

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

AGENDA

February 21, 2018



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

Robert Moon, Mayor
J. R. Roberts, Mayor Pro Tem
Christy Gilbert Holstege, Councilmember
Geoff Kors, Councilmember
Lisa Middleton, 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
Geoffrey S. Kiehl, 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 (Council Chamber): This time has been set aside for members of the public to address the City Council on items contained only on the Closed Session Agenda.

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:

Presentation of the Fiscal Year 2016-17 Financial Audit by Lance, Soll, and Lunghard LLP, the City's independent auditors.

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. **MILLS ACT HISTORIC PROPERTY PRESERVATION AGREEMENT FOR A CLASS 1 HISTORIC SITE LOCATED AT 1415 NORTH CAMINO CENTRO, HSPB 107:
RECOMMENDATION:**
1. Approve a Mills Act Historic Property Preservation Agreement with William F. Stewart, for 1415 North Camino Centro, a Class 1 Historic Site, HSPB 107, A ____.
 2. Authorize the City Manager to execute the Agreement.
 3. Direct the City Clerk to record the Agreement.
- B. **MILLS ACT HISTORIC PROPERTY PRESERVATION AGREEMENT FOR A CLASS 1 HISTORIC SITE LOCATED AT 1776 SOUTH ARABY DRIVE, HSPB 103/HD-6:
RECOMMENDATION:**
1. Approve a Mills Act Historic Property Agreement with Richard Gero and Felissa Gero and Park South Homeowners Association, for 1776 South 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.
- C. **MILLS ACT HISTORIC PROPERTY PRESERVATION AGREEMENT FOR A CLASS 1 HISTORIC SITE LOCATED AT 1611 SOUTH CALLE PALO FIERRO UNITS 1, 2, AND 6A, HSPB 102:
RECOMMENDATION:**
1. Approve a Mills Act Historic Property Agreement with Diane Dewbrey and Desert Star Homeowners Association, for 1611 South Calle Palo Fierro Units 1, 2, and 6A, a Class 1 Historic Site, HSPB 102, A ____.
 2. Authorize the City Manager to execute the Agreement.
 3. Direct the City Clerk to record the Agreement.
- D. **REPORT ON PROGRESS OF CV HOUSING FIRST PROGRAM FROM COACHELLA VALLEY ASSOCIATION OF GOVERNMENTS:
RECOMMENDATION:**
- Receive and file the update on the progress of the CV Housing First program from Coachella Valley Association of Governments.
- E. **APPROVAL OF TRACT MAP 37210 AND A SUBDIVISION IMPROVEMENT AGREEMENT WITH THE RIV, LP:
RECOMMENDATION:**
- Adopt a Resolution entitled "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, APPROVING TRACT MAP 37210 AND AN ASSOCIATED SUBDIVISION IMPROVEMENT AGREEMENT WITH THE RIV, LP, A CALIFORNIA LIMITED PARTNERSHIP, FOR PROPERTY LOCATED AT 2000 NORTH INDIAN CANYON DRIVE, IN SECTION 2, TOWNSHIP 4 SOUTH, RANGE 4 EAST." A ____.
- F. **ACCEPTANCE OF THE PALM SPRINGS SWIM CENTER REPLASTER AND POOL REPAIR PROJECT, CP 16-06:
RECOMMENDATION:**
1. Accept the public works improvement identified as the Palm Springs Swim Center Replaster and Pool Repair Project, CP 16-06, as completed in accordance with the plans and specifications. A7029.
 2. Authorize the City Engineer to execute and file for recordation with the Riverside County Recorder a Notice of Completion for the Palm Springs Swim Center Replaster and Pool Repair Project, CP 16-06.

**G. AWARD A CONSTRUCTION CONTRACT TO TBU INC., IN THE AMOUNT OF \$220,559 FOR THE SONORA ROAD STORM DRAIN IMPROVEMENTS, CP 16-12:
RECOMMENDATION:**

1. Award a construction contract to TBU Inc., a California corporation, in the amount of \$220,559 for the Sonora Road Storm Drain Improvements, CP 16-12, A_____.
2. Authorize the City Manager to execute all necessary documents.

