



**Thursday, September 30, 2021**  
**Minutes of the Regular Meeting of the City Council**  
**of the City of Palm Springs**

Pursuant to Assembly Bill 361 this meeting was conducted by teleconference and there was no in-person public access to the meeting location.

**CALL TO ORDER:**

A Regular Meeting of the Palm Springs City Council was called to order by Mayor Holstege on Thursday, September 30, 2021, at 5:30 p.m.

**PLEDGE OF ALLEGIANCE:**

Councilmember Woods led the Pledge of Allegiance.

**ROLL CALL:**

**Present:** Councilmembers Grace Elena Garner, Geoff Kors, Dennis Woods; Mayor Pro Tem Lisa Middleton; and Mayor Christy Holstege

**Absent:** None.

**City Staff**

**Present:** Justin Clifton, City Manager; Jeffrey Ballinger, 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:**

- PROCLAMATION RECOGNIZING BISEXUAL VISIBILITY WEEK PRESENTED TO ALHAMBRA CITY COUNCILMEMBER SASHA RENE PEREZ
- UPDATE ON THE PALM SPRINGS ACCESS CENTER RIBBON CUTTING CEREMONY
- LIFT-TO-RISE COVID RENTAL ASSISTANCE PROGRAM UPDATE
- COVID-19 CASE UPDATE

**ACCEPTANCE OF THE AGENDA:**

MOTION BY COUNCILMEMBER KORS, SECOND BY MAYOR PRO TEM MIDDLETON, CARRIED 5-0, to remove Consent Calendar Item Nos. 1K and 1P for separate discussion.

**REPORT OF CLOSED SESSION:**

The Regular Closed Session of the City Council of September 30, 2021, was called to order by Mayor Holstege at 3:30 p.m., with all members present.

The meeting convened into Closed Session to discuss the following items as listed on the Regular Closed Session Meeting Agenda:

**CONFERENCE WITH LEGAL COUNSEL – MATTERS CREATING SIGNIFICANT EXPOSURE TO LITIGATION, Pursuant to Government Code Section 54956.9(d)(2):**

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

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

Under existing facts and circumstances, there are four (4) matters the City Council has decided or may decide to initiate litigation.

**CONFERENCE WITH REAL PROPERTY NEGOTIATOR, Pursuant to Government Code Section 54956.8:**

Property Description:	Portion of Airport Property, APN 502-100-030, Palm Springs Portion of Airport Property, 2901 E. Alejo Rd., Palm Springs
Agency:	City of Palm Springs
City Negotiator:	Justin Clifton, City Manager
Negotiating Parties:	Coachella Valley Economic Partnership, Garland Commercial Group, on behalf of Palm Springs Aviation Academy
Under Negotiation:	Price and Terms
Property Description:	3589 McCarthy Road, Palm Springs 92234 (APN 669-420-019)
Agency:	City of Palm Springs
City Negotiator:	Justin Clifton, City Manager
Negotiating Parties:	Fred Noble
Under Negotiation:	Price and Terms of Payment
Property Description:	Palm Springs Airport Property
Agency:	City of Palm Springs
City Negotiator:	Justin Clifton, City Manager
Negotiating Parties:	Air Canada, American, Alaska, Delta, Southwest, United, WestJet
Under Negotiation:	Price and Terms of Payment

## CONFERENCE WITH LABOR NEGOTIATOR, Pursuant to Government Code Section 54957.6:

City Negotiator: Justin Clifton, City Manager or Designee  
Jeremy Hammond, Human Resources Director  
Melissa Demarais, Acting Chief of Police  
Peter Brown, City Labor Negotiator

Employee Organizations: Management Association of Palm Springs  
Palm Springs Firefighters Association  
Palm Springs Fire Management  
Palm Springs Police Management Association  
All Unrepresented Employees

City Attorney Ballinger reported that the City Council received briefings and provided direction to staff regarding the agenda items but did not take any reportable action. He added that City Council may enter into Closed Session at the end of the regular meeting, but it is anticipated that there will be action taken.

