

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



MINUTES
WEDNESDAY, SEPTEMBER 6, 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 4:01 p.m. Members of the City Council present were Councilmembers Kors, Mills, Mayor Pro Tem Foat, and Mayor Moon. It was noted Councilmember Roberts had an excused absence. .

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

RECESS TO CLOSED SESSION (*Small Conference Room*): At 4:03 p.m., the Mayor and 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 6:09 p.m.

PLEDGE OF ALLEGIANCE: Boy Scout Troop 262 led the salute to the flag.

ROLL CALL:

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

ABSENT: Councilmember Roberts (excused)

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

PRESENTATIONS: None.

ACCEPTANCE OF THE AGENDA:

Mayor Moon requested Item 1V be excluded from the Consent Calendar for discussion.

ACTION: Approve the agenda as presented with the removal of Item 1V from the Consent Calendar.

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

REPORT OF CLOSED SESSION:

City Attorney Kotkin reported that the Council discussed Closed Session items, except the two anticipated litigation items and one initiation of litigation, with no reportable actions taken.

PUBLIC TESTIMONY: (Non-Public Hearing Agenda Items ONLY)

Robert Findley addressed the Council regarding Item 1Q.

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

City Manager Ready demonstrated features of new presentation capabilities and the OpenGov Portal.

Councilmember Mills provided a summary of the Andaz Project Subcommittee activities, including the proposed schedule for completion.

Councilmember Kors highlighted some Consent Calendar items including the ADA projects, purchasing new ballistic vests, helmets and gear for the Police Department, and fire sprinkler system at the fire station.

Mayor Pro Tem Foat summarized discussions of the Cannabis Subcommittee and stated a self-contained, grow facility was under construction. She provided a summary on the Homelessness Task Force's recent meeting.

Mayor Moon announced the upcoming State of City Address, slated for Tuesday, September 19, 2017. He announced upcoming business openings and the official grand opening of the Downtown in November.

Councilmember Kors stated there was free seating for residents to attend the State of the City.

1. CONSENT CALENDAR:

ACTION: Approve Items 1A, 1B, 1C, 1D, 1E, 1F, 1G, 1H, 1I, 1J, 1K, 1L, 1M, 1N, 1O, 1P, 1Q, 1R, 1S, 1T, and 1U.

Motion by Councilmember Kors, seconded by Mayor Pro Tem Foat, and carried (4-0-1, Councilmember Roberts absent) on a roll call vote.

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

ACTION: Receive and File the Treasurer's Investment Report as of June 30, 2017.

Approved as part of the Consent Calendar.

**1.B. APPROVAL OF PAYROLL WARRANTS, CLAIMS AND DEMANDS:
ACTION:**

1. Adopt Resolution No. 24292, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, APPROVING PAYMENT OF CLAIMS AND DEMANDS BY WARRANTS NUMBERED 1093355 THROUGH 1093501 IN THE AGGREGATE AMOUNT OF \$1,780,051.65, DRAWN ON BANK OF AMERICA."

2. Adopt Resolution No. 24293, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, APPROVING PAYMENT OF PAYROLL WARRANTS FOR THE PERIOD ENDED 07-15-2017 BY WARRANTS NUMBERED 420007 THROUGH 420017 AND 420019 TOTALING \$27,666.44 LIABILITY CHECKS NUMBERED 1093502 THROUGH 1093521 TOTALING \$80,627.00, FIVE WIRE TRANSFERS FOR \$121,769.95, AND THREE ELECTRONIC ACH DEBITS OF \$1,822,733.07 IN THE AGGREGATE AMOUNT OF \$2,052,796.46, DRAWN ON BANK OF AMERICA."

3. Adopt Resolution No. 24294, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, APPROVING PAYMENT OF CLAIMS AND DEMANDS BY WARRANTS NUMBERED 1093522 THROUGH 1093632 IN THE AGGREGATE AMOUNT OF \$979,881.19, DRAWN ON BANK OF AMERICA."

4. Adopt Resolution No. 24295, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, APPROVING PAYMENT OF CLAIMS AND DEMANDS BY WARRANTS NUMBERED 1093633 THROUGH 1093766 IN THE AGGREGATE AMOUNT OF \$4,413,019.42, DRAWN ON BANK OF AMERICA."

