



Thursday, September 20, 2018
Minutes of the Special and Regular Meetings of the City Council

CALL TO ORDER

A Special Meeting of the Palm Springs City Council was called to order by Mayor Moon on Thursday, September 20, 2018, at 3:00 p.m., in the Council Chamber, City Hall, located at 3200 E. Tahquitz Canyon Way, Palm Springs, California.

ROLL CALL

Present: Councilmembers Christy Holstege, Geoff Kors, Lisa Middleton; Mayor Pro Tem J.R. Roberts; and Mayor Robert Moon.

Absent: None.

City Staff

Present: David Ready, City Manager; Edward Z. Kotkin, City Attorney; and Anthony J. Mejia, City Clerk, were present at Roll Call.

PUBLIC TESTIMONY

None.

BOARD AND COMMISSION APPOINTMENT

1. APPOINTMENT TO THE ADMINISTRATIVE APPEALS BOARD FOR THE TERM ENDING JUNE 30, 2019

MOTION BY COUNCILMEMBER MIDDLETON, SECOND BY MAYOR PRO TEM ROBERTS, CARRIED 5-0, to appoint Michael Paonessa to the Administrative Appeals Board for the term ending June 30, 2019.

RECESS

The City Council recessed to Closed Session at 3:05 p.m.

CALL TO ORDER

A Regular Meeting of the Palm Springs City Council was called to order by Mayor Moon on Thursday, September 20, 2018, at 6:10 p.m., in the Council Chamber, City Hall, located at 3200 E. Tahquitz Canyon Way, Palm Springs, California.

PLEDGE OF ALLEGIANCE

Mayor Moon led the Pledge of Allegiance.

ROLL CALL

Present: Councilmembers Christy Holstege, Geoff Kors, Lisa Middleton; Mayor Pro Tem J.R. Roberts; and Mayor Robert Moon.

Absent: None.

City Staff

Present: David Ready, City Manager; Edward Z. Kotkin, City Attorney; and Anthony J. Mejia, City Clerk, were present at Roll Call. Other staff members presented reports or responded to questions as indicated in the minutes.

PRESENTATIONS

1. Mayor Moon presented a Proclamation to Reid Milanovich and Anthony Purnell, of the Agua Caliente Band of Cahuilla Indians, declaring September 28, 2018, as Native American Day in the City of Palm Springs.
2. Scott White, President of the Greater Palm Springs Convention & Visitors Bureau (CVB), narrated a presentation and provided an update on the CVB. In response to City Council inquiry, noted that approximately 85% of their funding is derived from the Tourism Business Improvement District (TBID) in which hotels with 50 rooms or more participate in the TBID.

Councilmember Kors recommended that Palm Springs Community Television (PSCTV) air the promotional videos developed by the CVB.

ACCEPTANCE OF THE AGENDA

MOTION BY COUNCILMEMBER KORS, SECOND BY MAYOR PRO TEM ROBERTS, CARRIED 5-0, to remove Consent Calendar Item Nos. 1B, 1D, 1O. Mayor Moon recused himself on Consent Calendar Items Nos. 1D and 1F.

REPORT OF CLOSED SESSION

City Attorney Kotkin stated that the City Council convened into Closed Session to discuss the below listed items; reported that the City Council received briefings and provided direction to staff regarding the Closed Session items, but did not take any reportable action; noted that certain items listed on the Closed Session Agenda were not discussed due to time constraints; announced that City Manager Ready recused himself due to a property conflict of interest and left the Closed Session during discussion of 4348 Lockwood Ave LLC et al v. City of Palm Springs.

CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION, Pursuant to Government Code Section 54956.9(d)(1):

*4348 Lockwood Ave LLC et al v. City of Palm Springs
Case No. RIC1703102, Riverside Superior Court, Riverside Division*

CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION, Pursuant to Government Code Section 54956.9(d)(2):

Number of Anticipated Cases: 7

CONFERENCE WITH LEGAL COUNSEL – INITIATION OF LITIGATION, Pursuant to Government Code Section 54956.9(d)(4):

Number of Cases: 7

CONFERENCE WITH REAL PROPERTY NEGOTIATORS, Pursuant to Government Code Section 54956.8

