

**CITY COUNCIL
COMMUNITY REDEVELOPMENT AGENCY
CITY OF PALM SPRINGS, CALIFORNIA**



**MINUTES
WEDNESDAY, APRIL 15, 2009
City Hall Council Chamber**

CALL TO ORDER: Mayor Pougnet called the meeting to order at 6:09 p.m.

PLEDGE OF ALLEGIANCE: Mayor Pougnet led the Pledge.

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

ROLL CALL:

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

ABSENT: None.

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

PRESENTATIONS:

Mayor Pougnet and the City Council proclaimed April 15, 2009, as Weingarten and Hough Day in the City of Palm Springs for their contributions to the community on their 75th Anniversary

Mayor Pougnet and the City Council proclaimed April, 2009 as Earth Month Coachella Valley.

Mayor Pougnet and the City Council presented the 2009 BID Business Awards to John Abner, Palm Springs Koffi, and Diana D'Amico, Tyler's Burgers.

Fire Chief Goetz provided an update on the recent Fire Department Association Easter Egg Hunt, and the recent Tram Fire incident in Palm Springs.

Councilmember Foat provided an update on the new County of Riverside Homeless Center "The Path" for homeless with mental health issues.

Mayor Pougnet provided an update on the recent events in the City of Palm Springs.

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 on the Closed Session Agenda. No reportable actions were taken.

ACCEPTANCE OF THE AGENDA:

Councilmember Foat requested Items 2.I. and 2.M. be removed from the Consent Calendar for separate discussion.

City Attorney Holland requested the City Council add one Item to the Agenda under New Business, the Item came to the attention of the City today and the City must respond prior to the next City Council meeting.

ACTION: 1) Make the Finding that the Item came to the attention of the City after the posting of the Agenda, and there is an immediate need to hear and/or take action on the Item; and 2) Add Item DISCUSSION ON SOUTHERN CALIFORNIA EDISON RULE MODIFICATION INITIATIVE TO INSTALL ABOVE-GROUND EQUIPMENT IN SCE'S UNDERGROUND DISTRIBUTION SYSTEMS WHENEVER FEASIBLE, as New Business Item 5.E. **Motion Councilmember Foat, seconded by Mayor Pro Tem Mills and unanimously carried.**

Mayor Pro Tem Mills noted his business related abstention on Item 2.C. Warrant No. 1034514, property related abstention on Item 2.J., and requested Items 2.K. and 2.L. be removed from the Consent Calendar for separate discussion.

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

1. PUBLIC HEARINGS:

1.A. HEARING ON THE STATEMENT OF EXPENSES AND SPECIAL ASSESSMENT FOR NUISANCE ABATEMENT FOR THE PROPERTY LOCATED AT 2500 WHITEWATER CLUB DRIVE:

Don Duckworth, Director of Building of Safety, provided background information as outlined in the staff report dated April 15, 2009.

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

FRED FABRICANT, thanked the City Council for abating the nuisance at Palm Springs County Club.

DONNA BUCKINGER, stated her support of the City placing the lien on the property, and hoped the City provides additional work to save the trees.

SHIRLEY VULPE, thanked the City Council for the work at Palm Springs Country Club, and noted her support for the lien on the property.

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

ACTION: Adopt Resolution No. 22462, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, CONFIRMING THE REPORT OF PROCEEDINGS AND ACCOUNTING FOR THE PUBLIC NUISANCE ABATEMENT LIEN AND SPECIAL ASSESSMENT LOCATED AT 2500 WHITEWATER CLUB DRIVE." **Motion Councilmember Weigel, seconded by Mayor Pro Tem Mills and unanimously carried on a roll call vote.**

1.B. LA SERENA VILLAS DESIGNATION OF THE PROPERTY LOCATED AT 339 SOUTH BELARDO ROAD AN HISTORIC SITE (CASE HSPB-69):

Craig Ewing, Director of Planning Services, provided background information as outlined in the staff report dated April 15, 2009.

Councilmember Foat commented on the submission of materials, and requested staff address the recommendation of the HSPB designation as a Class 1 site.

Councilmember Weigel requested staff address if a bungalow has been renovated.

