



Wednesday, January 9, 2020
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 Kors on Thursday, January 9, 2020, at 6:13 p.m., in the Council Chamber, City Hall, located at 3200 E. Tahquitz Canyon Way, Palm Springs, California.

PLEDGE OF ALLEGIANCE:

Palm Springs Air Force ROTC Junior Color Guard led the Pledge of Allegiance.

ROLL CALL:

Present: Councilmembers Grace Elena Garner, Lisa Middleton, Dennis Woods; Mayor Pro Tem Christy Holstege; and Mayor Geoff Kors

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:

Mayor Kors encouraged residents to participate in the 2020 Point in Time Count of unsheltered adults to help determine the extent of homelessness in Riverside County; invited the community to attend a Community Forum on January 29, 2020, hosted by the City Council Homelessness & Affordable Housing Subcommittee, to discuss how to effectively use the \$10 million of State Grants funds allocated to the City of Palm Springs to address homelessness; displayed a video featured at the Palm Springs International Film Festival highlighting the City of Palm Springs.

Bryan Gruber, of Lance, Soll & Lunghard, presented the Fiscal Year 2018-19 Comprehensive Annual Financial Report (CAFR) and responded to City Council inquiries.

ACCEPTANCE OF THE AGENDA:

MOTION BY MAYOR PRO TEM HOLSTEGE, SECOND BY COUNCILMEMBER GARNER, CARRIED 5-0, to remove Consent Calendar Item No. 1A for separate discussion and delete Item No. 1J from the Agenda.

REPORT OF CLOSED SESSION:

The Regular Closed Session of the City Council of January 9, 2020, was called to order by Mayor Kors at 4:00 p.m., with all members present.

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):

4328 Lockwood Avenue v. City of Palm Springs,
Case No. RIC 1703102, Superior Court of the State of California, County of Riverside

Beauprez v. City of Palm Springs,
Case No. RIC1904631, Superior Court of the State of California, County of Riverside

Lewis v. City of Palm Springs,
Case No. PSC 1804129, Superior Court of the State of California, County of Riverside

O&M HR, LLC v. City of Palm Springs,
Case No PSC 1701804, 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):

Eight (8) 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 seven (7) matters the City Council has decided or may decide to initiate litigation.

CONFERENCE WITH REAL PROPERTY NEGOTIATOR, Pursuant to Government Code Section 54956.8:

Property Description:	3111 East Tahquitz Canyon Way
Agency:	City of Palm Springs
City Negotiator:	David Ready, City Manager or Designee
Negotiating Parties:	Joe Wallace, Coachella Valley Economic Partnership
Under Negotiation:	Price and Terms of Payment (Lease)

Property Description:	3400 Tahquitz Canyon Way, Palm Springs (portions of airport)
Agency:	City of Palm Springs
Agency Negotiator(s):	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 Description:	287 S. El Cielo Road (APN 502-210-023)
Agency:	City of Palm Springs
City Negotiator:	David Ready, City Manager or Designee
Negotiating Parties:	Coachella Valley Rescue Mission
Under Negotiation:	Price and Terms of Payment (Lease)
Property Description:	3601 E. Mesquite Avenue, Palm Springs
Agency:	City of Palm Springs
City Negotiator:	David Ready, City Manager or Designee
Negotiating Parties:	United Cerebral Palsy of the Inland Empire
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:

Aftab Dada, speaking on Item 5D, recommended that Mayor Kors be appointed to serve as the liaison to tourism related organizations.

Dick Burkett, speaking on Item 1C, spoke on the process leading to the proposed Welwood Library Courtyard Improvements.

Bradley Shuckhart, representing Freehold Communities, speaking on Item 5A, provided an update on the Miralon development; requested that the City Council allow the project banner flags along Indian Canyon Drive; offered to modify the banner flags to include “City of Palm Springs.”

Brad Anderson, speaking on Item 3B, recommended that the City Council comply with State requirements related to the City’s appointive Boards and Commissions.

Rick Pantele, speaking on Item 5D, spoke on the importance of the Cannabis Ordinance and the need for the City Council Subcommittee on Cannabis to be dedicated to its continuous improvement.

David Feltman, speaking on Item 3A, recommended that the City Council require monitoring and reporting to measure the impact of the proposed ordinance on public participation.

Jocelyn Kane, on behalf of the Coachella Valley Cannabis Alliance Network (CVCAN), speaking on Item 5D, recommended that Councilmember Woods and Mayor Kors be appointed to the City Council Subcommittee on Cannabis.

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

Assistant City Manager Fuller provided an update on the Indian Canyon Drive Two-Way Conversion Project.

Councilmember Middleton spoke on her attendance at the 72nd Anniversary of the American Legion Post in Palm Springs, noting that they are working towards becoming a certified Red Cross Disaster Recovery Center; reported on the Main Street meeting and One-PS meeting, noting that One-PS has approved four newly designated neighborhoods; commented on the success of a new medical transportation service from Blythe to the Coachella Valley through SunLine and Riverside County Transportation Commission (RCTC); requested that staff agendize a presentation by RCTC regarding a proposed ½ cent sale tax ballot measure for an upcoming City Council meeting.

Mayor Pro Tem Holstege urged residents to participate in the upcoming Point in Time Count and to attend the Coachella Valley Association of Governments (CVAG) Homelessness Committee meeting on January 15, 2020, to learn about the homelessness collaborative and grant funding; encouraged residents to attend the All Paws on Deck community meeting on January 20, 2020, to discuss dog parks in Palm Springs; requested that staff agendize an update regarding cost estimates for library building at an upcoming City Council meeting.

