

CITY COUNCIL
AND AS SUCCESSOR AGENCY TO THE
COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF THE PALM SPRINGS
CITY OF PALM SPRINGS, CALIFORNIA
Council Chamber, City Hall
3200 E. Tahquitz Canyon Way, Palm Springs, CA 92262
www.palmspringsca.gov

AGENDA

October 18, 2017



**4:00 PM CLOSED SESSION
6:00 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
Kathleen D. Hart, MMC, Interim City Clerk
Marcus Fuller, MPA, P.E., P.L.S., Assistant City Manager
Edward Z. Kotkin, 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, 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.

4:00 P.M. CLOSED SESSION

CALL TO ORDER (Council Chamber):

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

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

6:00 P.M. REGULAR MEETING

CALL TO ORDER:

PLEDGE OF ALLEGIANCE:

ROLL CALL:

PRESENTATIONS:

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.

REPORT OF CLOSED SESSION:

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

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

CITY COUNCIL, SUBCOMMITTEE, AND CITY MANAGER'S COMMENTS AND REPORTS: This time is set aside for the City Council to provide additional general comments, reports, and announcements. Additionally, 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.

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 Acceptance of the Agenda. The ordinance title is deemed to be read in its entirety and further reading waived on any ordinance listed on the Consent Calendar.

A. TREASURER'S INVESTMENT REPORT AS OF AUGUST 31, 2017:

RECOMMENDATION: Receive and File the Treasurer's Investment Report as of August 31, 2017.

**B. ACCEPT 2017 EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT AWARD FROM THE U.S. DEPARTMENT OF JUSTICE IN THE AMOUNT OF \$21,188 AND APPROVE AN INTERLOCAL AGREEMENT WITH THE COUNTY OF RIVERSIDE AND OTHER PARTICIPATING CITIES FOR GRANT ADMINISTRATION:
RECOMMENDATION:**

1. Approve the acceptance of a grant award from the U.S. Department of Justice in the amount of \$21,188 for the 2016 Justice Assistance Grant (JAG) Program, A5982;
2. Approve an interlocal agreement with the City of Riverside and other various cities within Riverside County, for the County of Riverside to administer the grant on behalf of participating agencies; and
3. Authorize the City Manager to execute all necessary documents.

**C. APPROVAL OF PAYROLL WARRANTS, CLAIMS AND DEMANDS:
RECOMMENDATION:**

1. Adopt Resolution No. _____, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, APPROVING PAYMENT OF PAYROLL WARRANTS FOR THE PERIOD ENDED 09-09-2017 BY WARRANTS NUMBERED 420069 THROUGH 420079 TOTALING \$18,077.10, LIABILITY CHECKS NUMBERED 1094562 THROUGH 1094581 TOTALING \$79,744.88, FIVE WIRE TRANSFERS FOR \$64,460.75, AND THREE ELECTRONIC ACH DEBITS OF \$1,345,174.52 IN THE AGGREGATE AMOUNT OF \$1,507,457.25, DRAWN ON BANK OF AMERICA;"
2. Adopt Resolution No. _____, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, APPROVING PAYMENT OF CLAIMS AND DEMANDS BY WARRANTS NUMBERED 1094582 THROUGH 1094678 IN THE AGGREGATE AMOUNT OF \$1,065,783.56, DRAWN ON BANK OF AMERICA;"
3. Adopt Resolution No. _____, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, APPROVING PAYMENT OF CLAIMS AND DEMANDS BY WARRANTS NUMBERED 1094679 THROUGH 1094798 IN THE AGGREGATE AMOUNT OF \$1,426,582.46, DRAWN ON BANK OF AMERICA;" and
4. Adopt Resolution No. _____, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, APPROVING PAYMENT OF PAYROLL WARRANTS FOR THE PERIOD ENDED 09-23-2017 BY WARRANTS NUMBERED 420080 THROUGH 420090 TOTALING \$18,662.08, LIABILITY CHECKS NUMBERED 1094799 THROUGH 1094802 TOTALING \$1,618.30, FIVE WIRE TRANSFERS FOR \$4,189.71, AND THREE ELECTRONIC ACH DEBITS OF \$1,496,595.87 IN THE AGGREGATE AMOUNT OF \$1,521,065.96, DRAWN ON BANK OF AMERICA."

