



**Thursday, May 7, 2020**  
**Minutes of the Regular Meeting of the City Council**  
**of the City of Palm Springs**

Pursuant to Executive Order N-29-20, by Governor Newsom, this meeting was conducted by teleconference and there was no in-person public access to the meeting location.

**CALL TO ORDER:**

A Regular Meeting of the Palm Springs City Council was called to order by Mayor Kors on Thursday, May 7, 2020, at 6:05 p.m.

**PLEDGE OF ALLEGIANCE:**

City Manager Ready 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 provided an update on the Mayor's Tourism Business Taskforce and displayed videos.

**ACCEPTANCE OF THE AGENDA:**

MOTION BY COUNCILMEMBER WOODS, SECOND BY MAYOR PRO TEM HOLSTEGE, CARRIED 5-0, to remove Consent Calendar Item Nos. 1A and 1F for separate discussion.

**REPORT OF CLOSED SESSION:**

The Regular Closed Session of the City Council of May 7, 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):

4348 Lockwood Avenue LLC et al. v. City of Palm Springs et al.,  
Case No. RIC 1703102, Superior Court of the State of California, County of Riverside

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

Six (6) matters that, under the existing circumstances, the City Attorney believes creates significant exposure to litigation.

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

Under existing facts and circumstances, there are three (3) 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 Address/Description: APNs 677-444-010; 677-444-013; and 67470 Sarah Street, Cathedral City, CA 92234  
Agency: City of Palm Springs  
City Negotiator: Marcus Fuller, City Engineer/Assistant City Manager or Designee  
Negotiating Parties: Luis A. Avila Paz, Rosario Avila and Maria Avila  
Under Negotiation: Price and Terms of Payment

Property Address/Description: APNs 680-170-051 and 680-170-014  
Agency: City of Palm Springs  
City Negotiator: Marcus Fuller, City Engineer/Assistant City Manager or Designee  
Negotiating Parties: Bureau of Indian Affairs  
Under Negotiation: Price and Terms of Payment (Lease)

Property Address/Description: APN 502-210-023 (2-acre portion located at the northwest corner of East Baristo Road and El Cielo Road)  
Agency: City of Palm Springs  
City Negotiator: David H. Ready, City Manager or Designee  
Negotiating Parties:  
Under Negotiation: Price and Terms of Payment (Lease)

Property Address/Description: 505-182-010 and 505-182-004 (Adjacent parcels located at the southwest corner of North Palm Canyon Drive and Stevens Road)  
 Agency: City of Palm Springs and Successor Agency of the Former Redevelopment Agency of the City of Palm Springs  
 City Negotiator: David Ready, City Manager or Designee  
 Negotiating Parties:  
 Under Negotiation: Price and Terms of Payment (Sale)

Property Address/Description: 3.6 Acres at SE corner of Indian Canyon Drive and San Rafael Road APN 501-031-028  
 Agency: City of Palm Springs  
 City Negotiator: David H. Ready, City Manager or Designee  
 Negotiating Parties: Community Housing Opportunities Corporation (CHOC)  
 Under Negotiation: Price and Terms of Payment (Sale)

Property Address/Description: Boulders Property (Lots 1-45 of Tract Map 31095/APNs 504-150-011 through -055); Crescendo Property (APN 504-040-046); Rimrock Property (APN 681-480-011); Gene Autry Property (APNs 677-540-028 & 677-540-029); Block G of parcel map 36446 (APN 513-560-048)  
 Agency: City of Palm Springs  
 City Negotiator: David H. Ready, City Manager or Designee  
 Negotiating Parties:  
 Under Negotiation: Price and Terms of Payment

CONFERENCE WITH LABOR NEGOTIATOR, Pursuant to Government Code Section 54957.6:

Agency Designated Representatives: David Ready, City Manager or Designee  
 Perry Madison, Director of Human Resources  
 Bryan Reyes, Chief of Police  
 Peter Brown, Attorney

