

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



**MEETING MINUTES
WEDNESDAY, NOVEMBER 20, 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 Guard, led the Pledge.

INVOCATION: Pastor Jerrold Thompson, Seventh-Day Adventist 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 presented Charles Dunn a Certificate of Recognition for his service to the Country during the time of President Kennedy's assassination, and for sharing his experience with the City of Palm Springs.

Mayor Pougnet provided an update on the recent events in the City of Palm Springs: Veteran's Day Parade and the Palm Springs Museum 75th Anniversary.

Mayor Pro Tem Mills provided an update on the Palm Springs High School Homecoming Parade and the Palm Desert Alumni of the Year award.

Councilmember Foat announced discounted pet adoptions at the Palm Springs Animal Shelter during the holiday season.

Mayor Pougnet announced the upcoming events in the City of Palm Springs: ATHENA Awards, Downtown Holiday Tree Lighting, Festival of Lights Parade, the WLF Mentorship Programs, and the 2014 Mayor's Race and Wellness Festival.

Councilmember Hutcheson announced the upcoming City of Palm Springs Holiday Food Drive.

REPORT OF CLOSED SESSION:

The meeting was called to order at 4:30 p.m. and the City Council recessed into Closed Session to discuss items on the posted Closed Session Agenda. City Attorney Holland reported the City Council provided direction to City Staff, otherwise no reportable actions were taken.

ACCEPTANCE OF THE AGENDA:

City Clerk Thompson requested the City Council consider moving Item 5.B. to the Consent Calendar as Item 2.M.

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

Councilmember Lewin requested Item 2.E. be removed from the Consent Calendar for separate discussion.

Councilmember Foat requested Items 2.E., 2.F., and 2.H. be removed from the Consent Calendar for separate discussion.

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

1. PUBLIC HEARINGS:

1.A. PRAETOR INVESTMENT, LLC, FOR AN AMENDMENT TO A PREVIOUSLY APPROVED PLANNED DEVELOPMENT DISTRICT 333 (PDD 333) AND TENTATIVE TRACT MAP (TTM 35236) FOR THE DEVELOPMENT OF A 200-ROOM HOTEL, 50 RESIDENTIAL UNITS AND A PARKING STRUCTURE LOCATED AT THE NORTHWEST CORNER OF AVENIDA CABALLEROS AND AMADO ROAD:

Edward Robertson, Principal Planner, provided background information as outlined in the staff report dated November 20, 2013.

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

LAURIE KIBBY, Applicant, presented an overview of the proposed project,

BOB HELBLING, Palm Springs, commented on the history of the proposed project, the need for the project, and requested the City Council approve the project.

DAVID BARON, stated his support for the Dolce Project, and commented on the history of the site and the development of the project.

BOB ELSNER, Palm Springs, stated his support for the Dolce Project, and commented on the impact to the tourism industry in the City of Palm Springs.

BILL LAMOND, commented on the relationship with hotels in the Historic Tennis Club neighborhood, and requested the City Council support the project.

ROBERT MOON, stated his support for the proposed Dolce hotel project, and commented on the design, parking and meeting facilities.

RICHARD CLIFFORD, Palm Springs, commented on the design of the project, and stated his support for the Dolce project.

KRISTIN BLOOMER, commented on the economic impact, the target demographic audience of the hotel, and stated her support for the project.

CHRISTINE SOTO, read a letter of support from the Palm Springs Oasis.

JOY BROWN MEREDITH, commented on the design of the project, the impact to the City and Convention Center, and requested the City Council approve the project.

MICHAEL STEWARD, Palm Springs, stated his support for the Dolce project, and commented on the impact to the surrounding neighbors.

