



**Wednesday, February 6, 2019**  
**Minutes of the Regular Meeting of the City Council**  
**of the City of Palm Springs**

**CALL TO ORDER:**

A Regular Meeting of the Palm Springs City Council was called to order by Mayor Moon on Wednesday, February 6, 2019, at 6:00 p.m., in the Council Chamber, City Hall, located at 3200 E. Tahquitz Canyon Way, Palm Springs, California.

**PLEDGE OF ALLEGIANCE:**

Boy Scouts Troop 262 led the Pledge of Allegiance.

**ROLL CALL:**

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

\*Councilmember Roberts left the Council Chamber at 10:25 p.m.

**Absent:** None.

**City Staff**

**Present:** David H. Ready, City Manager; Edward Z. Kotkin, City Attorney; Marcus Fuller, Assistant City Manager; 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:**

Councilmember Roberts and Mayor Moon reported on the success of the Plaza Theater Community Forum and efforts to restore the theater.

Councilmember Middleton reported on the Sunline Transit Agency's ribbon cutting ceremony for the Buzz Trolley.

**ACCEPTANCE OF THE AGENDA:**

MOTION BY COUNCILMEMBER MIDDLETON, SECOND BY MAYOR PRO TEM KORS, CARRIED 5-0, to remove Consent Calendar Item Nos. 1D, 1G, 1I, 1J, and 1L for separate discussion.

**REPORT OF CLOSED SESSION:**

The Regular Closed Session of the City Council of February 6, 2019, 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 Closed Session Meeting Agenda:

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

*4348 Lockwood Ave LLC et al v. City of Palm Springs*  
Case No. RIC1703102, Riverside Superior Court, Riverside Division

*Timothy A. Garrett v. City of Palm Springs*  
Case No. PSC 1702958, Superior Court of the State of California, County of Riverside

*David Edwin Bell v. City of Palm Springs*  
Case No. RIC 1901178, Superior Court of the State of California, County of Riverside

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

Number of Anticipated Cases: Eight (8)

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

Number of Cases: Six (6)

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

City Attorney

CONFERENCE WITH REAL PROPERTY NEGOTIATORS, 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: 3.6 Acres at SE corner of Indian Canyon Drive and San Rafael Road APN 501-031-028  
Agency: City of Palm Springs  
City Negotiator: David H. Ready, City Manager or Designee  
Negotiating Parties: Community Housing Opportunities Corporation (CHOC)  
Under Negotiation: Price and Terms of Payment (Sale)

Property Address/Description: State Highway 111, Vista Chino and Gene Autry Trail within the Boundaries of the City of Palm Springs  
 Agency: City of Palm Springs  
 City Negotiator: David H. Ready, City Manager or Designee  
 Negotiating Parties: State of California Caltrans  
 Under Negotiation: Price and Terms of Payment (Relinquishment)

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

Agency Designated  
 Representatives: City Manager David Ready and Attorney Peter Brown  
 Employee Organizations: Palm Springs Police Management 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 additional reportable action.

**PUBLIC TESTIMONY:**

Elsie Danielsson, speaking on Item 1L, recommended that the question of whether to declare Palm Springs as a Sanctuary City be submitted to the voters.

Daryl Terrell, speaking on Item 1L, urged the City Council to adopt the proposed resolution declaring Palm Springs as a Sanctuary City.

Yasmin Espinoza, speaking on Item 1L, voiced support for the proposed resolution declaring Palm Springs as a Sanctuary City.

Edward Holzhauer, speaking on Item 1L, requested that the City Council adopt the resolution declaring Palm Springs as a Sanctuary City.

Dieter Crawford, speaking on Item 5D, voiced support for the recommendations of the CVRA Community Working Group; expressed gratitude to the City Council for addressing cannabis cultivation and distribution odor complaints.

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

Mayor Pro Tem Kors provided a status report on Desert Community Energy and PS Resorts; requested that staff agendaize consideration of renewing the agreement with PS Resorts; noted that he was selected to serve as Vice Chair of the Greater Palm Springs Convention and Visitors Bureau and Desert Community Energy; requested that cannabis tax rates and a moratorium for industrial zones adjacent to the Desert Highland Gateway neighborhood be agendaized for February 20, 2019.

