



Wednesday, May 2, 2018
Minutes of the Joint Meeting of the City Council and
Measure J Oversight Commission

CALL TO ORDER

A Joint Meeting of the Palm Springs City Council and Measure J Oversight Commission was called to order by Mayor Moon on Wednesday, May 2, 2018, at 6:08 p.m., in the Council Chamber, City Hall, located at 3200 E. Tahquitz Canyon Way, Palm Springs, California.

PLEDGE OF ALLEGIANCE

The Palm Springs Air Force ROTC Junior Color Guard 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.

Present: Commissioners Sid Craig, Jim Gazan, David Gray, Mark Marshall, John Williams; Vice Chair Christine Hammond; and Chair Michael Johnson.

Absent: Commissioners Alaina Bixon and David Vogel.

City Staff

Present: David H. Ready, City Manager; Edward Z. Kotkin, City Attorney; Marcus Fuller, Assistant City Manager; Geoffrey S. Kiehl, Director of Finance and Treasurer; 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.

PUBLIC COMMENT: None.

A. REVIEW OF CITY CAPITAL IMPROVEMENT PROJECTS AND MEASURE RECOMMENDATIONS:

Chair Johnson presented the recommendations of the Measure J Oversight Commission as outlined in the staff report.

In response to inquiries, City Manager Ready advised that Measure J funds are best utilized for capital projects and issues related to the downtown project, including additional police- and fire-related expenditures.

Councilmember Kors spoke on the importance of prioritizing the listed projects and suggested that the City Council may want to consider allocating reserve funds to complete certain projects; pointed out there is a need to improve the park restrooms, wireless network system, and to complete the Indian Canyon Drive Pedestrian Safety Project.

In response to City Council inquiry, Assistant City Manager Fuller advised that the City is actively seeking Coachella Valley Association of Governments (CVAG) grants; noted that the City was awarded a \$6 million transportation grant.

Vice Chair Hammond provided a summary on selecting bicycle, pedestrian, and traffic-calming safety improvements; noted that suggestions were solicited from citizen groups and that the Commission reviewed and narrowed the number of recommended projects.

Assistant City Manager Fuller advised that the requested \$400,000 for park restrooms will only renovate, not completely reconstruct, the park restrooms.

Mayor Moon requested that staff explore the feasibility of adding restrooms in the Desert Highland Park.

Councilmember Holstege offered to serve on the park restrooms subcommittee; urged the Measure J Oversight Commission to set long-term strategic goals.

In response to City Council inquiry, Assistant City Manager Fuller advised that staff is prioritizing life/safety projects; noted that specific projects include updating the City's emergency exit signage, improving the City's communication systems, and the Helix Entry System.

City Manager Ready summarized the history of funding capital projects and recommended a strategic approach to reserving additional funds.

ADJOURNMENT

The Measure J Oversight Commission adjourned at 6:49 p.m.

RECESS AND RECONVENE

The City Council recessed at 6:49 p.m. and reconvened at 6:56 p.m. with all members present.

REGULAR CITY COUNCIL MEETING**CALL TO ORDER**

A Regular Meeting of the Palm Springs City Council was called to order by Mayor Moon on Wednesday, May 2, 2018, at 6:56 p.m., in the Council Chamber, City Hall, located at 3200 E. Tahquitz Canyon Way, Palm Springs, California.

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; Edward Z. Kotkin, City Attorney; Marcus Fuller, Assistant City Manager; Geoffrey S. Kiehl, Director of Finance and Treasurer; 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 MAYOR PRO TEM ROBERTS, SECOND BY COUNCILMEMBER HOLSTEGE, CARRIED 5-0, to accept the agenda, with the removal of Item No. 1B, 1D, 1G, 1J, and 1L for separate discussion and tabling Item No. 1K; moving consideration of Item No. 5B immediately before the Consent Calendar.

REPORT OF CLOSED SESSION

The Regular Closed Session of the City Council of May 2, 2018, 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 Regular Closed Session Meeting Agenda:

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

Lee H. Brandenburg and Diane M. Brandenburg, Individually and as Trustees of the Brandenburg Revocable Trust and Dennis A. Cunningham and Andrea C. Cunningham individually, and in their capacities as Trustees of the Cunningham Family Trust Dated 12/14/2000 v. City of Palm Springs et al.

