

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

Council Chamber, City Hall
3200 E. Tahquitz Canyon Way, Palm Springs, CA 92262
www.palmspringsca.gov

REGULAR MEETING AGENDA

January 23, 2019



4:00 PM CLOSED SESSION
6:00 PM REGULAR MEETING

Robert Moon, Mayor
Geoff Kors, Mayor Pro Tem
Christy Gilbert Holstege, Councilmember
Lisa Middleton, 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
Anthony J. Mejia, MMC, City Clerk
Marcus Fuller, MPA, P.E., P.L.S., Assistant City Manager
Edward Z. Kotkin, City Attorney
Nancy Pauley, 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 FOR CLOSED SESSION ITEMS ONLY (*Council Chamber*): The City Council welcomes public input. Members of the public may address the City Council by completing a public comment card and giving it to the City Clerk prior to the meeting. Pursuant to State Law, the City Council may not discuss or take action on issues not on the meeting agenda (Government Code Section 54954.2).

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:**

New Tourism and Chamber Program
Update from Salton Sea Authority

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. **STAFF AUTHORIZED AGREEMENTS AND PURCHASE ORDERS FOR THE MONTH OF DECEMBER 2018:**
RECOMMENDATION:
Receive and file the report of Staff Authorized Agreements and Purchase Orders for the period of December 1 through December 31, 2018.
- B. **ACCEPT AN AWARD FROM THE U.S. DEPARTMENT OF JUSTICE IN THE AMOUNT OF \$21,158 AND APPROVE AN INTERLOCAL AGREEMENT WITH THE CITY OF RIVERSIDE AND OTHER PARTICIPATING CITIES AND COUNTY FOR THE ADMINISTRATION OF THE GRANT:**
RECOMMENDATION:
1. Approve the acceptance of a grant award from the United States Department of Justice in the amount of \$21,158 for the 2018 Justice Assistance Grant (JAG) Program.
 2. Approve an Interlocal Agreement with the City of Riverside, and various cities within Riverside County, for the City of Riverside to administer the grant on behalf of participating agencies.
 3. Authorize the City Manager to execute all necessary documents.
- C. **TREASURER'S INVESTMENT REPORT AS OF NOVEMBER 30, 2018:**
RECOMMENDATION:
Receive and File the Treasurer's Investment Report as of November 30, 2018.
- D. **APPROVAL OF A PROFESSIONAL SERVICES AGREEMENT IN THE AMOUNT OF \$35,000 WITH SANBORN ARCHITECTURAL GROUP, INC., FOR ARCHITECTURAL SERVICES RELATED TO THE DOWNTOWN PARK, CP 15-07:**
RECOMMENDATION:
1. In accordance with Palm Springs Municipal Code Section 7.04.030 "Special expertise procurement," approve a professional services agreement in the amount of \$35,000 with Sanborn Architecture Group, Inc., a California corporation. A_____.
 2. Authorize City Manager to execute all necessary documents.
- E. **APPROVE REQUEST FROM COUNTY OF SANTA CLARA TO SIGN A "FRIEND OF THE COURT" BRIEF TO BE FILED IN THE NINTH CIRCUIT COURT OF APPEALS, IN SUPPORT OF SAN FRANCISCO'S MOTION FOR SUMMARY JUDGMENT IN SAN FRANCISCO V. WHITAKER, A FEDERAL GOVERNMENT CHALLENGE AGAINST RECENT STATE LAWS RELATED TO IMMIGRATION POLICY:**
RECOMMENDATION:
Direct the City Attorney to sign a "friend of the court" brief prepared by the County of Santa Clara, to be filed with the Ninth Circuit Court of Appeals in the City and County of San Francisco v. Whitaker case, and to execute any related documents and take any related action necessary.
- F. **MILLS ACT HISTORIC PROPERTY PRESERVATION AGREEMENT FOR A CLASS 1 HISTORIC SITE LOCATED AT 1782 SOUTH ARABY DRIVE, HSPB 103/HD-6:**
RECOMMENDATION:
1. Approve a Mills Act Historic Property Agreement with Todd Goddard, Andrew Mandolene and Park Imperial South Homeowners Association for 1782 S Araby Drive, a Class 1 Historic Site, HSPB 103/HD-6. A_____.
 2. Authorize the City Manager to execute the Agreement.
 3. Direct the City Clerk to record the Agreement.