Councilmember Mills requested staff address the differences between a Class 1 and a Class 2 designation.

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

MICHAEL GONZALES, representing owners, summarized the contents of his letter and the resources report submitted to the City Council, provided background information on the accumulation of the properties in the 1960's, stated the property does not support the findings as a Class 1 designation, and requested the City Council terminate the proceedings.

CRAIG BLAU, commented on the current blight at the property, the promises of the owners of the property to adjoining neighbors, and stated his support for the historic designation.

PAT STUMPF, commented on the neglect at the property to the surrounding properties, stated she would like the property renovated as soon as possible.

RON MARSHALL, Palm Springs Preservation Foundation, stated the property can be restored and rehabilitated as an historic property, and stated his support for the designation as a Class 1 site.

DONNA BUCKINGER, stated the property owner has a responsibility to the surrounding owners and the City, and requested the City Council designate the property as a Class 1 site.

SHELLY SAUNDERS, stated her support for the City Council to designate the property as a Class 2 site.

CODY STOUGHTON, stated the City will lose the property as "demolition by neglect," and requested the City Council designate the property as a Class 1 Historic Site.

FRANK TYSEN, stated the property is in neglect, and spoke in support of a Class 1 designation of the property.

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

Councilmember Hutcheson requested staff address the landscaping issues at the property.

Councilmember Foat explained the differences between a Class 1 and the Class 2 designation, stated her support for a Class 1 designation, commented on a recent article in the Desert Sun with respect to the property, the condition of the property, commented on the letter written by Architect Lance O'Donnell, and the findings needed for a Class 1 designation.

Mayor Pro Tem Mills commented on the report from the Building Department that the buildings are a blight and condemnable, commented on the letter submitted by Architect Lance O'Donnell, stated he does not wish to see the building sit in the current state for a long period of time, but the reality is that the property will remain empty and continue to be a blight in the neighborhood, commented on the one-unit that has been renovated, and stated his support for a Class 2 designation.

Councilmember Weigel requested the City Attorney comment on the letter submitted by the property owner's legal counsel, requested the City Council postpone the decision and further study be made on partially designating the site or a portion of the improvements as an Historic Site, and requested the Owner's Attorney address if the property owner would be willing to agree to a stay of demolition.

Councilmember Hutcheson reiterated the facts surrounding the owner's options with respect to the Class 1 or the Class 2 designation, and stated the facts support a Class 1 designation.

Mayor Pro Tem Mills suggested the site plan and the building "style" for the property be designated as a Class 1, and the buildings as a Class 2.

Councilmember Weigel requested the owner's Legal Counsel clarify comments with respect to the demolition of the property.

Mayor Pougnet commented on the blight in the neighborhood, stated the property has met the test as a Class 1 designation.

Councilmember Mills requested the City Attorney address the process of a potential bifurcated designation a portion as Class 1 and a portion as Class 2.

Councilmember Foat commented on the restorability of the property.

Councilmember Weigel requested the City Attorney address the status of demolition if the site is designated a Class 1 site.

ACTION: 1) Designate the 'La Serena Villas' at 339 South Belardo Road a Class 1 Historic Site; and 2) Direct staff to prepare a resolution memorializing the record and findings for City Council adoption on May 6, 2009. **Motion Councilmember Foat, seconded by Councilmember Hutcheson and carried 4-1 on a roll call vote.**

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

NOES: Mayor Pro Tem Mills.

The City Council recessed at 7:53 p.m.

The City Council reconvened at 8:00 p.m.

1.C. WEST FACADE OF THE PALM SPRINGS INTERNATIONAL AIRPORT DESIGNATION OF A PORTION OF THE PROPERTY LOCATED AT 3400 EAST TAHQUITZ CANYON WAY AS A CLASS 1 HISTORIC SITE (CASE HSBP-70):

Craig Ewing, Director of Planning Services, provided background information as outlined in the staff report dated April 15, 2009.

Councilmember Hutcheson requested staff address the restoration of the steel tube columns, and to address the Airport Commission recommendation.

Councilmember Foat requested staff address the original steel tube columns.

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

STEVE ROSENBERG, Palm Springs International Airport Commissioner, outlined the discussion of the Airport Commission.