Councilmember Roberts provided a status report on the City Council Subcommittee on cannabis-related issues.

Councilmember Middleton commended the Red Cross for installing over 160 smoke detectors at the Sahara Mobile Home Park; provided an update on her recent activities and meetings; requested that staff schedule a study session to discuss options related to the future of the Library.

City Manager Ready expressed gratitude to the Agua Caliente Band of Cahuilla Indians for their donation to purchase new medic equipment for the Fire Department.

**1. CONSENT CALENDAR:**

MOTION BY COUNCILMEMBER ROBERTS, SECOND BY COUNCILMEMBER HOLSTEGE, CARRIED 5-0, to approve the Consent Calendar, with the removal of Consent Calendar Item Nos. 1D, 1G, 1I, 1J, and 1L for separate discussion.

**A. TREASURER’S INVESTMENT REPORT AS OF DECEMBER 31, 2018**

MOTION BY COUNCILMEMBER ROBERTS, SECOND BY COUNCILMEMBER HOLSTEGE, CARRIED 5-0, to receive and file the Treasurer’s Investment Report as of December 31, 2018.

**B. APPROVAL OF A RESOLUTION OF PUBLIC CONVENIENCE OR NECESSITY REQUEST BY ROBERT OLIVER FROST FOR A TYPE 40 (ON SALE BEER) LIQUOR LICENSE FOR THE MESQUITE GOLF CLUB LOCATED AT 2700 EAST MESQUITE AVENUE, ZONE PD-153, CASE 5.0173 PCN**

MOTION BY COUNCILMEMBER ROBERTS, SECOND BY COUNCILMEMBER HOLSTEGE, CARRIED 5-0, to adopt Resolution No. 24555 entitled “A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, DETERMINING THAT THE PUBLIC CONVENIENCE WOULD BE SERVED BY THE ISSUANCE OF AN ON-SALE BEER LICENSE (TYPE 40) AT THE GOLF COURSE PROPERTY LOCATED AT 2700 EAST MESQUITE AVENUE, WITHIN CENSUS TRACT NO. 9407.”

**C. SEPHORA USA, INC. FOR AN ART MURAL ON THE EAST ELEVATION OF THE EXISTING BUILDING LOCATED ON BLOCK “B” OF THE DOWNTOWN PALM SPRINGS SPECIFIC PLAN AT 175 NORTH PALM CANYON DRIVE, CASE 18-007 MUR**

MOTION BY COUNCILMEMBER ROBERTS, SECOND BY COUNCILMEMBER HOLSTEGE, CARRIED 5-0, to adopt Resolution No. 24556 entitled, “A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, APPROVING AN ART MURAL ON THE EAST ELEVATION OF AN EXISTING BUILDING LOCATED AT 175 NORTH PALM CANYON DRIVE, CASE 18-007 MUR.”

**D. AMENDMENT NO. 5 TO AGREEMENT A6288 WITH NBS GOVERNMENT FINANCE GROUP FOR FEASIBILITY ANALYSIS (BONDED) FOR INDIAN CANYON DRIVE AND GARNET AVENUE SEWER INFRASTRUCTURE**

This item was excluded from the Consent Calendar. Please refer to Page 7 of these minutes for a summary of that action.

**E. SECOND READING AND ADOPTION OF ORDINANCE NO. 1972 AMENDING CHAPTER 5.26 OF THE PALM SPRINGS MUNICIPAL CODE, RE-ESTABLISHING THE HOTEL OPERATIONS INCENTIVE PROGRAM**

MOTION BY COUNCILMEMBER ROBERTS, SECOND BY COUNCILMEMBER HOLSTEGE, CARRIED 5-0, to adopt Ordinance No. 1972 entitled "AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, AMENDING CHAPTER 5.26 OF THE PALM SPRINGS MUNICIPAL CODE, RE-ESTABLISHING THE HOTEL OPERATIONS INCENTIVE PROGRAM."