- G. ACCEPTANCE OF THE TAHQUITZ CREEK LEVEE IMPROVEMENTS PROJECT, CP 08-26: RECOMMENDATION:**
1. Accept the public works improvement identified for Tahquitz Creek Levee Improvements Project as completed in accordance with the plans and specifications, CP 08-26.
 2. Authorize the Civil Engineer to execute and file for recordation with the Riverside County Recorder a Notice of Completion for the Tahquitz Creek Levee Improvements Project.
- H. ACCEPTANCE OF THE DUNN ROAD PROPERTY RESTORATION PROJECT FOR ASSESSOR'S PARCEL NO. 635-060-011, CP 17-04: RECOMMENDATION:**
1. Accept the public works improvement identified for Dunn Road Property Restoration Project as completed in accordance with the plans and specifications, CP 17-04.
 2. Authorize the Civil Engineer to execute and file for recordation with the Riverside County Recorder a Notice of Completion for the Dunn Road Property Restoration Project.
- I. ACCEPTANCE OF THE 2017 SLURRY SEAL PROJECT, CP 17-02: RECOMMENDATION:**
1. Accept the public works improvement identified for 2017 Slurry Seal Project as completed in accordance with the plans and specifications, CP 17-02.
 2. Authorize the Civil Engineer to execute and file for recordation with the Riverside County Recorder a Notice of Completion for the 2017 Slurry Seal Project.
- J. APPROVAL OF PLANS, SPECIFICATIONS AND ESTIMATE (PS&E) AND AUTHORIZATION TO BID THE 2019 ADA CURB RAMP IMPROVEMENTS PROJECT, CP 19-03: RECOMMENDATION:**
- Approve the plans, specifications and estimate and authorize staff to advertise and solicit bids for the 2019 ADA Curb Ramp Improvements Project, CP 19-03.
- K. APPROVAL OF PAYROLL WARRANTS, CLAIMS AND DEMANDS: RECOMMENDATION:**
1. Adopt a Resolution entitled "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, APPROVING PAYMENT OF CLAIMS AND DEMANDS BY WARRANTS NUMBERED 1102399 THROUGH 1102508 IN THE AGGREGATE AMOUNT OF \$1,422,667.35, DRAWN ON BANK OF AMERICA."
 2. Adopt a Resolution entitled "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, APPROVING PAYMENT OF PAYROLL WARRANTS FOR THE PERIOD ENDED 11-03-2018 BY WARRANTS NUMBERED 420508 THROUGH 420520 TOTALING \$15,545.74, LIABILITY CHECKS NUMBERED 1102509 THROUGH 1102527 TOTALING \$79,340.35, FOUR WIRE TRANSFERS FOR \$60,926.21, AND SIX ELECTRONIC ACH DEBITS OF \$1,480,283.59 IN THE AGGREGATE AMOUNT OF \$1,636,095.89, DRAWN ON BANK OF AMERICA."
 3. Adopt a Resolution entitled "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, APPROVING PAYMENT OF CLAIMS AND DEMANDS BY WARRANTS NUMBERED 1102528 THROUGH 1102673 IN THE AGGREGATE AMOUNT OF \$943,830.40, DRAWN ON BANK OF AMERICA."
 4. Adopt a Resolution entitled "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, APPROVING PAYMENT OF CLAIMS AND DEMANDS BY WARRANTS NUMBERED 1102674 THROUGH 1102816 IN THE AGGREGATE AMOUNT OF \$1,535,420.83, DRAWN ON BANK OF AMERICA."
 5. Adopt a Resolution entitled "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, APPROVING PAYMENT OF PAYROLL WARRANTS FOR THE PERIOD ENDED 11-17-2018 BY WARRANTS NUMBERED 420521,420522,

