

**CITY COUNCIL  
CITY OF PALM SPRINGS, CALIFORNIA**



**MINUTES**  
**WEDNESDAY, JULY 9, 2008**  
City Hall Council Chamber

**CALL TO ORDER:** Mayor Pro Tem Foat called the meeting to order at 6:02 p.m.

**PLEDGE OF ALLEGIANCE:** Councilmember Mills led the Pledge.

**INVOCATION:** Dr. Amanda Burr, United Methodist Church of Palm Springs, led the Invocation.

**ROLL CALL:**

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

**ABSENT:** Councilmember Weigel and Mayor Pougnet.

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

**REPORT OF CLOSED SESSION:** City Attorney Holland reported that at 5:00 p.m. the City Council recessed into Closed Session to discuss items on the posted Closed Session Agenda. No reportable actions were taken.

**PRESENTATIONS:** Blake Goetz, Fire Chief, announced a gift to the City of new Fire Imaging Technology Equipment.

**ACCEPTANCE OF THE AGENDA:**

Councilmember Hutcheson requested Item 2.I. be removed from the Consent Calendar for separate discussion.

Councilmember Mills requested Item 2.G. be removed from the Consent Calendar for separate discussion.

Mayor Pro Tem Foat requested Items 2.I. and 2.P. be removed from the Consent Calendar for separate discussion.

City Clerk Thompson stated staff has requested the City Council continue Public Hearing Item 1.C. to July 30, 2008.

**ACTION:** 1) Continue Public Hearing Item 1.C., *Standards for Portable "Open" Signs*, to July 30, 2008; and 2) Direct the City Clerk to post a Notice of Continued Public Hearing. **Motion Councilmember Hutcheson, seconded by Councilmember Mills and unanimously carried 3-0 on a roll call vote.**

**AYES:** Councilmember Hutcheson, Councilmember Mills, and Mayor Pro Tem Foat.  
**NOES:** None.  
**ABSENT:** Councilmember Weigel and Mayor Pougnet.

**ACTION:** Accept the Agenda as amended. **Motion Councilmember Hutcheson, seconded by Councilmember Mills and unanimously carried 3-0 on a roll call vote.**

**AYES:** Councilmember Hutcheson, Councilmember Mills, and Mayor Pro Tem Foat.  
**NOES:** None.  
**ABSENT:** Councilmember Weigel and Mayor Pougnet.

**1. PUBLIC HEARINGS:**

**1.A. CONTINUED PUBLIC HEARING [FROM JUNE 18, 2008] APPEAL OF THE DECISION OF THE HISTORIC SITE PRESERVATION BOARD BY ROXANN PLOSS TO TAKE NO ACTION ON A STAY OF DEMOLITION FOR THE PROPERTY KNOWN AS LA SERENA VILLAS LOCATED AT 339 SOUTH BELARDO ROAD HSPB 3.2130:**

Craig Ewing, Director of Planning Services, and Don Duckworth, Director of Building and Safety, provided background information as outlined in the staff report dated July 9, 2008.

Councilmember Mills requested staff address the condition of the roofing, and possible recent renovations, questioned if any prior infrastructure was remaining.

Mayor Pro Tem Foat opened the Public Hearing, and the following speakers addressed the City Council.

ROXANN PLOSS, stated the owner promised the community the property would be rehabilitated as hotel rooms, commented on other re-use projects, stated the property could not be developed for other uses due to its size, and indicated the community is working toward a solution and requested additional time.

SHERYL HAMLIN, stated someone may wish to rehabilitate the property, the report should not have included financial aspects and historical information as that information was not requested by the City Council.

JADE NELSON, commented on the historical significance of the property, and provided historical background for the property.

JAY GUSTUFSON, Palm Springs, encouraged the retention and development of small hotels in the City of Palm Springs, and requested a six month extension before demolition.

FRANK TYSEN, Palm Springs, stated the reasons why the property should be a Class 1 Historic Site, the hotel is 16 units not 27 units, provided information on upcoming activities related to the possible sale and rehabilitation of the property, and requested a six month extension on the demolition.