Approved as part of the Consent Calendar.

1.C. STAFF AUTHORIZED AGREEMENTS AND PURCHASE ORDERS FOR THE MONTH OF JULY 2017:

ACTION: Receive and file the report of Staff Authorized Agreements and Purchase Orders for the period of July 1 through July 31, 2017.

Approved as part of the Consent Calendar.

1.D. APPROVAL OF MILLS ACT HISTORIC PROPERTY PRESERVATION AGREEMENT FOR CLASS 1 HISTORIC SITE LOCATED AT 1520 EAST TACHEVAH DRIVE, HSPB 105:

ACTION:

1. Approve a Councilmember Mills Act Historic Property Preservation Agreement between the City of Palm Springs and Todd Hays, for 1520 East Tachevah Drive, a Class 1 Historic Site, HSPB 105. A 7018.
2. Authorize the City Manager to execute the Agreement.
3. Direct the City Clerk to record the Agreement.

Approved as part of the Consent Calendar.

1.E. APPROVAL OF MILLS ACT HISTORIC PROPERTY PRESERVATION AGREEMENT FOR CLASS 1 HISTORIC SITE LOCATED AT 1784 SOUTH ARABY DRIVE, A CLASS 1 HISTORIC SITE, HSPB 103/HD-6:

ACTION:

1. Approve a Mills Act Historic Property Preservation Agreement with Charles D. Hopkins and David L. Kersey and Park South Homeowners Association, for property located at 1784 S. Araby Drive, a Class 1 Historic Site, HSPB 103/HD-6. A 7019.
2. Authorize the City Manager to execute the Agreement.
3. Direct the City Clerk to record the Agreement.

Approved as part of the Consent Calendar.

1.F. APPROVAL OF MILLS ACT HISTORIC PROPERTY PRESERVATION AGREEMENT FOR CLASS 1 HISTORIC SITE LOCATED AT 1861 SANDCLIFF ROAD, A CLASS 1 HISTORIC SITE, HSPB 93/HD-5:

ACTION:

1. Approve a Mills Act Historic Property Preservation Agreement with Frederick J. Sousek and Sharon K. Sousek and Sandcliff Homeowners Association, for property located at 1861 Sandcliff, a Class 1 Historic Site, HSPB 93/HD-5. A7020.
2. Authorize the City Manager to execute the Agreement.
3. Direct the City Clerk to record the Agreement.

Approved as part of the Consent Calendar.

1.G. APPROVAL OF RIGHT OF WAY ACQUISITION AGREEMENT WITH SOUTHERN CALIFORNIA EDISON COMPANY FOR ASSESSOR'S PARCEL NUMBER (APN) 669-093-010 FOR THE INDIAN CANYON DRIVE WIDENING & BRIDGE REPLACEMENT, CP 01-11, FEDERAL AID PROJECT NO. BRLO 5282 (017):

ACTION:

1. Approve the Right-of-Way Agreement for Acquisition of Real Property Interest and Escrow Instructions in the amount of \$24,500 with Southern California Edison Company, a California Corporation, for acquisition of 50 square feet of right-of-way, 8,378 square feet of slope easement, 400 square feet of drainage easement and rental for a period of five (5) years of 7,236 square feet of a portion of the property identified as APN 669-093-010 to facilitate and accomplish the

construction and installation of various street improvements associated with the Indian Canyon Drive Widening and Bridge Replacement at the Union Pacific Railroad undercrossing, CP 01-11, Federal-Aid Project No. BRLO 5282 (017). A7021.

2. Authorize the City Manager to execute all necessary documents, open escrow and pay for associated escrow and title costs associated with the right-of-way acquisitions.

Approved as part of the Consent Calendar.

1.H. ACCEPTANCE OF THE PALM SPRINGS LIBRARY LED INFORMATION SIGN, CP 15-28:

ACTION:

1. Accept the public works improvement identified as the Palm Springs Library LED Information Sign as completed in accordance with the plans and specifications, CP 15-28. A6928.
2. Authorize the City Engineer to execute and file for recordation with the Riverside County Recorder a Notice of Completion for the Palm Springs Library LED Information Sign, CP 15-28.