**PUBLIC TESTIMONY:**

Michael Torres, speaking on Item 1P, expressed gratitude and urged the City Council to approve the proposed mural.

David Weiner, speaking on Item 5B, spoke in support of developing a reparations program for those impacted by the Section 14 evictions.

Kathy Weremuik, expressed support for Item Nos. 1L, 1P, and 1Q.

The following individuals spoke on Item 5C, urging City Council to partner with Desert Community Composting to develop a local composting program:

- Adam Gray
- John Pick
- Haley Preston
- Lauren Wolfer
- David Preston
- Jake Torrens
- Abby Winston
- Prima Bhavireddy

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

Mayor Pro Tem Middleton reported on her attendance at the Cal Cities Annual Conference.

Councilmember Kors spoke on his attendance at various regional meetings.

Councilmember Woods commended staff for the recent improvements at the Palm Springs International Airport; expressed gratitude to the City's Boards and Commissions for their work.

Mayor Holstege spoke on the memorial service for Marine Corporal Hunter Lopez held at the Palm Springs Convention Center; reported on her attendance at regional meetings and the Cal Cities Annual Conference; invited the community to the unveiling of the memorial mural for Officers Gil Vega and Lesley Zerebny.

## **1. CONSENT CALENDAR:**

MOTION BY COUNCILMEMBER KORS, SECOND BY COUNCILMEMBER WOODS, CARRIED 5-0, to approve the consent calendar, with the removal of Item Nos. 1K and 1P for separate discussion.

### **A. ACCEPT A RESIGNATION FROM THE PARKS AND RECREATION COMMISSION**

MOTION BY COUNCILMEMBER KORS, SECOND BY COUNCILMEMBER WOODS, CARRIED 5-0, to accept with regret the resignation of Alan Bowley from the Parks and Recreation Commission.

### **B. APPROVAL OF AMENDMENT NO. 2 TO CONTRACT SERVICES AGREEMENT NO. 8535 WITH ABM AVIATION, INC., TO DESIGNATE ABM AS THE MERCHANT OF RECORD AND MODIFY ATTACHMENT "I" TO INCLUDE SEPTEMBER AS A NON-PEAK MONTH FOR PARKING MANAGEMENT SERVICES AT THE PALM SPRINGS INTERNATIONAL AIRPORT**

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

1. Approve Amendment No. 2 with ABM Aviation, Inc., a Georgia corporation, to act as the merchant of record for parking management services at the Palm Springs International Airport; and to modify Exhibit "I" to include the month of September as a non-peak month. **A8535**
2. Authorize the City Manager and/or his designee to execute all necessary documents.

### **C. APPROVAL OF PAYROLL WARRANTS, CLAIMS AND DEMANDS**

MOTION BY COUNCILMEMBER KORS, SECOND BY COUNCILMEMBER WOODS, CARRIED 5-0, to adopt Resolution No. 24939 entitled "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, APPROVING PAYMENT OF PAYROLL WARRANTS/DISBURSEMENTS FOR THE PERIOD ENDING 08-07-21 AND 08-21-21 TOTALING \$3,529,020.72 AND ACCOUNTS PAYABLE WARRANTS DATED 08-05-21 AND 08-19-21 TOTALING \$8,850,290.12, IN THE AGGREGATE AMOUNT OF \$12,379,310.84, DRAWN ON BANK OF AMERICA."

**D. SECOND READING AND ADOPTION OF AN ORDINANCE REGARDING ANNEXATION NO. 3, VUE, TRACT MAP NO. 38004 INTO COMMUNITY FACILITIES DISTRICT NO. 2007-1 (PUBLIC SAFETY SERVICES)**

MOTION BY COUNCILMEMBER KORS, SECOND BY COUNCILMEMBER WOODS, CARRIED 5-0, to adopt Ordinance No. 2050 entitled, "AN ORDINANCE OF THE CITY COUNCIL 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. 3, VUE, TRACT MAP NO. 38004 INTO COMMUNITY FACILITIES DISTRICT NO. 2007-1 (PUBLIC SAFETY SERVICES)."

