



Wednesday, December 13, 2017
Minutes of the Adjourned Regular Meeting of the City Council

CALL TO ORDER

An Adjourned Regular Meeting of the Palm Springs City Council was called to order by Mayor Moon on Wednesday, December 13, 2017, at 6:00 p.m., in the Council Chamber, City Hall, located at 3200 E. Tahquitz Canyon Way, Palm Springs, California.

PLEDGE OF ALLEGIANCE

Mayor Moon led the Pledge of Allegiance.

ROLL CALL

Present: Councilmembers Christy Holstege, Geoff Kors, Lisa Middleton; Mayor Pro Tem J.R. Roberts; and Mayor Robert Moon.

Absent: None.

City Staff

Present: David H. Ready, City Manager; Marcus Fuller, Assistant City Manager; Edward Z. Kotkin, City Attorney; and Anthony J. Mejia, City Clerk, were present at Roll Call. Other staff members presented reports or responded to questions as indicated in the minutes.

PRESENTATIONS

None.

ACCEPTANCE OF THE AGENDA

MOTION BY COUNCILMEMBER KORS, SECOND BY MAYOR PRO TEM ROBERTS, CARRIED 5-0, to accept the agenda as published, with the removal of Item No. 1D from the Consent Calendar for separate discussion.

REPORT OF CLOSED SESSION

The Special Closed Session of the City Council of December 13, 2017, was called to order by Mayor Moon at 4:00 p.m., with all members present.

The meeting convened into Closed Session to discuss the following items as listed on the Special Closed Session Meeting Agenda:

CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION, Pursuant to Government Code Section 54956.9(d)(1):

Smith and Haberman v. Andrew Adler and Alta Verde Sereno, LLC, et al.
Case No. PSC 1606441, Riverside Superior Court, Palm Springs Division

Wessman Holdings, LLC v. City of Palm Springs
Case No. PSC1606436, Riverside Superior Court, Palm Springs Division

Lockwood Ave LLC et al v. City of Palm Springs
Case No. RIC1703102, Riverside Superior Court, Riverside Division

Paul Thompson III v. City of Palm Springs
Riverside County Superior Court, Case No. PSC 1703439

CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION, Pursuant to Government Code Section 54956.9(d)(2):

Number of Anticipated Cases: 4

CONFERENCE WITH LEGAL COUNSEL – INITIATION OF LITIGATION, Pursuant to Government Code Section 54956.9(d)(4):

Number of Cases: 5

CONFERENCE WITH REAL PROPERTY NEGOTIATORS, Pursuant to Government Code Section 54956.8

Property Address/Description: 111 N. Palm Canyon Dr., APN 513-560-076
Agency: City of Palm Springs
City Negotiator: David H. Ready, City Manager or Designee
Negotiating Parties: Michael Braun, DTPS C-12, LLC
Under Negotiation: Price and Terms of Payment (Lease)

Property Address/Description: 1901 E. Baristo Road, APN 502-200-001, -002
Agency: City of Palm Springs
City Negotiator: David H. Ready, City Manager or Designee
Negotiating Parties: Andrew Starke, Palm Springs Power Baseball Club
Under Negotiation: Price and Terms of Payment (Lease)

Property Address/Description: 210 El Cielo Road (Hangar Space at Airport)
Agency: City of Palm Springs
City Negotiator: David H. Ready, City Manager or Designee
Negotiating Parties: Ami Dar, Executive Director of Greater Los Angeles

USO

Under Negotiation: Price and Terms of Payment (Lease)

City Attorney Kotkin reported that the City Council received briefings and provided direction to staff regarding the agendaized Closed Session Items, but did not take any reportable action.

PUBLIC TESTIMONY

Sherry Finke, representing the Coachella Valley Rescue Mission (CVRM), speaking on Item No. 5B, summarized the services provided by CVRM to the chronically homeless arriving from Palm Springs.

Anita Petke, representing the Sunline Transit Agency, speaking on Item 5B, advised that the Agency is seeking funding from member cities to help provide college students with free bus passes.

Molly Thorpe, representing Palm Springs Marathon Runners, speaking on Item No. 5B, noted that the organization is seeking in-kind support from the City for their event; noted that the organization helps support other local nonprofit organizations.

Miguel Navarro, speaking on behalf of the LGBT Community Center of the Desert, speaking on Item No. 5B, urged the City Council to support their funding request, noting that the funding helps support the outpatient mental health clinic at the Community Center.

Shelley Somerville, Director of Operations at the Neuro Vitality Center, speaking on Item No. 5B, summarized the services provided by the Center; requested that the City Council support their fundraising events.

Eric Chiel, speaking on behalf Dezart Performs, speaking on Item No. 5B, reported on the history of Dezart Performs, noting that it is celebrating its 10th Anniversary; advised that the funding will help underwrite fundraising events and to help preserve operating funds for production activities.

Chris Mobley, Chief Executive Officer of Modernism Week, speaking on Item No. 5B, thanked the City Council for its continuing support of Modernism Week.

Nona Watson and Steven Henke, representing the Palm Springs Chamber of Commerce, speaking on Item No. 5B, advised that the grant funding would support a "co-working space" which would allow entrepreneurs and business persons to utilize the Chamber's resources.

Thomas Samulski, Executive Director of Desert Blind and Handicapped Association, speaking on Item No. 5B, summarized the services provided by the Association.

Mark Marshall, Executive Director of the Mizell Senior Center, speaking on Item No. 5B, summarized the services provided by the Senior Center.

