CITY COUNCIL
CITY OF PALM SPRINGS, CALIFORNIA

MEETING MINUTES
WEDNESDAY, DECEMBER 3, 2014
CITY HALL COUNCIL CHAMBER

CALL TO ORDER: Mayor Pougnet called the meeting to order at 6:13 p.m.

PLEDGE OF ALLEGIANCE: Girl Scout Troop 1744, led the Pledge.

INVOCATION: Rev. Kevin Johnson, Bloom in the Desert United Church of Christ, led the Invocation.

ROLL CALL:

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

PRESENTATIONS:

Mayor Pougnet and the City Council presented Captain Dennis Graham and Renee Montante a Certificate of Appreciation for their public service and their retirement from the Palm Springs Police Department.

Mayor Pougnet announced the upcoming Athena Awards, the Holiday Banner Program, the Holiday Tree Lighting, Christmas Tree Land, the Festival of Lights Parade, Christmas in Palm Springs film screening, Squats for Tots, the Triple Crown, and the 2015 Mayor's Race and Wellness Festival.

Councilmember Foat provided an update on pet adoptions at the Palm Springs Animal Shelter.

REPORT OF CLOSED SESSION:

The meeting was called to order at 4:30 p.m., and City Attorney Holland requested the City Council consider adding an item to the Closed Session Agenda, pursuant to Cal. Gov. Code Section 54956.9(b)(3)(B) Liability Claim of New Cingular Wireless, and stated he has received information regarding the claim after the posting of the Agenda, and there is an immediate need to hear and/or take action.

ACTION: 1) Find the matter came to the attention of the City after the posting of the agenda and there is an immediate need to hear and/or take action; and 2) Add to the Closed Session Agenda, Cal. Gov. Code Section 54956.9(b)(3)(B) Liability Claim of New Cingular Wireless. **Motion Councilmember Mills, seconded by Mayor Pro Tem Hutcheson and unanimously carried (4-0), noting the absence of Councilmember Foat.**

City Attorney Holland stated the City Council recessed into Closed Session to discuss items on the Closed Session Agenda, and reported the City Council provided direction to Staff, and authorized the City Attorney to settle the Liability Claim of New Cingular Wireless (now doing business as AT & T), a copy of the settlement agreement will be on file in the Office of the City Clerk when executed. A6637.

ACCEPTANCE OF THE AGENDA:

City Clerk Thompson stated Staff is requesting Item 2.N. be removed from the Consent Calendar for a Staff Report and update.

Councilmember Lewin noted his property ownership related abstention on Item 2.H.

Councilmember Foat requested Item 2.O. be removed from the Consent Calendar for separate discussion.

Mayor Pro Tem Hutcheson noted his property ownership related abstention on Item 2.L.

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

1. **PUBLIC HEARINGS:** None.

PUBLIC COMMENT:

CURT WATTS, Palm Springs, commented on Item 2.N. and requested the City Council modify the bike lane corridor on Farrell Drive.

CHRISTINE HAMMOND, Palm Springs, commented on Item 2.N. and requested the City Council modify the bike lane corridor on Farrell Drive.

JEFFERY HOLLEY, commented on Item 2.N. and requested the City Council modify the bike lane corridor on Farrell Drive.

JEFF CLARKSON, commented on Item 2.N. and requested the City Council modify the bike lane corridor on Farrell Drive.

BRETT KLEIN, commented on Item 2.N. and requested the City Council modify the bike lane corridor on Farrell Drive.

DAVID CARDEN, Palm Springs, requested the City Council approve Item 2.O. for public safety, commented on vacation rentals and stated the City is making progress.

ANA SOLOMAN, commented on Item 4.B. regarding vacation rentals, requested the City Council review zoning, limiting the number of vacation rentals in a specific area, and limiting the number of days.

BRADY SANDAHL, commented on Item 4.B. regarding vacation rentals, requested the City continue to work with vacation rentals for a successful vacation rental program.

JAMES CANFIELD, commented on Item 4.B. regarding vacation rentals, and stated vacation rentals are an important aspect of the Palm Springs brand and economy.

