

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



**MINUTES
WEDNESDAY, MARCH 5, 2008
City Hall Council Chamber**

CALL TO ORDER: Mayor Pro Tem Foat called the meeting to order at 6:00 p.m.

PLEDGE OF ALLEGIANCE: Boy Scout Troop 262, led the Pledge.

INVOCATION: Reverend Kevin Johnson, Bloom in the Desert, led the Invocation.

PRESENTATIONS: None.

ROLL CALL:

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

ABSENT: Mayor Pougnet.

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

REPORT OF CLOSED SESSION: City Attorney Holland stated at 5:00 p.m. the meeting was called to order and the City Council recessed into Closed Session to discuss the Items as contained on the Closed Session Agenda. No reportable Actions were taken.

ACCEPTANCE OF THE AGENDA:

City Clerk Thompson noted Item 5.E. withdrawn from the Agenda.

Councilmember Hutcheson and Mayor Pro Tem Foat requested Item 2.H., be removed from the Consent Calendar for separate discussion.

Councilmember Mills requested Item 2.M., be removed from the Consent Calendar for separate discussion.

ACTION: Accept the Agenda as amended. **Motion Councilmember Weigel, seconded by Councilmember Mills and unanimously carried 4-0 on a roll call vote.**

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

ABSENT: Mayor Pougnet.

1. PUBLIC HEARINGS:

1.A. **CONDITIONAL USE PERMIT 6.492 APPLICATION BY SPRINT NEXTEL, TO INSTALL A 44 FOOT TALL COMMERCIAL COMMUNICATION ANTENNA DESIGNED AS A MONOPOLE WITH EQUIPMENT CABINETS AND A VARIANCE TO EXCEED THE 15 FOOT ANTENNA HEIGHT MAXIMUM LOCATED AT 505 EAST INDUSTRIAL PLACE, CASE 5.1080-6.492 VAR:**

David Newell, Associate Planner, provided background information as outlined in the staff report dated March 5, 2008.

Mayor Pro Tem Foat opened the public hearing, and the following speakers addressed the City Council.

VERONICA ARVIZU, Representing Sprint Nextel, provided background information on the process and comments from the AAC request for a Monopole, commented on the additional Palm Trees and the repaving of the parking area, and requested the City Council approve the project.

JOAN MARTIN, Palm Springs, stated the project is very tall, requested a monopalm and recommended adding Palm Trees near the installation.

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

Councilmember Mills requested staff address the loss of parking spaces and if the building for the use has sufficient parking, stated the City has required screening and landscaping and requested a screen with landscaping, and stated his support for a monopole, but requested additional palm trees if the Council supports a monopalm.

Councilmember Hutcheson stated his support for a monopole, unless additional palm trees are added for the monopalm.

Councilmember Weigel commented on the response to the Community who are in favor of supporting the tower installation, and stated his support for a monopole.

ACTION: Adopt Resolution No. 22165, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, APPROVING CONDITIONAL USE PERMIT 5.1080 TO INSTALL A 44 FOOT TALL COMMERCIAL COMMUNICATION ANTENNA DESIGNED AS A MONOPOLE WITH EQUIPMENT CABINETS AND A VARIANCE TO EXCEED THE 15 FOOT ANTENNA HEIGHT MAXIMUM LOCATED AT 505 EAST INDUSTRIAL PLACE," *amending the Conditions of Approval to require a landscape plan be provided and which includes*

required screening with additional landscaping as approved by Staff.
Motion Councilmember Mills, seconded by Councilmember Weigel and unanimously carried 4-0 on a roll call vote.

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

NOES: None.

ABSENT: Mayor Pougnet.

1.B. APPEAL THE DECISION OF THE PLANNING COMMISSION TO DENY A NEW SINGLE FAMILY DWELLING ON A HILLSIDE SITE AT 350 EL PORTAL ROAD, BY STEVEN VAN, CASE NOS. 3.2999 AND 7.1215:

Edward Robertson, Principal Planner, provided background information as outlined in the staff report dated March 5, 2008.

Mayor Pro Tem Foat opened the public hearing, and the following speakers addressed the City Council.

STEVEN VAN, Applicant, provided a history of the previous project denials, commented on the scaled down redesign of the project, and requested the City Council reverse the decision of the Planning Commission and approve the project.

DANIEL HOGAN, stated the project is too large for the neighborhood, the second story is not a right of zone, and requested the City Council deny the project.