**F. RATIFICATION OF THE ANNUAL ADJUSTMENT OF THE ACCESS LINE RATE APPROVED BY THE VOTERS BY MEASURE "G" PURSUANT TO PALM SPRINGS MUNICIPAL CODE § 3.39.050**

MOTION BY COUNCILMEMBER ROBERTS, SECOND BY COUNCILMEMBER HOLSTEGE, CARRIED 5-0, to adopt Resolution No. 24557 entitled "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, RATIFYING THE ANNUAL ADJUSTMENT OF THE ACCESS LINE RATE PURSUANT TO PALM SPRINGS MUNICIPAL CODE § 3.39.050 APPROVED BY THE VOTERS BY MEASURE "G."

**G. MEMORANDUM OF UNDERSTANDING WITH THE SERVICE EMPLOYEES INTERNATIONAL UNION LOCAL 721**

This item was excluded from the Consent Calendar. Please refer to Page 7 of these minutes for a summary of that action.

**H. APPROVE A THREE YEAR AGREEMENT FOR VACATION RENTAL HOTLINE CALL CENTER SERVICES**

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

1. Approve an agreement with Central Communications, a brand of MAP Communications, Inc of Chesapeake, Virginia for call center services for an estimated cost of \$10,080 (12,000 minutes) per year at the unit prices stated in the contract for three years, with two (2) one-year options to extend the agreement subject to a CPI adjustment. A6959.
2. Authorize the City Manager to execute all necessary documents.

**I. AUTHORIZE A PURCHASE ORDER WITH DAVID EVANS AND ASSOCIATES, INC., IN AN AMOUNT NOT TO EXCEED \$32,000, FOR DESIGN SERVICES OF PICKLEBALL COURTS AT SUNRISE PARK, CP 19-06**

This item was excluded from the Consent Calendar. Please refer to Page 8 of these minutes for a summary of that action.

**J. COACHELLA VALLEY ASSOCIATION OF GOVERNMENTS REPORT ON HOMELESSNESS**

This item was excluded from the Consent Calendar. Please refer to Page 8 of these minutes for a summary of that action.

**K. AMENDMENT NO. 1 TO CONTRACT SERVICES AGREEMENT WITH NCM ENVIRONMENTAL SOLUTIONS, INC. FOR CANNABIS ODOR CONTROL AND COMPLIANCE SERVICES**

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

1. Approve Amendment No. 1 to the Contract Services Agreement with NCM Environmental Services, Inc. for cannabis odor control and compliance services, in a total amount not to exceed fifty thousand dollars (\$50,000).
2. Authorize the City Manager to execute all necessary documents.

**L. CONSIDER ADOPTION OF A RESOLUTION PROCLAIMING THE CITY OF PALM SPRINGS AS A SANCTUARY CITY**

This item was excluded from the Consent Calendar. Please refer to Page 8 of these minutes for a summary of that action.

**M. ENDORSEMENT OF COUNCILMEMBER LISA MIDDLETON FOR APPOINTMENT TO THE REGIONAL COUNCIL FOR THE SOUTHERN CALIFORNIA ASSOCIATION OF GOVERNMENTS**

MOTION BY COUNCILMEMBER ROBERTS, SECOND BY COUNCILMEMBER HOLSTEGE, CARRIED 5-0, to endorse Councilmember Lisa Middleton for appointment to the Southern California Association of Governments Regional Council.

**N. APPROVE A CONTRACT AMENDMENT WITH SCENE CREATIVE FOR EVENT AND PROJECT MANAGEMENT CONSULTING SERVICES**

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

1. Approve Amendment No. 1 to Agreement No. A7219 with Scene Creative in an amount not to exceed \$12,600, for a total contract amount of \$36,600 for project and event management services.
2. Authorize the City Manager to execute all necessary documents.

**EXCLUDED CONSENT CALENDAR:****D. AMENDMENT NO. 5 TO AGREEMENT A6288 WITH NBS GOVERNMENT FINANCE GROUP FOR FEASIBILITY ANALYSIS (BONDED) FOR INDIAN CANYON DRIVE AND GARNET AVENUE SEWER INFRASTRUCTURE**

Councilmember Kors requested that staff develop a plan for ensuring that nondiscrimination language is included in all contracts and amendments.

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

1. Approve Amendment No. 5 to Agreement No. A6288 with NBS Government Finance Group to conduct feasibility analysis (bonded) for Indian Canyon Drive and Garnet Avenue sewer infrastructure, as amended to include the standard verbiage related to non-discrimination.
2. Authorize the City Manager to execute all necessary documents.