MICHAEL MCLEAN, commented on Item 4.B. regarding vacation rentals, stated un-registered vacation rentals hurt his business, and stated his support for the regulation and the use of the vacation rental hotline.

WAYNE DEWORTTSEN, commented on Item 4.B. regarding vacation rentals, commented on his concerns with vacation rentals in the Mesa area, and requested the City Council consider a minimum stay of renters.

NINA JACKSON, Palm Springs, commented on Item 4.B. regarding vacation rentals, and requested the City Council consider a minimum stay for renters.

ELLEN LOCKART, commented on Item 4.B. regarding vacation rentals, requested the City Council limit noise with enforcement, close repeat offenders, and remove the plus 2 provision.

SCOTT EHRENS, commented on Item 2.N. and the vehicular speed on Farrell Drive, requested the City Council lower the speed limit, commented on Item 4.B. regarding vacation rentals, stated the vacation rental regulations have been effective.

NIKOHL VANDEL, Palm Springs, commented on homelessness in the City of Palm Springs and the Police Department.

LARRY FECHTER, commented on Item 4.B. regarding vacation rentals, requested the City Council consider eliminating the plus 2 provision, an enforcement procedure for weekends, and stated the number of calls from the Deepwell Neighborhood have declined.

ROBERT MOON, Palm Springs, commented on Item 4.B. regarding vacation rentals, the loss of revenue of small hotels and innkeepers, and requested stricter regulations and enforcement.

LISA MIDDLETON, Palm Springs, commented on Item 4.B. regarding vacation rentals, requested the City Council consider eliminating the plus 2 provision, and review the appeal process.

LUCIO BERNA, commented on Item 4.B. regarding vacation rentals, stated this is an issue of common ground, and stated his support for vacation rentals.

J. C. CONSTANT, commented on Item 4.B. regarding vacation rentals, stated vacation rentals is a big part of tourism, and requested the City Council maintain the vacation rental ordinance.

GEORGE W. ZANDER, Palm Springs, commented on Item 4.B. regarding vacation rentals, stated the ordinance is working very well, commented on enforcement and false complaints.

MICHAEL GOLD, commented on Item 4.B. regarding vacation rentals, and stated the ordinance is working.

RICHARD BLACKHURST, Palm Springs, commented on Item 4.B. regarding vacation rentals, and commented on the number of vacation rentals in Deepwell and the noise and other impacts.

REGINA PEARSON, Palm Springs, commented on Item 4.B. regarding vacation rentals, regarding noise and other impacts of vacation rentals in the Mesa neighborhood.

HOWARD BULLER, Morongo Valley, commented on Item 4.B. regarding vacation rentals, stated he has seen some improvements, and requested the City Council consider addressing false reports.

JOSE OTERO, commented on Item 4.B. regarding vacation rentals, stated he would not be at the meeting if the ordinance was working, and requested the City Council limit vacation rentals to one per one-thousand feet.

TRICIA PORTER, commented on Item 4.B. regarding vacation rentals, commented on party houses in the Deepwell Neighborhood, and expressed concerns over parking and noise.

ADRAIN ALCANTAR, commented on the current construction on Andreas Road and the communication between City Officials and the small Downtown businesses.

DWAYNE CARRIER, commented on Item 4.B. regarding vacation rentals, and commented on the impact of vacation rentals on real estate and tourism.

MINDY REED, requested the City Council continue the moratorium on mobile food trucks, address the bike lane concerns on Farrell and reduce the speed limit, commented on Item 4.B. regarding vacation rentals, and the impact to tourism.

TOM ADAMO, Palm Springs, commented on Item 4.B. regarding vacation rentals, and commented on the impact to tourism.

JOY BROWN MEREDITH, commented on Item 4.B. regarding vacation rentals, stated enforcement is the key, commented on the Downtown Holiday Banner Program, the construction on Andreas Road, and requested the City Council delay the construction until June.

JENNY MCLEAN, announced the upcoming Palm Springs Woman's Club events.