Councilmember Garner noted that a food bank is offered at the James O. Jessie Unity Center on the second and fourth Thursday of each month.

Councilmember Woods encouraged residents to take the opportunity to view a film at the Palm Springs International Film Festival; commended the Police Department for shutting down an illegal cannabis honey lab located in an apartment complex; requested that staff agendize discussion of bus stop locations in relation to the future College of the Desert campus at an upcoming City Council meeting.

Mayor Kors reported on recent holiday events and celebrations; noted that Desert Community Energy (DCE) Board will be meeting on January 13, 2020, to discuss rates and net metering for residential solar; invited the community to attend the City Council Business Retention Subcommittee meeting on January 13, 2020, to discuss business-friendly programs, community workforce agreements, and labor peace agreements.

1. CONSENT CALENDAR:

MOTION BY MAYOR PRO TEM HOLSTEGE, SECOND BY COUNCILMEMBER WOODS, CARRIED 5-0, to approve the consent calendar, with the removal of Item 1A for separate discussion and deletion of Item 1J from the Agenda.

A. APPROVAL OF MINUTES

This item was excluded from the Consent Calendar. Please refer to Page 6 of these minutes for a summary of that action.

B. ACCEPT A RESIGNATION FROM THE PARKS AND RECREATION COMMISSION

MOTION BY MAYOR PRO TEM HOLSTEGE, SECOND BY COUNCILMEMBER WOODS, CARRIED 5-0, to accept with regret the resignation of Les Young from the Parks and Recreation Commission.

C. AWARD A CONSTRUCTION CONTRACT TO LEONIDA BUILDERS, INC., A CALIFORNIA CORPORATION, IN THE AMOUNT OF \$280,055 FOR THE WELWOOD LIBRARY COURTYARD IMPROVEMENTS, CITY PROJECT NO. 16-02

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

1. Award a construction contract to Leonida Builders, Inc., a California corporation in the amount of \$280,055 inclusive of Alternative Bid Schedules B and C, for the Welwood Library Courtyard improvements, City Project No. 16-02.
2. Authorize the City Manager to execute all necessary documents.

D. APPROVAL OF AMENDMENT NO. 1 TO COOPERATIVE AGREEMENT A6923 WITH THE CITY OF CATHEDRAL CITY FOR THE RAMON ROAD WIDENING AND BRIDGE PROJECT, CITY PROJECT NO. 08-25, FEDERAL-AID PROJECT NO. BHLS-5282 (040)

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

1. Approve Amendment No. 1 to Agreement No. A6923, an Agreement by and between the City of Palm Springs and City of Cathedral City for funding the Local Share costs of the Preliminary Engineering, Right of Way Phase, and the Construction Phase for the Ramon Road Widening and Bridge Project, City Project No. 08-25, Federal-Aid Project No. BHLS-5282 (040).
2. Authorize the City Manager to execute all necessary documents.

E. APPROVAL OF PLANS, SPECIFICATIONS AND ESTIMATE (PS&E) AND AUTHORIZATION TO BID THE CITY YARD CHILLER REPLACEMENT, CITY PROJECT NO. 19-21

MOTION BY MAYOR PRO TEM HOLSTEGE, SECOND BY COUNCILMEMBER WOODS, CARRIED 5-0, to approve the specifications & estimates and authorize staff to advertise and solicit bids for the City Yard Chiller Replacement, City Project No. 19-21.

F. APPROVAL OF PAYROLL WARRANTS, CLAIMS, AND DEMANDS

MOTION BY MAYOR PRO TEM HOLSTEGE, SECOND BY COUNCILMEMBER WOODS, CARRIED 5-0, to adopt Resolution No. 24694 entitled, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, APPROVING PAYMENT OF PAYROLL WARRANTS FOR THE PERIOD ENDING 12-06-2019 AND 12-14-2019 BY WARRANTS NUMBERED 420911 THROUGH 420939 TOTALING \$57,521.89 CLAIMS, DEMANDS AND LIABILITY CHECKS NUMBERED 1110208 THROUGH 1110743 TOTALING \$7,163,185.85, EIGHT WIRE TRANSFERS FOR \$182,571.28, AND ELEVEN ELECTRONIC ACH DEBITS OF \$3,979,872.56 IN THE AGGREGATE AMOUNT OF \$11,383,151.58, DRAWN ON BANK OF AMERICA."

G. APPROVAL OF CONTRACT WITH THE PUN GROUP, LLP, TO PROVIDE ANNUAL INDEPENDENT AUDIT AND FINANCIAL REPORT

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

1. Approve a contract service agreement for Professional Financial Auditing Services with the PUN Group, LLP, of Santa Ana, CA, in an amount not-to-exceed \$306,000.00 for the initial three (3) years, with two (2), one (1) year options to extend at the City's discretion.
2. Authorize the City Manager to sign and execute all necessary documents.

H. SECOND READING AND ADOPTION OF ORDINANCE NO. 2010, AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, AMENDING SECTION 2.16.042 OF THE PALM SPRINGS MUNICIPAL CODE RELATING TO THE AIRPORT COMMISSION'S STANDING NOISE SUBCOMMITTEE

MOTION BY MAYOR PRO TEM HOLSTEGE, SECOND BY COUNCILMEMBER WOODS, CARRIED 5-0, to adopt Ordinance No. 2010 entitled, "AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, AMENDING SECTION 2.16.042 OF THE PALM SPRINGS MUNICIPAL CODE RELATING TO THE AIRPORT COMMISSION'S STANDING NOISE SUBCOMMITTEE."