Employee Organizations: Management Association of Palm Springs  
 Palm Springs Firefighters Association  
 Palm Springs Fire Management  
 Palm Springs Police Management Association  
 Palm Springs Police Officers Association  
 Public Employees Association of Palm Springs  
 All Unrepresented Employees

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:**

The following individuals spoke in support of Item 4A, urging that the City Council allow the reopening of golf courses, tennis courts, and/or pickleball courts:

Stephen Moses  
Charles Brobeck  
Sandy Williams  
Roman Gronkowski  
John Ryan  
Julie Varon  
Debbie Mirageas  
John Fitzpatrick  
Alanne Turina

The following individuals spoke in opposition to Item 4A, citing public health and safety concerns due to residences being adjacent and in proximity to the golf course fairways:

Jim Seavey  
James Egan

Irene Amato, speaking on Item 4A, voiced opposition to reopening of businesses, citing public health and safety concerns; urged the City Council to continue requiring face coverings and social distancing protocols for all businesses allowed to reopen.

Maribel Nunez, speaking on Item 4A, urged the City Council to enact a local mortgage and rent relief program.

Carole LaDuca, speaking on Item 4A, urged the City Council to rescind its rules regarding private community pools and instead refer to Riverside County guidelines for pools.

Lisa Jacobs, speaking on Item 4A, spoke on the restrictions imposed by the Palm Springs Cemetery District, urging that the City Council work with the District to allow visitations.

April Cox, speaking on Item 4A, spoke on her experience trying to locate and purchase face coverings.

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

Councilmember Middleton announced that the summer Farmers' Market is facing a financial shortfall and is seeking financial donations.

Mayor Pro Tem Holstege provided an update on the U.S. Census and encouraged residents to complete the census; reported on recent meetings, including the Coachella Valley Association of Governments Homelessness Committee; requested that staff agendize a presentation by County officials regarding efforts to shelter homeless persons during the COVID-19 pandemic.

Mayor Kors announced that seniors may contact the Riverside County Department on Aging regarding a new restaurant meal delivery program for individuals at high risk due to the COVID-19 pandemic; reported on recent meetings and webinars with elected officials and the business community.

## 1. CONSENT CALENDAR:

MOTION BY COUNCILMEMBER GARNER, SECOND BY COUNCILMEMBER WOODS, CARRIED 5-0, to approve the consent calendar, with the removal of Item Nos. 1A and 1F for separate discussion.

### A. APPROVAL OF MINUTES

This item was excluded from the Consent Calendar. Please refer to Page 10 of these minutes for a summary of that action.

### B. APPROVAL OF PAYROLL WARRANTS, CLAIMS, AND DEMANDS

Councilmember Middleton announced her recusal on Item 1B, noting that she received a reimbursement payment for City-related travel.

MOTION BY COUNCILMEMBER GARNER, SECOND BY COUNCILMEMBER WOODS, CARRIED 4-0 (COUNCILMEMBER MIDDLETON RECUSED), to adopt Resolution No. 24751 entitled, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, APPROVING PAYMENT OF PAYROLL WARRANTS FOR THE PERIOD ENDING 04-18-2020 BY WARRANTS NUMBERED 421046 THROUGH 421063 TOTALING \$30,373.72 CLAIMS, DEMANDS AND LIABILITY CHECKS NUMBERED 1112901 THROUGH 1113124 TOTALING \$3,231,380.78, FOUR WIRE TRANSFERS FOR \$68,977.02, AND FIVE ELECTRONIC ACH DEBITS OF \$1,496,274.02 IN THE AGGREGATE AMOUNT OF \$4,827,005.54, DRAWN ON BANK OF AMERICA."