Approved as part of the Consent Calendar.

1.I. AWARD A CONSTRUCTION CONTRACT TO TRYCO GENERAL ENGINEERING IN THE AMOUNT OF \$693,560, APPROVE A PURCHASE ORDER IN AN AMOUNT NOT TO EXCEED \$26,740 TO ALBERT A. WEBB ASSOCIATES FOR CONSTRUCTION SUPPORT SERVICES FOR THE SB 821 MISSING LINK SIDEWALKS, CP 15-23:

ACTION:

1. Award a construction contract to TryCo General Engineering in the amount of \$693,560 for the SB 821 Missing Link Sidewalks, CP 15-23. A7022.
2. Authorize a Purchase Order to Albert A. Webb Associates pursuant to On-Call Agreement No. A6443, in the amount up to \$26,740 for construction support services for the SB 821 Missing Link Sidewalks, CP 15-23.
3. Authorize the City Manager to approve and execute construction contract change orders up to a cumulative amount of \$69,360 (10% of construction contract).
4. Authorize the City Manager to execute all necessary documents.

Approved as part of the Consent Calendar.

1.J. ACCEPTANCE OF THE DEMUTH PARK ADA ACCESS IMPROVEMENTS, CP 15-15:

ACTION:

1. Accept the public works improvement identified as the Demuth Park ADA Access Improvements Project as completed in accordance with the plans and specifications, CP 15-15. A6948.
2. Authorize the City Engineer to execute and file for recordation with the Riverside County Recorder a Notice of Completion for the Demuth Park ADA Access Improvements, CP 15-15.

Approved as part of the Consent Calendar.**1.K. AUTHORIZE THE CITY MANAGER TO PURCHASE NATURAL GAS FOR A PERIOD OF 24 MONTHS THROUGH NOVEMBER 30, 2019:****ACTION:**

1. Authorize the City Manager to enter into purchase agreements for natural gas from the wholesale commodity market for a term not to exceed 24 months from December 1, 2017, through November 30, 2019.
2. Authorize the City Manager to execute all necessary documents.

Approved as part of the Consent Calendar.**1.L. ACCEPTANCE OF ADA CURB RAMPS, CP 16-09:****ACTION:**

1. Accept the public works improvements identified as the ADA curb Ramps as completed in accordance with the plans and specifications, CP 16-09.
2. Authorize the City Engineer to execute and file for recordation with the Riverside County Recorder a Notice of Completion for the ADA Curb Ramps, CP 16-09.

Approved as part of the Consent Calendar.**1.M. AWARD PURCHASE OF PHOENIX G2 FIRE STATION ALERTING SYSTEM FROM US DIGITAL DESIGNS:****ACTION:**

1. Approve the purchase of Phoenix G2 Fire Station Alerting System from US Digital Designs in the amount of \$359,300 inclusive of all applicable taxes and shipping, utilizing FireRescue GPO cooperative purchase agreement.
2. Authorize the City Manager to execute the necessary documents.

Approved as part of the Consent Calendar.**1.N. REPORT OF EMERGENCY REPLACEMENT OF THE WATER COOLED CHILLER SYSTEM FOR THE EMERGENCY OPERATIONS CENTER OF CITY HALL PURSUANT TO PALM SPRINGS MUNICIPAL CODE SECTION 7.04.040:****ACTION:** Receive and file.**Approved as part of the Consent Calendar.****1.O. DISPOSAL AND RECYCLING OF BALLISTIC VESTS AND HELMETS VIA STATE AUTHORIZED PROGRAM:****ACTION:**

1. Waive the Public Auction requirement in Section 7.07.020(3) of the Municipal Code for Disposition of Surplus Property and authorize the destruction and recycle of 23 Ballistic Vests and 10 Helmets by SafariLand, LLC pursuant to the terms and conditions of California State Contract 1-10-84-07.
2. Authorize the City Manager to execute all necessary documents.

Approved as part of the Consent Calendar.