I. ANNUAL ACCOUNTABILITY REPORT FOR COMMUNITY FACILITIES DISTRICT NO. 2005-1 (PUBLIC SAFETY SERVICES) AND COMMUNITY FACILITIES DISTRICT 2007-1 (TRIBAL LANDS)

MOTION BY MAYOR PRO TEM HOLSTEGE, SECOND BY COUNCILMEMBER WOODS, CARRIED 5-0, to receive and file the Community Facilities District No. 2005-1 (Public Safety Services) and Community Facilities District No. 2007-1 (Tribal Land) Special Tax and Bond Accountability Report for Fiscal Year 2018-19.

J. APPROVE A MEMORANDUM OF UNDERSTANDING WITH THE UNITED CEREBRAL PALSY OF THE INLAND EMPIRE FOR THE USE OF THE MULTI-PURPOSE ROOM AT THE DEMUTH COMMUNITY CENTER

This item was removed from the agenda at the request of staff.

K. APPROVE LOCATION FOR PLACEMENT OF "ROAD SIGNS" ARTWORK BY GERALD CLARKE AT JAMES O. JESSIE DESERT HIGHLAND UNITY CENTER, PALM SPRINGS VISITOR CENTER, THE WELLNESS PARK, LEISURE CENTER AND PAVILION, BARISTO PARK, AND DEMUTH PARK

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

1. Approve placement of the public art "Road Signs" featuring 13 unique pieces by Gerald Clarke at James O. Jessie Desert Highland Unity Center, Palm Springs Visitor Center, The Wellness Park, Leisure Center and Pavilion, Baristo Park, and Demuth Park.
2. Authorize the City Manager to execute all necessary documents to facilitate the installation of the artwork.

EXCLUDED CONSENT CALENDAR:

A. APPROVAL OF MINUTES

Mayor Kors requested that the December 19, 2019, meeting minutes be amended as follows:

"Mayor Kors requested that temporary stop signs, in addition to the permanent stop sign, be setup for a short duration to assist residents while becoming acquainted to the new all-way stop."

MOTION BY COUNCILMEMBER WOODS, SECOND BY COUNCILMEMBER MIDDLETON, CARRIED 5-0, to approve the City Council Meeting Minutes of December 5, 2019.

MOTION BY COUNCILMEMBER WOODS, SECOND BY COUNCILMEMBER MIDDLETON, CARRIED 3-0 (COUNCILMEMBER GARNER AND MAYOR PRO TEM HOLSTEGE ABSTAINING), to approve the City Council Meeting Minutes of December 19, 2019, as amended.

2. PUBLIC HEARINGS:**A. AN APPLICATION BY MARTYN LAWRENCE BULLARD, OWNER, REQUESTING CLASS 1 HISTORIC RESOURCE DESIGNATION OF "THE ALLAN AND MILDRED KRAMER RESIDENCE" LOCATED AT 800 EAST GRANVIA VALMONTE, (APN# 507-202-017), CASE HSPB #119**

Director of Planning Services Fagg narrated a PowerPoint presentation.

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

MOTION BY COUNCILMEMBER MIDDLETON, SECOND BY COUNCILMEMBER WOODS, CARRIED 5-0, to adopt Resolution No. 24695 entitled, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, DESIGNATING "THE ALLAN KRAMER RESIDENCE" LOCATED AT 800 EAST GRANVIA VALMONTE AS CLASS 1 HISTORIC RESOURCE HSPB #119, SUBJECT TO CONDITIONS. (APN 507-202-017)."

B. AN APPLICATION BY DIANE BUDMAN BALD ON BEHALF OF THE DIANE BUDMAN BALD FAMILY TRUST, OWNER, REQUESTING CLASS 1 HISTORIC RESOURCE DESIGNATION OF "THE KIRK DOUGLAS RESIDENCE" LOCATED AT 515 WEST VIA LOLA DRIVE, (APN# 505-252-032), CASE HSPB #118

Director of Planning Services Fagg narrated a PowerPoint presentation.

Mayor Kors opened the Public Hearing.

Susan Secoy Jensen, author of the nomination, voiced support for the nomination and summarized the historic characteristics of the residence; noted that the property owner supports the nomination.

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

MOTION BY COUNCILMEMBER WOODS, SECOND BY COUNCILMEMBER MIDDLETON, CARRIED 5-0, to adopt Resolution No. 24696 entitled, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA DESIGNATING "THE KIRK DOUGLAS RESIDENCE" LOCATED AT 515 WEST VIA LOLA AS CLASS 1 HISTORIC RESOURCE HSPB #118, SUBJECT TO CONDITIONS. (APN 505-252-032)."

C. AN APPLICATION BY THE DESERT HOLLY HOMEOWNERS ASSOCIATION, REQUESTING HISTORIC DISTRICT DESIGNATION OF "THE DESERT HOLLY CONDOMINIUMS" LOCATED AT 2244 EAST TAHQUITZ CANYON WAY, CASE HSPB #117 / HD-7

Director of Planning Services Fagg narrated a PowerPoint presentation.

Susan Secoy Jensen, representing the Palm Springs Preservation Foundation, voiced support for the nomination.

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

In response to City Council inquiry, Director Fagg explained that as non-contributing features, such as screen doors, require replacement, such items are to be replaced with features that complement the original character-defining features.

