CITY COUNCIL
CITY OF PALM SPRINGS, CALIFORNIA

REGULAR MEETING MINUTES
WEDNESDAY, NOVEMBER 7, 2012

CALL TO ORDER: Mayor Pougnet called the meeting to order at 6:20 p.m.

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

INVOCATION: Rabbi Sally Olins, Temple Isaiah, led the Invocation.

ROLL CALL:

PRESENT:	Councilmember Lewin, Councilmember Hutcheson, Councilmember Mills, Mayor Pro Tem Foat, and Mayor Pougnet
ABSENT:	None.
ALSO PRESENT:	None.

PRESENTATIONS:

Mayor Pougnet announced the upcoming retirement of Sgt. Mark Melanson.

Fire Chief Ventura announced the recent promotions in the Palm Springs Fire Department.

Mayor Pougnet, Councilmember Lewin, and Councilmember Hutcheson provided an update on the recent Palm Springs High School Homecoming Parade.

Mayor Pougnet provided an update on the recent Palm Springs Gay Pride Parade.

Mayor Pougnet announced the upcoming Veterans Day Parade, Holiday Tree Lighting, and the Festival of Lights Parade.

REPORT OF CLOSED SESSION: The meeting was called to order at 4:30 p.m., and the following speakers addressed the City Council on items contained on the Closed Session Agenda.

ELAINE CLERMONT, commented on proposed litigation regarding the natural gas plant proposed for the Coachella Valley, and requested the City Council place the Item on the Agenda for discussion.

City Attorney Holland reported the City Council recessed into Closed Session at 4:30 p.m. to discuss items on the posted Closed Session Agenda. The City Council provided

direction with respect to Existing Litigation and Labor Negotiations, no reportable actions were taken.

City Attorney Holland stated the City Council will recess into Closed Session at the end of the regular meeting.

ACCEPTANCE OF THE AGENDA:

City Clerk Thompson requested the City Council remove and table Item 2.F. from the Agenda.

City Attorney Holland request the City Council consider adding an Item to the agenda as Unfinished Business titled "APPROVAL OF A REVISED AMENDMENT NO. 2 TO AGREEMENT NO. 6144 THE PROJECT FINANCING AGREEMENT WITH PALM SPRINGS PROMENADE, LLC WHICH INCLUDES A MODIFIED SITE PLAN FROM THE SITE PLAN INITIALLY PRESENTED TO THE CITY COUNCIL ON OCTOBER 17, 2012," and stated the item was brought to the attention of the City and received after the posting of the Agenda, and there is an immediate need to hear and/or take action on the item.

ACTION: 1) Find the item was brought to the attention of the City and received after the posting of the Agenda; 2) there is an immediate need to hear and/or take action on the item; and 2) Add to the Agenda as Legislative Item No. 3.B. "APPROVAL OF A REVISED AMENDMENT NO. 2 TO AGREEMENT NO. 6144 THE PROJECT FINANCING AGREEMENT WITH PALM SPRINGS PROMENADE, LLC WHICH INCLUDES A MODIFIED SITE PLAN FROM THE SITE PLAN INITIALLY PRESENTED TO THE CITY COUNCIL ON OCTOBER 17, 2012." **Motion Councilmember Mills, seconded by Councilmember Hutcheson and unanimously carried on a roll call vote.**

Councilmember Lewin requested Items 2.I. and 2.M. be removed from the Consent Calendar for separate discussion.

Mayor Pro Tem Foat requested Item 2.K. be removed from the Consent Calendar for separate discussion.

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

1. PUBLIC HEARINGS:

1.A. VIVANTE PALM SPRINGS, LLC AMENDMENT OF PLANNED DEVELOPMENT DISTRICT 341 (AMND B) AND TPM 35989 (AMND B) TO CONSTRUCT A MIXED-USE PROJECT CONSISTING OF AN ASSISTED LIVING FACILITY AND THREE COMMERCIAL BUILDINGS ON AN APPROXIMATE 10-ACRE SITE LOCATED AT THE

NORTHWEST CORNER OF TAHQUITZ CANYON WAY AND HERMOSA DRIVE (CASE 5.1160):
Craig Ewing, Director of Planning Services, provided background information as outlined in the staff report dated November 7, 2012.