**G. MEMORANDUM OF UNDERSTANDING WITH THE SERVICE EMPLOYEES INTERNATIONAL UNION LOCAL 721**

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

1. Adopt Resolution No. 24558 entitled "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, APPROVING A MEMORANDUM OF UNDERSTANDING RELATIVE TO WAGES, HOURS, AND OTHER TERMS AND CONDITIONS OF EMPLOYMENT FOR EMPLOYEES IN THE SERVICE EMPLOYEES INTERNATIONAL UNION LOCAL 721 FOR THE PERIOD OF JULY 1, 2018, THROUGH JUNE 30, 2021, SUBJECT TO UNION EXECUTING THE MEMORANDUM OF UNDERSTANDING." A5440.
2. Authorize the City Manager to execute the Memorandum of Understanding (MOU) and all documents necessary to effectuate the above action, including the allocation and compensation plans, agreements, contracts, and any non-substantial MOU language or reorganization.

**I. AUTHORIZE A PURCHASE ORDER WITH DAVID EVANS AND ASSOCIATES, INC., IN AN AMOUNT NOT TO EXCEED \$32,000, FOR DESIGN SERVICES OF PICKLEBALL COURTS AT SUNRISE PARK, CP 19-06**

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

1. Authorize a Purchase Order in an amount not to exceed \$32,000 with the City's "on-call" professional consulting services firm, David Evans and Associates, Inc., an Oregon corporation, pursuant to Agreement No. A6785, for conceptual and final design services related to Pickleball Courts at Sunrise Park, as amended to add nondiscrimination language and to explore the feasibility of pickleball courts at Ruth Hardy Park. CP 19-06.
2. Authorize the City Manager to execute all necessary documents.

**J. COACHELLA VALLEY ASSOCIATION OF GOVERNMENTS REPORT ON HOMELESSNESS**

Following discussion, MOTION BY COUNCILMEMBER HOLSTEGE, SECOND BY MAYOR PRO TEM KORS, CARRIED 5-0, to receive and file the presentation and report prepared by Barbara Poppe & Associates, entitled "The Path Forward: Recommendations to advance an end to homelessness in the Coachella Valley."

**L. CONSIDER ADOPTION OF A RESOLUTION PROCLAIMING THE CITY OF PALM SPRINGS AS A SANCTUARY CITY**

Mayor Moon voiced opposition to the proposed resolution, opining that the federal and state governments are responsible for addressing immigration; pointed out that the Police Department has enacted policies which protect the immigrant community.

Councilmembers Middleton and Holstege pointed out that the proposed resolution will bring certainty to the immigrant community that they are safe to interact with the Police Department and local government.

MOTION BY COUNCILMEMBER HOLSTEGE, SECOND BY COUNCILMEMBER MIDDLETON, CARRIED 4-1 (MAYOR MOON VOTING NO), to adopt Resolution No. 24559 entitled "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, PROCLAIMING SANCTUARY CITY STATUS," in memory of Carlos Pineda.

## 2. PUBLIC HEARINGS:

### A. DISPOSITION AND DEVELOPMENT AGREEMENT WITH COMMUNITY HOUSING OPPORTUNITIES CORPORATION (CHOC) OF FAIRFIELD, CALIFORNIA, ACCEPTANCE OF SUMMARY REPORT PREPARED PURSUANT TO HEALTH AND SAFETY CODE SECTION 33433 AND ADOPTION OF A RESOLUTION TO DISPOSE OF A 3.62 ACRES OF FORMER REDEVELOPMENT AGENCY PROPERTY, AND FOR DEVELOPMENT OF A SIXTY (60) UNIT MULTIFAMILY AFFORDABLE HOUSING PROJECT, AT 3130 NORTH INDIAN CANYON DRIVE (SOUTHEAST CORNER OF NORTH INDIAN CANYON DRIVE AND SAN RAFAEL ROAD)

Director of Community and Economic Development Virata narrated a PowerPoint presentation and responded to City Council inquiries.

Mayor Moon opened the Public Hearing.

Vincent Nicholas, Applicant, expressed gratitude to the City Council for their support of the project.