CODY STOUGHTON, stated his support for the Class 1 designation.

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

Mayor Pro Tem Mills recommended administrative modifications to the proposed resolution.

ACTION: 1) Designate the West Facade of the Palm Springs International Airport at 3200 Tahquitz Canyon Way as a Class 1 Historic Site; and 2) Direct staff to prepare a resolution memorializing the record and findings for City Council adoption on May 6, 2009. **Motion Mayor Pro Tem Mills, seconded by Councilmember Hutcheson and unanimously carried on a roll call vote.**

PUBLIC COMMENT:

LIN JUNIPER, Southern California Edison, provided an update on energy programs offered by Southern California Edison and the City of Palm Springs.

DR. EMILY WILLIAMS, stated her opposition to naming the fountain in memory of former Mayor Frank Bogert.

LES WHEELER, commented on the Plaza Racquet Club.

KEN AGEE, commented on the Plaza Racquet Club.

JOE MCDONNAH, commented on the Plaza Racquet Club.

NABIL NARJAR, commented on the Plaza Racquet Club.

ANDREW KRASNEY, commented on the Plaza Racquet Club.

CEIBA BECKER, commented on the Plaza Racquet Club.

JAKE STEPPENS, commented on the Plaza Racquet Club.

WARD HIGGINS, commented on the Plaza Racquet Club.

KURT HAGGSTROM, commented on the Plaza Racquet Club.

PAT STUMPF, commented on Item 4.A., naming the fountain at the Palm Springs International Airport.

JAMES CIOFFI, commented on Item 2.I. and stated his opposition to the postponement of the utility easement.

STEVE ROSENBERG, commented on Item 4.A., naming of the fountain at the Palm Springs International Airport.

FRED FABRICANT, commented on noise from the Palm Springs International Airport and the new flight patterns.

SHIRLEY VULPE, commented on noise from the Palm Springs International Airport and the conditions of the Palm Springs Whitewater Country Club.

DR. ALEX, commented on the Plaza Racquet Club.

NANCY GILLESPIE, commented on the Plaza Racquet Club

DENISE HOETKER, commented on Item 4.A., naming the fountain at the Palm Springs International Airport.

KITTY KIELEY HAYES, commented on Item 4.A., naming the fountain at the Palm Springs International Airport.

FRANK TYSEN, commented on a proposed development in the Racquet Club Neighborhood.

COUNCILMEMBER COMMENTS:

Mayor Pougnet requested the City Manager provide an update on the FAA change in the flight pattern at the Palm Springs International Airport, and requested an update on the Plaza Racquet Club.

Councilmember Foat commented on the Plaza Racquet Club.

The City Council heard Item 4.A. out of order.

CITY MANAGER'S REPORT: City Manager Ready featured public service employee David Newell.

2. CONSENT CALENDAR:

ACTION: Approve Items 2.A., 2.B., 2.C., 2.D., 2.E., 2.F., 2.G., 2.H., 2.J., and 2.N. **Motion Councilmember Weigel, 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 April 15, 2009, City Council Agenda. **Approved as part of the Consent Calendar.**

2.B. APPROVAL OF MINUTES:

ACTION: 1) Approve the City Council Minutes of April 8, 2009; 2) Approve the City Council Minutes of April 1, 2009; and 3) Approve the City Council/Community Redevelopment Agency Minutes of March 25, 2009. **Approved as part of the Consent Calendar.**