420524 THROUGH 420535 TOTALING \$23,360.14, LIABILITY CHECKS NUMBERED 1102817 THROUGH 1102835 TOTALING \$78,450.93, FOUR WIRE TRANSFERS FOR \$61,880.38, AND SEVEN ELECTRONIC ACH DEBITS OF \$1,521,981.14 IN THE AGGREGATE AMOUNT OF \$1,685,672.59, DRAWN ON BANK OF AMERICA."

6. Adopt a Resolution entitled "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, APPROVING PAYMENT OF CLAIMS AND DEMANDS BY WARRANTS NUMBERED 1102836 THROUGH 1102962 IN THE AGGREGATE AMOUNT OF \$3,149,861.08, DRAWN ON BANK OF AMERICA."

7. Adopt a Resolution entitled "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, APPROVING PAYMENT OF CLAIMS AND DEMANDS BY WARRANTS NUMBERED 1102963 THROUGH 1103088 IN THE AGGREGATE AMOUNT OF \$1,958,255.30, DRAWN ON BANK OF AMERICA."

L. SECOND READING AND ADOPTION OF ORDINANCE NO. 1970 AMENDING CHAPTER 8.05 OF THE PALM SPRINGS MUNICIPAL CODE RELATIVE TO PROCEDURES FOR ALTERATION AND DEMOLITION OF HISTORIC BUILDINGS AND STRUCTURES, AND GENERAL REVISIONS TO HISTORIC PRESERVATION STANDARDS, CASE 5.1454: RECOMMENDATION:

Waive the second reading of the ordinance text in its entirety, read by title only, and adopt Ordinance No. 1970, "AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, AMENDING CHAPTER 8.05 OF THE PALM SPRINGS MUNICIPAL CODE RELATIVE TO PROCEDURES FOR ALTERATION AND DEMOLITION OF HISTORIC BUILDINGS AND STRUCTURES, AND GENERAL REVISIONS TO HISTORIC PRESERVATION STANDARDS, CASE 5.1454."

M. APPROVAL OF MINUTES: RECOMMENDATION:

Approve the City Council Meeting Minutes of March 21, 2018.

N. SECOND READING AND ADOPTION OF ORDINANCE NO. 1973 AMENDING SECTION 94.08.10 OF THE PALM SPRINGS ZONING CODE, PROVIDING FOR A FIRST AMENDMENT TO THE VIRGIN HOTEL DEVELOPMENT AGREEMENT WITH DTPS B-3, LLC, REVISING THE PERFORMANCE SCHEDULE FOR CONSTRUCTION PROPOSED ON BLOCK B-1 OF THE DOWNTOWN PALM SPRINGS SPECIFIC PLAN, LOCATED AT THE NORTHEAST CORNER OF MUSEUM WAY AND BELARDO ROAD, ZONE CBD, SECTION 15, AND MAKING ADDITIONAL REVISIONS, CASE 5.1427 DA AMENDMENT: RECOMMENDATION:

Waive the second reading of the ordinance text in its entirety, read by title only, and adopt Ordinance No. 1973, "AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, AMENDING SECTION 94.08.10 OF THE PALM SPRINGS ZONING CODE, PROVIDING FOR A FIRST AMENDMENT TO THE VIRGIN HOTEL DEVELOPMENT AGREEMENT WITH DTPS B-3, LLC, REVISING THE PERFORMANCE SCHEDULE FOR CONSTRUCTION PROPOSED ON BLOCK B-1 OF THE DOWNTOWN PALM SPRINGS SPECIFIC PLAN, LOCATED AT THE NORTHEAST CORNER OF MUSEUM WAY AND BELARDO ROAD, ZONE CBD, SECTION 15, AND MAKING ADDITIONAL REVISIONS, CASE 5.1427 DA AMENDMENT."