1.P. AWARD PURCHASE OF BALLISTIC HELMETS, RIOT FACE SHIELDS AND HELMET CARRY/STORAGE BAGS FOR ALL POLICE DEPARTMENT SWORN PERSONNEL:

ACTION:

1. Award the purchase of 100 Delta 4 brand ballistic helmets, riot face shields, and carry/storage bags for PSPD sworn personnel from Aardvark Inc. in the amount of \$43,478.13 including applicable sales tax and delivery.
2. Authorize the City Manager to execute all necessary documents.

Approved as part of the Consent Calendar.

1.Q. ACCEPTANCE OF \$130,000 IN GRANT FUNDING FROM THE CALIFORNIA OFFICE OF TRAFFIC SAFETY (OTS) FOR A SELECTIVE TRAFFIC ENFORCEMENT PROGRAM (STEP) TO BE USED TO ENFORCE, EDUCATE, AND BRING AWARENESS TO THE PUBLIC:

ACTION:

1. Accept \$130,000 in grant funding from the California Office of Traffic Safety for a Selective Traffic Enforcement Program (STEP) for fiscal year 2017-2018. A7009.
2. Authorize the City Manager to execute all necessary documents.

Approved as part of the Consent Calendar.

1.R. RATIFY CONSTRUCTION BIDS FOR THE AIRPORT TAXIWAY J PAVEMENT RECONSTRUCTION PROJECT (IFB 17-06) AND AIRFIELD LIGHTING PROJECT (IFB 17-07), AND RE-BID THE TICKETING HALL EXPANSION ENABLING PROJECT (IFB 18-01):

ACTION:

1. Accept report and ratify the award of construction contract to All American Asphalt as the lowest responsive and responsible bidder for the Taxiway J Pavement Reconstruction Project, IFB No. 17-06, in the amount of \$258,265.00.
2. Accept report and ratify the award of construction contract to Vellutina dba Royal Electric Company as the lowest responsive and responsible bidder for the Airfield Lighting Project IFB No. 17-07, in the amount of \$1,633,526.00.
3. Find the bid from Suffolk-Nibbi as non-responsive, reject all other bids, and authorize staff to re-bid the Ticketing Hall Expansion Enabling Project, IFB No. 18-01.
4. Authorize the City Manager to execute all documents.

Approved as part of the Consent Calendar.

1.S. REPORT OF EMERGENCY REPAIRS TO THE PALM SPRINGS INTERNATIONAL AIRPORT AIRFIELD LIGHTING SYSTEM PURSUANT TO MUNICIPAL CODE SECTION 7.04.040:

ACTION: Receive and file the report for emergency repairs of the airfield electrical system.

Approved as part of the Consent Calendar.**1.T. ADMINISTRATIVE APPEALS BOARD HEARING DECISIONS:**

ACTION: Receive and file the Administrative Appeals Board decisions from the July 17, 2017, and July 28, 2017, hearings.

Approved as part of the Consent Calendar.

1.U. AWARD A CONSTRUCTION CONTACT TO AL MILLER & SONS ROOFING COMPANY, INC., IN THE AMOUNT OF \$528,310 FOR THE PALM SPRINGS ROOF REPAIR AND REPLACEMENT PROJECT, CP 16-05:**ACTION:**

1. Waive an informality (non-responsiveness), and award a construction contract to Al Miller & Sons Roofing Company, Inc. in the amount of \$528,310 for the Palm Springs Roof Repair and Replacement Project, CP-16-05, A7024.
2. Authorize the City Manager to approve and execute construction contract change orders up to an additional amount of \$52,850.
3. Authorize the City Manager to execute all necessary documents.

Approved as part of the Consent Calendar.

EXCLUDED CONSENT CALENDAR:**1.V. CONSIDERATION OF GRANT SPONSORSHIPS FOR WELL IN THE DESERT AND PALM SPRINGS PRIDE – PRIOR TO FULL REVIEW OF APPLICATIONS SUBMITTED AS PART OF FISCAL YEAR 2017-18 BUDGET PROCESS:**

Council discussion ensued.