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

Mayor Pro Tem Mills commented on the proposed design, requested staff address the procedural process to approve the final PD, commented on Final Design Condition No. 12, requested staff address General Condition No. 30, requested more developed street enhancements at Amado and Avenida Caballeros including crosswalk design, requested the City Council consider amendments to the crosswalk design consistent with Downtown, commented on the proposed restaurant, expressed concerns on the "back of house" operations and the noise to immediate neighbors, commented on the screen walls, the lack of medians at the project and requested staff address a median on Amado, commented on Fire Department Condition No. 2 and requested the CFD be clarified as per unit and for the residential units only, and complimented the Applicant on the project.

Councilmember Hutcheson stated his support of the project, commented on the street improvements including crosswalks, the improvements made for the benefit of the surrounding neighborhood, and commented on the Dolce brand.

Councilmember Foat requested the Applicant address the parking conditions and the reduction of parking, and thanked the Developer for working with the neighborhood.

Councilmember Lewin commented on the enhanced crosswalks, the connectivity of the project, the Convention Center and Downtown, commented on the interaction with the neighborhood, and stated his support for the project.

Mayor Pougnet commented on the investment in the Community and the change to the City and the Convention Center, the interaction between the Applicant and the surrounding neighborhood, commented on the current crosswalk and enhancing the crosswalks, commented on the median, and stated his support for the project.

ACTION: Adopt Resolution No. 23457, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, FINDING THE PREVIOUSLY ADOPTED MITIGATED NEGATIVE DECLARATION NUMBER 200700845 AND THE ADDENDUM THERETO AS SUFFICIENT AND APPROPRIATE ENVIRONMENTAL DOCUMENTATION FOR THE PROPOSED AMENDMENT TO PLANNED DEVELOPMENT DISTRICT 333, APPROVING AN AMENDMENT TO PLANNED DEVELOPMENT DISTRICT 333 AND TENTATIVE TRACT MAP 35236, AS PROPOSED BY PRAETOR INVESTMENT, LLC, FOR THE DEVELOPMENT OF A 200-ROOM HOTEL, 50 HIGH-END RESIDENTIAL UNITS AND A PARKING STRUCTURE ON APPROXIMATELY 10.47 ACRES OF LAND LOCATED AT THE NORTHWEST CORNER OF AVENIDA CABALLEROS AND AMADO ROAD," *amending Condition of Approval Final Design No. 12 by deleting the last sentence pertaining to hillside lighting, Condition of Approval Fire Department No. 2 to read ". . . Shall not exceed \$500 per residential unit" and General Condition No. 31 regarding crosswalks "shall be approved by the City Engineer."* **Motion Councilmember Hutcheson, seconded by Councilmember Lewin and unanimously carried on a roll call vote.**

The City Council recessed at 7:45 p.m.
The City Council reconvened at 7:55 p.m.

1.B. AMENDMENT TO THE PALM SPRINGS ZONING CODE REGARDING CHURCHES IN VARIOUS ZONES (CASE 5.1306 ZTA):

ACTION: 1) Continue the Public Hearing with no public testimony at this time; 2) Direct staff and the Planning Commission to further review churches in the Central Business District; and 3) Direct the City Clerk to re-notice pursuant to law. **Motion Councilmember Lewin, seconded by Councilmember Foat and unanimously carried on a roll call vote.**

Councilmember Hutcheson stated he had a property related conflict of interest with respect to Item 1.C., would not participate in the discussion or the vote, and left Council Chamber.

1.C. HISTORIC DISTRICT DESIGNATION FOR THE RACQUET CLUB COTTAGES WEST CONDOMINIUMS (NOW KNOWN AS THE RACQUET CLUB GARDEN VILLAS) AT 360 WEST CABRILLO ROAD (HSPB 88, HD-3):

Margo Wheeler, Director of Planning Services, provided background information as outlined in the staff report dated November 20, 2013.

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

KIM ZAKOWSKI, HOA President Racquet Club Villas, commented on the detailed request for historic designation, the history of the Racquet Club Villas, and requested the City Council approve the Historic District.

ERIK ROSENOW, Palm Springs Preservation Foundation, commented on the history of the development and the nomination, and requested the City Council support the designation.

