

**CITY COUNCIL  
COMMUNITY REDEVELOPMENT AGENCY  
PUBLIC ARTS COMMISSION  
CITY OF PALM SPRINGS, CALIFORNIA**



**MINUTES  
WEDNESDAY, OCTOBER 7, 2009  
Council Chamber**

**CALL TO ORDER:** Mayor Pougnet called the meeting to order at 6:05 p.m.

**PLEDGE OF ALLEGIANCE:** Boy Scout Troop 262, led the Pledge.

**INVOCATION:** Duane Cox, Retired Religious Science Minister, led the Invocation.

**ROLL CALL:**

**PRESENT:** Councilmember Foat, Councilmember Hutcheson, Councilmember Weigel, Mayor Pro Tem Mills, and Mayor Pougnet.

**COMMISSION:** Commissioner Sheehan, Commissioner Stone, Vice-Chair Stearns, and Chair Sand.

**ABSENT:** Commissioners Mazur, Kabler, and Shipley.

**ALSO PRESENT:** City Manager Ready, City Attorney Holland, City Clerk Thompson.

**PRESENTATIONS:**

Mayor Pougnet and the City Council proclaimed October 7, 2009, as Gustave Patzner Day in the City of Palm Springs, in celebration of his 95th Birthday and his accomplishments in the Community.

Mary Jo Ginther, Palm Springs Bureau of Tourism, provided the City Council an update on the activities of the Bureau.

**1. JOINT MEETING WITH THE PUBLIC ARTS COMMISSION:**

**1.A. PUBLIC ARTS COMMISSION REPORT ON RECENT ACCOMPLISHMENTS, DISCUSSION OF GOALS AND UPCOMING PROJECTS:**

Public Arts Commission Chair Sand introduced the Members of the Commission, and outlined the accomplishments of the Commission during 2008-09.

Chair Sand provided an update on the goals of the Commission for the upcoming year including development of an inventory of potential public arts sites, the inclusion of public art on the Tahquitz median as part of the landscape project, and outreach and community programming.

The City Council and Members of the Commission discussed and/or commented on the following: placement of Red Echo, the balance required and challenges with respect to the placement of public art, the development of a plan for the recommendation of site selection, the loan program with the Museum, the timing for the installation of the artwork at the Palm Springs Airport, the \$600,000 fund balance in the Public Arts Fund that is not-committed, the investigation of the development of a Public Art Master Plan, solar lighting for installations, currently focusing in on the installation of public art in the Downtown area, support for Hollywood related pieces in the Downtown area, ranking or priority of the sites in order of importance, the challenges for the placement and incorporation of public art on the Tahquitz median, diversity in public art, the Commission working with the Downtown Administrator for the placement of art in vacant building store fronts in the Downtown area, the installation of a piece in the new pocket park on Gene Autry, and review the placement of the "squiggles" in an immediate area within site of each other.

No action taken.

The Public Arts Commission adjourned at 6:55 p.m., and the City Council recessed. The City Council reconvened at 6:59 p.m.

#### **PRESENTATIONS:**

Mayor Pougnet and the City Council proclaimed October 15, 2009, as the Great California Shakeout Day in the City of Palm Springs, and encouraged all residents and businesses in the City of Palm Springs to participate in the Great California Shakeout Event.

Barbara Roberts, Director of Library Services, provided an update on the activities at the Palm Springs Library.

Councilmember Foat and Councilmember Hutcheson presented an update on the activities of the Facade Improvement Program.

Mayor Pougnet announced the recent events and openings: Smart and Final, Workforce Housing Summit, Cinema Diverse, Walk to School Day in the City of Palm Springs, and upcoming parades.

Councilmember Mills provided an update on Census 2010.

**REPORT OF CLOSED SESSION:** City Attorney Holland stated that the meeting was called to order at 4:00 p.m., and the City Council recessed into Closed Session to discuss items on the posted closed session agenda. No reportable actions were taken.

**ACCEPTANCE OF THE AGENDA:**

City Clerk Thompson stated staff has requested Item 4.A. be withdrawn from the Agenda, and requested Item 2.I., be removed from the Consent Calendar for City Council discussion of alternatives.