JOAN MARTIN, commented on a recent positive experience at the hotel, requested the property be upgraded and rehabilitated, and requested a six month extension on the demolition.

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

Councilmember Hutcheson requested staff and the current owner address if the Core Group had expressed any interest in a transfer or sale of the property, stated his support for a stay of demolition for six months, but the City has to ensure the safety of the public.

Councilmember Mills requested staff address the City's requirements if the City Council approved a stay of demolition for six months, what would happen if the owners fail to take action during the stay, commented on the current condition of the property and the "restoration in progress," the property's future without a designation, and stated his support to allow something to happen with the property, along with securing of the property.

Mayor Pro Tem Foat questioned why the property has never been considered for historic designation.

**ACTION:** 1) Overrule the decision of the Planning Commission and approve a Stay of Demolition for a period of six months with the condition that the property be secured and painted subject to the Building Official and; 2) Direct the Historic Site Preservation Board to study and report on any Historical findings and significance of the property. **Motion**

**Councilmember Hutcheson, seconded by Councilmember Mills and unanimously carried 3-0 on a roll call vote.**

**AYES:** Councilmember Hutcheson, Councilmember Mills, and Mayor Pro Tem Foat.

**NOES:** None.

**ABSENT:** Councilmember Weigel and Mayor Pougnet.

**1.B. APPEAL BY FELIX BARTHELEMY AND RICHARD SAVING OF THE PLANNING COMMISSION'S ACTION OF MAY 28, 2008, APPROVING CASE NO. 3.3216-SFR, AN APPLICATION FOR ARCHITECTURAL REVIEW OF A 4,000 SQUARE FOOT HILLSIDE SINGLE FAMILY RESIDENCE LOCATED AT 844 PANORAMA ROAD:**

Craig Ewing, Director of Planning Services, provided background information as outlined in the staff report dated July 9, 2008.

Mayor Pro Tem Foat opened the public hearing, and the following speakers addressed the City Council.

FELIX BARTHELEMY, Appellant, stated the decision of the Planning Commission does not consider the impacts to the neighborhood, requested the proposed house be located in the center of the property, stated that the solar panels were not considered in the height calculation, and recommended the City Council consider the negative impact to the neighborhood.

LANCE O'DONNELL, representing the Applicant, commented on the placement and orientation of the home.

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

Councilmember Mills commented on the site plan, stated the project has a minimal impact to the neighborhood, and the house was designed for the space, stated his support for the setback from the street, and the Planning Commission and the AAC did appropriate work on the proposed project.

Councilmember Hutcheson stated the owner has proposed a project within the current code and his support to uphold the Planning Commission decision.

Mayor Pro Tem Foat requested staff address if the distance is measured from the property line or between the structures, requested staff address the subdivision requirements.

Councilmember Mills requested the City Attorney address how the City may condition the denial of the appeal.

**MOTION:** Adopt Resolution "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, DENYING THE APPEAL BY FELIX BARTHELEMY AND RICHARD SAVING AND UPHOLDING THE DECISION OF THE PLANNING COMMISSION TO APPROVE CASE NO. 3.3216-SFR;" with the intent that the property remain a single lot. **Motion Councilmember Hutcheson, seconded by Councilmember Mills and failed 2-1 on a roll call vote.**

**AYES:** Councilmember Hutcheson and Councilmember Mills.  
**NOES:** Mayor Pro Tem Foat.  
**ABSENT:** Councilmember Weigel and Mayor Pougnet.

**ACTION:** 1) Close the Public Testimony portion of the public hearing; 2) Continue the Public Hearing to July 30, 2008; and 3) Direct the City Clerk to post a Notice of Continued Public Hearing. **Motion Councilmember Mills, seconded by Mayor Pro Tem Foat and unanimously carried 3-0 on a roll call vote.**

**AYES:** Councilmember Hutcheson, Councilmember Mills, and Mayor Pro Tem Foat.  
**NOES:** None.  
**ABSENT:** Councilmember Weigel and Mayor Pougnet.

