

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



**MINUTES**  
**WEDNESDAY, FEBRUARY 6, 2008**  
City Hall Council Chamber

**CALL TO ORDER:** Mayor Pougnet called the meeting to order at 6:00 p.m.

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

Mayor Pougnet requested a moment of silence in memory of Earl Greenberg, and requested the City Council adjourn in his memory.

**INVOCATION:** Rev. Michael Kearney, Palm Springs Church of Religious Science, 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:** Incoming Police Chief David G. Dominguez was administered the Oath of Office.

**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 Closed Session Agenda. No reportable actions were taken.

**ACCEPTANCE OF THE AGENDA:**

Mayor Pougnet requested the City Council hear Public Comments and the Consent Calendar prior to Public Hearings.

City Clerk Thompson stated staff is requesting that Item 4.B. be continued to February 13, 2008.

Mayor Pro Tem Foat requested Item 2.O. and Item 2.G. be removed from the Consent Calendar for separate discussion, and noted a property ownership conflict of interest with respect to Item 4.B., and noted her abstention from the vote to table the Item.

**ACTION:** Accept the Agenda as amended. **Motion Councilmember Weigel, seconded by Councilmember Mills and unanimously carried on a roll call vote, noting the abstention of Mayor Pro Tem Foat with respect to Item 4.B. [Spanish Inn].**

The City Council took Public Comment and Consent Calendar Items out of order, and heard them prior to Public Hearings.

**PUBLIC COMMENT:**

CINDY BERARDI, Palm Springs, commented on Item 4.A., and requested the City Council approve the vacation of Alejo Road.

BARBARA MARSHALL, Palm Springs, commented on Item 4.C., and requested the City Council approve the closure of Livmor Avenue.

CHARLES SACHS, Palm Springs, commented on the removal of trees in his condominium complex, and requested the City require a permit to remove trees.

**2. CONSENT CALENDAR:**

**ACTION:** Approve Items 2.A., 2.B., 2.C., 2.D., 2.E., 2.F., 2.H., 2.I., 2.J., 2.K., 2.L., 2.M., and 2.N. **Motion Councilmember Mills, seconded by Councilmember Hutcheson 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 February 6, 2008, City Council Agenda. **Approved as part of the Consent Calendar.**

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

**ACTION:** Approve the City Council Minutes of January 16, 2008, January 23, 2008, and January 30, 2008. **Approved as part of the Consent Calendar.**

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

**ACTION:** 1) Adopt Resolution No. 22142, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, APPROVING PAYMENT OF PAYROLL WARRANTS FOR THE PERIOD ENDED 12-29-07 BY WARRANTS NUMBERED 412873 THROUGH 412924 TOTALING \$88,339.69, THREE WIRE TRANSFERS FOR \$67,603.27, AND THREE ELECTRONIC ACH DEBITS OF \$1,084.86.09 IN THE AGGREGATE AMOUNT OF \$1,240,029.05 DRAWN ON BANK OF AMERICA;" 2) Adopt Resolution No. 22143, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, APPROVING PAYMENT OF CLAIMS AND DEMANDS BY WARRANTS NUMBERED 1025560 THROUGH 1025821 IN THE AGGREGATE

AMOUNT OF \$1,249,923.10 DRAWN ON BANK OF AMERICA;" 3) Adopt Resolution No. 22144, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, APPROVING PAYMENT OF CLAIMS AND DEMANDS BY WARRANTS NUMBERED 1025822 THROUGH 1025827 IN THE AGGREGATE AMOUNT OF \$93,045.71 DRAWN ON BANK OF AMERICA;" 4) Adopt Resolution No. 22145, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, APPROVING PAYMENT OF PAYROLL WARRANTS FOR THE PERIOD ENDED 1-12-08 BY WARRANTS NUMBERED 412925 THROUGH 412987 TOTALING \$91,428.77 LIABILITY CHECKS NUMBERED 1025828 THROUGH 1025849 TOTALING \$140,325.25, THREE WIRE TRANSFERS FOR \$73,300.75 AND THREE ELECTRONIC ACH DEBITS OF \$1,054,885.24 IN THE AGGREGATE AMOUNT OF \$1,359,940.01 DRAWN ON BANK OF AMERICA;" and 5) Adopt Resolution No. 22146, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, APPROVING PAYMENT OF CLAIMS AND DEMANDS BY WARRANTS NUMBERED 1025850 THROUGH 1026156 IN THE AGGREGATE AMOUNT OF \$2,940,346.97 DRAWN ON BANK OF AMERICA."  
**Approved as part of the Consent Calendar.**