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

ACTION: Adopt Resolution No. 23458, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, DESIGNATING THE RACQUET CLUB COTTAGES WEST LOCATED AT 360 CABRILLO ROAD AS HISTORIC DISTRICT NO. 3 (COMMON AREA APN 504-131-061) (HSPB 88, HD-3)." **Motion Councilmember Foat, seconded by Councilmember Lewin and unanimously carried 4-0 on a roll call vote.**

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

Councilmember Hutcheson returned to the dais.

1.D. PROPOSED ORDINANCES ADOPTING AND AMENDING THE 2013 CALIFORNIA BUILDING STANDARDS CODE, ADOPTING AND AMENDING THE 2013 CALIFORNIA FIRE CODE, ADOPTING AND AMENDING THE 2012 INTERNATIONAL PROPERTY MAINTENANCE CODE, ADOPTING THE CITY OF PALM SPRINGS BUILDING ADMINISTRATIVE CODE, AND REPEALING ARTICLE VII OF CHAPTER 8.04 OF THE PALM SPRINGS MUNICIPAL CODE RELATING TO SWIMMING POOL SAFETY STANDARDS:

City Attorney Holland provided background information as outlined in the staff report dated November 20, 2013.

No speakers coming forward, the public hearing was closed.

Councilmember Foat commented on the letter received by the Desert Valley Business Association.

Mayor Pro Tem Mills thanked staff for the preparation of the amendment matrix.

ACTION: 1) Waive the reading of the text in its entirety and read by title only and introduce on first reading Ordinance No. 1832, "AN ORDINANCE OF THE CITY OF PALM SPRINGS, CALIFORNIA, AMENDING AND RESTATING ARTICLE I OF CHAPTER 8.04 OF THE PALM SPRINGS MUNICIPAL CODE, ADOPTING BY REFERENCE, TOGETHER WITH CERTAIN ADDITIONS, AMENDMENTS AND DELETIONS, THE 2013 CALIFORNIA BUILDING CODE, INCLUDING APPENDICES C, I, AND J; THE 2013 CALIFORNIA RESIDENTIAL CODE, INCLUDING APPENDIX H; THE 2013 CALIFORNIA MECHANICAL CODE; THE 2013 CALIFORNIA PLUMBING CODE, INCLUDING APPENDICES A, B, D, G, I AND K; THE 2012 INTERNATIONAL PROPERTY MAINTENANCE CODE, INCLUDING ALL APPENDICES; THE 2013 CALIFORNIA EXISTING BUILDING CODE; THE 2013 CALIFORNIA HISTORIC BUILDING CODE, INCLUDING APPENDIX A; THE 2013 CALIFORNIA ELECTRICAL CODE, INCLUDING ALL APPENDICES; THE 2013 CALIFORNIA ENERGY CODE, INCLUDING ALL APPENDICES; AND THE 2013 GREEN BUILDING STANDARDS CODE, INCLUDING ALL APPENDICES, AMENDING AND RESTATING ARTICLE IV OF CHAPTER 8.04 OF THE PALM SPRINGS MUNICIPAL CODE, ADOPTING THE CITY OF PALM SPRINGS BUILDING ADMINISTRATIVE CODE, AND REPEALING ARTICLE VII OF CHAPTER 8.04 OF THE PALM SPRINGS MUNICIPAL CODE, RELATING TO SWIMMING POOL SAFETY STANDARDS;" 2) Waive the reading of the text in its entirety and read by title only and introduce the first reading of Ordinance No. 1833, "AN ORDINANCE OF THE CITY OF PALM SPRINGS, CALIFORNIA, AMENDING AND RESTATING ARTICLE VI OF CHAPTER 8.04 OF THE PALM SPRINGS MUNICIPAL CODE,

ADOPTING BY REFERENCE, TOGETHER WITH ADDITIONS, AMENDMENTS AND DELETIONS, THE 2013 CALIFORNIA FIRE CODE, INCLUDING APPENDIX CHAPTER 4 AND APPENDICES A, B, BB, C, CC, F, H, I, J, K, L, M, AND N;" 3) Declare its intention to hold a public hearing on December 18, 2013; and 4) Direct the City Clerk to notice the public hearing pursuant to law. **Motion Councilmember Lewin, seconded by Councilmember Foat and unanimously carried on a roll call vote.**

PUBLIC COMMENT:

FRANK TAYLOR, Palm Desert, requested the City Council consider funding of unmanned Aerial Systems.

