holidays from the City of Palm Springs!

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**AFFIDAVIT OF POSTING**

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

I, James Thompson, City Clerk of the City of Palm Springs, California, hereby certify this Agenda was delivered to each member of the City Council, provided to all parties who have requested such notice, posted at City Hall before 11:30 p.m., on December 8, 2016, and posted on the City's website as required by established policies and procedures.

  
JAMES THOMPSON  
City Clerk, City of Palm Springs, CA

**PUBLIC NOTICES**

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

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

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

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



**CLOSED SESSION AGENDA**  
Wednesday, December 14, 2016 – 3:45 P.M.

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

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

**PUBLIC EMPLOYEE APPOINTMENT** **G.C. 54957**

Position: City Attorney

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

Two Case(s)

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

Two Case(s)

**CONFERENCE WITH LABOR NEGOTIATOR** **G.C. 54957.6**

City Negotiator: David Ready, City Manager or Designee  
Perry Madison, Director of Human Resources  
Employee Organizations: Palm Springs Police Officers Association