

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



**MINUTES**  
**WEDNESDAY, APRIL 16, 2008**  
City Hall Council Chamber

**CALL TO ORDER:** Mayor Pougnet called the meeting to order at 6:05 p.m.

**PLEDGE OF ALLEGIANCE:** Palm Springs Air Force ROTC Junior Color Guard, led the Pledge.

**INVOCATION:** Pastor Mike Coppersmith, Our Savior's Community Church, led the Invocation.

**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 presented a Certificate of Recognition to Jeanne Mazur Messing, the City's honoree for the Senior Inspiration Awards.

Mayor Pougnet and the City Council proclaimed April 2008, as Palm Springs Life Month in the City of Palm Springs.

Mayor Pougnet and the City Council proclaimed April 2008, as Child Abuse Prevention Month in the City of Palm Springs.

Mayor Pougnet announced the Grand Opening of Home Depot and Signature Flight Support, in the City of Palm Springs.

**REPORT OF CLOSED SESSION:** City Attorney Holland reported that at 5:00 p.m. the meeting was called to order and the City Council recessed into Closed Session to discuss the Items on the posted Closed Session Agenda. The City Council by unanimous vote approved a Settlement Agreement for the case Committee for Better Community Planning v. City of Palm Springs, et. al., Case No. INC 072015 Riverside Superior Court, Indio Division. A5652. No other reportable actions were taken.

## ACCEPTANCE OF THE AGENDA:

Mayor Pro Tem Foat requested the City Clerk review the minutes of April 2, 2008, motion for Item 1.D., and requested Items 2.K., 2.L., and 2.P., be removed from the Consent Calendar for separate discussion.

Councilmember Hutcheson requested Items 2.O. and 2.R. be removed from the Consent Calendar for separate discussion.

Councilmember Mills requested Items 2.B. and 2.O. be removed from the Consent Calendar for separate discussion, and noted his business related abstention on Items 2.I. and 2.P.

Mayor Pougnet requested Items 2.K. and 2.Q. be removed from the Consent Calendar for separate discussion, and noted his business related abstention on Item 2.J.

City Clerk Thompson stated staff has requested Item 5.A. be withdrawn from the Agenda.

City Clerk Thompson requested the City Council add an Item to the Agenda as Item 2.S. titled: APPOINTMENT OF SHARON LOCK AS THE CITY'S REPRESENTATIVE TRUSTEE TO THE COACHELLA VALLEY MOSQUITO AND VECTOR CONTROL DISTRICT BOARD AND JOINDER IN THE CITY OF INDIO'S CALL FOR THE RIVERSIDE COUNTY CIVIL GRAND JURY INVESTIGATION OF ALLEGATIONS OF MISCONDUCT AND MISMANAGEMENT AT THE COACHELLA VALLEY MOSQUITO AND VECTOR CONTROL DISTRICT.

**ACTION:** Make the finding that the Item came to the attention of the City after the posting of the Agenda, there is an immediate need to hear and/or take action on the Item, and add the Item to the April 16, 2008 Agenda as Item 2.S. **Motion Mayor Pro Tem Foat, seconded by Councilmember Hutcheson and unanimously carried on a roll call vote.**

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

### 1. PUBLIC HEARINGS:

#### 1.A. APPEAL BY JACKIE SWISHER OF THE DECISION OF THE PLANNING COMMISSION DENYING A RECREATIONAL VEHICLE PERMIT ON PROPERTY LOCATED AT 335 WEST YORBA ROAD, CASE RV 07-005:

City Clerk Thompson stated the City received a request from the Appellant to continue the hearing, several members of the public were present to

address the Item, and the City Council may open the public hearing to receive such, then continue the hearing.

Mayor Pougnet opened the public hearing, and the following speakers addressed the City Council.

ROBERT KENNEY, Palm Springs, requested the City Council deny the appeal.

BRUCE BOHL, Palm Springs, requested the City Council deny the appeal.

JOY SMITH, Palm Springs, requested the City Council deny the appeal.

GEORGE THOMAS, Palm Springs, requested the City Council deny the appeal.

RODELL HENSHAW, requested the City Council deny the appeal.

