

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



**MINUTES
WEDNESDAY, MAY 14, 2008
City Hall Council Chamber**

CALL TO ORDER: Mayor Pougnet called the meeting to order at 6:06 p.m.

PLEDGE OF ALLEGIANCE: Mayor Pougnet led the Pledge.

ROLL CALL:

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

ABSENT: None.

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

PRESENTATIONS:

Mayor Pougnet and the City Council proclaimed May 2008, as National Bicycling Month in the City of Palm Springs.

Lee Husfeldt, Office of Neighborhood Involvement, provided an update on the successful Neighborhood Involvement Committee picnic.

REPORT OF CLOSED SESSION: City Attorney Holland reported that at 4:30 p.m. the meeting was called to order and the City Council recessed into Closed Session to discuss items contained on the posted Closed Session Agenda. No reportable actions were taken.

ACCEPTANCE OF THE AGENDA:

ACTION: Accept the Agenda as presented. **Motion Councilmember Weigel, seconded by Councilmember Hutcheson and unanimously carried on a roll call vote.**

PUBLIC COMMENT:

ANDY SANDS, Representing Alta Project, stated his support of the Staff recommendations for the Alta Subdivision Flood Control Project. (Public Comment prior to the Closed Session.)

BOB MAHLOWITZ, Palm Springs, presented a letter to the City Council from the Neighborhood Involvement Committee with respect to the Desert Water Agency Proposition 218 public hearing for an increase in water rates.

MARY JUSTICE, commented on Item 1.A. regarding the Coachella Valley Multiple Species Habitat Conservation Plan, and requested the City Council address some of the proposed conditions.

STEVE SIMS, thanked the City Council and staff for the recent Office of Neighborhood Involvement picnic.

JOY MEREDITH, Palm Springs, commented on the City Council's support of Downtown and the merchants, the efforts and projects underway in the Downtown area.

COUNCILMEMBER COMMENTS:

Mayor Pro Tem Foat requested staff address the documents mentioned by Mary Justice in Public Comment, with respect to the MSHCP, and requested the City Manager address the letter with respect to the DWA proposed rate increase.

CITY MANAGER'S REPORT: None.

1. STUDY SESSION:

1.A. COACHELLA VALLEY MULTI SPECIES HABITAT CONSERVATION PLAN DISCUSSION OF THE U.S. DEPARTMENT OF FISH AND GAME CONDITIONS OF APPROVAL:

City Attorney Holland provided background information on the status of the Coachella Valley Multi Species Habitat Conservation Plan.

Councilmember Weigel requested the City Attorney address if it will be necessary for City Council to approve the MSHCP, and if the City Council has any input with respect to the conditions imposed by the U.S. Department of Fish and Game.

Mayor Pro Tem Foat noted the City Council received the red-line document this evening and the documents outline many changes, stated she would like additional time to review the changes for further discussion, and expressed her concerns on Item J in the red-line version.

Councilmember Mills commented on the history of the City Council Subcommittee working with the U.S. Department of Fish and Game, and stated the red-line version is the result of City representatives amending the document to get it closer to the original agreement, stated there may

be further negotiation with Fish and Game and he would like a review of any additional modifications.

Councilmember Weigel stated this gives the decision making authority to the City, and he would not recommend any further changes to the red-line version.

Mayor Pougnet noted U.S. Fish and Game may come back and request additional changes, and stated everyone is in agreement to move forward.

No action taken.

1.B. BUSINESS RETENTION SUBCOMMITTEE REPORT AND UPDATE:

Mayor Pro Tem Foat provided a status report on the City Council Business Retention Subcommittee, stated the goal is the retention of businesses and to create opportunities for new businesses in the City, commented on proposed and/or new programs: letter to new businesses, business resource information on the City's website, survey of office vacancies and rates, new business minute during regular City Council meetings, performing business visitation meetings, working on business clusters and PSEDC to include business welcome wagon and the development of resource materials, exit surveys to monitor the service of the City, periodic business meetings sponsored by the City, early warning system to identify businesses in trouble or planning on relocation, and reviewing potential districts and branding.

Cathy Van Horn, Economic Development Administrator, provided a demonstration of the proposed Tools for the Business Success program.

Councilmember Hutcheson outlined programs that the Subcommittee reviewed and requested the City Council provide direction to prepare necessary ordinances or programs: facade improvement program discussion during the budget cycle, require lenders to register properties that would be foreclosed, improved City inspection of vacant buildings, suggested the City Council Downtown Sign Committee review the use of "For Lease" signs, the aesthetics of construction sites, and the issuance of an RFP for a parking study in the Downtown area.

