

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



**MINUTES**  
**WEDNESDAY, JUNE 21, 2017**  
Palm Springs Convention Center, Primrose B  
277 N. Avenida Caballeros, Palm Springs, CA 92262

**4:30 P.M. CLOSED SESSION**

**CALL TO ORDER (*Primrose B*):** Mayor Moon called the meeting to order at 4:38 p.m. All members of the City Council were present.

**PUBLIC COMMENT (*Primrose B*):** No one came forth to address the Mayor and City Council.

**RECESS TO CLOSED SESSION (*Mesquite B*):** At 4:40 p.m. the Mayor and City Council recessed to Closed Session. *See Closed Session Agenda, Exhibit A.*

**6:00 P.M. REGULAR MEETING**

**CALL TO ORDER:** Mayor Moon called the meeting to order at 6:07 p.m.

**PLEDGE OF ALLEGIANCE:** Mayor Moon led the salute to the flag.

**ROLL CALL:**

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

**ABSENT:** None

**ALSO PRESENT:** City Manager Ready, Assistant City Manager Fuller, City Attorney Kotkin, and Interim City Clerk Hart

**PRESENTATIONS:**

Brian McDonald, Edison Government Affairs, encouraged residents to download the SCE Outage App, and provided information relating to planned outages.

City Manager Ready stated the following:

- Leaf blower item has been rescheduled to July 19, 2017.
- Explained that there would be a savings of \$142,000 annually under Item 1J.
- Provided an update on the Council Chamber Audio/Visual Renovation.

**ACCEPTANCE OF THE AGENDA:**

Interim City Clerk Hart stated that staff was requesting Item 1G be withdrawn from agenda.

Councilmember Kors requested Items 1N and 1P be removed from the Consent Calendar.

Councilmember Mills requested Item 1A be removed from the Consent Calendar.

Mayor Pro Tem Foat requested Item 1N be removed from the Consent Calendar.

**ACTION:** Approve the agenda as presented with the removal of Items 1A, 1N, and 1P from the Consent Calendar, and the withdrawal of Item 1G.

**Approved unanimously (5-0-0) on a roll call vote.**

**REPORT OF CLOSED SESSION:**

City Attorney Kotkin reported the City Council directed staff to remove Item 1G from the agenda and that Mayor Moon appointed an ad hoc subcommittee, Councilmembers Kors and Mills, to assist with property negotiations for property located at 4449 North Indian Canyon Dr., APN 669-330-047. He stated no other reportable actions were taken.

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

Andrew Hirsch spoke regarding Item 1N, indicating the Paris Agreement is not enforceable and is environmentally meaningless.

Alan Siebuhr, representing Climate Action Palm Springs, spoke in support of Item 1N.

Robert Stone spoke opposing the extensions proposed in Items 3A and 4A.

Frank Tysen, Small Hotels of Palm Springs, spoke opposing the extension of Transient Occupancy Tax (TOT) in Item 3A.

Felipe Castaneda questioned whether the hotel and restaurant industry were in need of help.

Judy Deertrack spoke opposing Item 4A.

**CITY COUNCIL AND CITY MANAGER'S COMMENTS AND REPORT:**

Mayor Moon encouraged the public to submit written comments as early as possible. Additionally, he requested combining City Council Comments and City Council Subcommittee Reports.

**CITY COUNCIL SUBCOMMITTEE REPORTS:**

Councilmember Roberts provided a summary on the meeting reviewing the new short term rental ordinance.

Councilmember Kors announced the cooling centers which were also posted online. Additionally, he provided a summary on the work of the Homeless Task Force.

Mayor Pro Tem Foat provided a report on Roy's Resource Center.

**1. CONSENT CALENDAR:**

**ACTION:** Approve Items 1B, 1C, 1D, 1E, 1F, 1H, 1I, 1J, 1K, 1L, 1M, and 1O.  
**Approved unanimously (5-0-0) on a roll call vote.**

**1.B. STAFF AUTHORIZED AGREEMENTS AND PURCHASE ORDERS FOR THE MONTH OF MAY 2017:**

**ACTION:** Receive and file the report of Staff Authorized Agreements and Purchase Orders for the period of May 1 through May 31, 2017.

**Approved as part of the Consent Calendar.**

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

1) Adopt Resolution No. 24245, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, APPROVING PAYMENT OF CLAIMS AND DEMANDS BY WARRANTS NUMBERED 1092290 THROUGH 1092446 IN THE AGGREGATE AMOUNT OF \$2,105,690.68, DRAWN ON BANK OF AMERICA."