RUDI POLAK, Palm Springs, commented on Item 4.B. regarding vacation rentals, and on false reports to the vacation rental hotline.

KRISTIN BLOOMER, commented on Item 4.B. regarding vacation rentals, and stated she has used the hotline and it has been effective.

TEE JONES, commented on Item 4.B. regarding vacation rentals, and stated the ordinance is effective.

COUNCILMEMBER COMMENTS:

Councilmember Lewin commented on traffic safety and traffic calming, and requested the City Council consider an ad hoc subcommittee.

CITY MANAGER'S REPORT:

City Manager Ready announced the retirement of City Engineer Dave Barakian and announced Marcus Fuller as Assistant City Manager/Engineer.

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.P., 2.Q., and 2.R. **Motion Councilmember Mills, seconded by Councilmember Lewin 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 December 3, 2014, City Council Agenda. **Approved as part of the Consent Calendar.**

2.B. APPROVAL OF MINUTES:
ACTION: Approve the City Council Minutes of November 19, 2014. **Approved as part of the Consent Calendar.**

2.C. APPROVAL OF PAYROLL WARRANTS, CLAIMS AND DEMANDS:
ACTION: 1) Adopt Resolution No. 23711, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, APPROVING PAYMENT OF CLAIMS AND DEMANDS BY WARRANTS NUMBERED 1074462 THROUGH 1074656 IN THE AGGREGATE AMOUNT OF $2,196,705.15, DRAWN ON BANK OF AMERICA;" 2) Adopt Resolution No. 23712, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, APPROVING PAYMENT OF PAYROLL WARRANTS FOR THE PERIOD ENDED 10-25-14 BY WARRANTS NUMBERED 418869 THROUGH 418886 TOTALING $30,635.95, LIABILITY CHECKS NUMBERED 1074657 THROUGH 1074661 TOTALING $2,220.78, ONE WIRE TRANSFER FOR $386.76, AND THREE ELECTRONIC ACH DEBITS OF $1,243,908.98 IN THE AGGREGATE AMOUNT OF $1,277,152.47, DRAWN ON BANK OF AMERICA;" 3) Adopt Resolution No. 23713, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, APPROVING PAYMENT OF CLAIMS AND DEMANDS BY WARRANTS NUMBERED 1074662 THROUGH 1074759 IN THE AGGREGATE AMOUNT OF $871,729.95, DRAWN ON BANK OF AMERICA;" 4) Adopt Resolution No. 23714, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, APPROVING PAYMENT OF CLAIMS AND DEMANDS BY WARRANTS NUMBERED 1074760 THROUGH 1074891 IN THE AGGREGATE AMOUNT OF $1,949,581.54, DRAWN ON BANK OF AMERICA;" 5) Adopt Resolution No. 23715, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, APPROVING PAYMENT OF PAYROLL WARRANTS FOR THE PERIOD ENDED 11-08-14 BY WARRANTS NUMBERED 418887 THROUGH 418906 TOTALING $30,910.86, LIABILITY CHECKS NUMBERED 1074892 THROUGH 1074913 TOTALING $108,131.32, FIVE WIRE TRANSFERS FOR $45,903.28, AND THREE ELECTRONIC ACH DEBITS OF $1,174,101.58 IN THE AGGREGATE AMOUNT OF $1,359,047.04, DRAWN ON BANK OF AMERICA;" 6) Adopt Resolution No. 23716, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, APPROVING PAYMENT OF CLAIMS AND DEMANDS BY WARRANTS NUMBERED 1074914 THROUGH 1074985 IN THE AGGREGATE AMOUNT OF $1,157,146.71, DRAWN ON BANK OF AMERICA;" and 7) Adopt Resolution No. 23717, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, APPROVING PAYMENT OF CLAIMS AND DEMANDS BY WARRANTS NUMBERED

1074986 THROUGH 1075186 IN THE AGGREGATE AMOUNT OF $1,738,785.53, DRAWN ON BANK OF AMERICA." **Approved as part of the Consent Calendar.**

