

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



**MINUTES
WEDNESDAY, NOVEMBER 15, 2017
Council Chamber, City Hall
3200 E. Tahquitz Canyon Way, Palm Springs, CA 92262
REGULAR MEETING**

4:00 P.M. CLOSED SESSION

CALL TO ORDER (*Council Chamber*): Mayor Moon called the meeting to order at 4:03 p.m.

PUBLIC COMMENT (*Council Chamber*): No one came forth to address the Mayor and City Council.

RECESS TO CLOSED SESSION (*Small Conference Room*): At 4:04 p.m., the Mayor and City Council recessed to Closed Session in the Small Conference Room. See *Closed Session Agenda, Exhibit A*.

6:00 P.M. REGULAR MEETING

CALL TO ORDER: Mayor Moon called the meeting to order at 6:11 p.m.

PLEDGE OF ALLEGIANCE: Mayor Moon led the salute to the flag.

ROLL CALL:

PRESENT: Councilmember Kors, Councilmember Mills, Councilmember Roberts, Mayor Pro Tem Foat, and Mayor Moon

ABSENT: None

ALSO PRESENT: City Manager Ready, Assistant City Manager Fuller, City Attorney Kotkin, and Interim City Clerk Hart

ACCEPTANCE OF THE AGENDA:

Mayor Moon indicated an abstention from Warrant 1095300 under Item 1B.

ACTION: Approve the agenda as presented.

Motion by Councilmember Roberts, seconded by Councilmember Kors, and carried unanimously on a roll call vote.

PRESENTATIONS:

Mayor Moon presented a Certificate of Recognition to Captain Walter Combs in recognition of his service and retirement.

Captain Combs thanked the Council, staff, Police Department and his family and expressed his gratitude for the opportunity to serve.

REPORT OF CLOSED SESSION:

City Attorney Kotkin announced that the City of Palm Springs vs. Kenneth Irwin matter had been settled. He stated two items of exposure to litigation, two real property negotiator conferences, and labor negotiations were considered.

JOINT MEETING WITH PLANNING COMMISSION: PUBLIC HEARING

PRESENT: Planning Commissioners Donenfeld, Hirschbein, Hudson, Middleton, Vice Chair Calerdine, Chair Weremiuk

ABSENT: Commissioner Lowe (excused)

- A. **CONSIDERATION OF A DEVELOPMENT AGREEMENT WITH DTPS 3-B, LLC, RELATED TO THE DEVELOPMENT OF THE VIRGIN HOTEL ON BLOCK B-1 OF THE DOWNTOWN PALM SPRINGS SPECIFIC PLAN, CASE NO. 5.1204 SP AMEND, CASE NO. 3.3908 MAJ, AND CASE NO. 5.1427 DA:**

Director of Planning Services Fagg and Assistant City Manager Fuller presented the staff report.

Planning Commission and City Council discussion ensued.

Mayor Moon opened the public hearing.

Emily Hemphill, land use Counsel for Grit Development, explained the development agreement and assurance to lenders and investors. She stated the hotel would provide the ability to attract conventions. She explained the State determination on the prevailing wage issue.

Michael Braun discussed the needs to remain relevant as a tourist destination and benefit of a Virgin brand hotel.

David Sipple stated the proposed site was not appropriate for a six-story building. He suggested reducing the TOT rebate to 25% if provided and reserve rights under the 1090 Code.

Michael Johnston suggested the Council consider improvements to all facades, use of consistent materials, and review by Architectural Advisory Committee and Planning Commission.

Frank Tysen questioned whether another hotel was needed, the impact to existing hotels, and the justification for the subsidy.

No others came forth to address the Planning Commission and City Council; therefore, Mayor Moon closed the public hearing.

Planning Commission discussion ensued.