Property Address/Description: 980 E. Tahquitz Canyon Way, APN 508-056-010
Agency: City of Palm Springs
City Negotiator: David H. Ready, City Manager or Designee
Negotiating Parties: Palm Springs Unified School District, Sandra Lyon, Superintendent
Under Negotiation: Price and Terms of Payment (Lease)

Property Address/Description: 1433 and 1455 North Indian Canyon Drive
Agency: City of Palm Springs
City Negotiator: David H. Ready, City Manager or Designee
Negotiating Parties: Ken Agee
Under Negotiation: Terms of Payment (Substitution of Trustor)

Property Address/Description: Vineyard Parking Lot, APNs 513-153-029, 513-153-015, 513-153-016, Northeast Corner of Belardo Rd. and Baristo Rd.
Agency: City of Palm Springs
City Negotiator: David H. Ready, City Manager or Designee
Negotiating Parties: New Church II, LLC, a Nevada limited liability company
Under Negotiation: Price and Terms (Lease)

Property Address/Description: Baristo Parking Structure, APNs 513-154-044, 513-154-045, 513-154-046, 513-154-047, 513-154-048, 275 S. Indian Canyon Dr.
Agency: City of Palm Springs
City Negotiator: David H. Ready, City Manager or Designee
Negotiating Parties: New Church II, LLC, a Nevada limited liability company
Under Negotiation: Price and Terms (Lease)

Property Address/Description: Plaza Mercado Parking Lot, APNs 513-143-017, Northeast Corner of Belardo Rd. and Arenas Rd.
Agency: City of Palm Springs
City Negotiator: David H. Ready, City Manager or Designee
Negotiating Parties: New Church II, LLC, a Nevada limited liability company
Under Negotiation: Price and Terms (Lease)

Property Address/Description: 538 North Palm Canyon Drive
Agency: City of Palm Springs
City Negotiator: David H. Ready, City Manager
Negotiating Parties: Charles Yates and Se Layne
Under Negotiation: Price and Terms of Payment (Lease)

Property Address/Description: 550 North Palm Canyon Drive
Agency: City of Palm Springs
City Negotiator: David H. Ready, City Manager
Negotiating Parties: Ian Cooke and Debra Ann Mumm
Under Negotiation: Price and Terms of Payment (Lease)

PUBLIC TESTIMONY

David Freedman, Co-Chair of the Transparency Committee, spoke on Item No. 3A; expressed support for the Public Integrity Ordinance and summarized the major provisions of the ordinance.

CITY COUNCIL, SUBCOMMITTEE, AND CITY MANAGER'S COMMENTS AND REPORTS

City Manager Ready introduced Director of Library Services Kays who announced that the City is participating in the Corporation for Education Network Initiatives in California (CENIC) Program which will provide fiber optic connections thereby enhancing the internet speeds at the Library.

Mayor Moon announced the Coachella Valley Economic Partnership's (CVEP) Greater Palm Springs Economic Summit: Elevate, to be held on November 8, 2018.

Mayor Pro Tem Roberts noted his attendance at the League of California Cities Annual Conference in Long Beach; reported on the City Council Ad Hoc Subcommittee meetings related to the Downtown Park and restoration of the Historic Plaza Theater.

Councilmember Middleton reported on her experience serving as a panelist for the National Gay and Lesbian Journalist Conference held in Palm Springs; noted that she attended the League of California Cities Annual Conference in Long Beach; pointed out that the City Council is on record for its opposition to Proposition 6, the repeal of the Gas Tax.

Councilmember Holstege commended Mayor Moon for the State of the City; noted that she met with the California Voting Rights Act (CVRA) Community Working Group to discuss barriers of serving on City Council; advised that she is participating in the Desert Healthcare District's Homeless Initiative to develop a strategy for addressing the Coachella Valley's homelessness; noted that the Lift to Rise organization is developing a regional housing plan; commended the Fire Department for its 9/11 Memorial Ceremony; invited the community to attend the Coachella Valley Association of Governments' Homeless Subcommittee Meeting on September 24, 2018; announced that she will present Councilmember Middleton with a Palm Springs Honors Award for advocacy.

Councilmember Kors requested that discussion of the League of California Cities Annual Conference be agendaized for a City Council meeting in October 2018; spoke on the success of the State of the City and commended Mayor Moon for his presentation and the Chamber of Commerce for hosting the event.