Case No. PSC1606147, Riverside Superior Court, Palm Springs Division

City of Palm Springs v. O & M HR, LLC, et al.,
Case Number PSC 1701804, Riverside Superior Court, Palm Springs Division

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

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

Number of Cases: 9

Including one (1) Case Re: Response to Letter from Kevin Shenkman, Esq., received March 5, 2018 (California Voting Rights Act of 2001)

Including one (1) Case Re: Tamarisk Tree Removal, Lawrence Crossley Neighborhood

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

Number of Cases: 6

PUBLIC EMPLOYEE PERFORMANCE EVALUATION, Pursuant to Government Code Section 54957(b)(1):

City Manager
City Attorney

CONFERENCE WITH REAL PROPERTY NEGOTIATOR, Pursuant to Government Code Section 54956.8:

Property Address/Description: 980 E. Tahquitz Canyon Way, APN 508-056-010

Agency: City of Palm Springs

City Negotiator: David H. Ready, City Manager or Designee

Negotiating Parties: Palm Springs Unified School District; Sandra Lyon, Superintendent

Under Negotiation: Price and Terms of Payment (Lease)

Property Address/Description: 4449 N. Indian Canyon Dr., APN 669-330-047

Agency: City of Palm Springs

City Negotiator: David H. Ready, City Manager or Designee

Negotiating Parties: Desert Community College District

Under Negotiation: Price and Terms of Payment (Acquisition)

CONFERENCE WITH LABOR NEGOTIATORS, Pursuant to Government Code Section 54957.6:

Agency Designated Representatives: City Manager David Ready and Attorney Peter Brown
 Employee Organizations: Management Association of Palm Springs
 Palm Springs Fire Safety
 Palm Springs Fire Management
 Palm Springs Police Management Association
 Palm Springs Police Officers Association
 Service Employees International Union Local 721

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; noted that City Manager Ready recused himself and left the Closed Session during discussion of the Lockwood matter.

PUBLIC TESTIMONY

The following individuals spoke on Item 5B noting the success of the Tiny Tots Program and urging the City Council to retain the Tiny Tots Program:

Dean Mangione
Stephan Williamson
Liz Glass
JoLee Estrada
Chantelle Jura
Ron Oden
Georgia Jesse

Owen Jackson
Angela Williams
Kristen McLain
Cort Williams
Jarvis Crawford
Tenalia Hall
Myra Acosta

Tara Glass
Kalila Curtis
Layman Gray
Mickey Brown
Dieter Crawford

Sandra Lyon, Superintendent, speaking on Item 5B, spoke on the importance of early childhood education; addressed the need for expanding Head Start and Preschool locally, noting a lack of available facilities; requested that the City work with the School District to ensure that students receive high-quality educational programs.

James Williamson, School Board President, speaking on Item 5B, noted that the goals of the School District are to provide high-quality early childhood education to as many students as possible; advised that the School District will explore pursuing a state-funded preschool program rather than a Head Start program, pointing out that the preschool would have no income cut-off and the fees will be income-based.

Trent Pace, Parks and Recreation Commissioner, speaking on Item 5B, stated that the fee increases being presented are inaccurate and not recommended by the Commission.

Tim Unger, speaking on Item 5C, voiced opposition to eliminating SCIP financing for residential projects; stated that the intent of the program is to provide residential projects with a funding mechanism for infrastructure improvements.

John Pavilack, speaking in Item 5C, stated that the SCIP financing program is beneficial and urged the City Council to continue utilizing the program.

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

Councilmember Kors requested that discussion of the Community Choice Power Program, opining that the City should select the 100% carbon-free option, be agendaized for a City Council meeting; noted that the City Council will be in Sacramento to discuss legislative priorities with state representatives; requested that consideration of supporting Assembly Bill 1043 be agendaized for a City Council meeting.

Mayor Moon appointed Councilmembers Kors and Holstege to an Ad Hoc Subcommittee on senior issues.