**H. PROFESSIONAL SERVICES AGREEMENT WITH ADVANTEC CONSULTING ENGINEERS, INC., FOR THE HIGHWAY SAFETY IMPROVEMENT PROGRAM (HSIP) CYCLE 8 TRAFFIC SIGNAL MODIFICATIONS, FEDERAL-AID PROJECT NO. HSIPLN-5282 (047) AND INSTALLATION OF A FLASHING BEACON, FEDERAL-AID PROJECT NO. HSIPL-5282 (048), CP 16-18:
RECOMMENDATION:**

1. Approve a Professional Services Agreement with Advantec Consulting Engineers, Inc., in the amount of \$433,144 for environmental and engineering design services for the Highway Safety Improvement Program (HSIP) Cycle 8 Traffic Signal Modifications, Federal-Aid Project No. HSIPLN-5282 (047) and Installation of a Flashing Beacon, Federal-Aid Project No. HSIPL-5282 (048), CP 16-18, A_____.
2. Authorize the City Manager to execute all necessary documents.

**I. TERMINATION OF SUBDIVISION IMPROVEMENT AGREEMENT AND AUTHORIZATION TO RELEASE SUBDIVISION IMPROVEMENT SECURITY FOR THE "STROKE ACTIVITY CENTER" DEVELOPMENT, PARCEL MAP 30581:
RECOMMENDATION:**

Adopt a Resolution entitled "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, TERMINATING SUBDIVISION IMPROVEMENT AGREEMENT NO. A5216 WITH PALM SPRINGS STROKE ACTIVITY CENTER FOUNDATION, A CALIFORNIA NON-PROFIT CORPORATION, AND AUTHORIZING RELEASE OF SECURITIES THEREFORE, ASSOCIATED WITH PARCEL MAP 30581 FOR PROPERTY LOCATED AT THE NORTHEAST CORNER OF ALEJO ROAD AND COMMERCIAL ROAD, IN SECTION 12, TOWNSHIP 4 SOUTH, RANGE 4 EAST." A5216.

**J. 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 PAYROLL WARRANTS FOR THE PERIOD ENDED 12-30-2017 BY WARRANTS NUMBERED 420178 THROUGH 420189 TOTALING \$22,109.53, LIABILITY CHECKS NUMBERED 1096602 THROUGH 1096621 TOTALING \$80,295.41, FIVE WIRE TRANSFERS FOR \$80,179.25, AND THREE ELECTRONIC ACH DEBITS OF \$1,492,681.29 IN THE AGGREGATE AMOUNT OF \$1,675,265.48, 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 CLAIMS AND DEMANDS BY WARRANTS NUMBERED 1096622 THROUGH 1096671 IN THE AGGREGATE AMOUNT OF \$744,767.83, 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 1096672 THROUGH 1096785 IN THE AGGREGATE AMOUNT OF \$1,159,704.35, 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 PAYROLL WARRANTS FOR THE PERIOD ENDED 01-13-2018 BY WARRANTS NUMBERED 420190

THROUGH 420205 TOTALING \$25,186.58, LIABILITY CHECKS NUMBERED 1096786 THROUGH 1096805 TOTALING \$78,021.44, FIVE WIRE TRANSFERS FOR \$61,453.16, AND THREE ELECTRONIC ACH DEBITS OF \$1,379,196.74 IN THE AGGREGATE AMOUNT OF \$1,543,857.92, 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 CLAIMS AND DEMANDS BY WARRANTS NUMBERED 1096806 THROUGH 1096927 IN THE AGGREGATE AMOUNT OF \$1,341,308.78, 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 1096928 THROUGH 1097087 IN THE AGGREGATE AMOUNT OF \$2,834,224.45, DRAWN ON BANK OF AMERICA."