Mayor Pougnet requested Item 2.J. be removed from the Consent Calendar for separate discussion.

Councilmember Foat requested Items 2.L., 2.P., and 2.Q. be removed from the Consent Calendar for separate discussion.

Mayor Pro Tem Mills requested Item 2.J. be removed from the Consent Calendar for separate discussion, and noted his business related abstention on Item 2.T. and Item 2.C. Warrant No. 1037775.

**ACTION:** Accept the Agenda as amended. **Motion Councilmember Hutcheson, seconded by Councilmember Weigel and unanimously carried on a roll call vote.**

**1. PUBLIC HEARINGS:**

**1.B. ROYAL STREET COMMUNICATIONS CALIFORNIA LLC. CONDITIONAL USE PERMIT AND VARIANCE TO EXCEED THE MAXIMUM ANTENNA HEIGHT FOR THE INSTALLATION OF A FORTY-FIVE FOOT COMMERCIAL COMMUNICATION ANTENNA AT 4733 EAST PALM CANYON DRIVE, ZONE W-C-D-N (CASE NO. 5.1227 AND 6.517VAR):**

Craig Ewing, Director of Planning Services, provided background information as outlined in the staff report dated October 7, 2009.

Mayor Pougnet opened the public hearing, and no speakers coming forward the public hearing was closed.

The City Council discussed and/or commented on the following: co-location capabilities, additional coverage for the increasing use of Smart Phones, and blending the antenna with the surroundings to the extent possible.

**ACTION:** Adopt Resolution No. 22599, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, APPROVING A CONDITIONAL USE PERMIT AND VARIANCE TO

ROYAL STREET COMMUNICATIONS CALIFORNIA LLC. TO INSTALL A FORTY-FIVE FOOT WIRELESS COMMUNICATION ANTENNA AT 4733 EAST PALM CANYON DRIVE (CASE NO. 5.1227 AND 6.517VAR)." **Motion Mayor Pro Tem Mills, seconded by Councilmember Hutcheson and unanimously carried on a roll call vote.**

- 1.C. **ROYAL STREET COMMUNICATIONS CALIFORNIA LLC. CONDITIONAL USE PERMIT AND VARIANCE TO EXCEED THE MAXIMUM ANTENNA HEIGHT FOR THE INSTALLATION OF A FIFTY-FIVE FOOT COMMERCIAL COMMUNICATION ANTENNA AT 2101 SAHARA ROAD, ZONE P (CASE NO. 5.1226 AND 6.513):**  
Craig Ewing, Director of Planning Services, provided background information as outlined in the staff report dated October 7, 2009.

Mayor Pougnet opened the public hearing, and the following speakers addressed the City Council.

VERNOICA AVVIZU, representing Applicant, provided background information on the project, and stated cell towers are installed on the site.

DAVID HACKER, provided background information on the installation of the cell tower at the site.

BILL FERRA, commented on the code enforcement improvements on the site since the application has been filed, and stated his support for the project.

No further speakers coming forward, the public hearing was closed.

The City Council discussed and/or commented on the following: landscaping on the street space, the proximity to the residential area, and extending the masonry walls to the property line.

**ACTION:** Adopt Resolution No. 22600, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, APPROVING A CONDITIONAL USE PERMIT AND VARIANCE TO ROYAL STREET COMMUNICATIONS CALIFORNIA LLC. TO INSTALL A FIFTY-FIVE FOOT WIRELESS COMMERCIAL COMMUNICATION ANTENNA DESIGNED AS AN ARTIFICIAL PALM TREE AT 2101 SAHARA ROAD (CASE NO. 5.1226 AND 6.513)," *amending the Conditions of Approval to provide for the extension of the masonry wall to the East/South property line.* **Motion Councilmember Weigel, seconded by Councilmember Foat and unanimously carried on a roll call vote.**

**1.D. DESIGNATION OF THE OASIS COMMERCIAL BUILDING AT 101-121 SOUTH PALM CANYON DRIVE AS A CLASS 1 HISTORIC SITE (HSPB 55):**

**ACTION:** 1) The City Council closed the public testimony on July 22, 2009; 2) Continue the City Council deliberations to November 4, 2009; and 3) Direct the City Clerk to post a Notice of Continued Public Hearing. **Motion Mayor Pro Tem Mills, seconded by Councilmember Hutcheson and unanimously carried on a roll call vote.**

**PUBLIC COMMENT:**

PHYLLIS BURGESS, Palm Springs, stated we need to work in the City for all persons instead of promoting the interests of the few.