Mayor Pro Tem Roberts requested that consideration of establishing a City Council Newsletter be agendaized for a future City Council meeting.

1. CONSENT CALENDAR

MOTION BY MAYOR PRO TEM ROBERTS, SECOND BY COUNCILMEMBER KORS, CARRIED 5-0, to approve the Consent Calendar with Item Nos. 1B, 1D, and 1O pulled for separate discussion. Mayor Moon recused himself on Consent Calendar Items Nos. 1D and 1F.

A. TREASURER'S INVESTMENT REPORT AS OF JULY 31, 2018

MOTION BY MAYOR PRO TEM ROBERTS, SECOND BY COUNCILMEMBER KORS, CARRIED 5-0, to receive and file the Treasurer's Investment Report as of July 31, 2018.

B. RESOLUTION OF SUPPORT FOR PROPOSITION 1, VETERANS AND AFFORDABLE HOUSING BOND ACT OF 2018

This item was excluded from the Consent Calendar. Please refer to Page 10 of these minutes for a summary of that action.

C. CONFLICT OF INTEREST CODE 2018 BIENNIAL NOTICE PURSUANT TO THE POLITICAL REFORM ACT

MOTION BY MAYOR PRO TEM ROBERTS, SECOND BY COUNCILMEMBER KORS, CARRIED 5-0, to:

1. Receive and File the 2018 Local Agency Biennial Notice.
2. Direct staff to promulgate the necessary amendments and return to the City Council in December for adoption pursuant to the Political Reform Act.

D. STAFF AUTHORIZED AGREEMENTS AND PURCHASE ORDERS FOR THE MONTH OF AUGUST 2018

This item was excluded from the Consent Calendar. Please refer to Page 10 of these minutes for a summary of that action.

E. RESOLUTION RECOGNIZING AND PROCLAIMING THE FOURTH FRIDAY OF SEPTEMBER TO BE NATIVE AMERICAN DAY IN THE CITY OF PALM SPRINGS

MOTION BY MAYOR PRO TEM ROBERTS, SECOND BY COUNCILMEMBER KORS, CARRIED 5-0, to adopt Resolution No. 24487 entitled "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."

F. APPROVAL OF PAYROLL WARRANTS, CLAIMS AND DEMANDS

Mayor Moon announced his recusal on Item No. 1F due to his reimbursement claim.

MOTION BY MAYOR PRO TEM ROBERTS, SECOND BY COUNCILMEMBER KORS, CARRIED 5-0, to:

1. Adopt Resolution No. 24488 entitled "A RESOLUTION OF THE CITY OF PALM SPRINGS, CALIFORNIA, APPROVING PAYMENT OF CLAIMS AND DEMANDS BY WARRANTS NUMBERED 1100155 THROUGH 1100294 IN THE AGGREGATE AMOUNT OF \$3,974,679.30, DRAWN ON BANK OF AMERICA."
2. Adopt Resolution No. 24489 entitled "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, APPROVING PAYMENT OF PAYROLL WARRANTS FOR THE PERIOD ENDED 07-14-2018 BY WARRANTS NUMBERED 420383 THROUGH 420398 AND 420400 TOTALING \$40,955.46, LIABILITY CHECKS NUMBERED 1100295 THROUGH 1100315 TOTALING \$76,373.98, FOUR WIRE TRANSFERS FOR \$107,954.68, AND EIGHT ELECTRONIC ACH DEBITS OF \$1,828,047.17 IN THE AGGREGATE AMOUNT OF \$2,053,331.29, DRAWN ON BANK OF AMERICA."

(City Council action continued on next page)

3. Adopt Resolution No. 24490 entitled "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, APPROVING PAYMENT OF CLAIMS AND DEMANDS BY WARRANTS NUMBERED 1100316 THROUGH 1100447 IN THE AGGREGATE AMOUNT OF \$2,734,851.55, DRAWN ON BANK OF AMERICA."
4. Adopt Resolution No. 24491 entitled "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, APPROVING PAYMENT OF CLAIMS AND DEMANDS BY WARRANTS NUMBERED 1100448 THROUGH 1100604 IN THE AGGREGATE AMOUNT OF \$3,063,847.08, DRAWN ON BANK OF AMERICA."
5. Adopt Resolution No. 24492 entitled "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, APPROVING PAYMENT OF PAYROLL WARRANTS FOR THE PERIOD ENDED 07-28-2018 BY WARRANTS NUMBERED 420401 AND 420403 THROUGH 420423 TOTALING \$43,666.03, LIABILITY CHECKS NUMBERED 1100605 THROUGH 1100625 TOTALING \$77,967.83, FOUR WIRE TRANSFERS FOR \$61,445.99, AND SEVEN ELECTRONIC ACH DEBITS OF \$1,434,091.18 IN THE AGGREGATE AMOUNT OF \$1,617,171.03, DRAWN ON BANK OF AMERICA."