GEORGE ZANDER, Palm Springs, commented on the Municipal Quality Index, and stated the City of Palm Springs received a score of 100.

DON SHEARER, commented on his testimony at the last City Council meeting.

SID CRAIG, commented on the "Ask the Chief" booth at VillageFest, and the City's score on the Municipal Quality Index.

JOY BROWN MEREDITH, stated the holiday banners have been installed in the Downtown and Uptown area, and commented on the Downtown Holiday Tree Lighting event, commented on Item 5.A. and the proposed Trolley, Item 2.H. Mural Standards, and the VillageFest Board.

STEVE ROSENBERG, commented on the recent political events.

COUNCILMEMBER COMMENTS: None.

CITY MANAGER'S REPORT: None.

2. CONSENT CALENDAR:

ACTION: Approve Items 2.A., 2.C., 2.D., 2.G., 2.I., 2.J., 2.K., 2.L., and 2.M. **Motion Councilmember Hutcheson, seconded by Councilmember Foat 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 20, 2013, City Council Agenda. **Approved as part of the Consent Calendar.**

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

ACTION: 1) Adopt Resolution No. 23460, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA,

APPROVING PAYMENT OF CLAIMS AND DEMANDS BY WARRANTS NUMBERED 1066564 THROUGH 1066699 IN THE AGGREGATE AMOUNT OF \$1,351,994.28, DRAWN ON BANK OF AMERICA;" 2) Adopt Resolution No. 23461, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, APPROVING PAYMENT OF PAYROLL WARRANTS FOR THE PERIOD ENDED 10-12-13 BY WARRANTS NUMBERED 418351 THROUGH 418366 TOTALING \$30,877.18, LIABILITY CHECKS NUMBERED 1066700 THROUGH 1066723 TOTALING \$122,630.59 FIVE WIRE TRANSFERS FOR \$45,770.92 AND THREE ELECTRONIC ACH DEBITS OF \$1,105,067.85 IN THE AGGREGATE AMOUNT OF \$1,304,346.54, DRAWN ON BANK OF AMERICA;" 3) Adopt Resolution No. 23462, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, APPROVING PAYMENT OF CLAIMS AND DEMANDS BY WARRANTS NUMBERED 1066724 THROUGH 1066824 IN THE AGGREGATE AMOUNT OF \$535,074.77, DRAWN ON BANK OF AMERICA;" 4) Adopt Resolution No. 23463, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, APPROVING PAYMENT OF CLAIMS AND DEMANDS BY WARRANTS NUMBERED 1066825 THROUGH 1066990 IN THE AGGREGATE AMOUNT OF \$2,052,996.18, DRAWN ON BANK OF AMERICA;" 5) Adopt Resolution No. 23464, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, APPROVING PAYMENT OF PAYROLL WARRANTS FOR THE PERIOD ENDED 10-26-13 BY WARRANTS NUMBERED 418367 THROUGH 418384 TOTALING \$35,719.03, LIABILITY CHECKS NUMBERED 1066991 THROUGH 1067014 TOTALING \$122,942.51 FIVE WIRE TRANSFERS FOR \$45,870.92 AND THREE ELECTRONIC ACH DEBITS OF \$1,145,289.07 IN THE AGGREGATE AMOUNT OF \$1,349,821.53, DRAWN ON BANK OF AMERICA;" 6) Adopt Resolution No. 23465, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, APPROVING PAYMENT OF CLAIMS AND DEMANDS BY WARRANTS NUMBERED 1067015 THROUGH 1067122 IN THE AGGREGATE AMOUNT OF \$1,408,294.77, DRAWN ON BANK OF AMERICA;" and 7) Adopt Resolution No. 23466, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, APPROVING PAYMENT OF CLAIMS AND DEMANDS BY WARRANTS NUMBERED 1067123 THROUGH 1067127 IN THE AGGREGATE AMOUNT OF \$7,930.70, DRAWN ON BANK OF AMERICA." **Approved as part of the Consent Calendar.**