**2.D. FINAL MAP 32378 AND A SUBDIVISION IMPROVEMENT AGREEMENT WITH BSF DEVELOPMENT, LLC, FOR A 1-LOT TRACT MAP FOR CONDOMINIUM PURPOSES, LOCATED AT 500 E. PALM CANYON DRIVE:**

**ACTION:** Adopt Resolution No. 22147, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, APPROVING FINAL MAP 32378 FOR PROPERTY LOCATED AT 500 E. PALM CANYON DRIVE, IN SECTION 23, TOWNSHIP 4 SOUTH, RANGE 4 EAST, AND APPROVING A SUBDIVISION IMPROVEMENT AGREEMENT WITH BSF DEVELOPMENT, LLC;" and 2) Authorize the City Manager to execute all necessary documents. A5614. **Approved as part of the Consent Calendar.**

**2.E. AMENDMENT NO. 12 TO AGREEMENT NO. A4487, WITH VSA AIRPORTS, INC., FOR AIRPORT ENGINEERING SERVICES, IN THE AMOUNT OF \$17,250:**

**ACTION:** 1) Approve Amendment No. 12 to Agreement No. A4487, with VSA Airports, Inc. to provide an updated airport electrical distribution analysis and related drawings, in the amount of \$17,250; and 2) Authorize the City Manager to execute all necessary documents. A4487. **Approved as part of the Consent Calendar.**

**2.F. MODIFICATIONS TO THE CITY COUNCIL SUBCOMMITTEE APPOINTMENTS FOR THE CONVENTION CENTER MANAGEMENT**

**AGREEMENT SUBCOMMITTEE, SPECIAL EVENTS SUBCOMMITTEE,  
AND WYNDHAM HOTEL SUBCOMMITTEE:**

**ACTION:** 1) Appoint Mayor Pougnet and Councilmember Weigel to the City Council Subcommittee for the Convention Center Management Agreement; 2) Appoint Mayor Pougnet and Councilmember Weigel to the City Council Subcommittee for Special Events; and 3) Appoint Councilmember Weigel and Councilmember Mills to the City Council Subcommittee for the Wyndham Hotel. **Approved as part of the Consent Calendar.**

**2.H. TREASURER'S INVESTMENT REPORT AS OF DECEMBER 31, 2007:**

**ACTION:** Receive and file the Treasurer's Investment Report as of December 31, 2007. **Approved as part of the Consent Calendar.**

**2.I. UNIFORM RENTAL AND CLEANING SERVICES FOR VARIOUS DEPARTMENTS:**

**ACTION:** 1) Approve an agreement with Cintas Corporation for uniform rental and cleaning services for an estimated annual expenditure of \$23,666.67, and a total amount not-to-exceed \$71,000.00 for the initial three-year term; and 2) Authorize the City Manager to execute all necessary documents. A5615. **Approved as part of the Consent Calendar.**

**2.J. AIRPORT RENTAL CAR READY/RETURN LOT EXPANSION PROJECT, CITY PROJECT 2007-23:**

**ACTION:** 1) Approve an agreement with G & M Construction, Inc. for the Airport Rental Ready Car Return Lot Expansion Project, in the amount of \$1,587,000, City Project 2007-23, in a form acceptable to the City Attorney; 2) Adopt Resolution No. 22149, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, AMENDING THE BUDGET FOR FISCAL YEAR 2007-08;" 3) Approve Offsetting Budget Adjustment for \$600,000 for additional Revenue 405-38145 and offset with CFC Ready Return Expansion expense account 405-56093; and 4) Authorize the City Manager to execute all necessary documents. A5616. **Approved as part of the Consent Calendar.**

**2.K. AMENDMENT NO. 6 TO THE ALLOCATED POSITIONS AND COMPENSATION PLAN FOR FISCAL YEAR 2007-08 PARKS AND RECREATION DEPARTMENT:**

**ACTION:** Adopt Resolution No. 22150, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, APPROVING AMENDMENT NO. 6 TO THE ALLOCATED POSITIONS AND COMPENSATION PLAN FOR FISCAL YEAR 2007-08, ADOPTED BY RESOLUTION NO. 21907." **Approved as part of the Consent Calendar.**

