CITY COUNCIL
FINANCING AUTHORITY
CITY OF PALM SPRINGS, CALIFORNIA

MEETING MINUTES
WEDNESDAY, JUNE 19, 2013
CITY HALL COUNCIL CHAMBER

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

PLEDGE OF ALLEGIANCE: Councilmember Lewin led the Pledge.

INVOCATION: Sharon Stroud, Inner Faith Spiritual Center, 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:

Molly Thorpe, Run for Ike Event, presented a check to the City in the amount of $8,157 for funds raised to assist the Palm Springs Police Department K-9 programs.

Mayor Pougnet provided an update on the recent visit to Palm Springs by United States President Obama.

REPORT OF CLOSED SESSION:

City Attorney Holland stated the meeting was called to order at 4:30 p.m. and the City Council recessed to Closed Session to discuss items on the posted Closed Session Agenda, and reported for the case titled Alexis *Nieves v. City of Palm Springs*, the City Council tendered the defense of the case to Merchants Landscape and their insurer and authorized the execution of stipulation and conflict waiver, otherwise no reportable actions were taken.

ACCEPTANCE OF THE AGENDA:

City Clerk Thompson stated staff recommends the City Council consider hearing Public Hearing Item 1.D. and 1.E. concurrently.

Mayor Pro Tem Mills noted his abstention on Consent Calendar Item 2.P.

Councilmember Foat noted her business related abstention on Consent Calendar Item 2.C., Warrant Nos. 1063728 and 1063729.

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

1. PUBLIC HEARINGS:

1.A. APPROVING AND FILING OF NUISANCE ABATEMENT LIENS FOR PUBLIC NUISANCES LOCATED AT 2185 NORTH JUNIPERO AVENUE, 414 SOUTH MONTE VISTA DRIVE, 845 NORTH FAIR CIRCLE, 688 SOUTH MOUNTAIN VIEW DRIVE, AND 941 EAST ANZA DRIVE:

City Clerk Thompson provided background information as outlined in the staff report dated June 19, 2013.

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

LEONARD CRAVENS, representing Homer Rivera, commented on the service of the lien notice, and stated the City contractor destroyed the yard on the property.

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

The City Council requested staff address the abatement on the property at 688 South Mountain View Drive.

Mayor Pro Tem Mills requested staff address the specific details of the public nuisance and provide photographs if available.

ACTION: 1) Adopt Resolution No. 23371, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM, CALIFORNIA, SPRINGS CONFIRMING THE REPORT OF PROCEEDINGS AND ACCOUNTING FOR THE PUBLIC NUISANCE ABATEMENT LIEN LOCATED AT 2185 NORTH JUNIPERO AVENUE;" 2) Adopt Resolution No. 23372, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, CONFIRMING THE REPORT OF PROCEEDINGS AND ACCOUNTING FOR THE PUBLIC NUISANCE ABATEMENT LIEN LOCATED AT 414 SOUTH MONTE VISTA DRIVE;" 3) Adopt Resolution No. 23373, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, CONFIRMING THE REPORT OF PROCEEDINGS AND ACCOUNTING FOR THE PUBLIC NUISANCE ABATEMENT LIEN LOCATED AT 845

NORTH FAIR CIRCLE;" 4) Adopt Resolution No. 23374, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, CONFIRMING THE REPORTS OF PROCEEDINGS AND ACCOUNTING FOR THE PUBLIC NUISANCE ABATEMENT LIEN LOCATED AT 941 EAST ANZA DRIVE; and 5) Continue the public hearing for the property located at 688 South Mountain View Drive to September 4, 2013; and 6) Direct the City Clerk to post a Notice of Continued Public Hearing pursuant to law. **Motion Mayor Pro Tem Mills, seconded by Councilmember Hutcheson and unanimously carried on a roll call vote.**

1.B. JOSHUA LEVY FOR A PRELIMINARY AND FINAL PLANNED DEVELOPMENT DISTRICT IN LIEU OF A CHANGE OF ZONE, A CONDITIONAL USE PERMIT PROPOSING A 40-BED ASSISTED LIVING FACILITY USE, AND DETERMINING THIS PROJECT IS CATEGORICALLY EXEMPT UNDER CEQA SECTION 15301 AT AN EXISTING 24-ROOM HOTEL ON A ROUGHLY 1.1 ACRE SITE AT 2150 NORTH PALM CANYON DRIVE (CASE 5.1293 PDD 362):
Margo Wheeler, Director of Planning Services, provided background information as outlined in the staff report dated June 19, 2013.