**D. AMENDMENT NO. 5 TO CONSULTING SERVICES AGREEMENT NO. A6503 WITH TRITON TECHNOLOGY SOLUTIONS, INC., IN THE AMOUNT OF \$3,915 FOR THE COUNCIL CHAMBER AUDIO/VISUAL SYSTEM UPGRADE, CP 15-06:
RECOMMENDATION:**

1. Approve Amendment No. 5 to the Consulting Services Agreement with Triton Technology Solutions, Inc., in the amount of \$3,915, for a revised total contract amount of \$88,045, A6503; and
2. Authorize the City Manager to execute all necessary documents.

**E. APPROVE AN AGREEMENT WITH THE RIVERSIDE COUNTY TRANSPORTATION COMMISSION (RCTC) FOR FUNDING UNDER SENATE BILL (SB) 821 BICYCLE AND PEDESTRIAN FACILITIES PROGRAM, MISSING LINKS SIDEWALKS, CP 15-23:
RECOMMENDATION:**

1. Approve Agreement with Riverside County Transportation Commission for Funding under SB 821 Bicycle and Pedestrian Facilities Program in an amount not to exceed \$277,500

for the Missing Links Sidewalks; CP 15-23, RCTC Agreement No. 18-62-053-00, A____; and

2. Authorize the City Manager to execute all necessary documents.

F. APPROVAL OF A GRANT OF EASEMENT FOR SOUTHERN CALIFORNIA EDISON COMPANY FOR THE INDIAN CANYON DRIVE WIDENING & BRIDGE REPLACEMENT PROJECT, CP 01-11, FEDERAL AID PROJECT NO. BRLO 5282 (017):

RECOMMENDATION:

1. Approve a Grant of Easement to Southern California Edison Company for two, ten feet (10') wide easements for overhead electrical supply systems and communication systems across the City property identified by Assessor's Parcel Number 669-070-002; and
2. Authorize the City Manager to execute all necessary documents associated with the grant of easement.

G. MILLS ACT HISTORIC PROPERTY PRESERVATION AGREEMENT FOR CLASS 1 HISTORIC SITE LOCATED AT 1794 SOUTH ARABY DRIVE, A CLASS 1 HISTORIC SITE, HSPB 103/HD-6:

RECOMMENDATION:

1. Approve a Mills Act Historic Property Agreement with Osmundo R. Saguil and Park Imperial South Homeowners Association, for 1794 S Araby Drive, a Class 1 Historic Site, HSPB 103/HD-6;
2. Authorize the City Manager to execute the Agreement; and
3. Direct the City Clerk to record the Agreement.

H. AWARD THE PURCHASE OF 12 TASK FORCE TIP NOZZLES TO OUTFIT THREE (3) NEW FIRE ENGINES:

RECOMMENDATION:

1. Award the purchase of 12 complete Task Force Tip (TFT) nozzles to outfit three (3) new fire engines from LN Curtis & Sons in the amount of \$40,439.68, including applicable sales tax and delivery; and
2. Authorize the City Manager to execute all necessary documents.

I. RECOGNIZE AND PROCLAIM ANNUALLY THE 4TH FRIDAY IN SEPTEMBER AS NATIVE AMERICAN DAY:

RECOMMENDATION:

Adopt Resolution No. _____, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, RECOGNIZING AND PROCLAIMING ANNUALLY THE 4TH FRIDAY IN SEPTEMBER TO BE NATIVE AMERICAN DAY IN THE CITY OF PALM SPRINGS."

J. AGREEMENT WITH SWAGIT PRODUCTIONS, LLC IN THE AMOUNT OF \$17,400 ANNUALLY FOR VIDEO STREAMING, VIDEO INDEXING, AND ARCHIVING SERVICES, AND A ONE-TIME COST OF \$4,800 TO MIGRATE VIDEOS FROM JANUARY 2006 THROUGH JULY 2017:

RECOMMENDATION:

1. Authorize the single source procurement of video streaming, video indexing, and archiving services from Swagit Productions LLC;
2. Approve an agreement with Swagit Productions LLC in the amount of \$17,400 annually, for video streaming, video indexing, archiving services, and unlimited support, and a one-time charge in the amount of \$4,800 for the migration of videos from January 2006 through July 2017, for a total cost of \$22,200 in Fiscal Year 2017-18 in a form approved

by the City Attorney, A____; and
3. Authorize the City Manager to execute all necessary documents.

