

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

April 3, 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
Peter N. King, (Interim) 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: Boy Scout Troop 262.

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

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 02-23-2019 BY WARRANTS NUMBERED 420632 THROUGH 420648 AND 420650 TOTALING \$42,919.20, CLAIMS, DEMANDS AND LIABILITY CHECKS NUMBERED 1104421 THROUGH 1104705 TOTALING \$2,747,079.05, FOUR WIRE TRANSFERS FOR \$66,454.02, AND FOUR ELECTRONIC ACH DEBITS OF \$1,733,452.26 IN THE AGGREGATE AMOUNT OF \$4,589,904.53, DRAWN ON BANK OF AMERICA."

**B. MILLS ACT HISTORIC PROPERTY PRESERVATION AGREEMENT FOR CLASS 1 HISTORIC SITE LOCATED AT 360 CABRILLO ROAD UNIT 205, RACQUET CLUB GARDEN VILLAS HISTORIC DISTRICT, HSPB 88/HD-3:
RECOMMENDATION:**

1. Approve a Mills Act Historic Property Preservation Agreement with Laurence A. Rickels and the Racquet Club Cottages West Homeowners Association, for 360 Cabrillo Road Unit 205, HSPB 88/HD-3. A_____.
2. Authorize the City Manager to execute the Agreement.
3. Direct the City Clerk to record the Agreement.

**C. MILLS ACT HISTORIC PROPERTY PRESERVATION AGREEMENT FOR A CLASS 1 HISTORIC SITE LOCATED AT 1857 SANDCLIFF ROAD, HSPB 93/HD-5:
RECOMMENDATION:**

1. Approve a Mills Act Historic Property Agreement with Doug Honeycutt, Lea Honeycutt and Sandcliff Homeowners Association, for 1857 Sandcliff Road, a Class 1 Historic Site, HSPB 93/HD-5. A_____.
2. Authorize the City Manager to execute the Agreement.
3. Direct the City Clerk to record the Agreement.

**D. MILLS ACT HISTORIC PROPERTY PRESERVATION AGREEMENT FOR CLASS 1 HISTORIC SITE LOCATED AT 1999 SOUTH JOSHUA TREE PLACE, HSPB 104:
RECOMMENDATION:**

1. Approve a Mills Act Historic Property Preservation Agreement with Victor Sun, for 1999 South Joshua Tree Place, a Class 1 Historic Site, HSPB 104. A_____.
2. Authorize the City Manager to execute the Agreement.
3. Direct the City Clerk to record the Agreement.

**E. MILLS ACT HISTORIC PROPERTY PRESERVATION AGREEMENT FOR A CLASS 1 HISTORIC SITE LOCATED AT 221 WEST STEVENS ROAD, HSPB 91/HD-4:
RECOMMENDATION:**

1. Approve a Mills Act Historic Property Agreement with Dennis Ortiz and the Pompeii de las Palmas Homeowners Association, for 221 West Stevens Road, a contributing property in the Pompeii De Las Palmas Historic District, HSPB 91/HD-4. A_____.
2. Authorize the City Manager to execute the Agreement.
3. Direct the City Clerk to record the Agreement.

F. APPROVAL OF RIGHT OF WAY ACQUISITION AGREEMENTS WITH RAMON TOWER BUSINESS PARK, INC., A CALIFORNIA MUTUAL BENEFIT NON-PROFIT CORPORATION, AND EIGHTEEN SAC SELF-STORAGE CORPORATION, A NEVADA CORPORATION, ASSOCIATED WITH THE RAMON ROAD AND BRIDGE WIDENING PROJECT, CITY PROJECT NO. 08-25, FEDERAL AID PROJECT NO. BHLS 5282 (040); APN 680-190-036 AND APN 680-190-031

RECOMMENDATION:

1. Approve a Right-of-Way Agreement for Acquisition of Real Property Interest and Escrow Instructions, in the amount of \$33,400 with Ramon Tower Business Park, Inc., a California mutual benefit non-profit corporation. A_____.
2. Approve a Temporary Construction Easement Agreement in the amount of \$107,375 with Ramon Tower Business Park, Inc., a California mutual benefit non-profit corporation.
3. Approve a Right-of-Way Agreement for Acquisition of Real Property Interest and Escrow Instructions in the amount of \$2,938 with Eighteen Sac Self-Storage Corporation, a Nevada corporation. A_____.
4. Approve a Temporary Construction Easement Agreement, Agreement in the amount of \$31,783 with Eighteen Sac Self-Storage Corporation, a Nevada corporation.
5. Authorize the City Manager to execute all necessary documents, open escrow, and pay for escrow and title costs associated with the two right-of-way acquisitions estimated at \$5,000 each.
6. Authorize the City Manager to execute a Quitclaim Deed or such other documents as necessary to transfer the real property interests to the City of Cathedral City upon completion of the Project.