2.D. ACCEPT A FISCAL YEAR 2014 STATE HOMELAND SECURITY PROGRAM GRANT FROM FEDERAL EMERGENCY MANAGEMENT AGENCY VIA THE CALIFORNIA GOVERNOR'S OFFICE OF EMERGENCY SERVICES THROUGH THE RIVERSIDE COUNTY OFFICE OF EMERGENCY SERVICES IN THE AMOUNT OF $53,175 AND APPROVE A MEMORANDUM OF UNDERSTANDING (MOU) WITH THE DESERT WATER AGENCY FOR INSTALLATION OF A BI-DIRECTIONAL ANTENNA AT 38725 SOUTH PALM CANYON DRIVE:
ACTION: 1) Accept a grant fund from the California Governor's Office of Emergency Services through the Riverside County Office of Emergency Services in the amount of $53,175; 2) Approve a MOU with the Desert Water Agency for installation of a bi-directional antenna to improve radio transmission, reception, and overall system functionality at 38725 South Palm Canyon Drive, at no cost to either agency; and 3) Authorize the City Manager to execute all necessary documents. A6625. A6631. **Approved as part of the Consent Calendar.**

2.E. REPORT OF ESCALATOR REPAIR AT THE PALM SPRINGS INTERNATIONAL AIRPORT PURSUANT TO PALM SPRINGS MUNICIPAL CODE SECTION 7.04.040:
ACTION: Receive and file Report of Emergency Escalator Repair pursuant to Palm Springs Municipal Code Section 7.04.040. **Approved as part of the Consent Calendar.**

2.F. TREASURER'S INVESTMENT REPORT AS OF OCTOBER 31, 2014:
ACTION: Receive and File the Treasurer's Investment Report as of October 31, 2014. **Approved as part of the Consent Calendar.**

2.G. AMENDMENT NO. 1 TO AGREEMENT NO. A6492 WITH JEFFREY JURASKY & ASSOCIATES FOR ADDITIONAL ENTRYWAY SIGNAGE DESIGN SERVICES IN THE AMOUNT OF $7,920:
ACTION: 1) Approve Amendment No. 1 to Agreement No. A6492 with Jeffrey Jurasky & Associates adding two additional entry way sign locations and additional landscape design services in the amount of $7,920; and 2) Authorize the City Manager to execute all necessary documents. A6492. **Approved as part of the Consent Calendar.**

2.H. CHANGE ORDER NO. 2 TO AGREEMENT NO. A6548 WITH TRI STAR CONTRACTING II, INC. FOR TRACT 13257 (ARNICO TRACT)

PHASE 3 SEWER IMPROVEMENTS PROJECT IN THE AMOUNT OF $17,466.01 (CP 13-26):
ACTION: 1) Authorize the City Manager to approve Change Order No. 2 to Agreement No. A6548 in the amount of $17,466.01 with Tri-Star Contracting II, Inc. for Tract 13257 (Arnico Tract) Phase 3 Sewer Improvements Project (CP 13-26); and 2) Authorize the City Manager to execute all necessary documents. A6548. **Approved as part of the Consent Calendar, noting the abstention of Councilmember Lewin.**

2.I. **ACCEPTANCE OF THE SUPPLEMENTAL LAW ENFORCEMENT SERVICES ACCOUNT (SLESA) GRANT FROM THE STATE OF CALIFORNIA FOR $100,000, APPROVE AN EXPENDITURE PLAN AND APPROPRIATION:**
ACTION: 1) Accept the State of California Supplemental Enforcement Services Account (SLESA) Grant and Expenditure Plan in the amount of $100,000; 2) Direct the Director of Finance/City Treasurer to fund the Appropriation; and 3) Authorize the City Manager to execute any documents to effectuate the acceptance of the grant. A5765. **Approved as part of the Consent Calendar.**