Councilmember Mills requested staff clarify Condition No. C regarding age restrictions.

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

Councilmember Foat questioned if noise from commercial establishments could affect the operation of an Assisted Living Facility.

ACTION: Adopt Resolution No. 23375, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, APPROVING A PRELIMINARY AND FINAL PLANNED DEVELOPMENT DISTRICT IN LIEU OF A CHANGE OF ZONE, SEEKING TO ADD ASSISTED LIVING FACILITY USES WITH A DENSITY OF 40 PATIENT BEDS, AND DETERMINING THIS PROJECT IS CATEGORICALLY EXEMPT UNDER CEQA SECTION 15301 ON A ROUGHLY 1.1-ACRE PARCEL AT 2150 NORTH PALM CANYON DRIVE (CASE 5.1293 PDD 362)" *amending Condition No. C to read "Primary Care Residents of the facility shall be limited in age from 65 years or older. Spouses and/or life partners shall be permitted to live in the same unit as the primary care resident regardless of age."* **Motion Councilmember Hutcheson, seconded by Councilmember Lewin and unanimously carried on a roll call vote.**

Mayor Pro Tem Mills stated he has a business related conflict of interest with respect to Item 1.C., would not participate in the discussion or vote, and left Council Chamber.

1.C. SOL PS, LLC. FOR A PLANNED DEVELOPMENT DISTRICT AND TENTATIVE PARCEL MAP FOR THE DEVELOPMENT OF 46 SINGLE FAMILY RESIDENTIAL UNITS IN A GATED COMMUNITY AT THE NORTHEAST CORNER OF AVENIDA CABALLEROS AND AMADO ROAD (CASE 5.1296 PD 363 TTM 36525):
Margo Wheeler, Director of Planning Services, provided background information as outlined in the staff report dated June 19, 2013.

Councilmember Foat requested staff address the installation of medians, and the square footage of the units.

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

VINCENT BARBATO, Applicant, commented on the development of the project, the neighborhood outreach meetings, requested the City Council consider amending the conditions of approval to provide for translucent windows only on the second floor, and commented on the public benefit of the project.

No further speakers coming forward the public hearing was closed.

Councilmember Hutcheson stated his support of the project and noted the need for housing in the community and the public benefits provided.

Councilmember Lewin noted the potential noise conflicts from the Convention Center, and requested the City Council consider adding the requirement of a noise disclosure.

ACTION: 1) Adopt Resolution No. 23376, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, ADOPTING A MITIGATED NEGATIVE DECLARATION; APPROVING CASE 5.1296 PDD 363, FOR THE CONSTRUCTION OF 46 SINGLE FAMILY RESIDENCES WITHIN A GATED COMMUNITY; AND APPROVING TENTATIVE TRACT MAP 36525 FOR THE SUBDIVISION OF A ROUGHLY 7.11 ACRE PARCEL INTO 46 RESIDENTIAL LOTS, PRIVATE STREETS AND PRIVATE COMMON OPEN SPACE FOR THE VACANT LAND LOCATED AT THE NORTHEAST CORNER OF AVENIDA CABALLEROS AND AMADO ROAD," *amending the Conditions of Approval Condition No. PLN 18 to require translucent glass only on second story units, requiring an Abatement Notice and Easement for potential noise impacts, and including the four conditions requested by the*

Tribe; 2) Waive reading and introduce by title only for first reading Ordinance No. 1822, "AN ORDINANCE OF THE CITY OF PALM SPRINGS, CALIFORNIA, APPROVING PLANNED DEVELOPMENT DISTRICT PDD 363 IN LIEU OF A CHANGE OF ZONE FOR A ROUGHLY 7.11 ACRE PARCEL LOCATED AT THE NORTHEAST CORNER OF AVENIDA CABALLEROS AND AMADO ROAD." **Motion Councilmember Hutcheson, seconded by Councilmember Foat and unanimously carried 4-0 on a roll call vote.**

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

Mayor Pro Tem Mills returned to the dais.