K. RATIFICATION OF THE ANNUAL ADJUSTMENT OF THE ACCESS LINE RATE APPROVED BY THE VOTERS BY MEASURE "G" PURSUANT TO PALM SPRINGS MUNICIPAL CODE § 3.39.050:

RECOMMENDATION:

Adopt a Resolution entitled "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, RATIFYING THE ANNUAL ADJUSTMENT OF THE ACCESS LINE RATE PURSUANT TO PALM SPRINGS MUNICIPAL CODE § 3.39.050 APPROVED BY THE VOTERS BY MEASURE "G."

L. APPOINTMENT TO THE PLANNING COMMISSION FOR THE UNEXPIRED TERM ENDING JUNE 30, 2019:

RECOMMENDATION:

Appoint Dennis Woods to the Planning Commission for the unexpired term ending June 30, 2019.

M. TREASURER'S INVESTMENT REPORT AS OF DECEMBER 31, 2017:

RECOMMENDATION:

Receive and File the Treasurer's Investment Report as of December 31, 2017.

N. STAFF AUTHORIZED AGREEMENTS AND PURCHASE ORDERS FOR THE MONTH OF JANUARY 2018:

RECOMMENDATION:

Receive and file the report of Staff Authorized Agreements and Purchase Orders for the period of January 1 through January 31, 2018.

O. APPROVAL OF AMENDMENT NO. 1 TO THE CONTRACT SERVICES AGREEMENT WITH ST. FRANCIS ELECTRIC, LLC, FOR ON-CALL TRAFFIC SIGNAL MAINTENANCE SERVICES:

RECOMMENDATION:

1. Approve Amendment No. 1 to Contract Services Agreement No. A6858 with St. Francis Electric, LLC, a California limited liability company, increasing the maximum annual contract amount by \$225,000 for a maximum annual contract amount of \$605,000 for Traffic Signal Maintenance Services.
2. Authorize the City Manager to execute all necessary documents.

- P. **AUTHORIZATION TO REDUCE SUBDIVISION IMPROVEMENT SECURITIES FOR THE "MIRALON" DEVELOPMENT, TRACT NO. 31848-1:**
RECOMMENDATION:
 Adopt a Resolution entitled "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, AUTHORIZING A REDUCTION OF SECURITIES GUARANTEEING COMPLETION OF CERTAIN WORKS OF IMPROVEMENT ASSOCIATED WITH TRACT MAP 31848-1 REQUIRED BY THE SUBDIVISION IMPROVEMENT AGREEMENT WITH AVALON 1150, LLC, A DELAWARE LIMITED LIABILITY COMPANY, FOR PROPERTY LOCATED ALONG THE NORTH SIDE OF SAN RAFAEL DRIVE, EAST OF NORTH INDIAN CANYON DRIVE, SOUTH OF WHITEWATER RIVER AND WEST OF SUNRISE WAY, IN SECTION 35, TOWNSHIP 3 SOUTH, RANGE 4 EAST." A5393.
- Q. **PRESENTATION OF FISCAL YEAR 2016-17 AUDIT REPORTS:**
RECOMMENDATION:
 Receive and file the Fiscal Year 2016-17 Audit Reports prepared by the City's independent auditors.
- R. **ACCEPTANCE OF PUBLIC IMPROVEMENTS AND AUTHORIZATION TO RELEASE SUBDIVISION IMPROVEMENT SECURITIES FOR THE "SOL PS" DEVELOPMENT, TRACT MAP 36525:**
RECOMMENDATION:
 Adopt a Resolution entitled "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, AUTHORIZING ACCEPTANCE OF THE SUBDIVISION IMPROVEMENTS ASSOCIATED WITH TRACT MAP 36525 AND AUTHORIZING RELEASE OF SECURITIES REQUIRED BY THE SUBDIVISION IMPROVEMENT AGREEMENT WITH SOL PS, LLC, A CALIFORNIA LIMITED LIABILITY COMPANY FOR PROPERTY LOCATED AT THE NORTHEAST CORNER OF AVENIDA CABALLEROS AND AMADO ROAD, IN SECTION 14, TOWNSHIP 4 SOUTH, RANGE 4 EAST." A6435.
- S. **AMEND HR-PAYROLL SYSTEM AGREEMENT WITH HIGH LINE CORPORATION:**
RECOMMENDATION:
1. Approve Amendment No. 1 to Agreement No. A3909 with High Line Corporation to provide the City Human Resources and Payroll Services at a one-time cost not to exceed \$100,000, with recurring costs of up to \$25,576 annually.
 2. Authorize the City Manager to execute all necessary documents.
- T. **APPROVAL OF MINUTES:**
RECOMMENDATION:
 Approve the City Council Meeting Minutes of January 24, 2018.