Councilmember Mills requested staff clarify the three items in the setback along Tahquitz Canyon Way, and further information from the Tribe.

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

UNNAMED INDIVIDUAL, Nexus Development, Applicant, commented on the proposed brand for the site.

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

Councilmember Mills requested staff address the left turn lane proposed for the Tahquitz Canyon Way median, lack of sun control on some of the windows, installation of overhang on resident balconies, complimented the Applicant on the design of the project and stated he would like final drawings with additional detail to the AAC, and requested the Applicant address the lack of trees on the north side property line.

Mayor Pro Tem Foat requested the applicant address the resident amenities, dog park for the residents, the lack of solar installation, and pool amenities.

Councilmember Hutcheson requested staff clarify the landscape treatment and the specific plan requirements, coordination with the Tribe on medians and landscaping, screening, timing of building of retail and the residential portion of the project, and requested the City Council consider a landscaping berm should the residential portion be built prior to the retail.

Mayor Pro Tem Foat requested the Applicant address the parking surface.

Councilmember Lewin stated his support for the design and senior housing in the community with the restaurant and retail components of the project.

Mayor Pougnet thanked the applicant, commented on the process with the Planning Commission, and requested the applicant address the timing of construction.

ACTION: Adopt Resolution No. 23251, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, ADOPTING A MITIGATED NEGATIVE DECLARATION AND APPROVING PDD 341 (AMND B), A MAJOR AMENDMENT TO PRELIMINARY PLANNED

DEVELOPMENT DISTRICT 341 ESTABLISHING THE PDD AS A PDD IN LIEU OF A CHANGE OF ZONE FROM REO TO PD 341, APPROVING PDD 341 (AMND B) AND AMENDED TENTATIVE PARCEL MAP 35989 FOR THE SUBDIVISION INTO THREE LOTS AND DEVELOPMENT OF AN ASSISTED LIVING FACILITY AND THREE COMMERCIAL BUILDINGS ON APPROXIMATELY 10 ACRES OF LAND LOCATED AT THE NORTHWEST CORNER OF TAHQUITZ CANYON WAY AND HERMOSA DRIVE (CASE 5.1160);" *amending the Conditions of Approval for the Planning Commission and the AAC to address: i) requiring sun controls on the windows; ii) screening of the parking area; iii) enhance paving in the driving aisles; iv) temporary landscaping of the inbuilt pads; v) addressing transformers; vi) materials and design of balcony overhang; vii) add trees along the North side property line; and viii) berm or other landscaping screen from on-street views.* **Motion Mayor Pro Tem Foat, seconded by Councilmember Mills and unanimously carried on a roll call vote.**

1.B. THE ARRIVE HOTEL BY THE PALM GROVE GROUP, LLC APPROVAL OF A 32-ROOM HOTEL DEVELOPMENT ON AN APPROXIMATE 1.27 ACRE SITE AT 1551 NORTH PALM CANYON DRIVE, ZONE C-1/R-3, RESORT COMBINING ZONE (CASE 5.1284 PDD 360):

Craig Ewing, Director of Planning Services, provided background information as outlined in the staff report dated November 7, 2012.

Councilmember Lewin requested the Applicant address the number of rooms for a viable project and complimented the project.

Councilmember Hutcheson requested the Applicant address the parking, and requested the Applicant address parking with neighbors.

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

UNNAMED INDIVIDUAL, Applicant, commented on the design, stated the hotel was LEED certified, and commented on the services and amenities being offered at the hotel.

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

Councilmember Mills requested staff address if the request was for preliminary approval.

Councilmember Mills requested the Applicant address noise and location of equipment, front setback, finalize parking arrangements, Condition No. 7 regarding roof and cool roof requirements, increasing window overhang, restudy of stair installation, property line setback with dead space and lack of landscape and security, hood installation at restaurant,

lack of consistency between civil and landscape plans, consider landscape plan with a goal of producing additional shade, enhanced paving on the sidewalk, public access to kitchen door and lack of landscape, sense of arrival features, and stated his support of the project.

Mayor Pro Tem Foat stated her support for the project, support of the rooftop garden, commented on the shading and overhang, and commented on the clean lines of the project.

Councilmember Hutcheson requested the applicant address window coverings.

Mayor Pougnet stated his support of the project, commented on the location of the project, the attraction to a demographic audience, and the properties adjacent to the project.