2) Adopt Resolution No. 24246, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, APPROVING PAYMENT OF PAYROLL WARRANTS FOR THE PERIOD ENDED 05-20-2017 BY WARRANTS NUMBERED 419942 THROUGH 419955 TOTALING \$28,508.70, LIABILITY CHECKS NUMBERED 1092447 THROUGH 1092467 TOTALING \$82,397.60, FIVE WIRE TRANSFERS FOR \$58,196.58, AND THREE ELECTRONIC ACH DEBITS OF \$1,331,743.19 IN THE AGGREGATE AMOUNT OF \$1,500,846.07, DRAWN ON BANK OF AMERICA."

3) Adopt Resolution No. 24247, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, APPROVING PAYMENT OF CLAIMS AND DEMANDS BY WARRANTS NUMBERED 1092468 THROUGH 1092583 IN THE AGGREGATE AMOUNT OF \$694,080.42, DRAWN ON BANK OF AMERICA."

4) Adopt Resolution No. 24248, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, APPROVING PAYMENT OF CLAIMS AND DEMANDS BY WARRANTS NUMBERED 1092584 THROUGH 1092682 IN THE AGGREGATE AMOUNT OF \$1,736,495.26, DRAWN ON BANK OF AMERICA."

**Approved as part of the Consent Calendar.**

**1.D. TREASURER'S INVESTMENT REPORT AS OF APRIL 30, 2017:**

**ACTION:** Receive and File the Treasurer's Investment Report as of April 30, 2017.

**Approved as part of the Consent Calendar.**

**1.E. PROPOSED RESOLUTIONS CALLING THE NOVEMBER 7, 2017, GENERAL MUNICIPAL ELECTION, ORDERING SERVICES AND ADOPTING REGULATIONS FOR CANDIDATE PROFILES (STATEMENTS):**

**ACTION:**

1) Adopt Resolution No. 24249, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, CALLING AND GIVING NOTICE OF THE HOLDING OF A GENERAL MUNICIPAL ELECTION TO BE HELD ON NOVEMBER 7, 2017, FOR THE ELECTION OF CERTAIN OFFICERS AS REQUIRED BY THE PROVISIONS OF THE LAWS OF THE STATE OF CALIFORNIA AND CITY CHARTER."

2) Adopt Resolution No. 24250, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, REQUESTING THE BOARD OF SUPERVISORS OF THE COUNTY OF RIVERSIDE TO RENDER SPECIFIED SERVICES TO THE CITY RELATING TO THE CONDUCT OF A GENERAL MUNICIPAL ELECTION TO BE HELD ON TUESDAY, NOVEMBER 7, 2017."

3) Adopt Resolution No. 24251, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, ADOPTING REGULATIONS FOR CANDIDATES FOR ELECTIVE OFFICE PERTAINING TO CANDIDATE PROFILES (STATEMENTS) SUBMITTED TO THE VOTERS AT THE GENERAL MUNICIPAL ELECTION TO BE HELD ON NOVEMBER 7, 2017."

**Approved as part of the Consent Calendar.**

**1.F. ACCEPT A \$25,000 DONATION FROM THE AGUA CALIENTE BAND OF CAHUILLA INDIANS AND APPROVAL TO PURCHASE TRAUMA KITS FOR THE POLICE DEPARTMENT:**

**ACTION:**

1) Approve the acceptance of a donation from the Agua Caliente Band of Cahuilla Indians in the amount of \$25,000.

2) Approve the purchase of trauma kits and training from Class VIII Research for the Police Department in the amount of \$34,206.75.

3) Authorize the City Manager to execute all necessary documents.

**Approved as part of the Consent Calendar.**

**1.G. AGREEMENT WITH TERRA NOVA PLANNING & RESEARCH, INC. FOR PROFESSIONAL SERVICES IN THE AMOUNT OF \$69,845 TO PREPARE AMENDMENTS TO THE COLLEGE PARK SPECIFIC PLAN AND FOR ENVIRONMENTAL ASSESSMENT (CEQA) SERVICES:**