- 2.D. **PROGRAM SUPPLEMENT AGREEMENT NO. N039 WITH THE STATE OF CALIFORNIA FOR USE OF HBP FEDERAL-AID FUNDS FOR THE EAST PALM CANYON BRIDGE REHABILITATION OVER PALM CANYON WASH (BRIDGE NO. 56C-0409) PROJECT FEDERAL-AID PROJECT NO. BHLS-5282 (041) (CP 12-04):**

ACTION: 1) Adopt Resolution No. 23467, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, APPROVING PROGRAM SUPPLEMENT AGREEMENT NO. N039 TO ADMINISTERING AGENCY-STATE AGREEMENT FOR FEDERAL-AID PROJECTS NO. 08-5282R WITH THE STATE OF CALIFORNIA, IN THE AMOUNT OF \$787,917.00, FOR THE EAST PALM CANYON BRIDGE REHABILITATION OVER PALM CANYON WASH PROJECT, FEDERAL-AID PROJECT NO. BHLS-5282 (041) (CP 12-04);" and 2) Authorize the City Manager to execute all necessary documents. A6451. **Approved as part of the Consent Calendar.**

2.G. APPROVE THE APPLICATION SUBMISSION FOR HOUSING RELATED PARKS (HRP) GRANT:

ACTION: Adopt Resolution No. 23469, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, APPROVING THE APPLICATION SUBMISSION FOR HOUSING RELATED PARKS (HRP) GRANT AND AUTHORIZING THE CITY MANAGER TO EXECUTE THE STANDARD AGREEMENT WITH THE STATE OF CALIFORNIA AND THE CONTRACTS/AGREEMENTS". **Approved as part of the Consent Calendar.**

2.I. ACCEPT THE RESIGNATION OF MARCIA MARTINEAU-LOW FROM THE VILLAGEFEST BOARD:

ACTION: 1) Accept with regret the resignation of Marcia Martineau-Low; and 2) Direct the City Clerk to post a notice of vacancy for the unexpired term ending June 30, 2015. **Approved as part of the Consent Calendar.**

2.J. LOAN TO SUCCESSOR AGENCY TO COMPLY WITH HEALTH AND SAFETY CODE SECTION 34179.6(f), IN THE AMOUNT OF \$1,500,000:

ACTION: (CITY COUNCIL) 1) Approve issuance of a new loan to the Successor Agency in the amount of \$1,500,000 for the purpose of complying with Health and Safety Code Section 34179.6(f). (SUCCESSOR AGENCY) 1) Accept a new loan from the City of Palm Springs in the amount of \$1,500,000; and 2) Adopt Resolution No. 23470, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, ACTING SOLELY IN ITS CAPACITY AS THE SUCCESSOR AGENCY TO THE CITY OF PALM SPRINGS COMMUNITY REDEVELOPMENT AGENCY, AND IN ITS CAPACITY AS THE HOUSING SUCCESSOR AGENCY TO THE CITY OF PALM SPRINGS COMMUNITY REDEVELOPMENT AGENCY, AMENDING THE SUCCESSOR AGENCY AND HOUSING SUCCESSOR AGENCY BUDGETS FOR FISCAL YEAR 2013-14." **Approved as part of the Consent Calendar.**