**E. TREASURER'S INVESTMENT REPORT AS OF JUNE 30, 2021**

MOTION BY COUNCILMEMBER KORS, SECOND BY COUNCILMEMBER WOODS, CARRIED 5-0, to receive and file the Treasurer's Investment Report as of June 30, 2021.

**F. APPROVE AMENDMENT NO. 1 TO THE CONTRACT SERVICES AGREEMENT (A8626) WITH CAL STRIPE, INC. FOR RUNWAY RUBBER REMOVAL SERVICES AT THE PALM SPRINGS INTERNATIONAL AIRPORT**

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

1. Approve Amendment No. 1 to add three additional service events to the scope of work with Cal Stripe, Inc. of Colton, California, in the amount of \$16,020 per service event for a three-year period, for a new total agreement amount of \$96,120, subject to CPI increase in year 2 and 3. **A8626**
2. Authorize the City Manager or his designee to execute all necessary documents.

**G. APPROVE A NON-EXCLUSIVE OPERATING AND LEASE AGREEMENT WITH WORLDWIDE FLIGHT SERVICES, INC. FOR TERMINAL USE SPACE AT PALM SPRINGS INTERNATIONAL AIRPORT**

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

1. Approve a Non-Exclusive Operating and Lease Agreement for Terminal Use Space with Worldwide Flight Services, Inc. for the lease of 240 square feet of office space at \$44.60 per square foot per year, effective September 1, 2021, through August 31, 2022, with two one-year options. **A8970**
2. Authorize the City Manager and/or his designee to execute all necessary documents.

**H. APPROVE AMENDMENT NO. 3 TO THE AIRPORT USE AND LEASE AGREEMENT TO AMEND THE AIRLINE LEASE SPACE AT THE PALM SPRINGS INTERNATIONAL AIRPORT**

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

1. Approve Amendment No. 3 to all existing airline agreements doing business as seven (7) Signatory Airlines (Air Canada, Alaska Airlines, American Airlines, Delta, Southwest Airlines, United Airlines, WestJet, and three (3) Non-Signatory Airlines: Allegiant, JetBlue, Sun Country to reflect a change in the amount of space leased at Palm Springs International Airport.
2. Authorize the City Manager or his designee to execute all necessary documents.

**I. AUTHORIZE LETTER OF SUPPORT FOR JEWISH FAMILY SERVICES OF SAN DIEGO (JFSSD) FOR REFUGEE ASSISTANCE PROGRAM**

MOTION BY COUNCILMEMBER KORS, SECOND BY COUNCILMEMBER WOODS, CARRIED 5-0, to authorize staff to prepare a letter of support to have JFSSD provide refugee resettlement services in the City of Palm Springs.

**J. ACCEPT THE SUPPLEMENTAL LAW ENFORCEMENT SERVICES ACCOUNT (SLESA) GRANT FROM THE STATE OF CALIFORNIA AND APPROVE AN EXPENDITURE PLAN AND APPROPRIATION**

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

1. Accept the State of California Supplemental Enforcement Services Account Grant (SLESA) and Expenditure Plan.
2. Direct the Director of Finance/City Treasurer to fund the appropriation.
3. Authorize the City Manager to execute all necessary documents.

**K. AGREEMENT BETWEEN PALM SPRINGS UNIFIED SCHOOL DISTRICT AND CITY OF PALM SPRINGS FOR LAW ENFORCEMENT SERVICES FROM PALM SPRINGS POLICE DEPARTMENT FOR SCHOOL RESOURCE OFFICER**

This item was excluded from the Consent Calendar. Please refer to Page 9 of these minutes for a summary of that action.