ACTION:

1. Adopt Planning Commission Resolution No. 6660, "A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF PALM SPRINGS, CALIFORNIA, RECOMMENDING THE CITY COUNCIL APPROVE A DEVELOPMENT AGREEMENT WITH DTSPS 3-B, LLC FOR THE VIRGIN HOTEL ON BLOCK B-1 OF THE DOWNTOWN PALM SPRINGS SPECIFIC PLAN; CASE NO. 5.1204 SP AMEND, CASE NO. 3.3908 MAJ, AND CASE NO. 5.1427 DA," amended as follows:

- Submit a construction staging plan to the City Engineer demonstrating that Market Street will remain open for pedestrian access during construction on Block B-1.
- Developer shall be required to replace the water feature originally required on Block C/C-1 that was replaced with public art on the condition that a new water feature would be provided on Block B-1. Submit architectural renderings and plans for a water feature to be installed on Block B-1 for review and approval by the Downtown Subcommittee
- The water feature shall be installed and functional prior to issuance of a certificate of occupancy of the Virgin Hotel
- Submit a valet parking plan for review and approval by the City Engineer, providing for an alternative pick-up/drop-off point for hotel valet service when N. Palm Canyon Drive is closed for events
- Submit an interim plan for treatment and use of Block B-1 for review and approval by the Downtown Subcommittee; the interim plan may include temporary structures and uses
- The interim plan shall be submitted within 90 days of the effective date of the agreement

and

2. Recommended to the City Council the following two conditions be added to the draft Development Agreement:

- Section 8.02 "Operating Memoranda," include a fourth numeral for excepted changes by Operating Memoranda, to read: "(iv) development standards or height, except as otherwise permitted by the Palm Springs Zoning Code."
- Exhibit D "Performance Schedule," revised the milestone activity for July 31, 2019, to read: "Full and Complete Construction Drawings."

Motion by Chair Weremiuk, seconded by Commissioner Calderine, carried by a majority (6-0-1, Commissioner Lowe absent) roll call vote.

At 7:55 p.m. Chair Weremiuk adjourned the Planning Commission portion of the meeting.

At 7:55 p.m. Mayor Moon recessed the meeting.

At 8:04 p.m. Mayor Moon reconvened the meeting with all members of the Council present.

Council discussion ensued.

ACTION: Table the item to the next meeting.

Motion by Councilmember Roberts, seconded by Councilmember Kors.

The motion failed (2-3-0 Councilmember Mills, Mayor Pro Tem Foat and Mayor Moon dissenting) on a roll call vote.

Council discussion continued.

ACTION: Waive the reading of the ordinance text in its entirety, read by title only, and introduce for first reading Ordinance No. 1940, "AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, APPROVING A DEVELOPMENT AGREEMENT WITH DTPS 3-B, LLC, RELATED TO CONSTRUCTION OF THE VIRGIN HOTEL LOCATED ON BLOCK B-1 OF THE DOWNTOWN PALM SPRINGS SPECIFIC PLAN AT THE NORTHEAST CORNER OF BELARDO ROAD AND MUSEUM WAY (CASE NO. 5.1204 SP AMEND, CASE NO. 3.3908 MAJ, AND CASE NO. 5.1427 DA), and the development agreement shall include the following:

- Submit a construction staging plan to the City Engineer demonstrating that Market Street will remain open for pedestrian access during construction on Block B-1.
- Developer shall be required to replace the water feature originally required on Block C/C-1 that was replaced with public art on the condition that a new water feature would be provided on Block B-1. Submit architectural renderings and plans for a water feature to be installed on Block B-1 for review and approval by the Downtown Subcommittee
- The water feature shall be installed and functional prior to issuance of a certificate of occupancy of the Virgin Hotel
- Submit a valet parking plan for review and approval by the City Engineer, providing for an alternative pick-up/drop-off point for hotel valet service when N. Palm Canyon Drive is closed for events
- Submit an interim plan for treatment and use of Block B-1 for review and approval by the Downtown Subcommittee; the interim plan may include temporary structures and uses
- The interim plan shall be submitted within 90 days of the effective date of the agreement
- Section 8.02 "Operating Memoranda," include a fourth numeral for excepted changes by Operating Memoranda, to read: "*(iv) development standards or height, except as otherwise permitted by the Palm Springs Zoning Code.*"
- Exhibit D "Performance Schedule," revised the milestone activity for July 31, 2019, to read: "*Full and Complete Construction Drawings.*"

Motion by Mayor Pro Tem Foat, seconded by Councilmember Mills, and carried on a majority (3-2-0 Councilmember Kors and Councilmember Roberts dissenting) roll call vote.

Interim City Clerk Hart read the title of the ordinance.

PUBLIC TESTIMONY:

Lauri Kibby, Dream Ownership and Development, explained the reason for requesting the extension and TOT rebate.