**ACTION:** Withdrawn from agenda. No action taken.

- 1.H. AGREEMENT WITH CLYDE & CO US LLP NOT TO EXCEED \$100,000.00 FOR SPECIALIZED LEGAL SERVICES:**  
**ACTION:**
- 1) Approve an agreement with Clyde & Co. US, LLP, for specialized legal services and representation associated with the South Coast Air Quality Management District in a total amount not to exceed \$100,000.00, in a form substantially similar to that published with this staff report, subject to minor modification, within the reasonable discretion of the City Attorney. A6990.
  - 2) Authorize the City Manager to execute all necessary documents.
- Approved as part of the Consent Calendar.**
- 1.I. RATIFY AND APPOINT THE NOMINATION OF THE CITY OF LA QUINTA TO THE PALM SPRINGS INTERNATIONAL AIRPORT COMMISSION FOR THE TERM ENDING JUNE 30, 2020:**  
**ACTION:** Appoint Kathleen Hughes, as the City of La Quinta representative, to the Palm Springs International Airport Commission for the term ending June 30, 2020.
- Approved as part of the Consent Calendar.**
- 1.J. 2017 LEASE REVENUE REFUNDING BONDS STATUS UPDATE:**  
**ACTION:** Receive and file the status update on the sale of the 2017 Lease Revenue Refunding Bonds from Harrell & Company Advisors, LLC.
- Approved as part of the Consent Calendar.**
- 1.K. AMENDMENT NO. 3 IN THE AMOUNT OF \$1,886,808.78 TO AGREEMENT NO. A6860 WITH MARIPOSA LANDSCAPES, INC. FOR LANDSCAPE AND GROUNDS MAINTENANCE SERVICES:**  
**ACTION:**
- 1) Approve Amendment No. 3 to Agreement No. A6860 for a one-year extension with Mariposa Landscapes, Inc. in the amount of \$1,886,808.78 for Fiscal Year 2017-18; to incorporate additional needed services, reduce services no longer required and allow for the contractually obligated CPI to be added for amended Bid Schedules A through G for a total contract amount of \$3,721,659.54 for Landscape and Grounds Maintenance Services including issuance of the corresponding Purchase Orders.
  - 2) Authorize the City Manager to approve and execute Contract Change Orders up to an additional cumulative amount of \$100,000 for additional or emergency landscape, grounds maintenance or tree trimming services via the issuance of a Blanket Purchase Order.
  - 3) Authorize the City Manager to execute all necessary documents.
- Approved as part of the Consent Calendar.**
- 1.L. AWARD BID AND APPROVE PURCHASE OF COMMERCIAL AIR CONDITIONING COMPRESSORS FROM ALLIED REFRIGERATION, INC. IN THE AMOUNT OF \$48,556.88:**

**ACTION:**

1) Approve an award to Allied Refrigeration, Inc. to purchase 19 PCA Single Unit Commercial Compressors in the amount of \$48,556.88, as specified in IFB 17-05.

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

**Approved as part of the Consent Calendar.**

**1.M. APPROVAL OF PLANS, SPECIFICATIONS AND ESTIMATE (PS&E) AND AUTHORIZATION TO BID THE 2017 PAVEMENT REHABILITATION PROJECT, CP 17-01:**

**ACTION:**

1) Approve the plans, specifications and estimate for the 2017 Pavement Rehabilitation Project, CP 17-01.

2) Authorize staff to advertise and solicit bids for the 2017 Pavement Rehabilitation Project, CP 17-01.

**Approved as part of the Consent Calendar.**

**1.O. APPROVAL OF MINUTES:**

**ACTION:** Approve the City Council Minutes of March 15, 2017.

**Approved as part of the Consent Calendar.**

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

**1.A. APPROVE CONTRACT CHANGE ORDER NO. 6 TO AGREEMENT NO. A6878 WITH MATICH CORPORATION IN THE AMOUNT OF \$218,610.26, APPROVE A PURCHASE ORDER INCREASE WITH WILLDAN ENGINEERING FOR CONSTRUCTION MANAGEMENT, AND INSPECTION SERVICES IN AN AMOUNT NOT TO EXCEED \$90,000:**

**ACTION:**

1) Approve Contract Change Order No. 6 to Agreement No. A6878 with Matich Corporation, in the amount of \$218,610.26 for the 2016 Pavement Rehabilitation, to include reconstruction of the Vineyard parking lot and the removal/relocation of the East Palm Canyon Dr. entry sign median island, CP 16-01.

2) Authorize an increase in the amount of \$90,000 to Purchase Order 17-0549 with Willdan Engineering for revised total amount of \$340,000 for construction management and inspection services associated with the 2016 Pavement Rehabilitation Project, CP 16-01. A6688.

3) Authorize the City Manager to execute all necessary documents.

**Approved unanimously (5-0-0) on a roll call vote.**

**1.N. DISCUSSION OF A RESOLUTION AFFIRMING THE CITY OF PALM SPRINGS' COMMITMENT TO MEET OR EXCEED GOALS ESTABLISHED IN THE PARIS CLIMATE AGREEMENT:**

Councilmember Kors presented the background information.