The City Council heard Public Hearing Items 1.D. and 1.E. concurrently.

1.D. APPROVE AN ENERGY SERVICES AGREEMENT WITH CHEVRON ENERGY SOLUTIONS COMPANY FOR A CITYWIDE ENERGY PROJECT AND CITY COUNCIL AND FINANCING AUTHORITY APPROVAL OF CITYWIDE ENERGY PROJECT FINANCING AND RELATED AGREEMENTS AND DOCUMENTS AND MAKING CERTAIN FINDINGS PURSUANT TO CALIFORNIA GOVERNMENT CODE SECTION 4217.13:

City Manager Ready, City Attorney Holland, Suzanne Harrell, Financial Advisor, and Dave Barakian, City Engineer, provided background information as outlined in the staff report dated June 19, 2013.

Councilmember Foat requested the City's Financial Advisor address the number of years for repayment of the bond, and the useful life of the equipment.

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

TIM SIGLE, Palm Springs, spoke in support of the project and the modifications to the lights in the Downtown area.

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

Councilmember Hutcheson noted the benefits to the environment, the investment in the Co-Gen plant, new lighting in the Downtown area, and the savings generated to pay for all the costs.

Mayor Pro Tem Mills thanked City staff, commented on the Co-Gen plant, the reduction of the Sunrise Co-Gen plant, the energy efficiency savings, the construction of the plant and the requirement for local preference, and requested staff clarify obtaining a project manager.

Councilmember Lewin commented on the energy savings and the cost-neutral nature of the project.

Mayor Pougnet commented on the development of the energy savings projects, and the checks and balances in the contracts.

ACTION: 1) Adopt Resolution No. 23377, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, MAKING CERTAIN FINDINGS AND APPROVING AN ENERGY SERVICES CONTRACT WITH CHEVRON ENERGY SOLUTIONS COMPANY;" and 2) Authorize the City Manager to execute all necessary documents. A6375. **Motion Councilmember Foat, seconded by Mayor Pro Tem Mills and unanimously carried on a roll call vote.**

ACTION: (CITY COUNCIL) Adopt Resolution No. 23378, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, APPROVING AND AUTHORIZING THE EXECUTION AND DELIVERY OF A SITE AND FACILITY LEASE, A LEASE AGREEMENT, AN ESCROW AGREEMENT AND A PLACEMENT AGENT AGREEMENT WITH RESPECT TO THE ACQUISITION, INSTALLATION, FINANCING, INSTALLMENT SALE PURCHASE AND LEASING OF EQUIPMENT THAT CONSTITUTES ENERGY CONSERVATION FACILITIES; APPROVING AND AUTHORIZING THE EXECUTION AND DELIVERY OF AGREEMENTS AND DOCUMENTS REQUIRED IN CONNECTION THEREWITH; RATIFYING FINDINGS PURSUANT TO SECTION 4217.13 OF THE CALIFORNIA GOVERNMENT CODE WITH RESPECT TO SUCH ENERGY CONSERVATION FACILITIES; AND AUTHORIZING THE TAKING OF ALL OTHER ACTIONS NECESSARY TO THE CONSUMMATION OF THE TRANSACTIONS CONTEMPLATED BY THIS RESOLUTION." **Motion Councilmember Foat, seconded by Mayor Pro Tem Mills and unanimously carried on a roll call vote.**

ACTION: (FINANCING AUTHORITY) Adopt Resolution No. 39, "A RESOLUTION OF THE GOVERNING BODY OF THE CITY OF PALM SPRINGS FINANCING AUTHORITY, CALIFORNIA, APPROVING AND AUTHORIZING THE EXECUTION AND DELIVERY OF A SITE AND FACILITY LEASE, A LEASE AGREEMENT, AN ASSIGNMENT AGREEMENT FOR PROJECT LEASE AND AN ASSIGNMENT AGREEMENT FOR EQUIPMENT LEASE WITH RESPECT TO THE ACQUISITION, INSTALLATION, FINANCING, INSTALLMENT SALE