### C. APPROVAL OF AMENDMENT NO. 1 TO PROFESSIONAL SERVICES AGREEMENT NO. 5701 WITH DOKKEN ENGINEERING, A CALIFORNIA CORPORATION, FOR ADDITIONAL ENGINEERING DESIGN SERVICES FOR THE SOUTH PALM CANYON DRIVE LOW WATER CROSSING BRIDGE REPLACEMENT AT ARENAS CANYON SOUTH, FEDERAL PROJECT BR-NBIL(502), CITY PROJECT NO. 06-18

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

1. Approve Amendment No. 1 in the amount of \$112,500, to Professional Services Agreement No. 5701, for a new total amount of \$794,054 with Dokken Engineering.  
**A5701**
2. Authorize the Assistant City Manager to execute all necessary documents.

**D. APPROVE THE PURCHASE AND IMPLEMENTATION OF A COMPUTER-AIDED DISPATCH AND RECORDS MANAGEMENT SYSTEM (CAD/RMS) FOR THE POLICE AND FIRE DEPARTMENTS FROM SOMA GLOBAL, LLC, IN AN AMOUNT NOT TO EXCEED**

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

1. In accordance with Section 7.09.010 "Cooperative Purchasing Programs," of the Palm Springs Municipal Code, approve of the sole-source selection of SOMA Global, LLC, a Florida limited liability company, on the basis of its contract with the Riverside County Sheriff's Department.
2. Approve a Master Subscription Agreement with SOMA Global, LLC, a Florida limited liability company, for setup, integration, implementation, and maintenance of a Computer-Aided Dispatch and Records Management System for the Police and Fire Departments with a term of 5 years in the total amount of \$821,794.16. **A8538**
3. Authorize the City Manager to approve additional expenditures for materials or services related to the setup, integration, and implementation of the CAD/RMS in an amount not to exceed \$100,000.
4. Authorize the City Manager to execute all necessary documents.

**E. AIRPORT ACCEPTANCE OF FEDERAL AVIATION ADMINISTRATION CARES ACT GRANT IN THE AMOUNT OF \$11,067,877**

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

1. Authorize the City Manager to approve the Federal CARES Act grant in the amount of \$11,067,877 for the Palm Springs International Airport (PSP).
2. Authorize the City Manager to execute all necessary documents.

**F. RECEIVE AND FILE AGREEMENT WITH STATE OF CALIFORNIA BUSINESS, CONSUMER SERVICES, AND HOUSING AGENCY FOR \$10,000,000 IN HOMELESS HOUSING, ASSISTANCE AND PREVENTION PROGRAM GRANT FUNDS**

This item was excluded from the Consent Calendar. Please refer to Page 10 of these minutes for a summary of that action.

**G. APPROVAL OF AMENDMENT NO. 2 TO CONTRACT SERVICES AGREEMENT WITH 15000, INC.**

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

1. Approve Amendment No. 2 to the Contract Services Agreement with 15000, Inc. for cannabis odor control and compliance services, in a total amount not to exceed one hundred twenty-five thousand dollars (\$125,000). **A7089**
2. Authorize the City Manager to execute all necessary documents.

**H. APPROVAL OF PLANS, SPECIFICATIONS AND ESTIMATE (PS&E) AND AUTHORIZATION TO BID AIRPORT PASSENGER BOARDING BRIDGES, CITY PROJECT NO. 19-34**

MOTION BY COUNCILMEMBER GARNER, SECOND BY COUNCILMEMBER WOODS, CARRIED 5-0, to approve the plans, specifications and estimate and authorize Staff to advertise and solicit bids for the Airport Passenger Boarding Bridges, City Project No. 19-34.

**I. APPROVAL OF AMENDMENT NO. 6 IN THE AMOUNT OF \$15,000 TO PROFESSIONAL SERVICES AGREEMENT NO. A6132 WITH MICHAEL FONTANA AND ASSOCIATES FOR ON-CALL FACILITY CONSTRUCTION OWNER REPRESENTATIVE SERVICES**

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

1. Approve Amendment No. 6 to Agreement No. A6132 increasing the contract amount by \$15,000, for a total not to exceed \$225,000, with Michael Fontana and Associates for On-Call Facility Construction Owner Representative Services. **A6132**
2. Authorize the City Manager to execute all necessary documents.