O. SECOND READING AND ADOPTION OF ORDINANCE NO. 1974, AMENDING THE PALM SPRINGS ZONING CODE TO ESTABLISH DEFINITIONS AND STANDARDS FOR TRANSITIONAL AND SUPPORTIVE HOUSING, CASE 5.1460 ZTA: RECOMMENDATION:

Waive the second reading of the ordinance text in its entirety, read by title only, and adopt Ordinance No. 1974, "AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PALM

SPRINGS, CALIFORNIA, ADOPTING SECTION 93.23.19 OF THE PALM SPRINGS ZONING CODE RELATING TO TRANSITIONAL AND SUPPORTIVE HOUSING, CASE 5.1460 ZTA.”

- P. **SECOND READING AND ADOPTION OF ORDINANCE NO. 1975, AMENDING THE PALM SPRINGS ZONING CODE TO ESTABLISH PROCEDURES RELATING TO REASONABLE ACCOMMODATIONS, CASE 5.1459 ZTA:**

RECOMMENDATION:

Waive the second reading of the ordinance text in its entirety, read by title only, and adopt Ordinance No. 1975, “AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, ADOPTING SECTION 93.23.18 OF THE PALM SPRINGS ZONING CODE RELATING TO REASONABLE ACCOMMODATIONS, CASE 5.1459 ZTA.”

- Q. **SECOND READING AND ADOPTION OF ORDINANCE NO. 1976 ADOPTING SECTION 93.23.17 OF THE PALM SPRINGS ZONING CODE RELATING TO DENSITY BONUSES FOR AFFORDABLE HOUSING, CASE 5.1458 ZTA:**

RECOMMENDATION:

Waive the second reading of the ordinance text in its entirety, read by title only, and adopt Ordinance No. 1976, “AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, ADOPTING SECTION 93.23.17 OF THE PALM SPRINGS ZONING CODE RELATING TO DENSITY BONUSES FOR AFFORDABLE HOUSING, CASE 5.1458 ZTA.”

- R. **APPROVE AMENDMENT NO. 1 TO CONTRACT SERVICES AGREEMENT NO. A7222 WITH METRO VIDEO SYSTEMS, INC., IN THE AMOUNT OF \$103,991.17:**

RECOMMENDATION:

1. Approve Amendment No. 1 to Contract Services Agreement No. A7222 with Metro Video Systems, Inc., a California corporation, in the amount of \$103,991.17.
2. Authorize the City Manager to execute all necessary documents.

- S. **AUTHORIZE A PURCHASE ORDER IN THE AMOUNT NOT TO EXCEED OF \$362,026 WITH WSP USA, INC., FOR DESIGN AND TSA COORDINATION SERVICES ASSOCIATED WITH THE PALM SPRINGS INTERNATIONAL AIRPORT TERMINAL PASSENGER SCREENING AREA EXPANSION PROJECT:**

RECOMMENDATION:

1. Authorize a Purchase Order in the amount not to exceed of \$362,026 with the City’s “on-call” professional aviation consulting services firm, WSP USA, Inc., pursuant to Agreement No. A7149, for internal renovation design and TSA equipment reconfiguration at the Palm Springs International Airport passenger checkpoint.
2. Authorize the City Manager to execute all necessary documents.

- T. **CONSIDER AN AMENDMENT TO THE CITY’S SEWER BILLING POLICES AND PROCEDURES TO ALLOW FOR SUSPENSION OF SEWER SERVICE CHARGES FOR PROPERTIES DETERMINED UNINHABITABLE BY THE BUILDING OFFICIAL:**

RECOMMENDATION:

Adopt a Resolution entitled “A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, AMENDING SECTION 2 OF RESOLUTION NO. 11123, TO ALLOW FOR SUSPENSION OF SEWER SERVICE CHARGES FOR CERTAIN PROPERTIES RENDERED UNINHABITABLE.”