G. AWARD A CONSTRUCTION CONTRACT TO CT&T CONCRETE PAVING, INC., IN THE AMOUNT OF \$298,800; FOR THE 2019 ADA CURB RAMP & IMPROVEMENTS, CP 19-03: RECOMMENDATION:

1. Award a construction contract to CT&T Concrete Paving, Inc., a California corporation, in the amount of \$298,800 for the 2019 ADA Curb Ramp Improvements, CP 19-03. A_____.
2. Authorize the City Manager to approve and execute construction contract change orders up to a cumulative amount of \$30,000.
3. Authorize the City Manager to execute all necessary documents.

H. REQUEST BY AUSTIN TODD ON BEHALF OF CAPITAL GROWTH INVESTMENTS, INC. FOR A MINOR ARCHITECTURAL APPLICATION TO RENOVATE AN EXISTING 5,044-SQUARE FOOT TWO-STORY INDUSTRIAL BUILDING FOR A CANNABIS MANUFACTURING AND CULTIVATION FACILITY LOCATED AT 695 SOUTH WILLIAMS ROAD, ZONE M-1, SECTION 33, CASE 3.1116-MAA:

RECOMMENDATION:

Adopt a Resolution entitled "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, APPROVING A MINOR ARCHITECTURAL APPLICATION (MAA) BY THE CAPITAL GROWTH INVESTMENTS, INC. FOR THE RENOVATION OF AN EXISTING 5,044-SQUARE FOOT TWO-STORY INDUSTRIAL BUILDING FOR A CANNABIS MANUFACTURING AND CULTIVATION FACILITY LOCATED AT 695 SOUTH WILLIAMS ROAD, CASE 3.1116 - MAA."

I. APPROVAL OF PLANS, SPECIFICATIONS AND ESTIMATE (PS&E) AND AUTHORIZATION TO BID THE RAMON ROAD NUISANCE WATER RETENTION BASIN, CP 18-15 RECOMMENDATION:

Approve the plans, specifications and estimate, and authorize staff to advertise and solicit bids for the Ramon Road Nuisance Water Retention Basin, CP 18-15.

- J. **APPROVE AMENDMENT NO. 5 TO THE COACHELLA VALLEY ASSOCIATION OF GOVERNMENTS (CVAG) REIMBURSEMENT AGREEMENT FOR INCREASED FUNDING COMMITMENT AND EXTEND THE TIME TRIGGER ASSOCIATED WITH CONSTRUCTION OF THE INDIAN CANYON DRIVE UPRR BRIDGE WIDENING, CP 01-11:
RECOMMENDATION:**
1. Approve Amendment No. 5 to Agreement No. A4394, a Reimbursement Agreement with the Coachella Valley Association of Governments, extending the time triggers and increased funding commitments for the Indian Canyon Drive UPRR Bridge Widening, CP 01-11.
 2. Authorize the City Manager to execute all necessary documents.
- K. **APPROVAL OF MINUTES:
RECOMMENDATION:**
- Approve the City Council Meeting Minutes of July 18, 2018, July 23, 2018, November 14, 2018, and November 15, 2018.
- L. **APPROVAL OF A GROUND LEASE AGREEMENT WITH LOS ANGELES SMSA LIMITED PARTNERSHIP DBA VERIZON WIRELESS FOR NON-EXCLUSIVE USE OF GROUND SPACE WITH AN EXISTING WIRELESS COMMUNICATIONS TOWER AT 1901 EAST BARISTO ROAD:
RECOMMENDATION:**
1. Approve a Wireless Communications Facilities Site Lease with Los Angeles SMSA Limited Partnership dba Verizon Wireless for ground space with an existing wireless tower at 1901 East Baristo Road, for a term of five (5) years with one option to extend an additional five (5) years. A3281.
 2. Authorize the City Manager or his designee to execute all necessary documents.
- M. **PURCHASE ONE X-SERIES® ADVANCED CARDIAC LIFE SUPPORT (ACLS) MONITOR/DEFIBRILLATOR WITH WARRANTY AND RELATED SUPPORT EQUIPMENT; AND ONE AUTOPULSE® SYSTEM AND ACCESSORIES FROM ZOLL MEDICAL CORPORATION:
RECOMMENDATION:**
1. Purchase one ZOLL X-Series® Advanced Cardiac Life Support (ACLS) Monitor/Defibrillator, related support equipment, and one year warranty utilizing Riverside County contract discounted pricing in the amount of \$34,279.73 from ZOLL Medical Corporation.
 2. Purchase one AutoPulse® System and accessories that includes an AutoPulse® SurePower Charger, three AutoPulse® Li-Ion Batteries, an AutoPulse® Soft Carry Case, an AutoPulse® Soft Stretcher, and two LifeBand® Chest Compression Bands utilizing Riverside County contract discounted pricing in the amount of \$15,364.91 from ZOLL Medical Corporation.
 3. Authorize the City Manager to execute all necessary documents.
- N. **APPROVE AGREEMENT WITH SPECTRUM ENTERPRISE FOR CITY-WIDE ETHERNET CONNECTION:
RECOMMENDATION:**
1. Approve a 3-year agreement with Spectrum Enterprise totaling \$95,268 per year, in an amount not to exceed \$285,804 plus applicable taxes over the 3 year contract period.
A ____.
 2. Authorize the City Manager to execute all necessary documents.