**EXCLUDED CONSENT CALENDAR:**

**A. APPROVAL OF MINUTES**

Mayor Pro Tem Holstege noted that Mayor Kors previously requested that staff develop a one-page notice in English and Spanish for tenants to provide to landlords regarding the City's orders and eviction moratorium.

MOTION BY COUNCILMEMBER GARNER, SECOND BY COUNCILMEMBER WOODS, CARRIED 5-0, to approve the City Council Meeting Minutes of April 2 and April 14, 2020.

**F. RECEIVE AND FILE AGREEMENT WITH STATE OF CALIFORNIA BUSINESS, CONSUMER SERVICES, AND HOUSING AGENCY FOR \$10,000,000 IN HOMELESS HOUSING, ASSISTANCE AND PREVENTION PROGRAM GRANT FUNDS**

Mayor Pro Tem Holstege reported this item applies to the \$10 million grant application from the State; noted the City has not yet received the money and hoped the receipt and filing of this agreement move the item forward.

MOTION BY COUNCILMEMBER WOODS, SECOND BY MAYOR PRO TEM HOLSTEGE, CARRIED 5-0, to accept an agreement with the State of California Business, Consumer Services and Housing Agency Homeless Coordinating and Financing Council for \$10,000,000 in Homeless Housing, Assistance and Prevention Program grant funds.  
**A8539**

**2. PUBLIC HEARINGS:**

**A. COUNCIL CALL-UP OF THE MARCH 25, 2020, DECISION BY THE PLANNING COMMISSION REGARDING THE ORCHID TREE PROJECT BY NEW CHURCH 11, LLC INVOLVING A GENERAL PLAN AMENDMENT, VARIANCE, MAJOR ARCHITECTURAL APPLICATION, AND CONDITIONAL USE PERMIT TO (1) RE-CLASSIFY A PORTION OF ARENAS ROAD IN THE CIRCULATION ELEMENT OF THE 2007 GENERAL PLAN; (2) RENOVATE TWO HISTORIC PROPERTIES FOR ADAPTIVE RE-USE; AND (3) DEMOLISH AND RECONSTRUCT ONE AND TWO-STORY STRUCTURES ON A 3.65-ACRE SITE FOR THE OPERATION OF A HOTEL WITH ACCESSORY SPA, RESTAURANT AND MEETING SPACE LOCATED AT 222 S. CAHUILLA ROAD, ZONE R-3 (CASE 5.1345 CUP, GPA, HSPB 23, HSPB 72, 3.0678 MAJ & 6.656 VAR)**

Director of Planning Services Fagg narrated a PowerPoint presentation. In response to City Council inquiries, Director Fagg advised that requiring Building N to conform to standard setbacks would impact the width of the pool and lounge areas.

Mayor Kors opened the Public Hearing.

Robert Bruggeman, recommended that the City Council approve the project, but urged denial of the setback variance (comments were made during the public testimony period).

Richard Weintraub, Applicant, urged the City Council to approve the project including the setback variance and deletion of the additional parking requirements for events; stated that he will ensure that staff will not park in adjacent neighborhoods.

Joshua Gottheim, Applicant's Attorney, spoke on the parking requirements for events, opining that the additional parking requirements would violate the City's Municipal Code in terms of protecting Class 1 Historic properties.

Richard Weintraub, stated that the Historic Preservation Code does not require additional parking when the use does not change; noted that the additional parking requirements may impact the project's ability to obtain financing. In response to City Council inquiries, Mr. Weintraub advised that he is self-financing the plans and permit approval process; stated that he is willing to discuss modifications to the proposed streetscape around the perimeter of the property; estimated that the hotel could only be able to accommodate 200-220 guests for special events; stated that employees will be encouraged to use public transportation, bike, or carpool.

Paul Sanford, expressed concerns regarding the lack of on-street parking in the adjacent neighborhood, opining that the proposed project will further worsen the parking conditions.