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

ACTION: 1) Adopt Resolution No. 22463, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, APPROVING PAYMENT OF CLAIMS AND DEMANDS BY WARRANTS NUMBERED 1034399 THROUGH 1034601 IN THE AGGREGATE AMOUNT OF \$3,061,819.29, DRAWN ON BANK OF AMERICA;" and 2) Adopt Resolution No. 22464, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, APPROVING PAYMENT OF CLAIMS AND DEMANDS BY WARRANTS NUMBERED 1034602 THROUGH 1034677 IN THE AGGREGATE AMOUNT OF \$922,359.00, DRAWN ON BANK OF AMERICA;" 3) Adopt Resolution No. 22465, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, APPROVING PAYMENT OF PAYROLL WARRANTS FOR THE PERIOD ENDED 3-21-09 BY WARRANTS NUMBERED 414489 THROUGH 414528 TOTALING \$65,256.90, LIABILITY CHECKS NUMBERED 1034678 THROUGH 1034698 TOTALING \$153,111.53, FOUR WIRE TRANSFERS FOR \$63,333.08, AND THREE ELECTRONIC ACH DEBITS OF \$1,161,944.82, IN THE AGGREGATE AMOUNT OF \$1,443,646.33, DRAWN ON BANK OF AMERICA;" and 4) Adopt Resolution No. 22466, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, APPROVING PAYMENT OF CLAIMS AND DEMANDS BY WARRANTS NUMBERED 1034699 THROUGH 1034844 IN THE AGGREGATE AMOUNT OF \$1,022,389.34, DRAWN ON BANK OF AMERICA." **Approved as part of the Consent Calendar, noting the business related abstention of Councilmember Mills on Warrant No. 1034514.**

- 2.D. STAFF AUTHORIZED AGREEMENTS FOR MARCH, 2009:**
ACTION: Receive and file Staff Authorized Agreements covering the period March 1, 2009 through March 31, 2009. **Approved as part of the Consent Calendar.**
- 2.E. TREASURER'S INVESTMENT REPORT AS OF FEBRUARY 28, 2009:**
ACTION: Receive and file the Treasurer's Investment Report as of February 28, 2009. **Approved as part of the Consent Calendar.**
- 2.F. AMENDMENT TO THE AGREEMENT WITH GEORGE MIERS AND ASSOCIATES FOR ARCHITECTURAL SERVICES FOR THE PALM SPRINGS ANIMAL SHELTER AND ESTABLISHING A MASTER BUDGET:**
ACTION: 1) Approve Amendment No. 1 to Agreement No. A5672 with George Miers and Associates, adjusting the redesign threshold from 2.5% to 5% and establishing the Master Budget of \$6,000,000; and 2) Authorize the City Manager to execute the Amendment to the Agreement. A5672. **Approved as part of the Consent Calendar.**
- 2.G. APPROVE MEMORANDUM OF UNDERSTANDING WITH THE AGUA CALIENTE CULTURAL MUSEUM:**
ACTION: 1) Approve a Memorandum of Understanding with the Agua Caliente Cultural Museum, to act as the designated local public agency for grant funding; and 2) Authorize the City Manager to execute the MOU and all documents necessary for the grant funding. A5830. **Approved as part of the Consent Calendar.**
- 2.H. APPROVE AMENDMENT NO. 5 TO THE AGREEMENT FOR THE PALM SPRINGS STORM DRAIN LINE 6A, LINE 8, LATERAL 20C, AND LATERAL 20CA PROJECT (CITY PROJECT NO. 05-20):**
ACTION: 1) Approve Amendment No. 5 to Agreement No. A5275 with Engineering Resources of Southern California, Inc., in the amount of \$46,780, for a total revised contract amount of \$729,950, for the Palm Springs Storm Drain Line 6A and Line 8 (City Project No. 05-20); and 2) Authorize the City Manager to execute the Agreement. A5275. **Approved as part of the Consent Calendar.**
- 2.J. AWARD OF CONTRACT FOR THE SAFE ROUTES TO SCHOOL, STATE FUNDED PROJECT (CITY PROJECT NO. 08-06):**
ACTION: 1) Approve an Agreement with Contreras Construction Co., in the amount of \$213,573 for Bid Schedules A, B, C, and D for the Safe Routes to School Project (City Project No. 08-06);" and 2) Authorize the City Manager to execute the Agreement. A5831. **Approved as part of the Consent Calendar, noting the property related abstention of Councilmember Mills.**

2.N. APPROVE PURCHASE OF 2 NEW FORD CROWN VICTORIA POLICE VEHICLES FOR USE BY THE POLICE DEPARTMENT:

ACTION: Approve the cooperative purchase of two (2) new 2009 Ford Crown Victoria Police Interceptors in the amount of \$24,086 each, for a total purchase amount of \$48,172 from Wondries Ford of Alhambra, California. **Approved as part of the Consent Calendar.**

EXCLUDED CONSENT CALENDAR:

2.I. SUMMARY VACATION OF PUBLIC UTILITY EASEMENTS WITHIN LOTS 6 AND 7 OF PALM SPRINGS PALISADES MAP IN SECTION 15, TOWNSHIP 4 SOUTH, RANGE 5 EAST (FILE R 08-022):

The City Council discussed the proposed letter received from Southern California Edison Representative, and to postpone a final decision for further clarification.