Council discussion ensued.

**ACTION:** Adopt Resolution No. 24251-1, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, AFFIRMING THE CITY OF PALM SPRINGS' COMMITMENT TO MEET OR EXCEED GOALS ESTABLISHED IN THE PARIS CLIMATE AGREEMENT."

**Approved by a majority (3-2-0, Councilmember Mills and Mayor Moon dissenting) roll call vote.**

**1.P. RESOLUTION ADOPTING A CLERICAL AMENDMENT TO THE ALLOCATED POSITIONS AND COMPENSATION PLAN FOR FISCAL YEAR 2017-18 APPROVED ON JUNE 7, 2017:**

Brief Council discussion ensued.

**ACTION:** Adopt Resolution No. 24252, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, ADOPTING A CLERICAL AMENDMENT TO THE ALLOCATED POSITIONS AND COMPENSATION PLAN FOR FISCAL YEAR 2017-18, APPROVED ON JUNE 7, 2017."

**Approved unanimously (5-0-0) on a roll call vote.**

**2. PUBLIC HEARINGS:**

**2.A. WELL IN THE DESERT FOR A CONDITIONAL USE PERMIT FOR A CHARITABLE INSTITUTION FACILITY AT 441 SOUTH CALLE ENCILIA, LSC ZONE (CASE 5.1419 CUP):**

Director of Planning Services Fagg presented the staff report.

Mayor Moon opened the public hearing.

Arlene Rosenthal, applicant, requested the Well in the Desert workers stand. She stated they were all previously homeless and were now contributing citizens. She discussed services provided to alleviate the problems in Downtown and stated the goal was to provide dignity and compassion.

Rabbi David Lazar discussed the need for compassion and community responsibility. He urged the Council to approve the request.

Reverend Andrew Green expressed gratitude for the services and encouraged approval.

Monica Amboss, Esq., counsel for Wang's in the Desert, confirmed the need to assist the homeless; however, stated opposition to the permit citing her client was concerned about the safety of his customers.

Lonnie Landers, Wang's in the Desert, expressed sympathy for the homeless; however, stated his concern for his employees and customers.

David Lane commented on the safety issues at Wang's in the Desert and spoke opposing the proposed project.

Ellen O'Rourke spoke in support of the permit.

James Gavin spoke opposing the permit due to proximity to the neighborhood.

Wesley Ross spoke supporting of the permit.

Patricia Hodges spoke opposing the proposed location.

Greg Varra spoke in support of the permit.

Christina DeJardin, spoke in opposition of the permit.

Robert Stone spoke in support of the permit.

Ruth Debra spoke in support of the conditional use permit.

Cindy Pieper spoke in support of the Well in the Desert, but felt the location was wrong.

David McCammon spoke requesting the application be denied.

Robert Findley spoke in support of the project.

Gary Scott commented on the services provided by the Well in the Desert and stated his support.

Barbara Beaty spoke in favor of homeless support, the proposal which would be reviewed in six months, and suggested the old County Courthouse building as a permanent location.

Tom Swann spoke in support of the project.

Tracy Turner spoke in support of the Well in the Desert project.

Jim Leckliter spoke in support of the program and permit.

Laura Binninger spoke in support of the permit.



Judy Deertrack spoke of her experience with a homeless woman, the need for services, and the correlation between homelessness and the lack of affordable housing.

Edward Holzhauer spoke in support of the project.

Carlos Pineda challenged the business owners and the City Council to talk to those on the street and to have compassion.

Pat McCann urged the City to find a permanent location to help the homeless.

Ann Leiboh suggested giving the permit a chance.

Joy Silver spoke in support of the Well in the Desert.

Lynn O'Neill, legal coordinator for Courageous Resistance, spoke in support of the proposed permit.

Joy Brown Meredith suggested a condition to require security after closing hours, drop off locations, and expressed concern regarding protection from the criminal element at the location.

Paul Mediano stated his concern regarding safety in the area.

Valerie Vetrano stated the need to come together as a community to assist homeless people.

Jeanie Cunningham spoke encouraging compassion.

Arlene Rosenthal indicated willingness to work with the local business owners. She thanked the Task Force and Mayor Pro Tem Foat.

No others came forth to address the City Council; therefore, Mayor Moon closed the public hearing.

