

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



MINUTES
WEDNESDAY, OCTOBER 22, 2008
City Hall Council Chamber

CALL TO ORDER: Mayor Pougnet called the meeting to order at 6:04 p.m.

PLEDGE OF ALLEGIANCE: Mayor Pougnet led the Pledge.

ROLL CALL:

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

ABSENT: None.

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

PRESENTATIONS: Mayor Pougnet and the City Council presented the Palm Springs Business Improvement District's Business Success Award to Oooh La La.

REPORT OF CLOSED SESSION: City Attorney Holland reported that at 4:30 p.m. the meeting was called to order 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City Clerk Thompson stated that staff recommends Item 1.C. be withdrawn from the Agenda.

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

PUBLIC COMMENT:

BRIAN LINNEKENS, South Palm Canyon LLC, provided an update on the Palm Canyon project, and explained the delays concerning the project.

JOY MEREDITH, Palm Springs, commented on the relationship between the Main Street merchants and the VillageFest Event, the Palm Springs Business Improvement District, and stated Main Street is conducting a survey for Bike Weekend.

PAUL MEDIANO, commented on the problems with his landlord, and the problems with the delays due to the Palm Canyon development.

CHERYL HUDSON, commented on the prohibition of A-Frame signs on the east side of Indian Canyon, Bike Weekend and stated that the Fire and Police Departments visited her establishment for Biker Weekend.

COUNCILMEMBER COMMENTS: None.

CITY MANAGER'S REPORT: City Manager Ready provided an update on the Tahquitz median and landscape project.

SS. STUDY SESSION:

SS1. JOINT STUDY SESSION OF THE CITY COUNCIL AND THE VILLAGEFEST BOARD TO DISCUSS ACCOMPLISHMENTS, GOALS, AND OBJECTIVES:

Sharon Heider, Director of Parks and Recreation, introduced the members of the VillageFest Board, and outlined the VillageFest Board's current goals and discussions as being: the overall goals and objectives, the aesthetics of the event, better coordination with Main Street.

Rebecca Terrill, VillageFest Board Chair, commented on the Downtown Design Plan as it relates to VillageFest, the Board's role in the budget and fee structures, stated more events and activities are needed for youth and teenagers at VillageFest, and the overall appearance and recommended booth standards be addressed.

Boardmember Garcia stated the VillageFest Board has had some discussions as indicated by Chair Terrill, requested the City Council provided direction on the overall goals, scope, and the overall look for VillageFest, and commented on the enforcement of Vendors selling approved merchandise.

Boardmember Bianco stated enforcement and budget should be discussed.

Boardmember Spohn stated the City should be more proactive in the solicitation of vendors that would be positive to the VillageFest event.

Boardmember Thomas commented on booth standards and the enforcement of rules, and suggested the City Council empower the Board to enforce the rules of VillageFest, commented on the aesthetics of VillageFest, recommended that the Board be provided authority for events and activities, stated VillageFest should be a showcase "green event" and set additional regulations or guidelines for vendors and incorporate a sustainability booth, suggested the Board should have input on the budget, and recommended that Downtown Merchants be allowed to have booths and rotate much like the current not-for-profit booths.

Councilmember Hutcheson stated VillageFest is great for Tourists and the VillageFest Board should have a role in a complete re-think of VillageFest, stated his suggestions for the Board to review and report on the following: more integration of merchants in the event, rules of who can participate and the 75% handmade goods rule, the physical layout of the VillageFest event and perhaps hold the event in uptown, the adoption of standards for the appearance of booths, and the Board should have additional input on the Budget with a goal of breaking even.

Mayor Pro Tem Foat stated she is in agreement with Councilmember Hutcheson's comments, stated the Board has very little power, and would like the Board to review the Ordinance outlining the duties of the Board and the number of members on the Board, stated she would recommend the Board review sustainability and a sustainability booth, strongly recommended a plan for recruitment of vendors, requested the Board review the expansion of the Farmers Market, and the Board should review the budget.

Councilmember Mills stated he is in agreement with Councilmember Hutcheson and Mayor Pro Tem Foat's comments, stated VillageFest has improved tremendously and the Board should continue to gradually improve the quality of the event, stated that VillageFest should engage and enhance the merchants, stated that the rules should be enforced, and recommended the Board evaluate and make recommendations toward enforcement of the rules and regulations.

Councilmember Weigel stated that VillageFest is an institution in Downtown Palm Springs, recommended additional activities for children, youth and teens, and requested the City Manager look into a way to provide electricity in the middle of the street to provide a restructuring that would allow for merchant participation in the event.

Mayor Pro Tem Foat stated that in 2005 a member of the Board put in an effort to re-market the event and recommended the materials be provided to the members.

Mayor Pougnet requested staff address the attendance at VillageFest, stated his support for increasing the membership of the Board, and commented on the overall structure of the event and how to integrate the event with merchants and other events in the Downtown, and requested the Board develop a strategic plan for the City Council to discuss implementation.

No action taken.

The VillageFest Board adjourned at 7:10 p.m., and the City Council recessed.
The City Council reconvened at 7:18 p.m.