G. SECOND READING AND ADOPTION OF ORDINANCE NO. 1959, AUTHORIZING THE LEVY OF SPECIAL TAXES WITHIN ANNEXATION NO. 19 TO COMMUNITY FACILITIES DISTRICT NO. 2005-1 (PUBLIC SAFETY SERVICES)

MOTION BY MAYOR PRO TEM ROBERTS, SECOND BY COUNCILMEMBER KORS, CARRIED 5-0, to adopt Ordinance No. 1959 entitled "AN ORDINANCE OF THE CITY OF PALM SPRINGS, CALIFORNIA, AUTHORIZING THE LEVY OF SPECIAL TAXES IN A COMMUNITY FACILITIES DISTRICT, INCLUDING CERTAIN ANNEXATION TERRITORY IDENTIFIED AS ANNEXATION NO. 19, DREAM HOTEL, TRACT MAP NO. 35236, INTO COMMUNITY FACILITIES DISTRICT NO. 2005-1, (PUBLIC SAFETY SERVICES)."

H. SECOND READING AND ADOPTION OF ORDINANCE NO. 1960, REPEALING AND REPLACING CHAPTER 8.90 OF THE PALM SPRINGS MUNICIPAL CODE RELATING TO THE TRANSPORTATION UNIFORM MITIGATION FEE

MOTION BY MAYOR PRO TEM ROBERTS, SECOND BY COUNCILMEMBER KORS, CARRIED 5-0, to adopt Ordinance No. 1960 "AN ORDINANCE OF THE CITY OF PALM SPRINGS, CALIFORNIA, REPEALING AND REPLACING CHAPTER 8.90 (TRANSPORTATION UNIFORM MITIGATION FEES) OF THE PALM SPRINGS MUNICIPAL CODE."

I. SECOND READING AND ADOPTION OF ORDINANCE NO. 1961, REAUTHORIZING THE COLLECTION OF A FEE TO SUPPORT PUBLIC, EDUCATIONAL, AND GOVERNMENTAL (“PEG”) CHANNEL FACILITIES WITHIN THE CITY

MOTION BY COUNCILMEMBER MIDDLETON, SECOND BY COUNCILMEMBER KORS, CARRIED 5-0, to adopt Ordinance No. 1961 entitled “AN ORDINANCE OF THE CITY OF PALM SPRINGS, CALIFORNIA, REAUTHORIZING THE PUBLIC, EDUCATIONAL, AND GOVERNMENTAL FEE ON STATE VIDEO FRANCHISEES OPERATING WITHIN THE CITY OF PALM SPRINGS.”

J. APPROVAL OF AMENDMENT NO. 1 TO THE CONSULTING SERVICES AGREEMENT WITH DEAZTLAN CONSULTING, LLC, FOR DISTRICTING, BOARDS AND COMMISSIONS DIVERSITY, AND LEAF BLOWER ORDINANCE OUTREACH PROJECTS

MOTION BY MAYOR PRO TEM ROBERTS, SECOND BY COUNCILMEMBER KORS, CARRIED 5-0, to:

1. Approve Amendment No. 1 to the Consulting Services Agreement with Deaztlan Consulting, LLC, for districting, boards and commissions diversity, and leaf blower ordinance outreach projects in the amount not to exceed \$15,250. A7156
2. Authorize the City Manager to execute all necessary documents.

K. APPROVAL OF A CONSULTING SERVICES AGREEMENT WITH O’BAYLEY COMMUNICATIONS FOR PUBLIC RELATIONS, MEDIA, AND COMMUNICATIONS SERVICES

MOTION BY MAYOR PRO TEM ROBERTS, SECOND BY COUNCILMEMBER KORS, CARRIED 5-0, to:

1. Approve a Consulting Services Agreement with O’Bayley Communications for public relations, media, and communication services in an amount not to exceed \$30,000. A7209.
2. Authorize the City Manager to execute all necessary documents.