ACTION: Adopt Resolution No. 23252, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, APPROVING PLANNED DEVELOPMENT DISTRICT 360 FOR THE ARRIVE HOTEL A 32-ROOM HOTEL WITH ACCESSORY RESTAURANT, RETAIL USES, OFF-STREET PARKING, AND LANDSCAPING ON AN APPROXIMATE 1.27-ACRE PARCEL LOCATED AT 1551 NORTH PALM CANYON DRIVE (APNS 5105-165-002, 003, 007, 009, 011, AND 012) (CASE 5.1284 PDD 360)," *amending the Conditions of Approval for the Planning Commission and the AAC to address as advisory: i) resolve noise potential of mechanical systems, ii) increase roof overhang on the west side of the retail building, iii) resolve roof overhang extensions on guest room buildings, iv) study window and stairway relationship to improve privacy, v) consider the trees and shading structures on the concrete courtyard, vi) resolve the proximity of the front door and the kitchen back door; vii) look at enhancements to portray a sense of arrival; and amending the Conditions of Approval as required: a) five foot set backs need to be gated and landscaped, b) kitchen roof and hood details need to be resolved at final, c) reconcile the civil plans with the landscape plans with the landscape plans being the controlling document, d) enhance the paving at the vehicular drop-off on Palm Canyon, e) construction documents required at 90% as submission requirements for the final PD.* **Motion Councilmember Hutcheson, seconded by Councilmember Lewin and unanimously carried on a roll call vote.**

PUBLIC COMMENT:

ANNDEE DEVINE, commented on a recent fatal auto accident at Gene Autry and Seven Lakes.

WILLIAM JOHNSON, commented on the Project Lifesaver Project at the Palm Springs Police Department.

SUSAN FRANCIS, commented on the Ophelia Project.

NANCY STUART, provided an update on the activities at the Palm Springs Aerial Tramway.

DAVID GRAY, commented on Item 4.B., and requested the City Council approve the restoration of the Welwood Murray Library.

RICHARD NOBLE, commented on the Walk Across America Project.

JERI VOGELSANG, commented on Item 4.B., and requested the City Council approve the site plan of the Welwood Memorial Library.

KITTY KIELEY HAYES, commented on Item 4.B., and requested the City Council approve the site plan of the Welwood Memorial Library.

STEVE ROSENBERG, commented on the recent fire set in the City Hall Annex Building.

JOY MEREDITH, commented on the recent street closures and events, and requested public restrooms at the Welwood Murray Library.

COUNCILMEMBER COMMENTS:
Mayor Pougnet requested the exterior lights at City Hall that are out be replaced.

CITY MANAGER'S REPORT:

City Manager Ready provided an update on the recently painted steps at City Hall.

2. CONSENT CALENDAR:
ACTION: Approve Items 2.A., 2.B., 2.C., 2.D., 2.E., 2.G., 2.H., 2.J., 2.L., 2.N., 2.O., and 2.P. **Motion Councilmember Mills, seconded by Councilmember Hutcheson and unanimously carried on a roll call vote.**

2.A. REPORT ON THE POSTING OF THE AGENDA:
ACTION: Receive and file Report on the Posting of the November 7, 2012, City Council Agenda. **Approved as part of the Consent Calendar.**

2.B. APPROVAL OF MINUTES:
ACTION: Approve the City Council Minutes of October 17, 2012, and October 18, 2012. **Approved as part of the Consent Calendar.**

2.C. APPOINTMENT TO THE RENT REVIEW COMMISSION:
ACTION: Appoint Bob Turanchik to the Rent Review Commission for the unexpired term ending June 30, 2013. **Approved as part of the Consent Calendar.**

2.D. TREASURER'S INVESTMENT REPORT AS OF SEPTEMBER 30, 2012:
ACTION: Receive and file the Treasurer's Investment Report as of September 30, 2012. **Approved as part of the Consent Calendar.**

