

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



**MEETING MINUTES
WEDNESDAY, NOVEMBER 4, 2015
CITY HALL COUNCIL CHAMBER**

CALL TO ORDER: Mayor Pougnet opened the meeting at 6:18 p.m.

PLEDGE OF ALLEGIANCE: Boy Scout Troop 262, led the Pledge.

INVOCATION: Rabbi Sally Olins, led the Invocation.

ROLL CALL:

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

ABSENT: None.

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

PRESENTATIONS:

Mayor Pougnet provided an update on the Kimpton Hotel and the Downtown Redevelopment Project.

Mayor Pro Tem Lewin announced the ribbon cutting of the revitalized City of Palm Springs Municipal Co-Generation plant.

Mayor Pougnet announced the upcoming parades in the City of Palm Springs. Linda Futterer, Chair, Board of Library Trustees, presented the Fiscal Year 2014-15 Palm Springs Public Library Annual Report.

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

REPORT OF CLOSED SESSION:

The meeting was called to order at 4:30 p.m., and the City Attorney requested the City Council consider adding one item to the Closed Session Agenda, pursuant to Cal. Gov. Code Section 54956.9(a) Existing Litigation *City of Palm Springs v. PS Housing Investors, LP*, Case No. 34-2013-80001440, Sacramento Superior Court, Sacramento Division, and stated the City received information from the Court after the posting of the Agenda, and there is an immediate need to hear and/or take action on the Item.

ACTION: 1) Find the information was received after the posting of the Agenda and there is an immediate need to hear and/or take action on the Item; and 2) Add one Item to the Closed Session Agenda, pursuant to Cal. Gov. Code Section 54956.9(a) Existing Litigation *City of Palm Springs v. PS Housing Investors, LP*, Case No. 34-2013-80001440, Sacramento Superior Court, Sacramento Division. **Motion Councilmember Hutcheson, seconded by Mayor Pro Tem Lewin and unanimously carried (4-0) noting the absence of Councilmember Foat.**

The City Attorney noted a correction to the negotiating party for the 128 South Palm Canyon Drive property, the negotiating party was Triple Witching LLC, and stated the City Council did not discuss the Labor Negotiations, nor the Palm Springs Stadium property matter.

City Attorney Holland reported the City Council provided direction to City Staff and the City Attorney's Office, otherwise no reportable actions were taken.

ACCEPTANCE OF THE AGENDA:

City Clerk Thompson requested Item 3.A. be removed from the Agenda and tabled.

Councilmember Mills requested Items 2.H. and 2.O. be removed from the Consent Calendar for separate discussion.

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

1. PUBLIC HEARINGS:

1.A. AN APPEAL BY G & M CONSTRUCTION ON BEHALF OF ACBCI OWNERS OF ALLOTMENT 5A AND 35A OF THE HISTORIC SITE PRESERVATION BOARD'S STAY OF DEMOLITION FOR THE STRUCTURES THAT COMPRISE 436 THROUGH 454 SOUTH INDIAN CANYON DRIVE THE RAMON DRUG BUILDING:

Flinn Fagg, Director of Planning Services, provided background information as outlined in the Staff Report dated November 4, 2015.

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

MORAINO PATENCIO, Property Owner, commented on the history of the development of the property, read a letter from the Architect regarding the property, and requested the City Council allow demolition.

GEORGE MARANTZ, commented on the current state of the property, and requested the City Council allow demolition.

STEVE PRICE, reiterated the information in the letter from Palm Springs Preservation Foundation.

CHRIS BALE, commented on the history of the development, and requested the City Council deny the appeal and uphold a 120-day stay.

PETER MORUZZI, Palm Springs, commented on the letter read by Don Wexler, and requested the City Council uphold the 120-day stay of demolition.

CHRIS MENRAD, commented on the Wexler design of the property, and requested the City Council uphold the 120-day stay of demolition.

GARY JOHNS, stated the HSPB did not receive a letter in the Board packets.

MORAINO PATENCIO, Rebuttal, questioned the jurisdiction of the City of Palm Springs for tribal properties, and requested the City Council allow the demolition.

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

Councilmember Mills stated the building does not merit the historic preservation process, stated the building could potentially be a Class 2 site, and stated his support for approval.

Councilmember Foat requested the City Attorney address the jurisdiction of the HSPB.