Lauri Kibby, Board Member of the Mizell Senior Center, speaking on Item No. 5B, noted that the Senior Center provides vital services to the community and the Center needs the financial support from the City.

Jody Diaz, Vice President of the Palm Springs Black History Committee, speaking on Item No. 5B, thanked the City Council for its continuing support of the Black History Month and the parade.

Zjourvré Crawford, speaking on Item No. 5B, urged the City Council to support the funding request to help support Black History Month events and parade.

Lilyanna Scialdone, speaking on Item No. 5B, requested that the City Council support the funding request for Black History Month, noting that it helps celebrate diversity and history.

Michael Stearns, speaking on behalf of the Tour de Palm Springs, thanked the City Council for its continued support of the Tour, noting that it has grown over the years; stated that the Tour hopes to reach 10,000 riders next year.

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

Councilmember Kors reported on the success of the kick-off event for Team Palm Springs for the Gay Games in Paris 2018; advised that the various business and tourism associations are collaborating to conduct hospitality training; reported on the success of PS Resorts and the various events that it sponsors throughout the year; encouraged residents to volunteer for the point-in-time homeless count scheduled for January 23, 2018.

Mayor Pro Tem Roberts advised that the Council Subcommittee on Vacation Rentals and staff anticipate returning to City Council with proposed amendments in approximately two months; reported that staff is evaluating potential users and the engineering requirements for the La Plaza Theatre; advised that the City is re-evaluating the engineering requirements to restore the Cornelia White House.

1. CONSENT CALENDAR

MOTION BY MAYOR PRO TEM ROBERTS, SECOND BY COUNCILMEMBER KORS, CARRIED 5-0, to approve the Consent Calendar Item Nos. 1A-1V; with Item Nos. 1D pulled for separate discussion.

A. TREASURER'S INVESTMENT REPORT AS OF OCTOBER 31, 2017

MOTION BY MAYOR PRO TEM ROBERTS, SECOND BY COUNCILMEMBER KORS, CARRIED 5-0, to receive and file the Treasurer's Investment Report as of October 31, 2017.

B. STAFF AUTHORIZED AGREEMENTS AND PURCHASE ORDERS FOR THE MONTH OF NOVEMBER, 2017

MOTION BY MAYOR PRO TEM ROBERTS, SECOND BY COUNCILMEMBER KORS, CARRIED 5-0, to receive and file the report of Staff Authorized Agreements and Purchase Orders for the period of November 1 through November 30, 2017.

C. APPROVAL OF PAYROLL WARRANTS, CLAIMS AND DEMANDS

MOTION BY MAYOR PRO TEM ROBERTS, SECOND BY COUNCILMEMBER KORS, CARRIED 5-0, to:

1. Adopt Resolution No. 24335 entitled "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, APPROVING PAYMENT OF CLAIMS AND DEMANDS BY WARRANTS NUMBERED 1095436 THROUGH 1095520 IN THE AGGREGATE AMOUNT OF \$2,350,470.16 DRAWN ON BANK OF AMERICA."
2. Adopt Resolution No. 24336 entitled "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, APPROVING PAYMENT OF PAYROLL WARRANTS FOR THE PERIOD ENDED 11-04-2017 BY WARRANTS NUMBERED 420123 THROUGH 420134 TOTALING \$20,204.07 LIABILITY CHECKS NUMBERED 1095521 THROUGH 1095540 TOTALING \$79,113.04, FIVE WIRE TRANSFERS FOR \$63,829.52, AND THREE ELECTRONIC ACH DEBITS OF \$1,430,231.63 IN THE AGGREGATE AMOUNT OF \$1,593,378.26, DRAWN ON BANK OF AMERICA."
3. Adopt Resolution No. 24337 entitled "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, APPROVING PAYMENT OF CLAIMS AND DEMANDS BY WARRANTS NUMBERED 1095541 THROUGH 1095689 IN THE AGGREGATE AMOUNT OF \$1,372,288.44 DRAWN ON BANK OF AMERICA."
4. Adopt Resolution No. 24338 entitled "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, APPROVING PAYMENT OF CLAIMS AND DEMANDS BY WARRANTS NUMBERED 1095690 THROUGH 1095827 IN THE AGGREGATE AMOUNT OF \$426,913.03 DRAWN ON BANK OF AMERICA."

D. APPROVE AMENDMENT NO. 7 TO CONSULTING SERVICES AGREEMENT NO. A5862 WITH KEENAN & ASSOCIATES FOR LOSS CONTROL AND REGULATORY SERVICES

This item was excluded from the Consent Calendar. Please refer to Page 11 of these minutes for a summary of that action.

E. APPROVE AN AGREEMENT WITH RALPH ANDERSEN & ASSOCIATES TO PROVIDE A TOTAL COMPENSATION STUDY

MOTION BY MAYOR PRO TEM ROBERTS, SECOND BY COUNCILMEMBER KORS, CARRIED 5-0, to:

1. Approve an agreement with Ralph Andersen Associates to provide a total compensation study effective December 1, 2017, A7061.
2. Authorize the City Manager to execute all necessary documents.

F. DECLARE TWO VACANCIES ON THE PLANNING COMMISSION FOR UNEXPIRED TERMS ENDING JUNE 30, 2019, AND JUNE 30, 2020

MOTION BY MAYOR PRO TEM ROBERTS, SECOND BY COUNCILMEMBER KORS, CARRIED 5-0, to:

1. Declare two vacancies on the Planning Commission.
2. Direct the City Clerk to post a notice of vacancy for the unexpired terms ending June 30, 2019, and June 30, 2020.