2.E. ACCEPTANCE OF $51,850.00 IN GRANT FUNDING FROM THE UNIVERSITY OF CALIFORNIA BERKELEY, SAFE TRANSPORTATION RESEARCH AND EDUCATION CENTER (SAFETREC) FOR A SOBRIETY CHECKPOINT PROGRAM TO BE USED TO ENFORCE, EDUCATE, AND BRING AWARENESS TO THE PUBLIC:
ACTION: 1) Accept $51,850 in grant funding from the University of California at Berkeley, Safe Transportation Research and Education Center, for a sobriety checkpoint program; and 2) Authorize the City Manager to execute all necessary documents. A6045. **Approved as part of the Consent Calendar.**

2.G. RATIFY AND APPOINT THE NOMINATION OF THE CITY OF PALM DESERT TO THE PALM SPRINGS INTERNATIONAL AIRPORT COMMISSION FOR THE TERM ENDING JUNE 30, 2015:
ACTION: Reappoint Rolf Hoehn, as the City of Palm Desert representative, to the Palm Springs International Airport Commission for the term ending June 30, 2015. **Approved as part of the Consent Calendar.**

2.H. RESOLUTION AUTHORIZING THE EXAMINATION OF SALES OR TRANSACTIONS AND USE RECORDS OF THE BOARD OF EQUALIZATION TO CITY SALES TAX AUDITORS:
ACTION: Adopt Resolution No. 23253, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, AUTHORIZING THE EXAMINATION OF SALES OR TRANSACTIONS AND USE TAX RECORDS." **Approved as part of the Consent Calendar.**

2.J. PURCHASE OF AIRPORT ASPHALT PAVEMENT SEALANT FROM GRANITE CONSTRUCTION IN THE AMOUNT OF $110,109.37 (IFB 13-04):
ACTION: 1) Approve the purchase of 13,500 gallons of sealant concentrate, as specified in Invitation for Bid 13-04, from Granite Construction Company in the amount of $110,109.37; and 2) Authorize the City Manager to execute all necessary documents. **Approved as part of the Consent Calendar.**

2.L. AWARD OF CONTRACT FOR TRACT NO. 13257 SEWER IMPROVEMENTS (PHASE 2, CP 12-07):
ACTION: 1) Approve an agreement with Borden Excavating, Inc. for Tract No. 13257 Sewer Improvements in the amount of $170,909 (Phase 2, CP 12-07); and 2) Authorize the City Manager to execute all necessary documents. A6297. **Approved as part of the Consent Calendar.**

2.N. AGREEMENT WITH FISH WINDOW CLEANING FOR AIRPORT TERMINAL WINDOW CLEANING SERVICES IN THE AMOUNT OF $19,050 ANNUALLY:
ACTION: 1) Approve the award of a Contract Services Agreement for Airport Window Cleaning, as specified in Invitation for IFB No. 13-01, to Fish Window Cleaning in the amount of $19,050 annually for three (3) years, and an optional two (2) years with the fee adjusted by the Consumer Price Index for this region; and 2) Authorize City Manager to execute all necessary documents. A6299. **Approved as part of the Consent Calendar.**

2.O. REPORT OF EMERGENCY REPAIR TO THE AIRPORT ESCALATOR PURSUANT TO PALM SPRINGS MUNICIPAL CODE 7.040.040(3) EMERGENCY PROCUREMENT:
ACTION: 1) Ratify the emergency repairs by Kone Elevators in the amount of $43,000; and 2) Authorize the City Manager to execute all necessary documents. **Approved as part of the Consent Calendar.**

2.P. PURCHASE OF A COMPUTER STORAGE AREA NETWORKARRAY (SAN) FROM COMPUTER DISCOUNT WAREHOUSE-GOVERNMENT (CDW-G) IN AN AMOUNT NOT TO EXCEED $33,454.78 FOR THE CITY HALL COMPUTER NETWORK:
ACTION: 1) Approve the purchase of a Storage NetworkArray, switch, interface cards, and cable set from CDW-G for the City Hall Computer Network in an amount not to exceed $33,454.78; and 2) Authorize the City Manager to execute all necessary documents. **Approved as part of the Consent Calendar.**

EXCLUDED CONSENT CALENDAR:

2.F. AGREEMENT FOR MARKETING SERVICES WITH PALM SPRINGS LIFE MAGAZINE FOR YEAR-LONG PROMOTION OF THE CITY'S 75TH ANNIVERSARY BEGINNING IN JANUARY 2013:
Withdrawn from the Agenda at the request of staff.