**2.L. AMENDMENT NO. 1 TO AGREEMENT NO. A5610, A CLIENT SERVICE AGREEMENT, WITH SELECT STAFFING FOR TEMPORARY CLERICAL SERVICES:**

**ACTION:** 1) Approval additional services to Select Staffing for temporary clerical services, an increase of \$5,000 for a total contract amount not to exceed \$29,000; and 2) Authorize the City Manager to execute all necessary documents. A5610. **Approved as part of the Consent Calendar.**

**2.M. AIRPORT CONTRIBUTION TO THE PALM SPRINGS DESERT RESORT COMMUNITIES CONVENTION AND VISITORS AUTHORITY AIR SERVICE DEVELOPMENT CAMPAIGN:**

**ACTION:** Approve airport contribution of \$50,000 to the Palm Springs Desert Resort Communities Convention and Visitors Authority for the purpose of air service and tourism marketing. **Approved as part of the Consent Calendar.**

**2.N. DIGESTER GAS TREATMENT SYSTEM DESIGN NOTICE TO PROCEED TO VEOLIA WATER NORTH AMERICA-WEST, LLC:**

**ACTION:** Approve the digester gas treatment system design notice to proceed to Veolia Water North America-West LLC in the amount of \$74,581.10. **Approved as part of the Consent Calendar.**

**EXCLUDED CONSENT CALENDAR:**

**2.G. REINSTATE THE THREE-HOUR TIME LIMITS AT THE PLAZA MERCADO PARKING LOT:**

Mayor Pro Tem Foat requested staff address the prior time limit on the lot.

**ACTION:** Adopt Resolution No. 22148, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, REINSTATING THREE-HOUR TIME LIMITS IN THE PLAZA MERCADO PARKING LOT." **Motion Councilmember Hutcheson, seconded by Councilmember Weigel and unanimously carried on a roll call vote.**

**2.O. UNITED STATES CONFERENCE OF MAYORS' CLIMATE PROTECTION AGREEMENT:**

Mayor Pro Tem Foat requested Mayor Pougnet provide background information on the U.S. Mayors' Climate Protection Agreement, and requested staff address the preparations to implement AB32.

**ACTION:** 1) Adopt Resolution No. 22151, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, ENDORSING THE UNITED STATES CONFERENCE OF MAYORS' CLIMATE PROTECTION

AGREEMENT AND DIRECTING THE CITY'S RESOURCE CONSERVATION COMMISSION TO RECOMMEND POLICIES, PROCEDURES, AND TARGET GOALS THAT THE CITY MIGHT IMPLEMENT TO REDUCE ENERGY CONSUMPTION, REDUCE EMISSIONS THAT ADVERSELY AFFECT AIR QUALITY, AND PROMOTE WATER CONSERVATION." **Motion Councilmember Hutcheson, seconded by Councilmember Weigel and unanimously carried on a roll call vote.**

Mayor Pougnet presented David Danos a Certificate of Commendation for his participation in bringing forward the Climate Protection Agreement.

**1. PUBLIC HEARINGS:**

**1.A. PROPOSED ORDINANCES ADOPTING AND AMENDING THE 2007 CALIFORNIA BUILDING STANDARDS CODE AND ADOPTING AND AMENDING THE 2007 CALIFORNIA FIRE CODE:**

Fire Chief Goetz provided background information as outlined in the staff report dated February 6, 2008.

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

FRED BELL, Building Industry Association, stated there is no sprinkler requirement in the Riverside County Code, and requested the City Council continue the public hearing.

No further speakers coming forward the public hearing was closed.

The City Council discussed and/or commented on the requirements for sprinkler on residential structures and the triggers for sprinkler with respect to remodel, the differences between the cities and the County of Riverside, regulation of mobile homes, and subterranean parking requirements.

**ACTION:** 1) Continue the public hearing to Wednesday, February 13, 2008; and 2) Direct the City Clerk to post a Notice of Continued Public Hearing. **Motion Councilmember Weigel, seconded by Councilmember Hutcheson and unanimously carried on a roll call vote.**

**1.B. CASE NO. 5.1171, APPLICATION BY FOUNDATIONS ENTERPRISE GROUP, LLC, FOR PLANNED DEVELOPMENT DISTRICT 351 AND TENTATIVE TRACT MAP 35544, TO CREATE A ONE LOT**

**CONDOMINIUM MAP FOR THE CONVERSION OF 13 EXISTING APARTMENT UNITS TO 12 CONDOMINIUM UNITS, LOCATED AT 588 SAN LORENZO ROAD:**