L. APPROVAL OF A TEMPORARY CONSTRUCTION EASEMENT AGREEMENT WITH WCP/DSSH HOLDINGS 3 LLC, ASSOCIATED WITH THE RAMON ROAD AND BRIDGE WIDENING PROJECT, CP 08-25, FEDERAL AID PROJECT NO. BHLS 5282 (040); APN NOS. 677-420-015 AND 677-420-012

MOTION BY MAYOR PRO TEM ROBERTS, SECOND BY COUNCILMEMBER KORS, CARRIED 5-0, to:

1. Approve a Temporary Construction Easement Agreement in the amount of \$67,200, to WCP DSSH Holdings 3, a Delaware limited liability company. A7210.
2. Authorize the City Manager to execute all necessary documents, open escrow, and pay escrow and title costs associated with the right-of-way acquisition.

M. APPROVAL OF MASTER SERVICE AGREEMENT WITH ONLINE COMPUTER LIBRARY CENTER, INC. FOR CATALOGING AND METADATA SUBSCRIPTION SERVICES

MOTION BY MAYOR PRO TEM ROBERTS, SECOND BY COUNCILMEMBER KORS, CARRIED 5-0, to:

1. Approve a Master Service Agreement with OCLC, Inc. of Dublin, Ohio in the amount of \$25,567.17 for Cataloging and Metadata Subscription and WorldShare Interlibrary Loan services through June 30, 2019, with automatic annual renewals. A7211.
2. Authorize the City Manager to execute all documents.

N. ENGAGEMENT OF LEGAL COUNSEL, GIBBS GIDEN LOCHER TURNER SENET & WITTBRODT LLP

MOTION BY MAYOR PRO TEM ROBERTS, SECOND BY COUNCILMEMBER KORS, CARRIED 5-0, to:

1. Approve a Professional Services Agreement with Gibbs Giden Locher Turner Senet & Wittbrodt LLP, a California Limited Liability Partnership, in a form substantially similar to that published with this staff report in an amount not to exceed twenty five thousand dollars (\$25,000) for special legal counsel services in connection with the general contractor and subcontractors for the Police Department remodel project, with an additional provision for up to seventy five thousand dollars (\$75,000) for general counsel advice relating to public bidding, contracting, course of construction issues and related services, in a total amount not to exceed one hundred thousand dollars (\$100,000). A7212.
2. Authorize the City Manager to execute all documents.

O. APPROVAL OF A SUPERCHARGER AGREEMENT WITH TESLA, INC., FOR INSTALLATION AND MAINTENANCE OF TESLA SUPERCHARGER STATIONS LOCATED WITHIN THE DOWNTOWN PALM SPRINGS PARKING GARAGE

This item was excluded from the Consent Calendar. Please refer to Page 10 and 11 of these minutes for a summary of that action.

P. APPROVAL OF MINUTES

MOTION BY MAYOR PRO TEM ROBERTS, SECOND BY COUNCILMEMBER KORS, CARRIED 5-0, to approve the City Council Meeting Minutes of September 5, 2018.

EXCLUDED CONSENT CALENDAR

B. RESOLUTION OF SUPPORT FOR PROPOSITION 1, VETERANS AND AFFORDABLE HOUSING BOND ACT OF 2018

Councilmember Holstege summarized the provisions of Proposition 1.

MOTION BY COUNCILMEMBER KORS, SECOND BY COUNCILMEMBER MIDDLETON, CARRIED 5-0, to adopt Resolution No. 24486 entitled "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, SUPPORTING THE VETERANS AND AFFORDABLE HOUSING BOND ACT OF 2018."

D. STAFF AUTHORIZED AGREEMENTS AND PURCHASE ORDERS FOR THE MONTH OF AUGUST 2018

Mayor Moon announced his recusal on Item No. 1D due to a conflict of interest related to Agreement A7177 with Meyers Nave Riback Silver & Wilson.

MOTION BY COUNCILMEMBER HOLSTEGE, SECOND BY MAYOR PRO TEM ROBERTS, CARRIED 4-0 (WITH MAYOR MOON RECUSED), to receive and file the report of Staff Authorized Agreements and Purchase Orders for the period of August 1 through August 31, 2018, with direction to staff to correct a clerical error related to the agreement with Frontier California Inc.