Councilmember Mills stated the information presented tonight is encouraging, commented on the facade improvement program and recommended a facade maintenance program as well, requested an outline of proposed measures to the suggested ordinances, and noted the current obstacles of going forward with a parking study.

Councilmember Weigel thanked the City Council Subcommittee, and requested staff provide updates as to the status of any of the suggested ordinances.

No action taken.

1.C. AMENDMENTS TO THE CITY COUNCIL RULES OF PROCEDURE WITH RESPECT TO THE PLACEMENT OF ITEMS ON THE AGENDA BY MEMBERS OF THE CITY COUNCIL:

City Clerk Thompson and City Manager Ready provided background information as outlined in the staff report dated May 14, 2008.

The City Council discussed and/or commented on the following: the categories of City Council requests, resolutions should have a separate discussion and not on the Consent Calendar, the applicability of the two-step process whereby there is consensus of the City Council, adding another bureaucratic level to the process that is not needed.

ACTION: No action taken with respect to modifying the rules of procedure; and direct staff not to place requested legislative resolutions on the Consent Calendar. **By consensus of the City Council.**

Councilmember Mills stated he has a business related conflict of interest with respect to Item 1.D., would not participate in the discussion or the vote, and left Council Chamber.

1.D. DISCUSSION OF AFFORDABLE HOUSING OPTIONS AND ALTERNATIVES FOR THE PROPERTY LOCATED AT 3130 NORTH INDIAN CANYON DRIVE:

John Raymond, Director of Community and Economic Development, provided information and alternatives for the proposed affordable housing project at 3130 North Indian Canyon Drive.

The City Council discussed and/or commented on the following: concerns with the state of the development in the City, concerns with the current trends in the mortgage industry and financing, proximity to the College of the Desert and the need for rental housing, green building programs, the City's experience with previous similar programs in the Desert Highland Gateway area, use of solar and incentives, the possibility of having units that cannot be sold, and a request to delay the decision until the Workforce Housing Summit.

ACTION: Direct staff to proceed with an ENA for an "ownership" development. **By consensus of the City Council, noting the absence of Councilmember Mills.**

Councilmember Mills returned to the dais.

1.E. ALTA SUBDIVISION FLOOD CONTROL DISCUSSION:

Withdrawn from the Agenda at the request of staff.

1.F. PALM TREE TRIMMING POLICY:

Mayor Pougnet stated he requested a discussion on the policy with the current City Council, as this policy has been discussed with previous City Council's with mixed results, stated the palm trees on Tahquitz are not in the best of shape, requested the City Council consider a policy change for different palm trees by district.

Sharon Heider, Director of Parks and Recreation, provided background information on the City's current Palm Tree Trimming Policy.

Councilmember Hutcheson noted his interest in this discussion, stated the City has no consistency with respect to palm trees, stated his support for consistency by district, and commented on budgeting restrictions.

Councilmember Mills commented on previous discussion, noted his agreement on Washingtonia and Robusta palms and suggested some types of trees be "skinned," and stated budget constraints as the primary issue, noted his support for trimming and skinning Robusta and Washingtonia palms and in agreement that the City Council modify the policy, also stated the Filliferas should be left skirted, and the plan could be implemented by district.

ACTION: Direct staff to return with a revised policy. **By consensus of the City Council.**

1.G. PRELIMINARY FISCAL YEAR 2008-09 BUDGET:

City Manager Ready outlined the Preliminary Fiscal Year 2008-09 Budget for the Palm Springs International Airport, and noted the Airport Commission has reviewed and approved the Budget.

No action taken.

COUNCILMEMBER COMMENTS, REQUESTS, AND REPORTS:

Councilmember Mills requested staff address other options in builder's fees, such as allowing certain fees to be paid at the end or other incentives to promote development.

Mayor Pougnet suggested the City Council have a study session including a discussion with Fred Bell of the Building Industry Association.

Mayor Pro Tem Foat requested staff place on the next Study Session Agenda a discussion, as requested by Neighborhood Involvement Committee, on the proposed DWA rate increase and commented on the upcoming California Supreme Court decision on the right to marry.

ADJOURNMENT: The City Council adjourned at 8:30 p.m. to a Regular Meeting, Wednesday, May 21, 2008, at 6:00 p.m. in the Council Chamber, City Hall, preceded by a Closed Session at 4:30 p.m., Small Conference Room, City Hall, 3200 East Tahquitz Canyon Way, Palm Springs.

**APPROVED BY A MOTION OF THE PALM SPRINGS CITY COUNCIL THIS
28TH DAY OF MAY, 2008.**


STEPHEN P. POUGNET, MAYOR

ATTEST:


JAMES THOMPSON, CITY CLERK