K. ADOPTION OF A RESOLUTION AUTHORIZING THE CITY OF PALM SPRINGS TO APPLY FOR PROPOSITION 1 GRANT FUNDS THROUGH THE COACHELLA VALLEY MOUNTAINS CONSERVANCY FOR THE ACQUISITION OF PRIVATELY OWNED PROPERTIES ON THE CHINO CONE FOR PRESERVATION OF OPEN SPACE: RECOMMENDATION:

Adopt Resolution No. _____, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, SUPPORTING AND AUTHORIZING SUBMITTAL OF AN APPLICATION FOR GRANT FUNDS FOR THE ACQUISITION OF PRIVATELY OWNED PROPERTIES ON THE CHINO CONE FOR PRESERVATION OF OPEN SPACE FROM THE COACHELLA VALLEY MOUNTAINS CONSERVANCY PROPOSITION 1 PROGRAM, AND AUTHORIZING THE CITY MANAGER OR DESIGNEE TO EXECUTE ALL SUCH APPLICATIONS AND AGREEMENTS."

L. APPROVAL OF MINUTES:

RECOMMENDATION: Approve the City Council Minutes of June 21, 2017.

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

SPECIAL ITEM:

DOWNTOWN PARK CONCEPTUAL DESIGN:

RECOMMENDATION:

Provide direction to staff as appropriate.

2. PUBLIC HEARINGS:

A. CONSIDERATION OF A RECOMMENDATION BY THE HISTORIC SITE PRESERVATION BOARD FOR CLASS 1 HISTORIC SITE DESIGNATION OF "THE CROCKER-CITIZENS NATIONAL BANK" LOCATED AT 1711 EAST PALM CANYON DRIVE, ZONE CSC, CASE HSPB 109:

RECOMMENDATION:

- 1. Table the Public Hearing with no public testimony at this time;
- 2. Continue the Public Hearing to November 1, 2017; and
- 3. Direct the City Clerk to post a Notice of Continued Public Hearing pursuant to law.

B. PROPOSED ORDINANCE TO AMEND THE PALM SPRINGS ZONING CODE (PSZC) RELATING TO REQUIREMENTS FOR ADULT-USE CANNABIS FACILITIES AND MEDICAL CANNABIS FACILITIES, CASE 5.1218-F ZTA:

RECOMMENDATION:

Waive the reading of the ordinance text in its entirety, read by title only, and introduce for first reading Ordinance No. _____, "AN ORDINANCE OF THE CITY OF PALM SPRINGS, CALIFORNIA, AMENDING CHAPTER 91, CHAPTER 92 AND CHAPTER 93 OF THE PALM SPRINGS ZONING CODE RELATING TO ZONING REQUIREMENTS AND DEVELOPMENT STANDARDS FOR ADULT-USE CANNABIS FACILITIES AND MEDICAL CANNABIS FACILITIES."

3. LEGISLATIVE: None.

4. UNFINISHED BUSINESS:**A. AMENDMENTS TO THE PURCHASE AND SALE AGREEMENT AND SERVICES AGREEMENT WITH SELENE PALM SPRINGS, LLC, FOR THE DREAM HOTEL PROJECT LOCATED AT THE NORTHEAST CORNER OF CALLE ALVARADO AND EAST AMADO ROAD:****RECOMMENDATION:**

1. Approve Amendment No. 8 to the Purchase and Sale Agreement No. A6329 with Selene Palm Springs, LLC, related to the Dream Hotel Project;
2. Approve Amendment No. 2 to the Services Agreement No. A6329 with Selene Palm Springs, LLC, related to the Dream Hotel Project; and
3. Authorize the City Manager to execute all necessary documents.

5. NEW BUSINESS:**A. MEMORANDUM OF UNDERSTANDING (MOU) WITH THE DESERT HEALTHCARE FOUNDATION (DHCF) FOR MATCHING FUNDS FROM DHCF'S WEST VALLEY HOMELESSNESS INITIATIVE:****RECOMMENDATION:**

1. Approve the Memorandum of Understanding with the Desert Healthcare Foundation for the matching funds from the West Valley Homelessness Initiative, A____; and
2. Authorize the City Manager to execute a MOU with the Desert Healthcare Foundation in accepting the match funds from the West Valley Homelessness Initiative for expanded personnel and support of wrap-around services, up to \$450,000.

