



Wednesday, July 24, 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, July 24, 2019, at 6:08 p.m., in the Council Chamber, City Hall, located at 3200 E. Tahquitz Canyon Way, Palm Springs, California.

PLEDGE OF ALLEGIANCE:

Mayor Moon 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.

Absent: None.

City Staff

Present: David H. Ready, City Manager; Jeffrey Ballinger, 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:

A. PROPOSITION 68 GRANT PROGRESS UPDATE

Director of Parks and Recreation Alvarado narrated a PowerPoint presentation displaying conceptual drawings for Whitewater Park and provided an update on the Proposition 68 grant process.

B. JEREMY WITTIE, GENERAL MANAGER, COACHELLA VALLEY MOSQUITO AND VECTOR CONTROL DISTRICT PRESENTATION

Jeremy Wittie, representing the Coachella Valley Mosquito and Vector Control District narrated a PowerPoint presentation regarding mosquito and vector-borne disease control efforts. In response to City Council inquiry, Mr. Wittie advised that the District utilizes pest control products which have been approved by the Environmental Protection Agency.

ACCEPTANCE OF THE AGENDA:

MOTION BY COUNCILMEMBER HOLSTEGE, SECOND BY COUNCILMEMBER MIDDLETON, CARRIED 5-0, to remove Consent Calendar Item Nos. 1A, 1E, 1Q, 1S, and 1Y for separate discussion.

REPORT OF CLOSED SESSION:

The Regular Closed Session of the City Council of July 24, 2019, was called to order by Mayor Moon at 4:30 p.m., with all members present.

City Attorney Ballinger requested that the City Council add one Closed Session Item to the agenda (*identified by italic font*), noting that there is a need to immediately discuss, and possibly provide direction to staff, and that the need for action came to the attention of the City subsequent to the posting of the agenda.

The meeting convened into Closed Session to discuss the following items as listed on the Regular Closed Session Meeting Agenda:

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

City of Palm Springs v. O&M (Prairie Schooner),

Case No. PSC1701804, Superior Court of the State of California, County of Riverside

4328 Lockwood Avenue v. City of Palm Springs,

Case No. RIC 1703102, Superior Court of the State of California, County of Riverside

NDC v. Palm Springs,

Case No. PSC 1807579 /US Dist. Ct. Case No. 5:19-CV-00100-JGB(SHKx)

Superior Court of the State of California, County of Riverside

Apling v. City of Palm Springs,

Case Nos. PSC1801693/PSC1801694, Superior Court of the State of California,

County of Riverside

Huerto v. City of Palm Springs,

Case No. PSC1602732, Superior Court of the State of California, County of Riverside

Haner v. City of Palm Springs

Case No. PSC 1903349, Superior Court of the State of California, County of Riverside

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

Seven (7) matters that, under the existing circumstances, the City Attorney believes creates significant exposure to litigation.

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

Under existing facts and circumstances, there are five (5) matters the City Council has decided or may decide to initiate litigation.

PUBLIC EMPLOYEE EVALUATION, Pursuant to Government Code Section 54956.8:

City Manager

CONFERENCE WITH REAL PROPERTY NEGOTIATOR, 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:	538 North Palm Canyon Drive, Palm Springs
Agency:	City of Palm Springs
City Negotiator:	David Ready, City Manager or Designee
Negotiating Parties:	W. Layne, President Palm Canyon Theatre
Under Negotiation:	Price and Terms of Payment (Lease)

Property Address/Description:	550 North Palm Canyon Drive, Palm Springs
Agency:	City of Palm Springs
City Negotiator:	David Ready, City Manager or Designee
Negotiating Parties:	Jonathan Cassie, President Desert Arts Center
Under Negotiation:	Price and Terms of Payment (Lease)

Property Address/Description:	Palm Springs Convention Center, 277 N. Avenida Caballeros
Agency:	City of Palm Springs
City Negotiator:	David H. Ready, City Manager or designee
Negotiating Parties:	AEG Facilities LLC
Under Negotiation:	Price and Terms

Property Address/Description: 3400 Tahquitz Canyon Way, Palm Springs, CA
(portion(s))
Agency: City of Palm Springs
City Negotiator: David H. Ready, City Manager or designee
Negotiating Parties: Chief Planning and Development Officer,
Agua Caliente Band of Cahuilla Indians
Under Negotiation: Price and Terms of Payment (Lease)

Property Address/Description: Vacant Land (Golf Course Driving Range)
APN: 680-180-047
Agency: City of Palm Springs
City Negotiator: David Ready, City Manager or Designee
Negotiating Parties: Mark Krause, General Manager, Desert Water Agency
Under Negotiation: Price and Terms of Payment (Lease)

City Attorney Ballinger reported that the City Council received briefings and provided direction to staff regarding the agendaized Closed Session Items, but did not take any reportable action.

PUBLIC TESTIMONY:

Buddy Friedman, speaking on Item 5B, spoke in support of the Widmer family and their proposed cannabis dispensary and lounge.

Jim Gross, speaking on Item 5A, opined that the City Council should place a moratorium on all cannabis-related business permits.

Ruwan Wickramasinghe, speaking on Item 5A, stated that he did not receive notice about the Planning Commission's consideration of a cannabis-related business application.

Nicki Randolph, speaking on Item 5A, expressed concern regarding cannabis odors from cultivation and manufacturing business activities.

Kathy Weremuik, speaking on Item 4A and 5A, voiced support for the proposed settlement agreement with Grit Development; opined that the Cresendo and Boulders properties should be dedicated for open space; expressed concern regarding the negative impacts of cannabis cultivation and manufacturing in residential neighborhoods.

Roy Clark, speaking on Item 5A, voiced concern that cannabis cultivation and manufacturing activities negatively impacts residential neighborhoods.

Ardine Thompson, speaking on Item 5A, urged the City Council to increase the minimum distance requirements for cannabis cultivation and manufacturing businesses from residential zones.

Robert Findley, speaking on Item 1E, urged the City Council to continue the second reading of Ordinance No. 1999 and to conduct stakeholder meetings.