2.J. **APPROVE THE MEMORANDUM OF UNDERSTANDING WITH RIVERSIDE COUNTY PROBATION DEPARTMENT AND POST-RELEASE ACCOUNTABILITY AND COMPLIANCE TEAM TO FOCUS ON "HIGH RISK" AND "AT-LARGE" OFFENDERS:**
ACTION: 1) Approve the Memorandum of Understanding with the Riverside County Probation Department and Post-Release Accountability and Compliance Team for a three-year period; and 2) Authorize the City Manager to execute all necessary documents. A6354. **Approved as part of the Consent Calendar.**

2.K. **MEMORANDUM OF UNDERSTANDING WITH THE PALM SPRINGS POLICE OFFICERS' ASSOCIATION:**
ACTION: 1) Adopt Resolution No. 23718, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, APPROVING A MEMORANDUM OF UNDERSTANDING (MOU) RELATIVE TO WAGES, HOURS, AND OTHER TERMS AND CONDITIONS OF EMPLOYMENT FOR EMPLOYEES IN THE PALM SPRINGS POLICE OFFICERS' ASSOCIATION FOR THE PERIOD JULY 1, 2014, THROUGH JUNE 30, 2018, SUBJECT TO THE ASSOCIATION EXECUTING THE MOU;" 2) Adopt Resolution No. 23719, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, APPROVING THE PAYMENT OF MEMBER CONTRIBUTIONS FOR THE PUBLIC EMPLOYEES RETIREMENT SYSTEM (PERS);" and 3) Authorize the City Manager to execute the MOU and all documents necessary to effectuate the above actions during

the term of the MOU, including the allocation and compensation plan, side letters of agreement and non-substantial MOU language changes. A5340. **Approved as part of the Consent Calendar.**

2.L. CITY COUNCIL ACTING SOLELY IN ITS CAPACITY AS SUCCESSOR AGENCY TO THE PALM SPRINGS COMMUNITY REDEVELOPMENT AGENCY, APPROVE AN AGREEMENT AND ESCROW INSTRUCTIONS WITH RICHARD MEANEY AND YOKANG ZHOU FOR SUCCESSOR AGENCY OWNED REAL PROPERTY AT 1479 NORTH PALM CANYON DRIVE IN THE AMOUNT OF $195,561:
ACTION: 1) Approve an agreement and escrow instructions with Richard Meaney and Yokang Zhou for the sale of Successor Agency owned property located at 1479 North Palm Canyon Drive in the amount of $195,561 pursuant to Health and Safety Code Section 34191.5(C); 2) Authorize the City Clerk to submit the agreement to the Oversight Board of the Successor Agency of the Palm Springs Community Redevelopment Agency for approval; and 3) Authorize the City Manager to execute all documents related to the agreement. A6632. **Approved as part of the Consent Calendar, noting the abstention of Mayor Pro Tem Hutcheson.**

2.M. ACCEPT A FISCAL YEAR 2014 STATE HOMELAND SECURITY PROGRAM GRANT FROM FEDERAL EMERGENCY MANAGEMENT AGENCY VIA THE CALIFORNIA GOVERNOR'S OFFICE OF EMERGENCY SERVICES THROUGH THE RIVERSIDE COUNTY OFFICE OF EMERGENCY SERVICES IN THE AMOUNT OF $10,863 AND AUTHORIZE THE PURCHASE OF TACTICAL RESPONSE EQUIPMENT IN THE AMOUNT NOT TO EXCEED $33,283.15:
ACTION: 1) Accept a grant from the California Governor's Office of Emergency Services through the Riverside County Office of Emergency Services in the amount of $10,863; 2) Authorize the purchase of tactical response equipment in the amount of $33,283.15 from SecurityProUSA based on the results of the competitive RFQ process conducted; and 3) Authorize the City Manager to execute all necessary documents. A6625. **Approved as part of the Consent Calendar.**