Joy Brown Meredith discussed her experience of 30 years with a retail store in Downtown and thanked the Council and residents.

CITY COUNCIL, SUBCOMMITTEE, AND CITY MANAGER'S COMMENTS AND REPORTS:

Councilmember Roberts provided updates on the Landscape Subcommittee for the Downtown Project, and DW Johnson and La Plaza Theater projects.

Councilmember Kors announced the Joint Learning Day with the Tribe on November 18, Town Hall on November 29 and Gay Games for Team Palm Springs on December 3.

Mayor Moon stated he and Councilmember Roberts were working on a contract for Walk of Stars.

Mayor Pro Tem Foat discussed the recent CVAG Homelessness Committee meeting. She urged residents to volunteer on January 23, 2018, 5:30 a.m. to 9:30 a.m., for the Point in Time Count.

1. CONSENT CALENDAR:

ACTION: Approve Items 1A, 1B, 1C, 1D, 1E, 1F, 1G, and 1H.

Motion by Mayor Pro Tem Foat, seconded by Councilmember Kors, carried unanimously (5-0-0, noting Mayor Moon's recusal on Warrant 1095300) on a roll call vote.

A. TREASURER'S INVESTMENT REPORT AS OF SEPTEMBER 30, 2017:

ACTION: Receive and File the Treasurer's Investment Report for September 1 through September 30, 2017.

Approved as part of the Consent Calendar.

B. APPROVAL OF PAYROLL WARRANTS, CLAIMS AND DEMANDS:

ACTION:

- 1) Adopt Resolution No. 24327, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, APPROVING PAYMENT OF PAYROLL WARRANTS FOR THE PERIOD ENDED 10-07-2017 BY WARRANTS NUMBERED 420091 THROUGH 420104 TOTALING \$23,724.36 LIABILITY CHECKS NUMBERED 1095041 THROUGH 1095060 TOTALING \$79,717.11, FIVE WIRE TRANSFERS FOR \$64,954.50, AND THREE ELECTRONIC ACH DEBITS OF \$1,353,292.33 IN THE AGGREGATE AMOUNT OF \$1,521,688.30, DRAWN ON BANK OF AMERICA;"

- 2) Adopt Resolution No. 25328, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, APPROVING PAYMENT OF CLAIMS AND DEMANDS BY WARRANTS NUMBERED 1095061 THROUGH 1095194 IN THE AGGREGATE AMOUNT OF \$3,592,360.54 DRAWN ON BANK OF AMERICA;"
- 3) Adopt Resolution No. 24329, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, APPROVING PAYMENT OF CLAIMS AND DEMANDS BY WARRANTS NUMBERED 1095195 THROUGH 1095329 IN THE AGGREGATE AMOUNT OF \$654,160.49 DRAWN ON BANK OF AMERICA;"
- 4) Adopt Resolution No. 24330, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, APPROVING PAYMENT OF PAYROLL WARRANTS FOR THE PERIOD ENDED 10-21-2017 BY WARRANTS NUMBERED 420105 THROUGH 420122 TOTALING \$26,405.99 LIABILITY CHECKS NUMBERED 1095330 THROUGH 1095349 TOTALING \$79,740.52, FIVE WIRE TRANSFERS FOR \$69,154.50, AND THREE ELECTRONIC ACH DEBITS OF \$1,437,831.22 IN THE AGGREGATE AMOUNT OF \$1,613,132.23, DRAWN ON BANK OF AMERICA;" and
- 5) Adopt Resolution No. 24331, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, APPROVING PAYMENT OF CLAIMS AND DEMANDS BY WARRANTS NUMBERED 1095350 THROUGH 1095435 IN THE AGGREGATE AMOUNT OF \$1,218,722.93 DRAWN ON BANK OF AMERICA."

Approved as part of the Consent Calendar, and noting Mayor Moon's recusal on Warrant 1095300

C. STAFF AUTHORIZED AGREEMENTS AND PURCHASE ORDERS FOR THE MONTHS OF SEPTEMBER AND OCTOBER 2017:

ACTION: Receive and file the report of Staff Authorized Agreements and Purchase Orders for the period of September and October 2017.

Approved as part of the Consent Calendar.