**ACTION:** 1) Continue the Public Hearing to a date uncertain; and 2) Direct the City Clerk to re-notice. **Motion Councilmember Mills, seconded by Councilmember Weigel and unanimously carried on a roll call vote.**

**1.C. CASE NO. 5.1159, APPLICATION BY OLIVERA TOWNHOMES, LLC, FOR PLANNED DEVELOPMENT DISTRICT 340 AND TENTATIVE TRACT MAP 34729, FOR A FIVE UNIT DETACHED CONDOMINIUM PROJECT AND CONDOMINIUM MAP ON 0.53 ACRES LOCATED AT THE SOUTHWEST CORNER OF VIA OLIVERA AND ZANJERO WAY:**

Nicole Criste, Contract Planner, provided background information as outlined in the staff report dated February 6, 2008.

Mayor Pro Tem Foat requested staff address a previous application by the Developer.

Mayor Pougnet opened the public hearing, and no speakers coming forward the public hearing was closed.

Councilmember Mills requested staff address guest parking vs. the number of bedrooms, expressed concerns on the required parking being allowed as street parking, requested staff clarify that the approval at this hearing is only for the site plan and massing, which does not include architectural approval.

Mayor Pro Tem Foat requested staff address if a wall is included between the units, side setbacks, building separations, and the process of public benefit with respect to PDD's.

Councilmember Hutcheson requested the City Manager place on an upcoming agenda a discussion of public benefits for PDD's.

Councilmember Mills commented on the walls, recommended the site be fully landscaped, suggested that no additional garden walls parallel to the structures be permitted, and that the landscape plan deal with the entire site prior to occupancy.

Councilmember Weigel requested staff address Condition No. 11, stated that Dust Control is not working, recommended a Condition that provides for graded property which is not built be required to be replanted, and requested a future discussion on public benefit requirements for PDD's.

The City Council discussed vacant land with respect to dust control and fencing and requested staff place these items on a future study session agenda.

Councilmember Hutcheson requested the City Engineer address the Dust Control Plan and requested staff place on a future agenda a discussion of dust control.

Mayor Pro Tem Foat stated without the walls the buildings are only 10-feet apart.

**ACTION:** Adopt Resolution No. 22140, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, APPROVING CASE NO. 5.1159 INCLUDING PLANNED DEVELOPMENT DISTRICT 340 AND TENTATIVE TRACT MAP 34729, A FIVE UNIT DETACHED CONDOMINIUM PROJECT AND CONDOMINIUM MAP ON 0.53 ACRES LOCATED AT THE SOUTHWEST CORNER OF VIA OLIVERA AND ZANJERO WAY," *amending Condition No. 22 to provide that the architecture and landscape be submitted to the AAC for review, amending Condition No. 23 to provide for no parallel walls, and the walls as they appear on the landscape plan are those that are approved, amending Condition No. 11 to provide restoration with desert hydro-seed or stabilizer if construction does not commence within one-month, and a condition that the entire site be landscaped prior to occupancy.* **Motion Councilmember Mills, seconded by Councilmember Weigel and carried 4-1 on a roll call vote.**

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

**NOES:** Mayor Pro Tem Foat.

The City Council recessed at 8:02 p.m.

The City Council reconvened at 8:09 p.m.

**1.D. CASE NO. HSPB NO. 56, APPLICATION TO DESIGNATE THE PROPERTY KNOWN AS "INVERNADA" LOCATED AT 657 VIA MIRALESTE A CLASS ONE HISTORIC SITE:**

Craig Ewing, Director of Planning Services, provided background information as outlined in the staff report dated February 6, 2008.

Councilmember Hutcheson requested staff address a condition for the removal of the current solar panels and air conditioning.

Mayor Pougnet opened the public hearing, and no speakers coming forward the public hearing is closed.

Councilmember Mills requested staff address the condition for the removal and future installation of other conveniences, and requested staff address the aluminum porch.