G. DECLARE A VACANCY ON THE HUMAN RIGHTS COMMISSION FOR THE UNEXPIRED TERM ENDING JUNE 30, 2018

MOTION BY MAYOR PRO TEM ROBERTS, SECOND BY COUNCILMEMBER KORS, CARRIED 5-0, to:

1. Declare a vacancy on the Human Rights Commission.
2. Direct the City Clerk to post a notice of vacancy for the unexpired term ending June 30, 2018.

H. DECLARE A VACANCY ON THE SUSTAINABILITY COMMISSION FOR THE UNEXPIRED TERM ENDING JUNE 30, 2018

MOTION BY MAYOR PRO TEM ROBERTS, SECOND BY COUNCILMEMBER KORS, CARRIED 5-0, to:

1. Declare a vacancy on the Sustainability Commission.
2. Direct the City Clerk to post a notice of vacancy for the unexpired term ending June 30, 2018.

I. APPOINTMENT TO THE PALM SPRINGS INTERNATIONAL AIRPORT COMMISSION FOR THE UNEXPIRED TERM ENDING JUNE 30, 2018

MOTION BY MAYOR PRO TEM ROBERTS, SECOND BY COUNCILMEMBER KORS, CARRIED 5-0, to appoint Aftab Dada to the Palm Springs International Airport Commission for the unexpired term ending June 30, 2018.

J. APPOINTMENT TO THE BOARD OF APPEALS WITH NO TERM LIMIT

MOTION BY MAYOR PRO TEM ROBERTS, SECOND BY COUNCILMEMBER KORS, CARRIED 5-0, to appoint Mark Hanna to the Board of Appeals with no term limit.

K. APPOINTMENTS TO THE SUSTAINABILITY COMMISSION FOR THE UNEXPIRED TERMS ENDING JUNE 30, 2020

MOTION BY MAYOR PRO TEM ROBERTS, SECOND BY COUNCILMEMBER KORS, CARRIED 5-0, to appoint Carl Baker and T Santora for the unexpired terms ending June 30, 2020.

L. APPROVE A UTILITY AGREEMENT WITH SOUTHERN CALIFORNIA EDISON COMPANY FOR UTILITY RELOCATION WORK RELATED TO THE INDIAN CANYON DRIVE WIDENING & BRIDGE REPLACEMENT, FEDERAL AID PROJECT NO. BRLO 5282 (017), CP 01-11

MOTION BY MAYOR PRO TEM ROBERTS, SECOND BY COUNCILMEMBER KORS, CARRIED 5-0, to:

1. Approve a Utility Agreement, in a final form acceptable to the City Attorney, with Southern California Edison Company, for utility relocation work related to the Indian Canyon Drive Widening & Bridge Replacement, Federal Aid Project No. BRLO 5282 (017), CP 01-11, A7062.
2. Authorize the City Manager to execute the Utility Agreement and all associated documents.

M. ACCEPT FISCAL YEAR 2017-18 STATE HOMELAND SECURITY PROGRAM GRANT FROM FEDERAL EMERGENCY MANAGEMENT AGENCY VIA THE CALIFORNIA GOVERNOR'S OFFICE OF EMERGENCY SERVICES AND THE RIVERSIDE COUNTY EMERGENCY MANAGEMENT DEPARTMENT IN THE AMOUNT OF \$7,067

MOTION BY MAYOR PRO TEM ROBERTS, SECOND BY COUNCILMEMBER KORS, CARRIED 5-0, to:

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 \$7,067.

2. Authorize the City Manager to execute all necessary documents.

N. RESOLUTION IMPLEMENTING MEASURE E IMPOSING A TAX ON CANNABIS ACTIVITY AS APPROVED BY THE VOTERS AT THE MUNICIPAL ELECTION ON NOVEMBER 7, 2017, ESTABLISHING APPLICABLE TAX RATES; AND PROVISION OF ADDITIONAL DIRECTION FOR THE PREPARATION OF AMENDMENTS TO THE CITY'S CANNABIS REGULATION PROGRAM (MEASURE E)

MOTION BY MAYOR PRO TEM ROBERTS, SECOND BY COUNCILMEMBER KORS, CARRIED 5-0, to adopt Resolution No. 24339 entitled "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, ESTABLISHING CANNABIS AND MARIJUANA BUSINESS TAX RATES."

O. AGREEMENTS WITH THE CALIFORNIA DEPARTMENT OF TAX AND FEE ADMINISTRATION FOR PREPARATION AND ADMINISTRATION OF THE PALM SPRINGS TRANSACTIONS AND USE TAX AS APPROVED BY THE VOTERS AND GRANTING MUNISERVICES ACCESS TO DATA FOR COMPLIANCE AUDITING (MEASURE D)

MOTION BY MAYOR PRO TEM ROBERTS, SECOND BY COUNCILMEMBER KORS, CARRIED 5-0, to:

1. Adopt Resolution No. 24340 entitled "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, AUTHORIZING THE CITY MANAGER TO EXECUTE AGREEMENTS WITH THE CALIFORNIA DEPARTMENT OF TAX AND FEE ADMINISTRATION FOR IMPLEMENTATION OF A LOCAL TRANSACTIONS AND USE TAX."
2. Adopt Resolution No. 24341 entitled "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, AUTHORIZING THE RELEASE AND EXAMINATION OF SALES OR TRANSACTIONS AND USE TAX RECORDS."