D. INITIATION OF ANNEXATION NO. 18 TO COMMUNITY FACILITIES DISTRICT NO. 2005-1 (PUBLIC SAFETY SERVICES):

ACTION: Adopt Resolution No. 24332, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, DECLARING ITS INTENTION TO ANNEX TERRITORY INTO A COMMUNITY FACILITIES DISTRICT AND TO AUTHORIZE THE LEVY OF SPECIAL TAXES FOR CITY OF PALM SPRINGS COMMUNITY FACILITIES DISTRICT NO. 2005-1, (PUBLIC SAFETY SERVICES), ANNEXATION NO. 18, ENCLAVE AT BARISTO, TRACT MAP NO. 37245."

Approved as part of the Consent Calendar.

E. MILLS ACT HISTORIC PROPERTY PRESERVATION AGREEMENT FOR THE PROPERTY AT 1842 SOUTH ARABY ROAD, A CLASS 1 HISTORIC SITE, HSPB 103/HD-6:

ACTION:

- 1) Approve a Mills Act Historic Property Agreement with Matthew James Winder and Park Imperial South Homeowners Association, for 1842 S Araby Drive, a Class 1 Historic Site, HSPB 103/HD-6, A7055;
- 2) Authorize the City Manager to execute the Agreement; and
- 3) Direct the City Clerk to record the Agreement.

Approved as part of the Consent Calendar.

F. AMENDMENT NO. 3 TO AGREEMENT NO. A6288 WITH NBS GOVERNMENT FINANCE GROUP FOR ASSESSMENT DISTRICT, LIGHTING & LANDSCAPE MAINTENANCE DISTRICT, COMMUNITY FACILITIES DISTRICT, AND COUNTY SERVICE AREA AUDIT AND ADMINISTRATION SERVICES:

ACTION:

- 1) Approve Amendment No. 3 to Agreement No. A6288 with NBS Government Finance Group, extending the contract term for one-year through June 30, 2018, leaving all other terms of the agreement unchanged; and
- 2) Authorize the City Manager to execute all necessary documents.

Approved as part of the Consent Calendar.

G. PALM SPRINGS INNOVATION HUB AND ACCELERATOR CAMPUS QUARTERLY REPORT:

ACTION: Receive and file the third quarterly report from the Coachella Valley Economic Partnership for the Palm Springs Innovation Hub for the period of July 1 to September 30, 2017.

Approved as part of the Consent Calendar.

H. APPROVAL OF MINUTES:

ACTION: Approve the City Council Minutes of July 19, 2017.

Approved as part of the Consent Calendar.

EXCLUDED CONSENT CALENDAR: None

2. PUBLIC HEARINGS:

A. PROPOSED ORDINANCE AMENDING AND RESTATING THE CITY'S SIGN ORDINANCE AND REPEALING THE CITY'S "SIT AND LIE" ORDINANCE AND ADOPTION OF IDENTICAL INTERIM URGENCY ORDINANCE (4/5^{ths} Vote Required):

City Attorney Kotkin presented the staff report.

Mayor Moon opened the public hearing.

Jim Franklin, Palm Springs Board of Realtors, supports the ordinance.

No others came forth to address the City Council; therefore, Mayor Moon closed the public hearing.

Council discussion ensued.

ACTION:

- 1) Waive the reading of the ordinance text in its entirety, read by title only, and introduce for first reading Ordinance No. 1941, "AN ORDINANCE OF THE CITY OF PALM SPRINGS, CALIFORNIA, AMENDING AND RESTATING THE CITY'S SIGN ORDINANCE, SECTIONS 93.20.01 THROUGH 93.20.12, RELATED SECTIONS 12.28.050, 14.16.010, AND 91.00.10, AND REPEALING THE CITY'S "SIT AND LIE" ORDINANCE, SECTION 12.12.055, PALM SPRINGS MUNICIPAL CODE" amended as follows:
 - Clarify the definition of frontage;
 - Reinstate the language regarding attraction boards for public and quasi-public uses;
 - Reference the design standards for Portable Signs in Sections 93.20.05(C) and 93.20.06(D);
 - Verify the reference to "cubic feet" in Section 93.20.06(A) and (B);
 - Include signs that advertise commercial space for lease in the general category of Temporary Signs;
 - Provide examples of events, as that term is used relative to Temporary Signs;
 - Allow for neighborhood blade signs as a permitted sign type;
 - Under the Sign Maintenance section, identify that sign panels may be opaque or painted;
 - Under the Prohibited Signs section, identify that window signs may be permitted in residential zones as allowed under the Temporary Signs section;
 - Eliminate the restriction against signage at the third story or higher;
 - Verify that the maximum sign area allowed in commercial districts remains consistent with the existing sign regulations; and
 - Correct the language in 93.20.09(A) to remove the term "single-family" from the requirements for Temporary Signs in residential zones.
- and
- 2) Waive the reading of the ordinance text in its entirety, read by title only, and adopt Ordinance No. 1942, "AN INTERIM URGENCY ORDINANCE OF THE CITY OF PALM SPRINGS, CALIFORNIA, AMENDING AND RESTATING THE CITY'S SIGN ORDINANCE, SECTIONS 93.20.01 THROUGH 93.20.12, RELATED SECTIONS 12.28.050, 14.16.010, AND 91.00.10, AND REPEALING THE CITY'S "SIT AND LIE" ORDINANCE,