***Mayor Moon recessed the meeting at 8:52 p.m.***

***Mayor Moon reconvened the meeting at 9:06 p.m.***

Director of Planning Services Fagg summarized the proposed amendments to the resolution as follows:

- Amend Condition 17 to require reviews at 6 and 24 months by the City Council
- Add a condition relative to occupancy as recommended by the Building Official and Fire Marshall
- Add a condition requiring removal of the door between units 3 and 5

- Add a condition requiring compliance with reasonable directives of the Fire Code as approved by the City Attorney and Fire Marshall
- Add a condition that no outdoor uses will be permitted

**ACTION:**

Adopt Resolution No. 24253, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, APPROVING A CONDITIONAL USE PERMIT (CUP) TO ALLOW THE OPERATION OF A CHARITABLE INSTITUTION AT AN EXISTING COMMERCIAL BUILDING LOCATED AT 441 SOUTH CALLE ENCILIA, ZONE LSC, CASE 5.1419 (APN 508-094-015)," amended as follows:

- Amend Condition 17 to require reviews at 6 and 24 months by the City Council
- Add a condition relative to occupancy as recommended by Building Official and Fire Marshall
- Add a condition requiring removal of the door between units 3 and 5
- Add a condition requiring compliance with reasonable directives of the Fire Code as approved by the City Attorney and Fire Marshall
- Add a condition that no outdoor uses will be permitted

**Approved by a majority 3-2-0 (Councilmember Mills and Mayor Moon dissenting) roll call vote.**

**2.B. A RECOMMENDATION BY THE HISTORIC SITE PRESERVATION BOARD FOR CLASS 1 HISTORIC SITE DESIGNATION OF "THE RACQUET CLUB" LOCATED AT 2743 NORTH INDIAN CANYON DRIVE (CASE HSPB 83; ZONE PDD 313):**

**ACTION:**

By consensus of the City Council, no public testimony was taken, and the City Clerk was directed to re-notice the public hearing for a future date.

**2.C. PROPOSED RESOLUTION COMPLYING WITH WRIT OF MANDATE, REQUIRING ELIMINATION OF THE EVENT AREA FROM PDD-374, THE "750 LOFTS" PROJECT LOCATED AT 750 NORTH PALM CANYON DRIVE, CONFIRMING CONFORMITY WITH THE CITY'S MUNICIPAL CODE WITH REGARD TO PARKING, AND OTHERWISE AFFIRMING APPROVAL OF PDD-374:**

City Attorney Kotkin presented the staff report.

Mayor Moon opened the public hearing.

Andy Carpiack, representing the developer, provided a summary of the project approval process including redesign, litigation, and removal of event space. She requested the Judge's writ be upheld.

Emily Hemphill, attorney for the developer, requested the Council eliminate the project and re-approve the revised project with the elimination of the event space.

Stephanie Austin stated four of the current Councilmembers were not involved in the previous decision, the project was inappropriate for the neighborhood, discussed the Historical Preservation Society's opposition to the project, and requested the City Council send the project back for a full review.

Richard Hobbs-Seeley, Palm Springs Preservation Foundation, spoke opposing the project due to the impact to the character and integrity of the Las Palmas Historic District.

Judy Deertrack stated her understanding of the Court order. She expressed concern that four (4) of the five (5) Councilmembers were not part of the initial decision, stated the City Council did not have adequate access to the information to make an informed decision, and protested the two-minute speaker limitation.

Felipe Castaneda read a portion of the Planning Commission's deliberations and stated opposition to the project.

Frank Tysen stated opposition to the project.

Ms. Hemphill stated a PDD was a planning tool not a violation of the code, questioned the integrity of the process if the Council reconsidered the entire project, a developer had to be able to rely on the approvals from the City Council, and requested the City Council re-approve the project and eliminate the event area.

No others came forth to address the City Council; therefore, Mayor Moon closed the public hearing.

City Council discussion ensued.

**ACTION:**

Continue item to July 5, 2017, and the item shall be listed as the first public hearing item.

**Approved unanimously (5-0-0) on a roll call vote.**

***Councilmember Roberts stated it is approaching 11:00 p.m., the tentatively scheduled adjournment time. The consensus of the City Council was to continue the meeting with Items 3A, 3B, and 4B continued to Tuesday, July 5, 2017.***

**2.D. PHILIP J. PRIETO, OWNER, FOR A TENTATIVE TRACT MAP FOR THE CONSTRUCTION OF A 30 UNIT CONDOMINIUM PROJECT**

**LOCATED AT THE NORTHWEST CORNER OF BARISTO ROAD AND HERMOSA DRIVE, ZONE HDR, SECTION 14 (TTM 37245, ENCLAVE AT BARISTO):**

Director of Planning Services Fagg presented the staff report.