The following individuals spoke in support of the proposed development project:

Joy Silver

Alma Wiseman

Donald Morgan

Pilar Amaral

Melissa Machuski

Peter Maietta

Edward Holzhauer

Les Young

Kathy Weremiuk

Allen Worthy

Robert Mueller

Juan Munoz

Richard Jeffery, pointed out there is a concentration of affordable housing projects in north Palm Springs, suggesting that the City Council select more geographically diverse locations in the future.

Teresa Silvigliano, voiced concern regarding impacts to pedestrian safety and parking.

There being no others desiring to speak, Mayor Moon closed the Public Hearing.

In response to City Council inquiry, City Attorney Kotkin advised that prevailing wage is required for the project; noted that the housing units must be available to any qualified individual regardless of residency, but that marketing efforts could be targeted to local residents.

During the course of discussion, City Attorney Kotkin requested that the City Council recess to Closed Session at 8:12 p.m. and the meeting reconvened at 8:17 p.m. with all members present. City Attorney Kotkin announced that the City Council took no reportable action.

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

1. Adopt Resolution No. 24560 entitled, “A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, ACTING AS THE CITY COUNCIL AND THE HOUSING SUCCESSOR AGENCY TO THE FORMER PALM SPRINGS REDEVELOPMENT AGENCY, APPROVING A DISPOSITION AND DEVELOPMENT AGREEMENT WITH COMMUNITY HOUSING OPPORTUNITIES OF FAIRFIELD, CALIFORNIA , FOR PROPERTY LOCATED AT 3130 NORTH INDIAN CANYON DRIVE AND MAKING CERTAIN FINDINGS PURSUANT TO CALIFORNIA HEALTH AND SAFETY CODE SECTIONS 33433 IN CONNECTION WITH THE SALE OF PROPERTY FORMERLY OWNED BY THE PALM SPRINGS REDEVELOPMENT AGENCY.”
2. Adopt Resolution No. 24561 entitled, “A RESOLUTION OF THE SUCCESSOR AGENCY FOR THE COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF PALM SPRINGS, CALIFORNIA, AMENDING THE BUDGET FOR FISCAL YEAR 2018-19.”
3. Waive Planning Commission Conditions of Approval (ENG 4, ENG 5, ENG 6, AND ENG 49) requiring the construction of a landscaped median island; submittal of landscaping, lighting, and irrigation system improvement plans; providing a guaranty for the median landscaping; and undergrounding of utility lines.
4. Authorize the City Manager to execute all necessary documents to implement the Disposition and Development Agreement.

That the City Council acting as the Housing Successor Agency:

MOTION BY VICE CHAIR KORS, SECOND BY AGENCY MEMBER ROBERTS, CARRIED 5-0, to:

1. Approve the Disposition and Development Agreement with Community Housing Opportunities Corporation, including loan agreement, regulatory agreement, notes, and trust deed, *as amended to include non-discrimination language and the addition of non-discrimination on the basis of current or past homelessness* **A7196**
2. Authorize the Executive Director to execute all required documents to implement the Disposition and Development Agreement.

**B. AMENDMENT TO THE PALM SPRINGS ZONING CODE (PSZC) TO ESTABLISH GENERAL STANDARDS FOR MIXED-USE DEVELOPMENT AND TO ALLOW UP TO 70 DWELLING UNITS PER ACRE IN THE DOWNTOWN CENTRAL CORE AREA AS PERMITTED BY THE CITY OF PALM SPRINGS GENERAL PLAN, CASE 5.1465 ZTA**

Director of Planning Services Fagg narrated a PowerPoint presentation and responded to City Council inquiries.

Mayor Moon opened the Public Hearing.

Kathy Weremuik, voiced support for the proposed ordinance; expressed concern that requiring additional parking for a third bedroom would discourage development.

There being no others desiring to speak, Mayor Moon closed the Public Hearing.

Councilmember Holstege requested that the Board of Realtors and the Desert Valley Builders Association be noticed on such matters in the future.

Councilmember Roberts requested that the City Council Business Retention Subcommittee develop a strategy for informing developers about opportunities to building in Palm Springs.