Donna Maul, speaking on Item 5A, urged the City Council to increase the minimum distance requirements for cannabis cultivation and manufacturing businesses from residential zones.

Ryan Mierau, speaking on Item 5A, reported on the odor control measures for his proposed cannabis dispensary and lounge.

Ginny Foat, speaking on Item 4A, expressed support for the proposed settlement agreement with Grit Development; recommended that the Town and Country Center remain privately-owned.

Simone Sandoval, speaking on Item 5A, spoke on the need to ensure that cannabis odor complaints are validated by Code Enforcement personnel.

Paul Hinrichsen, speaking on Item 5A, noted that odor issues are slowly being resolved, but that odors are still emitting from nearby cultivation and manufacturing facilities.

Alanne Turina, speaking on Item 5A, urged the City Council to increase the minimum distance requirements for cannabis cultivation and manufacturing businesses from residential zones.

Bob Heinbaugh, speaking on Item 5A, opined that the City Council should limit the number of cannabis cultivation and manufacturing facilities and increase the minimum distance requirements from schools, residential zones, and medical facilities.

Lorraine Carlson, speaking on Item 5A, recommended a two-mile minimum distance requirement between cannabis cultivation and manufacturing facilities and residential zones.

Charles LeMorte, speaking on Items 1V and 4A, voiced support for Whitewater Park and proposed settlement agreement with Grit Development.

Bruce Hoban, speaking on Item 1E, voiced concern that dissolution of the Administrative Appeals Board would result in a loss of transparency for the public.

David Feltman, speaking on Item 1E, opined that the City Council should seek public input on the proposal to dissolve the Administrative Appeals Board.

Stephen Moses, speaking on Item 1E, expressed opposition to dissolving the Administrative Appeals Board.

Dennis Woods, speaking on Items 1E, 4A, and 5AA, conveyed support for the proposed settlement with Grit Development; opined that the Administrative Appeals Board should not be dissolved; recommended that the City Council update the regulations related to cannabis businesses.

Joy Brown Meredith, speaking on Item 5A, suggested that the City Council should impose minimum maintenance standards for properties owned by Grit Development.

Grace Garner, speaking on Items 1V and 5A, expressed support for the development of Whitewater Park; opined that the City Council should enact cannabis social equity programs and a minimum distance requirement between cannabis cultivation and manufacturing facilities and residential areas.

Deiter Crawford, speaking on Items 2G and 4A, recommended that the City Council develop affordable housing on the properties transferred from Grit Development; voiced opposition to increased fees for affordable housing projects.

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

City Manager Ready displayed photos of the ribbon cutting ceremony for Fire Station No. 4; apologized for the inadvertent cutting down of palm trees on Indian Canyon Drive, noting that new policies have been implemented to ensure that healthy trees are transplanted; reminded the community to not leave pets in vehicles unattended.

Councilmember Holstege noted that the Desert Regional Healthcare District will be transitioning to district-based elections and considering the sale of the Desert Regional Hospital and that the City Council should remain involved in the processes; announced that she was appointed to Chair the Coachella Valley Association of Governments Homelessness Committee; reported on the activities of the Special Event and Noise Ordinance Subcommittee, noting that proposed amendments will be submitted to the City Council in the fall of 2019; requested that staff provide an update on the development of a Language Accessibility Policy.

Mayor Pro Tem Kors spoke on the success of the overnight cooling centers; reported on the activities of the Business Retention Subcommittee and invited the community to attend its Town Hall Forum on September 10, 2019.

Councilmember Middleton announced the members of the Library Building Committee, noting that it is anticipated that a recommendation will come forward in October 2019.

Mayor Moon announced that the State of the City will be held at the Plaza Theater.

1. CONSENT CALENDAR:

MOTION BY COUNCILMEMBER HOLSTEGE, SECOND BY MAYOR PRO TEM KORS, CARRIED 5-0, to approve the consent calendar, with the removal of Nos. 1A, 1E, 1Q, 1S, and 1Y for separate discussion.

A. APPROVAL OF MINUTES

This item was excluded from the Consent Calendar. Please refer to Page 14 of these minutes for a summary of that action.

B. DECISIONS OF THE ADMINISTRATIVE APPEALS BOARD FOR HEARINGS HELD ON JUNE 26, 2019

MOTION BY COUNCILMEMBER HOLSTEGE, SECOND BY MAYOR PRO TEM KORS, CARRIED 5-0, to receive and file the Administrative Appeals Board summary for hearings held on June 26, 2019.

C. STAFF AUTHORIZED AGREEMENTS AND PURCHASE ORDERS FOR THE MONTH OF JUNE 2019

MOTION BY COUNCILMEMBER HOLSTEGE, SECOND BY MAYOR PRO TEM KORS, CARRIED 5-0, to receive and file the report of Staff Authorized Agreements and Purchase Orders for the period of June 1 through June 31, 2019.

D. SECOND READING AND ADOPTION OF ORDINANCE NO. 1998, AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, AMENDING SECTION 8.04.340 OF THE PALM SPRINGS MUNICIPAL CODE, RELATING TO THE CITY'S BUILDING CODE APPEALS BOARD

MOTION BY COUNCILMEMBER HOLSTEGE, SECOND BY MAYOR PRO TEM KORS, CARRIED 5-0, to adopt Ordinance No. 1998 entitled "AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, AMENDING SECTION 8.04.340 OF THE PALM SPRINGS MUNICIPAL CODE, RELATING TO THE CITY'S BUILDING CODE APPEALS BOARD."

E. SECOND READING AND ADOPTION OF ORDINANCE NO. 1999, AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, AMENDING CHAPTERS 2.05, APPEAL TO CITY COUNCIL, 2.50, ADMINISTRATIVE APPEALS BOARD, 5.40, PASSENGER CARRIERS, 8.80, VACANT BUILDINGS; BLIGHTED PROPERTY, 10.18, DANGEROUS AND VICIOUS ANIMALS, 11.56, CURFEW AND TRUANCY, AND 11.72, PUBLIC NUISANCES, OF THE PALM SPRINGS MUNICIPAL CODE, RELATING TO REPLACING THE ADMINISTRATIVE APPEALS BOARD WITH AN INDEPENDENT HEARING OFFICER

This item was excluded from the Consent Calendar. Please refer to Page 14 of these minutes for a summary of that action.