Mayor Moon opened the public hearing.

Jessica Peet, architect, stated she was available to respond to questions.

No others came forth to address the City Council; therefore, Mayor Moon closed the public hearing.

***Councilmember Roberts left the meeting at 10:55 p.m.***

**ACTION:**

Table the item to a date uncertain, return with a resolution consistent with rejection of the architecture based on Charter power, and appoint Councilmember Mills as the liaison to work with the developer.

**Approved by a majority (4-0-1, Councilmember Roberts absent) roll call vote.**

**2.E. RENEWAL OF THE PALM SPRINGS SMALL HOTEL TOURISM BUSINESS IMPROVEMENT DISTRICT (TBID), PROPOSED RESOLUTION CONFIRMING THE REPORT OF THE PALM SPRINGS SMALL HOTEL TOURISM BUSINESS IMPROVEMENT DISTRICT ADVISORY BOARD AND LEVYING THE FISCAL YEAR 2017-18 ASSESSMENT, AND CONDUCT PROTEST PROCEEDINGS TO THE DISTRICT:**

City Attorney Kotkin presented the staff report.

Mayor Moon opened the public hearing to receive public testimony, and written and oral protests to confirm the Report of the Palm Springs Small Hotel Tourism Business Improvement District Advisory Board and levying an assessment for Fiscal Year 2017-18.

Michael Green, President of Small Hotels TBID Advisory Board, spoke supporting the renewal of the TBID.

Mark Hunter spoke in support of continuing the TBID.

No others came forth to address the City Council; therefore, Mayor Moon closed the public hearing.

City Attorney Kotkin announced that there were no protest votes received.

**ACTION:**

Adopt Resolution No. 24254, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, CONFIRMING THE REPORT OF THE PALM SPRINGS SMALL HOTEL TOURISM BUSINESS IMPROVEMENT DISTRICT ADVISORY BOARD AND LEVYING AN ASSESSMENT FOR FISCAL YEAR 2017-18 IN CONNECTION WITH THE PALM SPRINGS SMALL HOTEL TOURISM BUSINESS IMPROVEMENT DISTRICT."

**Approved by a majority (4-0-1, Councilmember Roberts absent) roll call vote.**

**2.F. FILING OF NUISANCE ABATEMENT RESOLUTION REPORTS FOR FIVE PUBLIC NUISANCES:**

Assistant City Manager Fuller presented the staff report.

Mayor Moon opened the public hearing, no one came forth to address the City Council; therefore, Mayor Moon closed the public hearing.

**ACTION:**

1) Adopt Resolution No. 24255, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, CONFIRMING THE REPORT OF PROCEEDINGS AND ACCOUNTING FOR THE PUBLIC NUISANCE ABATEMENT LIEN LOCATED AT 208 ROSA PARKS ROAD."

2) Adopt Resolution No. 24256, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, CONFIRMING THE REPORT OF PROCEEDINGS AND ACCOUNTING FOR THE PUBLIC NUISANCE ABATEMENT LIEN LOCATED AT 4388 EAST MESQUITE AVENUE."

3) Adopt Resolution No. 24257, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, CONFIRMING THE REPORT OF PROCEEDINGS AND ACCOUNTING FOR THE PUBLIC NUISANCE ABATEMENT LIEN LOCATED AT 1266 SOUTH FARRELL DRIVE."

4) Adopt Resolution No. 24258, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, CONFIRMING THE REPORT OF PROCEEDINGS AND ACCOUNTING FOR THE PUBLIC NUISANCE ABATEMENT LIEN LOCATED AT 941 EAST ANZA DRIVE."

5) Adopt Resolution No. 24259, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, CONFIRMING THE REPORT OF PROCEEDINGS AND ACCOUNTING FOR THE PUBLIC NUISANCE ABATEMENT LIEN LOCATED AT 870 ARROYO VISTA DRIVE."

6) Authorize and direct the City Manager, or his designee, to serve notice of and record a lien against the subject properties if said costs are not paid.