ACTION: Continue to May 6, 2009. **Motion Councilmember Foat, seconded by Councilmember Hutcheson and carried 3-2 on a roll call vote.**

AYES: Councilmember Foat, Councilmember Hutcheson, and Mayor Pougnet.

NOES: Mayor Pro Tem Mills and Councilmember Weigel.

2.K. AWARD CONSTRUCTION CONTRACT TO CASS CONSTRUCTION, INC. AND A COOPERATIVE AGREEMENT WITH RIVERSIDE COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT FOR THE CONSTRUCTION, OPERATION, AND MAINTENANCE OF FLOOD CONTROL IMPROVEMENTS PALM SPRINGS STORM DRAIN LINE 22 (CITY PROJECT No. 07-15):

ACTION: Adopt Resolution No. 22470, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, APPROVING AGREEMENTS AND TAKING CERTAIN OTHER ACTIONS RELATING TO THE PALM SPRINGS STORM DRAIN LINE 22, STAGE 2 (CITY PROJECT NO. 07-15)." A5832. A5833. **Motion Mayor Pro Tem Mills, seconded by and unanimously carried on a roll call vote.**

2.L. APPROVAL OF A NOTICE TO PROCEED FOR VEOLIA WEST OPERATING SERVICES, INC. FOR THE DESIGN PHASE OF THE ELECTRICAL SYSTEM UPGRADE (CITY PROJECT NO. 09-03):

ACTION: Authorize the Director of Public Works/City Engineer to issue a Notice to Proceed for Veolia West Operating Services, Inc., in the amount of \$252,048.24, for the design phase of the Wastewater Treatment Plant Electrical System Upgrade (City Project No. 09-03). **Motion Mayor Pro Tem Mills, seconded by Councilmember Hutcheson and unanimously carried on a roll call vote.**

2.M. JOINT ITEM OF THE CITY COUNCIL AND THE COMMUNITY REDEVELOPMENT AGENCY APPROVING ADDITIONAL FUNDING FOR THE FACADE IMPROVEMENT PROGRAM FOR THE DOWNTOWN AND UPTOWN AREAS:

ACTION: 1) Approve an additional \$50,000 funding (for a revised total of \$150,000) for the Facade Improvement Program; and 2) Direct the Finance Director to appropriate \$50,000 from Unscheduled Capital Projects (Merged Area No. 1) 811-8191-50000 to the Facade Improvement Program. **Motion Mayor Pro Tem Mills, seconded by Councilmember Foat and unanimously carried on a roll call vote.**

Councilmember Foat requested staff review the possibility of the City applying for a facade improvement grant for the City building occupied by the Cork and Bottle.

3. LEGISLATIVE: None.

4. UNFINISHED BUSINESS:

4.A. NAMING THE PUBLIC ENTRY FOUNTAIN AT THE PALM SPRINGS INTERNATIONAL AIRPORT IN MEMORY OF FORMER MAYOR FRANK M. BOGERT AS DONATED BY PEARL McCALLUM McMANUS:

The City Council discussed and/or commented on the following with respect to memorializing former Mayor Bogert: retaining the dedication of the donation made by Pearl McCallum McManus at the fountain, and creating an alternate Plaza at City Hall for former Mayor Bogert.

No action taken.

5. NEW BUSINESS:

Councilmember Hutcheson stated he has a business related conflict of interest with respect to Item 5.A., would not participate in the discussion or the vote, and left Council Chamber.

Councilmember Foat stated she has a property related conflict of interest with respect to Item 5.A., would not participate in the discussion or the vote, and left Council Chamber.

5.A. PURCHASE OF ARTWORK INTERSECTING CUBES AND APPROVE AN AGREEMENT FOR PLACEMENT OF THE ARTWORK ON PRIVATE PROPERTY IN THE UPTOWN DISTRICT AT 787 NORTH PALM CANYON DRIVE:

Tom Wilson, Assistant City Manager, provided background information as outlined in the staff report dated April 15, 2009.