EARL ROSE, Palm Springs, commented on the scope of the project with the character of the neighborhood, stated the property is not a hillside lot, and requested the City Council deny the project.

JANE McFEE, Palm Springs, stated her objections to the project, and the current two-story homes in the area do not impact views, as this project does.

FIROOCA McCAIN, Palm Springs, stated the lot is a flat lot and not a hillside lot, and requested the City Council deny the project due to size and character of the neighborhood.

JOHN HARRELL, commented on the proceedings before the AAC and the Planning Commission, the neighborhood character, and requested the City Council deny the project.

TOM WARRICK, commented on the letter he submitted and requested the City Council deny the project.

STEVEN VAN, Rebuttal, commented on the requirements of a hillside lot.

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

Councilmember Hutcheson stated the neighborhood feels the project is out of scale and out of character, and stated the project is too large and out of character.

Councilmember Mills requested staff address if they have determined this lot as a hillside lot, questioned why the staff recommendation was to not support the project, commented on the role of staff, questioned if staff attended the neighborhood meeting, outlined the revisions to the proposed development, requested staff address the privacy issue, questioned the staff review of other two-story homes in the area, and requested staff address if the development met all Zoning Code requirements.

Councilmember Weigel stated his concern for the process and the mixed messages by the Commissions, Council and staff.

Mayor Pro Tem Foat requested staff address a "unique physical hardship" and how such applies in this circumstance, thanked the neighborhood, and commented on the criteria for the hillside lot, commented on the responsibility to the Applicant and the time and funds that he has spent.

Councilmember Mills stated the Council should review the hillside lot criteria, and stated one home is not going to change the neighborhood.

Councilmember Hutcheson commented on the preservation of the neighborhood.

MOTION: Adopt Resolution "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, UPHOLDING THE DECISION OF THE PLANNING COMMISSION AND DENYING A PROPOSED TWO-STORY SINGLE FAMILY RESIDENCE BY STEVEN VAN, CASE NOS. 3.2999 SFR AND 7.1215 AMM." **Motion Councilmember Hutcheson, seconded by Mayor Pro Tem Foat and failed 2-2 on a roll call vote.**

AYES: Councilmember Hutcheson and Mayor Pro Tem Foat.

NOES: Councilmember Mills and Councilmember Weigel.

ABSENT: Mayor Pougnet.

By Council Rule of Procedure, this Item to return before the entire City Council on March 12, 2008, the City Clerk shall post a Notice of Continued Public Hearing.

PUBLIC COMMENT:

RON MARSHALL, Palm Springs, commented on Item 5.D., and requested the City Council establish a neighborhood sign program.

JOHNNY MEZA, Dixieland Jazz Society, commented on the upcoming Desert Swing'n Dixie Jazz Festival, and requested a waiver of City Park Fees for the event.

FRED BELL, Building Industry Association, thanked the City Council for participating in the Desert Showcase of Homes.

FRAN McNEEL, Palm Springs, commented on Item 5.B., and requested the City Council override the Riverside County Airport Land Use Commission finding of inconsistency for the Desert Son-Shine Kindergarten.

JUDY SUMICH, Palm Springs, commented on Item 2.E., and stated her desire that the City Council not require the education requirement.

MARVIN ROOS, commented on Item 5.B., and requested the City Council support the Item.

COUNCILMEMBER COMMENTS:

Mayor Pro Tem Foat requested the City Manager and City Attorney address the comments on Item 2.E. Landscape Related Businesses.

CITY MANAGER'S REPORT:

2. CONSENT CALENDAR:

Councilmember Mills requested Item 2.E., be removed from the Consent Calendar for separate discussion.

ACTION: Approve Items 2.A., 2.B., 2.C., 2.D., 2.F., 2.G., 2.I., 2.J., 2.K., 2.L., and 2.N. **Motion Councilmember Hutcheson, seconded by Councilmember Mills and unanimously carried 4-0 on a roll call vote.**

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

NOES: None.

ABSENT: Mayor Pougnet.