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

2. **PUBLIC HEARINGS:** None.

3. **LEGISLATIVE:**

A. **RE-INTRODUCTION OF AN ORDINANCE AMENDING CHAPTER 5.26 OF THE PALM SPRINGS MUNICIPAL CODE, RE-ESTABLISHING THE HOTEL OPERATIONS INCENTIVE PROGRAM:**

RECOMMENDATION:

Waive the reading of the ordinance text in its entirety, read by title only, and re-introduce Ordinance No. 1972, "AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, AMENDING CHAPTER 5.26 OF THE PALM SPRINGS MUNICIPAL CODE, RE-ESTABLISHING THE HOTEL OPERATIONS INCENTIVE PROGRAM."

4. **UNFINISHED BUSINESS:**

A. **CONSIDER A RESOLUTION ADOPTING A CODE OF CONDUCT FOR ELECTED OFFICIALS:**

RECOMMENDATION:

Adopt a Resolution entitled "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, ADOPTING A CODE OF CONDUCT FOR ELECTED OFFICIALS."

5. **NEW BUSINESS:**

A. **DISCUSSION OF REVISED CITY COUNCIL RULES OF PROCEDURE:**

RECOMMENDATION:

Direct staff as appropriate.

B. **CONSIDERATION OF CHANGING GENERAL MUNICIPAL ELECTIONS FROM NOVEMBER OF ODD-NUMBERED YEARS TO EVEN-NUMBERED YEARS:**

RECOMMENDATION:

The City Council Ad Hoc Subcommittee on the California Voting Rights Act (Kors/Middleton) recommends that the City Council select Option 3, reduce terms of future City Councilmembers by one (1) year beginning in November 2019.

C. **APPROVAL OF PRE-QUALIFIED CONTRACTORS AND AUTHORIZATION TO PROCEED WITH BIDDING THE PALM SPRINGS INTERNATIONAL AIRPORT TICKETING HALL EXPANSION, FAA AIP GRANT NO. 3-06-0181-054-2016, IFB 19-03:**

RECOMMENDATION:

1. In accordance with Section 7.03.090 of the Palm Springs Municipal Code approve the list of pre-qualified general contractors for the Palm Springs International Airport Ticketing Hall Expansion, FAA AIP Grant No. 3-06-0181-054-2016, Invitation for Bids No. 19-03, pursuant to the requirements specified in the City's Statement of Qualifications 02-19, to include:

- a. McCarthy Building Companies, Inc., a Missouri corporation; Newport Beach, CA
- b. Q&D Construction, LLC, a Nevada limited liability company; Sparks, NV
- c. Swinerton Builders, a California corporation; Los Angeles, CA
- d. Walsh Construction Company II, LLC, an Illinois limited liability company; Chicago, IL

- 2. Pursuant to the mandatory requirements specified in the City’s Statement of Qualifications 02-19, determine that The Weitz Company, LLC, an Iowa limited liability company, is not qualified to submit a bid for the Palm Springs International Airport Ticketing Hall Expansion, FAA AIP Grant No. 3-06-0181-054-2016, IFB 19-03.
- 3. Approve the plans, specifications, and working details for the Palm Springs International Airport Ticketing Hall Expansion, FAA AIP Grant No. 3-06-0181-054-2016, IFB 19-03, and authorize staff to solicit bids from the four pre-qualified contractors.

**D. PRESENTATION OF THE 2018 PAVEMENT MANAGEMENT PROGRAM:
RECOMMENDATION:**

Provide direction to staff as appropriate.