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

2. **PUBLIC HEARINGS:** None

3. **LEGISLATIVE:**

A. **PROPOSED INTRODUCTION OF AN ORDINANCE ADOPTING CHAPTER 2.60 OF THE PALM SPRINGS MUNICIPAL CODE RELATING TO PUBLIC INTEGRITY:**
RECOMMENDATION:

1. Waive the reading of the ordinance text in its entirety, read by title only, and introduce for first reading an Ordinance entitled "AN ORDINANCE OF THE CITY OF PALM SPRINGS,

CALIFORNIA, ADOPTING CHAPTER 2.60 OF THE PALM SPRINGS MUNICIPAL CODE, RELATING TO PUBLIC INTEGRITY.”

2. Appoint a new City Council Standing Subcommittee for public integrity issues.
3. Receive and file this report, and provide direction as desired.

4. **UNFINISHED BUSINESS:** None

5. **NEW BUSINESS:**

A. **REQUEST BY TAHQUITZ CANYON INVESTORS, LLC TO ESTABLISH A SIGN PROGRAM FOR A MULTI-TENANT COMMERCIAL PROPERTY THAT IS PLANNED TO BE REMODELED AND PARTIALLY REDEVELOPED AS “THE SCENE IN PALM SPRINGS” LOCATED AT 601 TO 777 EAST TAHQUITZ CANYON WAY (SIGN PROGRAM CASE NO. 17-012):**

RECOMMENDATION: [Link to Oversized Documents](#)

1. Review Architectural Advisory Committee (AAC) recommendations and consider Applicant’s oppositions.
2. Adopt a Resolution entitled “A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, APPROVING AND ESTABLISHING A SIGN PROGRAM FOR THE MULTI-TENANT COMPLEX LOCATED ON THE SOUTH SIDE OF EAST TAHQUITZ CANYON WAY BETWEEN CALLE EL SEGUNDO AND CALLE ALVARADO.”

B. **RECEIVE AND FILE AN IMPACT ANALYSIS REPORT AND PROVIDE DIRECTION RELATING TO A CITIZENS’ INITIATIVE FOR THE PROHIBITION OF VACATION RENTAL OF SINGLE FAMILY RESIDENCES IN THE CITY – UPDATE ON VACATION RENTAL ORDINANCE ENFORCEMENT:**

RECOMMENDATION:

1. Receive and file an Impact Analysis Report (**ATTACHMENT 1**) relating to the Citizens’ Initiative for the prohibition of vacation rental of single family residences in the city, pursuant to Elections Code (EC) Section 9212, and provide direction as appropriate.
2. Receive and file an update on the enforcement of the City’s vacation rental ordinance (**ATTACHMENT 2**) and provide direction as appropriate.
3. Determine whether to adopt the proposed ordinance entitled “AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, AMENDING THE PALM SPRINGS MUNICIPAL CODE TO PROHIBIT THE VACATION RENTAL OF SINGLE FAMILY RESIDENCES IN THE CITY.” (**ATTACHMENT 3**)

If the City Council adopts the proposed ordinance, that action will conclude consideration of this item. If not, the Council must either:

4. Adopt a Resolution entitled “A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, DECLARING ITS INTENT TO SUBMIT TO THE VOTERS AT THE GENERAL MUNICIPAL ELECTION TO BE HELD ON TUESDAY, NOVEMBER 5, 2019, A QUESTION RELATING TO THE PROHIBITION OF VACATION RENTAL OF SINGLE FAMILY RESIDENCES IN THE CITY.” (**ATTACHMENT 4**)

OR

ALL OF THE FOLLOWING

- 5a. Adopt a Resolution entitled “A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, CALLING AND GIVING NOTICE OF THE HOLDING OF A SPECIAL MUNICIPAL ELECTION TO BE HELD ON JUNE 5, 2018, FOR THE SUBMISSION TO THE VOTERS A QUESTION RELATING TO THE PROHIBITION OF VACATION RENTAL OF SINGLE FAMILY RESIDENCES IN THE CITY.” (**ATTACHMENT 5**)

5b. Adopt a Resolution entitled "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, REQUESTING THE BOARD OF SUPERVISORS OF THE COUNTY OF RIVERSIDE TO CONSOLIDATE A SPECIAL MUNICIPAL ELECTION TO BE HELD ON JUNE 5, 2018, WITH THE STATEWIDE PRIMARY ELECTION TO BE HELD ON THE SAME DATE PURSUANT TO SECTION 10403 OF THE ELECTIONS CODE." (**ATTACHMENT 6**)

5c. Adopt a Resolution entitled "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, AUTHORIZING WRITTEN ARGUMENTS FOR OR AGAINST THE PROPOSED ORDINANCE TO PROHIBIT THE VACATION RENTAL OF SINGLE FAMILY RESIDENCES IN THE CITY; SETTING PRIORITIES FOR FILING WRITTEN ARGUMENTS REGARDING THE MEASURE AND, DIRECTING THE CITY ATTORNEY TO PREPARE AN IMPARTIAL ANALYSIS." (**ATTACHMENT 7**)

5d. Determine whether the City Council desires to designate any of its members to draft a Direct Argument for the ballot measure and any Rebuttal Argument, if needed.

5e. Adopt a Resolution entitled "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, PROVIDING FOR THE FILING OF REBUTTAL ARGUMENTS FOR CITY MEASURES SUBMITTED AT MUNICIPAL ELECTIONS." (**ATTACHMENT 8**)

5f. Adopt a Resolution entitled "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, AMENDING THE BUDGET FOR FISCAL YEAR 2017-18." (**ATTACHMENT 9**)

**C. DISCUSSION OF THE BUZZ TROLLEY PROGRAM AND APPROVAL OF THE REMAINING TERM OF THE THIRD OF FOUR ONE-YEAR EXTENSION OPTIONS TO THE TROLLEY SERVICES OPERATOR AGREEMENT WITH MV TRANSPORTATION INC., RENEWING THE PROGRAM FOR NINE MONTHS EFFECTIVE MARCH 19, 2018, THROUGH DECEMBER 18, 2018:
RECOMMENDATION:**

1. Receive update on the BUZZ Trolley Program as of the end of the third program year ending on December 18, 2017.
2. Authorize staff to implement any recommended measures to streamline operations, increase ridership, reduce operating costs and generate revenue.
3. Approve the remaining nine-month portion of the third of four one-year extension options to the Trolley Services Operator Agreement with MV Transportation, Inc., in an amount not to exceed \$670,000 for the remaining nine months of the fourth year of service.
4. Authorize the City Manager or his designee to execute all necessary documents.

**D. FISCAL YEAR 2017-18 MID-YEAR BUDGET UPDATE:
RECOMMENDATION:**

Receive and file the fiscal year 2017-18 mid-year Budget update and direct staff as appropriate.

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.