2.A. REPORT ON POSTING OF THE AGENDA:

ACTION: Receive and file Report on the Posting of the March 5, 2008, City Council Agenda. **Approved as part of the Consent Calendar.**

2.B. APPROVAL OF MINUTES:

ACTION: Approve the City Council Minutes of February 20, 2008, and February 27, 2008. **Approved as part of the Consent Calendar.**

2.C. APPROVAL OF PAYROLL WARRANTS, CLAIMS AND DEMANDS:

ACTION: 1) Adopt Resolution No. 22166, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, APPROVING PAYMENT OF CLAIMS AND DEMANDS BY WARRANTS NUMBERED 1026468 THROUGH 1026475 IN THE AGGREGATE AMOUNT OF \$62,949.19 DRAWN ON BANK OF AMERICA;" and 2) Adopt Resolution No. 22167, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, APPROVING PAYMENT OF PAYROLL WARRANTS FOR THE PERIOD ENDED 02-09-08 BY WARRANTS NUMBERED 413043 THROUGH 413096 TOTALING \$87,965.30, LIABILITY CHECKS NUMBERED 1026476 THROUGH 1026497 TOTALING \$141,892.52, THREE WIRE TRANSFERS FOR \$59,371.99, AND THREE ELECTRONIC ACH DEBITS OF \$1,063,989.61, IN THE AGGREGATE AMOUNT OF \$1,353,219.42 DRAWN ON BANK OF AMERICA." **Approved as part of the Consent Calendar.**

2.D. SECOND READING AND ADOPTION OF PROPOSED ORDINANCE NO. 1738, AMENDING SUBSECTIONS (c) AND (d) OF SECTION 3.37.040 OF THE PALM SPRINGS MUNICIPAL CODE, RELATING TO PUBLIC ARTS FUND PERMISSIBLE EXPENDITURES:

ACTION: Waive further reading and adopt Ordinance No. 1738, "AN ORDINANCE OF THE CITY OF PALM SPRINGS, CALIFORNIA, AMENDING SUBSECTIONS (c) AND (d) OF SECTION 3.37.040 OF THE PALM SPRINGS MUNICIPAL CODE, RELATING TO PUBLIC ARTS FUND PERMISSIBLE EXPENDITURES." **Approved as part of the Consent Calendar.**

2.F. SUMMARY VACATION OF A PORTION OF PUBLIC RIGHT-OF-WAY AND PUBLIC SEWER EASEMENTS WITHIN TRACT MAP 30046, FILE R-07-34:

ACTION: Adopt Resolution No. 22168, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, SUMMARILY VACATING AND ABANDONING ALL ITS RIGHT, TITLE AND INTERESTS TO A PORTION OF PUBLIC RIGHT-OF-WAY FOR BOGERT TRAIL, AND PORTIONS OF PUBLIC SEWER EASEMENTS LOCATED WITHIN TRACT MAP 30046, IN SECTION 35, TOWNSHIP 4 SOUTH, RANGE 4 EAST; FILE R-07-34." **Approved as part of the Consent Calendar.**

2.G. NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES) STORMWATER DISCHARGE PERMIT IMPLEMENTATION AGREEMENT:

ACTION: 1) Terminate Agreement No. A3846, approved September 3, 1997; 2) Terminate Agreement No. A4829, approved February 18, 2004; 3) Approve a Cooperative Agreement between the Riverside County Flood Control and Water Conservation District (RCFC&WCD), the County of Riverside (County), the Coachella Valley Water District (CVWD), and the Cities of Banning, Cathedral City, Coachella, Desert Hot Springs, Indian Wells, Indio, La Quinta, Palm Desert, Palm Springs, and Rancho Mirage (Cities), for implementing the terms for compliance with the National Pollutant Discharge Elimination System (NPDES) Municipal Separate Storm Sewer System (MS4) Permit (NPDES Permit) issued by the California Regional Water Quality Control Board - Colorado River Basin Region (CRWQCB-CRB); and 4) Authorize the City Manager to execute all necessary documents. A3846, A4829, and A5624. **Approved as part of the Consent Calendar.**

2.I. AWARD OF CONTRACT FOR THE CIVIC DRIVE STREET IMPROVEMENTS PROJECT, CITY PROJECT NO. 07-10:

ACTION: 1) Approve an agreement with B & T Works, Inc, in the amount of \$93,860.00, for the Civic Drive Street Improvements Project, a Fiscal Year 2007-08 CDBG Project, City Project No. 07-10; and 2) Authorize the City Manager to execute all necessary documents. A5625. **Approved as part of the Consent Calendar.**