DEAN LOCKWOOD, Mizell Senior Center, requested the City Council consider the request to modify City regulations with respect to the conduct of Bingo.

CHARLES SACHS, Palm Springs, commented on the removal of trees at Casa de Oro.

MICHAEL STEVENS, requested the City Council consider further regulations on charitable solicitors.

JIM DOWLER, requested the City Council support Item 2.S. for additional space for the USO at the Palm Springs International Airport.

**COUNCILMEMBER COMMENTS:**

Councilmember Foat requested staff provide a report to the City Council on the regulation of charitable solicitation.

Mayor Pro Tem Mills commented on the modification of the landscaping at Casa de Oro, and requested staff create a presentation for Homeowners Associations.

Councilmember Weigel stated his support for further regulation of charitable solicitation, and requested staff research and report to the City Council.

**CITY MANAGER'S REPORT:** City Manager Ready provided an update on the activities of Code Enforcement.

**2. CONSENT CALENDAR:**

**ACTION:** Approve Items 2.A., 2.B., 2.C., 2.D., 2.E., 2.F., 2.G., 2.H., 2.K., 2.M., 2.N., 2.O., 2.R., 2.S., and 2.T. **Motion Mayor Pro Tem Mills, seconded by Councilmember Weigel and unanimously carried on a roll call vote.**

**2.A. REPORT ON POSTING OF THE AGENDA:**

**ACTION:** Receive and file Report on the Posting of the October 7, 2009, City Council Agenda. **Approved as part of the Consent Calendar.**

**2.B. APPROVAL OF MINUTES:**

**ACTION:** Approve the City Council/Community Redevelopment Agency Minutes of September 16, 2009. **Approved as part of the Consent Calendar.**

**2.C. APPROVAL OF PAYROLL WARRANTS, CLAIMS AND DEMANDS:**

**ACTION:** 1) Adopt Resolution No. 22601, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, APPROVING PAYMENT OF PAYROLL WARRANTS FOR THE PERIOD ENDED 9-05-09 BY WARRANTS NUMBERED 414991 THROUGH 415036 TOTALING \$58,777.67, LIABILITY CHECKS NUMBERED 1037657 THROUGH 1037677 TOTALING \$142,948.88, FIVE WIRE TRANSFERS FOR \$52,983.67, AND THREE ELECTRONIC ACH DEBITS OF \$1,102,706.84, IN THE AGGREGATE AMOUNT OF \$1,357,417.06, DRAWN ON BANK OF AMERICA;" and 2) Adopt Resolution No. 22602, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, APPROVING PAYMENT OF CLAIMS AND DEMANDS BY WARRANTS NUMBERED 1037678 THROUGH 1037738 IN THE AGGREGATE AMOUNT OF \$212,770.63, DRAWN ON BANK OF AMERICA;" 3) Adopt Resolution No. 22603, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, APPROVING PAYMENT OF CLAIMS AND DEMANDS BY WARRANTS NUMBERED 1037739 THROUGH 1037873 IN THE AGGREGATE AMOUNT OF \$1,509,754.80, DRAWN ON BANK OF AMERICA;" 4) Adopt Resolution No. 22604, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, APPROVING PAYMENT OF PAYROLL WARRANTS FOR THE PERIOD ENDED 9-19-09 BY WARRANTS NUMBERED 415037 THROUGH 415071 TOTALING \$54,466.92, LIABILITY CHECKS NUMBERED 1037874 THROUGH 1037894 TOTALING \$142,664.64, FIVE WIRE TRANSFERS FOR \$52,854.49, AND THREE ELECTRONIC ACH DEBITS OF \$1,072,532.52, IN THE AGGREGATE AMOUNT OF \$1,322,518.57, DRAWN ON BANK OF AMERICA;" and 5) Adopt Resolution No. 22605, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, APPROVING PAYMENT OF CLAIMS AND DEMANDS BY WARRANTS NUMBERED 1037895 THROUGH 1038038 IN THE AGGREGATE AMOUNT OF \$531,052.48, DRAWN ON BANK OF AMERICA." **Approved as part of the Consent Calendar, noting the business related abstention of Councilmember Mills on Warrant No. 1037775.**