**L. APPROVE AMENDMENT NO. 2 TO THE DISPOSITION AND DEVELOPMENT AGREEMENT (DDA) WITH COMMUNITY HOUSING OPPORTUNITIES CORPORATION (CHOC) OF FAIRFIELD, CALIFORNIA, FOR DISPOSITION OF A 3.62 ACRE CITY-OWNED PROPERTY FO DEVELOPMENT AND CONSTRUCTION OF THE MONARCH APARTMENTS PROJECT, A SIXTY (60) UNIT MULTIFAMILY AFFORDABLE HOUSING PROJECT AT 3130 NORTH INDIAN CANYON DRIVE (SOUTHEAST CORNER OF NORTH INDIAN CANYON DRIVE AND SAN RAFAEL ROAD)**

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

1. Approve Amendment No. 2 to the Disposition and Development Agreement (“DDA”) with Community Housing Opportunities Corporation (“CHOC” or “Developer”).
2. Authorize City Manager or his designee to execute all necessary documents related to the Agreement.

**M. ACCEPTANCE OF \$130,000 IN GRANT FUNDING FROM THE CALIFORNIA OFFICE OF TRAFFIC SAFETY FOR A SELECTIVE TRAFFIC ENFORCEMENT PROGRAM**

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

1. Accept \$130,000 in grant funding from the California Office of Traffic Safety for a Selective Traffic Enforcement Program for FY 2021/2022.
2. Authorize the City Manager to execute all necessary documents.

**N. ACCEPT THE ANNUAL PROGRESS REPORT (APR) FOR CALENDAR YEAR 2020 REGARDING THE IMPLEMENTATION OF THE CITY’S HOUSING ELEMENT TO THE CALIFORNIA DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT**

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

1. Accept the Annual Progress Report (APR) for calendar year 2020 regarding the implementation of the City’s Housing Element to the California Department of Housing and Community Development.
2. Direct Staff to make no changes to the report filed on April 1, 2021 (and subsequently revised on September 16, 2021) with the California Department of Housing and Community Development and the Governor’s Office of Planning and Research.

**O. ACCEPTANCE OF THE TAHQUITZ CANYON WAY AND CIVIC DRIVE TRAFFIC SIGNAL INSTALLATION, CITY PROJECT NO. 15-21**

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

1. Accept the public works improvement identified as the Tahquitz Canyon Way and Civic Drive Traffic Signal Installation, City Project No. 15-21 as completed in accordance with the plans and specifications.
2. Authorize the City Engineer to execute and file a Notice of Completion for recordation with the Riverside County Recorder for the Tahquitz Canyon Way and Civic Drive Traffic Signal Installation, City Project No. 15-21.

**P. REQUEST BY THE PALM SPRINGS POLICE OFFICERS' ASSOCIATION FOR APPROVAL OF AN ART MURAL ON THE EXISTING BUILDING AT 169 NORTH INDIAN CANYON DRIVE (CASE 21-003 MUR)**

This item was excluded from the Consent Calendar. Please refer to Page 9 of these minutes for a summary of that action.

**Q. REQUEST BY PS SOCIAL GROUP, INC FOR A RESOLUTION OF PUBLIC CONVENIENCE OR NECESSITY (PCN) FOR A TYPE 20 PACKAGE STORE (HYPHEN) FOR A CARRY-OUT CRAFT BEER AND ORGANIC WINE SHOP LOCATED AT 1007 NORTH PALM CANYON DRIVE, ZONE C-1 (CASE 5.1535 PCN)**

MOTION BY COUNCILMEMBER KORS, SECOND BY COUNCILMEMBER WOODS, CARRIED 5-0, to adopt Resolution No. 24941 entitled, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, DETERMINING THAT PUBLIC CONVENIENCE OR NECESSITY WOULD BE SERVED BY THE ISSUANCE OF ALCOHOLIC BEVERAGE CONTROL LICENSE TYPE 20 FOR HYPHEN, A CRAFT BEER AND ORGANIC WINE SHOP LOCATED AT 1007 NORTH PALM CANYON DRIVE WITHIN CENSUS TRACT NUMBER 446.06."