2.K. APPROVE AN AMENDMENT TO THE AGREEMENT FOR PLACEMENT OF ARTWORK ON PRIVATE PROPERTY AND GRANT OF EASEMENT FOR 810 NORTH FARRELL DRIVE:

ACTION: 1) Approve an amendment to the Agreement for Placement of Artwork and Grant of Easement Agreement for the public art located at 810 North Farrell Drive; and 2) Authorize the City Manager to execute all necessary documents. A3738. **Approved as part of the Consent Calendar.**

2.L. APPROVAL OF MINUTES:

ACTION: Approve the City Council Minutes of November 6, 2013. **Approved as part of the Consent Calendar.**

2.M. APPROVE PURCHASE OF PROPERTY FOR THE DOLCE PROJECT FROM BENITA JOYCE POTTERS AND THE UNITED STATES DEPARTMENT OF THE INTERIOR, BUREAU OF INDIAN AFFAIRS FOR AN APPROXIMATELY 2.89 ACRE PARCEL ON CALLE ALVARADO NORTH OF AMADO ROAD; APPROVE A VACANT LAND PURCHASE AGREEMENT AND JOINT ESCROW INSTRUCTIONS WITH PRAETOR INVESTMENTS, LLC, TO FUND THE ACQUISITION AND ACQUIRE THE PARCEL FROM THE CITY; APPROVE THE ASSIGNMENT OF A PURCHASE AND SALE AGREEMENT WITH CDI VENTURES, LLC TO PRAETOR INVESTMENTS, LLC, AND AFFIRMING THE TIMELINES ESTABLISHED IN THE HOTEL INCENTIVE PROGRAM BY ORDINANCE NO. 1821 §1 (2013) APPLY TO THE PROJECT:

ACTION: 1) Approve a memorandum of sale of Allotment No. PS-72A with Benita Joyce Potters, also known as Benita Joyce Olinger, and the United States Department of the Interior, Bureau of Indian Affairs, for an approximately 2.89 acre parcel (Lot 102 of Section 14) on Calle Alvarado, north of Amado Road, in the amount of \$1,735,000, plus interest in quarterly interest-only payments as set forth and evidenced by a promissory note; 2) Approve a vacant land purchase agreement and joint escrow instructions with Praetor Investments LLC to fund the acquisition of a 2.89+ acre parcel (Lot 102 of Section 14) on Calle Alvarado, north of Amado Road, in the amount of \$1,735,000, plus interest in quarterly interest-only payments as set forth and evidenced by a promissory note and provide for the acquisition of the parcel from the City; 3) Adopt Resolution No. 23471, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, APPROVING THE ASSIGNMENT OF A PURCHASE AND SALE AGREEMENT WITH CDI VENTURES, LLC APPROVED IN MARCH, 2013 TO PRAETOR INVESTMENTS, LLC, THE SUCCESSOR IN INTEREST AND DETERMINING THE TIMELINE DATES ESTABLISHED IN THE HOTEL INCENTIVE ORDINANCE, AS AMENDED ON MAY 1, 2013, APPLY TO THIS PROJECT AT CALLE ALVARADO AND AMADO ROAD;" and 4)

Authorize the City Manager to execute all necessary documents. A6453.
Approved as part of the Consent Calendar.

EXCLUDED CONSENT CALENDAR:

2.B. RATIFICATION AND AUTHORIZATION OF EMERGENCY CONTRACTS FOR DEBRIS CLEANUP AND RESTORATION OF THE CITY'S MUNICIPAL GOLF COURSE:

Councilmember Hutcheson requested staff address the preparedness of the golf course for the upcoming Thanksgiving Day holiday and the new season.