**Approved by a majority (4-0-1, Councilmember Roberts absent) roll call vote.**

**3. LEGISLATIVE:**

**3.A. INTRODUCTION OF AN ORDINANCE REGARDING EXTENSION OF A DEVELOPMENT OR CONSTRUCTION TIMELINE FOR QUALIFICATION AND ELIGIBILITY FOR HOTEL OPERATIONS INCENTIVE PROGRAM:**

**ACTION:** No action taken. The item was deferred to July 5, 2017, returning as a discussion item.

**4. UNFINISHED BUSINESS:**

**4.A. EXTENSION OF THE HOTEL INCENTIVE PROGRAM TIMELINE FOR COMMENCEMENT OF CONSTRUCTION OF THE "750 LOFTS" PROJECT LOCATED AT 750 N. PALM CANYON DRIVE, TO RUN CONCURRENT WITH AN APPROVED ENTITLEMENT:**

**ACTION:** No action taken. The item was deferred to July 5, 2017.

**4.B. CITY COUNCIL BUDGET AND FINANCE SUBCOMMITTEE UPDATE AND CONTINUED DISCUSSION OF FISCAL YEAR 2017-18 COST SAVINGS AND POTENTIAL REVENUE SOURCES:**

**ACTION:** No action taken. The item was deferred to July 5, 2017.

**5. NEW BUSINESS:**

**5.A. DISCUSSION REGARDING PARTICIPATION AT CVAG EXECUTIVE COMMITTEE MEETING – CONSIDERATION OF WEST VALLEY HOUSING NAVIGATION PROGRAM ADDRESSING HOMELESSNESS:**

Mayor Pro Tem Foat provided a report on the CVAG meeting.

Council discussion ensued.

**ACTION:**

By consensus, the City Council voiced conceptual approval of the Coachella Valley Association of Governments entering into an agreement with Path of Life Ministries to provide the West Valley Housing Navigation Program Services.

**5.B. DISCUSSION REGARDING PARTICIPATION AT CVAG EXECUTIVE COMMITTEE MEETING – CONSIDERATION OF ESTABLISHMENT OF A COMMUNITY CHOICE AGGREGATION PROGRAM FOR THE COACHELLA VALLEY, AND THE RELATED FINALIZATION OF A JOINT POWERS AGREEMENT AND FORMATION OF THE COACHELLA VALLEY COMMUNITY ENERGY AUTHORITY:**

Councilmember Kors presented the report.

**ACTION:**

By consensus, the Council voiced their support of the establishment of a community choice aggregation program for the Coachella Valley, the related finalization of a joint powers agreement, and formation of the Coachella Valley Community Energy Authority.

**5.C. APPROVAL OF AMENDMENTS TO EXISTING AIRPORT CAR RENTAL CONCESSION AGREEMENTS INCREASING RENTAL RATES AND EXTENDING THE TERM UP TO THREE (3) YEARS:**

City Manager Ready presented the staff report.

**ACTION:**

1) Approve Amendment No. 3 to Agreement No. A6110 with Avis Budget Car Rental, LLC, dba Avis Rent A Car System, LLC, and Budget Rent A Car System, Inc., increasing rental rates by 40.4% and extending the term by one year through June 30, 2018, subject to two (2) additional one-year optional extensions at the City's discretion.

2) Approve Amendment No. 2 to Agreement No. A6111 with The Hertz Corporation, increasing rental rates by 40.4% and extending the term by one year through June 30, 2018, subject to two (2) additional one-year optional extensions at the City's discretion.

3) Approve Amendment No. 2 to Agreement No. A6112 with Enterprise Rent-A-Car Company of Los Angeles, LLC, dba Alamo Rent A Car and National Car Rental, increasing rental rates by 40.4% and extending the term by one year through June 30, 2018, subject to two (2) additional one-year optional extensions at the City's discretion.

4) Approve Amendment No. 2 to Agreement No. A6113 with Enterprise Rent-A-Car Company of Los Angeles, LLC, dba Enterprise Rent-A-Car, increasing rental rates by 40.4% and extending the term by one year through June 30, 2018, subject to two (2) additional one-year optional extensions at the City's discretion.

5) Approve Amendment No. 2 to Agreement No. A6114 with DTG Operations, Inc., dba Dollar Rent A Car and Thrifty Car Rental, increasing rental rates by 40.4% and extending the term by one year through June 30, 2018, subject to two (2) additional one-year optional extensions at the City's discretion.

6) Authorize the City Manager to execute all necessary documents.

**Approved by a majority vote (4-0-1, Councilmember Roberts absent) voice vote.**

**5.D. APPOINT TWO (2) MEMBERS OF THE CITY COUNCIL TO AN AD HOC SUBCOMMITTEE ON POTENTIAL 2017 BALLOT MEASURES:**

Councilmember Kors presented the staff report.

**ACTION:** Appoint Councilmember Kors and Mayor Pro Tem Foat to an Ad Hoc Subcommittee on potential 2017 Ballot Measures with the sunset date of December 31, 2017.