P. MILLS ACT HISTORIC PROPERTY PRESERVATION AGREEMENT FOR 339 S. BELARDO ROAD (LA SERENA VILLAS), A CLASS 1 HISTORIC SITE, HSPB 69

MOTION BY MAYOR PRO TEM ROBERTS, SECOND BY COUNCILMEMBER KORS, CARRIED 5-0, to:

1. Approve a Mills Act Historic Property Agreement with Martini Madness LLC for 339 S. Belardo Road, a Class 1 Historic Site, HSPB 69, A7063.
2. Authorize the City Manager to execute the Agreement.
3. Direct the City Clerk to record the Agreement.

Q. MILLS ACT HISTORIC PROPERTY PRESERVATION AGREEMENT FOR 1849 SANDCLIFF ROAD, A CLASS 1 HISTORIC SITE, HSPB 93/HD-5

MOTION BY MAYOR PRO TEM ROBERTS, SECOND BY COUNCILMEMBER KORS, CARRIED 5-0, to:

1. Approve a Mills Act Historic Property Agreement with Adhir Kalyan, Emily Wilson, and Sandcliff Homeowners Association, for 1849 Sandcliff Road, a Class 1 Historic Site, HSPB 93/HD-5, A7064.
2. Authorize the City Manager to execute the Agreement.
3. Direct the City Clerk to record the Agreement.

R. CITY OF PALM SPRINGS DEVELOPMENT PROJECT FEE REPORT FOR FISCAL YEAR 2016-17

MOTION BY MAYOR PRO TEM ROBERTS, SECOND BY COUNCILMEMBER KORS, CARRIED 5-0, to receive and file the City's Development Project Fee Report for Fiscal Year 2016-17.

S. APPROVAL OF PLANS, SPECIFICATIONS AND ESTIMATE (PS&E) AND AUTHORIZATION TO BID THE SONORA ROAD STORM DRAIN IMPROVEMENTS, CP 16-12

MOTION BY MAYOR PRO TEM ROBERTS, SECOND BY COUNCILMEMBER KORS, CARRIED 5-0, to approve the plans, specifications and estimate, and authorize staff to advertise and solicit bids for the Sonora Road Storm Drain Improvements, CP 16-12.

T. ACCEPTANCE OF PUBLIC IMPROVEMENTS AND AUTHORIZATION TO RELEASE SUBDIVISION IMPROVEMENT SECURITIES FOR "PINNACLE POINT" TRACT MAP NO. 17470

MOTION BY MAYOR PRO TEM ROBERTS, SECOND BY COUNCILMEMBER KORS, CARRIED 5-0, to:

1. Adopt Resolution No. 24342 entitled "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, AUTHORIZING ACCEPTANCE OF THE SUBDIVISION IMPROVEMENTS ASSOCIATED WITH TRACT MAP 17470 AND AUTHORIZING RELEASE OF SECURITIES REQUIRED BY THE SUBDIVISION IMPROVEMENT AGREEMENT WITH PALM CANYON RANCH, A GENERAL PARTNERSHIP, AND ITS SUCCESSORS IN INTEREST, FOR PROPERTY LOCATED AT THE EASTERLY TERMINUS OF AVENIDA SEVILLA, IN SECTION 36, TOWNSHIP 4 SOUTH, RANGE 4 EAST."

(Council action continued on next page)

2. Authorize the City Manager to execute a Request for Full Reconveyance with Original Document Indemnity associated with a Deed of Trust with Assignment of Rents recorded January 3, 2000, as Document No. 2000-000971, records of Riverside County, California, securing completion of the Works of Improvement associated with the Subdivision Improvement Agreement for Tract Map 17470 with Palm Canyon Ranch, a general partnership, A2185.
3. Authorize the City Manager to execute all necessary documents.

U. AWARD A CONSTRUCTION CONTRACT TO WRIGHT CONSTRUCTION ENGINEERING CORP IN THE AMOUNT OF \$222,368.68 FOR THE SOUTH PALM CANYON DRIVE AND LA PLAZA SAFETY BOLLARD INSTALLATION, CP 15-29

MOTION BY MAYOR PRO TEM ROBERTS, SECOND BY COUNCILMEMBER KORS, CARRIED 5-0, to:

1. Award a construction contract to Wright Construction Engineering, a California corporation, in the amount of \$222,368.68 for the South Palm Canyon Drive and La Plaza Safety Bollard Installation, CP 15-29, A7065.
2. Authorize the City Manager to execute all necessary documents.

V. ACCEPTANCE OF THE AIRPORT TAXIWAY J PAVEMENT RECONSTRUCTION PROJECT, IFB 17-06

MOTION BY MAYOR PRO TEM ROBERTS, SECOND BY COUNCILMEMBER KORS, CARRIED 5-0, to:

1. Accept the public works improvement identified as the Taxiway J Rehabilitation Project, as completed in accordance with the plans and specifications, IFB 17-06, A6629.
2. Approve Change Order No. 2 in the amount of \$2,323.20, and Change Order No. 3 in the amount of \$7,465.79, for a total contract amount of \$291,982.99 with All American Asphalt, A6999.
3. Authorize the Director, Department of Aviation, to execute and file for recordation with the Riverside County Recorder a Notice of Completion for the Taxiway J Pavement Reconstruction Project, IFB 17-06.
4. Authorize the City Manager to execute all necessary documents.