2.J. AIRPORT IMPROVEMENT PROJECT FEDERAL GRANTS IN AN AMOUNT NOT TO EXCEED \$4,000,000 TO IMPROVE / MODIFY / REHAB TERMINAL COMPLEX AND IN AN AMOUNT NOT TO EXCEED \$6,000,000 TO REHABILITATE RUNWAY 13L-31R, TAXIWAY E AND CROSS CONNECTORS B, D, F, H AND J:

ACTION: 1) Authorize the City Manager to accept Federal Aviation Administration (FAA) Grant Nos. 3-06-0181-43 and 3-06-0181-44 in an amount not to exceed \$4,000,000 to improve / modify / rehab Terminal Complex (multi-year grant) and in an amount not to exceed \$6,000,000 to rehabilitate Runway 13L-31R, Taxiway E and Cross Connectors B, D, F, H and J; 2) Adopt Resolution No. 22179, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, AMENDING THE BUDGET FOR FISCAL YEAR 2007-08;" and 3) Authorize the City Manager to execute all necessary documents. A5626. **Approved as part of the Consent Calendar.**

- 2.K. RATIFY AND APPOINT THE NOMINATION OF THE CITY OF PALM DESERT TO THE PALM SPRINGS INTERNATIONAL AIRPORT COMMISSION FOR AN UNEXPIRED TERM ENDING JUNE 30, 2009:**
ACTION: Appoint Rolf Hoehn, as the City of Palm Desert representative, to the Palm Springs International Airport Commission for the unexpired term ending June 30, 2009. **Approved as part of the Consent Calendar.**
- 2.L. ONE-YEAR TIME EXTENSION FOR TTM 28668 A SIX-LOT RESIDENTIAL TRACT MAP, LOCATED WEST OF ROSE AVENUE AT CORONADO AVENUE, REQUESTED BY MAX PALEVSKY:**
ACTION: Adopt Resolution No. 22180, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, APPROVING A ONE-YEAR TIME EXTENSION FOR TTM 28668 FROM MARCH 16, 2008, TO MARCH 15, 2009, FOR A SIX-LOT RESIDENTIAL TRACT MAP, LOCATED WEST OF ROSE AVENUE AT CORONADO AVENUE, ZONED R-1-A, SECTION 10." **Approved as part of the Consent Calendar.**
- 2.N. ONE-YEAR TIME EXTENSION FOR TTM 33341 AND A ONE-YEAR TIME EXTENSION FOR PD 232, TO SUBDIVIDE 24 ACRES AND TO CONSTRUCT 156 RESIDENTIAL CONDOMINIUM UNITS LOCATED AT 2705 EAST TAHQUITZ CANYON WAY, REQUESTED BY PALM SPRINGS MODERN HOMES, CASE NO. 5.1046:**
ACTION: Adopt Resolution No. 22182, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, APPROVING A ONE-YEAR TIME EXTENSION FROM MARCH 1, 2008, TO FEBRUARY 28, 2009, FOR TTM 33341 AND PLANNED DEVELOPMENT DISTRICT 232, A SUBDIVISION OF 24 ACRES FOR THE CONSTRUCTION OF 156 RESIDENTIAL CONDOMINIUM UNITS AT 2705 EAST TAHQUITZ CANYON WAY, ZONE PD 232, SECTION 13." **Approved as part of the Consent Calendar.**

EXCLUDED CONSENT CALENDAR:

- 2.E. SECOND READING AND ADOPTION OF PROPOSED ORDINANCE NO. 1737, ADDING CHAPTER 5.78 TO THE PALM SPRINGS MUNICIPAL CODE REQUIRING COMPLETION OF A COURSE ON OVERSEEDING ALTERNATIVES AS A PREREQUISITE FOR ISSUANCE AND RENEWAL OF A BUSINESS LICENSE TO LANDSCAPE RELATED BUSINESSES:**

Councilmember Mills stated the ordinance should be limited to installation and maintenance.

ACTION: Re-introduce Ordinance No. 1737, "AN ORDINANCE OF THE CITY OF PALM SPRINGS, CALIFORNIA, ADDING CHAPTER 5.78 TO THE PALM SPRINGS MUNICIPAL CODE REQUIRING COMPLETION OF COURSE ON OVERSEEDING ALTERNATIVE AS A PREREQUISITE FOR ISSUANCE AND RENEWAL OF BUSINESS LICENSE TO LANDSCAPE RELATED BUSINESSES," amending Section 5.78.020 removing the sale of nursery products and design. **Motion Councilmember Mills, seconded by Mayor Pro Tem Foat and unanimously carried 4-0 on a roll call vote.**

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

NOES: None.