The City Council recessed at 7:14 p.m.  
The City Council reconvened at 7:17 p.m.

**1.C. PROPOSED ZONING ORDINANCE AMENDMENT ESTABLISHING STANDARDS FOR PORTABLE "OPEN" SIGNS IN COMMERCIAL ZONES:**

Public Hearing continued to July 30, 2008, under Acceptance of the Agenda.

**1.D. TAX AND EQUITY FISCAL RESPONSIBILITY ACT HEARING FOR THE PROPOSED ISSUANCE OF TAX-EXEMPT MULTI-FAMILY HOUSING REVENUE BONDS BY THE CITY NOT-TO-EXCEED \$13,000,000 AGGREGATE PRINCIPAL AMOUNT FOR THE BENEFIT OF THE COACHELLA VALLEY HOUSING COALITION:**

John Raymond, Director of Community and Economic Development, provided background information as outlined in the staff report dated July 9, 2008.

Mayor Pro Tem Foat opened the public hearing, and no speakers coming forward the public hearing was closed.

**ACTION:** 1) Adopt Resolution No. 22269, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, AUTHORIZING THE ISSUANCE OF TAX-EXEMPT MULTI-FAMILY HOUSING REVENUE BONDS BY THE CITY OF PALM SPRINGS (CONDUIT FINANCING) NOT-TO-EXCEED \$13,000,000 AGGREGATE PRINCIPAL AMOUNT FOR THE BENEFIT OF THE COACHELLA VALLEY HOUSING COALITION, A CALIFORNIA NON-PROFIT PUBLIC BENEFIT CORPORATION, FOR THE ACQUISITION, CONSTRUCTION, AND DEVELOPMENT OF THE ROSA GARDENS APARTMENTS AT 3603 MC CARTHY ROAD;" and 2) Authorize the City Manager to execute all necessary documents. A5697. **Motion Councilmember Mills, seconded by Councilmember Hutcheson and unanimously carried 3-0 on a roll call vote.**

**AYES:** Councilmember Hutcheson, Councilmember Mills, and Mayor Pro Tem Foat.  
**NOES:** None.  
**ABSENT:** Councilmember Weigel and Mayor Pougnet.

**PUBLIC COMMENT:**

WENDIE BUSIG-COHEN, announced grants to eight youth that were selected by the Palm Springs Conservatory for summer camp.

SCOTT AND KATIE BURD, announced grants to eight youth that were selected by the Palm Springs Conservatory for summer camp.

JARVIS CRAWFORD, provided information on grants to eight youth that were selected by the Palm Springs Conservatory for summer camp.

MARILYN YEATES, Children's Discovery Museum, provided information on grants to eight youth that were selected by the Palm Springs Conservatory for summer camp.

WESLEY ROSS, commented on the possible closure of the mental health facility in Indio.

DARRON DAHLE, commented on "Open" sign ordinance, and requested assistance to the Downtown businesses.

JOY MEREDITH, Palm Springs, commented on portable "Open" signs.

RODOLFO CASTILLO, commented on portable "Open" signs.

BONNIE REISS, commented on portable "Open" signs.

WILLIE HOLLAND, commented on the problems in the Desert Highland Gateway Neighborhood.

**COUNCILMEMBER COMMENTS:**

Councilmember Mills requested a report on vacancies in the Central Business District area.

**CITY MANAGER'S REPORT:** None.

**2. CONSENT CALENDAR:**

Mayor Pro Tem Foat noted her abstention on Item 2.B. the Minutes of June 4, 2008.