No further speakers coming forward, the City Council considered a motion to continue the public hearing.

**ACTION:** 1) Continue the Public Hearing to May 7, 2008, at the request of the Appellant; and 2) Direct the City Clerk to post a Notice of Continued Public Hearing. **Motion Councilmember Hutcheson, seconded by Councilmember Mills and unanimously carried on a roll call vote.**

Mayor Pro Tem Foat stated she requested several months ago that staff bring forward an ordinance on RV's, commented on the amount of staff time with regard to this process, and requested staff address the preparation of an ordinance.

**1.B. PROPOSED ZONING ORDINANCE AMENDMENT RELATING TO STREET LEVEL OFFICE USES AND FINANCIAL INSTITUTIONS IN CERTAIN PORTIONS OF THE C-B-D ZONE, CASE 5.1173:**

Thomas Wilson, Assistant City Manager, provided background information as outlined in the staff report dated April 16, 2008.

Councilmember Mills requested staff clarify the boundaries as Alejo and Baristo.

Mayor Pougnet opened the public hearing, and the following speakers addressed the City Council.

JOY MEREDITH, Palm Springs, stated her support for the Ordinance as amended.

JOY SMITH, Palm Springs, stated her support for the Ordinance as amended.

DARRON DAHLE, stated his support for allowing financial institutions in the Downtown area.

No further speakers coming forward, the public hearing was closed.

Councilmember Mills requested staff address the issuance of a CUP near the expiration of the Ordinance, and stated he is not in support of the Ordinance.

Mayor Pro Tem Foat commented on the lack of a sunset provision in the text of the Ordinance, problems with a sunset provision with long term leases, and commented on business planning and business retention.

Councilmember Hutcheson commented on the history of the proposed Ordinance and the positive impact for a mix of businesses in the Downtown area.

Councilmember Weigel requested a sunset clause.

Councilmember Mills requested staff address the type of CUP that would be issued, a Type 1 requiring Planning Commission approval or a Type 2 requiring City Council approval, and stated his preference for the issuance of a Type 2 CUP.

**MOTION:** 1) Waive the reading of the ordinance text in its entirety and read by title only; and 2) Reintroduce on first reading Ordinance No. 1728, "AN ORDINANCE OF THE CITY OF PALM SPRINGS, CALIFORNIA, AMENDING SECTION 92.09.01 OF THE PALM SPRINGS ZONING CODE RELATED TO STREET LEVEL OFFICE USES AND FINANCIAL INSTITUTIONS IN CERTAIN PORTIONS OF THE C-B-D ZONE;" *amending the Ordinance to provide a sunset clause expiring in 2013.* **Motion Councilmember Weigel, seconded by Councilmember Hutcheson and failed 2-3 on a roll call vote.**

**AYES:** Councilmember Hutcheson and Councilmember Weigel.

**NOES:** Councilmember Mills, Mayor Pro Tem Foat, and Mayor Pougnet.

**PUBLIC COMMENT:**

BONNIE REISS, commented on Item 4.B. regarding portable open signs in the City's Commercial Zones.

LAWRENCE HALL DAWSON, Palm Springs, commented on the conditions of the golf course at the Palm Springs Country Club.

JON DOSA, commented on the condition of the golf course at the Palm Springs Country Club, and requested the City Council require maintenance of the fence at Contempo Homes.

ANDREW STARKE, requested the City Council approve Item 2.R., purchase of scoreboard at the Palm Springs Stadium, and commented on an increase in appropriate behavior at Sunrise Park.

ROGER CASE, Palm Springs, commented on the condition of the golf course at Palm Springs Country Club.

M. DOLORES DOUGHERTY, Palm Springs, commented on the condition of the golf course at the Palm Springs Country Club.

INGRID ROBERTSHAW, Palm Springs, commented on the conditions of the golf course at the Palm Springs Country Club.

JACK CRETRET, commented on the conditions at the Palm Springs Country Club.

DEAN WEBER, Palm Springs, commented on the conditions at the Palm Springs Country Club.

JOHN SCHUMACHER, commented on the conditions of the golf course at Palm Springs Country Club.

DONNA BUCKINGER, commented on the conditions of the golf course at the Palm Springs Country Club.