F. APPROVE A FIVE-YEAR LEASE AGREEMENT WITH XEROX FINANCIAL SERVICES AND COST PER IMAGE AND MAINTENANCE AGREEMENT WITH VISUALEDGE, INC., DBA IMAGESOURCE

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

1. Approve a five-year lease agreement with Xerox Financial Services, LLC, via the County of Los Angeles Cooperative Purchasing Program for 29 new Xerox copiers in the amount of \$107,224.07 annually, inclusive of tax and a \$15,000 annual credit for document translation services.
2. Approve a five-year cost per image and maintenance agreement with VisualEdge, Inc., dba ImageSource via the County of Los Angeles Cooperative Purchasing Program at the unit prices of \$0.0049 per black and white image and \$0.049 per color image.
3. Authorize the City Manager to execute all necessary documents.

G. AUTHORIZE A PURCHASE ORDER IN THE AMOUNT OF \$237,848 WITH ENGINEERING RESOURCES OF SOUTHERN CALIFORNIA, INC., A CALIFORNIA CORPORATION, FOR CIVIL ENGINEERING DESIGN SERVICES FOR THE PALM SPRINGS STORM DRAIN LINE 20, CITY PROJECT NO. 19-15

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

1. Authorize a Purchase Order in the amount of \$237,848 with the City's "on-call" civil engineering firm, Engineering Resources of Southern California, Inc., a California Corporation, pursuant to Agreement No. 6857, for engineering design services relative to the Palm Springs Storm Drain Line 20, City Project No. 19-15.
2. Authorize the City Manager to execute all necessary documents.

H. APPROVAL OF TWO (2) PROFESSIONAL SERVICES AGREEMENTS WITH ALBERT A. WEBB ASSOCIATES, A CALIFORNIA CORPORATION, AND KIMLEY-HORN AND ASSOCIATES, INC., A NORTH CAROLINA CORPORATION, FOR ON-CALL TRAFFIC ENGINEERING SERVICES

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

1. Approve an Agreement with Albert A. Webb Associates, a California Corporation, for "on-call" Traffic Engineering services for an initial three (3) year term, subject to two (2) additional one (1) year extensions approved at the discretion of the City Manager.
2. Approve an Agreement with Kimley-Horn and Associates, Inc., a North Carolina Corporation, for "on-call" Traffic Engineering services for an initial three (3) year term, subject to two (2) additional one (1) year extensions approved at the discretion of the City Manager.
3. Authorize the City Manager to execute all necessary documents.

I. APPROVAL OF RIGHT OF WAY ACQUISITION AGREEMENT WITH MARWAN JIZRAWI, SUCCESSOR TRUSTEE OF THE JIZRAWI LIVING TRUST DTD 9/16/04, ASSOCIATED WITH THE RAMON ROAD AND BRIDGE WIDENING PROJECT, CITY PROJECT NO. 08-25, FEDERAL AID PROJECT NO. BHLS 5282 (040); APN 678-210-012

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

1. Approve a Right-of-Way Agreement for Acquisition of Real Property Interest and Escrow Instructions in the amount of \$363,641 with Marwan Jizrawi, successor trustee of the Jizrawi Living Trust dated 09/16/2004.
2. Approve a Temporary Construction Easement Agreement, Agreement (A), in the amount of \$11,359 with Marwan Jizrawi, successor trustee of the Jizrawi Living Trust dated 09/16/2004.
3. Authorize the City Manager to execute all necessary documents, open escrow, and pay for escrow and title costs associated with the two right-of-way acquisitions.
4. Authorize the City Manager to execute a Quitclaim Deed or such other documents as necessary to transfer the real property interests to the City of Cathedral City upon completion of the Project.

J. AUTHORIZE A PURCHASE ORDER WITH MWH CONSTRUCTORS, INC., FOR TECHNICAL SUPPORT SERVICES FOR PERMIT NEGOTIATIONS WITH THE REGIONAL WATER QUALITY CONTROL BOARD

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

1. Authorize a Purchase Order in the amount of \$34,338 with the City's "on-call" wastewater engineering, construction management and inspection services consultant, MWH Constructors, Inc., pursuant to Agreement No. 6687, for technical support services, with regard to our Wastewater Treatment Plant, to present a case against new permit requirements from the Regional Water Quality Control Board.
2. Authorize the City Manager to execute all necessary documents.

K. REQUEST BY ENGIN ONURAL OF PAMPLEMOUSSE PALM SPRINGS, LLC, FOR A RESOLUTION OF PUBLIC CONVENIENCE OR NECESSITY (PCN) TO SELL BEER, WINE AND DISTILLED SPIRITS FOR ON-SITE CONSUMPTION (TYPE 48 - ON SALE GENERAL - PUBLIC PREMISES) FOR A COCKTAIL LOUNGE LOCATED AT 140 WEST VIA LOLA SUITE A, ZONE C-1, SECTION 10 (CASE 5.1473 PCN)

MOTION BY COUNCILMEMBER HOLSTEGE, SECOND BY MAYOR PRO TEM KORS, CARRIED 5-0, to adopt Resolution No. 24641 entitled "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, DETERMINING THAT PUBLIC CONVENIENCE WOULD BE SERVED BY THE ISSUANCE OF ALCOHOLIC BEVERAGE CONTROL LICENSE TYPE 48 AT 140 WEST VIA LOLA SUITE A WITHIN CENSUS TRACT #446.06."