Following discussion, MOTION BY COUNCILMEMBER ROBERTS, SECOND BY MAYOR PRO TEM KORS, CARRIED 5-0, to introduce Ordinance No. 1977 entitled "AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, ADOPTING AN AMENDMENT TO THE PALM SPRINGS ZONING CODE RELATING TO MIXED-USE DEVELOPMENT IN THE CBD (CENTRAL BUSINESS DISTRICT), C-1 (RETAIL BUSINESS) AND C-2 (GENERAL BUSINESS) ZONE, CASE 5.1465 ZTA," as amended to require 0.5 parking spaces for the first two bedrooms, elimination of the CUP requirement, and inclusion of a reference to the density bonus program.

**C. AMENDMENT TO THE PALM SPRINGS ZONING CODE (PSZC) RELATING TO THE REGULATIONS FOR PLANNED DEVELOPMENT DISTRICTS, CASE 5.1439 ZTA**

Director of Planning Services Fagg narrated a PowerPoint presentation and responded to City Council inquiries.

Mayor Moon opened the Public Hearing.

Kathy Weremuik, urged the City Council to adopt the proposed ordinance.

There being no others desiring to speak, Mayor Moon closed the Public Hearing.

During the course of discussion, the City Council agreed that controlled access/gated communities should be discouraged.

Following discussion, MOTION BY COUNCILMEMBER ROBERTS, SECOND BY MAYOR PRO TEM KORS, CARRIED 5-0, to introduce Ordinance No. 1978 entitled “AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, ADOPTING AMENDMENTS TO PALM SPRINGS ZONING CODE (PSZC) SECTIONS 91.00.10, 93.05.00, AND 94.03.00 RELATING TO REGULATIONS FOR PLANNED DEVELOPMENT DISTRICTS,” with the following amendment:

- a. Section 93.05.00(E) shall read as follows, “Controlled access is discouraged ~~where it will interrupt the existing street grid~~. Controlled access to developments shall only be approved by the Planning Commission where the applicant can establish that the development will be significantly impacted by unauthorized parking from adjacent uses, traffic impacts from adjacent uses beyond the design capacity of the internal streets, or documented public safety issues and will not negatively impact unauthorized parking, traffic impacts, or public safety at adjacent uses. Where controlled access to a development is proposed by the use of guardhouses, gates or other similar controls, the design of such access shall incorporate such features as service and emergency access, on-site turnaround, relevant signing, or other similar features as may be required by the Planning Commission. When considering gated communities, permits, parking restrictions, and traffic calming measures shall be considered as an alternative.”

#### **MEETING RECESS:**

The City Council recessed at 9:27 p.m. and reconvened at 9:38 p.m. with all members present.

#### **D. AMENDMENT TO THE PALMS SPRINGS ZONING CODE (PSZC) TO ESTABLISH THE R-1-E ZONE, A NEW SMALL-LOT SINGLE-FAMILY RESIDENTIAL ZONE, CASE 5.1398 ZTA**

Director of Planning Services Fagg narrated a PowerPoint presentation and responded to City Council inquiries.

Mayor Moon opened the Public Hearing.

Allen Worthy, voiced support for the proposed ordinance.

There being no others desiring to speak, Mayor Moon closed the Public Hearing.

MOTION BY COUNCILMEMBER MIDDLETON, SECOND BY COUNCILMEMBER ROBERTS, CARRIED 5-0, to introduce Ordinance No. 1979 entitled “AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, AMENDING THE PALM SPRINGS ZONING CODE TO ADOPT THE R-1-E ZONE DISTRICT AND ASSOCIATED DEVELOPMENT STANDARDS, CASE 5.1398 ZTA.”

**E. REQUEST BY THE CITY OF PALM SPRINGS FOR A ZONE TEXT AMENDMENT TO AMEND THE PALM SPRINGS ZONING CODE (PSZC) RELATING TO ACCESSORY SECOND UNITS IN RESIDENTIAL ZONES**

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

1. Open the Public Hearing, take no testimony at this time, and continue the Public Hearing to February 20, 2019.
2. Direct the City Clerk to post a Notice of Continuance pursuant to established procedures.