**2.D. SECOND READING AND ADOPTION OF PROPOSED ORDINANCE NO. 1763, RELATING TO THE ESTABLISHMENT OF A STOREFRONT IMPROVEMENT PROGRAM FOR VACANT BUILDINGS:**

**ACTION:** Waive further reading and adopt Ordinance No. 1763, "AN ORDINANCE OF THE CITY OF PALM SPRINGS, CALIFORNIA, AMENDING SECTIONS 8.80.020 AND 8.80.040 OF, AND AMENDING SUBSECTION (a) OF SECTION 8.80.030 AND SUBSECTION (b) OF SECTION 8.80.070 OF, THE PALM SPRINGS MUNICIPAL CODE RELATING TO THE ESTABLISHMENT OF A STOREFRONT IMPROVEMENT PROGRAM FOR VACANT BUILDINGS." **Approved as part of the Consent Calendar.**

**2.E. ACCEPT THE RESIGNATION OF PAUL LEWIN FROM THE SUSTAINABILITY COMMISSION FOR THE UNEXPIRED TERM ENDING JUNE 30, 2012:**

**ACTION:** 1) Accept with regret the resignation of Paul Lewin from the Sustainability Commission for the unexpired term ending June 30, 2012; and 2) Direct the City Clerk to post a Notice of Vacancy. **Approved as part of the Consent Calendar.**

**2.F. JOINT ITEM OF THE CITY COUNCIL AND THE COMMUNITY REDEVELOPMENT AGENCY APPROVING ADDITIONAL FUNDING FOR THE FACADE IMPROVEMENT PROGRAM FOR THE DOWNTOWN AND UPTOWN AREAS:**

**ACTION:** 1) Approve an additional \$50,000 funding for the Facade Improvement Program; and 2) Direct the Finance Director to appropriate \$50,000 from Unscheduled Capital Projects (Merged Area No. 1) 811-8191-50000 to the Facade Improvement Program. **Approved as part of the Consent Calendar.**

**2.G. AWARD PURCHASE OF ONE (1) 2010 INTERNATIONAL DURASTAR #4400 300-HP HEAVY DUTY TRUCK FOR URBAN SEARCH & RESCUE PROGRAM UTILIZING CALIFORNIA DEPARTMENT OF HOMELAND SECURITY GRANT FUNDS:**

**ACTION:** 1) Approve a cooperative purchase with Riverside County for one (1) 2010 International Durastar #4400, 300-HP heavy duty truck from Westrux International, Inc. located in Colton, CA in the amount of \$91,938.20; and 2) Authorize the City Manager to execute all necessary documents. **Approved as part of the Consent Calendar.**

**2.H. APPROVE THE PURCHASE OF A 35 FOOT SAFETY EDUCATION TRAILER WITH EARTHQUAKE AND EXTREME WEATHER SIMULATION PACKAGE:**

**ACTION:** 1) Approve the purchase of one (1) new 2010 35' Fire Safety Education Trailer with an earthquake simulation package from Mobile Concepts by Scottie in the amount of \$65,014.63; and 2) Authorize the

City Manager to execute all necessary documents. **Approved as part of the Consent Calendar.**