Councilmember Holstege reported on the Board of Library Trustees meeting; invited the community to attend an Affordable Housing Tour and Rally hosted by the Coachella Valley Housing Coalition on May 4, 2018; noted that the Business Retention Subcommittee meeting will be May 8, 2018; requested that City Manager Ready report back to City Council on the meeting with the Deaf and hard-of-hearing community.

Mayor Pro Tem Roberts reported on the success of the Community Forum hosted by Councilmember Kors and himself, noting that over 400 people were in attendance; requested that City Manager Ready provide a summary of the meeting to the City Council.

Councilmember Middleton spoke on the upcoming meeting with the Deaf and hard-of-hearing community, noting that an ASL interpreter will be present.

5. NEW BUSINESS

B. DISCUSSION OF PARKS AND RECREATION FEE SCHEDULES

Councilmember Kors noted that School Board President Williamson is his husband and requested that City Attorney Kotkin opine whether he should recuse himself on this agenda item. City Attorney Kotkin noted a statutory exemption regarding conflicts of interest in relation to the income of a spouse, when the spouse is an employee of another governmental entity; stated that Councilmember Kors does not have a conflict of interest on this agenda item.

City Manager Ready presented the staff report.

In response to City Council inquiry, Commissioner Pace advised that the chart in the staff report does not accurately reflect the recommendations of the Parks and Recreation Commission.

City Manager Ready recommended that the matter be tabled and return at a later date with the corrected data.

Councilmember Kors recommended that program fees be adjusted for resident and non-resident rates, opining that the City should not subsidize programs for non-residents; requested that an analysis of fees in other cities be included in the revised staff report; stated that the goal is to ensure that the highest number of youth are served at the lowest cost, while ensuring that everyone has equal access to quality educational programs.

Councilmember Holstege spoke on need for early childhood education options for children of parents that work in Palm Springs, although they may not reside in the City; voiced support for a discount in program fees for residents; opined that a sliding scale for fees would be difficult to administer; requested that the revised staff report include information on the percentage of residents/non-residents utilizing the City's programs; questioned whether residents are given priority for program waiting lists.

Mayor Moon expressed support for discounted fees for residents; recommended that the School District evaluate its facilities to determine if it can accommodate additional childhood education programs.

Councilmember Middleton agreed that consideration should be given to early childhood education options for children of parents that work in Palm Springs; spoke on the success of the existing programs, noting that efforts should be made to expand such programs so more children can participate.

In response to City Council inquiry, Mr. Williamson noted that the School District is better equipped to provide early childhood education; recommended that the City and School District pursue the State Preschool rather than Head Start Program, noting that fees would be on a sliding scale.

Superintendent Lyon advised that existing students would be accommodated in the new Preschool Program; noted that the School District explored utilizing other facilities for the Preschool and Head Start Program, but they were not suitable.

In response to City Council inquiry, Les Young, Chair of the Parks and Recreation Commission, pointed out that residents may have been concerned about potential program cuts, due to campaign materials related to Measure C warning that programs may be cut if passed; stated that the Commission worked diligently to develop its recommendations on the fee structure, noting that the Commission has a responsibility to address cost-recovery.

The City Council took no action on the matter.

1. CONSENT CALENDAR

MOTION BY COUNCILMEMBER KORS, SECOND BY MAYOR PRO TEM ROBERTS, CARRIED 5-0, to approve the consent calendar, with the removal of Items No. 1B, 1D, 1G, 1J, and 1L for separate discussion and tabling Item No. 1K.

A. MILLS ACT HISTORIC PROPERTY PRESERVATION AGREEMENT FOR CLASS 1 HISTORIC SITE LOCATED AT 1323 SOUTH DRIFTWOOD DRIVE, HSPB 110

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

1. Approve a Mills Act Historic Property Preservation Agreement with Mark Garrison and Jane Garrison, for 1323 South Driftwood Drive, a Class 1 Historic Site, HSPB 110. A7135.
2. Authorize the City Manager to execute the Agreement.
3. Direct the City Clerk to record the Agreement.