Councilmember Hutcheson stated the building is not worthy of preservation and stated his support to allow demolition.

Mayor Pro Tem Lewin commented on the public comment regarding the tribal history and the letter by Wexler.

Councilmember Foat stated no project is being proposed and questioned the immediacy for demolition.

ACTION: Uphold the Appeal of G & M Construction on behalf of ACBCI Owners of Allotment 5A and 35A, and overturn the stay of demolition by the Historic Site Preservation Board regarding the structures that comprise 436 through 454 South Indian Canyon Drive the Ramon Drug Building (CASE 3.1009 MAA). **Motion Councilmember Mills, seconded by Councilmember Hutcheson and carried 4-1 on a roll call vote.**

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

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

1.B. REVIEW OF AN ENVIRONMENTAL INITIAL STUDY (I.S.) AND ADOPTION OF A NEGATIVE DECLARATION (ND) FOR THE BUZZ TROLLEY SERVICE AND APPROVING THE BUZZ TROLLEY SERVICE; APPROVE THE FIRST OF FOUR (4) ONE-YEAR EXTENSION OPTIONS TO THE TROLLEY SERVICES OPERATOR AGREEMENT WITH MV TRANSPORTATION, INC., AND AMENDMENT NO. 3 TO THE CONSULTING SERVICES AGREEMENT WITH SYMBLAZE, INC., TO PROVIDE MARKETING SERVICES FOR THE BUZZ TROLLEY (CASE 5.1370-CEQA):

City Manager Ready, Josh Morgerman, Marketing Consultant, Flinn Fagg, Director of Planning Services, provided background information as outlined in the Staff Report dated November 4, 2015.

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

CHRIS MILLER, stated his support to continue the BUZZ with the exception of running the program in the residential neighborhood.

CURT WATTS, Palm Springs, commented on the One PS committee meeting and recommendation.

SAMMY RAFAEL, commented on the removal of Buzz off of the neighborhood streets and that it remain on Baristo.

HAROLD MATZNER, commented on the character of the neighborhood, including the 35 small hotels and Spencers, and should be considered a mixed use area, commented on noise study, and requested the current route could stay in place until improvements can be made.

AFTAB DADA, commented on the ridership of the BUZZ and requested the City Council continue the BUZZ and the existing route.

VINCENT BUCCI, commented on the success of the BUZZ and requested the City Council continue the BUZZ and the existing route.

TOM DOYLE, commented on the success of the BUZZ to the Palm Springs Tennis Club.

DAWN VARGO, read a letter on the lack of noise from the BUZZ near the Palm Springs Tennis Club.

LINDA PUCKETT, commented on the success of the BUZZ to the Palm Springs Tennis Club, and commented on the benefits to the residents.

PATRICIA BRESLIN, commented on the noise, the lack of ridership in the residential area, commented on the Environmental Study, and requested the City Council eliminate the residential loop.

RON MATLIN, Palm Springs, spoke in support of the BUZZ, but requested the BUZZ route be changed to eliminate residential neighborhoods.

RONALD IAMELE, commented on the impact to quality of life in the neighborhood.

DAVID BARON, stated his support for the BUZZ, requested the City Council adopt the negative declaration and continue the program at the current route.

JUDY SMITH, MV Transportation, commented on the service provided by MV Transportation.

TIM ERKINS, stated his support for the BUZZ, and requested the City Council consider the elimination of the route through the residential neighborhood.

DAN BURGESS, stated his support for the BUZZ and commented on the merits of the program to the visitors and residents.

FRANK TYSEN, stated his support for the BUZZ, and in support of finding a solution to provide some relief in the neighborhood.

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

Mayor Pro Tem Lewin commented on the proposed actions by the City Council and noted the development of the program that will serve the visitors and residents.

Councilmember Foat commented on the development of the program was geared to the concentration of people and the tourism and business goals of the BUZZ.

Councilmember Mills stated he heard no opposition to the BUZZ, but the route does not need further consideration and modifications.

Mayor Pougnet commented on the success of the BUZZ and the passage of Measure J.