PURCHASE AND LEASING BY THE CITY OF PALM SPRINGS, CALIFORNIA, OF EQUIPMENT THAT CONSTITUTES ENERGY CONSERVATION FACILITIES; AUTHORIZING THE EXECUTION AND DELIVERY OF AGREEMENTS AND DOCUMENTS REQUIRED IN CONNECTION THEREWITH; AND AUTHORIZING THE TAKING OF ALL OTHER ACTIONS NECESSARY TO THE CONSUMMATION OF THE TRANSACTIONS CONTEMPLATED BY THIS RESOLUTION." **Motion Councilmember Foat, seconded by Mayor Pro Tem Mills and unanimously carried on a roll call vote.**

1.E. CITY COUNCIL AND FINANCING AUTHORITY APPROVAL OF CITYWIDE ENERGY PROJECT FINANCING AND RELATED AGREEMENTS AND DOCUMENTS AND MAKING CERTAIN FINDINGS PURSUANT TO CALIFORNIA GOVERNMENT CODE SECTION 4217.13:

The City Council heard Public Hearing Items 1.D. and 1.E. concurrently.

PUBLIC COMMENT:

ROBERT VAN ROO, Palm Springs Safe Access, commented on medical cannabis facilities in the City of Palm Springs, and requested the City Council consider allowing a fourth permit.

GARY WEXLER, commented on the installation of Southern California Advanced Gas Meters.

BARBARA STANFORD, Palm Springs, commented on Item 4.A., regarding the Welwood Murray Memorial Library Remodel, and stated the building has been vacant too long, and spoke in support of the project and the request for Measure "J" funds.

DAVID GRAY, commented on Item 4.A., regarding the Welwood Murray Memorial Library Remodel, stated his support and the support of the Library Board for the Welwood project.

RICHARD NOBLE, requested the City Council consider a House of Blues at the Downtown Redevelopment Project, and commented on the signs installed on Arenas Road for equality.

SID CRAIG, announced the 2013 Palm Springs Short Film Festival, and encouraged the public to attend the Police Advisory Board Meetings.

GEORGE ZANDER, Palm Springs, announced the upcoming events of Equality California.

COUNCILMEMBER COMMENTS:

Councilmember Lewin requested City Staff work with the Andreas Hills neighborhood and the location of the Advanced Gas Meters by Southern California Gas Company.

CITY MANAGER'S REPORT:

City Manager Ready provided an update on Code Enforcement activities.

2. CONSENT CALENDAR:
ACTION: Approve Items 2.A., 2.B., 2.C., 2.D., 2.E., 2.F., 2.G., 2.H., 2.I., 2.J., 2.K., 2.L., 2.M., 2.N., 2.O., 2.P., 2.Q. and 2.R. **Motion Councilmember Foat, seconded by Mayor Pro Tem Mills 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 June 19, 2013, City Council Agenda. **Approved as part of the Consent Calendar.**

2.B. APPOINT MEMBERS TO THE PARKS AND RECREATION COMMISSION AS PART OF THE 2013 ANNUAL RECRUITMENT PROCESS:
ACTION: 1) Reappoint Cheryl Houk and Clifford Reed to the Parks and Recreation Commission for the terms ending June 30, 2016; 2) Appoint Sid Craig to the Parks and Recreation Commission for the term ending June 30, 2016; 3) Appoint Carol Davis and Jeff Conwell to the Parks and Recreation Commission for the unexpired terms ending June 30, 2015, and 4) Appoint Miguel Navarro to the Parks and Recreation Commission for the unexpired term ending June 30, 2014. **Approved as part of the Consent Calendar.**