SECTION 12.12.055, PALM SPRINGS MUNICIPAL CODE (4/5th VOTE REQUIRED)" amended as follows:

- Clarify the definition of frontage;
- Reinstate the language regarding attraction boards for public and quasi-public uses;
- Reference the design standards for Portable Signs in Sections 93.20.05(C) and 93.20.06(D);
- Verify the reference to "cubic feet" in Section 93.20.06(A) and (B);
- Include signs that advertise commercial space for lease in the general category of Temporary Signs;
- Provide examples of events, as that term is used relative to Temporary Signs;
- Allow for neighborhood blade signs as a permitted sign type;
- Under the Sign Maintenance section, identify that sign panels may be opaque or painted;
- Under the Prohibited Signs section, identify that window signs may be permitted in residential zones as allowed under the Temporary Signs section;
- Eliminate the restriction against signage at the third story or higher;
- Verify that the maximum sign area allowed in commercial districts remains consistent with the existing sign regulations; and
- Correct the language in 93.20.09(A) to remove the term "single-family" from the requirements for Temporary Signs in residential zones.

Motion by Councilmember Kors, seconded by Councilmember Mills, carried on a majority (4-1-0, Councilmember Mills dissenting) roll call vote.

Interim City Clerk Hart read the title of both ordinances.

At 10:08 p.m. Mayor Moon recessed the meeting.

At 10:20 pm. Mayor Moon reconvened the meeting with all Councilmembers present.

B. PROPOSED ORDINANCE AMENDING THE PALM SPRINGS ZONING CODE (PSZC) RELATIVE TO ZONING REQUIREMENTS AND DEVELOPMENT STANDARDS FOR COMMERCIAL MEDICAL AND ADULT-USE CANNABIS FACILITIES (CASE 5.1218-F ZTA):

Director of Planning Services Fagg presented the staff report.

Mayor Moon opened the public hearing.

James Camper, Organic Solutions of the Desert, expressed concern with saturation and impact on existing businesses.

Susan Brantly discussed Lanny Swerlow's information and suggested cannabis facilities be treated like every other business.

Rick Panetele indicated support for cannabis facilities.

Michael Fein discussed his project submittal and requested the Council consider a 500-foot separation between dispensaries in industrial zones.

Paul Hendrickson stated location and aesthetics were important considerations. He suggested consideration of impacts of off gassing.

Robert Van Roo, Palm Springs Safe Access Inc, requested priority processing or the six original stakeholders remain until 2018, ability to transfer or sell the license, and one adult use per 8,000 residents.

Chris Cranfill, California's Best Delivery, requested allowing broader transfers of ownership and licenses and expressed concern about illegal delivery.

Joy Meredith stated the Downtown Merchants were not well informed of the recent modifications.

Lauri Kibby, Dream Hotel, commended the subcommittee on the proposed changes. She encouraged competition and filtering. She asked why visitors were allowed to arrive and leave lounges with their own products.

No others came forth to address the Council; therefore, Mayor Moon closed the public hearing.

Council discussion ensued.