JOY MEREDITH, Palm Springs, commented on Item 4.B. regarding portable open signs.

DARRON DAHLE, commented on Item 4.B. regarding portable open signs.

RODOLFO CASTILLO, commented on Item 4.B. regarding portable open signs.

WILLIE HOLLAND, commented on waste collection in the City of Palm Springs.

DANA STEWART, Palm Springs, commented on the conditions of the golf course at the Palm Springs Country Club.

**COUNCILMEMBER COMMENTS:**

Mayor Pougnet requested the City Attorney address the City's efforts with respect to the issues at the Palm Springs Country Club.

Mayor Pro Tem Foat requested the City Attorney address the health and fire hazards at the Palm Springs Country Club.

Councilmember Hutcheson requested staff address the storage of chemicals reported at the Palm Springs Country Club.

Councilmember Mills requested the Fire Department address the storing of chemicals at the Palm Springs Country Club.

**CITY MANAGER'S REPORT:** None.

The City Council recessed at 8:05 p.m.

The City Council reconvened at 8:14 P.M., as a Joint Meeting of the City Council and the City of Palm Springs Financing Authority.

**FA. FINANCING AUTHORITY ITEMS:**

**FA1. 2008 PASSENGER FACILITY CHARGE BOND RESTRUCTURING:**

Tom Nolan, Executive Director of Aviation, provided background information as outlined in the staff report dated April 16, 2008.

**ACTION:** 1) Adopt Resolution No. 22204, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, APPROVING THE ISSUANCE, SALE, AND DELIVERY OF THE CITY OF PALM SPRINGS 2008 AIRPORT PASSENGER FACILITY CHARGE SUBORDINATE REFUNDING REVENUE BONDS (PALM SPRINGS INTERNATIONAL AIRPORT) AND AUTHORIZING THE EXECUTION OF CERTAIN DOCUMENTS AND THE TAKING OF CERTAIN ACTIONS IN CONNECTION THEREWITH." **Motion Mayor Pro Tem Foat, seconded by Councilmember Hutcheson and unanimously carried on a roll call vote.**

The City of Palm Springs Financing Authority Adjourned at 8:17 p.m., and the City Council continued.

**2. CONSENT CALENDAR:**

**ACTION:** Approve Items 2.A., 2.C., 2.D., 2.E., 2.F., 2.G., 2.H., 2.I., 2.J., 2.M., and 2.N. **Motion Councilmember Weigel, seconded by Councilmember Mills and unanimously carried on a roll call vote.**

- 2.A. REPORT ON POSTING OF THE AGENDA:**  
**ACTION:** Receive and file Report on the Posting of the April 16, 2008, City Council Agenda. **Approved as part of the Consent Calendar.**
- 2.C. APPROVAL OF PAYROLL WARRANTS, CLAIMS AND DEMANDS:**  
**ACTION:** 1) Adopt Resolution No. 22205, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, APPROVING PAYMENT OF CLAIMS AND DEMANDS BY WARRANTS NUMBERED 1027248 THROUGH 1027256, IN THE AGGREGATE AMOUNT OF \$138,070.82, DRAWN ON BANK OF AMERICA;" 2) Adopt Resolution No. 22206, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, APPROVING PAYMENT OF PAYROLL WARRANTS FOR THE PERIOD ENDED 3-22-08 BY WARRANTS NUMBERED 413201 THROUGH 413249 TOTALING \$75,858.16, LIABILITY CHECKS NUMBERED 1027257 THROUGH 1027278 TOTALING \$143,500.84, THREE WIRE TRANSFERS FOR \$59,507.06, AND THREE ELECTRONIC ACH DEBITS OF \$1,080,072.46, IN THE AGGREGATE AMOUNT OF \$1,358,938.52 DRAWN ON BANK OF AMERICA;" and 3) Adopt Resolution No. 22207, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, APPROVING PAYMENT OF CLAIMS AND DEMANDS BY WARRANTS NUMBERED 1027279 THROUGH 1027539, IN THE AGGREGATE AMOUNT OF \$1,784,298.00, DRAWN ON BANK OF AMERICA."  
**Approved as part of the Consent Calendar.**
- 2.D. STAFF AUTHORIZED AGREEMENTS FOR MARCH 2008:**  
**ACTION:** Receive and file Staff Authorized Agreements covering the period March 1 through March 31, 2008. **Approved as part of the Consent Calendar.**
- 2.E. TREASURER'S INVESTMENT REPORT AS OF JANUARY 31, 2008:**  
**ACTION:** Receive and file the Treasurer's Investment Report as of January 31, 2008. **Approved as part of the Consent Calendar.**
- 2.F. TREASURER'S INVESTMENT REPORT AS OF FEBRUARY 29, 2008:**  
**ACTION:** Receive and file the Treasurer's Investment Report as of February 29, 2008. **Approved as part of the Consent Calendar.**
- 2.G. REQUEST FROM JENSEN'S COMPLETE SHOPPING INC. FOR A RESOLUTION OF PUBLIC CONVENIENCE IN ORDER TO SELL BEER AND WINE AND HOLD WINE TASTINGS AT 2465 EAST PALM CANYON DRIVE, CASE NO. 5.1194-PCN:**  
**ACTION:** 1) Adopt Resolution No. 22208, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, OF PUBLIC CONVENIENCE IN ORDER TO SELL BEER AND WINE AND HOLD WINE TASTINGS AT THE PROPOSED JENSEN'S SUPERMARKET