**ACTION:** Approve Items 2.A., 2.B., 2.C., 2.D., 2.E., 2.F., 2.H., 2.J., 2.K., 2.L., 2.M., 2.N., 2.O., 2.Q., 2.R., 2.S., 2.T., 2.U., 2.V., 2.W., 2.X., 2.Y., and 2.Z.  
**Motion Councilmember Hutcheson, seconded by Councilmember Mills and unanimously carried 3-0 on a roll call vote.**

**AYES:** Councilmember Hutcheson, Councilmember Mills, and Mayor Pro Tem Foat.

**NOES:** None.

**ABSENT:** Councilmember Weigel and Mayor Pougnet.

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

**ACTION:** Receive and file Report on the Posting of the July 9, 2008, City Council Agenda. **Approved as part of the Consent Calendar.**

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

**ACTION:** Approve the City Council Minutes of June 4, 2008, June 11, 2008, June 18, 2008, and June 25, 2008. **Approved as part of the Consent Calendar, noting the abstention of Mayor Pro Tem Foat on the June 4, 2008 Minutes.**

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

**ACTION:** 1) Adopt Resolution No. 22270, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, APPROVING PAYMENT OF CLAIMS AND DEMANDS BY WARRANTS NUMBERED 1028714 THROUGH 1028923 IN THE AGGREGATE AMOUNT OF \$1,526,647.27 DRAWN ON BANK OF AMERICA;" 2) Adopt Resolution No. 22271, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, APPROVING PAYMENT

OF PAYROLL WARRANTS FOR THE PERIOD ENDED 6-14-08 BY WARRANTS NUMBERED 413488 THROUGH 413537 TOTALING \$77,190.32, LIABILITY CHECKS NUMBERED 1028924 THROUGH 1028944 TOTALING \$147,092.36, FOUR WIRE TRANSFERS FOR \$65,566.15, AND THREE ELECTRONIC ACH DEBITS OF \$1,064,448.68, IN THE AGGREGATE AMOUNT OF \$1,354,297.51 DRAWN ON BANK OF AMERICA;" 3) Adopt Resolution No. 22272, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, APPROVING PAYMENT OF CLAIMS AND DEMANDS BY WARRANTS NUMBERED 1028945 THROUGH 1029032 IN THE AGGREGATE AMOUNT OF \$552,401.71 DRAWN ON BANK OF AMERICA;" 4) Adopt Resolution No. 22273, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, APPROVING PAYMENT OF CLAIMS AND DEMANDS BY WARRANTS NUMBERED 1029033 THROUGH 1029169 IN THE AGGREGATE AMOUNT OF \$825,309.61 DRAWN ON BANK OF AMERICA;" and 5) Adopt Resolution No. 22274, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, APPROVING PAYMENT OF CLAIMS AND DEMANDS BY WARRANTS NUMBERED 1029170 THROUGH 1029259 IN THE AGGREGATE AMOUNT OF \$712,004.55 DRAWN ON BANK OF AMERICA." **Approved as part of the Consent Calendar.**

**2.D. STAFF AUTHORIZED AGREEMENTS FOR JUNE, 2008:**

**ACTION:** Receive and file Staff Authorized Agreements covering the period June 1, 2008, through June 30, 2008. **Approved as part of the Consent Calendar.**

**2.E. TREASURER'S INVESTMENT REPORT AS OF MAY 31, 2008:**

**ACTION:** Receive and File the Treasurer's Investment Report as of May 31, 2008. **Approved as part of the Consent Calendar.**

**2.F. APPOINTMENT OF A CITY COUNCIL SUBCOMMITTEE FOR THE PURPOSE OF REVIEWING THE REGULATION OF TAXI CABS IN THE CITY OF PALM SPRINGS:**

**ACTION:** Appoint Councilmember Hutcheson and Councilmember Mills to a City Council Subcommittee for the Regulation of Taxi Cabs. **Approved as part of the Consent Calendar.**

**2.H. PROPOSED FISCAL YEAR 2007-08 BUDGET AMENDMENT FOR THE APPROPRIATION OF PASSENGER FACILITY CHARGES:**

**ACTION:** Adopt Resolution No. 22276, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, AMENDING THE FISCAL YEAR 2007-08 BUDGET." **Approved as part of the Consent Calendar.**