ABSENT: Mayor Pougnet.

2.H. VARIOUS CITYWIDE STREET LIGHTING AND PARKWAY MAINTENANCE DISTRICTS, FISCAL YEAR 2008-09:

Councilmember Hutcheson requested staff address any potential safety issues if District No. 1 is eliminated.

Councilmember Weigel requested staff address the process for an additional Prop. 218 vote and proceedings for District No. 1.

ACTION: 1) Adopt Resolution No. 22169, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, AMENDING AND APPROVING THE FINAL ENGINEER'S REPORT AND IDENTIFYING THE DISSOLUTION AND ABANDONMENT OF PALM SPRINGS STREET LIGHTING MAINTENANCE DISTRICT NO. 1;" 2) Adopt Resolution No. 22170, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, ORDERING THE DISSOLUTION AND ABANDONMENT OF STREET LIGHTING MAINTENANCE DISTRICT NO. 1 ("BELARDO ROAD AREA");" 3) Adopt Resolution No. 22171, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, AMENDING AND APPROVING THE FINAL ENGINEER'S REPORT AND IDENTIFYING THE DISSOLUTION AND ABANDONMENT OF PALM SPRINGS STREET LIGHTING MAINTENANCE DISTRICT NO. 2;" 4) Adopt Resolution No. 22172, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, ORDERING THE DISSOLUTION AND ABANDONMENT OF STREET LIGHTING MAINTENANCE DISTRICT NO. 2 ("MCMANUS DRIVE");" 5) Adopt Resolution No. 22173, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, AMENDING AND APPROVING THE FINAL ENGINEER'S REPORT AND IDENTIFYING THE DISSOLUTION AND ABANDONMENT OF PALM SPRINGS

STREET LIGHTING MAINTENANCE DISTRICT NO. 4;" 6) Adopt Resolution No. 22174, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, ORDERING THE DISSOLUTION AND ABANDONMENT OF STREET LIGHTING MAINTENANCE DISTRICT NO. 4 ("EAGLE WAY AREA");" 7) Adopt Resolution No. 22175, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, AMENDING AND APPROVING THE FINAL ENGINEER'S REPORT AND IDENTIFYING THE DISSOLUTION AND ABANDONMENT OF PALM SPRINGS PARKWAY MAINTENANCE DISTRICT NO. 6B;" 8) Adopt Resolution No. 22176, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, ORDERING THE DISSOLUTION AND ABANDONMENT OF PARKWAY MAINTENANCE DISTRICT NO. 6B ("PARKSIDE ESTATES");" 9) Adopt Resolution No. 22177, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, APPROVING THE FINAL ENGINEER'S ANNUAL LEVY REPORT FOR FISCAL YEAR 2008-09 FOR THE PALM SPRINGS PARKWAY MAINTENANCE DISTRICT NO. 7;" and 10) Adopt Resolution No. 22178, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, ORDERING THE LEVYING AND COLLECTION OF ASSESSMENTS FOR FISCAL YEAR 2008-09 WITHIN THE PALM SPRINGS PARKWAY MAINTENANCE DISTRICT NO. 7 ("SUNRISE NORTE")." **Motion Councilmember Hutcheson, seconded by Councilmember Weigel and unanimously carried 4-0 on a roll call vote.**

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

NOES: None.

ABSENT: Mayor Pougnet.

2.M. ONE-YEAR TIME EXTENSION FOR TTM 32826 / PD 303 TO SUBDIVIDE 9.9 ACRES AND TO CONSTRUCT 58 RESIDENTIAL CONDOMINIUM UNITS LOCATED AT 4455 MATTHEW DRIVE, REQUESTED BY VICTOR VILLENEUVE OF MDS CONSULTING, INC., CASE NO. 5.1021:

Councilmember Mills questioned if the Conditions of Approval would change due to the flood drainage channel.