**EXCLUDED CONSENT CALENDAR ITEMS:****K. AGREEMENT BETWEEN PALM SPRINGS UNIFIED SCHOOL DISTRICT AND CITY OF PALM SPRINGS FOR LAW ENFORCEMENT SERVICES FROM PALM SPRINGS POLICE DEPARTMENT FOR SCHOOL RESOURCE OFFICER**

City Manager Clifton and Acting Police Chief Desmarais presented the staff report and responded to City Council inquiries.

By consensus, the City Council requested that a school district representative attend the next City Council meeting to participate in the discussion on this item.

**P. REQUEST BY THE PALM SPRINGS POLICE OFFICERS' ASSOCIATION FOR APPROVAL OF AN ART MURAL ON THE EXISTING BUILDING AT 169 NORTH INDIAN CANYON DRIVE (CASE 21-003 MUR)**

Councilmember Kors encouraged the community to attend the unveiling of the memorial mural for Officers Gil Vega and Lesley Zerebny.

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

1. Approve the application, subject to a recommendation for approval of the application by the Public Arts Commission, and the issuance of a Certificate of Appropriateness by the Historic Site Preservation Board.
2. Adopt Resolution No. 24940 entitled, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, APPROVING AN ART MURAL BY ARTIST MICHAEL ANGELO HERNANDEZ ON THE SOUTH WALL OF THE TOWN & COUNTRY COMPLEX A 169 NORTH INDIAN CANYON DRIVE (CASE 21-003 MUR)."

**2. PUBLIC HEARINGS:****A. PS COUNTRY CLUB, LLC FOR AN AMENDMENT OF THE DEVELOPMENT AGREEMENT FOR SERENA PARK – A RESIDENTIAL DEVELOPMENT CONSISTING OF (386) ATTACHED AND DETACHED RESIDENTIAL UNITS, OPEN SPACE, STREETS, AND PARK SPACE ON 126-ACRES OF LAND PREVIOUSLY OPERATED AS A GOLF COURSE GENERALLY LOCATED EAST OF SUNRISE WAY, NORTH OF VERONA ROAD AND SOUTHWEST OF THE WHITEWATER RIVER WITHIN SECTIONS 1 AND 36 (CASE #5.1327 DA AMEND)**

Director of Development Services Fagg narrated a PowerPoint presentation and responded to City Council inquiries.

Mayor Holstege opened the public hearing.

Eric Taylor, applicant, spoke on efforts to maintain the property, work with the adjacent neighbors, and undergrounding of utilities; spoke on the challenges associated creating a third access point to the development.

Gary Canady, suggested adding a dog park to the development to be named the Bob Hope Memorial Dog Park.

James Green, urged the City Council to mandate a third access point to the development.

Mark Allen, applicant's attorney, asserted that they are not asking for an amendment to the Development Agreement, but rather an acknowledgment that the request to delay a fee payment and timelines are consistent with the existing agreement.

Corrine Griswold expressed concerns regarding increases in cut-through traffic due to the proposed development and spoke in support of having a third access point.

Ross Brodie, urged City Council to mandate a third access point to the development.

Kathy Weremiuk, spoke on the Planning Commission's deliberations relative to this project; recommended that the City Council require a third access point and require the developer to pay the required fees.

Jim McDevitt, expressed concerns regarding increased drive-through traffic in his neighborhood and urged City Council to require a third access point.

Denise Jenssen-Eager, urged the City Council to approve the Planning Commission's recommendation.

Mark Lindquist expressed concern regarding cut-through traffic and requested that the City Council adopted the recommended actions.

Brock Bennett voiced support for a third access point into the development.