ACTION:

1. *Grant* – Well in the Desert \$9,000 for three months' payment of Homeless Day Center facility lease and food.
2. *Sponsorship* – Palms Spring Pride Event \$90,000 in-kind contribution for City services associated with the event paid for from Palm Springs Resorts.
3. *Grant* – Cinema Diverse \$5,000 from Palm Springs Resorts funds.
4. *Sponsorship* – Palm Springs Cultural Center \$7,250 in-kind contribution for waiver of fees for the Farmers Market.

Motion by Councilmember Kors, seconded by Councilmember Mills, and carried (4-0-1, Councilmember Roberts Absent) on a voice vote.

2. PUBLIC HEARINGS:**2.A. AMENDMENT TO THE PALM SPRINGS ZONING CODE TO REVISE THE STANDARDS FOR HOTEL RESTAURANTS IN THE R-2, R-3, AND R-4 ZONE DISTRICTS, CASE 5.1420 ZTA**

Director of Planning Services Fagg provided the background information as noted on the staff report.

Mayor Moon opened the public hearing, no one came forth to address the Mayor and City Council; therefore, Mayor Moon closed the public hearing.

Council discussion ensued.

ACTION:

1. Waive the reading of the ordinance text in its entirety and read by title only; and
2. Introduce on first reading Ordinance No. 1936, "AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, ADOPTING AN AMENDMENT TO SECTIONS 92.03.01(C), 92.04.01(D), AND 92.05.01(D) OF THE PALM SPRINGS ZONING CODE (PSZC) RELATING TO THE REQUIREMENTS FOR HOTEL RESTAURANT FACILITIES IN THE R-2, R-3 AND R-4 ZONE."

Motion by Councilmember Mills, seconded by Mayor Pro Tem Foat, and carried (4-0-1, Councilmember Roberts absent) on a voice vote.
Interim City Clerk Hart read the ordinance title.

2.B. CALLING AND CONDUCTING A SPECIAL ELECTION AND INTRODUCTION OF ORDINANCE AUTHORIZING THE LEVY OF SPECIAL TAXES WITHIN ANNEXATION NO. 17 TO COMMUNITY FACILITIES DISTRICT NO. 2005-1 (PUBLIC SAFETY SERVICES):

Director of Public Works/City Engineer Garcia presented the staff report.

Mayor Moon opened the public hearing, no one came forth to address the Mayor and City Council; therefore, Mayor Moon closed the public hearing.

ACTION:

1. Adopt Resolution No. 24296, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, AUTHORIZING ANNEXATION NO. 17, 64 @ THE RIV, TRACT MAP NO. 37210, INTO COMMUNITY FACILITIES DISTRICT NO. 2005-1, (PUBLIC SAFETY SERVICES), AUTHORIZING THE LEVY OF A SPECIAL TAX, AND SUBMITTING THE LEVY OF A SPECIAL TAX TO QUALIFIED ELECTORS."

Motion by Councilmember Mills, seconded by Mayor Pro Tem Foat, and carried (4-0-1, Councilmember Roberts absent) on a roll call vote.

2. Interim City Clerk Hart conducted the special election and canvassed the results.
3. Adopt Resolution No. 24297, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, DECLARING THE RESULTS OF A SPECIAL ANNEXATION

LANDOWNER ELECTION, DETERMINING VALIDITY OF PRIOR PROCEEDINGS, AND DIRECTING THE RECORDING OF AN AMENDMENT TO NOTICE OF SPECIAL TAX LIEN FOR ANNEXATION NO. 17, 64 @ THE RIV, TRACT MAP NO. 37210, INTO COMMUNITY FACILITIES DISTRICT NO. 2005-1, (PUBLIC SAFETY SERVICES)."

5. Waive reading of the full text in its entirety, read by title only, and introduce on first reading, Ordinance No. 1937, "AN ORDINANCE OF THE CITY OF PALM SPRINGS, CALIFORNIA, AUTHORIZING THE LEVY OF SPECIAL TAXES IN A COMMUNITY FACILITIES DISTRICT, INCLUDING CERTAIN ANNEXATION TERRITORY IDENTIFIED AS ANNEXATION NO. 17, 64 @ THE RIV, TRACT MAP NO. 37210, INTO COMMUNITY FACILITIES DISTRICT NO. 2005-1, (PUBLIC SAFETY SERVICES)."