MOTION BY COUNCILMEMBER WOODS, SECOND BY MAYOR PRO TEM HOLSTEGE, CARRIED 5-0, to adopt Resolution No. 24697 entitled, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, DESIGNATING "THE DESERT HOLLY CONDOMINIUMS" LOCATED AT 2244 EAST TAHQUITZ CANYON WAY AS A HISTORIC DISTRICT, SUBJECT TO CONDITIONS."

D. PROPOSED ORDINANCES ADOPTING AND AMENDING THE 2019 CALIFORNIA BUILDING STANDARDS CODE (TITLE 24 OF THE CALIFORNIA CODE OF REGULATIONS), THE 2019 CALIFORNIA FIRE CODE, THE 2019 CALIFORNIA BUILDING CODE, THE 2019 CALIFORNIA RESIDENTIAL CODE, THE 2019 CALIFORNIA PLUMBING CODE, THE 2019 CALIFORNIA MECHANICAL CODE, THE 2019 CALIFORNIA ELECTRICAL CODE, THE 2019 CALIFORNIA GREEN BUILDING STANDARDS CODE, THE 2019 CALIFORNIA ENERGY CODE, THE 2019 CALIFORNIA EXISTING BUILDING CODE, THE 2019 CALIFORNIA HISTORICAL BUILDING CODE, AND ADOPTING AND AMENDING THE 2018 INTERNATIONAL PROPERTY MAINTENANCE CODE

Assistant City Manager presented the staff report.

In response to City Council inquiry, Fire Chief Nalder advised that staff does not currently have the authority to enter private residential property for the purpose of vegetation management; advised that the proposed ordinance would provide authority for staff to enter private property identified by the State as a Local Responsibility Area (LRA) to ensure proper clearance of vegetation; explained that smoke detector inspections will now be conducted by property owners upon the sale of a residence and such certification will be provided by the realtor at Escrow.

Councilmember Middleton encouraged staff to work cooperatively with the Agua Caliente Band of Cahuilla Indians to ensure that allottee lands are inspected for vegetation clearance.

In response to City Council inquiry, Assistant City Manager Fuller explained that the ordinance will require property owners to provide just cause when seeking approval to extend a building permit beyond the original twelve (12) month period.

Mayor Kors opened the Public Hearing.

David Freedman, voiced support for the State mandate for solar photovoltaic systems on new residential construction.

Jim Franklin, representing the Palm Springs Regional Association of Realtors, expressed support for allowing property owners to self-certify smoke detector inspections.

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

Mayor Pro Tem Holstege commended staff for including a requirement that property owners of a building with leased dwelling units to provide air conditioning, noting the severe weather conditions in summer.

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

1. Adopt Ordinance No. 2008 entitled, "AN ORDINANCE OF THE CITY OF PALM SPRINGS, CALIFORNIA, AMENDING AND RESTATING ARTICLE I OF CHAPTER 8.04 OF THE PALM SPRINGS MUNICIPAL CODE, ADOPTING BY REFERENCE, TOGETHER WITH CERTAIN ADDITIONS, AMENDMENTS AND DELETIONS, THE 2019 CALIFORNIA BUILDING CODE, INCLUDING CHAPTER 1, APPENDICES C, I, AND J; THE 2019 CALIFORNIA RESIDENTIAL CODE, INCLUDING APPENDIX H; THE 2019 CALIFORNIA MECHANICAL CODE; THE 2019 CALIFORNIA PLUMBING CODE, INCLUDING APPENDICES A, B, D, G, H, I AND K; THE 2019 CALIFORNIA EXISTING BUILDING CODE; THE 2019 CALIFORNIA HISTORICAL BUILDING CODE, INCLUDING APPENDIX A; THE 2019 CALIFORNIA ELECTRICAL CODE, INCLUDING ALL APPENDICES; THE 2019 CALIFORNIA ENERGY CODE, INCLUDING ALL APPENDICES; THE 2019 CALIFORNIA GREEN BUILDING STANDARDS CODE; AND THE 2018 INTERNATIONAL PROPERTY MAINTENANCE CODE, INCLUDING ALL APPENDICES."
2. Adopt Ordinance No. 2009 entitled, "AN ORDINANCE OF THE CITY OF PALM SPRINGS, CALIFORNIA, AMENDING AND RESTATING ARTICLE VI OF CHAPTER 8.04 OF THE PALM SPRINGS MUNICIPAL CODE, ADOPTING BY REFERENCE, TOGETHER WITH CERTAIN ADDITIONS, AMENDMENTS AND DELETIONS, THE 2019 CALIFORNIA FIRE CODE, INCLUDING CERTAIN APPENDICES."

E. AT&T MOBILITY FOR A CONDITIONAL USE PERMIT AND VARIANCE TO CONSTRUCT AND OPERATE A WIRELESS TELECOMMUNICATION FACILITY CONSISTING OF A 100-FOOT TALL MONOPOLE AND RELATED EQUIPMENT ON A PORTION OF A 40- ACRE SITE LOCATED ON THE NORTH SIDE OF 19TH AVENUE AT THE TERMINUS OF RUPPERT STREET, ZONE M-2, SECTION 15 (CASE NOS. 5.1488 CUP & 6.553 VAR)

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

Mayor Kors opened the Public Hearing.

Chris Doheny, representing Smart Link, noted that the cell tower will fill a significant coverage gap along Interstate-10.

Doug Jones, voiced support for the proposed location of the cell tower.

Fred Noble, on behalf of Wintec Energy, noted that the energy windmills are significantly taller than the proposed cell tower, helping to diminish any visual impacts caused by the cell tower.