EXCLUDED CONSENT CALENDAR**D. APPROVE AMENDMENT NO. 7 TO CONSULTING SERVICES AGREEMENT NO. A5862 WITH KEENAN & ASSOCIATES FOR LOSS CONTROL AND REGULATORY SERVICES**

In response to City Council inquiry, Human Resources Director Madison summarized the scope of services provided by Keenan & Associates.

MOTION BY MAYOR PRO TEM ROBERTS, SECOND BY COUNCILMEMBER MIDDLETON, CARRIED 5-0, to:

1. Approve Amendment No. 7 to consulting services agreement No. A5862 with Keenan & Associates for Loss Control and Regulatory Services, in the amount of \$65,000.
2. Authorize the City Manager to execute all necessary documents.

2. PUBLIC HEARINGS

None.

3. LEGISLATIVE

None.

4. UNFINISHED BUSINESS

None.

5. NEW BUSINESS**A. APPROVE AMENDMENT NO. 12 TO AGREEMENT NO. A3090 WITH THE PALM SPRINGS INTERNATIONAL FILM FESTIVAL**

City Manager Ready displayed a video depicting the success of the Palm Springs International Film Festival.

City Attorney Kotkin and Councilmember Kors summarized the deal points of the agreement.

Harold Matzner, Chairman of the Palm Springs International Film Society, spoke on the history of the film festival; advised that the film festival relies on donations and contributions from the community.

In response to City Council inquiry, City Attorney Kotkin noted that the final agreement will include the following:

- The City will receive twenty (20) opening and closing night and reception passes.
- The City will receive copies to all B-roll shoots by the Festival.
- The City will receive 10 sponsor passes.
- The recitals shall include the following verbiage “The primary purpose of the Palm Springs International Film Awards and Film Festival is to produce free advertising and positive publicity for the City of Palm Springs all over the world, and to strengthen the ‘Palm Springs’ brand worldwide, and particularly in Hollywood among major stars, entertainment press, industry executives, decision makers and trend setters.”

Following discussion, MOTION BY MAYOR PRO TEM ROBERTS, SECOND BY COUNCILMEMBER KORS, CARRIED 5-0, to:

1. Approve Amendment No. 12 to Agreement No. A3090 with the Palm Springs International Film Festival, extending the agreement to June 30, 2023, as amended.
2. Authorize the City Manager to execute the Amendment to the agreement and take actions necessary to effectuate the Amendment.

B. REVIEW APPLICATIONS, ALLOCATE AND AWARD THE FISCAL YEAR 2017-18 SPONSORSHIP AND PROGRAM-FUNDING GRANTS AND CITY-SPONSORED SPECIAL EVENTS

City Manager Ready presented the staff report and distributed an updated chart of funding recommendations.

Councilmember Kors reviewed the process undertaken by himself and Mayor Moon in reviewing the applications and making funding recommendations; noted that organizations which generate revenue for Palm Springs or provide free services to Palm Springs residents were prioritized.

Following discussion, MOTION BY COUNCILMEMBER KORS, SECOND BY MAYOR PRO TEM ROBERTS, CARRIED 5-0*, to:

1. Award the Fiscal Year 2017-18 Sponsorship and/or Program Funding Grants in the total amount of \$767,500 from the General Fund and \$50,000 from the Public Arts Fund, as presented.
2. Authorize the City Manager to execute individual Sponsorship and Program Fund Grants, subject to approval by the City Attorney as to form.

- * Councilmember Middleton announced that she serves on the Board of Directors and holds fiduciary responsibilities for Equality California and the LGBT Community Center of the Desert and recused herself on voting whether to provide a sponsorship or grant for these organizations.

C. APPROVAL OF PLANS, SPECIFICATIONS AND ESTIMATE (PS&E) AND AUTHORIZATION TO BID THE 2017 SLURRY SEAL, CP 17-02

City Engineer Garcia narrated a PowerPoint presentation entitled "2017 Annual Slurry Seal Project, City Project 17-02" and responded to City Council inquiries.

Following discussion, MOTION BY MAYOR PRO TEM ROBERTS, SECOND BY COUNCILMEMBER HOLSTEGE, CARRIED 5-0, to approve the plans, specifications and estimate and authorize staff to advertise and solicit bids for the 2017 Slurry Seal, CP 17-02.

D. AWARD A CONSTRUCTION CONTRACT TO CALTEC CORP, IN THE AMOUNT OF \$1,330,000 FOR THE AIRPORT TICKETING HALL EXPANSION ENABLING PROJECT, IFB 18-02

City Manager Ready presented the staff report.

In response to City Council inquiry, City Attorney Kotkin advised that the City's non-discrimination and immigration status verbiage will be inserted into the final executed agreement.

MOTION BY MAYOR PRO TEM ROBERTS, SECOND BY COUNCILMEMBER HOLSTEGE, CARRIED 5-0, to:

1. Award a construction contract to Caltec Corp, a California corporation, as the lowest responsive and responsible bidder for the Ticketing Hall Expansion Enabling Project inclusive of the base bid amount of \$1,200,000 and Alternate 2 bid amount of \$130,000 for a total contract amount of \$1,330,000, IFB 18-02, A7066.
2. Delegate authority to the City Manager to approve Contract Change Orders in the total cumulative amount of 10% of the contract amount (\$133,000).
3. Authorize the City Manager to execute all necessary documents.