B. APPROVE THE PURCHASE AND INSTALLATION OF NEW CARPET TILES FOR AIRPORT MAIN TERMINAL BAGGAGE CLAIM AREA

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

C. APPROVAL OF PROFESSIONAL SERVICES AGREEMENTS FOR ON-CALL AVIATION CONSULTING SERVICES (ARCHITECTURAL, ENGINEERING, ENVIRONMENTAL, PLANNING, CONSTRUCTION MANAGEMENT, AND MISCELLANEOUS SERVICES) ASSOCIATED WITH THE PALM SPRINGS INTERNATIONAL AIRPORT CAPITAL IMPROVEMENT PROGRAM

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

1. Approve Agreement No. A7136 with M. Arthur Gensler & Associates, Inc., a California corporation, for on-call professional aviation consulting services associated with the Palm Springs International Airport Capital Improvement Program, for a term of five years.
2. Approve Agreement No. A7137 with RS&H California, Inc., a California corporation, for on-call professional aviation consulting services associated with the Palm Springs International Airport Capital Improvement Program, for a term of five years.
3. Approve Agreement No. A7138 with WSP USA, Inc., a New York corporation, for on-call professional aviation consulting services associated with the Palm Springs International Airport Capital Improvement Program, for a term of five years.
4. Authorize the City Manager to execute all necessary documents.

D. APPROVAL OF A REQUEST TO EXTEND THE PREVIOUSLY APPROVED EARLY CONSTRUCTION START TIME FOR WORK ACTIVITIES AT THE ANDAZ HOTEL CONSTRUCTION SITE FROM MAY 1, 2018, THROUGH SEPTEMBER 30, 2018

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

E. APPOINTMENT TO THE VILLAGEFEST BOARD FOR THE UNEXPIRED TERM ENDING JUNE 30, 2019

MOTION BY COUNCILMEMBER KORS, SECOND BY MAYOR PRO TEM ROBERTS, CARRIED 5-0, to appoint Chris Campbell to the VillageFest Board for the unexpired term ending June 30, 2019.

F. APPROVAL OF A RESOLUTION AUTHORIZING REIMBURSEMENT OF CERTAIN PUBLIC EXPENDITURES ASSOCIATED WITH THE DREAM HOTEL THROUGH PUBLIC FINANCING VIA CSCDA BOND PROCEEDS

MOTION BY COUNCILMEMBER KORS, SECOND BY MAYOR PRO TEM ROBERTS, CARRIED 5-0, to adopt Resolution No. 24407 entitled "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, DECLARING ITS OFFICIAL INTENT TO REIMBURSE PROJECT EXPENDITURES WITH BOND PROCEEDS AND RELATED ACTIONS."

G. AMENDMENT NO. 2 TO CONSULTING SERVICES AGREEMENT NO. A5336 WITH EVERGREEN RECYCLING SOLUTIONS FOR TECHNICAL ASSISTANCE AND PROFESSIONAL SERVICES ON SOLID WASTE AND RECYCLING ISSUES

This item was excluded from the Consent Calendar. Please refer to Page 12 of these minutes for a summary of that action.

H. PALM SPRINGS INNOVATION HUB AND ACCELERATOR CAMPUS QUARTERLY REPORT FOR JANUARY 1, 2018, TO MARCH 31, 2018

MOTION BY COUNCILMEMBER KORS, SECOND BY MAYOR PRO TEM ROBERTS, CARRIED 5-0, to receive and file the first quarterly report from the Coachella Valley Economic Partnership for the Palm Springs Innovation Hub (iHub) for the period of January 1, 2018, to March 31, 2018.

I. AUTHORIZE THE PURCHASE OF ONE NEW TENNANT M30 DIESEL CYLINDRICAL SCRUBBER-SWEEPER TO MAINTAIN THE NEW DOWNTOWN PARKING STRUCTURE

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

1. Authorize the cooperative purchase of one (1) new Tennant M30 Diesel Cylindrical Floor Scrubber-Sweeper from Aviate Enterprises Incorporated in an amount not to exceed \$71,852.41 inclusive of shipping and applicable sales tax.
2. Authorize the City Manager to execute all necessary documents.

J. AUTHORIZE THE PURCHASE OF FOUR (4) REPLACEMENT TRUCKS AND TWO (2) GENERAL SERVICE VEHICLES FOR AIRPORT OPERATIONS DIVISION, POLICE DEPARTMENT, VACATION RENTAL COMPLIANCE DEPARTMENT AND ONE (1) REPLACEMENT TRACTOR FOR THE PARK MAINTENANCE DIVISION IN AN AMOUNT NOT TO EXCEED \$410,000

This item was excluded from the Consent Calendar. Please refer to Page 12 of these minutes for a summary of that action.