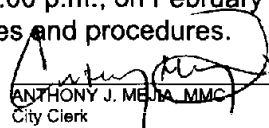
CITY COUNCIL AND CITY MANAGER REQUESTS AND UPCOMING AGENDA DEVELOPMENT: This time is set aside for the City Council to make requests of staff, and/or issues of concern to Councilmembers are briefly presented, prioritized and set for future meeting dates.

ADJOURNMENT: The City Council will adjourn to the next regular meeting Wednesday, March 7, 2018, at 6:00 p.m. Council Chamber, City Hall, preceded by Closed Session, Small Conference Room, City Hall, 3200 East Tahquitz Canyon Way, Palm Springs.

AFFIDAVIT OF POSTING

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

I, ANTHONY J. MEJIA, 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 February 16, 2018, and posted on the City's website as required by established policies and procedures.


ANTHONY J. MEJIA, MMC
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, February 21, 2018 – 4:00 p.m.

City Hall, Small Conference Room
3200 East Tahquitz Canyon Way, Palm Springs
Palm Springs, CA 92262

CONFERENCE WITH LEGAL COUNSEL. The City Council finds, based on advice from the City Attorney, that discussion in open session of the following described matter(s) will prejudice the position of the City in existing and anticipated litigation.

EXISTING LITIGATION **G.C. 54956.9(d)(1)**

Lee H. Brandenburg and Diane M. Brandenburg, Individually and as Trustees of the Brandenburg Revocable Trust and Dennis A. Cunningham and Andrea C. Cunningham individually, and in their capacities as Trustees of the Cunningham Family Trust Dated 12/14/2000 v. City of Palm Springs et al.
Case No. PSC1606147, Riverside Superior Court, Palm Springs Division

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

5 Cases

INITIATION OF LITIGATION **G.C. 54956.9(d)(4)**

5 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)

Property Address/Description: 1901 E. Baristo Road, APN 502-200-001, -002
Agency: City of Palm Springs
City Negotiator: David H. Ready, City Manager or Designee
Negotiating Parties: Andrew Starke, Palm Springs Power Baseball Club
Under Negotiation: Price and Terms of Payment (Lease)

Property Address/Description: 4449 N. Indian Canyon Dr., APN 669-330-047
Agency: City of Palm Springs
City Negotiator: David H. Ready, City Manager or Designee
Negotiating Parties: Desert Community College District
Under Negotiation: Price and Terms of Payment (Acquisition)

Property Address/Description: 342-344 North Palm Canyon Drive
Agency: Successor Agency of the Redevelopment Agency
City Negotiator: David Ready, City Manager or Designee
Negotiating Parties: Emmanuel Dossetti
Under Negotiation: Price and Terms of Payment (Sale)

Property Address/Description: APN 680-170-051
Agency: City of Palm Springs
City Negotiator: David H. Ready, City Manager or Designee
Negotiating Parties: Brian Ferrero, ACBCI
Under Negotiation: Right-of-Way fee Acquisition / Slope Easement /
Temporary Construction Easement

Property Address/Description: APN 680-170-014
Agency: City of Palm Springs
City Negotiator: David H. Ready, City Manager or Designee
Negotiating Parties: Brian Ferrero, ACBCI
Under Negotiation: Right-of-Way fee Acquisition / Slope Easement /
Channel Structure Easement / Temporary Construction
Easement

Property Address/Description: APN 680-170-053
Agency: City of Palm Springs
City Negotiator: David H. Ready, City Manager or Designee
Negotiating Parties: Brian Ferrero, ACBCI
Under Negotiation: Right-of-Way fee Acquisition / Slope Easement /
Channel Structure Easement / Temporary Construction
Easement

CONFERENCE WITH LABOR NEGOTIATOR

G.C. 54957.6

Agency Designated
Representatives: City Manager David Ready and Attorney Peter Brown

Employee Organizations: Management Association of Palm Springs
Palm Springs Fire Safety
Palm Springs Fire Management
Palm Springs Police Management Association
Palm Springs Police Officers Association
Service Employees International Union Local 721