Eric Taylor, applicant, requested that the City Council not require a third access point; asserted that the Planning Commission's recommendations were not part of the original development agreement. In response to City Council inquiry, Mr. Taylor agreed to pay \$500,000 of the development fee by November 1, 2021.

Mayor Holstege closed the Public Hearing, there being no others desiring to speak.

In response to City Council inquiry, Dan Faina, Williams Homes, spoke on the company's intent to purchase the subject property; advised that it is their intent to commence construction in 2022.

Following discussion, MOTION BY COUNCILMEMBER GARNER, SECOND BY COUNCILMEMBER WOODS, CARRIED 5-0, to introduce Ordinance No. 2051 entitled, "AN ORDINANCE OF THE CITY COUNCIL OF CITY OF PALM SPRING CALIFORNIA, AMENDING SECTION 94.08.09 OF THE PALM SPRINGS ZONING CODE AND APPROVING A DEVELOPMENT AGREEMENT AMENDMENT WITH PS COUNTRY CLUB, LLC, RELATED TO THE SERENA PARK PROJECT PERFORMANCE SCHEDULE FOR CONSTRUCTION, THE DEVELOPMENT AGREEMENT FEE PAYMENT DATE, AND OTHER MINOR REVISIONS RELATED TO THE CONVERSION OF THE PALM SPRINGS COUNTRY CLUB GOLF COURSE INTO 386 RESIDENTIAL UNITS LOCATED NORTH OF VERONA ROAD, EAST OF SUNRISE WAY AND SOUTHWEST OF THE WHITEWATER RIVER WASH (CASE 5.1427 DA AMENDMENT)," with direction to staff as outlined below. City Clerk Mejia read the ordinance by title.

- a. The City would require \$500,000 payable on November 1, 2021, with the balance of \$2.5 million payable on November 1, 2022.
- b. The applicant and City staff will develop a maintenance and security plan and a third access point for the property within thirty days for City Council for review and approval on the Consent Calendar.

## MEETING RECESS

The City Council recessed at 9:00 p.m. and reconvened at 9:10 p.m., with all members present.

### **B. AN APPLICATION BY THE CITY OF PALM SPRINGS FOR HISTORIC DESIGNATION OF "THE ROBERT ALEXANDER RESIDENCE" (AKA "THE HOUSE OF TOMORROW") LOCATED AT 1350 LADERA CIRCLE, (APN #505-082-026), CASE HSPB #136**

Director of Development Services Fagg presented the staff report.

Mayor Holstege opened the public hearing.

Dan Bridge, representing the property owners, spoke in support of the historic designation and urged City Council approval.

Mayor Holstege closed the Public Hearing, there being no others desiring to speak.

MOTION BY COUNCILMEMBER WOODS, SECOND BY MAYOR PRO TEM MIDDLETON, CARRIED 5-0, to adopt Resolution No. 24942 entitled, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, DESIGNATING "THE ROBERT ALEXANDER RESIDENCE" LOCATED AT 1350 LADERA CIRCLE, AS A CLASS 1 (LANDMARK) HISTORIC RESOURCE HSPB #136, SUBJECT TO CONDITIONS (APN 505-082-026)."

**C. AN APPLICATION BY MICHAEL JOHNSTON AND DAVID ZIPPEL, OWNERS, FOR HISTORIC DESIGNATION OF “THE GOLDBERG RESIDENCE” LOCATED AT 2340 SOUTHRIDGE DRIVE (APN #510-250-006), CASE HSPB #135)**

Director of Development Services Fagg presented the staff report.

Mayor Holstege opened the public hearing.

David Zippel, Applicant, offered to respond to questions from City Council.

Mayor Holstege closed the Public Hearing, there being no others desiring to speak.