L. REQUEST BY GERGIS YOUSEF OF PALM SPRINGS CAR WASH FOR A RESOLUTION OF PUBLIC CONVENIENCE OR NECESSITY (PCN) FOR THE SALES OF ALCOHOLIC BEVERAGES FOR OFF-PREMISE CONSUMPTION (TYPE 21 - OFF-SALE GENERAL) AT A RETAIL STORE LOCATED AT 300 NORTH INDIAN CANYON DRIVE IN THE SECTION 14 SPECIFIC PLAN AREA, ZONE REO (CASE NO. 5.1461 PCN)

MOTION BY COUNCILMEMBER HOLSTEGE, SECOND BY MAYOR PRO TEM KORS, CARRIED 5-0, to adopt Resolution No. 24642 entitled "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, DETERMINING THAT PUBLIC CONVENIENCE WOULD BE SERVED BY THE ISSUANCE OF ALCOHOLIC BEVERAGE CONTROL LICENSE TYPE 21 (OFF-SALE GENERAL) AT 300 NORTH INDIAN CANYON DRIVE WITHIN CENSUS TRACT#9414."

M. WAIVER OF FEES FOR A LAND USE PERMIT, ENCROACHMENT AGREEMENT AND BUILDING PERMITS FOR FENCE CONSTRUCTION AT THE NIGHTINGALE MANOR APARTMENTS, 2951 NORTH DE ANZA ROAD, (CASE LUP 19-048)

MOTION BY COUNCILMEMBER HOLSTEGE, SECOND BY MAYOR PRO TEM KORS, CARRIED 5-0, to approve the waiver of the application and permit fees associated with Case LU P 19-0481 filed by Jewish Family Service of San Diego on behalf of the Housing Authority of Riverside County.

N. APPOINTMENTS TO THE HISTORIC SITE PRESERVATION BOARD

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

1. Appoint Jade Nelson and Erik Rosenow to the Historic Site Preservation Board for terms ending June 30, 2022.
2. Reappoint Daniel Kiser to the Historic Site Preservation Board for a term ending June 30, 2022.

O. MUNICIPAL CODE SECTION 7.04.040 REPORT OF EMERGENCY REPAIRS TO UNDERGROUND WATER LINES AT PALM SPRINGS INTERNATIONAL AIRPORT

MOTION BY COUNCILMEMBER HOLSTEGE, SECOND BY MAYOR PRO TEM KORS, CARRIED 5-0, to receive and file this report for emergency repairs of the underground water leak in the Airport's Heating, Ventilation, and Air Conditioning (HVAC) plumbing system at the Regional Jet Concourse with a final cost of \$53,613.87.

P. AWARD A CONTRACT SERVICES AGREEMENT TO PACIFIC LIGHTING & STANDARDS COMPANY, INC., IN THE AMOUNT OF \$36,517.91; FOR THE REPLACEMENT THE DOWNTOWN STREET LIGHTS

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

1. Waive the City's bidding procedures, and authorize purchase and repair of the City's decorative streetlights by Pacific Lighting and Standards, Inc., pursuant to Section 7.04.030 "Special expertise procurement" of the Palm Springs Municipal Code.
2. Authorize the purchase to Pacific Lighting and Standards, Inc., a California company for the purchase of Twenty (20) electrical and lighting components, description number PL-477M-56-LED-MT-3000-V-FL-1A-GPS-GFI-CC, at the cost of \$1,671.30 each, for an estimated amount of \$36,517.91.
3. Authorize the City Manager to execute all necessary documents.

Q. RENEW FACILITY USE AGREEMENT BETWEEN THE CITY AND THE PALM SPRINGS UNIFIED SCHOOL DISTRICT TO PROVIDE "EARLY CHILDHOOD EXPANSION" PROGRAMMING AT THE LEISURE CENTER

This item was excluded from the Consent Calendar. Please refer to Page 14 of these minutes for a summary of that action.

R. APPROVAL OF AGREEMENT WITH GRAFFITI PROTECTIVE COATINGS, INC., FOR CITYWIDE GRAFFITI ABATEMENT SERVICE IN AN AMOUNT NOT TO EXCEED AMOUNT OF \$70,000.00 ANNUALLY

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

1. Approve the Contract Service Agreement for Graffiti Protective Coating, Inc., a California corporation, for an initial three-year term for an annual amount not to exceed \$70,000, with two one-year optional renewals; at the cooperative unit pricing offered under the City of Burbank Agreement #2043, in accordance with Palm Springs Municipal Code Section 7.09.01 0, "Cooperative Purchase Programs."
2. Authorize the City Manager to execute all necessary documents.

S. AIRPORT PASSENGER SEATING ACQUISITION

This item was excluded from the Consent Calendar. Please refer to Page 15 of these minutes for a summary of that action.

T. AMEND THE MAINTENANCE AND SERVICE AGREEMENT CONTRACT WITH METRO VIDEO SYSTEMS, INC. FOR THE PALM SPRINGS INTERNATIONAL AIRPORT SECURITY ACCESS CONTROL SYSTEM AND VIDEO MANAGEMENT SYSTEM TO INCLUDE THE POLICE DEPARTMENT CAMERA SYSTEM

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

1. Approve Amendment #2 of Agreement 7222 with Metro Video Systems, Inc., a California Corporation, to include an additional \$45,000 in one-time licensing and deployment fees plus an annual fixed amount of \$69,900 for routine maintenance, with on-call hourly rates for non-routine maintenance and repair services, to include the Video Management System and Camera System for the Police Department.
2. Authorize the City Manager to execute all necessary documents.

U. APPROVE PROCUREMENT OF DELL SERVERS, SOFTWARE AND STORAGE SYSTEMS FOR THE POLICE DEPARTMENT 911-CAD/RMS SYSTEM PROJECT

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

1. Approve the purchase of three Dell servers, including licensing, support, storage, and installation in an amount not-to-exceed \$157,000 inclusive of all applicable taxes and fees, utilizing the National Association of State Procurement Officials (NASPO) ValuePoint national cooperative purchase contract MNWNC-108/7157034003 from Dell.
2. Authorize the City Manager to execute all necessary documents.

V. PROPOSITION 68 GRANT PROGRESS UPDATE

MOTION BY COUNCILMEMBER HOLSTEGE, SECOND BY MAYOR PRO TEM KORS, CARRIED 5-0, to receive and file Proposition 68 Statewide Park Development and Community Revitalization Program progress update.