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

In response to City Council inquiry, Director Fagg explained that the Planning Commission recommends that the Applicant secure 25 off-site parking spaces for large events; pointed out that the additional parking is not needed for normal hotel, spa and restaurant operations; explained that hotels are not required to obtain special event permits for weddings or large meetings, provided that there is sufficient on-site parking or a parking management plan; advised that the City Council could as an alternative, require that the Applicant obtain a Special Event Permit for any events with 175 or more guests; suggested that Condition of Approval No. PLN-11 be modified to state that hotel staff and guests shall not use on-street parking in adjacent neighborhoods.

Mayor Pro Tem Holstege voiced opposition to requiring special event permits for large events, noting that the process needs improvements and would create additional administrative burdens for staff and the Applicant.

Councilmember Woods requested that the Applicant submit a traffic demand management plan be submitted for review and approval prior to the opening of the hotel.

Following discussion, Director Fagg recommended that the City Council approve the setback variance and direct the Architectural Advisory Committee (AAC) to review the final architectural drawings for Building N and the streetscape plan along the perimeter of the property for final approval by the City Council.

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

1. Adopt Resolution No. 24752 entitled, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, **APPROVING A GENERAL PLAN AMENDMENT APPLICATION**, CASE 5.1345 GPA, TO AMEND THE CIRCULATION ELEMENT, FIGURE 4-1, OF THE 2007 GENERAL PLAN TO RE-CLASSIFY A SEGMENT OF ARENAS ROAD FROM A SECONDARY THOROUGHFARE TO A COLLECTOR BETWEEN BELARDO ROAD AND TAHQUITZ DRIVE."

*(City Council action continued on the next page)*

2. Adopt Resolution No. 24753 entitled, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, **APPROVING A VARIANCE APPLICATION**, CASE 6.656 VAR, FOR REDUCING STREET SETBACKS ALONG BELARDO ROAD AND BARISTO ROAD FOR A PROPOSED HOTEL PROJECT PROPOSED AT 222 SOUTH CAHUILLA ROAD," with direction that the Architectural Advisory Committee (AAC) shall review the streetscape plan for the entire perimeter of the project, including the walls and gates, and architecture of Building N, subject to final approval by the City Council.
3. Adopt Resolution No. 24754 entitled, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, **APPROVING A MAJOR ARCHITECTURAL APPLICATION**, CASE 3.0678 MAJ, TO RENOVATE CLASS 1 HISTORIC PROPERTIES (226 WEST BARISTO ROAD AND 284 SOUTH CAHUILLA ROAD), DEMOLISH CLASS 3 AND 4 STRUCTURES AND CONSTRUCT ONE- AND TWO-STORY BUILDINGS TO RECONSTRUCT BUILDINGS IN THE SAME LOCATION, IN ORDER TO COMBINE ALL PROPERTIES WITHIN THE BLOCK FOR THE OPERATION AS ONE HOTEL WITH 74 GUEST ROOMS AT 222 SOUTH CAHUILLA ROAD."
4. Adopt Resolution No. 24755 entitled, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, **APPROVING A CONDITIONAL USE PERMIT APPLICATION**, CASE 5.1345 CUP, TO OPERATE ACCESSORY COMMERCIAL, INCLUDING A RESTAURANT AND SPA FACILITY, IN CONJUNCTION WITH A HOTEL PROJECT AT 222 SOUTH CAHUILLA ROAD," with the following modifications:
  - a. Condition PLN 11 shall read as follows, "Off-site Parking. Vehicles associated with the operation of the proposed development including company vehicles or employees vehicles shall not be permitted to utilize on-street parking in the surrounding neighborhood. Off-site parking for employees and patrons may be approved via a parking management plan, prepared by the applicant and submitted to the Director for review and approval. Off-site parking facilities shall not be subject to the distance limitations specified in PSZC Section 93.06.00(B)(5)."
  - b. Condition PLN 14 shall read as follows, "Land Use Permit for Special Events. A Land Use Permit shall be required for any special event at the facility where 250 guests or more will be present. The Land Use Permit shall include a parking management plan, demonstrating a satisfactory means of providing parking for the proposed event, and shall identify traffic routes for valet service, shuttle service, location of off-site parking, etc."
  - c. Condition PLN 17 shall read as follows, "Traffic Demand Management Plan. The applicant shall prepare and submit a traffic demand management plan to the Director for review and approval prior to the issuance of a Certificate of Occupancy for the hotel facility. The traffic demand management plan shall address the valet operations for the facility, including the routes of travel on the adjacent streets. The traffic demand management plan shall also address routes for delivery vehicles, trash removal vehicles, and all other service vehicles associated with the facility."