MEETING RECESSED AND RECONVENED

The City Council recessed at 8:00 p.m. and reconvened at 8:12 p.m., with all members present.

E. REVIEW AND MAKE APPOINTMENTS TO CITY COUNCIL SUBCOMMITTEES, CITY REPRESENTATIVES TO PROJECTS, LIAISONS TO CITY COMMISSIONS AND BOARDS, AND REPRESENTATIVES TO EXTERNAL ORGANIZATIONS

City Clerk Mejia presented the staff report.

During the course of discussion, the City Council reviewed and made appointments to the City Council Subcommittees, City Representatives to Projects, Liaisons to City Commissions and Boards, and Representatives to External Organizations.

The City Council discussed whether the City's representative to the Coachella Valley Association of Governments (CVAG) Executive Committee should be the Mayor or a rotating appointment. Mayor Moon noted that he strongly objects to rotating the appointment, noting that the Mayors of the membership cities traditionally serve on this Committee. It was agreed by City Council that Mayor Moon would serve as the City representative to the CVAG Executive Committee for 2018 and that the City Council would reconsider the matter at a future meeting.

Following discussion, MOTION BY COUNCILMEMBER MIDDLETON, SECOND BY COUNCILMEMBER HOLSTEGE, CARRIED 4-1 (MAYOR MOON VOTING NO), to appoint Councilmember Kors to serve as the City's representative, and Mayor Moon as to serve as the alternate, to the Greater Palm Springs Convention and Visitors Bureau.

Mayor Moon noted for the record his protest to being removed as the City's representative to the Greater Palm Springs Convention and Visitors Bureau.

The City Council agreed to: 1) agendaize discussion of whether to appoint a City Council Liaison to each of the City Commissions and Boards for a future meeting; and 2) agendaize review of the City Council Subcommittees, City Representatives to Projects, Liaisons to City Commissions and Boards, and Representatives to External Organizations in December 2018.

MOTION BY MAYOR PRO TEM ROBERTS, SECOND BY COUNCILMEMBER KORS, CARRIED 5-0, to:

1. Approve appointments to the City Council Subcommittees, City Representatives to Projects, Liaisons to City Commissions and Boards, and Representatives to External Organizations (Exhibit A)
2. Adopt FPPC Form 806, authorize the City Manager to prepare and execute FPPC Form 806 Public Official Appointments, and direct the City Clerk to post on the City's website as required.

F. APPOINTMENT OF CITY COUNCIL SUBCOMMITTEES TO SCREEN COMMISSION AND BOARD APPLICATIONS, TO DETERMINE QUALIFIED APPLICANTS TO FILL VACANCIES ON CITY BOARDS AND COMMISSIONS

City Clerk Mejia presented the staff report.

The City Council agreed that incumbent Councilmembers will remain on their assigned subcommittees and that Councilmember Holstege and Councilmember Middleton will serve on Subcommittees previously filled by Mayor Pro Tem Foat and Councilmember Mills, respectively.

MOTION BY MAYOR PRO TEM ROBERTS, SECOND BY COUNCILMEMBER MIDDLETON, CARRIED 5-0, to:

1. Waive the procedures in Resolution No. 18804, Section 7, to allow for the City Council as a whole, to participate in the screening and interview of applicants for the Historic Site Preservation Board, Measure "J" Oversight Commission, and Planning Commission.
2. Waive the procedures in Resolution No. 18804, Section 7, which provides for the Mayor to select and participate in all subcommittees.

PUBLIC COMMENT

Thomas Allen Worthy, requested that the City provide him with a settlement for his claims and allegations against the City; asserted that Councilmember Kors is the "defacto gay leader" and that he was harassed during Gay Pride Weekend by a Palm Springs Police Officer.

City Attorney Kotkin noted that Mayor Pro Tem Roberts indicated during Mr. Worthy's comments that the nature and scope of his comments made it impossible for him to focus on his duties as an elected official; pointed out that Mr. Worthy independently walked away from the microphone without being excused by the Mayor.

James Keane, voiced concerns regarding the White Water Recreational Trail that will become part of the CV Link; advised that delays caused by Cathedral City will result in mitigation measures not being installed when CV Link opens; requested the support of the City Council to resolve the delays caused by Cathedral City.

Stephen Heslin, representing Digicom Learning, expressed gratitude to the City Council for its support of Digicom.

Patrick Weiss, recommended that the City Council seek independent legal counsel on the legalities of the City Council vote to approve the Virgin Hotel development project.

CITY COUNCIL AND CITY MANAGER REQUESTS AND UPCOMING AGENDA DEVELOPMENT

City Manager Ready reviewed the agenda items that are slated for discussion during the City Council meetings in January 2018.

The City Council agreed to schedule City Council meetings for January 3, January 10, and January 24, 2018.

Councilmember Kors requested that staff agendize a status update on the effectiveness of the Vacation Rental Ordinance and consider combining Measure "J" and Measure "D" auditing oversight with the possibility of reducing the Commission from nine members to seven members.

Councilmember Kors noted that City Attorney Kotkin is due for a 6-month Performance Evaluation and requested that the City Manager provide sample evaluation forms to the City Council.

ADJOURNMENT

At 10:15 p.m., the City Council adjourned to the Regular Meeting of the City Council to be held on January 3, 2018 at 6:00 p.m. in the Council Chamber, City Hall, located at 3200 East Tahquitz Canyon Way, Palm Springs, California.