ACTION: 1) Adopt Resolution No. 23928, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, ADOPTING A NEGATIVE DECLARATION FOR THE OPERATION OF THE BUZZ TROLLEY SERVICE AND APPROVING THE BUZZ TROLLEY SERVICE;" 2) Approve the first of four (4) one-year extension options to the Trolley Services Operator Agreement with MV Transportation, Inc. in an amount not to exceed \$856,985 for the second year of service; 3) Approve Amendment No. 3 to Agreement No. A6552 with Symblaze, Inc. for twelve (12) additional months of ongoing support services at an amount of \$51,408 and a revised total contract amount of \$152,997; and 4) Authorize the City Manager or his designee to execute all necessary documents. A6564. A6552. **Motion Councilmember Foat, seconded by Councilmember Mills and unanimously carried 4-0 on a roll call vote.**

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

Councilmember Hutcheson returned to the dais.

PUBLIC COMMENT:

CURT WATTS, Palm Springs, commented on the concerns and merits of the Vacant Building Ordinance to One PS, and thanked the City Council for their service.

SUZANNE SEVERIN, thanked the City Council for their service and announced the upcoming Human Rights Commission Service Awards.

NANCY STUART, Palm Springs, provided an update on the Mt. San Jacinto Winter Park Authority.

JIM STUART, Palm Springs, commented on the success of the City and the City Council.

RICK PANTELE, thanked the City Council for their service, and announced the upcoming World AIDS Day.

STEVE ROSENBERG, commented on volunteer opportunities in the City of Palm Springs.

COUNCILMEMBER COMMENTS:

Councilmember Mills requested an updated financial report on Measure J revenue.

Mayor Pro Tem Lewin thanked the City Council for their support and the work that has been completed.

Councilmember Hutcheson thanked the citizens for the remarkable experience while on the City Council and thanked City Staff.

Councilmember Foat commented on her experience and accomplishments with the current City Council.

Mayor Pougnet congratulated the recently elected Mayor and City Councilmembers.

CITY MANAGER'S REPORT:

City Manager Ready introduced Lauri Aylaian, Economic and Community Development Director.

2. CONSENT CALENDAR:

ACTION: Approve Items 2.A., 2.B., 2.C., 2.D., 2.E., 2.F., 2.G., 2.I., 2.J., 2.K., 2.L., 2.M., and 2.N. **Motion Councilmember Foat, seconded by Mayor Pro Tem 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 November 4, 2015, City Council Agenda. **Approved as part of the Consent Calendar.**

2.B. APPROVAL OF MINUTES:

ACTION: Approve the City Council Minutes of October 21, 2015. **Approved as part of the Consent Calendar.**

2.C. PALM SPRINGS PUBLIC LIBRARY BOARD OF TRUSTEES ANNUAL REPORT FOR FISCAL YEAR 2014-15:

ACTION: Receive and file the Palm Springs Board of Library Trustees Annual Report for Fiscal Year 2014-15. **Approved as part of the Consent Calendar.**

2.D. TREASURER'S INVESTMENT REPORT AS OF SEPTEMBER 30, 2015:

ACTION: Receive and File the Treasurer's Investment Report as of September 30, 2015. **Approved as part of the Consent Calendar.**

2.E. AMENDMENT NO. 2 TO AGREEMENT NO. A5656 EXTENDING THE PROFESSIONAL INSURANCE BROKERAGE SERVICES AGREEMENT WITH KEENAN & ASSOCIATES FOR AN ADDITIONAL THREE (3) YEAR TERM:

ACTION: 1) Approve Amendment No. 2 to Agreement No. A5656 with Keenan & Associates for professional insurance brokerage services,

extending the agreement for three (3) fiscal years (Fiscal Years 2016-17, 2017-18, and 2018-19) in an amount not to exceed \$60,000 per year; and 2) Authorize the City Manager to execute the necessary documents. **A5656. Approved as part of the Consent Calendar.**

2.F. AMENDMENT NO. 1 TO CONSULTING SERVICES AGREEMENT NO. A6757 WITH INTERACTIVE DESIGN CORPORATION FOR THE FIRE STATION NO. 4 REHABILITATION PROJECT IN THE AMOUNT OF \$25,000, (CP 15-25):

ACTION: 1) Approve Amendment No. 1 to Agreement No. A6757 in the amount of \$25,000 for a total amount of \$43,800 with Interactive Design Corporation for the Fire Station No. 4 Rehabilitation Project (CP 15-25); and 2) Authorize the City Manager to execute all necessary documents. **A6757. Approved as part of the Consent Calendar.**