ACTION: Adopt Resolution No. 22181, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, APPROVING A ONE-YEAR TIME EXTENSION FROM FEBRUARY 15, 2008, TO FEBRUARY 14, 2009, FOR CASE NO. 5.1021 TTM 32826 / PD 303 TO SUBDIVIDE 9.9 ACRES AND TO CONSTRUCT 58 RESIDENTIAL CONDOMINIUM UNITS LOCATED AT 4455 MATTHEW

DRIVE, ZONED PD-303, SECTION 30." Motion Councilmember Mills, seconded by Mayor Pro Tem Foat and unanimously carried 4-0 on a roll call vote.

AYES: Councilmember Hutcheson, Councilmember Mills, Councilmember Weigel, and Mayor Pro Tem Foat.
NOES: None.
ABSENT: Mayor Pougnet.

3. LEGISLATIVE:

3.A. PROPOSED ORDINANCE REPEALING PALM SPRINGS ZONING CODE SECTIONS 93.17.00 TO 93.17.18, ADOPTING PALM SPRINGS MUNICIPAL CODE SECTION 8.68 "FLOOD DAMAGE PREVENTION" AND AMENDING SECTIONS 92.20.00, 92.20.01, AND 92.20.03 OF THE PALM SPRINGS ZONING CODE TO REPLACE REFERENCES TO THE REPEALED SECTIONS:

Marcus Fuller, Assistant City Engineer, provided background information as outlined in the staff report dated March 5, 2008.

Councilmember Hutcheson requested staff address any possible negative impacts to existing projects.

Councilmember Mills questioned if this changes the floodplain boundaries and requested staff address any issues with our current floodplain boundaries.

ACTION: 1) Waive the reading of the ordinance text in its entirety and read by title only; 2) Introduce on first reading Ordinance No. 1739, "AN ORDINANCE OF THE CITY OF PALM SPRINGS, CALIFORNIA, REPEALING SECTIONS 93.17.00 THROUGH 93.17.18 OF THE PALM SPRINGS ZONING CODE, ADOPTING CHAPTER 8.68 "FLOOD DAMAGE PREVENTION" OF THE PALM SPRINGS MUNICIPAL CODE, AND AMENDING SECTIONS 92.20.00, 92.20.01, AND 92.20.03 OF THE PALM SPRINGS ZONING CODE TO REPLACE REFERENCES TO THE REPEALED SECTIONS." **Motion Councilmember Weigel, seconded by Councilmember Mills and unanimously carried 4-0 on a roll call vote.**

AYES: Councilmember Hutcheson, Councilmember Mills, Councilmember Weigel, and Mayor Pro Tem Foat.
NOES: None.
ABSENT: Mayor Pougnet.

4. UNFINISHED BUSINESS: None.

5. NEW BUSINESS:

5.A. COUNTY OF RIVERSIDE'S REQUEST FOR FINANCIAL CONTRIBUTIONS FOR COLD WEATHER SHELTER OPERATIONS IN NORTH PALM SPRINGS AND ENDORSING THE COACHELLA VALLEY ASSOCIATION OF GOVERNMENTS' HOMELESSNESS COMMITTEE'S STRATEGIC PLAN TO END HOMELESSNESS:

City Manager Ready provided background information as outlined in the staff report dated March 5, 2008, and stated the request will be funded through CDBG programs, the proposed resolution for General Fund funding is not needed.

ACTION: 1) Approve a financial contribution of \$6,200, as a CVAG member, for operations of the Homeless Cold Weather Shelter; and 2) Adopt Resolution No. 22183, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, ENDORSING THE COACHELLA VALLEY ASSOCIATION OF GOVERNMENTS' HOMELESSNESS COMMITTEE'S STRATEGIC PLAN TO END HOMELESSNESS." **Motion Councilmember Mills, seconded by Councilmember Hutcheson and unanimously carried 4-0 on a roll call vote.**

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

NOES: None.

ABSENT: Mayor Pougnet.

5.B. APPEAL OF THE DECISION OF THE RIVERSIDE COUNTY AIRPORT LAND USE COMMISSION'S FINDING OF INCONSISTENCY FOR THE DESERT SON-SHINE KINDERGARTEN AND PRE-SCHOOL LOCATED AT THE NORTHWEST CORNER OF CERRITOS ROAD AND SAHARA ROAD:

Craig Ewing, Director of Planning Services, provided background information as outlined in the staff report dated March 5, 2008.