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

Councilmember Middleton requested that staff provide an update at a future City Council meeting regarding cell phone coverage throughout Palm Springs, noting its vital importance during disaster response and recovery.

Director Fagg noted that an amended resolution has been distributed to the City Council, made available to the public, and is recommended for adoption.

MOTION BY MAYOR PRO TEM HOLSTEGE, SECOND BY COUNCILMEMBER GARNER, CARRIED 5-0, to adopt Resolution No. 24698 entitled, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, APPROVING A CONDITIONAL USE PERMIT AND VARIANCE FOR THE INSTALLATION AND OPERATION OF A COMMERCIAL COMMUNICATIONS ANTENNA STRUCTURE ON A PORTION OF A 40-ACRE SITE LOCATED ON THE NORTH SIDE OF 19TH AVENUE AT THE RUPPERT STREET TERMINUS (CASE NOS. 5.1488 CUP & 6.553 VAR)."

F. CALLING AND CONDUCTING A SPECIAL ELECTION AND INTRODUCING AN ORDINANCE AUTHORIZING THE LEVY OF SPECIAL TAXES WITHIN ANNEXATION NO. 21, 22, AND 23 TO COMMUNITY FACILITIES DISTRICT NO. 2005-1 (PUBLIC SAFETY SERVICES)

Councilmember Woods announced his recusal on this matter due to a financial interest related to the Living Out development and left the Council Chamber at 7:45 p.m.

City Clerk Mejia presented the staff report.

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

City Clerk Mejia conducted the election, noting that the property owners voted in favor and that the City Council may proceed with the annexations.

MOTION BY MAYOR PRO TEM HOLSTEGE, SECOND BY COUNCILMEMBER GARNER, CARRIED 4-0 (COUNCILMEMBER WOODS RECUSED), to:

1. Adopt Resolution No. 24699 entitled, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, AUTHORIZING ANNEXATION NO. 21, THE MODERN, TRACT MAP NO. 37807, INTO COMMUNITY FACILITIES DISTRICT NO. 2005-1, (PUBLIC SAFETY SERVICES), AUTHORIZING THE LEVY OF A SPECIAL TAX, AND SUBMITTING THE LEVY OF A SPECIAL TAX TO QUALIFIED ELECTORS."
2. Adopt Resolution No. 24700 entitled, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, AUTHORIZING ANNEXATION NO. 22, ELAN, TRACT MAP NO. 36914, INTO COMMUNITY FACILITIES DISTRICT NO. 2005-1, (PUBLIC SAFETY SERVICES), AUTHORIZING THE LEVY OF A SPECIAL TAX, AND SUBMITTING THE LEVY OF A SPECIAL TAX TO QUALIFIED ELECTORS."
3. Adopt Resolution No. 24701 entitled, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, AUTHORIZING ANNEXATION NO. 23, LIVING OUT, TRACT MAP NO. 37602, INTO COMMUNITY FACILITIES DISTRICT NO. 2005-1, (PUBLIC SAFETY SERVICES), AUTHORIZING THE LEVY OF A SPECIAL TAX, AND SUBMITTING THE LEVY OF A SPECIAL TAX TO QUALIFIED ELECTORS."
4. Adopt Resolution No. 24702 entitled, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, DECLARING THE RESULTS OF A SPECIAL ANNEXATION LANDOWNER ELECTION, DETERMINING VALIDITY OF PRIOR PROCEEDINGS, AND DIRECTING THE RECORDING OF AN AMENDMENT TO NOTICE OF SPECIAL TAX LIEN FOR ANNEXATION NO. 21, THE MODERN, TRACT MAP NO. 37807, INTO COMMUNITY FACILITIES DISTRICT NO. 2005-1, (PUBLIC SAFETY SERVICES)."

(City Council action continued on the next page)

5. Adopt Resolution No. 24703 entitled, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, DECLARING THE RESULTS OF A SPECIAL ANNEXATION LANDOWNER ELECTION, DETERMINING VALIDITY OF PRIOR PROCEEDINGS, AND DIRECTING THE RECORDING OF AN AMENDMENT TO NOTICE OF SPECIAL TAX LIEN FOR ANNEXATION NO. 22, ELAN, TRACT MAP NO. 36914, INTO COMMUNITY FACILITIES DISTRICT NO. 2005-1, (PUBLIC SAFETY SERVICES)."
6. Adopt Resolution No. 24704 entitled, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, DECLARING THE RESULTS OF A SPECIAL ANNEXATION LANDOWNER ELECTION, DETERMINING VALIDITY OF PRIOR PROCEEDINGS, AND DIRECTING THE RECORDING OF AN AMENDMENT TO NOTICE OF SPECIAL TAX LIEN FOR ANNEXATION NO. 23, LIVING OUT, TRACT MAP NO. 37602, INTO COMMUNITY FACILITIES DISTRICT NO. 2005-1, (PUBLIC SAFETY SERVICES)."
7. Introduce Ordinance No. 2011 entitled, "AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, AUTHORIZING THE LEVY OF SPECIAL TAXES IN A COMMUNITY FACILITIES DISTRICT, INCLUDING CERTAIN ANNEXATION TERRITORY IDENTIFIED AS ANNEXATION NO. 21, THE MODERN, TRACT MAP NO. 37807, INTO COMMUNITY FACILITIES DISTRICT NO. 2005-1, (PUBLIC SAFETY SERVICES)." City Clerk Mejia read the ordinance by title.
8. Introduce Ordinance No. 2012 entitled, "AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, AUTHORIZING THE LEVY OF SPECIAL TAXES IN A COMMUNITY FACILITIES DISTRICT, INCLUDING CERTAIN ANNEXATION TERRITORY IDENTIFIED AS ANNEXATION NO. 22, ELAN, TRACT MAP NO. 36914, INTO COMMUNITY FACILITIES DISTRICT NO. 2005-1, (PUBLIC SAFETY SERVICES)." City Clerk Mejia read the ordinance by title.
9. Introduce Ordinance No. 2013 entitled, "AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, AUTHORIZING THE LEVY OF SPECIAL TAXES IN A COMMUNITY FACILITIES DISTRICT, INCLUDING CERTAIN ANNEXATION TERRITORY IDENTIFIED AS ANNEXATION NO. 23, LIVING OUT, TRACT MAP NO. 37602, INTO COMMUNITY FACILITIES DISTRICT NO. 2005-1, (PUBLIC SAFETY SERVICES)." City Clerk Mejia read the ordinance by title.