- 2.K. APPROVING A DONATION, NAMING AND COMMEMORATIVE MEMORIAL PROGRAM:**  
**ACTION:** Adopt Resolution No. 22606, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, APPROVING A DONATION, NAMING AND COMMEMORATIVE MEMORIAL PROGRAM AND POLICY FOR NAMING CITY FACILITIES AND PROPERTY." **Approved as part of the Consent Calendar.**
- 2.M. TREASURER'S INVESTMENT REPORT AS OF AUGUST 31, 2009:**  
**ACTION:** Receive and File the Treasurer's Investment Report as of August 31, 2009. **Approved as part of the Consent Calendar.**
- 2.N. AMENDMENT NO. 1 TO THE FISCAL YEAR 2009-10 ALLOCATED POSITIONS AND COMPENSATION PLAN:**  
**ACTION:** Adopt Resolution No. 22608, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, APPROVING AMENDMENT NO. 1 TO THE ALLOCATED POSITIONS AND COMPENSATION PLAN FOR FISCAL YEAR 2009-10, ADOPTED BY RESOLUTION NO. 22530." **Approved as part of the Consent Calendar.**
- 2.O. STAFF AUTHORIZED AGREEMENTS FOR SEPTEMBER 1 THROUGH SEPTEMBER 30, 2009:**  
**ACTION:** Receive and File the staff authorized agreements covering the period September 1 through September 30, 2009. **Approved as part of the Consent Calendar.**
- 2.R. APPROVAL OF SUPPLEMENTAL SPACE USE AGREEMENTS FOR THE PARADIES SHOPS, LLC, AT THE PALM SPRINGS INTERNATIONAL AIRPORT**  
**ACTION:** 1) Approve a Supplemental Office Space Use Agreement with The Paradies Shops, LLC, for a 140 square foot office space, effective October 20, 2009 through October 31, 2012, at \$300.88 per month; 2) Approve a Supplemental Storage Space Use Agreement with the Paradies Shops, LLC, for a 304 square foot storage space, effective November 1, 2009 through October 31, 2012, at \$508.19 per month; and 3) Authorize the City Manager to execute the Agreements. A5906. A5907. **Approved as part of the Consent Calendar.**
- 2.S. AMENDMENT NO. 1 TO AGREEMENT NO. A5631 NON-EXCLUSIVE OPERATING AND LEASE AGREEMENT WITH THE UNITED SERVICE ORGANIZATION (USO) - GREATER LOS ANGELES AREA, INC., FOR**

**AN ADDITIONAL 114 SQUARE FEET AT THE PALM SPRINGS INTERNATIONAL AIRPORT:**

**ACTION:** 1) Approve Amendment No. 1 to Agreement No. A5631 with the United Service Organization - Greater Los Angeles Area, Inc., Non-Exclusive Operating and Lease Agreement, for 114 square feet, at no additional cost, effective November 1, 2009 through October 31, 2011; and 2) Authorize the City Manager to execute the Amendment to the Agreement. A5361. **Approved as part of the Consent Calendar.**

**2.T. APPROVE AN AGREEMENT WITH THE PALM SPRINGS UNIFIED SCHOOL DISTRICT TO PROVIDE A FULL TIME POLICE OFFICER AT THE PALM SPRINGS HIGH SCHOOL CAMPUS:**

**ACTION:** 1) Approve an Agreement with the Palm Springs Unified School District to provide a full time police officer at the Palm Springs High School campus including the Ramon Academy, for one year expiring at the end of school year 2010; and 2) Authorize the City Manager to execute the Agreement. A5553. **Approved as part of the Consent Calendar, noting the business related abstention of Councilmember Mills.**

**EXCLUDED CONSENT CALENDAR:**

**2.I. AWARD IMPROVEMENT CONTRACT AND LICENSE AGREEMENT FOR THE PORT LAWRENCE TEMPORARY PARKING LOT IMPROVEMENTS (CITY PROJECT NO. 09-06):**

David Barakian, City Engineer, provided background information as outlined in the staff report dated October 7, 2009.

The City Council discussed and/or commented on the following: methods to commence the project sooner, and waiver of the bonds.