2.C. APPROVAL OF PAYROLL WARRANTS, CLAIMS AND DEMANDS:
ACTION: 1) Adopt Resolution No. 23379, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, APPROVING PAYMENT OF CLAIMS AND DEMANDS BY WARRANTS NUMBERED 1063681 THROUGH 1063853 IN THE AGGREGATE AMOUNT OF $1,512,545.86, DRAWN ON BANK OF AMERICA;" 2) Adopt Resolution No. 23380, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, APPROVING PAYMENT OF PAYROLL WARRANTS FOR THE PERIOD ENDED 5-25-13 BY WARRANTS NUMBERED 418157 THROUGH 418181 TOTALING $41,980.89, LIABILITY CHECKS NUMBERED 1063854 THROUGH 1063858 TOTALING $2,370.13, ONE WIRE TRANSFER FOR $386.76 AND THREE ELECTRONIC ACH DEBITS OF $1,125,194.85, IN THE AGGREGATE AMOUNT OF $1,169,932.63, DRAWN ON BANK OF

AMERICA;" 3) Adopt Resolution No. 23381, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, APPROVING PAYMENT OF CLAIMS AND DEMANDS BY WARRANTS NUMBERED 1063859 THROUGH 1063969 IN THE AGGREGATE AMOUNT OF $1,200,684.97, DRAWN ON BANK OF AMERICA;" and 4) Adopt Resolution No. 23382, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, APPROVING PAYMENT OF CLAIMS AND DEMANDS BY WARRANTS NUMBERED 1063970 THROUGH 1064082 IN THE AGGREGATE AMOUNT OF $1,023,277.24, DRAWN ON BANK OF AMERICA." **Approved as part of the Consent Calendar, noting the abstention of Councilmember Foat on Warrant Nos. 1063728 and 1063729.**

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

2.E. APPOINT A MEMBER OF THE CITY COUNCIL TO SERVE AS THE ALTERNATE REPRESENTATIVE ON THE RIVERSIDE COUNTY TRANSPORTATION COMMISSION (RCTC):
ACTION: Appoint Councilmember Lewin to serve on RCTC as the Palm Springs Alternate Representative. **Approved as part of the Consent Calendar.**

2.F. AGREEMENT WITH THE BUXTON COMPANY TO IMPLEMENT THE RETAIL RECRUITMENT AND TOURISM PROFILE SOLUTIONS IN THE AMOUNT OF $68,000:
ACTION: 1) Approve an agreement with the Buxton Company to implement the retail recruitment and tourism profile solutions in the amount of $68,000; and 2) Authorize the City Manager to execute all necessary documents. A6376. **Approved as part of the Consent Calendar.**

2.G. AUTHORIZE AS NEEDED REPAIR PARTS FOR THE COGENERATION PLANT FOR FISCAL YEAR 2013-14:
ACTION: 1) Authorize issuance of a purchase order for the as-needed purchase of Caterpillar repair parts for the cogeneration plant from Johnson Power Systems in an amount not to exceed $160,000; and 2) Authorize the City Manager to execute all necessary documents. **Approved as part of the Consent Calendar.**

2.H. APPROVAL OF PLANS AND SPECIFICATIONS AND AUTHORIZATION TO BID FOR THE LANDSCAPING AND IRRIGATION

REPAIR AT THE FRANCES STEVENS PARK COURTYARD (CP 13-01):
ACTION: Approve and adopt plans and specifications and authorize staff to advertise and solicit bids for the construction of the Frances Stevens Park Courtyard Landscaping and Irrigation repair (CP 13-01). **Approved as part of the Consent Calendar.**

2.I. **APPROVE A PURCHASE ORDER CONTRACT WITH NILFISK ADVANCE, INC. FOR AIRPORT RUNWAY SURFACE RUBBER REMOVAL FOR A THREE-YEAR PERIOD IN THE AMOUNT OF $30,000:**
ACTION: 1) Approve a purchase order contract for airport runway surface rubber removal with Nilfisk Advance, Inc. for a three-year period in the amount of $30,000 subject to CPI increase; and 2) Authorize the City Manager to execute all necessary documents. **Approved as part of the Consent Calendar.**

2.J. **SUPPORT OF THE REDESIGNATION OF RIVERSIDE COUNTY AS A RECYCLING MARKET DEVELOPMENT ZONE DUE TO AN INCREASE IN BOUNDARIES AND ADOPTION OF INITIAL STUDY AND NEGATIVE DECLARATION:**
ACTION: Adopt Resolution No. 23383, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, IN SUPPORT OF THE REDESIGNATION OF RIVERSIDE COUNTY AS A RECYCLING MARKET DEVELOPMENT ZONE DUE TO AN INCREASE IN BOUNDARIES AND ADOPTION OF INITIAL STUDY AND NEGATIVE DECLARATION." **Approved as part of the Consent Calendar.**