**ACTION:** Adopt Resolution No. 22141, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, DESIGNATING THE PROPERTY KNOWN AS "INVERNADA" LOCATED AT 657 VIA MIRALESTE A CLASS ONE HISTORIC SITE," amending Condition No. 2 to read "*All future exterior modifications including but not limited to buildings, fountain, signage and entry gate, shall require a Certificate of Approval by the Historic Site Preservation Board pursuant to Municipal Code Section 8.05.180.*" **Motion Councilmember Hutcheson, seconded by Councilmember Weigel and unanimously carried on a roll call vote.**

**1.E. CASE NO. 5.1135, APPLICATION BY RAINBOWVISION PALM SPRINGS, LLC, FOR PLANNED DEVELOPMENT DISTRICT 334 AND TENTATIVE TRACT MAP 35623, FOR THE CONSTRUCTION OF 184 CONDOMINIUM UNITS AND ONE COMMERCIAL STRUCTURE ON AN APPROXIMATE 13.28 ACRE PARCEL AT THE SOUTHWEST CORNER OF EAST PALM CANYON DRIVE AND MATTHEW DRIVE:**

Chris Brown, Contract Planner, provided background information as outlined in the staff report dated February 6, 2008.

Mayor Pougnet requested staff address the actual height of the building as being 35 or 45 feet.

Councilmember Hutcheson commented on the lack of clarity on the height of the building and discrepancies in the staff report, and requested a Condition of Approval with respect to the condition of the lot during construction.

Director Ewing recommended the City Council continue the public hearing to provide staff the opportunity to correct and clarify the information in the staff report.

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

SUSAN BOSKOVICH, Palm Springs, commented on the letter presented at the public hearing and requested the City Council address the height, and stated the views were not considered of any properties to the South.

JOE PLAN, Palm Springs, stated his objection to the height and expressed concerns with increased traffic due to this development and the other approved projects.

CHARLES MILLER, Palm Springs, stated his objection to the height and increased traffic.

GARY BOSKOVICH, stated his opposition to the height of the project, and thanked the Planning Department.

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

**ACTION:** 1) Continue the public hearing to Wednesday, February 20, 2008; and 2) Direct the City Clerk to post a Notice of Continued Public Hearing. **Motion Councilmember Hutcheson, seconded by Councilmember Weigel and unanimously carried on a roll call vote.**

**1.F. CASE NO. 5.1162-GPA, APPLICATION BY PALM MOUNTAIN RESORT, LP, FOR A GENERAL PLAN AMENDMENT AND PLANNED DEVELOPMENT DISTRICT 342, FOR THE REDEVELOPMENT OF THE EXISTING PALM MOUNTAIN RESORT AND SPA ON 2.77 ACRES LOCATED AT 155 SOUTH BELARDO ROAD:**

Craig Ewing, Director of Planning Services, reported that the City received a request from the Applicant today to continue the public Hearing to February 20, 2008.

**ACTION:** 1) Continue the Public Hearing to Wednesday, February 20, 2008; and 2) Direct the City Clerk to post a Notice of Continued Public Hearing. **Motion Councilmember Mills, seconded by Mayor Pro Tem Foat and unanimously carried on a roll call vote.**

**PUBLIC COMMENT NOT HEARD AT THE BEGINNING OF THE MEETING:** None.

**COUNCILMEMBER COMMENTS:** None.

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

The Community Redevelopment Agency convened at 8:34 p.m., hearing the following Item Jointly with the City Council.

**CONSENT CALENDAR:**

**ACTION:** Approve Item RA3. **Motion Councilmember Mills, seconded by Mayor Pougnet and unanimously carried on a roll call vote.**

**RA3. TRANSFER OF THE VILLAGE GREEN, SUNRISE PARK, THE PALM SPRINGS VISITORS CENTER AND A SUBLEASE INTEREST IN THE**

**DOWNTOWN PARKING STRUCTURE FROM THE CITY OF PALM SPRINGS TO THE COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF PALM SPRINGS:**

**ACTION:** 1) Adopt Resolution No. 22152, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, APPROVING THE TRANSFER TO THE COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF PALM SPRINGS, CALIFORNIA, OF THE VILLAGE GREEN, SUNRISE PARK, AND THE PALM SPRINGS VISITORS CENTER"; 2) Adopt Resolution No. 22153, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, APPROVING A SUBLEASE OF THE DOWNTOWN PARKING GARAGE TO THE COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF PALM SPRINGS"; and 3) Authorize the City Manager to complete and execute all documents related to the transfers in a form acceptable to the City Attorney. A5617. **Approved as part of the Consent Calendar.**

The Community Redevelopment Agency adjourned at 8:36 p.m., and the City Council continued.

3. **LEGISLATIVE:** None.

4. **UNFINISHED BUSINESS:**

**4.A. SUMMARY VACATION OF A PORTION OF ALEJO ROAD IN SECTION 11, TOWNSHIP 4 SOUTH, RANGE 4 EAST, FILE R-07-51:**

David Barakian, City Engineer, provided background information as outlined in the staff report dated February 6, 2008.