W. APPROVAL FOR LEASE OF AIRCRAFT RESCUE AND FIREFIGHTING VEHICLE AND TRUCK APPARATUS ACQUISITION FOR ENVIRONMENTAL COMPLIANCE

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

1. Approve the lease for up to fifteen months of one aircraft rescue and firefighting truck from Firetrucks Unlimited of Henderson, Nevada for a cost of \$91,900.
2. Authorize the purchase of a foam extinguishing system with foam tester unit and on-site training for all three airport aircraft rescue and firefighting vehicles at a cost of \$45,000.
3. Authorize the City Manager to execute all necessary documents.

X. APPROVAL OF TASK NO. 7 FOR RICONDO & ASSOCIATES TO DEVELOP A NEW AIRPORT USE AND LEASE AGREEMENT AND EXERCISE OPTION 1 OF PROFESSIONAL SERVICES AGREEMENT A6938

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

1. Approve a Purchase Order for Task No. 7 in the amount of \$120,416 for Professional Services Agreement A6938 with Ricondo & Associates.
2. Exercise Option 1 for one additional one-year term, through December 31, 2020.
3. Authorize the City Manager to execute all documents.

Y. ACCEPT THE RESIGNATION OF MIGUEL NAVARRO AND MAKE AN APPOINTMENT TO THE PARKS AND RECREATION COMMISSION

This item was excluded from the Consent Calendar. Please refer to Page 15 of these minutes for a summary of that action.

Z. APPROVAL OF PAYROLL WARRANTS, CLAIMS, AND DEMANDS

MOTION BY COUNCILMEMBER HOLSTEGE, SECOND BY MAYOR PRO TEM KORS, CARRIED 5-0, to adopt Resolution No. 24643 entitled "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, APPROVING PAYMENT OF PAYROLL WARRANTS FOR THE PERIOD ENDED 05-18-2019 BY WARRANTS NUMBERED 420711 THROUGH 420733 TOTALING \$42,541.84 CLAIMS, DEMANDS AND LIABILITY CHECKS NUMBERED 1105981 THROUGH 1106658 AND W053019 TOTALING \$6,032,855.82, EIGHT WIRE TRANSFERS FOR \$140,693.88, AND THIRTEEN ELECTRONIC ACH DEBITS OF \$3,089,996.17 IN THE AGGREGATE AMOUNT OF \$9,306,087.71, DRAWN ON BANK OF AMERICA."

EXCLUDED CONSENT CALENDAR:**A. APPROVAL OF MINUTES**

Councilmember Roberts requested that the minutes be modified to reflect that he supports the mobile food pantry services program, but expressed concern that the normal grant funding process was being bypassed for this particular program.

MOTION BY COUNCILMEMBER MIDDLETON, SECOND BY MAYOR PRO TEM KORS, CARRIED 4-0 (COUNCILMEMBER HOLSTEGE ABSTAINED), to approve the City Council Meeting Minutes of July 10, 2019, as amended.

E. SECOND READING AND ADOPTION OF ORDINANCE NO. 1999, AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, AMENDING CHAPTERS 2.05, APPEAL TO CITY COUNCIL, 2.50, ADMINISTRATIVE APPEALS BOARD, 5.40, PASSENGER CARRIERS, 8.80, VACANT BUILDINGS; BLIGHTED PROPERTY, 10.18, DANGEROUS AND VICIOUS ANIMALS, 11.56, CURFEW AND TRUANCY, AND 11.72, PUBLIC NUISANCES, OF THE PALM SPRINGS MUNICIPAL CODE, RELATING TO REPLACING THE ADMINISTRATIVE APPEALS BOARD WITH AN INDEPENDENT HEARING OFFICER

Following discussion, MOTION BY COUNCILMEMBER HOLSTEGE, SECOND BY MAYOR PRO TEM KORS, CARRIED 5-0, to table the matter to a date uncertain.

Q. RENEW FACILITY USE AGREEMENT BETWEEN THE CITY AND THE PALM SPRINGS UNIFIED SCHOOL DISTRICT TO PROVIDE "EARLY CHILDHOOD EXPANSION" PROGRAMMING AT THE LEISURE CENTER

In response to City Council inquiry, City Manager Ready advised that the early childhood education program has successfully operated for one year and that staff supports the renewal of the agreement.

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

1. Approve Agreement to Use Facilities No. C-0003393, a cooperative use agreement with Palm Springs Unified School District (PSUSD), to provide "Early Childhood Education" programming at the City's Leisure Center, whereby PSUSD would operate the Sunrise State Preschool, a California State Preschool Program (CSPP) for a term of one (1) year commencing on July 25, 2019.
2. Authorize the City Manager to execute all necessary documents.

S. AIRPORT PASSENGER SEATING ACQUISITION

In response to City Council inquiry, Director Nolan advised that 50% of the seating will be energized for charging mobile devices.

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

1. Approve a sole-source purchase of 614 new Herman Miller "Eames Tandem Sling" seats, black in color, from GIM Business Interiors of Riverside, CA via a manufacturer direct pricing contract in the amount of \$647,066.89 inclusive of sales tax and prevailing wage delivery to match existing furniture at the Airport.
2. Authorize the City Manager to execute necessary documents.

Y. ACCEPT THE RESIGNATION OF MIGUEL NAVARRO AND MAKE AN APPOINTMENT TO THE PARKS AND RECREATION COMMISSION

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

1. Accept with regret the resignation of Miguel Navarro from the Parks and Recreation Commission.
2. Appoint Deiter Crawford to the Parks and Recreation Commission for a term ending June 30, 2020.

1. PUBLIC HEARINGS:**A. REQUEST BY THE CITY OF PALM SPRINGS FOR A ZONE TEXT AMENDMENT TO AMEND THE PALM SPRINGS ZONING CODE CHAPTER 93.00 TO ADD SECTIONS 93.16.00 THROUGH 93.16.09 AND AMEND SECTIONS 92.17.1.01, 92.17.2.01, 92.20.01, 92.21.01 AND 93.03.00 TO MEET THE STATE OF CALIFORNIA ENERGY CODE REQUIREMENTS RELATIVE TO SOLAR ENERGY SYSTEMS ON NEW RESIDENTIAL CONSTRUCTION THREE (3) STORIES AND UNDER (CASE 5.1470 ZTA)**

Principal Planner Newell narrated a PowerPoint presentation and responded to City Council inquiries.