2.K. **AMENDMENT NO. 1 TO AGREEMENT NO. A5688 WITH GREYHOUND LINES, INC. FOR NON-EXCLUSIVE USE OF CITY-OWNED TRAIN STATION ON GARNET STATION ROAD:**
ACTION: 1) Approve Amendment No. 1 to Agreement No. A5688 with Greyhound Lines, Inc. for non-exclusive use of the Train Station on Garnet Station Road; and 2) Authorize the City Manager to execute all necessary documents. A5688. **Approved as part of the Consent Calendar.**

2.L. **AMENDING THE DATE OF PUBLIC HEARING FOR THE ANNUAL LEVY OF ASSESSMENTS FOR VARIOUS CITYWIDE STREET LIGHTING AND PARKWAY MAINTENANCE DISTRICTS FOR FISCAL YEAR 2013-14:**
ACTION: Adopt Resolution No. 23384, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, AMENDING THE DATE OF PUBLIC HEARING AND RESOLUTION OF INTENT FOR VARIOUS STREET LIGHTING AND PARKWAY MAINTENANCE DISTRICTS FOR FISCAL YEAR 2013-14." **Approved as part of the Consent Calendar.**

2.M. APPROVE AN INTERIM EXTENSION OF THE TOURISM AND MANAGEMENT SERVICES AGREEMENT WITH SMG:
ACTION: Approve and authorize the City Manager to execute an interim extension of the Tourism and Management Services Agreement with SMG to extend the agreement to September 30, 2013. A5785. **Approved as part of the Consent Calendar.**

2.N. EXTEND SUSPENSION OF TWO-HOUR TIME LIMITS ON PORTIONS OF INDIAN CANYON DRIVE AND BELARDO ROAD FROM ALEJO ROAD TO RAMON ROAD AND DOWNTOWN CITY-OWNED PARKING LOTS AND PARKING STRUCTURE UNTIL JUNE 30, 2015:
ACTION: Adopt Resolution No. 23385, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, EXTENDING THE SUSPENSION OF TWO-HOUR TIME LIMITS ON PORTIONS OF INDIAN CANYON DRIVE AND BELARDO ROAD FROM ALEJO ROAD TO RAMON ROAD AND DOWNTOWN CITY-OWNED PARKING LOTS AND PARKING STRUCTURE UNTIL JUNE 30, 2015." **Approved as part of the Consent Calendar.**

2.O. AUTHORIZATION TO BID AND AWARD THE 2013 PAVEMENT RECONSTRUCTION AND OVERLAY PROJECT (CP 13-04):
ACTION: 1) Approve and adopt plans and specifications and authorize staff to advertise and solicit bids for the construction of the 2013 Pavement Reconstruction and Overlay Project; 2) Authorize the City Manager to award the construction contract in an amount not to exceed $2,300,000; and 3) Authorize City Manager to execute all necessary documents. A6377. **Approved as part of the Consent Calendar.**

2.P. APPROVAL OF MINUTES:
ACTION: Approve the City Council Minutes of June 5, 2013. **Approved as part of the Consent Calendar, noting the abstention of Mayor Pro Tem Mills.**

2.Q. INITIATE AN AMENDMENT TO THE 2007 PALM SPRINGS GENERAL PLAN ADOPTED BY RESOLUTION NO. 22077 REGARDING LAND USE CATEGORIES:
ACTION: 1) Adopt Resolution No. 23386, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, MAKING CERTAIN FINDINGS AND INITIATING AN AMENDMENT TO THE 2007 PALM SPRINGS GENERAL PLAN ADOPTED BY RESOLUTION NO. 22077;" and 2) Refer to the Planning Commission. **Approved as part of the Consent Calendar.**

2.R. AMENDMENT NO. 12 TO AGREEMENT NO. A4123 WITH VEOLIA WEST OPERATION SERVICES, INC. EXTENDING THE TERM TO

SEPTEMBER 30, 2014, FOR THE OPERATIONS AND MAINTENANCE OF THE WASTEWATER TREATMENT PLANT:
ACTION: 1) Approve Amendment No. 12 to Agreement No. A4123 with Veolia West Operation Services, Inc. extending the term to September 30, 2014, for the operations and maintenance of the wastewater treatment plant; and 2) Authorize the City Manager to execute all necessary documents. A4123. **Approved as part of the Consent Calendar.**

EXCLUDED CONSENT CALENDAR: None.