LOCATED AT 2465 EAST PALM CANYON DRIVE, BUILDING 7, ZONE CSC, SECTION 25." **Approved as part of the Consent Calendar.**

**2.H. SECOND READING AND ADOPTION OF PROPOSED ORDINANCE NO. 1740, TO ESTABLISH THE PRIMA FACIE SPEED LIMITS OF KIRK DOUGLAS WAY:**

**ACTION:** Waive further reading and adopt Ordinance No. 1740, "AN ORDINANCE OF THE CITY OF PALM SPRINGS, CALIFORNIA, AMENDING SECTION 12.20.020 OF THE PALM SPRINGS MUNICIPAL CODE, RELATING TO THE ESTABLISHMENT OF PRIMA FACIE SPEED LIMITS OF VARIOUS CITY STREETS." **Approved as part of the Consent Calendar.**

**2.I. REQUEST FROM CONTEMPO HOMES FOR A ONE-YEAR TIME EXTENSION FROM APRIL 6, 2008, TO APRIL 5, 2009, FOR TENTATIVE TRACT MAP 33623, A SUBDIVISION ON AN APPROXIMATE 3.42-ACRE PARCEL FOR TEN SINGLE FAMILY RESIDENTIAL LOTS LOCATED NORTH OF VIA ESCUELA AND WEST OF GENE AUTRY TRAIL, CASE TTM 33623:**

**ACTION:** Adopt Resolution No. 22209, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, APPROVING A ONE-YEAR TIME EXTENSION FROM APRIL 6, 2008, TO APRIL 5, 2009, FOR TENTATIVE TRACT MAP 33623, A PREVIOUSLY APPROVED SUBDIVISION OF AN APPROXIMATE 3.42-ACRE PARCEL FOR TEN SINGLE FAMILY RESIDENTIAL LOTS, LOCATED NORTH OF VIA ESCUELA AND WEST OF GENE AUTRY TRAIL, CASE TTM 33623." **Approved as part of the Consent Calendar, noting the business related abstention of Councilmember Mills.**

**2.J. REQUEST FROM CONTEMPO HOMES FOR A ONE-YEAR TIME EXTENSION FROM APRIL 6, 2008, TO APRIL 5, 2009, FOR TENTATIVE TRACT MAP 30350, A SUBDIVISION ON AN APPROXIMATE 11.42-ACRE PARCEL FOR 39 SINGLE FAMILY RESIDENTIAL LOTS LOCATED SOUTH OF VERONA ROAD AND EAST OF WHITEWATER CLUB DRIVE, CASE TTM 30350:**