- 2.J. AUTHORIZE MISCELLANEOUS FISCAL YEAR 2008-09 MAINTENANCE AND REPAIR EXPENDITURES:**  
**ACTION:** 1) Authorize issuance of a Purchase Order for the as-needed purchase of Caterpillar repair parts from Johnson Power Systems in an amount not-to-exceed \$100,000; 2) Authorize the issuance of a Purchase Order for radio system maintenance and repair services from Motorola in the amount of \$73,487; and 3) Authorize the issuance of a Purchase Order for carpet maintenance services from DFS Flooring in the amount of \$61,488. **Approved as part of the Consent Calendar.**
- 2.K. STATUS REPORT ON THE COACHELLA VALLEY MOSQUITO AND VECTOR CONTROL DISTRICT FROM CITY REPRESENTATIVE TRUSTEE SHARON LOCK:**  
**ACTION:** Receive and File. **Approved as part of the Consent Calendar.**
- 2.L. AUTHORIZATION TO SUBMIT A FISCAL YEAR 2008-09 STATE HOMELAND SECURITY GRANT AND DESIGNATION OF THE CITY MANAGER AS THE APPLICANT AGENT:**  
**ACTION:** Adopt Resolution No. 22277, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, AUTHORIZING THE SUBMISSION OF A FISCAL YEAR 2008-09 STATE HOMELAND SECURITY GRANT PROGRAM APPLICATION AND THE DESIGNATION OF APPLICANT AGENT." **Approved as part of the Consent Calendar.**
- 2.M. RATIFY AND APPOINT THE NOMINATION OF THE CITY OF RANCHO MIRAGE TO THE PALM SPRINGS INTERNATIONAL AIRPORT COMMISSION FOR THE TERM ENDING JUNE 30, 2011:**  
**ACTION:** Appoint Doug Johnson, as the City of Rancho Mirage representative, to the Palm Springs International Airport Commission for the term ending June 30, 2011. **Approved as part of the Consent Calendar.**
- 2.N. RATIFY AND APPOINT THE NOMINATION OF THE CITY OF LA QUINTA TO THE PALM SPRINGS INTERNATIONAL AIRPORT COMMISSION FOR THE TERM ENDING JUNE 30, 2011:**  
**ACTION:** Appoint Nancy Doria, as the City of La Quinta representative, to the Palm Springs International Airport Commission for the term ending June 30, 2011. **Approved as part of the Consent Calendar.**
- 2.O. NOTICE TO PROCEED FOR DIGESTER NO. 1 TO VEOLIA WATER NORTH AMERICA-WEST, LLC:**  
**ACTION:** Approve the Notice to Proceed for Digester No. 1 to Veolia Water North America-West, LLC. **Approved as part of the Consent Calendar.**

**2.Q. TRAFFIC SIGNAL MAINTENANCE SERVICES AGREEMENT MODIFICATION AND BUDGET AMENDMENT:**

**ACTION:** 1) Approve maximum contract amount of \$193,017.79 for Agreement No. A4725 with Riverside County, Department of Transportation, for traffic signal maintenance for Fiscal Year 2006-07; 2) Adopt Resolution No. 22278, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, AMENDING THE BUDGET FOR FISCAL YEAR 2007-08; and 3) Authorize the City Manager to execute all necessary documents. A4725. **Approved as part of the Consent Calendar.**

**2.R. EMERGENCY REPAIRS TO THE MUNICIPAL CO-GENERATION FACILITY:**

**ACTION:** Receive and file the report of emergency expenditures, pursuant to Palm Springs Municipal Code Section 7.04.040(4), which exceeds allowed annual maintenance and repair costs in the amount of \$20,604. **Approved as part of the Consent Calendar.**

**2.S. APPROVE A SPECIAL EXPERTISE PURCHASE ORDER FOR THE PROCUREMENT AND INSTALLATION OF PUBLIC ADDRESS SYSTEM EQUIPMENT RELATED TO THE AIRPORT'S IMPROVE/MODIFY/REHAB TERMINAL COMPLEX PROJECT TO AUDIO ASSOCIATES, IN AN AMOUNT NOT-TO-EXCEED \$133,501.83:**