*(City Council action continued on the next page)*

- d. Condition ADM 12 shall read as follows, “Grounds for Revocation or Modification. Non-compliance with any of the conditions of this approval or with City codes and ordinances, State laws; any valid citizen complaints or policing and safety problems (not limited to off-site parking issues, excessive alcohol consumption, noise, disturbances, signs, etc.) regarding the operation of the establishment; as determined by the Chief of Police or the Director of Building and Safety, may result in proceedings to revoke or modify the Conditional Use Permit. In addition, violations of the City Codes and Ordinances will result in enforcement actions which may include citations, arrest, temporary business closure, or revocation of this permit in accordance with law.”

## **RECESS AND RECONVENE**

The City Council recessed at 8:20 p.m. and reconvened at 8:35 p.m. with all Councilmember present via teleconference.

### **B. REQUEST BY THE CITY OF PALM SPRINGS TO AMEND PALM SPRINGS ZONING CODE SECTION 91.00.10, 93.13.00, AND 93.23.14 RELATIVE TO THE DEVELOPMENT STANDARDS FOR ACCESSORY DWELLING UNITS (ADU) AND JUNIOR ACCESSORY DWELLING UNITS (JADU) (CASE 5.1447 ZTA)**

Director of Planning Services Fagg narrated a PowerPoint presentation. In response to City Council inquiry, Director Fagg noted that the proposed ordinance primarily implements State law and highlighted any elements which differ from State law; clarified that JADU may be occupied by family members or rented, noting that it may not be used as a short-term vacation rental.

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

Councilmember Middleton expressed concern regarding the reduced setback requirements, citing that it may create an opportunity for individuals to build a “casita” closer to the property line than they would otherwise be allowed to do so.

Mayor Kors noted that State law requires that ADUs be rented for a minimum of 30-days and questioned whether the City could extend the minimum rental period and whether the City could provide parking waivers based on an analysis of available on-street parking. Director Fagg advised that the Planning Commission’s Attorney advises against any modifications to State law; stated that the City could provide parking waivers, as it would be less stringent than State law.

During the course of discussion, the City Council voiced support for the proposed ordinance, noting that it will provide more opportunities for low-income, transitional, and flexible housing options for residents and encouraged staff to promote the new ordinance. Director Fagg noted that the ordinance requires provisions for cooking and sanitation facilities.

MOTION BY COUNCILMEMBER GARNER, SECOND BY COUNCILMEMBER MIDDLETON, CARRIED 5-0, to introduce Ordinance No. 2023 entitled, "AN ORDINANCE OF THE CITY OF PALM SPRINGS, CALIFORNIA, AMENDING SECTIONS 91.00.10, 92.13.00, AND 93.23.14 OF THE PALM SPRINGS ZONING CODE RELATING TO ACCESSORY DWELLING UNITS AND JUNIOR ACCESSORY DWELLING UNITS AND DETERMINING THE ORDINANCE TO BE EXEMPT FROM CEQA," with direction to staff to modify the ordinance for second reading to include a provision to allow parking waivers based on an analysis of available on-street parking. City Clerk Mejia read the ordinance by title.