Mayor Moon opened the Public Hearing.

David Freedman, voiced support and urged the City Council to adopt the proposed ordinance.

Kathy Weremuik, opined that most affordable housing projects support the installation of solar panels, noting that it results in lower energy costs for residents.

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

Councilmember Holstege expressed concern that the proposed ordinance appears to be prioritizing aesthetics associated with solar panels; recommended that staff reconsider the proposed ordinance ensuring that function is prioritized over appearance.

Councilmember Roberts suggested that the ordinance should include consideration of affordability and hardship provisions related to solar panels and the possibility of subsidies for affordable housing projects.

Councilmember Middleton voiced support for adopting the proposed ordinance, noting that the California Building Energy Efficiency Code will address other areas of concern expressed by Councilmembers Holstege and Roberts; expressed support for creating incentives and subsidies for solar panels on affordable housing projects, noting that she does not support an exemption for solar panels for such projects.

Mayor Pro Tem Kors opined that certain provisions of the ordinance may be too restrictive and should be broadened to support allowance of more solar panel installations; expressed support for consideration of hardships.

MOTION BY COUNCILMEMBER ROBERTS, SECOND BY COUNCILMEMBER HOLSTEGE, CARRIED 5-0, to continue the Public Hearing to the City Council meeting of October 2, 2019.

B. AN APPLICATION BY THE CITY OF PALM SPRINGS FOR CLASS 1 HISTORIC DESIGNATION OF 2203 SOUTHRIDGE DRIVE, "THE STEVE MCQUEEN RESIDENCE," ZONE R-1-A (HSPB 108)

Principal Planner Newell narrated a PowerPoint presentation and responded to City Council inquiries.

Mayor Moon opened the Public Hearing.

In response to City Council inquiry, Historic Site Preservation Board (HSPB) Chairman Burkett advised that the original application for historic designation was submitted in December 2017, noting that the restoration work was not completed; noted that historic designations are typically applied for after the completion of the restoration to ensure that it complies with the Secretary of Interior Standards; explained that the HSPB deferred forwarding the recommendation for historic designation to City Council until now that the restoration has been completed and the HSPB conducted a second site visit.

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

MOTION BY COUNCILMEMBER ROBERTS, SECOND BY COUNCILMEMBER HOLSTEGE, CARRIED 5-0, to adopt Resolution No. 24644 entitled "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, DESIGNATING THE PARCEL AT 2203 SOUTHRIDGE DRIVE, "THE STEVE MCQUEEN RESIDENCE," A CLASS 1 HISTORIC SITE (CASE HSPB 108)."

C. AN APPEAL BY MARK HODGIN OF THE TWIST PALM SPRINGS, REPRESENTING ZALEKA VIA LOLA, LP AND LERANAX VIA LOLA, LP, REQUESTING THE CITY COUNCIL TO REMOVE CONDITIONS OF APPROVAL ENG 3 THROUGH ENG 11 FOR THE APPROVAL OF A CONDITIONAL USE PERMIT (CUP) TO CONVERT THE EXISTING SEVENTEEN (17) SHORT-TERM RENTAL UNITS TO HOTEL UNITS AT THE TWIST LOCATED AT 140 WEST VIA LOLA, ZONE R-2/C-1 , SECTION 10 (CASE NO. 5.1482 CUP)

Councilmember Roberts announced that he owns property within close proximity to the subject location and recused himself and left the Council Chamber at 9:00 p.m.

Principal Planner Newell narrated a PowerPoint presentation and responded to City Council inquiries.

Mayor Moon opened the Public Hearing.

Mark Hodgin, Appellant, opined that Engineering Department's Conditions of Approval will not serve a purpose and that he sees no reason to construct sidewalk access into residential neighborhoods; noted that the installation of sidewalks and curbs will add additional on-street parking, thereby impacting the travel lanes; stated that the conditions will necessitate the removal of certain landscaping and that the neighbors have expressed a preference for maintaining the existing landscape.

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

In response to City Council inquiry, Assistant City Manager Fuller advised that he would prioritize the installation of sidewalks to ensure that patrons have access from the parking lot to the adjacent commercial areas and around the property as well as Conditions of Approval 6-10.

MOTION BY COUNCILMEMBER MIDDLETON, SECOND BY COUNCILMEMBER HOLSTEGE, CARRIED 4-0 (COUNCILMEMBER ROBERTS RECUSED), to refer this matter to the Planning Commission for reconsideration.

D. CONSIDERATION OF THE VACATION OF A PORTION OF THE RIGHT-OF-WAY FOR CALLE SANTA ROSA IN SECTION 14, TOWNSHIP 4 SOUTH, RANGE 4 EAST, S.B.M., (ENG. FILER 19-03-0495)

Assistant City Manager Fuller presented the staff report.

Mayor Moon opened and closed the Public Hearing, there being no one desiring to speak.

MOTION BY COUNCILMEMBER ROBERTS, SECOND BY COUNCILMEMBER MIDDLETON, CARRIED 5-0, to adopt Resolution No. 24645 entitled " A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, VACATING AND ABANDONING ALL OF ITS RIGHT, TITLE AND INTEREST IN THE PUBLIC RIGHT-OF-WAY DEDICATED FOR CALLE SANTA ROSA LOCATED SOUTH OF ALEJO ROAD IN SECTION 14, TOWNSHIP 4 SOUTH, RANGE 4 EAST, FILE R 19-03-0495, AND APPROVING A DETERMINATION THAT THE ACTION IS CATEGORICALLY EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA)."

E. CITY OF PALM SPRINGS TO CONSIDER AMENDING THE PALM SPRINGS ZONING CODE TO ESTABLISH A PROCESS AND DEVELOPMENT STANDARDS RELATED TO THE REDEVELOPMENT OF GOLF COURSES TO OTHER USES (CASE 5.1444 ZTA)

Principal Planner Newell narrated a PowerPoint presentation and responded to City Council inquiries.

In response to City Council inquiry, City Attorney Ballinger opined that the proposed ordinance would not be considered a taking of property rights, noting that it creates processes and standards, but does not restrict the use of the land in a manner that would be considered a taking.