ACTION:

1. Waive the reading of the ordinance text in its entirety, read by title only, and introduce for first reading Ordinance No. 1943, "AN ORDINANCE OF THE CITY OF PALM SPRINGS, CALIFORNIA, AMENDING CHAPTERS 91, 92 AND 93 OF THE PALM SPRINGS ZONING CODE RELATIVE TO ZONING REQUIREMENTS FOR COMMERCIAL MEDICAL AND ADULT-USE CANNABIS FACILITIES" amended as follows:
 - Modify separation distances within all industrial zones to be 500 feet
 - Eliminate the cannabis use specific requirement for architectural review, and allow cannabis uses to be subject to neither more nor less architectural scrutiny than other uses
 - Create a requirement for a conditional use permit for "stand-alone" cannabis lounges, where cannabis on-site consumption is the only commercial use taking place in a cannabis facility (similar to the requirement for cocktail lounges), while preserving cannabis

lounges as a permitted use if combined with concurrent commercial uses

- Remove the separation distance between cannabis lounges in the downtown/uptown and residential zones
- Prohibit patrons of cannabis lounges from bringing their own cannabis or cannabis products to a cannabis lounge, and eliminate moot language prohibiting sale or distribution of cannabis or cannabis products by cannabis lounge patrons
- Distinguish between cannabis and cannabis products that are purchased and opened, as opposed to purchased and unopened at a cannabis lounge – operators of lounges may only permit patrons to leave the lounge with cannabis and cannabis products that are sealed and unopened
- Modify verbiage related to reflect odors “at” the exterior of cannabis lounge premises

and

Waive the reading of the interim urgency ordinance text in its entirety, read by title only, and introduce for first reading Ordinance No. 1944, “AN INTERIM URGENCY ORDINANCE OF THE CITY OF PALM SPRINGS, CALIFORNIA, AMENDING CHAPTERS 91, 92 AND 93 OF THE PALM SPRINGS ZONING CODE RELATIVE TO ZONING REQUIREMENTS FOR COMMERCIAL MEDICAL AND ADULT-USE CANNABIS FACILITIES (4/5ths VOTE REQUIRED)” amended as follows:

- Modify separation distances within all industrial zones to be 500 feet
- Eliminate the cannabis use specific requirement for architectural review, and allow cannabis uses to be subject to neither more nor less architectural scrutiny than other uses
- Create a requirement for a conditional use permit for “stand-alone” cannabis lounges, where cannabis on-site consumption is the only commercial use taking place in a cannabis facility (similar to the requirement for cocktail lounges), while preserving cannabis lounges as a permitted use if combined with concurrent commercial uses
- Remove the separation distance between cannabis lounges in the downtown/uptown and residential zones
- Prohibit patrons of cannabis lounges from bringing their own cannabis or cannabis products to a cannabis lounge, and eliminate moot language prohibiting sale or distribution of cannabis or cannabis products by cannabis lounge patrons
- Distinguish between cannabis and cannabis products that are purchased and opened, as opposed to purchased and unopened at a cannabis lounge – operators of lounges may only permit patrons to leave the lounge with cannabis and cannabis products that are sealed and unopened
- Modify verbiage related to reflect odors “at” the exterior of cannabis lounge premises

Motion by Mayor Pro Tem Foat, seconded by Councilmember Kors, carried on a majority (4-1-0 on a Councilmember Mills dissenting) roll call vote.

Interim City Clerk Hart read the title of both ordinances.

3. **LEGISLATIVE:** None
4. **UNFINISHED BUSINESS:** None
5. **NEW BUSINESS:**

A. AMENDED AND RESTATED HOTEL OPERATIONS COVENANT WITH SELENE PALM SPRINGS, LLC FOR THE DREAM HOTEL PROJECT LOCATED AT THE NORTHEAST CORNER OF CALLE ALVARADO AND EAST AMADO ROAD:

Assistant City Manager Fuller provided the staff report.

Council discussion ensued.

ACTION:

- 1) Approve an Amended and Restated Hotel Operations Covenant with Selene Palm Springs, LLC for the Dream Hotel located at the northeast corner of Calle Alvarado and East Amado Road. A6642; and
- 2) Authorize the City Manager to execute all necessary documents.
Motion by Councilmember Kors, seconded by Mayor Pro Tem Foat, carried unanimously (5-0-0) on a roll call vote.

At 11:53 p.m. Mayor Moon recessed the meeting.

At 12:01 a.m. Mayor Moon reconvened the meeting with all Councilmembers present.

B. DESIGN DEVELOPMENT PLANS FOR THE PALM SPRINGS AIRPORT TERMINAL TICKETING WING RENOVATION:

Assistant City Manager Fuller presented the staff report.