**E. REVIEW AND MAKE APPOINTMENTS TO CITY COUNCIL SUBCOMMITTEES, CITY REPRESENTATIVES TO PROJECTS, LIAISONS TO CITY COMMISSIONS AND BOARDS, AND REPRESENTATIVES TO EXTERNAL ORGANIZATIONS:
RECOMMENDATION:**

- 1. Review and make appointments to the City Council Subcommittees, City Representatives to Projects, Liaisons to City Commissions and Boards, and Representatives to External Organizations.
- 2. Adopt FPPC Form 806, authorize the City Clerk to prepare and execute FPPC Form 806 *Public Official Appointments*, and direct the City Clerk to post on the City’s website as required.

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:

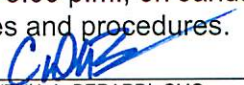
This time is set aside for the City Council to make requests of staff, and/or issues of concern to Councilmembers are briefly presented, prioritized and set for future meeting dates.

ADJOURNMENT: The City Council will adjourn to the next regular meeting Wednesday, February 6, 2019, at 6:00 p.m. in the Council Chamber at City Hall, preceded by Closed Session, Small Conference Room at City Hall, 3200 East Tahquitz Canyon Way, Palm Springs.

AFFIDAVIT OF POSTING

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

I, CYNTHIA A. BERARDI, Chief Deputy 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 5:00 p.m., on January 18, 2019, and posted on the City’s website as required by established policies and procedures.


CYNTHIA A. BERARDI, CMC
Chief Deputy 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 THE PALM SPRINGS



REGULAR & **SPECIAL CLOSED SESSION** AGENDA (**CONCURRENT**)
Wednesday, January 23, 2019 – 4:00 P.M.

City Hall, Small Conference Room
3200 East Tahquitz Canyon Way,
and

Mayor Pro Tem Kors' Residence at 1455 North Vine Avenue,
Palm Springs, CA 92262

PUBLIC COMMENT PERIOD FOR CLOSED SESSION ITEMS ONLY

(Time limit is two minutes per person)

The City Council welcomes public input. Members of the public may address the City Council by completing a public comment card and giving it to the City Clerk prior to the meeting. Pursuant to State law, the City Council may not discuss or take action on issues not on the meeting agenda (Government Code Section 54954.2).

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)

4348 Lockwood Ave LLC et al v. City of Palm Springs

Case No. RIC 1703102, Superior Court of the State of California, County of Riverside

NDC Equities Downtown PS, LLC v. City of Palm Springs

Case No. PSC 1807579, Superior Court of the State of California, County of Riverside

Ascensio et al. v. City of Palm Springs

Case No. PSC 1807953, Superior Court of the State of California, County of Riverside

EHOFF Canyon View, LLC v. City of Palm Springs

Case No. PSC 1806289, Superior Court of the State of California, County of Riverside

Sabordo and Huerto v. City of Palm Springs

Case No. PSC 1602732, Superior Court of the State of California, County of Riverside

Timothy A. Garrett v. City of Palm Springs

Case No. PSC 1702958, Superior Court of the State of California, County of Riverside

ANTICIPATED LITIGATION

G.C. 54956.9(d)(2)

Five (5) Cases

INITIATION OF LITIGATION

G.C. 54956.9(d)(4)

Four (4) Cases

PUBLIC EMPLOYEE PERFORMANCE EVALUATION

G.C. 54957(b)(1)

City Attorney

CONFERENCE WITH REAL PROPERTY NEGOTIATOR

G.C. 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 or Purchase)

Property Address/Description: 3.6 Acres at SE corner of Indian Canyon Drive and San Rafael Road APN 501-031-028
Agency: City of Palm Springs as Housing Successor
City Negotiator: David Ready, City Manager or Designee
Negotiating Parties: Community Housing Opportunities Corporation (CHOC)
Under Negotiation: Price and Terms of Payment (Lease or Purchase)

CONFERENCE WITH LABOR NEGOTIATOR

G.C. 54957.6

Agency Designated Representatives: City Manager David Ready and Attorney Peter Brown
Employee Organizations: Palm Springs Fire Management Association
Palm Springs Police Management Association
Palm Springs Police Officers Association
Service Employees International Union Local 721