2.G. PARTICIPATION IN THE COUNTY OF RIVERSIDE ECONOMIC DEVELOPMENT AGENCY'S MORTGAGE CREDIT CERTIFICATE (MCC) PROGRAM:

ACTION: 1) Adopt Resolution No. 23929, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, AUTHORIZING THE CITY OF PALM SPRINGS' PARTICIPATION IN THE COUNTY OF RIVERSIDE ECONOMIC DEVELOPMENT AGENCY'S MORTGAGE CREDIT CERTIFICATE (MCC) PROGRAM." **Approved as part of the Consent Calendar.**

2.I. APPROVE AN INCREASE TO PURCHASE ORDER WITH PALM SPRINGS WELDING IN THE AMOUNT OF \$33,650 FOR REPLACEMENT OF FIVE ADDITIONAL DAMAGED METAL SCULPTURES WITHIN THE GENE AUTRY TRAIL MEDIAN:

ACTION: 1) Authorize a Purchase Order increase in the amount of \$33,650 with Palm Springs Welding; and 2) Authorize the City Manager to execute all necessary documents. **Approved as part of the Consent Calendar.**

2.J. APPROVAL OF PROGRAM SUPPLEMENT AGREEMENT NO. N043, WITH THE STATE OF CALIFORNIA FOR USE OF SURFACE TRANSPORTATION PROGRAM (STP) FEDERAL-AID FUNDS FOR THE RAMON ROAD PAVEMENT REHABILITATION PROJECT (CP 14-02) FEDERAL AID PROJECT NO. STPLN-5282 (043):

ACTION: Adopt Resolution No. 23931, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, APPROVING PROGRAM SUPPLEMENT AGREEMENT NO. N043 TO ADMINISTERING AGENCY-STATE AGREEMENT FOR FEDERAL-AID PROJECTS NO. 08-5282R WITH THE STATE OF CALIFORNIA, IN THE AMOUNT OF \$395,729, FOR THE RAMON ROAD PAVEMENT REHABILITATION, CITY PROJECT NO. 14-02, FEDERAL-AID PROJECT NO. STPLN-5282 (043), AND AUTHORIZING THE CITY

MANAGER TO EXECUTE THE AGREEMENT ON BEHALF OF THE CITY OF PALM SPRINGS." A6800. **Approved as part of the Consent Calendar.**

2.K. AWARD A CONSTRUCTION CONTRACT TO JOE PUTRINO GENERAL CONTRACTOR IN THE AMOUNT OF \$46,000 FOR THE AIRPORT TSA SECURITY DOOR PROJECT (CP 15-24):

ACTION: 1) Award a construction contract to Joe Putrino General Contractor, in the amount of \$46,000 for the Airport TSA Security Door Project (CP 15-24); and 2) Authorize the City Manager to execute all necessary documents. A6801. **Approved as part of the Consent Calendar.**

2.L. AMENDMENT NO. 2 IN THE AMOUNT OF \$95,454 TO THE PROFESSIONAL SERVICES AGREEMENT NO. A5985 WITH RBF CONSULTING (NOW KNOWN AS MICHAEL BAKER INTERNATIONAL), FOR ADDITIONAL CONSTRUCTION MANAGEMENT SERVICES FOR THE TRAFFIC MANAGEMENT CENTER AND CITYWIDE TRAFFIC SIGNAL INTERCONNECT PROJECT (CP 08-04) FEDERAL AID PROJECT NO. CML 5282 (031):

ACTION: 1) Approve Amendment No. 2 to Agreement No. A5985 with RBF Consulting (now known as Michael Baker International), in the amount of \$95,454 for a total contract amount of \$619,713 for the Traffic Management Center and Citywide Traffic Signal Interconnect Project (CP 08-04) Federal Aid Project No. CML 5282 (031); and 2) Authorize the City Manager to execute all necessary documents. A5985. **Approved as part of the Consent Calendar.**

2.M. AMENDMENT NO. 1 TO AGREEMENT NO. A5482 FOR SALES TAX AUDITING SERVICES WITH MUNISERVICES, LLC:

ACTION: 1) Approve Amendment No. 1 to Agreement No. A5482 with MuniServices, LLC to provide the City Sales Tax Auditing Services, lowering the compensation schedule to 15% of additional revenue collected, for a three (3) year term ending June 30, 2018; and 2) Authorize the City Manager to execute all necessary documents, subject to final approval by the City Attorney. A5482. **Approved as part of the Consent Calendar.**