MOTION BY COUNCILMEMBER KORS, SECOND BY COUNCILMEMBER GARNER, CARRIED 5-0, to adopt Resolution No. 24943 entitled, “A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, DESIGNATING “THE GOLDBERG RESIDENCE” LOCATED AT 2340 SOUTHRIDGE DRIVE, AS CLASS 1 (LANDMARK) HISTORIC RESOURCE HSPB #135, SUBJECT TO CONDITIONS (APN 510-250-006).”

**D. REQUEST BY PS SOCIAL GROUP, INC FOR A RESOLUTION OF PUBLIC CONVENIENCE OR NECESSITY (PCN) FOR A TYPE 20 PACKAGE STORE (HYPHEN) FOR A CARRY-OUT CRAFT BEER AND ORGANIC WINE SHOP LOCATED AT 1007 NORTH PALM CANYON DRIVE, ZONE C-1 (CASE 5.1535 PCN)**

This agenda was amended to reorder this item as Consent Item 1Q.

**E. ADOPT A RESOLUTION APPROVING A DISPOSITION AND DEVELOPMENT AGREEMENT BETWEEN THE CITY OF PALM SPRINGS AND ALOE PALM CANYON L.P., FOR THE DEVELOPMENT OF CERTAIN REAL PROPERTY LOCATED AT 1479 N. PALM CANYON DRIVE IN PALM SPRINGS, CALIFORNIA (APN 505-182-010), ALLOCATING \$400,000 IN HOUSING SUCCESSOR AGENCY FUNDS, AND DECLARING THE PROPERTY “EXEMPT SURPLUS LAND”**

Community and Economic Development Director Virata presented the staff report.

Mayor Holstege opened the public hearing.

Rob Bergstein, spoke in support of the proposed project.

Kathy Weremiuk voiced her support for this project and noted the need for more affordable housing in Palm Springs.

Mayor Holstege closed the Public Hearing, there being no others desiring to speak.

MOTION BY COUNCILMEMBER GARNER, SECOND BY COUNCILMEMBER WOODS, CARRIED 5-0, to:

1. Adopt Resolution No. 24944 entitled, “A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, APPROVING A DISPOSITION AND DEVELOPMENT AGREEMENT BETWEEN THE CITY OF PALM SPRINGS AND ALOE PALM CANYON L.P., FOR THE DEVELOPMENT OF CERTAIN REAL PROPERTY LOCATED AT 1479 N. PALM CANYON DRIVE IN PALM SPRINGS, CALIFORNIA (APN 505-182-010), ALLOCATING \$400,000 IN HOUSING SUCCESSOR AGENCY FUNDS, AND DECLARING THE PROPERTY “EXEMPT SURPLUS LAND.”
  2. Authorize the City Manager to execute all necessary documents and implement the sale of City-owned property with APN 505-182-010.
- 3. LEGISLATIVE: None.**
- 4. UNFINISHED BUSINESS: None.**
- 5. NEW BUSINESS:**
- A. ACCEPT DONATION OF ARTWORK ENTITLED “PALM SPRINGS AIDS MEMORIAL” BY ARTIST PHILLIP K. SMITH, III, AND APPROVE PLACEMENT IN DOWNTOWN PARK**

Community and Economic Development Director Virata presented the staff report.

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

1. Accept donation of the public art piece “Palm Springs AIDS Memorial” by artist Phillip K. Smith, III, and approve its placement in the City’s Downtown Park.
2. Authorize the City Manager to execute all necessary documents.

**B. FISCAL YEAR 2020-2021 GENERAL FUND REVIEW AND FISCAL YEAR 2021-2022 BUDGET UPDATE**

Director of Finance Pauley narrated a PowerPoint presentation and responded to City Council inquiries.

Following discussion, MOTION BY MAYOR PRO TEM MIDDLETON, SECOND BY COUNCILMEMBER KORS, CARRIED 5-0, to:

1. Amend the FY 2021/22 Budget, increasing General Fund budgeted revenue by \$7,400,000 to \$134,956,424; increasing Measure J budgeted revenue by \$1,300,000 to \$17,800,000; and appropriating an additional \$6,486,549 for various expenditures.
2. Amend the FY 2021/22 Allocated Positions and Compensation Plan, revising the "Frozen and Unfunded" allocated position list to fund the remaining twenty-three positions currently vacant due to the reduction in force implemented in FY 2019/20.