O. APPROVAL OF A SUPERCHARGER AGREEMENT WITH TESLA, INC., FOR INSTALLATION AND MAINTENANCE OF TESLA SUPERCHARGER STATIONS LOCATED WITHIN THE DOWNTOWN PALM SPRINGS PARKING GARAGE

Councilmember Holstege announced her recusal from Item No. 1O due to a potential financial conflict of interest.

Mayor Pro Tem Roberts questioned and received clarification that the agreement contains appropriate protection in the event that Tesla does not properly maintain the equipment or the equipment become obsolete.

MOTION BY COUNCILMEMBER MIDDLETON, SECOND BY MAYOR PRO TEM ROBERTS, CARRIED 4-0 (WITH COUNCILMEMBER HOLSTEGE RECUSED), to:

1. Approve a Supercharger Agreement with Tesla, Inc., a Delaware corporation, for an initial term of five years, with two optional five year extensions. A7213.
2. Authorize the City Manager to execute all necessary documents.

2. **PUBLIC HEARINGS:** None.

3. **LEGISLATIVE:**

A. INTRODUCTION OF AN ORDINANCE OF THE CITY OF PALM SPRINGS, CALIFORNIA, AMENDING CHAPTER 2.60 OF THE PALM SPRINGS MUNICIPAL CODE, RELATING TO PUBLIC INTEGRITY, NOTICING, LOBBYING, AND APPLICANT DISCLOSURE, AND IDENTIFYING FORTHCOMING CHANGES IN NOTICING, DIRECTION TO SUBCOMMITTEE REGARDING FUTURE PUBLIC INTEGRITY ACTION ITEMS

City Attorney Kotkin presented the staff report.

During the course of discussion, the City Council directed staff to clarify the ordinance in relation to the definition of renters versus tenants and to eliminate the distinction between Planning Commissioners versus other Boards and Commission Members in relation to the "post-employment lobbying" regulations.

MOTION BY COUNCILMEMBER KORS, SECOND BY MAYOR PRO TEM ROBERTS, CARRIED 5-0, to:

1. Introduce Ordinance No. 1964 entitled " AN ORDINANCE OF THE CITY OF PALM SPRINGS, CALIFORNIA, AMENDING CHAPTER 2.60 OF THE PALM SPRINGS MUNICIPAL CODE, RELATING TO PUBLIC INTEGRITY, NOTICING, LOBBYING, AND APPLICANT DISCLOSURE, AND IDENTIFYING FORTHCOMING CHANGES IN NOTICING," as amended. City Clerk Mejia read the ordinance by title.
2. Authorize the City Manager, City Attorney, and City Clerk to execute all documents necessary to carry out the provisions of this proposed ordinance.
3. Receive and file this report, and provide direction to the City Council Standing Subcommittee on Public Integrity and staff as desired regarding future public integrity action item.

4. UNFINISHED BUSINESS: None.**5. NEW BUSINESS****A. APPROVAL OF CITY OF PALM SPRINGS / AGUA CALIENTE BAND OF CAHUILLA INDIANS, LAND USE CONTRACT, AMENDED AND RESTATED**

City Attorney Kotkin presented the staff report.

Mayor Pro Tem Roberts requested that the City work closely with the Agua Caliente Band of Cahuilla Indians to streamline and develop guidelines for the processing of potentially historic properties so that residents may benefit from the tax incentive programs which help preserve such properties.

MOTION BY MAYOR PRO TEM ROBERTS, SECOND BY COUNCILMEMBER KORS, CARRIED 5-0, to:

1. Approve the "City of Palm Springs / Agua Caliente Band of Cahuilla Indians, Land Use Contract, Amended and Restated." A1324.
2. Authorize the Mayor to execute the contract.

B. RESOLUTION DECLARING SHELTER CRISIS PURSUANT TO HOMELESS EMERGENCY AID PROGRAM (SB 850)

City Manager Ready presented the staff report.

Councilmember Kors noted that the Point in Time Count is an attempt to accurately count the homeless population in the Coachella Valley, noting the existence of a crisis and the urgent need to address homelessness.

Councilmember Holstege expressed gratitude to legislators and service providers for seeking funding for emergency shelters.