**ACTION:** 1) Approve a special expertise purchase order to Audio Associates for the procurement and installation of public address system equipment related to the Airport's Improve/Modify/Rehab Terminal Complex Project, in an amount not-to-exceed \$133,501.83, CP 07-09, AIP 3-06-0181-43; and 2) Authorize the City Manager to execute all necessary documents. **Approved as part of the Consent Calendar.**

**2.T. AMENDMENT 2 TO AGREEMENT NO. A3192 TO ASSIGN LEASE TO THE ROBERT J. POND LIVING TRUST:**

**ACTION:** 1) Approve Amendment 2 to Agreement No. A3192 to assign the Pond Hangar Lease to the Robert J. Pond Living Trust in its entirety; and 2) Authorize the City Manager to execute all necessary documents. A3192. **Approved as part of the Consent Calendar.**

**2.U. PARTICIPATION IN THE RIVERSIDE COUNTY MORTGAGE CERTIFICATE PROGRAM:**

**ACTION:** Adopt Resolution No. 22279, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, APPROVING PARTICIPATION IN THE RIVERSIDE COUNTY MORTGAGE CERTIFICATE PROGRAM." **Approved as part of the Consent Calendar.**

- 2.V. RATIFY AND APPOINT THE NOMINATION OF THE CITY OF DESERT HOT SPRINGS TO THE PALM SPRINGS INTERNATIONAL AIRPORT COMMISSION FOR THE TERM ENDING JUNE 30, 2011:**  
**ACTION:** Appoint Mayor Yvonne Parks, as the City of Desert Hot Springs representative, to the Palm Springs International Airport Commission for the term ending June 30, 2011. **Approved as part of the Consent Calendar.**
- 2.W. ACCEPTANCE OF DEPARTMENT OF ALCOHOLIC BEVERAGE CONTROL GRANT:**  
**ACTION:** 1) Accept the Department of Alcoholic Beverage Control Grant; and 2) Authorize the City Manager to execute all necessary documents. A5704. **Approved as part of the Consent Calendar.**
- 2.X. RENEW THE MEMORANDUM OF UNDERSTANDING, AGREEMENT NO. A4721, WITH THE COACHELLA VALLEY VIOLENT GANG TASK FORCE:**  
**ACTION:** 1) Approve the renewal of the Memorandum of Understanding, Agreement No. A4721, with the Coachella Valley Violent Gang Task Force for a five-year period ending June 30, 2013; and 2) Authorize the City Manager to execute all necessary documents. A4721. **Approved as part of the Consent Calendar.**
- 2.Y. AMENDMENT NO. 2 TO AGREEMENT NO. A5322 WITH CARL WARREN & COMPANY FOR CLAIMS ADMINISTRATION AND ADJUSTMENT SERVICES:**  
**ACTION:** 1) Approve Amendment No. 2 to Agreement No. A5322 with Carl Warren & Company for as-needed third party claims administration and adjustment services for Fiscal Year 2008-09 in an amount not-to-exceed \$65,000; and 2) Authorize the City Manager to execute all necessary documents. A5322. **Approved as part of the Consent Calendar.**
- 2.Z. ONE-YEAR EXTENSION FOR TTM 33575 FROM PALM SPRINGS 102 LP, A PREVIOUSLY APPROVED TENTATIVE TRACT MAP OF A MIXED USE DEVELOPMENT OF 80 RESIDENTIAL TOWN-HOME UNITS, 20 LIVE-WORK UNITS, AND 15,000 SQUARE FEET OF RETAIL USES LOCATED AT 850 AND 990 SOUTH PALM CANYON DRIVE:**  
**ACTION:** Adopt Resolution No. 22280, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, APPROVING A ONE-YEAR TIME EXTENSION FROM JULY 12, 2008, TO JULY 11, 2009, FOR TENTATIVE TRACT MAP 33575, A MIXED USE DEVELOPMENT OF 80 RESIDENTIAL TOWN-HOME UNITS, 20 LIVE-WORK UNITS, AND 15,000 SQUARE FEET OF RETAIL USE LOCATED