**ACTION:** Adopt Resolution No. 22210, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, APPROVING A ONE-YEAR TIME EXTENSION FROM APRIL 6, 2008, TO APRIL 5, 2009, FOR A PREVIOUSLY APPROVED SUBDIVISION OF AN APPROXIMATE 11.42-ACRE PARCEL FOR 39 SINGLE FAMILY RESIDENTIAL LOTS, LOCATED SOUTH OF VERONA ROAD AND EAST OF WHITEWATER CLUB DRIVE, ZONE R-1-D, SECTION 6, CASE TTM 30350." **Approved as part of the Consent Calendar, noting the business related abstention of Mayor Pougnet.**

**2.M. CHANGE ORDER NO. 1 TO AGREEMENT NO. A5616 WITH G & M CONSTRUCTION FOR AN ADDITIONAL AMOUNT OF \$48,850, TOTAL CONTRACT PRICE OF \$1,635,850, FOR THE READY RETURN LOT EXPANSION PROJECT, CITY PROJECT 07-23:**

**ACTION:** 1) Approve Change Order No. 1 to Agreement No. A5616 with G & M Construction for an additional amount of \$48,850, revised total contract price of \$1,635,850, for the Ready Return Lot Expansion Project, City Project 07-23; and 2) Authorize the City Manager to execute all necessary documents. A5616. **Approved as part of the Consent Calendar.**

**2.N. AMENDMENT NO. 1 TO AGREEMENT NO. A5348 WITH REYNOLDS, SMITH AND HILLS, INC., AVIATION CONSULTING SERVICES AGREEMENT FOR BID PHASE - CP NO. 2007-21, AIP 44 RUNWAY 13L/31R AND TAXIWAY "E" / CONNECTORS REHABILITATION:**

**ACTION:** 1) Approve Amendment No. 1 to Agreement No. A5348 with Reynolds, Smith & Hills, Inc. for an additional amount of \$36,289, a revised total contract price of \$596,759, contingent upon FAA approval; and 2) Authorize the City Manager to execute Amendment No. 1 to Agreement A5348. A5348. **Approved as part of the Consent Calendar.**

**EXCLUDED CONSENT CALENDAR:**

**2.B. APPROVAL OF MINUTES:**

Councilmember Mills questioned the action in Item 1.B., and requested the City Clerk provide detailed information on the Minutes for Item 1.B., to provide additional information to the Planning Commission with respect to the City Council discussion.

Mayor Pro Tem Foat requested the City Clerk review the minutes of April 2, 2008, with respect to the motion for Item 1.D.

**ACTION:** Table for further review and expanded discussion. **By consensus of the City Council.**

**2.K. TIME EXTENSION FOR SUBDIVISION IMPROVEMENT AGREEMENT NO. A5080 FOR TRACT MAP 30058 WITH K. HOVNANIAN'S FOUR SEASONS PALM SPRINGS, LLC:**

Mayor Pro Tem Foat requested staff clarify the entrance on the tract map.

Mayor Pougnet requested staff address if the issues regarding the proposed park have been resolved.

**ACTION:** Approve a one-year extension of time for the completion of improvements associated with Subdivision Improvement Agreement No. A5080 for Tract Map 30058, with K. Hovnanian's Four Seasons Palm Springs, LLC. A5080. **Motion Councilmember Mills, seconded by Councilmember Weigel and unanimously carried on a roll call vote.**

**2.L. APPROVE A FIVE-YEAR AGREEMENT WITH EMERGENCY COMMUNICATIONS NETWORK:**

John Hardcastle, Emergency Services Coordinator, provided background information as outlined in the staff report dated April 16, 2008.

**ACTION:** 1) Approve a five-year agreement with Emergency Communications Network in the amount of \$15,000 annually; and 2) Authorize the City Manager to execute all necessary documents. A5653. **Motion Councilmember Weigel, seconded by Councilmember Mills and unanimously carried on a roll call vote.**

**2.O. APPROVAL OF PLANS, SPECIFICATIONS AND ESTIMATE (PS&E) AND AUTHORIZATION TO BID FOR THE SOUTH CITY HALL PARKING LOT REHABILITATION, CITY PROJECT 01-17:**

Councilmember Hutcheson requested staff address the paving of City Hall parking lot in relation to the paving of City Streets.