2.N. APPROVAL OF PLANS, SPECIFICATIONS AND ESTIMATE AND AUTHORIZATION TO BID FOR THE POLICE DEPARTMENT REMODEL (CP 15-05):

ACTION: 1) Approve the plans, specifications and estimate; and 2) Authorize staff to advertise and solicit bids for the Police Department Remodel (CP 15-05). **Approved as part of the Consent Calendar.**

EXCLUDED CONSENT CALENDAR:

2.H. APPROVAL OF PARCEL MAP 36562 FOR PROPERTY LOCATED AT 745, 757 AND 765 ORANGE AVENUE:

Councilmember Mills requested Staff address the landscaping conditions placed on the property.

ACTION: Adopt Resolution No. 23930, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, APPROVING PARCEL MAP 36562 FOR PROPERTY LOCATED AT 745, 757 AND 765 ORANGE AVENUE, IN SECTION 19, TOWNSHIP 4 SOUTH, RANGE 5 EAST;" and conditioning the approval on the consistent landscaping with the surrounding lots. **Motion Councilmember Mills, seconded by Councilmember Foat and unanimously carried on a roll call vote.**

2.O. AWARD A CONSTRUCTION CONTRACT TO GOLDEN VISTA CONSTRUCTION INC. DBA GOLDEN VALLEY CONSTRUCTION, IN THE AMOUNT OF \$1,201,554.40 FOR THE CONVENTION CENTER PARKING LOT IMPROVEMENTS (CP 14-09):

Councilmember Mills questioned the financing of the improvements.

ACTION: 1) Adopt Resolution No. 23932, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, AMENDING THE BUDGET FOR FISCAL YEAR 2015-2016 TO APPROPRIATE \$1,045,467 PLUS ACCRUED INTEREST FOR THE CONVENTION CENTER PARKING LOT IMPROVEMENTS(CP 14-09);" 2) Award a construction contract to Golden Vista Construction, Inc. dba Golden Valley Construction, in the amount of \$1,201,554.40 for the Convention Center Parking Lot Improvements, (CP 14-09); 3) Authorize the City Manager to approve and execute construction contract change orders up to an additional amount of \$50,000; and 4) Authorize the City Manager to execute all necessary documents. A6802. **Motion Councilmember Hutcheson, seconded by Councilmember Foat and unanimously carried on a roll call vote.**

3. LEGISLATIVE:

3.A. PROPOSED ORDINANCE ADDING ARTICLE VII "VACANT BUILDINGS AND LAND; BLIGHTED PROPERTY" TO TITLE 8, REPEALING CHAPTER 8.80 "MAINTENANCE OF LONG-TERM BOARDED AND VACATED BUILDINGS," AND AMENDING CHAPTER 11.72 "PUBLIC NUISANCES" OF THE PALM SPRINGS MUNICIPAL CODE TO EXPAND PROPERTY MAINTENANCE REQUIREMENTS TO VACANT PROPERTY AND VACANT LAND, AND TO CLARIFY

**REGISTRATION AND MONITORING PROGRAM REQUIREMENTS FOR
VACANT PROPERTIES AND IDENTIFYING ENFORCEMENT AND
CIVIL PENALTIES FOR VIOLATIONS:**

Item Tabled.

4. UNFINISHED BUSINESS: None.

5. NEW BUSINESS:

5.A. APPROVE A FACADE GRANT AGREEMENT WITH JOSEPH T. LIZOTTE, FOR A RETAIL STORE LOCATED AT 611 SOUTH PALM CANYON, SUITE 12, IN THE AMOUNT OF \$2,536.06:

City Manager Ready provided background information as outlined in the Staff Report dated November 4, 2015.

ACTION: 1) Approve a Facade Grant Agreement in the amount of \$2,536.06 with Joseph T. Lizotte for a retail store located at 611 South Palm Canyon, Suite 12; and 2) Authorize the City Manager to execute all necessary documents. A6803. **Motion Mayor Pro Tem Lewin, seconded by Councilmember Foat and unanimously carried on a roll call vote.**

5.B. APPROVE ISSUANCE OF BONDS TO CONVERT 2002 CERTIFICATES OF PARTICIPATION ISSUED TO FINANCE THE DOWNTOWN PARKING STRUCTURE FROM VARIABLE RATE TO FIXED RATE:

Suzanne Harrell, City Financial Advisor, provided background information as outlined in the Staff Report dated November 4, 2015.