- O. **MODIFICATION TO TRANSPORTATION NETWORK CARRIER FEE STRUCTURE IN PERMIT RENEWAL:**
RECOMMENDATION:
Receive and file.

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

2. **PUBLIC HEARINGS:**

- A. **AN APPLICATION BY NANCY AND STEPHEN COOPER OF COBBLEWOOD PARTNERS, LP, OWNERS, REQUESTING CLASS 1 HISTORIC RESOURCE DESIGNATION OF 417 HERMOSA PLACE, "THE WALTER KIRSCHNER RESIDENCE" (AKA "CASA ADAIRE"), CASE HSPB 112. (KL):**
RECOMMENDATION:
 - 1. Open the Public Hearing and receive public testimony.
 - 2. Adopt a Resolution entitled "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, DESIGNATING THE PARCEL AT 417 HERMOSA PLACE APN NO. 505-273-002, "THE WALTER KIRSCHNER RESIDENCE" (AKA "CASA ADAIRE"), A CLASS 1 HISTORIC RESOURCE (HSPB 112) SUBJECT TO CONDITIONS."
- B. **REQUEST BY SONS OF ITALY ON BEHALF OF DOLLY SINATRA LODGE NO. 2400 TO RE-ESTABLISH A CONDITIONAL USE PERMIT TO OPERATE A MEETING HALL WITHIN AN EXISTING BUILDING AT 1700 NORTH SAHARA ROAD, ZONE P, SECTION 1, CASE 5.0707 CUP:**
RECOMMENDATION:
 - 1. Open the public hearing and receive public testimony.
 - 2. Adopt a Resolution entitled "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, APPROVING CASE NO. 5.0707 CUP, A CONDITIONAL USE PERMIT TO ALLOW THE CONTINUED OPERATION OF A PHILANTHROPIC USE AT 1700 NORTH SAHARA ROAD."
- C. **AN INTERIM URGENCY ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, TO EXTEND A TEMPORARY MORATORIUM ON CITY APPROVAL OF NEW APPLICATIONS FOR PERMITS TO ENGAGE IN CERTAIN CANNABIS BUSINESSES AND ACTIVITIES IN PORTIONS OF THE DESERT HIGHLAND GATEWAY ESTATES AND DEMUTH PARK NEIGHBORHOODS OF THE CITY, FOR CONSIDERATION OF APPROPRIATE AMENDMENTS TO THE GENERAL PLAN, MUNICIPAL CODE, AND ZONING CODE IN ACCORDANCE WITH GOVERNMENT CODE SECTION 65858:**
RECOMMENDATION:
 - 1. Open the Public Hearing and receive public testimony.
 - 2. Waive the reading of the ordinance text in its entirety, read by title only, and adopt an Ordinance entitled "AN INTERIM URGENCY ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, TO EXTEND INTERIM URGENCY ORDINANCE NO. 1983 FOR AN ADDITIONAL TEN MONTHS AND FIFTEEN DAYS, AND CONTINUE FOR THIS PERIOD A TEMPORARY MORATORIUM ON CITY

APPROVAL OF NEW APPLICATIONS FOR PERMITS TO ENGAGE IN CERTAIN CANNABIS BUSINESSES AND ACTIVITIES IN PORTIONS OF THE DESERT HIGHLAND GATEWAY ESTATES AND DEMUTH PARK NEIGHBORHOODS OF THE CITY, FOR CONSIDERATION OF APPROPRIATE AMENDMENTS TO THE GENERAL PLAN, MUNICIPAL CODE AND ZONING CODE IN ACCORDANCE WITH GOVERNMENT CODE SECTION 65858." (4/5ths Vote Required.)