AT 850 AND 990 SOUTH PALM CANYON DRIVE (NEAR MESQUITE),  
ZONE PD-314, SECTION 23." **Approved as part of the Consent  
Calendar.**

**EXCLUDED CONSENT CALENDAR:**

**2.G. RESOLUTION IN OPPOSITION OF AB2427 (ENG) PROPOSED AMENDMENT  
TO THE BUSINESS AND PROFESSIONS CODE:**

**ACTION:** Adopt Resolution No. 22275, "A RESOLUTION OF THE CITY  
COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, OPPOSING  
AB2427 (ENG), PROPOSED AMENDMENT TO THE BUSINESS AND  
PROFESSIONS CODE TO PREEMPT LOCAL GOVERNMENTS FROM  
REGULATING PROFESSIONAL PRACTICES." **Motion Councilmember Mills,  
seconded by Councilmember Hutcheson and unanimously carried 3-0 on a  
roll call vote.**

**AYES:** Councilmember Hutcheson, Councilmember Mills, and Mayor Pro  
Tem Foat.

**NOES:** None.

**ABSENT:** Councilmember Weigel and Mayor Pougnet.

**2.I. AWARD A CONTRACT WITH ALTA PLANNING + DESIGN, INC., FOR THE  
TAHQUITZ CREEK TRAIL MASTER PLAN AND LANDSCAPE DESIGN  
PROJECT:**

**ACTION:** 1) Award a contract services agreement with Alta Planning + Design,  
Inc., for the Tahquitz Creek Trail Master Plan and Landscape Architecture  
Design Services in an amount not-to-exceed \$50,000; and 2) Authorize the City  
Manager to execute the agreement. A5698. **Motion Councilmember  
Hutcheson, seconded by Councilmember Mills and unanimously carried 3-  
0 on a roll call vote.**

**AYES:** Councilmember Hutcheson, Councilmember Mills, and Mayor Pro  
Tem Foat.

**NOES:** None.

**ABSENT:** Councilmember Weigel and Mayor Pougnet.

**2.P. ACCEPTANCE OF REAL PROPERTY FOR OPEN SPACE PURPOSES FROM  
THE MEYERMAN FAMILY TRUST IN SECTION 15, TOWNSHIP 4 SOUTH,  
RANGE 4 EAST, FILE NO. R-08-16:**

**ACTION:** 1) Accept a Grant Deed from Harold J. and Dorothy C. Meyerman,  
Trustees of the Meyerman Family Trust dated August 2, 1989, conveying fee title  
to the City of Palm Springs a certain parcel of land containing approximately  
27,864 square feet (0.64 acres) located in Section 15, Township 4 South, Range  
4 East, generally located north of The Willows and west of the Palm Springs Art  
Museum; and 2) Direct the City Clerk to execute a Certificate of Acceptance.

**Motion Councilmember Mills, seconded by Councilmember Hutcheson and unanimously carried 3-0 on a roll call vote.**

**AYES:** Councilmember Hutcheson, Councilmember Mills, and Mayor Pro Tem Foat.

**NOES:** None.

**ABSENT:** Councilmember Weigel and Mayor Pougnet.

3. **LEGISLATIVE:** None.

4. **UNFINISHED BUSINESS:** None.

5. **NEW BUSINESS:**

**5.A. APPOINTMENT OF VARIOUS COMMISSIONERS AND BOARD MEMBERS AS PART OF THE 2008 ANNUAL RECRUITMENT PROCESS:**

City Clerk Thompson provided background information as outlined in the staff report dated July 9, 2008.