The City Council discussed and/or commented on the following with respect to the vacation: future need to widen Alejo with new development, and transitions to the intersection near the vacation.

**ACTION:** Adopt Resolution No. 22154, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, SUMMARILY VACATING AND ABANDONING ALL OF ITS RIGHT, TITLE AND INTERESTS TO A PORTION OF ALEJO ROAD, SECTION 11, TOWNSHIP 4 SOUTH, RANGE 4 EAST; FILE R-07-51." **Motion Councilmember Mills, seconded by Mayor Pougnet and unanimously carried on a roll call vote.**

**4.B. FINAL MAP 31104 AND A SUBDIVISION IMPROVEMENT AGREEMENT WITH SPANISH INN, INC., FOR A 1 LOT TRACT MAP FOR CONDOMINIUM PURPOSES LOCATED AT 640 N. INDIAN CANYON DRIVE:**

**ACTION:** Tabled to February 13, 2008. **[Under Acceptance of the Agenda, noting the abstention of Mayor Pro Tem Foat].**

**4.C. LIVMOR ESTATES TRAFFIC CALMING NEIGHBORHOOD REQUEST TO CLOSE LIVMOR AVENUE AT CIVIC DRIVE AND APPROVAL OF CONCEPTUAL LANDSCAPING PLANS:**

David Barakian, City Engineer, provided background information as outlined in the staff report dated February 6, 2008.

The City Council discussed and/or commented on the following with respect to the Livmor Avenue project: temporary landscaping, water conservation, ongoing maintenance, and clarified the action.

**ACTION:** 1) Direct staff to close Livmor Avenue at Civic Drive pursuant to the closure and landscaping plans; 2) Approve the conceptual landscaping plan for the west side of Civic Drive from Tahquitz Canyon Way to Livmor Avenue; and 3) Direct staff to explore funding opportunities for the landscaping in the Fiscal Year 2008-09 Budget. **Motion Mayor Pro Tem Foat, seconded by Councilmember Mills and unanimously carried on a roll call vote.**

**5. NEW BUSINESS:**

**5.A. REQUEST FROM THE DESERT CLASSIC CONCOURS D'ELEGANCE FOR WAIVER OF FEES FOR TAHQUITZ CREEK GOLF COURSE GREEN FEES:**

City Manager Ready provided background information as outlined in the staff report dated February 6, 2008.

Mayor Pro Tem Foat stated her support of the event, and recommended the City offer Classic Club vouchers and waive the fees for golf.

Councilmember Mills stated his support of the event, and the waiver of fees and/or provide Bob Hope Classic vouchers.

**ACTION:** 1) Waive the Green Fees at the Tahquitz Creek Golf Course [member responsible for the first \$20.00] for O'Donnell Golf Club members who wish to play on Saturday; and 2) City to provide Bob Hope Classic passes to O'Donnell Golf Club members who wish to play Sunday through Thursday during the Desert Classic Concours d'Elegance, limited to either the reduced fees or the passes, but not both. **Motion Mayor Pro Tem Foat, seconded by Councilmember Mills and unanimously carried on a roll call vote.**

**COUNCILMEMBER COMMENTS:**

Councilmember Mills commented on the removal of landscaping in the City, and suggested the City inform Condominium Associations of the requirements.

Councilmember Weigel commented on Measures pertaining to the February 5, 2008, Primary Election.

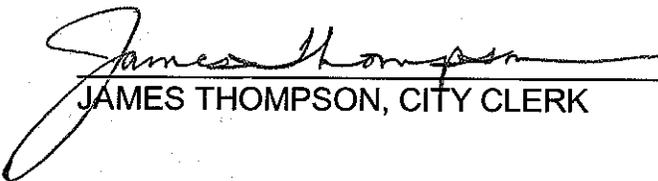
Mayor Pougnet announced the upcoming activities for Black History Month, commented on the activities and events of the Mayors office, and announced the upcoming State of the City Address.

**ADJOURNMENT:** The City Council adjourned, in memory of Earl Greenburg, at 9:11 p.m., to a Study Session and Adjourned Regular Meeting, Wednesday, February 13, 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 20<sup>TH</sup> DAY OF FEBRUARY, 2008.**

  
STEPHEN POUGNET, MAYOR

ATTEST:

  
JAMES THOMPSON, CITY CLERK