Motion by Mayor Pro Tem Foat, seconded by Councilmember Mills, and carried (4-0-1, Councilmember Roberts absent) on a roll call vote.

Interim City Clerk Hart read the ordinance title.

3. LEGISLATIVE:

- 3.A. **AN INTERIM URGENCY ORDINANCE AMENDING PRIOR INTERIM URGENCY ORDINANCE NO. 1934 RE INTERIM REGULATIONS FOR THE INSTALLATION AND MAINTENANCE OF TEMPORARY SIGNS SUBJECT TO CERTAIN EXCEPTIONS, AMENDING AND SUSPENDING CERTAIN SECTIONS OF THE PALM SPRINGS MUNICIPAL CODE, TO NOVEMBER 10, 2017. (4/5ths Vote Required)**

City Attorney Kotkin provided background information as outlined in the staff report.

Council discussion ensued.

ACTION:

Table the item to the next meeting.

Motion by Councilmember Kors, seconded by Mayor Pro Tem Foat, and carried (4-0-1, Councilmember Roberts absent) on a roll call vote.

4. UNFINISHED BUSINESS:

- 4.A. **REVIEW OF THE PROPOSED WORK PLAN FOR IMPLEMENTATION OF THE RECOMMENDATIONS OF THE AD HOC PLANNED DEVELOPMENT DISTRICT (PDD) SUBCOMMITTEE:**

Director of Planning Services Fagg provided the background info as outlined in the staff report.

Council discussion ensued.

ACTION: Continue item to a date uncertain.

Motion by Councilmember Mills, seconded by Mayor Pro Tem Foat, and carried (4-0-1, Councilmember Roberts absent) on a roll call vote.

5. NEW BUSINESS:

5.A. LULU RESTAURANT ART MURAL APPLICATION OF A COMMERCIAL RESTAURANT BUILDING LOCATED AT 200 SOUTH PALM CANYON DRIVE, CASE 17-002 MUR

Director of Planning Services Fagg provided the background information as outlined in the staff report.

Council discussion ensued.

ACTION: Adopt Resolution No. 24298, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, APPROVING AN ART MURAL ON THE COMMERCIAL RESTAURANT BUILDING AT 200 SOUTH PALM CANYON DRIVE, ZONE C-1, CASE 17-002 MUR" adding a condition to require a quarter inch reveal or shadow line mount.

Motion by Councilmember Kors, seconded by Mayor Pro Tem Foat, and carried (4-0-1, Councilmember Roberts absent) carried on a roll call vote.

5.B. A REQUEST FOR CITY COUNCIL REVIEW OF AN ACTION BY THE PLANNING COMMISSION TO APPROVE A MAJOR ARCHITECTURAL APPLICATION BY GLENWOOD MANAGEMENT GROUP, LLC, TO CONSTRUCT A 17-UNIT APARTMENT COMPLEX ON AN UNDEVELOPED 1.13-ACRE PARCEL LOCATED AT 2150 NORTH ZANJERO ROAD, ZONE R-2, CASE 3.3989-MAJ:

Director of Planning Services Fagg provided the background information as outlined in the staff report.

Council discussion ensued.

ACTION: Adopt Resolution No. 24299, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, APPROVING A MAJOR ARCHITECTURAL APPLICATION BY GLENWOOD MANAGEMENT GROUP, LLC, TO ALLOW THE CONSTRUCTION OF A 17 UNIT APARTMENT COMPLEX ON AN UNDEVELOPED 1.13-ACRE PARCEL LOCATED AT 2150 NORTH ZANJERO ROAD," adding to Conditions of Approval, PLN 10, the parking lot shall be screened in accordance with requirements of PSZC Section

93.06.00(C)(12). End parking spaces shall conform to the design and construction standards of PSZC Section 93.06.00(E)(13).