2.I. APPROVE AND AUTHORIZE THE SUBMITTAL OF THE ALTERNATIVE SITE FRAMEWORK APPLICATION AND RESOLUTION TO THE UNITED STATES

DEPARTMENT OF COMMERCE FOR THE REORGANIZATION OF THE CITY OF PALM SPRINGS FOREIGN TRADE ZONE (FTZ NO. 236):

Councilmember Lewin thanked City Staff for bringing this item forward and requested staff address implementation plans.

ACTION: 1) Adopt Resolution No. 23254, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, AUTHORIZING THE SUBMITTAL OF THE ALTERNATIVE SITE FRAMEWORK APPLICATION TO THE UNITED STATES DEPARTMENT OF COMMERCE FOR THE BOUNDARY REORGANIZATION OF ITS EXISTING FOREIGN TRADE ZONE NO. 236;" and 2) Authorize the City Manager to execute all necessary documents. **Motion Councilmember Mills, seconded by Mayor Pougnet and unanimously carried on a roll call vote.**

2.K. RATIFICATION AND AUTHORIZATION OF EMERGENCY CONTRACTS FOR CITY HALL ANNEX 2012 FIRE:

ACTION: 1) Ratify the actions taken by the City Manager, for the public health and safety, and Agreements for Emergency Response and Emergency Restoration with Daniel's DKI Clean Up and Restoration Services in response to the 2012 City Hall Annex Fire; and 2) Authorize the City Manager to take other such actions as deemed appropriate and necessary for the emergency response and emergency restoration in response to the incident. A6295. **Motion Councilmember Mills, seconded by Mayor Pro Tem Foat and unanimously carried on a roll call vote.**

2.M. APPROVAL OF AIR QUALITY MANAGEMENT DISTRICT GRANT IN THE AMOUNT OF $38,000 FUNDS AND ALLOCATION OF MATCHING FUNDING IN THE AMOUNT OF $38,000:

ACTION: 1) Approve Local Government Match Program Contract No. ML12019 to accept the grant award from South Coast Air Quality Management District in the amount of $38,000 for electric vehicle charging stations; 2) Authorize the use of matching funds available in the City Sustainability Fund Account No. 138-1270-58020 not to exceed $38,000; 3) Authorize the City Manager to execute all necessary documents. A6298. **Motion Councilmember Lewin, seconded by Councilmember Mills and unanimously carried on a roll call vote.**

3. LEGISLATIVE:

3.A. SECOND READING AND ADOPTION OF ORDINANCE NO. 1814, AMENDMENT TO THE CONTRACT BETWEEN THE BOARD OF ADMINISTRATION OF THE CALIFORNIA PUBLIC EMPLOYEES' RETIREMENT SYSTEM AND THE CITY COUNCIL OF THE CITY OF PALM SPRINGS:

City Clerk Thompson provided background information as outlined in the staff report dated November 7, 2012.

ACTION: Waive further reading and adopt Ordinance No. 1814, "AN ORDINANCE OF THE CITY OF PALM SPRINGS, CALIFORNIA, APPROVING AN AMENDMENT TO THE CONTRACT BETWEEN THE BOARD OF ADMINISTRATION OF THE CALIFORNIA PUBLIC EMPLOYEES' RETIREMENT SYSTEM AND THE CITY COUNCIL OF THE CITY OF PALM SPRINGS." A0037. **Motion Mayor Pro Tem Foat, seconded by Councilmember Mills and unanimously carried on a roll call vote.**

3.B. ADDED ITEM APPROVAL OF A REVISED AMENDMENT NO. 2 TO AGREEMENT NO. 6144 THE PROJECT FINANCING AGREEMENT WITH PALM SPRINGS PROMENADE, LLC WHICH INCLUDES A MODIFIED SITE PLAN FROM THE SITE PLAN INITIALLY PRESENTED TO THE CITY COUNCIL ON OCTOBER 17, 2012:
City Attorney Holland provided background information as outlined in the staff report dated November 7, 2012.

Councilmember Hutcheson requested staff address a proposed roof top deck on block c-1.

Mayor Pro Tem Foat requested staff address the height of the building and the proposal to add a fourth story along with a roof deck, and a pedestrian bridge.

Councilmember Mills stated this item is not an entitlement, but only allows the application to be submitted for processing.

