CITY COUNCIL
CITY OF PALM SPRINGS, CALIFORNIA

MEETING MINUTES
WEDNESDAY, APRIL 17, 2013
CITY HALL COUNCIL CHAMBER

CALL TO ORDER: Mayor Pougnet called the meeting to order at 6:08 p.m.

PLEDGE OF ALLEGIANCE: Palm Springs Air Force ROTC Junior Color, led the Pledge.

INVOCATION: Rev. Amanda Burr, United Methodist Church, led the Invocation.

ROLL CALL:

PRESENT:	Councilmember Foat, Councilmember Hutcheson, Councilmember Lewin, Mayor Pro Tem Mills, and Mayor Pougnet.
ABSENT:	None.
ALSO PRESENT:	City Manager Ready, City Attorney Holland, City Clerk Thompson.

PRESENTATIONS:

Mayor Pougnet and the City Council proclaimed the month of May 2013, as Mental Health Month in the City of Palm Springs.

Mayor Pougnet and the City Council proclaimed April 17, 2013, as Burt Spivack Day in the City of Palm Springs, recognizing his service to the community and his 2013 Senior Inspiration Award.

REPORT OF CLOSED SESSION:

The meeting was called to order at 5:00 p.m. and City Attorney Holland requested the City Council consider adding one Item to the Closed Session Agenda pursuant to California Gov. Code Section 54956.9(a) Existing Litigation titled City of Palm Springs et al. v. Ana Matosantos et al., Case No. 34-2013-80001440, Sacramento Superior Court, Sacramento Division.

ACTION: 1) Find the City received information after the posting of the Agenda regarding the litigation, and there is an immediate need to hear and/or take action on the Item; and 2) Add one Item of Existing Litigation to the Closed Session Agenda pursuant to G.C. Section 54956.9(a) City of Palm Springs et al. v. Ana Matosantos et al., Case No. 34-2013-80001440, Sacramento Superior Court, Sacramento Division. **Motion Mayor Pro Tem Mills, seconded by Councilmember Foat and unanimously carried (5-0).**

City Attorney Holland stated the meeting was called to order and the City Council recessed into Closed Session to discuss items on the Closed Session Agenda. The City Council provided direction to the City Attorney with respect to one item on the Closed Session Agenda, no reportable actions were taken.

ACCEPTANCE OF THE AGENDA:

ACTION: Accept the Agenda as presented. **Motion Councilmember Foat, seconded by Councilmember Lewin and unanimously carried on a roll call vote.**

1. **PUBLIC HEARINGS:** None.

PUBLIC COMMENT:

PATTI PATANE, commented on the traffic study for Indian Canyon and blowing sand on Indian Canyon.

KRYSTLE ROGERS, commented on the signs posted in Sunrise Park.

ETHAN VEGA, commented on signs posted in Sunrise Park.

MIKE ZISKIND, Palm Springs, announced the organization and activities of the Palm Springs Gay Men's Chorus.

CAROL NELSON, Palm Springs, commented on spraying of chemicals on City property.

NIKOHL VANDEL, Palm Springs, commented on the feeding of homeless in the City park.

MICHELLE STRAUSS, announced the 2014 Palm Springs USA Pentathlon World Cup, and requested City sponsorship.

RON KING, Palm Springs, requested City sponsorship for the 2014 Palm Springs USA Pentathlon World Cup.

COUNCILMEMBER COMMENTS: None.

CITY MANAGER'S REPORT: None.