Mayor Moon opened the Public Hearing.

The following individuals expressed support for, and requested that the City Council adopt, the proposed ordinance regarding the redevelopment of golf courses to other uses:

Michael Johnson
Kathy Weremuik
Russ Uthe
Ruth Sinfuego
Peter Moruzzi

Wayne Guralnick
Darrell Thomas
Ardine Thompson
Alanne Turina
Arthur MacMillan

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

Councilmember Holstege requested that staff review the ordinance’s definitions and terms to ensure they are clearly defined and enforceable.

Mayor Moon expressed concern that the proposed ordinance could cause property owners to be burdened with property maintenance and taxes for a failing golf course.

MOTION BY COUNCILMEMBER ROBERTS, SECOND BY MAYOR PRO TEM KORS, CARRIED 5-0, to introduce Ordinance No. 2000 entitled "AN ORDINANCE OF THE CITY OF PALM SPRINGS, CALIFORNIA, AMENDING THE PALM SPRINGS ZONING CODE CHAPTER 93.00 TO ADD SECTION 93.23.20 TO ESTABLISH REGULATIONS RELATED TO THE REDEVELOPMENT OF GOLF COURSE TO OTHER USES," with direction to staff to review the technical terms and definitions for clarity.

F. ANNUAL LEVY OF ASSESSMENTS FOR VARIOUS CITYWIDE STREET LIGHTING AND PARKWAY MAINTENANCE DISTRICTS, FISCAL YEAR 2019/2020

City Manager Ready presented the staff report.

Mayor Moon opened and closed the Public Hearing, there being no one desiring to speak.

MOTION BY COUNCILMEMBER ROBERTS, SECOND BY COUNCILMEMBER MIDDLETON, CARRIED 5-0, to adopt Resolution No. 24646 entitled "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, APPROVING THE ENGINEER'S REPORT AND ORDERING THE CONTINUED OPERATION AND MAINTENANCE OF IMPROVEMENTS FOR STREET LIGHTING MAINTENANCE DISTRICT NO. 3, AND PARKWAY MAINTENANCE DISTRICTS NO. 6A, 6C, 7, 8, 9, AND 10 (ZONES 1 AND 2), AND LANDSCAPE MAINTENANCE DISTRICT NO. 12, AND ORDERING THE LEVY AND COLLECTION OF ANNUAL ASSESSMENTS RELATED THERETO FOR FISCAL YEAR 2019-20."

G. CONSIDERATION OF A REVISION TO THE DEVELOPER FEE INCREASE ADOPTED ON JUNE 5, 2019, AND ESTABLISHMENT OF A POLICY REDUCING AND/OR WAIVING FEES FOR AFFORDABLE HOUSING AND RELATED PROJECTS

City Manager Ready presented the staff report and responded to City Council inquiries.

Mayor Moon opened the Public Hearing.

Gretchen Gutierrez, representing the Coachella Valley Builders Association, recommended that the City Council phase the fee increases over a two year period; suggested that the City continue to explore ways to streamline and expedite the permitting process.

Erica Harnick, representing the Riverside County Building Industry Association, recommended that the City Council phase the fee increases over a two year period.

Daryl Terrell, voiced concern that increased fees will be passed through to homebuyers; expressed support for a phased approach and providing fee waivers for affordable housing projects.

Maria Song, expressed support for staff's recommendation to streamline the permitting process.

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

Councilmember Roberts voiced opposition to phasing the fee increases, opining that it amounts to a subsidy for developers; expressed support for waiving fees for affordable housing projects.

Councilmember Holstege pointed out that there is a housing crisis and that the proposed fee increases could negatively impact a developers willingness to build new homes in Palm Springs; noted that the proposed fees would make Palm Springs the most expensive city to develop a new home; expressed support for phasing the fee increases over two years and adopting a policy to waive fees for affordable housing projects.

Following discussion, MOTION BY MAYOR PRO TEM KORS, SECOND BY COUNCILMEMBER ROBERTS, CARRIED 3-2 (COUNCILMEMBER HOLSTEGE AND MAYOR MOON VOTING NO), to:

1. Adopt Resolution No. 24647 entitled "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, APPROVING MODIFIED USER FEE INCREASES RELATED TO THE BUILDING, FIRE AND PLANNING SERVICES DEPARTMENTS AND AMENDING THE COMPREHENSIVE FEE SCHEDULE FOR FISCAL YEAR 2019-20."
 2. Direct staff to draft an "Affordable Housing Fee Waiver and Reduction Program."
2. **LEGISLATIVE:** None.
3. **UNFINISHED BUSINESS:**
- A. PROPOSED SETTLEMENT OF CITY'S POTENTIAL GOVERNMENT CODE SECTION 1090 CLAIMS AGAINST PALM SPRINGS PROMENADE, LLC, INCLUSIVE OF GRIT DEVELOPMENT LLC, (SUCCESSOR TO JOHN WESSMAN/WESSMAN HOLDINGS) AND RELATED ENTITIES, IN CONNECTION WITH REDEVELOPMENT OF THE DESERT FASHION PLAZA (THE DOWNTOWN PALM SPRINGS PROJECT)**

City Attorney Ballinger narrated a PowerPoint presentation and responded to City Council inquiries.

Councilmember Holstege and Middleton recommended that a messaging plan be developed to inform the community of the results of the settlement agreement and to discuss with the community appropriate uses for the new City-owned property.

MOTION BY MAYOR PRO TEM KORS, SECOND BY COUNCILMEMBER ROBERTS, CARRIED 5-0, to approve the Settlement Agreement with Palm Springs Promenade, et al.

4. NEW BUSINESS:

A. DISCUSSION REGARDING CANNABIS RELATED BUSINESS AND ACTIVITIES

Councilmember Roberts and Mayor Pro Tem Kors summarized the activities and recommendations of the City Council Subcommittee on Cannabis.

In response to City Council inquiry, Police Chief Reyes advised that the majority of callers regarding cannabis odor complaints have refused to provide their contact information and that the vast majority of complaints are submitted by a single resident; urged residents to provide their contact information so that officers can follow-up on the complaints.