Councilmember Woods returned to the dais at 7:50 p.m.

3. LEGISLATIVE:**A. INTRODUCE AN ORDINANCE AMENDING VARIOUS SECTIONS OF THE PALM SPRINGS MUNICIPAL CODE RELATED TO REGULAR MEETING TIMES FOR BOARDS AND COMMISSIONS**

City Clerk Mejia presented the staff report.

Mayor Pro Tem Holstege recommended that the City Council further consider previously recommended actions related to Boards and Commissions, including childcare, expense reimbursements, and tracking of demographic information and participation.

Councilmember Middleton recommended that a City Council Subcommittee develop demographic information to be monitored and report back to City Council at a future meeting; suggested that if a Board or Commission desires to meet at any other time than 5:30 p.m. on a permanent basis, such a request should be submitted to the City Council.

Following discussion, MOTION BY COUNCILMEMBER MIDDLETON, SECOND BY MAYOR PRO TEM HOLSTEGE, CARRIED 5-0, to introduce Ordinance No. 2014 entitled, "AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, AMENDING VARIOUS SECTIONS OF THE PALMS SPRINGS MUNICIPAL CODE RELATED TO REGULAR MEETING TIMES FOR BOARDS AND COMMISSIONS," with the following modifications:

- a. Add the following recital, "*WHEREAS, the City Council values diversity, inclusion and equal representation on, and at, the City's appointive boards and commissions and thereby wishes to amend the City's Municipal Code in order to expand opportunities for residents to attend and serve on the City's boards and commissions.*"
- b. *Establish a standard start time of 5:30 p.m. for all Boards and Commissions.*

B. INTRODUCE AN ORDINANCE AMENDING PALM SPRINGS MUNICIPAL CODE SECTIONS 2.04.060 AND 2.06.010(e) REGARDING QUALIFICATIONS TO SERVE ON THE CITY'S APPOINTIVE BOARDS AND COMMISSIONS

City Attorney Ballinger presented the staff report, noting that an amended Ordinance has been distributed to the City Council, made available to the public, and is recommended for adoption; responded to City Council inquiries.

Councilmember Garner recommended that the City Council consider establishing a Youth Council as well as a Spanish-language Commission; suggested that the Board and Commission Application be reviewed to ensure that questions are clear to applicants.

In response to City Council inquiry, City Attorney Ballinger noted that the City Council would need to amend the Municipal Code if it desires to expand the Human Rights Commission's membership to promote the non-voting youth members to voting members.

Mayor Pro Tem Holstege requested that staff notify the media and school district regarding the new eligibility requirements for Boards and Commissions.

City Manager Ready noted that staff will work with the City Council Subcommittee to develop a future discussion item related to the role of Boards and Commissions, their communications with City Council, outreach and recruitment strategy, and monitoring of demographic information.

The City Council agreed to amend the proposed ordinance to include the following provision, *“In the event the City Council determines that it is necessary or convenient to appoint a board/commission member possessing unique knowledge, skill or experience, the City Council may, in its sole discretion, appoint one or more board/commission member(s), notwithstanding the fact that such candidate(s) do(es) not live, work or go to school within the City of Palm Springs.”*

Following discussion, MOTION BY COUNCILMEMBER GARNER, SECOND BY COUNCILMEMBER MIDDLETON, CARRIED 5-0, to introduce Ordinance No. 2015 entitled, "AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, AMENDING PALM SPRINGS MUNICIPAL CODE SECTIONS 2.04.060 AND 2.06.010(e) REGARDING QUALIFICATIONS TO SERVE ON THE CITY'S APPOINTIVE BOARDS AND COMMISSIONS," as amended. City Clerk Mejia read the ordinance by title.

4. UNFINISHED BUSINESS: None.

5. NEW BUSINESS:

A. REQUEST BY FREEHOLD COMMUNITIES, LLC, TO AMEND A PREVIOUSLY APPROVED SPECIAL SIGN DISTRICT FOR THE MIRALON RESIDENTIAL COMMUNITY TO ADD FIFTEEN (15) PROJECT BANNER FLAGS ALONG NORTH INDIAN CANYON DRIVE AND SUNRISE PARKWAY (CASE SP 17-006 AMND)

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

In response to City Council inquiry, Bradley Shuckhart, representing Freehold Communities, explained that he is willing to include the City of Palm Springs moniker alternating between the Miralon banner flags as a method of promoting entrance into the City.