Councilmember Mills commented on the landscape plans and the removal of trees, recommended a comprehensive design plan to address the overall landscaping at City Hall, and stated this would be a good time to change the light fixtures as well.

City Manager Ready stated that staff will bring back for further discussion.

No action taken.

Councilmember Mills stated he has a business related conflict of interest with respect to Item 2.P., would not participate in the discussion or the vote, and left Council Chamber.

**2.P. TIME EXTENSION FOR SUBDIVISION IMPROVEMENT AGREEMENT NO. A5393 FOR TRACT MAP 31848-1 WITH SUNCAL PSV, LLC:**

Mayor Pro Tem Foat commented on the complaints with respect to the blow sand from this project, and requested staff address the conditions on the site and include a maintenance provision in the agreement.

Councilmember Hutcheson requested staff address the condition of the public improvements and the schedule for completion.

**ACTION:** Approve a one-year extension of time for the completion of improvements associated with Subdivision Improvement Agreement No. A5393 for Tract Map 31848-1, with SUNCAL PSV, LLC. A5393. **Motion Mayor Pougnet, seconded by Councilmember Weigel and carried 3-1 on a roll call vote.**

**AYES:** Councilmember Hutcheson, Councilmember Weigel, and Mayor Pougnet.

**NOES:** Mayor Pro Tem Foat.

**ABSENT:** Councilmember Mills.

Councilmember Mills returned to the dais.

**2.Q. SUPPORT FULL FUNDING FOR JUDICIAL OFFICERS TO SERVE RIVERSIDE COUNTY:**

City Manager Ready provided background information as outlined in the staff report dated April 16, 2008.

**ACTION:** Adopt Resolution No. 22211, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, SUPPORTING FULL FUNDING FOR JUDICIAL OFFICERS TO SERVE RIVERSIDE COUNTY." **Motion Mayor Pougnet, seconded by Mayor Pro Tem Foat and unanimously carried on a roll call vote.**

**2.R. PURCHASE OF SCOREBOARD FOR PALM SPRINGS STADIUM FROM SPECTRUM CORPORATION IN THE AMOUNT OF \$64,559.41:**

Councilmember Hutcheson requested staff address the funding from Palm Springs Power and the status of their lease.

Councilmember Mills stated he is in support of the project, requested staff address the funding, and stated the maintenance needs to be routine at the Stadium.

**ACTION:** 1) Approve the purchase of a scoreboard from Spectrum Corporation in the amount of \$64,559.41; and 2) Authorize the City Manager to execute all necessary documents necessary to effectuate this action. **Motion Councilmember Weigel, seconded by Mayor Pougnet and unanimously carried on a roll call vote.**

**2.S. ADDED ITEM APPOINTMENT OF SHARON LOCK AS THE CITY'S REPRESENTATIVE TRUSTEE TO THE COACHELLA VALLEY MOSQUITO AND VECTOR CONTROL DISTRICT BOARD AND JOINDER IN THE CITY OF INDIO'S CALL FOR THE RIVERSIDE COUNTY CIVIL GRAND JURY INVESTIGATION OF ALLEGATIONS OF MISCONDUCT AND**

**MISMANAGEMENT AT THE COACHELLA VALLEY MOSQUITO AND VECTOR CONTROL DISTRICT:**

**ACTION:** 1) Appoint Sharon Lock, as the City's Representative Trustee to the Coachella Valley Mosquito and Vector Control District Board of Trustees, for the term ending December 31, 2011; and 2) Authorize the City Manager, on behalf of the City, to join the City of Indio in calling for the Riverside County Civil Grand Jury to investigate pending allegations of misconduct and mismanagement at the Coachella Valley Mosquito and Vector Control District. **Motion Mayor Pro Tem Foat, seconded by Councilmember Mills and unanimously carried on a roll call vote.**

3. **LEGISLATIVE:** None.

4. **UNFINISHED BUSINESS:**

**4.A. TIME EXTENSION FOR SUBDIVISION IMPROVEMENT AGREEMENT NO. A5426, FOR TRACT MAP 32732, WITH 111/CAMINO REAL:**

David Barakian, City Engineer, provided background information as outlined in the staff report dated April 16, 2008.