MOTION BY COUNCILMEMBER KORS, SECOND BY COUNCILMEMBER HOLSTEGE, CARRIED 5-0, to:

1. Adopt Resolution No. 24493 entitled "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, DECLARING A SHELTER CRISIS PURSUANT TO GOVERNMENT CODE § 8698.2."
2. Authorize the City Manager, or designee, to process and execute all necessary documents to submit a request for and to coordinate with Riverside County in seeking HEAP funding.

C. AWARD OF A CONSTRUCTION CONTRACT TO ELECNOR BELCO ELECTRIC, INC., IN THE AMOUNT OF \$1,174,261.18 FOR THE VISTA CHINO (STATE ROUTE 111) AT VIA MIRALESTE TRAFFIC SIGNAL INSTALLATION, CP 17-03, AND NORTH PALM CANYON DRIVE (STATE ROUTE 111) AT VIA ESCUELA TRAFFIC SIGNAL INSTALLATION, CP 17-05

Assistant City Manager Fuller presented the staff report.

MOTION BY MAYOR PRO TEM ROBERTS, SECOND BY COUNCILMEMBER HOLSTEGE, CARRIED 5-0, to:

1. Award a construction contract to Elecnor Belco Electric, Inc., a California corporation, in the amount of \$1,174,261.18 for Bid Schedules A and B for the Vista Chino (State Route 111) at Via Miraleste Traffic Signal Installation, CP 17-03, and the North Palm Canyon Drive (State Route 111) at Via Escuela Traffic Signal Installation, CP 17-05. A7214.
2. Authorize the City Manager to approve and execute construction contract change orders up to a cumulative amount of \$117,426 (10% of construction contract).
3. Authorize the City Manager to execute all necessary documents.

PUBLIC COMMENT

Lee Wilson Jr., encouraged young veterans to participate in the Palm Springs American Legion Owen Coffman Post 519.

David Kurylowicz, stated that he is a peace officer; asserted that he had a confrontation with Lt. Sheriff Bianco; asserted that Mr. Bianco made disparaging remarks on the basis of his sexual orientation; voiced concern that Mr. Bianco may have negative impacts on the community if he is elected as Riverside County Sheriff.

Alan Worthy, asserted that he was previously assaulted and robbed and the Police Department has not taken appropriate actions.

Les Young, requested that the City install a temporary grass field until construction begins on the Downtown Park; shared the concerns expressed by Mr. Kurylowicz regarding Lt. Sheriff Chad Bianco.

In response to City Council inquiry, Mr. Kurylowicz expressed concern that if Mr. Bianco is elected as Riverside County Sheriff that some deputies will leave the agency or hide their sexual orientation for fear of reprisal.

CITY COUNCIL AND CITY MANAGER REQUESTS AND UPCOMING AGENDA DEVELOPMENT

Councilmember Middleton requested that consideration of supporting the ballot measure related to the expansion of the Desert Healthcare District be agendaized for a City Council meeting.

Councilmember Kors requested that the Tobacco Retailers Ordinance be agendaized for a City Council meeting in October 2018.

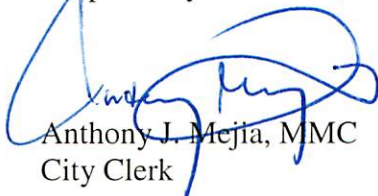
Mayor Pro Tem Roberts requested that the City Council Ad Hoc Subcommittee on rainbow crosswalks begin meeting, noting that constituents are eager to see a preferred design; requested that the City Manager's List of future City Council Items be agendaized so that the City Council may receive an update and prioritize the projects; requested that staff issue a press release clarifying that the Buzz trolley is now operated by the SunLine Transit Agency.

Councilmember Holstege requested that staff provide an update on the timeline for the General Plan and Zoning Code update; requested that staff develop an information sheet explaining the cannabis permitting process; suggested that the City Council Ad Hoc Subcommittee on City Council Rules and Procedures consider extending public comment to three minutes per speaker.

ADJOURNMENT

At 8:36 p.m., the City Council adjourned to a Special Meeting of the City Council to be held on September 27, 2018 at 6:00 p.m. in the Council Chamber, City Hall, located at 3200 East Tahquitz Canyon Way, Palm Springs, California.

Respectfully submitted,



Anthony J. Mejia, MMC
City Clerk