The City Council agreed that the flag banners should alternate every third sign with “Palm Springs” rather than “City of Palm Springs” to avoid the perception that the project is related to the City of Palm Springs as an organization.

Councilmember Middleton requested that Freehold Communities provide an update to the City Council regarding its local hiring practices for the Miralon development.

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

1. Approve the sign program, including banner signs along the Indian Canyon Drive frontage, as presented by the applicant.
2. Adopt Resolution No. 24705 entitled, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, APPROVING AN AMENDMENT TO A PREVIOUSLY APPROVED SPECIAL SIGN DISTRICT TO ADD PROJECT BANNER SIGNS AT THE MIRALON COMMUNITY LOCATED AT 801 EAST SUNRISE PARKWAY, ZONE PD 290 (CASE SP 17-006 AMND)," with the following amendments:
 - a. Banner flags shall be removed in a seven (7) year time period, unless an extension is granted by the City Council.
 - b. Every third banner sign shall indicate "Palm Springs" rather than "Miralon."
 - c. The applicant shall respond to the City within five (5) days of a request for repair to a banner sign when damaged.

MEETING RECESS

The City Council recessed at 8:25 p.m. and reconvened at 8:40 p.m., with all members present.

B. APPROVAL OF THE FACILITY MAINTENANCE CAPITAL IMPROVEMENT PROJECTS BUDGETED IN THE 2019/20 FISCAL YEAR BUDGET

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

Councilmember Middleton requested that staff consider the potential future redevelopment or uses of Sunrise Plaza as it proceeds with the proposed improvements.

During the course of discussion, the City Council agreed that staff should evaluate the need to proceed with specific improvements, such as doors and windows, at Sunrise Plaza in light that the City Council will be evaluating the future use of Sunrise Plaza.

Mayor Pro Tem Holstege discussed the need for a taking comprehensive approach in selecting Capital Improvement Projects.

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

1. Approve the following list of recommended Facility Maintenance capital improvement projects:
 - a. City Hall Electrical Transformer Upgrade, \$325,000;
 - b. City Yard Improvements, \$950,000;
 - c. Demuth Community Center Improvements, \$225,000;
 - d. Police Department Improvements, \$200,000; and
 - e. Sunrise Plaza Improvements, \$2,475,000.
2. Authorize a Purchase Order in an amount not-to-exceed \$149,512 to Harris & Associates for project management services pursuant to On-Call Agreement No. 8402.
3. Authorize approval of agreements with design professionals selected in accordance with Palm Springs Municipal Code section 7.04.050 "Contracting procedures for professional services," in a cumulative amount not-to-exceed \$400,000 for preparation of construction documents for the various Facility Maintenance capital improvement projects.
4. Authorize the City Manager to execute all necessary documents."

C. ADOPT THE CITY'S INVESTMENT POLICY GOVERNING THE INVESTMENT OF CITY FUNDS

Director of Finance Pauley presented the staff report.

The City Council agreed that the Investment Policy's social responsibility provision should be amended to reflect that the City will not invest in industries appearing on the CalPERS divestment list and that the policy should reflect the City's current anti-discrimination verbiage.

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

1. Adopt Resolution No. 24706 entitled, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, ADOPTING AN INVESTMENT POLICY GOVERNING THE INVESTMENT OF CITY FUNDS AND SUPERSEDING RESOLUTION NO. 24438," and delegating the City Council's authority to invest and reinvest public funds, and to sell or exchange securities so purchased, to the City Treasurer for one year or until earlier revoked by the City Council.

D. REVIEW AND MAKE APPOINTMENTS TO CITY COUNCIL SUBCOMMITTEES, CITY REPRESENTATIVES TO PROJECTS, LIAISONS TO CITY COMMISSIONS AND BOARDS, AND REPRESENTATIVES TO EXTERNAL ORGANIZATIONS

City Clerk Mejia presented the staff report and responded to City Council inquiries.

Councilmember Woods and Mayor Pro Tem Holstege expressed concerns regarding the overuse of subcommittees and the real, or perceived, power of the subcommittees to direct the work of staff and policy direction.

During the course of discussion, the City Council agreed that study sessions should be scheduled to discuss: 1) recruitment, interviews, delegation, communication, and fostering relationships with Boards and Commissions and CVRA Working Group recommendations; 2) Program Grants and Sponsorships; and 3) Special Event and Noise Ordinance.

The City Council directed that the following issues be referred to the appropriate Board or Commission:

- Renaming of Streets (Martin Luther King Jr., Lawrence Crossley, Harvey Milk, and Barak Obama) referred to the Human Rights Commission.
- Rainbow Crosswalks referred to the Public Arts Commission and Arenas Business Association.
- Recycling and Diversion of Debris referred to the Sustainability Commission.
- Review of the Smoking Ordinance referred to the Sustainability Commission.

Councilmember Garner and Mayor Pro Tem Holstege agreed to facilitate interviews to fill current vacancies on Boards and Commissions, pending discussion of the interview process at a Study Session.

Councilmember Holstege requested that staff inquire whether the Riverside County Community Action Commission would authorize satellite meetings to occur at Palm Springs City Hall.

The City Council directed staff to re-agendize the matter for confirmation and balancing of the assignments, as necessary.

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

1. Make appointments to the City Council Subcommittees, City Representatives to Projects, Liaisons to City Commissions and Boards, and Representatives to External Organizations. (see Exhibit A to this set of minutes).
2. Adopt FPPC Form 806, authorize the City Clerk to prepare and execute FPPC Form 806 Public Official Appointments, and direct the City Clerk to post on the City's website as required.