ACTION: Adopt Resolution No. 22184, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, OVERRULING THE RIVERSIDE COUNTY AIRPORT LAND USE COMMISSION'S FINDING OF INCONSISTENCY FOR THE DESERT SON-SHINE KINDERGARTEN AND PRE-SCHOOL LOCATED AT THE NORTHWEST CORNER OF CERRITOS ROAD AND SAHARA ROAD,

ZONE P, SECTION 1." Motion Councilmember Hutcheson, seconded by Councilmember Mills and unanimously carried 4-0 on a roll call vote.

AYES: Councilmember Hutcheson, Councilmember Mills, Councilmember Weigel, and Mayor Pro Tem Foat.
NOES: None.
ABSENT: Mayor Pougnet.

5.C. APPOINTMENT OF A CITY COUNCIL SUBCOMMITTEE TO WORK WITH THE CITY OF DESERT HOT SPRINGS ON SERVICE DELIVERY COOPERATION:

ACTION: Appoint Mayor Pougnet and Mayor Pro Tem Foat to a City Council Subcommittee to work with the City of Desert Hot Springs with respect to Service Delivery Cooperation. **Motion Councilmember Mills, seconded by Councilmember Weigel and unanimously carried 4-0 on a roll call vote.**

AYES: Councilmember Hutcheson, Councilmember Mills, Councilmember Weigel, and Mayor Pro Tem Foat.
NOES: None.
ABSENT: Mayor Pougnet.

5.D. ESTABLISHMENT OF POLICIES AND STANDARDS FOR NEIGHBORHOOD ENTRY SIGNS ON PRIVATE PROPERTY IN SINGLE FAMILY NEIGHBORHOODS:

Craig Ewing, Director of Planning Services, provided background information as outlined in the staff report dated March 5, 2008.

Councilmember Mills thanked staff for a comprehensive report and stated he is in support of a neighborhood sign program.

ACTION: Direct staff to prepare a zone text amendment to establish policies and standards for neighborhood entry signs on private property in single family neighborhoods. **Motion Councilmember Mills, seconded by Councilmember Weigel and unanimously carried 4-0 on a roll call vote.**

AYES: Councilmember Hutcheson, Councilmember Mills, Councilmember Weigel, and Mayor Pro Tem Foat.
NOES: None.
ABSENT: Mayor Pougnet.

5.E. REQUEST FOR \$15,000 SPECIAL EVENT FUNDING FROM THE PALM SPRINGS FOOD AND WINE FESTIVAL FOR THE CITY OF PALM SPRINGS GREEN EDUCATION PAVILION APRIL 11-13, 2008:

Item withdrawn from the Agenda.

5.F. APPOINTMENT OF A CITY COUNCIL SUBCOMMITTEE TO PROVIDE RECOMMENDATIONS TO THE CITY MANAGER AND THE CHIEF OF POLICE FOR HIS TRANSITION TO THE CITY OF PALM SPRINGS:

ACTION: Appoint Councilmember Hutcheson and Councilmember Weigel to a City Council Subcommittee to provide recommendations to the City Manager and Chief of Police in his transition to the City of Palm Springs and Community. **Motion Mayor Pro Tem Foat, seconded by Councilmember Mills and unanimously carried 4-0 on a roll call vote.**

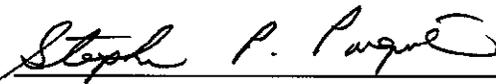
AYES: Councilmember Hutcheson, Councilmember Mills, Councilmember Weigel, and Mayor Pro Tem Foat.
NOES: None.
ABSENT: Mayor Pougnet.

COUNCILMEMBER COMMENTS, REQUESTS, AND REPORTS:

Mayor Pro Tem Foat requested a report and update on the annexation of Park Andreas and Bellamonte, welcomed the newly formed Araby Cove Neighborhood Organization, and requested Code Enforcement deal with signs posted to utility polls offering homes for auction on Amado.

ADJOURNMENT: The City Council adjourned at 8:24 p.m. to a Special Session, Friday, March 7, 2008, at 8:00 A.M., at Spencer's Restaurant, Bougainvillea Reception Room, 701 West Baristo, Palm Springs. The next regularly scheduled City Council Study Session and Adjourned Meeting will be held on Wednesday, March 12, 2008, at 6:00 P.M. in the Council Chamber, City Hall, preceded by a Closed Session at 5:00 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 12th DAY OF MARCH, 2008.


STEPHEN POUGNET, MAYOR

ATTEST:


JAMES THOMPSON, CITY CLERK