**ACTION:** 1) Approve a License Agreement with Palm Springs, LLC, a Delaware limited liability company; 2) Approve an Agreement with Demo Unlimited, Inc., in the amount of \$88,648.10, for Bid Schedules A and B, for the Port Lawrence Temporary Parking Lot Improvements (City Project No. 09-06); and 3) Authorize the City Manager to execute all necessary documents. A5903. A5904. **Motion Councilmember Hutcheson, seconded by Councilmember Foat and unanimously carried on a roll call vote.**

**2.J. REQUEST FROM MIZELL SENIOR CENTER TO MODIFY CITY REGULATIONS WITH RESPECT TO THE CONDUCT OF BINGO (PSMC CHAPTER 11.13):**

The City Council requested and directed staff to research any alternatives and modifications to the current bingo regulations.

**ACTION:** 1) Receive and File the request from the Mizell Senior Center to modify City regulations with respect to Bingo; and 2) Direct staff to bring proposed modifications to the City Council. **Motion Mayor Pro Tem Mills, seconded by Councilmember Weigel and unanimously carried on a roll call vote.**

**2.L. PROPOSED RESOLUTION IN SUPPORT OF THE PLUG-IN PARTNERS NATIONAL CAMPAIGN:**

Michele Mician, Manager of Sustainability, provided background information as outlined in the staff report dated October 7, 2009.

**ACTION:** Adopt Resolution No. 22607, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, DEMONSTRATING A COMMITMENT TO SUPPORT FEDERAL, STATE AND LOCAL POLICIES THAT WILL ADVANCE FLEXIBLE-FUEL PLUG-IN HYBRID ELECTRIC VEHICLES." **Motion Councilmember Foat, seconded by Councilmember Hutcheson and unanimously carried on a roll call vote.**

Councilmember Weigel requested the City Attorney review and report on the use of NEV electric vehicles.

**2.P. ACCEPTANCE OF THE ENERGY-EFFICIENCY AND CONSERVATION BLOCK GRANT (EECBG) FROM THE UNITED STATES DEPARTMENT OF ENERGY UNDER THE AMERICAN RECOVERY AND REINVESTMENT ACT OF 2009:**

Thomas Wilson, Assistant City Manager, provided background information as outlined in the staff report dated October 7, 2009.

**ACTION:** 1) Approve and accept the United States Department of Energy, Office of Energy Efficiency and Renewable Energy, Energy-Efficiency and Conservation Block Grant in the amount of \$225,600 (Award No. DE-EE002156); and 2) Authorize the City Manager to execute all necessary documents. A5905. **Motion Councilmember Foat, seconded by Mayor Pougnet and unanimously carried on a roll call vote.**

**2.Q. APPROVE THE TEMPORARY WAIVER OF BUILDING PERMIT FEES FOR THE COACHELLA VALLEY ASSOCIATION OF GOVERNMENTS POOL PUMP REBATE AND FEE WAIVER PROGRAM:**

Michele Mician, Manager of Sustainability, provided background information as outlined in the staff report dated October 7, 2009.

**ACTION:** Adopt Resolution No. 22609, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, TEMPORARILY WAIVING CERTAIN BUILDING FEES FOR THE HIGH EFFICIENCY POOL PUMP REPLACEMENT PROGRAM ADMINISTERED BY THE COACHELLA VALLEY ASSOCIATION OF GOVERNMENTS (CVAG)." **Motion**

**Councilmember Foat, seconded by Councilmember Weigel and unanimously carried on a roll call vote.**

3. **LEGISLATIVE:** None.

4. **UNFINISHED BUSINESS:**

4.A. **JOINT ITEM OF THE CITY COUNCIL AND THE COMMUNITY REDEVELOPMENT AGENCY APPROVING A LEASE AGREEMENT WITH VERIZON WIRELESS FOR A NON-EXCLUSIVE USE OF FLOOR SPACE ON THE TOP DECK OF THE CITY-OWNED PARKING STRUCTURE LOCATED AT 295 SOUTH INDIAN CANYON DRIVE:**

Item withdrawn at the request of staff.

5. **NEW BUSINESS:**

5.A. **FIRST QUARTER FISCAL YEAR 2009-10 BUDGET UPDATE AND REVIEW OF CITY COUNCIL GOALS AND PRIORITIES ESTABLISHED MARCH, 2008:**

Geoffrey Kiehl, Director of Finance, provided a PowerPoint presentation with an update to the Fiscal Year 2009-10 Budget.