**Approved by a majority vote (4-0-1, Councilmember Roberts absent) voice vote.**

**5.E. APPOINTMENT OF VARIOUS COMMISSIONERS AND BOARD MEMBERS AS PART OF THE 2017 ANNUAL RECRUITMENT PROCESS:**

**ACTION:**

1) Appoint David Morgan, Jim Gross and Nicki Randolph to the Human Rights Commission for terms beginning July 1, 2017, to June 30, 2020.

2) Re-appoint Miguel Navarro, and appoint Jody Diaz and Trent Pace to the Parks & Recreation Commission for terms beginning July 1, 2017, to June 30, 2020.

3) Re-appoint Harry R. Courtright to the Board of Library Trustees for term beginning July 1, 2017, to June 30, 2020.

4) Re-appoint David Freedman and Greg Gauthier to the Sustainability Commission for terms beginning July 1, 2017, to June 30, 2020.

5) Appoint Patricia Breslin, Jeffery Clarkson, and Robert Hedrick to the Palm Springs International Airport Commission for terms beginning July 1, 2017, to June 30, 2020.

6) Appoint John V. W. Buie to the Personnel Board for an unexpired two-year term ending June 30, 2019, and appoint Harold Jackson to the Personnel Board for a three-year term beginning July 1, 2017, to June 30, 2020.

**Approved by a majority vote (4-0-1, Councilmember Roberts absent) voice vote.**

**PUBLIC COMMENT: (Non-Agenda Items)** None.

**CITY COUNCIL AND CITY MANAGER REQUESTS AND UPCOMING AGENDA DEVELOPMENT:**

City Manager Ready discussed the upcoming meeting schedule. The Council indicated availability on July 12, 2017, for continued items from July 6, 2017.

City Manager Ready stated he would review the upcoming items with staff and make a recommendation to Council.

City Attorney Kotkin stated he would not be at the September 20, 2017, meeting due to the holiday.



City Manager Ready stated he suggest alternate dates for September 20 and December 20, 2017, City Council meeting dates, and confirmed that the City Council agreed to move the Joint Planning Commission meeting to September.

Councilmember Kors stated he was disturbed to see the horse and carriage in the heat and suggested a discussion item on whether that should continue. City Manager Ready stated he would review the permit and handle it administratively, if possible.

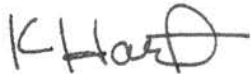
Mayor Pro Tem Foat discussed Mr. Tysen's comment that the small hotels had voted to oppose any extension of TOT credit, but explained that it was the Board of Directors that voted.

City Manager Ready introduced Jay Virata, Director of Community and Economic Development. Assistant City Manager Fuller introduced Tom Garcia, City Engineer. City Manager Ready introduced Cindy Cairns, Special Assistant to the City Manager.

Councilmember Mills asked Director of Planning Services Fagg to review the ficus hedge planted by the Riviera Hotel.

**ADJOURNMENT:** At 12:16 a.m. on Thursday, June 22, 2017, the City Council adjourned to the next regular meeting Wednesday, July 5, 2017, at 6:00 p.m., preceded by Closed Session, at the Palm Springs Convention Center, Primrose B, 277 N. Avenida Caballeros, Palm Springs.

Respectfully submitted,



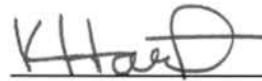
KATHLEEN D. HART, MMC  
Interim City Clerk

CERTIFICATION

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 that the June 21, 2017, MINUTES were approved by the City Council of the City of Palm Springs at a regular meeting held on the October 18, 2017, by the following vote:

AYES: Councilmembers Kors, Mills, Roberts, Mayor Pro Tem Foat, and Mayor Moon  
NOES: None  
ABSENT: None  
ABSTAIN: None  
RECUSAL: None



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KATHLEEN D. HART, MMC  
Interim City Clerk

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



CLOSED SESSION AGENDA  
Wednesday, June 21, 2017 – 4:30 p.m.

PALM SPRINGS CONVENTION CENTER  
277 N. Avenida Caballeros, Mesquite B  
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

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

3 Cases

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

Property Address/Description:	285 N. Indian Canyon Dr., APN 513-091-003
Agency:	City of Palm Springs
City Negotiator:	David H. Ready, City Manager or Designee
Negotiating Parties:	Successor Agency of the Redevelopment Agency
Under Negotiation:	Price and Terms of Payment (Acquisition)

Property Address/Description:	4449 N. Indian Canyon Dr., APN 669-330-047
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 (Acquisition)

**PUBLIC EMPLOYEE EVALUATION** **G.C. 54957**

Position:	City Manager
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