In response to Council inquiry, Councilmember Roberts noted that cannabis delivery is difficult to regulate and enforce, noting that the Subcommittee will seek recommendations from a cannabis industry consultant.

Councilmember Middleton expressed support for the creation of a “green zone” provided that such a zone is located far from any residential zones; expressed concern that the cannabis industry is becoming oversaturated and that it could negatively impact the local economy.

Mayor Moon opined that no additional cannabis manufacturing businesses should be allowed, noting that neighboring cities have the available land to accommodate such businesses without impacting residents; opined that the City should refrain from issuing any new distance waivers for cannabis-related businesses.

Following discussion, the City Council requested that staff conduct periodic inspections to detect cannabis odor violations; requested that the proposed ordinance modifications and backup material be publically-available two weeks prior to considering this matter at a future City Council meeting.

B. BONAVENTO, LLC (DBA: KALEAFA) REQUESTING AN ADMINISTRATIVE MINOR MODIFICATION (AMM) SEEKING RELIEF FROM MINIMUM SEPARATION DISTANCE REQUIREMENTS FOR A CANNABIS DISPENSARY AND LOUNGE LOCATED AT 671-675 NORTH PALM CANYON DRIVE, ZONE C-1, (CASE 7.1580 AMM)

Principal Planner Newell narrated a PowerPoint presentation and responded to City Council inquiries.

Mayor Moon voiced opposition to granting the requested waiver, noting that five other cannabis-related businesses are already within 3,000 feet and one is located only 250 feet from the proposed site.

Mayor Pro Tem Kors expressed concern regarding too many 21 and over businesses located in the Central Business District.

Special Program Compliance Official Goedhart advised that staff gave no indication that such a waiver request would be granted, noting that staff communicated with the applicant that such a decision is entirely at City Council's discretion.

Councilmember Roberts expressed concern regarding the oversaturation of cannabis-related businesses in the immediate area and the use of a prime storefront for a cannabis-related business that also requires a distance waiver.

Councilmember Holstege recommended that consideration of the requested waiver should be tabled until the cannabis ordinance is updated; noted that the City Council should base its decision on strategic planning and economic analysis on what the market can bear.

The City Council agreed that all cannabis distance waivers should be deferred until such time as the cannabis ordinance is amended.

MOTION BY COUNCILMEMBER HOLSTEGE, SECOND BY COUNCILMEMBER MIDDLETON, CARRIED 4-1 (MAYOR MOON VOTING NO) to table the matter to a date uncertain.

C. AWARD OF A CONSTRUCTION CONTRACT TO SWINERTON BUILDERS, A CALIFORNIA CORPORATION, IN THE AMOUNT OF \$29,927,000 FOR THE PALM SPRINGS INTERNATIONAL AIRPORT TICKETING HALL EXPANSION, FAA AIP GRANT NO. 3-06-0181-054-2016, INVITATION FOR BIDS NO. 19-03, AND RELATED ACTIONS

City Manager Ready presented the staff report.

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

1. Award a construction contract (Agreement) to Swinerton Builders, a California corporation, in the amount of \$29,927,000 for the Palm Springs International Airport Ticketing Hall Expansion, FAA AIP Grant No. 3-06-0181-054-2016, Invitation for Bids No. 19-03.
2. Authorize a Purchase Order in the amount of \$763,878 with the City's "on-call" professional aviation consulting services firm, RS&H California, Inc., a California corporation, pursuant to Agreement No. 7148, for construction management services related to the Palm Springs International Airport Ticketing Hall Expansion, FAA AIP Grant No. 3-06-0181-054-2016, Invitation for Bids No. 19-03.
3. Authorize the City Manager to approve and execute construction contract change orders up to a cumulative amount of \$1,500,000.
4. Authorize the City Manager to execute all necessary documents.

D. AUTHORIZE CITY MANAGER TO SECURE ADDITIONAL DIC (EARTHQUAKE/FLOOD) INSURANCE COVERAGE FOR THE AIRPORT

City Manager Ready presented the staff report.

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

1. Authorize the City Manager, in consultation with the Budget Subcommittee, to secure additional DIC (Earthquake/Flood) insurance coverage specifically for the Airport during the Council's summer recess should favorable quotations be received in an amount not-to-exceed \$350,000.
2. Authorize the City Manager to execute all necessary documents to bind the coverage.

E. AUTHORIZATION TO RE-BID THE DOWNTOWN PARK, CITY PROJECT NO. 15-07

Assistant City Manager Fuller presented the staff report.

MOTION BY COUNCILMEMBER HOLSTEGE, SECOND BY COUNCILMEMBER MIDDLETON, CARRIED 5-0, to authorize staff to re-advertise and solicit bids for the Downtown Park, City Project No. 15-07.

F. DISCUSSION ON LAND USE ENTITLEMENT STREAMLINING PROCESSES

Assistant City Manager Fuller presented the staff report.

Councilmember Middleton suggested that a cap should be placed on the number of times a matter may be considered by the Architectural Advisory Committee and Planning Commission, voicing support for the use of joint study sessions.

Councilmember Holstege recommended that staff evaluate neighboring cities “one stop” permitting centers, such as Riverside and La Quinta.

Councilmember Middleton and Mayor Pro Tem Kors volunteered to serve on an Ad Hoc Subcommittee to assist staff in evaluating land use entitlement streamlining.

PUBLIC COMMENT:

Brad Anderson, voiced concern that the Coachella Valley Mosquito and Vector Control District is ineffective at controlling the mosquito population and spreading of the West Nile Virus.

Daryl Terrell, presented a Fair Housing Ordinance proposal to prevent landlords from discriminating against tenants on the basis of the source of their income, such as Section 8 housing vouchers.

CITY COUNCIL AND CITY MANAGER REQUESTS AND UPCOMING AGENDA DEVELOPMENT:

None.

ADJOURNMENT:

The City Council adjourned at 12:32 a.m.

Respectfully submitted,


Anthony J. Mejia, MMC
City Clerk

APPROVED BY CITY COUNCIL: 09/18/2019