3. LEGISLATIVE:

3.A. PROPOSED ORDINANCE AMENDING CITY FIRE CODE REQUIREMENTS PERTAINING TO FIRE COMMAND CENTERS:
Fire Chief John Allan provided background information as outlined in the staff report dated June 19, 2013.

ACTION: 1) Waive the reading of the ordinance text in its entirety and read by title only; and 2) Introduce on first reading Ordinance No. 1823, "AN ORDINANCE OF THE CITY OF PALM SPRINGS, CALIFORNIA, REPEALING SUBSECTION 21 OF SECTION 8.04.510 OF THE PALM SPRINGS MUNICIPAL CODE, PERTAINING TO FIRE COMMAND CENTER REQUIREMENTS FOR BUILDINGS." **Motion Mayor Pro Tem Mills, seconded by Councilmember Hutcheson and carried 4-1 on a roll call vote.**

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

4. UNFINISHED BUSINESS:

4.A. DESIGN APPROVAL OF THE WELWOOD MURRAY MEMORIAL LIBRARY REMODEL PROJECT:
Al Smoot, Project Manager, provided background information as outlined in the staff report dated June 19, 2013.

Mayor Pro Tem Mills requested the Project Manager address the rear landscape plan, and the height of the mechanical wall.

ACTION: 1) Approve the Welwood Murray Memorial Library Remodel Plans as depicted on drawings dated May 8, 2013; 2) Approve the Estimated Project Cost of $1,150,439; and 3) Authorize the City Manager to approve final plans and proceed to project bidding as well as execute all required documentation for the project to proceed. **Motion Mayor Pro**

Tem Mills, seconded by Councilmember Lewin and unanimously carried on a roll call vote.

Councilmember Foat stated she had a property ownership related conflict of interest with respect to Item 4.B., would not participate in the discussion or vote, and left Council Chamber.

4.B. UPTOWN CROSSWALKS PROJECT:
Al Smoot, Project Manager, provided background information as outlined in the staff report dated June 19, 2013.

The City Council discussed and/or commented on the proposed cost to install the crosswalks, the cost differential between the alternative designs, the design costs, setting a budget for the overall project of $250,000 and work with traffic consultant, and limit the design costs by developing a typical drawing.

ACTION: 1) Direct staff to procced with the project design as related to the flashing beacon signage, sidewalk pop-outs and incorporation of a bicycle lane insofar as the total cost including design costs are not to exceed $250,000; and 2) Authorize the City Manager to approve a new agreement and/or an amendment to the RBF Engineering Design Contract for the development of construction bid documents for the project insofar as the total cost of the project including design costs are not to exceed $250,000; and 3) Authorize the City Manager to execute all required documentation for the project to proceed. **Motion Mayor Pougnet, seconded by Mayor Pro Tem Mills and unanimously carried 4-0 on a roll call vote.**

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

5. NEW BUSINESS: None.

COUNCILMEMBER COMMENTS, REQUESTS, AND REPORTS:

Councilmember Foat reported on the County of Riverside census of Homeless persons, and the funding of Roy's Desert Resource Center.

Mayor Pougnet commented on the proposed County of Riverside Detention Facility, and requested City Staff prepare for City Council discussion on development incentives for the North and South areas of Palm Springs.

ADJOURNMENT: The City Council adjourned at 8:27 p.m. to Wednesday, July 3, 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 3RD DAY OF JULY, 2013.

STEPHEN P. POUGNET, MAYOR

ATTEST:

JAMES THOMPSON, CITY CLERK