ACTION: 1) Ratify the action taken by the City Manager, for the public health and safety, for the debris cleanup and restoration at the City's Municipal Golf Course during the local emergency declared by Resolution No. 23436; 2) Authorize the City Manager to take other such actions as deemed appropriate and necessary for the restoration in response to the local emergency; and 3) Adopt Resolution No. 23459, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, AMENDING THE BUDGET FOR FISCAL YEAR 2013-14 FOR GOLF COURSE EMERGENCY REPAIRS." **Motion Councilmember Hutcheson, seconded by Councilmember Foat and unanimously carried on a roll call vote.**

2.E. PROGRAM SUPPLEMENT AGREEMENT NO. N038 WITH THE STATE OF CALIFORNIA FOR USE OF HBP FEDERAL-AID FUNDS FOR THE SOUTH PALM CANYON BRIDGE REPLACEMENT OVER TAHQUITZ CREEK (BRIDGE NO. 56C-0408) PROJECT, FEDERAL-AID PROJECT NO. BRLS-5282 (042) (CP 12-02):

Councilmember Lewin thanked staff for the work on obtaining grants, and requested staff address bike lanes.

Councilmember Foat commented on reviewing all aspects in the development of this bridge, including fencing for the bike lanes, and the Tahquitz Creek Master Plan.

ACTION: 1) Adopt Resolution No. 23468, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, APPROVING PROGRAM SUPPLEMENT AGREEMENT NO. N038 TO ADMINISTERING AGENCY-STATE AGREEMENT FOR FEDERAL-AID PROJECTS NO. 08-5282R WITH THE STATE OF CALIFORNIA IN THE AMOUNT OF \$787,032.00, FOR THE SOUTH PALM CANYON BRIDGE REPLACEMENT OVER TAHQUITZ CREEK PROJECT, FEDERAL-AID PROJECT NO. BRLS-5282 (042) (CP 12-02);" and 2) Authorize the City Manager to execute all necessary documents. A6452. **Motion Mayor Pro Tem Mills, seconded by Mayor Pougnet and unanimously carried on a roll call vote.**

2.F. ANALYSIS OF IMPEDIMENTS TO FAIR HOUSING CHOICE:

Councilmember Foat stated the City should do some education on this report, requested City Staff address the availability of data in the preparation of the report, and requested staff place this on the Human Rights Commission Agenda.

ACTION: Receive and file the City's Analysis of Impediments to Fair Housing Choice, dated October 2013. **Motion Councilmember Lewin, seconded by Councilmember Foat and unanimously carried on a roll call vote.**

2.H. INITIATE AN AMENDMENT TO THE PALM SPRINGS ZONING CODE DEFINING AND SETTING STANDARDS FOR MURALS:

Councilmember Foat commented on the current lack of process.

ACTION: Initiate a Zone Text Amendment pursuant to Palm Springs Zoning Code Section 92.07.01.A.1.b regarding murals and refer to the Planning Commission. **Motion Mayor Pro Tem Mills, seconded by Councilmember Foat and unanimously carried on a roll call vote.**

3. LEGISLATIVE: None.

4. UNFINISHED BUSINESS: None.

5. NEW BUSINESS:

5.A. DISCUSSION OF A PROPOSED TROLLEY PROGRAM TO SERVE THE DOWNTOWN AND UPTOWN DESIGN DISTRICT ALONG WITH OTHER POTENTIAL LOCATIONS/VENUES:

City Manager Ready provided background information as outlined in the staff report dated November 20, 2013.

Mayor Pougnet stated his support for staff continuing to work on developing the program, commented on AQMD and potential grants, the hours of operation, requested the City Council consider an ad hoc City Council Subcommittee, and commented on participation by the Agua Caliente Band of Cahuilla Indians.

Councilmember Lewin stated his support for a proposed trolley program, his support for daytime operations, options for a shorter loop, the use of electric vehicles, ensuring stakeholders are participants including funding commitments.

Councilmember Hutcheson stated his support for this type of program, commented on daytime operations for lunchtime and shopping components, stated his support for a pilot project that incorporates several different concepts.

Councilmember Foat stated her support for a trolley program, requested staff address funding, and commented on proposed hours of operation.

Mayor Pro Tem Mills commented on incorporating a daytime route, the opportunities, the development of the program, and stated his support.