Respectfully submitted,



Anthony J. Mejia, MMC
City Clerk

CITY COUNCIL
CITY OF PALM SPRINGS, CALIFORNIA

Exhibit A



Standing Subcommittees

Created	Committee	Member/Appointed	Member/Appointed
Resolution	Finance	Mayor Moon 12-16-2015	Councilmember Kors 12-13-2017
2017-12-13	College of the Desert	Mayor Moon 12-16-2015	Councilmember Holstege 12-13-2017
2017-12-13	Library	Councilmember Middleton 12-13-2017	Councilmember Holstege 12-13-2017
2016-12-14	BUZZ Trolley	Mayor Moon 12-14-2016	Councilmember Middleton 12-13-2017
2016-05-18	Affordable Housing	Councilmember Middleton 12-13-2017	Councilmember Holstege 12-13-2017
2016-10-19	Cannabis	Councilmember Kors 10-19-2016	Mayor Pro Tem Roberts 12-13-2017
2015-01-21	Homelessness	Councilmember Kors 12-16-2015	Councilmember Holstege 12-13-2017
2014-03-19	iHub/CVEP	Mayor Moon 12-16-2015	Councilmember Middleton 12-13-2017
2013-12-18	Vacation Rentals	Mayor Pro Tem Roberts 06-01-2016	Councilmember Kors 08-03-2016
2011-12-14	Downtown Project	Mayor Pro Tem Roberts 12-16-2015	Councilmember Middleton 12-13-2017
2017-12-13	Coachella Valley CVLink	Councilmember Middleton 12-13-2017	Mayor Pro Tem Roberts 12-13-2017
2006-12-07	Business Retention (Economic Development)	Councilmember Kors 12-13-2017	Councilmember Holstege 12-13-2017

Ad Hoc Subcommittees

Created	Committee	Specific Task	Sunset Date	Member/Appointed	Member/Appointed
2017-12-13	Budget	Review Fiscal Year 2018-19 Budget	2019-06-30	Councilmember Kors 12-13-2017	Councilmember Middleton 12-13-2017
2017-12-13	Downtown Public Restrooms	Review Downtown Public Restrooms	2018-12-31	Mayor Moon 09-07-2016	Councilmember Middleton 12-13-2017
2017-10-18	Convention Center Tourism and Management Services Agreement Subcommittee	Review Agreement	2018-06-30	Mayor Moon 10-18-2017	Councilmember Kors 10-18-2017
2017-10-18	State of the City Address	Provide input to State of the City Address	2018-12-31	Councilmember Kors 10-18-2017	Mayor Moon 12-13-2017
2017-09-06	Grant and Sponsorship Applications	Review Grant and Sponsorship Applications for FY 2018-19	2019-12-31	Councilmember Holstege 12-13-2017	Mayor Moon 09-06-2017
2017-06-21	Property Negotiations	Assist with Property Negotiations, 4449 N. Indian Canyon Dr., APN 669-330-047	2018-12-31	Councilmember Kors 06-21-2017	Mayor Pro Tem Roberts 12-13-2017
2017-05-17	Communications	Communications	2018-12-31	Councilmember Kors 05-17-2017	Councilmember Roberts 12-13-2017
2017-05-17	Tahquitz Creek Golf Course Operation	Renew Agreement	2018-06-30	Mayor Moon 12-13-2017	Councilmember Holstege 12-13-2017
2016-11-16	Planned Development District	Review Planned Development District Process	2018-12-31	Councilmember Middleton 12-13-2017	Mayor Pro Tem Roberts 12-13-2017
2016-10-19	Vacation Rentals	Study and make recommendations on current vacation rental regulations	2018-12-31	Councilmember Kors 10-19-2016	Mayor Pro Tem Roberts 10-19-2016
2016-06-15	Annexations and Land Acquisitions	Advise City Attorney and City Manager on potential areas for Sphere of Influence/Annexation	2018-12-31	Mayor Pro Tem Roberts 06-15-2016	Councilmember Holstege 12-13-2017

Created	Committee	Specific Task	Sunset Date	Member/Appointed	Member/Appointed
2016-06-15	Palm Canyon / Desert Arts Center	Review potential use agreements for this city facility	2018-12-31	Mayor Moon 06-15-2016	Councilmember Kors 12-13-2017
2016-05-18	Fundraising	Review Grants/Special Events Fundraising opportunities for Fiscal Year 2018-19	2019-12-31	Councilmember Middleton 12-13-2017	Councilmember Kors 05-18-2016
2016-02-17	Recognition of Lawrence Crossley	Recommend Appropriate recognition of Lawrence Crossley	2018-06-30	Councilmember Middleton 12-13-2017	Councilmember Holstege 12-13-2017
2015-12-16	Governmental Reform, Ethics and Transparency	Review current administrative regulations for Conflict of interest, elections, transparency and disclosure	2018-06-30	Councilmember Middleton 12-13-2017	Councilmember Kors 12-16-2015
2015-12-16	Indian Canyon Improvements	Advise City Staff on the Phase 1 preparation and design of Indian Canyon to a two-way street	2018-12-31	Mayor Pro Tem Roberts 12-16-2015	Councilmember Middleton 12-13-2017
2015-12-16	Walk of Stars	Advise City Staff and City Attorney to amendments to the contract with the Palm Springs Walk of Stars	2018-06-30	Mayor Moon 12-16-2015	Mayor Pro Tem Roberts 12-16-2015
2014-04-02	Historic Plaza Theater	Review potential use agreements for this city facility	2018-12-31	Mayor Pro Tem Roberts 12-16-2015	Mayor Moon 12-13-2017
2011-12-14	Downtown Palm Springs Park	Review, design, and construction of the Downtown Park	2018-12-31	Mayor Pro Tem Roberts 12-16-2015	Councilmember Holstege 12-13-2017
2007-12-12	Special Event Regulations Review	Regulations Review for Special Events Permits	2018-12-31	Councilmember Middleton 12-13-2017	Councilmember Holstege 12-13-2017
2017-12-13	Holiday Lighting	Review and recommend updating and replacing the holiday lighting	2018-12-31	Mayor Moon 12-13-2017	Mayor Pro Tem Roberts 12-13-2017
2014-12-13	Council Chamber Audio/Visual System Upgrade	Assist with the Council Chamber Audio/Visual System Upgrade	2018-12-31	Mayor Pro Tem Roberts 12-16-2015	Mayor Moon 12-13-2017
2014-12-13	Oswit Litigation Case	Assist City Attorney with the Oswit Litigation Case	2018-12-31	Councilmember Holstege 12-13-2017	Councilmember Kors 12-13-2017