K. AMENDMENT TO AGREEMENT NO. A6017 FOR TRANSIENT OCCUPANCY TAX COMPLIANCE PROGRAM AUDITING SERVICES WITH MUNISERVICES, LLC

At the request of staff, this item was removed from the agenda.

L. AGREEMENT FOR PLACEMENT OF PUBLIC ARTWORK TITLED "ISABELLE" ON PRIVATE PROPERTY AND GRANT OF EASEMENT BETWEEN THE CITY OF PALM SPRINGS AND DTPS C-15, LLC, A CALIFORNIA LIMITED LIABILITY COMPANY

This item was excluded from the Consent Calendar. Please refer to Page 13 of these minutes for a summary of that action.

M. APPROVAL OF MINUTES

MOTION BY COUNCILMEMBER KORS, SECOND BY MAYOR PRO TEM ROBERTS, CARRIED 5-0, to approve the City Council Meeting Minutes of March 7, 2018.

EXCLUDED CONSENT CALENDAR**B. APPROVE THE PURCHASE AND INSTALLATION OF NEW CARPET TILES FOR AIRPORT MAIN TERMINAL BAGGAGE CLAIM AREA**

Mayor Pro Tem Roberts questioned why certain projects have resulted in a limited number of responsive bids. City Manager Ready advised that staff will prepare a summary of the bidding process for City Council, noting that projects over \$100,000 have strict bidding requirements, including formal invitations for bidding advertisements.

MOTION BY COUNCILMEMBER HOLSTEGE, SECOND BY COUNCILMEMBER KORS, CARRIED 5-0, to:

1. Approve the purchase and installation of new carpet tiles and additional "attic stock" for the Airport's main terminal baggage claim area, as per the specifications in Invitation for Bids (IFB) 18-04, to Del's Flooring Contractors Inc. of Palm Desert, CA, in the total amount of \$139,340.36.
2. Authorize the City Manager to execute all necessary documents.

D. APPROVAL OF A REQUEST TO EXTEND THE PREVIOUSLY APPROVED EARLY CONSTRUCTION START TIME FOR WORK ACTIVITIES AT THE ANDAZ HOTEL CONSTRUCTION SITE FROM MAY 1, 2018, THROUGH SEPTEMBER 30, 2018

The City Council requested that staff work with the Contractor to ensure that adjacent neighbors are informed about the early construction start time and that the notice include contact information for complaints.

Councilmember Holstege suggested that City Council may want to revisit the construction start time hours.

MOTION BY COUNCILMEMBER MIDDLETON, SECOND BY COUNCILMEMBER HOLSTEGE, CARRIED 5-0, to approve the requested early construction time of 4:00 AM between May 1, 2018, and September 30, 2018, for the Andaz Hotel construction.

G. AMENDMENT NO. 2 TO CONSULTING SERVICES AGREEMENT NO. A5336 WITH EVERGREEN RECYCLING SOLUTIONS FOR TECHNICAL ASSISTANCE AND PROFESSIONAL SERVICES ON SOLID WASTE AND RECYCLING ISSUES

In response to City Council inquiry, Economic Development Director Virata summarized the experience and qualifications of Evergreen Recycling Solutions, noting that they will assist the City with implementation of the Integrated Waste Management Act.

MOTION BY COUNCILMEMBER MIDDLETON, SECOND BY COUNCILMEMBER HOLSTEGE, CARRIED 5-0, to:

1. Approve a Consulting Services Agreement Amendment with Evergreen Recycling Solutions for municipal solid waste management and recycling consulting services, in an amount not to exceed \$150,000 for three years, beginning July 1, 2018, and ending on June 30, 2021.
2. Authorize City Manager to execute all the necessary documents.