ACTION: 1) Direct staff to continue to refine elements of a trolley program with respect to finalizing cost estimates, sources of funding, operations procedures, capital equipment acquisitions; 2) Direct staff to return to the City Council with a comprehensive program; and 3) Appoint Councilmember Foat and Councilmember Lewin to an ad hoc City Council Trolley Subcommittee. **By unanimous consensus of the City Council.**

- 5.B. APPROVE PURCHASE OF PROPERTY FOR THE DOLCE PROJECT FROM BENITA JOYCE POTTERS AND THE UNITED STATES DEPARTMENT OF THE INTERIOR, BUREAU OF INDIAN AFFAIRS FOR AN APPROXIMATELY 2.89 ACRE PARCEL ON CALLE ALVARADO NORTH OF AMADO ROAD; APPROVE A VACANT LAND PURCHASE AGREEMENT AND JOINT ESCROW INSTRUCTIONS WITH PRAETOR INVESTMENTS, LLC, TO FUND THE ACQUISITION AND ACQUIRE THE PARCEL FROM THE CITY; APPROVE THE ASSIGNMENT OF A PURCHASE AND SALE AGREEMENT WITH CDI VENTURES, LLC TO PRAETOR INVESTMENTS, LLC, AND AFFIRMING THE TIMELINES ESTABLISHED IN THE HOTEL INCENTIVE PROGRAM BY ORDINANCE NO. 1821 §1 (2013) APPLY TO THE PROJECT:**

Moved to the Consent Calendar as Item 2.M.

- 5.C. PROPOSED RESOLUTION DECLARING THE RESULTS OF THE NOVEMBER 5, 2013, REGULAR MUNICIPAL ELECTION:**

ACTION: Adopt Resolution No. 23472, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, RECITING THE FACT OF THE REGULAR MUNICIPAL ELECTION HELD ON NOVEMBER 5, 2013, DECLARING THE RESULT AND SUCH OTHER MATTERS AS ARE PROVIDED BY LAW." **Motion Councilmember Hutcheson, seconded by Councilmember Lewin and unanimously carried on a roll call vote.**

- 5.D. APPOINTMENT OF MAYOR PRO TEMPORE FOR THE TERM ENDING DECEMBER 2014:**

ACTION: Appoint Councilmember Hutcheson as Mayor Pro Tempore for the term ending December, 2014. **Motion Councilmember Foat, seconded by Mayor Pro Tem Mills and unanimously carried on a roll call vote.**

COUNCILMEMBER COMMENTS, REQUESTS, AND REPORTS:

Councilmember Lewin commented on the lack of street improvements on Palm Canyon near Horizon Mobile Home Park, commented on the State approval of Salton Sea license plate and requested the CVB market this program, requested staff address the time frame for the confirmation of Andreas Road as a two-way road, and requested staff address the lack of signage on the Downtown Revitalization Project.

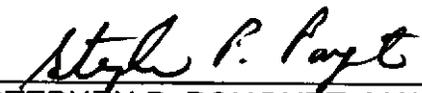
Councilmember Hutcheson requested the Planning Commission review the request for unmanned Aerial Systems.

Councilmember Foat commented on the lack of signage at the Downtown Revitalization Project, and requested the City Manager place on an upcoming agenda a discussion regarding Indian Canyon as a two-way street.

Mayor Pougnet requested the installation of speed humps on Ramon Road in the residential zone west to the trail, requested the removal of Measure J signage and the development of new signage, requested the City Engineer address the priority of street repairs, commented on the CV Link and the Measure J request for Tahquitz Creek improvements, and requested the City Manager address soccer in the City of Palm Springs.

ADJOURNMENT: The City Council adjourned at 9:34 p.m. to Wednesday, December 4, 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 4TH DAY OF DECEMBER, 2013.


STEPHEN P. POUGNET, MAYOR

ATTEST:


JAMES THOMPSON, CITY CLERK