**C. DISCUSS NEW SCOPE OF SERVICES FOR SOLID WASTE, RECYCLING, AND ORGANIC WASTE COLLECTION SERVICES IN THE CITY OF PALM SPRINGS TO ADDRESS THE REQUIREMENTS OF SB 1383 REGULATIONS**

Sustainability Manager Tallarico narrated a PowerPoint presentation and responded to City Council inquiries.

The City Council discussed the timeframe for community input, the need to review the existing franchise agreement, the definition of community composting, and the need for additional information about the state's new requirements.

The City Council took no formal action on this matter.

**D. JOINT ITEM OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS AND THE PALM SPRINGS FINANCING AUTHORITY: AUTHORIZE ISSUANCE OF LEASE REVENUE REFUNDING BONDS, 2021 SERIES B (CONVENTION CENTER REFINANCING) AND EXECUTION OF RELATED DOCUMENTS**

Municipal Financial Advisor Harrell narrated a PowerPoint presentation.

MOTION BY MAYOR PRO TEM MIDDLETON, SECOND BY COUNCILMEMBER GARNER, CARRIED 5-0, to:

1. Acting as the City Council, adopt Resolution No. 24938 entitled, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS AUTHORIZING PROCEEDINGS AND AGREEMENTS RELATING TO THE REFINANCING OF THE ACQUISITION OF AND CONSTRUCTION OF IMPROVEMENTS FOR THE CONVENTION CENTER, APPROVING ISSUANCE AND SALE OF BONDS BY THE CITY OF PALM SPRINGS FINANCING AUTHORITY, APPROVING AN OFFICIAL STATEMENT AND AUTHORIZING OFFICIAL ACTIONS."

*(City Council action continued on the next page)*

2. Acting as the Financing Authority Board, adopt Resolution No. FA-45 entitled, “A RESOLUTION OF THE BOARD OF DIRECTORS OF THE CITY OF PALM SPRINGS FINANCING AUTHORITY AUTHORIZING THE ISSUANCE OF ITS REFUNDING REVENUE BONDS IN THE AGGREGATE PRINCIPAL AMOUNT OF NOT TO EXCEED \$60,000,000 IN CONNECTION WITH THE REFINANCING OF THE ACQUISITION AND CONSTRUCTION OF PUBLIC CAPITAL IMPROVEMENTS FOR THE CONVENTION CENTER, AUTHORIZING AND DIRECTING EXECUTION OF AN INDENTURE OF TRUST AND AN AMENDED AND RESTATED LEASE AGREEMENT, AN AMENDED AND RESTATED SITE LEASE, ESCROW DEPOSIT AND TRUST AGREEMENT AUTHORIZING THE SALE OF THE BONDS AND AN OFFICIAL STATEMENT AND AUTHORIZING OFFICIAL ACTIONS AND EXECUTION OF RELATED DOCUMENTS.”
3. Accept professional services proposal from Norton Rose Fulbright LP for disclosure counsel services.
4. Designate Stifel Nicolaus & Company, Incorporated to serve as underwriter.
5. Authorize the City Manager and Director of Finance & Treasurer to execute all necessary documents.

**PUBLIC COMMENT ON NON-AGENDA ITEMS:**

Jacob Simon, voiced concern that he is required to obtain a permit to use a megaphone during VillageFest.

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

Councilmember Woods suggested that the discussion on the General Plan update may move forward on the City Council meeting of October 14, 2021.

**ADJOURNMENT:**

The City Council adjourned at 10:55 p.m.

Respectfully submitted,

  
Anthony J. Mejia, MMC  
City Clerk

APPROVED BY CITY COUNCIL: 01/13/2022