**3. LEGISLATIVE: None.**

**4. UNFINISHED BUSINESS:**

**A. DISCUSSION OF IMPACTS AND RESPONSES TO THE LOCAL EMERGENCY RELATED TO THE NOVEL CORONAVIRUS (COVID-19), INCLUDING DISCUSSION AND POSSIBLE DIRECTION REGARDING EMERGENCY ORDERS CONCERNING RECREATIONAL FACILITIES SUCH AS GOLF, TENNIS, PICKLEBALL AND POOLS**

City Attorney Ballinger presented the staff report. Councilmembers Garner and Middleton summarized their recommended protocols relative to the reopening of golf courses, tennis courts, pickleball courts, and private community pools; noted that golf courses will need to submit and receive approval of their reopening protocols and will be responsible for ensuring compliance; noted that individual violators will be evicted from the course and barred from playing for the duration of the emergency. In response to inquiries, Councilmembers Garner and Middleton advised that the O'Donnell Golf Course will need to implement a reservation system; advised that face coverings will not be required for tennis and pickleball play but should be readily available; stated that tennis and pickleball will be limited to single-play on public courts and that private courts will have the discretion to allow doubles play.

City Manager Ready advised that staffing will cost approximately \$2,700 per week to monitor tennis and pickleball courts and explained the proposed staffing levels and rotation schedule.

Mayor Pro Tem Holstege suggested that staff should conduct spot checks to ensure tennis and pickleball players are maintaining social distancing rather than an on-site court monitor; questioned the need to place residency requirements and whether proof of residency documentation would place additional burdens on staff.

Discussion ensued relative to the costs and revenues associated with operating the City-owned golf course, requiring proof of residency for public facilities, the need for reservations, monitoring and following up on complaints, challenges with closure of the courts at night, and whether to allow staff to determine when to allow doubles play at public courts.

Councilmember Middleton and Garner noted that they felt that the County's rules regarding private community pools were inadequate as it did not take into considerations families with children, individuals from the same household, or individuals needing the assistance of a caretaker. Councilmember Garner voiced support for developing a plan to allow curbside pickup of materials from the Library.

Mayor Kors opined that the City Council should continue to require face coverings and social distancing protocols for businesses; voiced support for moving into the Governor's Phase 2 which would allow the reopening of local businesses; pointed out the increased availability of testing sites throughout Riverside County.

In response to City Council inquiry, City Attorney Ballinger advised that the Governor's order provides local governments with discretion regarding which City facilities are deemed essential and stated that he will seek clarification from the Governor's Office.

Councilmember Woods announced his recusal due to a financial conflict of interest related to short-term vacation rentals and left the meeting at 10:09 p.m.

Mayor Kors stated that the Governor's shelter in place order is still active and prohibits leisure travel; noted that short-term vacation rentals, hotels, and motels may only accept guests for COVID-19 related reasons.

Councilmember Woods returned to the meeting at 10:13 p.m.

City Manager Ready addressed a COVID-19 fiscal relief letter for State and Local governments and reported it will be presented to City Council at the upcoming special meeting.

During the course of discussion, the City Council agreed to allow public and private golf courses to reopen subject to approval of their reopening plan; public and private tennis and pickleball courts may reopen, subject to allowing singles play on public courts and by reservation only; private community pools may reopen and allow multiple users consistent with the Riverside County's guidelines for pools.

## **5. NEW BUSINESS: None.**

### **PUBLIC COMMENT:**

Daryl Terrell, submitted a job protection ordinance for the City Council's consideration which would ensure that laid-off hospitality and airport workers would have first consideration for rehire.

**CITY COUNCIL AND CITY MANAGER REQUESTS AND UPCOMING AGENDA DEVELOPMENT:**

Councilmember Garner requested staff agendize a presentation by the Palm Springs Unified School District regarding their plans for reopening schools.

Councilmember Woods volunteered to serve as a liaison to staff regarding modifications to the City's sign ordinance to allow for creative signage, noting that the City of West Hollywood has a model ordinance.

Mayor Pro Tem Holstege requested that staff provide an update on fees and fines which could be waived during the pandemic.

**ADJOURNMENT:**

The City Council adjourned at 10:30 p.m.

Respectfully submitted,

  
Anthony J. Mejia, MMC  
City Clerk

APPROVED BY CITY COUNCIL: 06/11/2020