**ACTION:** 1) Appoint Gary Whitehead to the Administrative Appeals Board for the term ending June 30, 2011; 2) Ken Gregory and Steve Rosenberg to the Palm Springs International Airport Commission for the term ending June 30, 2011, and continue the third appointment to a future meeting; 3) Appoint Steven Bolerjack, Michael Hodgson and Luciano Ramirez to the Human Rights Commission for the term ending June 30, 2011; 4) Appoint Bruce McLoud to the Library Board for the term ending June 30, 2011; 5) Appoint Dorothy Bowens, Scott Meredith, and Tim Scott to the Parks and Recreation Commission for the term ending June 30, 2011; 6) Appoint Jamie Kabler and Robert Stearns to the Public Arts Commission for the term ending June 30, 2011, and appoint Jeanne Mazur to the Public Arts Commission for the unexpired term ending June 30, 2009; 7) Appoint Robert Thomas to the VillageFest Board for the unexpired term ending June 30, 2009, and Mark Spohn to the VillageFest Board for the unexpired term ending June 30, 2010; and 8) Direct the City Clerk to re-advertise and continue to solicit applications for any continued vacancies, as open until filled. **Motion Councilmember Mills, seconded by Councilmember Hutcheson and unanimously carried 3-0 on a roll call vote.**

**AYES:** Councilmember Hutcheson, Councilmember Mills, and Mayor Pro Tem Foat.

**NOES:** None.

**ABSENT:** Councilmember Weigel and Mayor Pougnet.

**5.B. DESIGNATION OF A VOTING DELEGATE AND ALTERNATE FOR THE LEAGUE OF CALIFORNIA CITIES ANNUAL CONFERENCE SEPTEMBER 24-27, 2008:**

**ACTION:** Appoint Mayor Pro Tem Foat as the Voting Delegate and David Ready, City Manager, as the Voting Delegate Alternate for the 2008 League of California Cities Annual Conference in Long Beach, California. **Motion Councilmember Hutcheson, seconded by Councilmember Mills and unanimously carried 3-0 on a roll call vote.**

**AYES:** Councilmember Hutcheson, Councilmember Mills, and Mayor Pro Tem Foat.

**NOES:** None.

**ABSENT:** Councilmember Weigel and Mayor Pougnet.

**5.C. APPOINT TWO MEMBERS OF THE CITY COUNCIL TO A COUNCIL SUBCOMMITTEE FOR THE PURPOSE OF REVIEWING THE WALK OF STARS POLICIES WITH THE WALK OF STARS BOARD MEMBERS:**

**ACTION:** Table to the City Council meeting of July 16, 2008. **By consensus of the City Council.**

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

Councilmember Mills requested staff address the vehicles "for sale" on Frontage Road near St. Theresa Church, and post the area for two-hour parking.

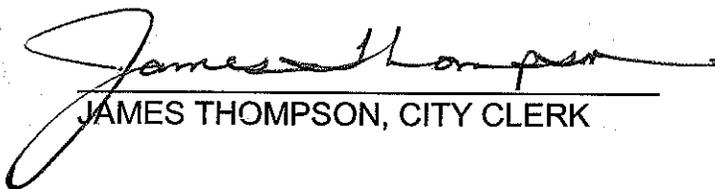
Mayor Pro Tem Foat requested an Item to appoint a Liaison to the Office of Neighborhood Involvement, and requested an Item on a future agenda with respect to the preparation of staff reports and the reporting of Commission and City Council Subcommittee actions on Staff Reports.

**ADJOURNMENT:** The City Council adjourned at 8:05 p.m. to a Regular Meeting, Wednesday, July 16, 2008, at 6:00 P.M. in the Council Chamber, City Hall, preceded by a Closed Session at 4:30 P.M., Small Conference Room, City Hall, 3200 East Tahquitz Canyon Way, Palm Springs.

**APPROVED BY A MOTION OF THE PALM SPRINGS CITY COUNCIL THIS 30<sup>TH</sup> DAY OF JULY, 2008.**

  
STEPHEN P. POUGNET, MAYOR

ATTEST:

  
JAMES THOMPSON, CITY CLERK