City Manager Ready provided background information as outlined in the March 7, 2008, City Council Priority Areas and Goals.

The City Council discussed and/or commented on the following: the success of the on-line small business resource center, and other business programs, staff recommendations for deficit reduction measures and adding deficit reduction measures to the list of Council priorities, and monitoring the current economic and development environment.

No action taken.

5.B. **PROPOSED RESOLUTION APPROVING THE FORM OF AND AUTHORIZING THE EXECUTION AND DELIVERY OF A PURCHASE AND SALE AGREEMENT AND RELATED DOCUMENTS WITH RESPECT TO THE SALE OF THE SELLER'S PROPOSITION 1A RECEIVABLE FROM THE STATE AND DIRECTING AND AUTHORIZING CERTAIN OTHER ACTIONS IN CONNECTION THEREWITH:**

Geoffrey Kiehl, Director of Finance, provided background information as outlined in the staff report dated October 7, 2009.

**ACTION:** 1) Adopt Resolution No. 22610, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, APPROVING THE FORM OF AND AUTHORIZING THE EXECUTION

AND DELIVERY OF A PURCHASE AND SALE AGREEMENT AND RELATED DOCUMENTS WITH RESPECT TO THE SALE OF THE SELLER'S PROPOSITION 1A RECEIVABLE FROM THE STATE; AND DIRECTING AND AUTHORIZING CERTAIN OTHER ACTIONS IN CONNECTION THEREWITH;" and 2) Authorize the City Manager, Director of Finance and Treasurer, City Attorney, and City Clerk to execute all necessary documents subject to final review and approval by the City Attorney, and subject to authorization from the state. **Motion Councilmember Foat, seconded by Councilmember Hutcheson and unanimously carried on a roll call vote.**

**5.C. CITY COUNCIL APPOINTMENTS TO THE CITY COUNCIL SUBCOMMITTEE ON SUSTAINABILITY:**

**ACTION:** Appoint Councilmember Foat and Councilmember Hutcheson to the City Council Subcommittee on Sustainability. **Motion Mayor Pougnet, seconded by Mayor Pro Tem Mills and unanimously carried on a roll call vote.**

**5.D. APPOINTMENTS TO THE PARKS AND RECREATION COMMISSION:**

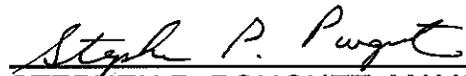
**ACTION:** 1) Appoint Nancy Ferguson to the Parks and Recreation Commission for the un-expired term ending June 30, 2012; and 2) Appoint Clifford Reed to the Parks and Recreation Commission for the un-expired term ending June 30, 2010. **Motion Councilmember Weigel, seconded by Councilmember Hutcheson and unanimously carried on a roll call vote.**

**COUNCILMEMBER COMMENTS, REQUESTS, AND REPORTS:**

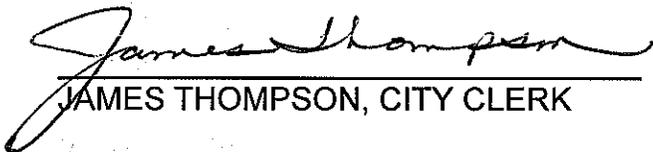
Councilmember Hutcheson requested the City Manager schedule a study session to look at creating business incentives, and find an appropriate place on the website to recap the grants that the City has obtained from Federal agencies.

**ADJOURNMENT:** The City Council adjourned, *in memory of Leon Greenburg*, at 9:05 p.m. to a Joint Meeting with the Tribal Council of the Agua Caliente Band of Cahuilla Indians, Wednesday, October 28, 2009, at 5:30 P.M. Spa Hotel and Resort, Cahuilla Room, 100 North Indian Canyon Drive, Palm Springs.

**APPROVED BY A MOTION OF THE PALM SPRINGS CITY COUNCIL THIS 4<sup>TH</sup> DAY OF NOVEMBER, 2009.**

  
STEPHEN P. POUGNET, MAYOR

ATTEST:

  
JAMES THOMPSON, CITY CLERK