**ACTION:** Approve a one-year extension of time for the completion of improvements associated with Subdivision Improvement Agreement No. A5426, for Tract Map 32732, with 111/Camino Real, LLC. A5426. **Motion Councilmember Mills, seconded by Mayor Pougnet and unanimously carried on a roll call vote.**

**4.B. INITIATION OF A ZONE TEXT AMENDMENT TO ESTABLISH REGULATIONS FOR "PORTABLE OPEN SIGNS" IN THE CITY'S COMMERCIAL ZONES:**

Tom Wilson, Assistant City Manager Development Services, provided background information as outlined in the staff report dated April 16, 2008.

Mayor Pro Tem Foat requested provisions be added as recommended by the City Council Subcommittee that signs be professionally created, and may include open, business name and the logo, requested staff address grandfathering existing permitted signs and the status for non-permitted signs, and stated the City Council Subcommittee is continuing to work on other types of signs.

Councilmember Weigel requested staff address the process, and requested a sunset clause be added to the proposed Ordinance, limiting such for three to five years.

Councilmember Hutcheson questioned why the Ordinance does not permit the A-frame sign similar to a free standing sign, the restrictions on the use of A-frame signs, additionally questioned why the Ordinance

attempts to overly restrict the content of the sign, commented on handicapped access and protection of handicapped citizens, and stated he wanted to give the merchants tools and flexibility to experiment in difficult time and in support of a sunset provision.

Councilmember Mills stated he supported the comments made by Mayor Pro Tem Foat with respect to the additions by the City Council Subcommittee, additionally he requested the Ordinance be specific for the removal and those authorized to remove a sign, stated the Ordinance does not provide for additional signage, commented on signs in the public right-of-way, and the goal of the Ordinance to "even" the playing field, and stated his support for additional identification.

Mayor Pro Tem Foat stated the type of signs that were recommended was a compromise, and modeled after El Paseo, and noted that signs are one small tool to provide assistance to the merchants in the Downtown area.

Councilmember Hutcheson stated the City Council has a diversity of views and requested the Planning Commission have a creative and open discussion of all views and ideas.

**ACTION:** Initiate a zone text amendment to establish regulations for portable open signs. **Motion Councilmember Mills, seconded by Councilmember Weigel and unanimously carried on a roll call vote.**

**5. NEW BUSINESS:**

**5.A. SUSPENSION OF NOISE ORDINANCE (CHAPTER 11.74.00), NOISE NUISANCE ORDINANCE (CHAPTER 11.08.040), MAY 3 AND MAY 4, 2008, FOR THE HOT RODEO 2008 - DANCE UNDER THE STARS EVENT LOCATED AT 285 NORTH PALM CANYON DRIVE FOR THE HYATT REGENCY SUITES:**

Withdrawn from the Agenda at the request of staff.

**COUNCILMEMBER COMMENTS, REQUESTS, AND REPORTS:**

Councilmember Hutcheson requested a joint meeting with the Public Arts Commission, requested the City Manager report on the issues at Sunrise Park, and requested Code Enforcement address the fence at the Contempo Project.

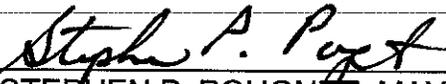
Councilmember Weigel commented on the CVAG Public Safety Committee.

Councilmember Mills commented on the problems at Sunrise Park, requested the City take action as it has in the past to eliminate the problems in the park, and requested staff review the current notices being provided for tan temporary fencing for development projects.

Mayor Pougnet requested the City Manager address the Park Ranger positions, announced the events by Palm Springs Disposal, and announced the City's 70th Anniversary Celebration at VillageFest.

**ADJOURNMENT:** The City Council adjourned at 9:31 p.m. to a Joint Meeting with the Tribal Council of the Agua Caliente Band of Cahuilla Indians, Wednesday, April 23, 2008, at 5:00 P.M., in the Primrose Ballroom at the Palm Springs Convention Center, 277 North Avenida Caballeros, Palm Springs. *There will not be a Closed Session preceding this meeting.*

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

  
STEPHEN P. POUGNET, MAYOR

ATTEST:

  
JAMES THOMPSON, CITY CLERK