PUBLIC COMMENT: None.

CITY COUNCIL AND CITY MANAGER REQUESTS AND UPCOMING AGENDA DEVELOPMENT:

The City Council requested that staff schedule City Council Study Sessions on the following topics:

- Boards and Commissions.
- Grants and Sponsorships
- Special Events and Noise Ordinance

Councilmember Garner and Mayor Pro Tem Holstege requested that consideration of establishing a Youth Council be discussed during the Study Session on Boards and Commissions; recommended that staff ascertain information about the Riverside County Youth Commission.

Councilmember Middleton requested that staff agendaize a presentation by RCTC regarding a proposed ½ cent sale tax ballot measure for an upcoming City Council meeting.

Mayor Kors recommended that a six-month extension to the PS Resorts Agreement, noting that it would allow the City to adjust its funding schedule to coincide with the fiscal year.

ADJOURNMENT:

The City Council adjourned at 10:47 p.m.

Respectfully submitted,


Anthony J. Mejia, MMC
City Clerk

APPROVED BY CITY COUNCIL: 02/13/2020

EXHIBIT A

CITY OF PALM SPRINGS, CALIFORNIA

**Roster of City Council
Standing Committees**

(As proposed at the City Council meeting of January 9, 2020)

Standing Committee	Created	Member	Member
Affordable Housing & Homelessness	02/06/2019	HOLSTEGE	KORS
Budget	01/09/2020	KORS	MIDDLETON
Business Retention	12/07/2006	HOLSTEGE	KORS
Cannabis	10/19/2016	GARNER	KORS
Finance	R-12147	MAYOR	VACANT
Public Integrity	02/21/2018	MIDDLETON	WOODS

**Roster of City Council
Ad Hoc Subcommittees**

Ad Hoc Subcommittee	Sunset	Member	Member
Homelessness Funding	12/31/2020	HOLSTEGE	KORS
New Library & Sunrise Plaza	12/31/2020	GARNER	HOLSTEGE

**Roster of Board and Commission
Interviewing Subcommittees**

Board/Commission	Member	Member
Administrative Appeals Board	GARNER	HOLSTEGE
Airport Commission	GARNER	HOLSTEGE
Historic Site Preservation Board	CITY COUNCIL	
Human Rights Commission	GARNER	HOLSTEGE
Library Board of Trustees	GARNER	HOLSTEGE
Measure "J" Oversight Commission	CITY COUNCIL	
Parks and Recreation Commission	GARNER	HOLSTEGE
Planning Commission	CITY COUNCIL	
Public Arts Commission	GARNER	HOLSTEGE
Rent Review Commission	GARNER	HOLSTEGE
Sustainability Commission	GARNER	HOLSTEGE
VillageFest Board	GARNER	HOLSTEGE

CITY OF PALM SPRINGS, CALIFORNIA

Roster of City Council
Appointees to External Organizations

External Organizations	Meetings	Appointee	Alternate
Coachella Valley Association of Governments (CVAG): (SEI, Form 700 required)			
<i>Executive Committee</i>	Last Monday, 4:30 p.m.	MAYOR	MAYOR PRO TEM
<i>Energy & Environmental Resources</i>	2 nd Thursday, 12:00 p.m.	WOODS	MIDDLETON
<i>Homelessness</i>	3 rd Wednesday, 10:00 a.m.	HOLSTEGE	KORS
<i>Public Safety</i>	2 nd Monday, 9:00 a.m.	HOLSTEGE	MIDDLETON
<i>Transportation</i>	1 st Monday, 11:00 a.m.	MIDDLETON	WOODS
Coachella Valley Conservation Commission (SEI, Form 700 required)	2 nd Thursday, 11:00 a.m.	WOODS	MIDDLETON
Coachella Valley Mountains Conservancy Bd. (SEI, Form 700 required)	2 nd Monday, 3:00 p.m.	WOODS	MIDDLETON
Desert Community Energy (SEI, Form 700 required)	3 rd Monday, 2:30 p.m.	KORS	MIDDLETON
Eastern Riverside County Interoperable Communications Authority	2 nd Thursday 4:00 p.m.	HOLSTEGE	KORS
Friends of PS Animal Shelter		GARNER	HOLSTEGE
Greater PS Convention & Visitors Bureau (SEI, Form 700 required)	Varies	KORS	WOODS
League of California Cities Annual Conference Business Meeting	10/09/2020	GARNER	MIDDLETON
Main Street/Uptown Business Association		MIDDLETON	KORS
Palm Springs Chamber of Commerce	3 rd Thursday	KORS	HOLSTEGE
Palm Springs Tourism & Hospitality Organizations	Varies	KORS	HOLSTEGE
Plaza Theater Restoration Fundraising Committee	Varies	KORS	N/A
Office of Neighborhood Involvement (One-PS)		MIDDLETON	WOODS
Riverside County Community Action Commission (SEI, Form 700 required)	3 rd Thursday, 5:30 p.m.	VACANT	VIRATA
Riverside County Transportation Commission (SEI, Form 700 required)	2 nd Wednesday, 9:00 a.m.	MIDDLETON	WOODS

External Organizations	Meetings	Appointee	Alternate
So. California Association of Governments Conference & General Assembly Meeting <i>(SEI, Form 700 required)</i>	May7-8, 2020	WOODS	MIDDLETON
<u>SunLine</u> Transit Agency <i>(SEI, Form 700 required)</i>	4 th Wednesday, 12:00 p.m.	MIDDLETON	WOODS