J. AUTHORIZE THE PURCHASE OF FOUR (4) REPLACEMENT TRUCKS AND TWO (2) GENERAL SERVICE VEHICLES FOR AIRPORT OPERATIONS DIVISION, POLICE DEPARTMENT, VACATION RENTAL COMPLIANCE DEPARTMENT AND ONE (1) REPLACEMENT TRACTOR FOR THE PARK MAINTENANCE DIVISION IN AN AMOUNT NOT TO EXCEED \$410,000

In response to City Council inquiry, City Manager Ready recommended that the City Council proceed with authorizing the purchase of the subject vehicles, noting that if Measure C passes and the Vacation Rental Compliance Department is eliminated, that the City will still have a need for the vehicles for the City's fleet.

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

1. Authorize the purchase of four (4) new Ford or Chevrolet trucks (alternative fuel equivalent) vehicle and outfitting for the Airport Operations Division not to exceed \$220,000.
2. Authorize the purchase of one (1) new Ford Explorer XLT vehicle and outfitting for the Police Department not to exceed \$56,000.
3. Authorize the purchase of one (1) new Chevrolet Volt (Hybrid) vehicle and outfitting for the Vacation Rental Compliance Department not to exceed \$40,000.
4. Authorize the purchase of one (1) new Ford or Chevrolet Truck (alternative fuel equivalent) vehicle and outfitting for the Vacation Rental Compliance Department not to exceed \$56,000.
5. Authorize the purchase of one (1) new Bobcat Skid Steer (alternative fuel equivalent) tractor for the Maintenance & Facilities Department (Park Maintenance Division) to replace Unit 300603 not to exceed \$38,000.
6. Authorize staff to conduct the appropriate bid processes, or utilize cooperative purchase contracts if available, in accordance with Procurement procedures and authorize the City Manager to execute all necessary documents, including Purchase Orders for the new replacement vehicles and equipment, in a total cumulative amount not to exceed \$410,000.

L. AGREEMENT FOR PLACEMENT OF PUBLIC ARTWORK TITLED “ISABELLE” ON PRIVATE PROPERTY AND GRANT OF EASEMENT BETWEEN THE CITY OF PALM SPRINGS AND DTPS C-15, LLC, A CALIFORNIA LIMITED LIABILITY COMPANY

Councilmember Holstege expressed gratitude to the Public Arts Commission and developer for the new public artwork.

MOTION BY COUNCILMEMBER KORS, SECOND BY COUNCILMEMBER HOLSTEGE, CARRIED 5-0, to:

1. Accept the public artwork identified as “Isabelle” located at 100 West Tahquitz Canyon Way at Block C of the Downtown Revitalization Project.
2. Approve an Agreement for Placement of Artwork on Private Property and Grant of Easement with DTPS C-15, LLC, a California limited liability company. A7139.
3. Authorize the City Manager to execute all necessary documents.
4. Direct the City Clerk to record the Agreement.

2. PUBLIC HEARINGS

A. REQUEST BY THE CITY OF PALM SPRINGS FOR A ZONE TEXT AMENDMENT TO MAKE MINOR MODIFICATIONS AND CORRECTIONS TO SECTIONS 93.20.00 THROUGH 93.20.13 OF THE PALM SPRINGS ZONING CODE (PSZC) RELATIVE TO THE CITY’S SIGN ORDINANCE, CASE 5.1416-A ZTA

Director of Planning Services Fagg presented the staff report and responded to City Council inquiries.

Mayor Moon opened the Public Hearing.

Darrell Baum, Wabi Sabi Japan Living, pointed out that his business has no street frontage and therefore cannot have a portable sign advertising his business under the current regulations; urged City Council to consider allowing portable signs in the City’s right-of-way for businesses without street frontage on a case-by-case basis.

Hearing no others wishing to speak on this matter, Mayor Moon closed the Public Hearing.

Mayor Pro Tem Roberts suggested allowing portable sandwich boards or movable monument signs with multiple business names as a solution to Mr. Baum’s request.

City Attorney Kotkin summarized that the Ordinance will be amended for second reading to include provisions for allowing businesses without street frontage to collaborate and secure permits for one portable sign board, with respect to a particular building having no frontage area, with multiple businesses listed and the approval process would be similar to the individual portable sign approval process; noted that the provision reading as “a portable sign or other content-neutral sign permit, encroachment license or ~~agreement~~” would be modified to read as “a portable sign or other content-neutral sign permit, encroachment license or approval.” The City Council concurred.