2. **CONSENT CALENDAR:**
ACTION: Approve Items 2.A., 2.B., 2.C., 2.D., 2.E., 2.F., 2.G., 2.H., and 2.I. **Motion Mayor Pro Tem 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 April 17, 2013, City Council Agenda. **Approved as part of the Consent Calendar.**

2.B. APPROVAL OF A NOTICE TO PROCEED FOR VEOLIA WEST OPERATING SERVICES, INC. FOR THE CONSTRUCTION PHASE OF THE TRICKLING FILTERS ARM REPLACEMENT (CP 13-15):
ACTION: Authorize the Director of Public Works/City Engineer to issue a Notice to Proceed to Veolia West Operating Services, Inc. for the construction phase of the Wastewater Treatment Plant Trickling Filters Arm Replacement Project in the amount of $408,625 (CP 13-15). **Approved as part of the Consent Calendar.**

2.C. PURCHASE AND INSTALLATION OF NEW FIRE ALARM SYSTEM AT CITY HALL:
ACTION: 1) Approve the purchase and installation of a new fire alarm system at City Hall as specified in Invitation for Bid (IFB) No. 13-14 to O'Linn Security Inc. in the amount of $44,133.55; 2) Adopt Resolution No. 23329, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, AMENDING THE FISCAL YEAR 2012-13 BUDGET FOR THE PROCUREMENT AND INSTALLATION OF A FIRE ALARM SYSTEM AT CITY HALL;" and 3) Authorize City Manager, or his designee, to execute all necessary documents, including the Purchase Order. **Approved as part of the Consent Calendar.**

2.D. STAFF AUTHORIZED AGREEMENTS AND PURCHASE ORDERS FOR THE MONTH OF MARCH 2013:
ACTION: Receive and file the report of Staff Authorized Agreements and Purchase Orders for the period of March 1 through March 31, 2013. **Approved as part of the Consent Calendar.**

2.E. SECOND READING AND ADOPTION OF ORDINANCE NO. 1819, RELATING TO SELECTION OF CONTRACTOR AND ESTABLISHING REGULATIONS FOR THE GRANT OF SOLID WASTE FRANCHISE AGREEMENTS:
ACTION: Waive the reading of the full text of the ordinance and adopt Ordinance No. 1819, "AN ORDINANCE OF THE CITY OF PALM SPRINGS, CALIFORNIA, AMENDING PALM SPRINGS MUNICIPAL CODE SECTION 6.04.015 RELATING TO THE SELECTION OF CONTRACTOR AND ESTABLISHING REGULATIONS FOR THE GRANT OF SOLID WASTE FRANCHISE AGREEMENTS FOR THE CITY OF PALM SPRINGS." **Approved as part of the Consent Calendar.**

2.F. ACCEPT THE RESIGNATION OF JOHN GILMER FROM THE HISTORIC SITE PRESERVATION BOARD:
ACTION: 1) Accept with regret the resignation of John Gilmer from the Historic Site Preservation Board; and 2) Direct the City Clerk to post a Notice of Vacancy for the unexpired term ending June 30, 2014. **Approved as part of the Consent Calendar.**

2.G. PROPOSED RESOLUTION ESTABLISHING TWO (2) HOUR ELECTRIC VEHICLE ONLY PARKING IN DESIGNATED AREAS:
ACTION: Adopt Resolution No. 23330, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, ESTABLISHING AND APPROVING TWO-HOUR ELECTRIC VEHICLE ONLY PARKING AT VARIOUS CITY OWNED PROPERTIES." **Approved as part of the Consent Calendar.**

2.H. AWARD CONTRACT TO UNIVERSAL ASPHALT CO., INC. FOR THE DESERT HIGHLAND UNITY CENTER (DHUC) MAIN PARKING LOT IMPROVEMENTS PROJECT (CP 13-12):
ACTION: 1) Approve an agreement with Universal Asphalt Co., Inc. for the DHUC Main Parking Lot Improvements Project in the amount of $77,415 (CP 13-12); and 2) Authorize the City Manager to execute all necessary documents. A6349. **Approved as part of the Consent Calendar.**

2.I. APPROVAL OF MINUTES:
ACTION: Approve the City Council Minutes of April 3, 2013. **Approved as part of the Consent Calendar.**

3. LEGISLATIVE: None.

4. UNFINISHED BUSINESS: None.

5. NEW BUSINESS:

5.A. PRESENTATION AND DISCUSSION OF THE DRAFT FISCAL YEAR 2013-14 GENERAL FUND BUDGET AND SPECIAL EVENTS AND FISCAL YEAR 2012-13 3RD QUARTER UPDATE:
City Manager Ready and Geoffrey Kiehl, Director of Finance, provided background information as outlined in the Fiscal Year 2013-14 Preliminary Budget dated April 17, 2013.