Councilmember Lewin commented on the proposed block c-1, and stated this is a significant change, and stated the City Council should provide for the application to go forward.

ACTION: 1) Approve the revised Amendment No. 2 to the Project Financing Agreement, with Palm Springs Promenade, LLC, including the revised Site Plan (Exhibit "I"); 2) Authorize the City Manager to execute the revised Amendment No. 2; and 3) Authorize the substitution of such revised Amendment No. 2 to be included as the controlling document referenced in Resolution No. 23238 approved by the City Council on October 17, 2012. A6144. **Motion Councilmember Mills, seconded by Councilmember Lewin and carried 4-1 on a roll call vote.**

AYES: Councilmember Lewin, Councilmember Hutcheson, Councilmember Mills, and Mayor Pougnet.
NOES: Mayor Pro Tem Foat.

4. UNFINISHED BUSINESS:

4.A. RECOMMENDATIONS FROM THE MEASURE "J" OVERSIGHT COMMISSION, APPROVING PROJECT EXPENDITURES FOR FISCAL YEAR 2012-13, AND APPROVING APPLICATION FORM AND CRITERIA FOR FUTURE YEARS:

City Manager Ready provided background information as outlined in the staff report dated November 7, 2012.

The City Council discussed and/or commented on the following with respect to the funding: swim center deck, traffic signal on Sunrise near Ramon, adding design funds to relocate Fire Station No. 5, consider the non-motorized bike plan while considering the street paving, long range planning for a new park or reconfigure DeMuth Park, needs of the Police Department, gateway projects, public library projects, communications for the Commission, City Hall and Golf Course parking lots, and adding funding for gateway projects.

ACTION: 1) Approve project expenditures for Fiscal Year 2012-13 for Measure "J" funding by the Measure "J" Oversight Commission amending the funding for the following: eliminating the Swim Center Deck ($161,000), eliminating the traffic signal installation ($300,000), adding Traffic Signal study and queuing at Sunrise and Ramon at the Ralphs Center ($10,000), adding new Fire Station No. 5 location and design study ($50,000) and reducing the Commission communications to $5,000; 2) Direct the City Manager to execute all appropriate documents; and 3) Approve the Idea/Project Application Form and Evaluation Criteria Worksheet which will be used by the Measure "J" Oversight Commission to receive and evaluate project ideas from the public, and formulate the Commission's recommendations to the City Council as part of the normal budget development process for future years. **Motion Mayor Pougnet, seconded by Mayor Pro Tem Foat and unanimously carried on a roll call vote.**

4.B. WELWOOD MURRAY MEMORIAL LIBRARY SPACE PLAN APPROVAL AND ARCHITECTURAL DESIGN CONTRACT AMENDMENT FOR FINAL DESIGN AND BID DOCUMENT DEVELOPMENT:

Al Smoot, Project Coordinator, provided background information as outlined in the staff report dated November 7, 2012.

The City Council discussed and/or commented on the following with respect to the space plan: the public restrooms, and the comments received from the HSPB.

ACTION: 1) Approve the Welwood Murray Memorial Library interior space plan dated October 17, 2012; 2) Authorize architectural design and sub-consultant professional services to develop final plans and specifications

for bidding of the project - in an amount not to exceed $75,000; 3) Authorize staff to proceed with removal of old carpeting and any hazardous materials from within the building - cost not to exceed $60,000; and 4) Authorize the City Manager to execute all required documentation for the project to proceed. A6267. **Motion Councilmember Mills, seconded by Councilmember Lewin and unanimously carried on a roll call vote.**

5. **NEW BUSINESS:** None.

COUNCILMEMBER COMMENTS, REQUESTS, AND REPORTS: None.

The City Council recessed into closed session at 10:08 p.m.

The City Council reconvened at 10:34 p.m.

REPORT OF CLOSED SESSION: Mayor Pougnet stated the City Council recessed into Closed Session to discuss one item on the posted Closed Session Agenda. No reportable actions were taken.

ADJOURNMENT: The City Council adjourned at 10:35 p.m. to Wednesday, December 5, 2012 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.

APPROVED BY A MOTION OF THE PALM SPRINGS CITY COUNCIL THIS 5TH DAY OF DECEMBER, 2012.

STEPHEN P. POUGNET, MAYOR

ATTEST:

JAMES THOMPSON, CITY CLERK