2.P. FISCAL YEAR 2014-15 MEASURE J PROJECT / PROGRAM FUNDING RECOMMENDATIONS AND CERTAIN MULTI-YEAR PROJECTS:
ACTION: 1) Approve appropriations for nine projects for Fiscal Year 2014-15 in the amount of $945,000 and a $500,000 reserve for community projects; 2) Approve planned funding for five projects in the amount of $939,658 for Fiscal Year 2015-16 and a $500,000 reserve for community projects; and 3) Authorize the City Manager to execute all budget transfers and amendments necessary to effectuate the City Council action on appropriations. **Approved as part of the Consent Calendar.**

2.Q. AWARD OF CONSTRUCTION CONTRACT TO GLOBAL POWER GROUP INC. FOR FIRE STATION 442 EMERGENCY GENERATOR INSTALLATION PROJECT IN THE AMOUNT OF $79,998 (CP 13-29):
ACTION: 1) Approve an agreement with Global Power Group Inc. for Fire Station 442 Emergency Generator Installation Project in the amount of $79,998 (CP 13-29); and 2) Authorize the City Manager to execute all necessary documents. A6634. **Approved as part of the Consent Calendar.**

2.R. APPROVE FINAL TRACT MAP 35540 LOCATED AT THE WESTERLY TERMINUS OF RACQUET CLUB ROAD AND A SUBDIVISION IMPROVEMENT AGREEMENT WITH PINNACLE VIEW, LLC:
ACTION: 1) Adopt Resolution No. 23720, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, APPROVING FINAL TRACT MAP 35540 FOR PROPERTY LOCATED AT THE WESTERLY TERMINUS OF RACQUET CLUB ROAD, IN SECTION 4, TOWNSHIP 4 SOUTH, RANGE 4 EAST, AND APPROVING A RELATED SUBDIVISION IMPROVEMENT AGREEMENT;" and 2) Authorize the City Manager to execute all necessary documents. A6635. **Approved as part of the Consent Calendar.**

EXCLUDED CONSENT CALENDAR:

2.N. APPROVAL OF PLANS, SPECIFICATIONS AND ESTIMATE (PS&E) AND AUTHORIZATION TO BID FOR THE NON-MOTORIZED TRANSPORTATION PLAN PHASE I BICYCLE CORRIDORS PROJECT, FUNDED BY MEASURE J (CP 13-32):
David Barakian, City Engineer, provided background information as outlined in the Staff Report dated December 3, 2014.

Councilmember Lewin requested Staff address the State rules and regulations for lowering the speed limit, the consistency with the General Plan, and the need for CEQA.

Councilmember Foat requested Staff clarify the recommendation for the City Council.

Councilmember Mills commented on the previous City Council discussions on Farrell and Racquet Club, and the need for a General Plan Amendment.

Councilmember Lewin requested staff review any inconsistency with the General Plan and the NMTP.

ACTION: 1) Approve the Plans, Specifications, and estimate for the Non-Motorized Transportation Plan (NMTP) Phase I Bicycle Corridors Project, (limited to Items 1, 2, 3, and 5) funded by Measure J (CP 13-32), and authorize staff to advertise and solicit bids; and 2) Direct Staff to return with further analysis on Item 4 and Item 6. **Motion Councilmember Foat, seconded by Councilmember Mills and unanimously carried on a roll call vote.**

2.O. AWARD OF CONSTRUCTION CONTRACT TO DBX, INC. FOR SUNRISE WAY AT THE BOYS & GIRLS CLUB/RALPH'S DRIVEWAYS TRAFFIC SIGNAL INSTALLATION PROJECT IN THE AMOUNT OF $209,687 (CP 13-25):

Councilmember Foat requested the Police Chief address the traffic safety concerns in the immediate area.

ACTION: 1) Approve an agreement with DBX, Inc. for the Sunrise Way at Boys & Girls Club/Ralph's Driveways Traffic Signal Installation Project in the amount of $209,687, subject to the protest provisions of the Palm Springs Municipal Code Section 7.08.030 (CP 13-25); and 2) Authorize the City Manager to execute all necessary documents. A6633. **Motion Mayor Pro Tem Hutcheson, seconded by Councilmember Lewin and unanimously carried on a roll call vote.**

3. LEGISLATIVE:

3.A. ADOPTION OF AN INTERIM URGENCY ORDINANCE PROHIBITING VENDING FROM MOBILE FOOD VEHICLES IN THE CITY, SUBJECT TO CERTAIN EXCEPTIONS, UNTIL DECEMBER 31, 2015:

John Raymond, Director of Community and Economic Development, provided background information as outlined in the Staff Report dated December 3, 2014.