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

5.C. REPORT AND RATIFICATION OF AWARD OF A CONSTRUCTION CONTRACT TO ATP GENERAL ENGINEERING CONTRACTORS, LLC. IN THE AMOUNT OF \$2,869,700; APPROVAL OF A PURCHASE ORDER IN AN AMOUNT NOT TO EXCEED \$105,800 TO INTERWEST CONSULTING GROUP FOR CONSTRUCTION MANAGEMENT, INSPECTION AND MATERIALS TESTING SERVICES FOR THE 2017 PAVEMENT REHABILITATION PROJECT, CP 17-01:

Assistant City Manager Fuller provided the background information as outlined in the staff report.

Council discussion ensued.

ACTION:

1. Receive report of the City Manager's award and ratification of a construction contract to ATP General Engineering Contractors, LLC, in the amount of \$2,869,700 for the 2017 Pavement Rehabilitation Project, CP 17-01. A7002.
2. Delegate authority to the City Manager to approve and execute construction contract change orders up to \$286,970 with all change orders reported to the City Council.
3. Authorize a Purchase Order to Interwest Consulting Group, pursuant to On-Call Agreement No. A6686, in an amount not to exceed \$105,800 for construction management, inspection, and materials testing services for the 2017 Pavement Rehabilitation Project, CP 17-01.
4. Authorize the City Manager to execute all necessary documents.

Motion by Councilmember Mills, seconded by Mayor Pro Tem Foat, and carried (4-0-1, Councilmember Roberts absent) carried on a roll call vote.

5.D. REJECT BIDS AND APPROVE A COOPERATIVE AGREEMENT WITH CVAG, APPROVE A PROFESSIONAL SERVICES AGREEMENT WITH ALTA PLANNING + DESIGN INC., APPROVE PLANS, SPECIFICATIONS AND ESTIMATE (PS&E) AND AUTHORIZATION TO RE-BID FOR THE TAHQUITZ CREEK LEVEE IMPROVEMENTS, CP 08-26:

Assistant City Manager Fuller provided the background information as outlined in the staff report.

Council discussion ensued.

ACTION:

1. Reject all bids received on August 18, 2016, for the Tahquitz Creek Levee Certification project, CP 08-26.
2. Approve a Cooperative Agreement with CVAG for the Tahquitz Creek Levee Reconstruction Project, Bike Path Replacement. A7025.
3. In accordance with Section 7.04.020 "Sole source procurement by the City," of the Palm Springs Municipal Code, waive all competitive requirements of Title 7 of the Palm Springs Municipal Code finding that Alta Planning + Design Inc., has demonstrated experience and expertise of providing the required professional civil engineering design services for the Coachella Valley Association of Governments.
4. Approve a Professional Services Agreement in the amount of \$111,500 with Alta Planning + Design Inc., for final plans, specifications, and estimates; to prepare bid documents; and provide construction support for the Tahquitz Creek Levee Improvements, CP 08-26. A7026.
5. Approve the plans, specifications and estimate, and authorize staff to advertise and solicit bids for the revised Tahquitz Creek Levee Improvements, CP 08-26.
6. Authorize the City Manager to execute all necessary documents.

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

PUBLIC COMMENT: (Non-Agenda Items)

Richard Samuels expressed concern about medians on Tahquitz Canyon and suggested lower shrubbery. He also expressed concern regarding vacation rentals.

Michael Sterns, Tour de Palm Springs, expressed gratitude for the City's contributions to the Tour de Palm Springs and discussed the benefits of the event.

Jennifer Samuels expressed frustration with vacation rentals.

CITY COUNCIL AND CITY MANAGER REQUESTS AND UPCOMING AGENDA DEVELOPMENT:

Councilmember Kors requested a Finance/Budget Standing Subcommittee meeting be scheduled. He requested creating an Ad Hoc Subcommittee to review grants.

Mayor Moon appointed Councilmember Kors and himself to the Grant and Sponsorship Applications Ad Hoc Subcommittee to Review the Grant and Sponsorship Applications, and with a sunset date of December 31, 2017.

Councilmember Kors provided a summary of items in need for the victims of the Houston hurricane, the collection site, and plans to transport the donated items to Houston.

ADJOURNMENT:

At 8:34 p.m., the City Council adjourned to an adjourned regular meeting Tuesday, September 26, 2017, 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.

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 September 6, 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