Council discussion ensued.

ACTION: Review and approve the Design Development plans for the Airport Terminal Ticketing Wing Renovation Project, with use of monochromatic colors, and authorize staff to proceed with preparation of construction documents for bidding.

Motion by Councilmember Roberts, seconded by Councilmember Kors, carried unanimously (5-0-0) on a roll call vote.

C. APPROVAL OF PLANS, SPECIFICATIONS AND ESTIMATE (PS&E) AND AUTHORIZATION TO BID FOR THE FIRE STATION NO. 4 REHABILITATION PROJECT, CP 15-25:

Assistant City Manager Fuller presented the staff report.

Council discussion ensued.

ACTION:

- 1) Approve the plans, specifications and estimate, and authorize staff to advertise and solicit bids for the Fire Station No. 4 Rehabilitation Project, CP 15-25; and
- 2) Approve Amendment No. 4 to Agreement No. A6757 with Interactive Design Corporation in the amount of \$35,169, for a total amount of \$456,469, for the Fire Station No. 4 Rehabilitation Project, CP 15-25.

Motion by Councilmember Kors, seconded by Councilmember Roberts, carried unanimously (5-0-0) on a roll call vote.

D. APPROVE A LIMITED TERM OF THE THIRD OF FOUR (4) ONE-YEAR EXTENSION OPTIONS TO THE TROLLEY SERVICES OPERATOR AGREEMENT WITH MV TRANSPORTATION INC. RENEWING THE PROGRAM FOR THREE (3) MONTHS EFFECTIVE DECEMBER 19, 2017, THROUGH MARCH 18, 2018:

City Manager Ready presented the staff report.

Council discussion ensued.

ACTION:

- 1) Approve a three-month portion of the third of four (4) one-year extension options to the Trolley Services Operator Agreement with MV Transportation, Inc., in an amount not to exceed \$222,075, for the first three (3) months of the fourth year of service. A6564; and
- 2) Authorize the City Manager or his designee to execute all necessary documents.

Motion by Councilmember Roberts, seconded by Councilmember Kors, carried unanimously (5-0-0) on a roll call vote.

PUBLIC COMMENT: None

CITY COUNCIL AND CITY MANAGER REQUESTS AND UPCOMING AGENDA DEVELOPMENT:

The Council discussed the format of the December 6, 2017 meeting and determined to make it ceremonial.

Mayor Pro Tem Foat, Mayor Moon, and Councilmember Mills agreed to conduct a special meeting on November 29, 2017 to consider the second reading of the Virgin Hotel, cannabis, and sign ordinances. Councilmember Kors and Councilmember Roberts disagreed.

ACTION:

To conduct a special meeting on November 29, 2017, 8:00 p.m. at the Convention Center to consider second readings of the Virgin Hotel, cannabis and sign ordinance.

Motion by Councilmember Mills, seconded by Mayor Pro Tem Foat, carried by a majority (3-2-0, Councilmember Kors and Councilmember Roberts dissenting) roll call vote.

City Manager Ready reviewed proposed items for the special meeting on December 13, 2017.

Councilmember Kors requested consideration of adding six new police personnel for Downtown and six new fire fighter/paramedics. He requested the ad hoc subcommittee discuss.

Mayor Moon suggested a study session to review the budget in January.

ADJOURNMENT:

At 12:29 a.m., the City Council adjourned to an adjourned regular meeting Wednesday, November 29, 2017, at 8:00 p.m. at the Palm Springs Convention Center, 277 Avenida Caballeros, Palm Springs.

Respectfully submitted,

Kathleen D. Hart, MMC
Interim City Clerk

CERTIFICATION

STATE OF CALIFORNIA)
COUNTY OF RIVERSIDE) ss.
CITY OF PALM SPRINGS)

I, KATHLEEN D. HART, Interim City Clerk of the City of Palm Springs, California, hereby certify that the November 15, 2017, MINUTES were approved by the City Council of the City of Palm Springs at a regular meeting held on December 6, 2017, by the following vote:

AYES: Councilmembers Kors, Mills, Roberts, Mayor Pro Tem Foat, and Mayor Moon
NOES: None
ABSENT: None
ABSTAIN: None
RECUSAL: None

Kathleen D. Hart, MMC
Interim City Clerk