ACTION: 1) Waive the reading of the ordinance text in its entirety, read by title only; and 2) Adopt Ordinance No. 1864, "AN INTERIM URGENCY ORDINANCE OF THE CITY OF PALM SPRINGS, CALIFORNIA, PROHIBITING VENDING FROM MOBILE FOOD VEHICLES IN THE CITY, SUBJECT TO CERTAIN EXCEPTIONS, UNTIL DECEMBER 31, 2015." **Motion Councilmember Foat, seconded by Mayor Pro Tem Hutcheson and unanimously carried on a roll call vote.**

4. UNFINISHED BUSINESS:

4.A. AWARD OF CONSTRUCTION CONTRACT TO GOLDEN VISTA CONSTRUCTION INC., DBA GOLDEN VALLEY CONSTRUCTION FOR THE

CITY HALL AND POLICE STATION PARKING LOT REHABILITATION PROJECTS IN THE AMOUNT OF $927,481.65 (CP 01-17 AND 13-34):
Marcus Fuller, Assistant City Manager, provided background information as outlined in the Staff Report dated December 3, 2014.

ACTION: 1) Approve an agreement with Golden Vista Construction Inc. dba Golden Valley Construction in the amount of $927,481.65, Schedules A, B, and C, for the City Hall and Police Station Parking Lot Rehabilitation Projects (CP 01-17 and 13-34); 2) Adopt Resolution No. 23721, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, AMENDING THE BUDGET FOR FISCAL YEAR 2014-15;" and 3) Authorize the City Manager to execute all necessary documents. A6636. **Motion Councilmember Mills, seconded by Mayor Pougnet and unanimously carried on a roll call vote.**

The City Council recessed at 8:50 p.m.
The City Council reconvened at 8:57 p.m.

Mayor Pro Tem Hutcheson stated he has a business ownership conflict of interest with respect to Item 4.B., would not participate in the discussion or the vote, and left Council Chamber.

Councilmember Lewin stated he has a conflict of interest with respect to Item 4.B, would not participate in the discussion or the vote, and left Council Chamber.

4.B. UPDATE AND REVIEW OF VACATION RENTAL REGULATIONS:
City Clerk Thompson provided background information as outlined in the Staff Report dated December 3, 2014.

The City Council discussed and/or commented on the following with respect to the vacation rental regulations: enforcement procedure with City Code Enforcement or Desert Security Service, the timing of the appeal process, reducing the number of violations to three to suspend a permit, holding the owner and/or the agent accountable for noise violations, and the plus 2 provision.

No action taken.

Mayor Pro Tem Hutcheson returned to the dais.
Councilmember Lewin returned to the dais.

5. NEW BUSINESS:

5.A. FIRST QUARTER FISCAL YEAR 2014-15 BUDGET UPDATE:
Geoffrey Kiehl, Director of Finance, outlined the first quarter financial review and update.

No action taken.

5.B. APPOINTMENT OF MAYOR PRO TEMPORE FOR THE TERM ENDING DECEMBER, 2015:
ACTION: Appoint Councilmember Lewin as Mayor Pro Tempore for the term ending December, 2015. **Motion Mayor Pougnet, seconded by Councilmember Mills and unanimously carried on a roll call vote.**

COUNCILMEMBER COMMENTS, REQUESTS, AND REPORTS:

The City Council commented on and requested Staff address a potential delay in the road construction on Andreas Road.

ADJOURNMENT: The City Council adjourned at 9:38 p.m. to Wednesday, December 17, 2014, 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 17TH DAY OF DECEMBER, 2014.

STEPHEN P. POUGNET, MAYOR

ATTEST:

JAMES THOMPSON, CITY CLERK