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



City Representatives to Projects

Created	Committee	Primary Member/Appointed	Alternate Member/Appointed
2017-10-18	Palm Springs Tourism and Hospitality Organizations	Councilmember Kors 10-18-17	Mayor Moon 12-13-2017
2017-09-26	Community Choice Aggregation Program and Coachella Valley Community Energy Authority	Councilmember Kors 09-26-17	Councilmember Middleton 12-13-2017
2017-12-13	Town & Country Center	Mayor Pro Tem Roberts 12-13-2017 (Liaison)	Councilmember Middleton 12-13-2017
2017-12-13	Canyon View	Mayor Pro Tem Roberts 12-13-2017	Councilmember Middleton 12-13-2017
2017-12-13	Replacement of Downtown Furniture and Landscaping	Mayor Pro Tem Roberts 12-13-2017 (Liaison)	

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



**City Council Liaisons
To
City Boards, Commissions, and Committees**

Commission/Board/Committee	Member / Appointed
Office of Neighborhood Involvement	Councilmember Middleton (Primary) 12-13-2017 Mayor Moon (Alternate) 12-13-2017
Airport Commission	Mayor Pro Tem Roberts 12-13-2017

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



**External Organizations
Appointees and Liaisons**

Agency	File 700	Phone	Designee	Alternate
CVAG – Executive Committee (Meet last Monday of the month)	Yes	760-346-1127	Mayor Moon 12-16-2015 (appointment through December 2018)	Mayor Pro Tem Roberts 12-13-2017 (appointment through Dec 2018)
CVAG – Energy and Environment (2 nd Thursday of the month)			Councilmember Middleton 12-16-2015	Councilmember Kors 12-13-2017
CVAG – Homelessness Committee (3 rd Wednesday of the month)			Councilmember Holstege 12-13-2017	Councilmember Kors 12-16-2015
CVAG – Public Safety (2 nd Monday of the month)			Mayor Pro Tem Roberts 12-13-2017	Councilmember Holstege 12-13-2017
CVAG – Transportation (1 st Monday of the month)			Councilmember Middleton 12-13-2017	Councilmember Kors 12-16-2015
Coachella Valley Conservation Commission (2 nd Thursday of the month)	Yes		Councilmember Middleton 12-13-2017	Mayor Pro Tem Roberts 12-13-2017
Coachella Valley Mountains Conservancy Board (2 nd Thursday of the month)	Yes	760-776-5026	Councilmember Middleton 12-13-2017	Mayor Pro Tem Roberts 12-16-2015
Main Street/Uptown Business Assoc.			Mayor Moon 12-16-2015	Councilmember Middleton 12-16-2015
Palm Springs Chamber of Commerce (3 rd Thursday of the month)		760-325-1577	Councilmember Kors 12-16-2015	Mayor Moon 12-16-2015
Greater Palm Springs Convention and Visitors Bureau (CVB) (3 rd Friday of the month)	Yes	760-770-9000	Councilmember Kors 12-13-2017 (appointment through Dec 2018)	Mayor Moon 12-13-2017 (appointment through Dec 2018)

Agency	File 700	Phone	Designee	Alternate
Riverside County Community Action Commission	Yes		Councilmember Holstege 12-13-2017	Dale Cook 12-16-2015
Riverside County Community Benefit Committee (Appointed by the County Supervisor)				No alternate
Riverside County Transportation Commission (2 nd Wednesday of the month)	Yes		Councilmember Middleton 12-13-2017	Mayor Pro Tem Roberts 12-13-2017
Sunline	Yes	760-343-3456	Councilmember Middleton 12-13-2017	Councilmember Kors 12-13-2017
Eastern Riverside County Interoperable Communications Authority (ERICA)	Yes		Mayor Moon 12-16-2015	City Manager 12-16-2015
Riverside County Airport Land Use Commission	Yes		Mayor Pro Tem Roberts (Liaison) 12-16-2015	None
Friends of the Palm Springs Animal Shelter		760-416-5718	Councilmember Holstege 12-13-2017	Councilmember Middleton 12-13-2017
League of California Cities Annual Conference			Mayor Moon	Councilmember Middleton
CRA Oversight Board			Councilmember Holstege 12-13-2017	