MOTION BY COUNCILMEMBER MIDDLETON, SECOND BY COUNCILMEMBER HOLSTEGE, CARRIED 5-0, to introduce Ordinance No. 1956 entitled "AN ORDINANCE OF THE CITY OF PALM SPRINGS, CALIFORNIA, ADOPTING MINOR MODIFICATIONS AND CORRECTIONS TO SECTIONS 93.20.00 THROUGH 93.20.13 OF THE PALM SPRINGS ZONING CODE RELATIVE TO THE CITY'S SIGN ORDINANCE (CASE 5.1416-A ZTA)," as amended.

B. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, AMENDING CERTAIN PORTIONS OF RESOLUTION NO. 23854, MODIFYING CERTAIN USER FEES AND CHARGES BY IMPLEMENTING A CONSUMER PRICE INDEX INCREASE AND ADOPTING THE COMPREHENSIVE FEE SCHEDULE FOR FISCAL YEAR 2018-19

City Attorney Kotkin presented the staff report.

Mayor Moon opened the Public Hearing.

Gretchen Gutierrez, CEO of the Desert Valley Builders Association, advised that the proposed resolution is a result of the continue discussions between the Association and City; urged the City Council to adopt the proposed resolution.

Hearing no others wishing to speak on this matter, Mayor Moon closed the Public Hearing.

MOTION BY MAYOR PRO TEM ROBERTS, SECOND BY COUNCILMEMBER MIDDLETON, CARRIED 5-0, to adopt a Resolution No. 24408 entitled “A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, AMENDING PORTIONS OF RESOLUTION NO. 23854, MODIFYING CERTAIN USER FEES AND CHARGES BY IMPLEMENTING A CONSUMER PRICE INDEX INCREASE AND ADOPTING THE COMPREHENSIVE FEE SCHEDULE FOR FISCAL YEAR 2018-19.”

MEETING RECESSED AND RECONVENED

The City Council recessed at 9:49 p.m. and reconvened at 9:58 p.m., with all members present.

3. LEGISLATIVE: None.

4. UNFINISHED BUSINESS

A. APPROVAL OF TIME EXTENSIONS OF VARIOUS SUBDIVISION IMPROVEMENT AGREEMENTS FOR TM 28966, TM 32233-1, TM 32233-4, AND TM 33561

Director of Engineering Garcia presented staff report.

In response to City Council inquiry, Director Garcia advised that the four development companies were notified of the agenda item and two have responded that they will be moving forward with their projects; noted that if a developer does not move forward with its project, the City may pursue completion of the public improvements through the owners' surety company.

MOTION BY COUNCILMEMBER MIDDLETON, SECOND BY COUNCILMEMBER HOLSTEGE, CARRIED 5-0, to adopt a Resolution No. 24409 entitled "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, AUTHORIZING TIME EXTENSIONS OF SUBDIVISION IMPROVEMENT AGREEMENTS FOR TM 28966, TM 32233-1, TM 32233-4, AND TM 33561."

B. APPROVAL OF TIME EXTENSIONS OF VARIOUS SUBDIVISION IMPROVEMENT AGREEMENTS FOR TM 32233, TM 32233-2, TM 32233-5, TM 36548, AND TM 36738

Director of Engineering Garcia presented staff report.

In response to City Council inquiry, Director Garcia noted that these projects are active development projects with public improvements under construction.

MOTION BY COUNCILMEMBER HOLSTEGE, SECOND BY COUNCILMEMBER MIDDLETON, CARRIED 5-0, to adopt Resolution No. 24410 entitled "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, AUTHORIZING TIME EXTENSIONS OF SUBDIVISION IMPROVEMENT AGREEMENTS FOR TM 32233, TM 32233-2, TM 32233-5, TM 36548, AND 36738."

5. NEW BUSINESS

A. APPROVAL OF PLANS, SPECIFICATIONS AND ESTIMATE (PS&E) AND AUTHORIZATION TO BID THE 2018 PAVEMENT REHABILITATION, CP 18-01

City Manager Ready presented the staff report.

Councilmember Kors reported that the City Council Budget Subcommittee recommends allocating \$5 million for on-going street improvements and maintenance.