3. **LEGISLATIVE:** None.
4. **UNFINISHED BUSINESS:** None.
5. **NEW BUSINESS:**
 - A. **REVIEW OF FINAL LANDSCAPE PLAN FOR THE 14TH AND 15TH FAIRWAYS OF THE TAHQUITZ CREEK "LEGENDS" GOLF COURSE:**
RECOMMENDATION:
Approve the final landscape plan prepared by David Volz and Associates.
 - B. **REQUEST BY FENTON BOOTH ON BEHALF OF GLENWOOD MANAGEMENT GROUP LLC, TO DEFER A CONDITION OF APPROVAL REQUIRING THE CONSTRUCTION OF A MEDIAN FOR A NEW MULTIFAMILY RESIDENTIAL COMPLEX AT 2150 NORTH ZANJERO ROAD, ZONE R-2, CASE 3.3989 MAJ:**
RECOMMENDATION:
Approve the request and defer the requirement for the construction of a median on North Indian Canyon Drive (ENG 7) to covenant for construction at a later date as determined by the City Engineer.
 - C. **CONSIDER APPROPRIATING \$100,000 OF HOUSING SUCCESSOR FUNDS FOR HOMELESS ASSISTANCE PROGRAMS:**
RECOMMENDATION:
Adopt a Resolution entitled "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, AMENDING THE BUDGET FOR THE 2018-19 FISCAL YEAR TO ALLOCATE \$100,000 FOR HOMELESS ASSISTANCE PROGRAMS ACTIVITY."
 - D. **APPOINTMENT OF THE CITY ATTORNEY AND APROVAL OF AN AGREEMENT FOR CITY ATTORNEY LEGAL SERVICES WITH BEST, BEST & KRIEGER, LLP:**
RECOMMENDATION:
 1. Approve an Agreement for City Attorney Legal Services with Best, Best & Krieger, LLP.
A ____.
 2. Appoint Jeffrey S. Ballinger as City Attorney.
 3. Authorize the City Manager to execute all necessary documents.

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, April 17, 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 March 29, 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



CLOSED SESSION AGENDA
Wednesday, April 3, 2019 – 4:00 P.M.

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

Gov't Code § 54956.9(d)(1)

4348 Lockwood Ave LLC et al v. City of Palm Springs/Oswit
Case No. RIC 1703102, Superior Court, Riverside County, CA
Update/Outside Counsel RK, Woodruff, Spradlin & Smart

Timothy A. Garrett v. City of Palm Springs
Case No. PSC 1702958, Superior Court, Riverside County, CA
Update/Outside Counsel RK, Woodruff, Spradlin & Smart

Li, et al. v. City of Palm Springs, et. al.
Case No. PSC 1800801, Superior Court, Riverside County, CA

MATTERS CREATING SIGNIFICANT EXPOSURE TO LITIGATION

G C. § 54956.9(d)(2)

Four (4) [new] matters that, under the existing circumstances, the City Attorney believes creates significant exposure to litigation.

DISCUSSION TO CONSIDER INITIATION OF LITIGATION

Gov't Code § 54956.9(d)(4)

Under existing facts and circumstances, there are eight (8) matters the City Council has decided or may decide to initiate litigation.

**CITY COUNCIL CONSULTATION WITH CITY ATTORNEY TO CONSIDER NEGOTIATIONS,
APPOINTMENT, AND EMPLOYMENT OF LEGAL COUNSEL TO SERVE THE CITY'S
FUTURE LEGAL SERVICES NEEDS** **Gov't Code § 54957**

Discussion with City Attorney/Interim City Attorney

CONFERENCE WITH REAL PROPERTY NEGOTIATOR **Gov't Code § 54956.8**

Property Address/Description: Convention Center, 277 N. Avenida Caballeros
Agency: City of Palm Springs
City Negotiator: David H. Ready, City Manager or Designee
Negotiating Parties: SMG/AEG
Under Negotiation: Price and Terms of Lease

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: State Highway 111, Vista Chino and Gene Autry Trail within the Boundaries of the City of Palm Springs
Agency: City of Palm Springs
City Negotiator: David Ready, City Manager or Designee
Negotiating Parties: State of California Caltrans
Under Negotiation: Price and Terms of Payment (Relinquishment)

Property Address/Description: 538 North Palm Canyon Drive, Palm Springs
Agency: City of Palm Springs
City Negotiator: David Ready, City Manager or Designee
Negotiating Parties: W. Layne, President
Palm Canyon Theatre
Under Negotiation: Price and Terms of Payment (Lease)

Property Address/Description: 550 North Palm Canyon Drive, Palm Springs
Agency: City of Palm Springs
City Negotiator: David Ready, City Manager or Designee
Negotiating Parties: Jonathan Cassie, President
Desert Arts Center
Under Negotiation: Price and Terms of Payment (Lease)