B. AN APPLICATION BY TRIO RESTAURANT FOR AN ART MURAL ON A COMMERCIAL RESTAURANT BUILDING LOCATED AT 707 NORTH PALM CANYON DRIVE, CASE 17-001 MUR:**RECOMMENDATION:**

Adopt Resolution No. _____, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, APPROVING AN ART MURAL ON THE COMMERCIAL RESTAURANT BUILDING AT 707 NORTH PALM CANYON DRIVE, ZONE C-1, CASE 17-001 MUR."

C. APPOINT TWO (2) MEMBERS OF THE CITY COUNCIL TO A STATE OF THE CITY ADDRESS AD HOC SUBCOMMITTEE WITH A SUNSET DATE OF DECEMBER 31, 2018 (REQUESTED BY MAYOR PRO TEM FOAT ON 10/04/17):**RECOMMENDATION:**

Appoint two (2) members of the City Council to a State of the City Address Ad Hoc Subcommittee with a sunset date of December 31, 2018.

D. APPOINT A LIAISON FOR PALM SPRINGS TOURISM AND HOSPITALITY ASSOCIATIONS (REQUESTED BY MAYOR PRO TEM FOAT ON 10/04/17):**RECOMMENDATION:**

Appoint a member of the City Council as a liaison for Palm Springs Tourism and Hospitality Associations.

E. APPOINT TWO (2) MEMBERS OF THE CITY COUNCIL TO A CONVENTION CENTER TOURISM AND MANAGEMENT SERVICES AGREEMENT AD HOC SUBCOMMITTEE WITH THE SUNSET DATE OF JUNE 30, 2018:

RECOMMENDATION:

Appoint two (2) members of the City Council to a Convention Center Tourism and Management Services Agreement Ad Hoc Subcommittee with a sunset date of June 30, 2018.

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.

CITY COUNCIL AND CITY MANAGER REQUESTS AND UPCOMING AGENDA DEVELOPMENT:

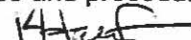
This time is set aside for the City Council to make requests of staff and/or issues of concern to Councilmembers are briefly presented, and to prioritize and set future agenda items.

ADJOURNMENT: The City Council will adjourn to the next regular meeting Wednesday, November 1, 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.

AFFIDAVIT OF POSTING

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

I, Kathleen D. Hart, Interim 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 October 12, 2017, and posted on the City's website as required by established policies and procedures.


KATHLEEN D. HART, MMC
Interim City Clerk

PUBLIC NOTICES

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

It is the intention of the City of Palm Springs to comply with the Americans with Disabilities Act (ADA) in all respects. If, as an attendee or a participant at this meeting, or in meetings on a regular basis, you will need special assistance beyond what is normally provided, the City will attempt to accommodate you in every reasonable manner. Please contact the Office of the City Clerk, (760) 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
AND AS SUCCESSOR AGENCY TO THE
COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF PALM SPRINGS



CLOSED SESSION AGENDA
Wednesday, October 18, 2017 – 4:00 p.m.

City Hall, Small Conference Room
3200 East Tahquitz Canyon Way, Palm Springs
Palm Springs, CA 92262

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

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

City of Palm Springs v. Kenneth Irwin Jr.
Case No. PSC1606276, Riverside Superior Court, Palm Springs Division

Jamieson Brown v. City of Palm Springs
Case No. RIC1703302, Riverside Superior Court, Riverside Division

Lockwood Ave LLC et al v. City of Palm Springs
Case No. RIC1703102, Riverside Superior Court, Riverside Division

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

Eight (8) Cases

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

Four (4) Cases

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

Property Address/Description:	1901 E. Baristo Road, APN 502-200-001, -002
Agency:	City of Palm Springs
City Negotiator:	David H. Ready, City Manager or Designee
Negotiating Parties:	Andrew Starke, Palm Springs Power Baseball Club
Under Negotiation:	Price and Terms of Payment (Lease)

Property Address/Description:	APN 669-330-029
Agency:	City of Palm Springs
City Negotiator:	David H. Ready, City Manager or Designee
Negotiating Parties:	Desert Community College District
Under Negotiation:	Price and Terms of Payment