**3. LEGISLATIVE:**

**A. PROPOSED ORDINANCE AMENDING PALM SPRINGS MUNICIPAL CODE SECTIONS 2.50.030, 2.50.040, AND 2.50.060 MODIFYING PROVISIONS RELATED TO THE ADMINISTRATIVE APPEALS BOARD AND PROVIDING FOR ALTERNATE BOARD MEMBERS**

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

1. Introduce Ordinance No. 1980 entitled "AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, AMENDING PALM SPRINGS MUNICIPAL CODE SECTIONS 2.50.030, 2.50.040, AND 2.50.060 MODIFYING PROVISIONS RELATED TO THE ADMINISTRATIVE APPEALS BOARD AND PROVIDING FOR ALTERNATE BOARD MEMBERS."
2. Direct the City Manager to issue a regulation pursuant to his authority under the City Charter making this ordinance effective upon introduction, pending its effective date by operation of state law.
3. Appoint Robert Findley and Robert Hedrick Jr. as alternates to the Administrative Appeals Board, effective immediately upon the City Manager's execution of the regulation now proposed.

**4. UNFINISHED BUSINESS: None.**

**5. NEW BUSINESS:****A. APPROVAL OF THE PALM SPRINGS INTERNATIONAL AIRPORT 2019 AIR SERVICE INCENTIVE PROGRAM**

City Manager Ready presented the staff report.

MOTION BY MAYOR PRO TEM KORS, SECOND BY COUNCILMEMBER MIDDLETON, CARRIED 5-0, to adopt Resolution No. 24562 entitled "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, APPROVING THE 2019 AIR SERVICE INCENTIVE PROGRAM FOR THE PALM SPRINGS INTERNATIONAL AIRPORT."

**B. CONSIDERATION OF CHANGING GENERAL MUNICIPAL ELECTIONS FROM NOVEMBER OF ODD-NUMBERED YEARS TO EVEN-NUMBERED YEARS**

City Clerk Mejia presented the staff report.

MOTION BY MAYOR PRO TEM KORS, SECOND BY COUNCILMEMBER ROBERTS, CARRIED 5-0, to move forward with Option 2 related to changing General Municipal Elections from November of odd-numbered years to even-numbered years.

**C. 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.

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

1. Review and update the City Council Subcommittees, City Representatives to Projects, Liaisons to City Commissions and Boards, and Representatives to External Organizations, as outlined in the staff report.
2. Adopt FPPC Form 806, authorize the City Clerk to prepare and execute FPPC Form 806 Public Official Appointments, and direct the City Clerk to post on the City's website as required.

**D. DISCUSSION OF THE CALIFORNIA VOTING RIGHTS ACT (CVRA) COMMUNITY WORKING GROUP'S RECOMMENDATIONS**

The City Council tabled this matter to the meeting of February 20, 2019.

**E. APPOINTMENT OF VARIOUS COMMISSIONERS AND BOARD MEMBERS AS PART OF THE 2018 ANNUAL RECRUITMENT PROCESS**

City Clerk Mejia presented the staff report.

The City Council directed staff to proceed with transitioning the Board of Appeals to an independent hearing officer.

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

1. Appoint Peter Maietta to the Board of Appeals with no term ending.
2. Appoint Glenn Flood to the Human Rights Commission for the term ending June 30, 2021.
3. Reappoint Robert McCann for a term ending June 30, 2021, and appoint Jim Flanagan and Dr. Lani Miller to the Sustainability Commission for the terms ending June 30, 2021.

**PUBLIC COMMENT:**

Daryl Terrell, submitted a proposal for a local hiring requirement program.

Councilmember Roberts left the meeting at 10:25 p.m.

Allen Worthy, urged the City Council to settle his claims against the City.

David Nuaimi, stated that he is being evicted for the tenth time over 10 years as a result of the housing shortages caused by vacation rentals.

**CITY COUNCIL AND CITY MANAGER REQUESTS AND UPCOMING AGENDA DEVELOPMENT:**

Mayor Pro Tem Kors requested that staff schedule a presentation by the Palm Springs International Film Festival for an upcoming City Council meeting.

Councilmember Holstege requested that the City Council Subcommittee on cannabis explore incentives for the cultivation of hemp products.

City Manager Ready requested that the City Council schedule a Special Meeting in March 2019 for a presentation on the proposals for Convention Center operators.

**ADJOURNMENT:**

The City Council adjourned at 10:35 p.m.

Respectfully submitted,

  
Anthony J. Mejia, MMC  
City Clerk

APPROVED BY CITY COUNCIL: 06/05/2019