Mayor Pro Tem Lewin requested Staff address the refinancing of the debt.

ACTION: *City Council:* Adopt Resolution No. 23933, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, APPROVING A SITE LEASE AND LEASE AGREEMENT IN CONNECTION WITH THE ISSUANCE OF CITY OF PALM SPRINGS FINANCING AUTHORITY LEASE REVENUE REFUNDING BONDS, 2015 SERIES A AND TAXABLE LEASE REVENUE REFUNDING BONDS, 2015 SERIES B, APPROVING SALE OF SUCH BONDS AND OFFICIAL STATEMENT AND PROVIDING OTHER MATTERS PROPERLY RELATING THERETO." *Financing Authority Board:* Adopt Resolution No. 41, "A RESOLUTION OF THE FINANCING AUTHORITY OF THE CITY OF PALM SPRINGS, CALIFORNIA, AUTHORIZING ISSUANCE OF CITY OF PALM SPRINGS FINANCING AUTHORITY LEASE REVENUE REFUNDING BONDS, 2015 SERIES A AND TAXABLE LEASE REVENUE REFUNDING BONDS, 2015 SERIES B, APPROVING AND AUTHORIZING AND DIRECTING EXECUTION OF INDENTURE OF TRUST AND OTHER DOCUMENTS RELATING THERETO, AUTHORIZING SALE OF SUCH BONDS, APPROVING OFFICIAL STATEMENT AND PROVIDING OTHER MATTERS

PROPERLY RELATING THERETO.” **Motion Councilmember Mills, seconded by Mayor Pougnet and unanimously carried on a roll call vote.**

5.C. RECRUITMENT BONUS PROGRAM FOR HIRING LATERAL POLICE OFFICERS:

Perry Madison, Human Resources Director, provided background information as outlined in the Staff Report dated November 4, 2015.

Mayor Pro Tem Lewin thanked Staff for the creative program.

ACTION: 1) Adopt Resolution No. 23934, “A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, APPROVING A RECRUITMENT BONUS PROGRAM FOR HIRING LATERAL POLICE OFFICERS;” 2) Authorize the City Manager to execute documents necessary to effectuate the actions, including employee agreements and any amendments thereto, as approved by the City Attorney; and 3) Approve upon adoption of the Resolution the Recruitment Bonus Program for Hiring Lateral Police Officers is in effect until ten (10) positions are filled or until the City Manager terminates the program. **Motion Councilmember Foat, seconded by Councilmember Mills and unanimously carried on a roll call vote.**

5.D. APPROVAL OF A WASTEWATER SERVICES AGREEMENT (OPERATIONS & MAINTENANCE) WITH VEOLIA WATER WEST OPERATING SERVICES, INC., FOR AN INITIAL TERM OF 5 YEARS EFFECTIVE JANUARY 1, 2016, THROUGH DECEMBER 31, 2020:

Marcus Fuller, Assistant City Manager/City Engineer, provided background information as outlined in the Staff Report dated November 4, 2015.

Councilmember Mills thanked Staff for recommending alternative fuel vehicles, and questioned who evaluates the vehicles.

ACTION: 1) Adopt Resolution No. 23935, “A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, MAKING FINDINGS AND AUTHORIZING THE CITY MANAGER TO ENTER INTO A WASTEWATER SERVICES AGREEMENT (OPERATIONS & MAINTENANCE) WITH VEOLIA WATER WEST OPERATING SERVICES, INC., FOR AN INITIAL TERM OF FIVE (5) YEARS EFFECTIVE JANUARY 1, 2016, THROUGH DECEMBER 31, 2020, AND APPROVING AND ORDERING THE FILING OF A CEQA NOTICE OF EXEMPTION;” and 2) Authorize the purchase of new vehicles as identified on Schedule S of Agreement No. A6804, in an amount not to exceed the estimated total cost of \$1,500,000 over the initial 5-year term subject to the annual budget adopted by the City Council in the Wastewater Fund for motor vehicles in Account No. 420-6800-50020, and authorize staff to

conduct the appropriate bid processes, or utilize cooperative purchase contracts if available, in accordance with Procurement procedures and authorize the City Manager to execute all necessary documents, including all Purchase Orders for the approved vehicles; and 3) Authorize the City Manager to issue and execute Purchase Orders and all necessary documents associated with the services to be provided pursuant to Agreement No. A6804 during the term thereof, in amounts not to exceed the annual budget adopted by the City Council in the Wastewater Fund. A6804. **Motion Councilmember Mills, seconded by Mayor Pro Tem Lewin and unanimously carried on a roll call vote.**