SS2. UPDATE OF THE FISCAL YEAR 2008-09 BUDGET AND INVESTMENTS, AND THE PALM SPRINGS BUSINESS IMPROVEMENT DISTRICT:

Tammy Perezchica, Downtown Administration, provided an update on the Palm Springs Business Improvement District.

Geoffrey Kiehl, Director of Finance, provided an update on the first quarter budget for fiscal year 2008-09 as outlined in the budget review document.

Councilmember Hutcheson requested the Finance Director address the status of the City's other revenue sources.

Mayor Pro Tem Foat requested the Finance Director address the status of the AIG investments and if the City had any other investments in AIG, and requested staff address audits of sales taxes and the Board of Equalization.

No action taken.

SS3. DISCUSSION ON THE PLACEMENT OF ITEMS ON THE CITY COUNCIL AGENDA, PRIORITIZE FUTURE AGENDA/STUDY SESSION TOPICS, DOCKET REVIEW, AND AGENDA PROCESS:

City Manager Ready provided background information as outlined in the staff report dated October 22, 2008.

Councilmember Weigel stated the City Council should have a discussion prior to an item being placed on the agenda with a predisposition, stated the City Council should discuss the placement of items on the Agenda, and commented on the amount of staff time that may be used on an Agenda item placed on the Agenda by a Councilmember.

Mayor Pougnet stated he has not changed his view on the placement of items on the agenda, but indicated that he would be open for discussion on the predisposed recommendations by staff.

Mayor Pro Tem Foat stated the City Council and staff have the authority to place items on the agenda and stated not placing items on the agenda may be stifling to the community.

Councilmember Mills stated any one Councilmember should be able to request any item be placed on a future agenda.

Councilmember Hutcheson stated a Councilmember should be provided the opportunity to place items on the agenda, the City Council should use the acceptance of the agenda to comment and/or discuss items that a

Councilmember believes should not be on the Agenda, and stated the City Manager is very sensitive with respect to the allocation of staff time.

The City Council discussed the priority items as follows: continue to have a series of study session direction items, study session for the City Council to provide direction on the design and use of the Jackie Lee Houston Plaza, reports from City Council Subcommittees (the Sign Subcommittee, the Business Retention Subcommittee, and the Animal Shelter Subcommittee), and a progress report from the College of the Desert.

No action taken.

1. ADJOURNED MEETING ITEMS:

1.A. AUTHORIZE THE PURCHASE OF NATURAL GAS:

David Barakian, City Engineer, provided background information as outlined in the staff report dated October 22, 2008.

ACTION: 1) Authorize the City Manager to enter into an agreement for the purchase of natural gas for a term not-to-exceed 24 months; and 2) Authorize the City Manager to execute all necessary documents. A5740. **Motion Councilmember Mills, seconded by Mayor Pougnet and unanimously carried on a roll call vote.**

1.B. AGREEMENTS FOR CITY OWNED GOLF COURSES:

City Manager Ready provided background information as outlined in the staff report dated October 22, 2008, and recommended two modifications to the contract to provide the monthly compensation if the agreement exceeds the current term and a 60-day cancellation clause after May 31, 2009.

Councilmember Hutcheson commented on the deficit at the City's Golf Courses, and thanked staff for taking action.

ACTION: 1) Approve the termination and the expenditure of \$1,190,000 to terminate the lease with Olympus Real Estate Partners for the Legends Golf Course; 2) Approve an agreement with Century Golf Partners Holdings, III, LP, Arnold Palmer Golf Management, LLC, for the management of the Legends and Resort Golf Courses for the period of October 27, 2008, through December 31, 2009, amending the agreement to provide the monthly compensation if the agreement exceeds the current term and a 60-day cancellation clause after May 31, 2009; 3) Adopt Resolution No. 22369, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, AMENDING THE FISCAL YEAR 2008-09 BUDGET;" and 4) Adopt Resolution No. 22370, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM

SPRINGS, CALIFORNIA, AMENDING THE FISCAL YEAR 2008-09 BUDGET;" A3469. A5741. **Motion Councilmember Weigel, seconded by Councilmember Mills and unanimously carried on a roll call vote.**

- 1.C. CALLING THE NOTE AND APPROVING THE PAYMENT FROM THE COMMUNITY REDEVELOPMENT AGENCY TO THE CITY FOR REDUCTION OF THE PRINCIPAL OF THE NOTE TITLED *PROMISSORY NOTE VISITORS CENTER DATED FEBRUARY 7, 2008:***
Withdrawn from the Agenda at the request of staff.

COUNCILMEMBER COMMENTS, REQUESTS, AND REPORTS:

Councilmember Mills requested the City Manager and the Police Chief study and report on enforcement to address the speeding violations in school zones.

Mayor Pougnet announced the upcoming sustainability summit and provided a reminder of the upcoming Presidential Election.

Mayor Pro Tem Foat requested the City Manager provide a report and recommendations to enhance recycling for condominium and multi-unit buildings.

ADJOURNMENT: The City Council adjourned at 8:47 p.m., to a Regular Meeting, Wednesday, November 5, 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 5TH DAY OF NOVEMBER, 2008.


STEPHEN P. POUGNET, MAYOR

ATTEST:


JAMES THOMPSON, CITY CLERK