The City Council commented on a possible priority system for new requests for special events and/or sponsorship.

No action taken.

5.B. APPOINTMENT OF AD HOC CITY COUNCIL SUBCOMMITTEES TO SCREEN COMMISSION AND BOARD APPLICATIONS, TO DETERMINE QUALIFIED APPLICANTS AS PART OF THE 2013-14 ANNUAL RECRUITMENT OF CITY BOARDS AND COMMISSIONS:
ACTION: 1) Waive the procedures in Resolution No. 18804 Section 7(b), for the 2013 Annual Recruitment process, to allow for the City Council as a whole, to participate in the screening and interview of applicants for the Planning Commission and the Historic Site Preservation Board; 2) Waive the procedures in Resolution No. 18804 Section 7(b), for the 2013 Annual Recruitment process that provides for the Mayor to select and participate in all subcommittees; and 3) Appoint two-member ad hoc City Council Subcommittees to screen and interview applicants for the following Commission and Boards: Administrative Appeals Board: Mayor Pougnet and Councilmember Foat; Airport Commission: Mayor Pougnet and Mayor Pro Tem Mills; Board of Appeals: Mayor Pougnet and Councilmember Foat; BID Advisory Board: Mayor Pro Tem Mills and Councilmember Hutcheson; Human Rights Commission: Mayor Pro Tem Mills and Councilmember Lewin; Library Board of Trustees: Mayor Pro Tem Mills and Councilmember Lewin; Parks and Recreation Commission: Mayor Pro Tem Mills and Councilmember Foat; Personnel Board: Mayor Pougnet and Councilmember Hutcheson; Public Arts Commission: Councilmember Hutcheson and Councilmember Lewin; Rent Review Commission: Mayor Pro Tem Mills and Councilmember Foat; Sustainability Commission: Councilmember Hutcheson and Councilmember Lewin; VillageFest Board: Councilmember Foat and Councilmember Hutcheson. **Motion Councilmember Lewin, seconded by Mayor Pro Tem Mills and unanimously carried on a roll call vote.**

5.C. APPROVAL OF MEMORANDUM OF UNDERSTANDING FOR THE PALM SPRINGS FIRE SAFETY UNIT THROUGH JUNE 30, 2014:
City Manager Ready provided background information as outlined in the staff report dated April 17, 2013.

ACTION: 1) Adopt Resolution No. 23331, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, APPROVING A MEMORANDUM OF UNDERSTANDING RELATIVE TO WAGES, HOURS, AND OTHER TERMS AND CONDITIONS OF EMPLOYMENT FOR EMPLOYEES IN THE PALM SPRINGS FIRE SAFETY UNIT, FOR THE PERIOD JANUARY 1, 2013, THROUGH JUNE 30, 2014, SUBJECT TO THE UNIT'S RATIFICATION AND EXECUTING THE MEMORANDUM OF UNDERSTANDING;" and 2) Authorize the City Manager to execute the Memorandum of Understanding in a form acceptable to the City Attorney. A5364. **Motion Councilmember Foat, seconded by Councilmember Lewin and carried 4-1 on a roll call vote.**

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

COUNCILMEMBER REPORTS, REQUESTS, AND COMMENTS:

Mayor Pougnet requested staff address property maintenance items at the tennis courts at the Riviera property, and the Racquet Club property.

Councilmember Foat announced Mayor Pougnet's 50th Birthday.

Councilmember Lewin commented on blow sand.

ADJOURNMENT: The City Council adjourned, in memory of the victims of the Boston bombings, at 7:13 p.m. to Wednesday, May 1, 2013, 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 1ST DAY OF MAY, 2013.

Stephen P. Pougnet
STEPHEN P. POUGNET, MAYOR

ATTEST:

James Thompson
JAMES THOMPSON, CITY CLERK