5.E. APPROVING AMENDMENT NO. 4 TO A PURCHASE AND SALE AGREEMENT WITH SELENE PALM SPRINGS, LLC; APPROVING AMENDMENT NO. 1 TO THE SERVICES AGREEMENT WITH SELENE PALM SPRINGS, LLC; AND, AUTHORIZING THE CITY MANAGER TO EXECUTE ALL DOCUMENTS RELATED TO THE AGREEMENTS:

City Attorney Holland provided background information as outlined in the Staff Report dated November 4, 2015.

Councilmember Mills requested the City Attorney address default provisions.

ACTION: 1) Approve Amendment No. 4 to Agreement No. A6329 with Selene Palm Springs LLC for the sale of a 7.8 acre parcel at the northeast corner of Calle Alvarado and Amado; 2) Approve Amendment No. 1 to the Services Agreement with Selene Palm Springs, LLC for the funding of replacement public parking within the proposed hotel project on the 7.8 acre parcel at the northeast corner of Calle Alvarado and Amado; and 3) Authorize the City Manager to execute all necessary documents. A6329. **Motion Councilmember Foat, seconded by Councilmember Hutcheson and unanimously carried on a roll call vote.**

5.F. APPROVE THE PURCHASE OF A 24+/- ACRE PARCEL OF LAND, A PORTION OF THE FORMER SHADOWROCK PROPERTY WITHIN THE CHINO CONE, IN THE AMOUNT OF \$1,080,000 FROM THE FRIENDS OF THE PALM SPRINGS MOUNTAINS; ACCEPT THE DEDICATION AND CONVEYANCE OF THE REMAINDER OF THE FORMER SHADOWROCK PROPERTY OF 350+/- ACRES AT NO COST FROM THE FRIENDS OF THE PALM SPRINGS MOUNTAINS; AND ACCEPT THE DEDICATION AND CONVEYANCE OF THE 220+/- ACRE PARCEL OF LAND KNOWN AS ANGEL COVE AT NO COST FROM THE FRIENDS OF THE PALM SPRINGS MOUNTAINS:

City Attorney Holland provided background information as outlined in the Staff Report dated November 4, 2015, and stated the agreement as revised will provide for default that the City has the ability to repurchase the property at the purchase price or the Fair Market Value whichever is less.

The City Council discussed and/or commented on the value of the property, the movement of 600 acres on the Chino Cone under open space conservation, and the history of the failed development.

ACTION: 1) Adopt Resolution No. 23927, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, AMENDING THE BUDGET FOR FISCAL YEAR 2015-16;" 2) Approve the purchase of an approximate 24 acre parcel of land (a portion of the former Shadowrock Property) within the Chino Cone from the Friends of the Palm Springs Mountains, in the amount of \$1,080,000; 3) Authorize Staff (including one member of the City Council) to negotiate with the Friends of the Palm Springs Mountains and the funding sources for the dedication and conveyance of the 350 acre parcel (remainder Shadowrock Property) and the 220 acre parcel (Angel Cove); 4) Authorize the City Manager to execute all documents to effectuate the purchase and dedications; and 5) Authorize the City Clerk to execute the Certificate of Acceptance and recording of all documents. **Motion Councilmember Mills, seconded by Councilmember Foat and unanimously carried on a roll call vote.**

COUNCILMEMBER COMMENTS, REQUESTS, AND REPORTS:

Councilmember Mills requested Staff address landscaping and maintenance of the property at North Indian and Via Escuela.

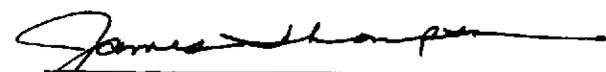
Councilmember Foat commented on a recent hate crime in the City of Palm Springs.

ADJOURNMENT: The City Council adjourned at 9:47 p.m. to Wednesday, December 2, 2015, 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 2ND DAY OF DECEMBER, 2015.


STEPHEN P. POGNET, MAYOR

ATTEST:


JAMES THOMPSON, CITY CLERK