In response to City Council inquiry, Director Garcia provided estimates for bid alternatives including Museum Drive improvements, pavement rehabilitation of the parking lot behind Las Casuelas restaurant, and drainage improvements.

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 2018 Pavement Rehabilitation, CP 18-01.

B. DISCUSSION OF PARKS AND RECREATION FEE SCHEDULES

This item was considered earlier on the agenda. Please refer to Page 6 of these minutes for a summary of that action.

C. CONSIDERATION OF SCIP PUBLIC FINANCING FOR THE RESIDENTIAL DEVELOPMENT PROJECTS KNOWN AS CANYON VIEW AND VIBE:

City Manager Ready presented the staff report on the Statewide Community Infrastructure Program (SCIP).

In response to City Council inquiries, City Manager Ready and Assistant City Manager Fuller advised that developers would be required to disclose additional fees and taxes in the escrow instructions, including SCIP financing; noted that allowing residential developments to utilize SCIP financing would have an impact on the overall affordability of new homes; advised that most cities have not opted to allow SCIP financing for residential projects.

Mayor Pro Tem Roberts expressed concern regarding the use of SCIP financing for residential projects, suggesting that the developer should include the cost of public improvements in the cost of the development; asserted that developers may utilize the program in an effort to pass-through the costs of public improvements to the home buyer.

Councilmember Holstegi spoke in support of allowing SCIP financing for residential projects on a case-by-case basis, noting the housing shortages in California; noted that the City should incentivize the development of entry-level, mid-priced housing.

City Manager Ready advised that staff will develop criteria for considering SCIP financing for residential projects on a case-by-case basis, when it would result in the development of entry-level, mid-priced homes.

The City Council took no formal action.

D. DISCUSSION OF VEHICLE ELECTRIC CHARGERS AT CITY FACILITIES

Assistant City Manager Fuller presented the staff report.

Mayor Pro Tem Roberts reported that the City Council Downtown Subcommittee considered the proposal and expressed concern with allocating 24 parking spaces dedicated for Tesla charging stations, noting that Tesla chargers cannot be used on other vehicles; advised that Tesla has agreed to move forward with the project with the provision that it will be allocating six parking spaces at a time and that additional parking spaces may be allocated based on increased demand.

Councilmembers Holstege and Middleton spoke in support of the proposal, noting that it may positively impact tourism.

Councilmember Kors spoke on his personal experience planning trips based on the location of charging stations; urged staff to seek grant funding from the Air Quality Management District for additional electric vehicle charging stations.

Mayor Moon noted that hotel guests may choose to park in the general parking area to utilize the Tesla charging stations; recommended that Tesla consider installing charging stations in the portion of the garage dedicated for hotel patrons.

Assistant City Manager Fuller advised that staff will return to City Council for approval of the contract.

The City Council took no formal action.

PUBLIC COMMENT

Darryl Terrell, opined that the vacation rental market has positively impacted property values; urged the City Council to hold property owners that violate the City's vacation rental regulations accountable.

Les Young, invited the community to attend the Books versus Badges Basketball Game hosted by the Police Advisory Board on May 3, 2018.

CITY COUNCIL AND CITY MANAGER REQUESTS AND UPCOMING AGENDA DEVELOPMENT

Councilmember Holstege requested that consideration of supporting Assembly Bill 1043 be agendaized for May 16, 2018; requested that staff ensure that events held at the Desert Highland Park be included in the City's event calendar; provided an update on the City's efforts to develop a polystyrene and plastic straw ordinance.

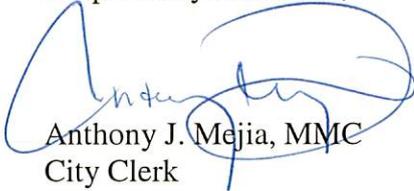
Councilmember Holstege and Mayor Pro Tem Roberts requested that discussion of whether the role of a Councilmember should be considered full-time or part-time, noting that the City's transition to districts may have additional impacts.

Councilmember Kors announced that the City is seeking applicants to fill vacancies on the City's Boards and Commissions.

ADJOURNMENT

At 11:05 p.m., the City Council adjourned to the next regular meeting Wednesday, May 16, 2018, 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,



Anthony J. Mejia, MMC
City Clerk