The City Council discussed and/or commented on the following with respect to the purchase and installation: raised base for the artwork, lighting of the piece, rights of the property owner with regard to the piece and the proposed easement.

ACTION: 1) Approve an Agreement with Brian Biedul for the purchase of the artwork Intersecting Cubes in the amount of \$58,000; 2) Approve an agreement with James M. Casey, Trustee of Sweet Pea Trust, for the placement of artwork on private property and Grant of Easement for the property located at 787 North Palm Canyon Drive; 3) Authorize the City Manager to execute the agreements and all documents in a form acceptable to the City Attorney; and 4) Direct staff to submit the drawings for the raised base and details of the lighting of the artwork to the Planning Department for review and approval. A5834. A5835. **Motion Mayor Pro Tem Mills, seconded by Mayor Pougnet and unanimously carried 3-0 on a roll call vote.**

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

Councilmember Hutcheson and Councilmember Foat returned to the dais.

ACTION: Continue past the 10:00 p.m. tentative adjournment time. **Motion Councilmember Mills, seconded by Councilmember Foat and unanimously carried.**

5.B. APPOINTMENT OF A CITY COUNCIL SUBCOMMITTEE FOR THE PALM SPRINGS WASTEWATER TREATMENT PLANT:

ACTION: Appoint Mayor Pougnet and Councilmember Mills to a City Council Subcommittee to address the Palm Springs Wastewater Treatment Plant. **Motion Councilmember Foat, seconded by Mayor Pro Tem Mills and unanimously carried on a roll call vote.**

5.C. FISCAL YEAR 2008-09 THIRD QUARTER BUDGET UPDATE:

City Manager Ready and Geoffrey Kiehl, Director of Finance, presented a PowerPoint Presentation of the Fiscal Year 2008-09 Budget.

No action taken.

5.D. APPOINTMENT OF A CITY COUNCIL SUBCOMMITTEE FOR THE FISCAL YEAR 2009-10 BUDGET:

ACTION: 1) Appoint Mayor Pougnet and Councilmember Foat to a City Council Subcommittee to study the proposed Fiscal Year 2009-10 Budget.

Motion Mayor Pro Tem Mills, seconded by Councilmember Hutcheson and unanimously carried on a roll call vote.

5.E. DISCUSSION ON SOUTHERN CALIFORNIA EDISON RULE MODIFICATION INITIATIVE TO INSTALL ABOVE-GROUND EQUIPMENT IN SCE's UNDERGROUND DISTRIBUTION SYSTEMS WHENEVER FEASIBLE:

ACTION: Direct staff to prepare a response to the SCE Rule Modification Request opposing the request due to the City's policy and commitment to undergrounding utilities, graffiti, and attractive nuisance. **Motion Mayor Pro Tem Mills, seconded by Councilmember Weigel and unanimously carried on a roll call vote.**

COUNCILMEMBER COMMENTS, REQUESTS, AND REPORTS:

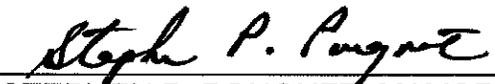
Councilmember Hutcheson requested the City Manager provide an update on Palm Tree Trimming.

Mayor Pro Tem Mills thanked staff for recent responses to Code Enforcement issues.

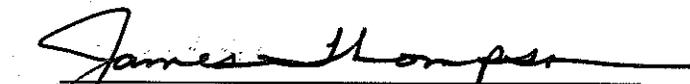
Councilmember Foat thanked staff for assisting with the project at Alejo and Indian Canyon Drive.

ADJOURNMENT: The City Council adjourned at 10:27 p.m. to a Regular Meeting, Wednesday, May 6, 2009, at 6:00 P.M., 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. The City Council will not hold Study Sessions on April 22, 2009 or April 29, 2009.

APPROVED BY A MOTION OF THE PALM SPRINGS CITY COUNCIL THIS 6TH DAY OF MAY, 2009.


STEPHEN P. POUGNET, MAYOR

ATTEST:


JAMES THOMPSON, CITY CLERK