



Tuesday, May 26, 2020
Minutes of the Adjourned 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:

An Adjourned Regular Meeting of the Palm Springs City Council was called to order by Mayor Kors on Tuesday, May 26, 2020, at 3:00 p.m., in the Council Chamber, City Hall, located at 3200 E. Tahquitz Canyon Way, Palm Springs, California.

PLEDGE OF ALLEGIANCE:

Mayor Kors 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.

REPORT OF CLOSED SESSION:

The Regular Closed Session of the City Council of May 26, 2020, was called to order by Mayor Kors at 2:00 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 § 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

MATTERS CREATING SIGNIFICANT EXPOSURE TO LITIGATION, Pursuant to Government Code § 54956.9(d)(2):

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

DISCUSSION TO CONSIDER INITIATION OF LITIGATION, Pursuant to Government Code § 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 § 54956.8:

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

Property Description: Tahquitz Creek Golf Course, 1885 Golf Club Drive, Palm Springs, CA, 92264
 Agency: City of Palm Springs
 City Negotiator: David Ready, City Manager or Designee
 Negotiating Parties:
 Under Negotiation: Price and Terms of Payment

Property 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 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

Property Description: Palm Springs Visitor's Center (APN 504-040-053)
Agency: City of Palm Springs
City Negotiator: Marcus Fuller, City Engineer/Assistant City Manager or Designee
Negotiating Parties: Coachella Valley Association of Governments (CVAG)
Under Negotiation: Price and Terms of Payment

Property Description: 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 Ready, City Manager or Designee
Negotiating Parties:
Under Negotiation: Price and Terms of Payment (Lease)

Property 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 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 Description: Boulders Property (Lots 1-45 of Tract Map 31095/APNs 504-150011 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 54957.6:

City Negotiator: 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

Assistant City Attorney Hull announced that the City Council took no reportable action and reported depending on the hour in which Council finishes, Council may reconvene to Closed Session later tonight.

PUBLIC TESTIMONY:

Jeffrey Bernstein, speaking on Item 1B, urged the City Council adopt the proposed eviction moratorium; suggested that the City appoint a mediator to aid in landlord/tenant disputes.

Jacob Colella, representing Public Employees Association of Palm Springs, speaking on Item 1B, expressed support for the proposed eviction moratorium.

Mindy Reed, requested that the City Council set the eviction moratorium to expire when restaurants are allowed to seat at full capacity; opined that the proposal to allow restaurants to expand their footprint on parking lots and sidewalks will not help until the weather improves.

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

Emergency Management Coordinator DeSelms presented an update on COVID-19 case data for the City, County and Coachella Valley region and responded to City Council inquiries.

Mayor Kors invited the community to participate in a webinar on May 28, 2020, focused on providing reopening guidance to retail stores, restaurants, barber shops, and salons.

Mayor Pro Tem Holstege requested that staff agendize consideration of joining an amicus brief related to immigration detention centers for the City Council meeting of June 11, 2020.

1. UNFINISHED BUSINESS:**A. CONTINUED DISCUSSION OF POTENTIAL GENERAL FUND BUDGET IMPACTS ASSOCIATED WITH THE NOVEL CORONAVIRUS (COVID- 19); FISCAL YEAR 2019/2020 ADJUSTED BUDGET AND FISCAL YEAR 2020/2021 PRELIMINARY BUDGET REVIEW**

Fire Chief Nalder presented an update on the impacts of the proposed budget cuts to the Fire Department budget. In response to City Council inquiries, Chief Nalder advised that the Department's inspection program, including Wildland Urban Interface inspections, will continue and that inspection fees will need to be examined to ensure that the program recovers as much costs as possible; summarized the hiring process for new firefighters, noting that the process takes approximately 4-5 months.

Parks and Recreation Director Alvarado presented an update on the impacts of the proposed budget cuts to the Parks and Recreation Department budget. In response to City Council inquiries, Director Alvarado stated that under the proposed cuts, the summer camp program would be eliminated; advised that approximately 80% of summer camp participants are Palm Springs youth.

Mayor Pro Tem Holstege suggested that staff work with the Palm Springs Unified School District regarding the possibility of adding Early Childhood Education Programs at the City's community centers.

Library Services Director Kays presented an update on the impacts of the proposed budget cuts to the Library Department budget. In response to City Council inquires, Director Kays noted that the Friends of the Library have agreed to sponsor \$25,000 for the Summer Reading Program; summarized the proposed hours of operation are a result of the budget cuts; announced that the Library will begin offering curbside pick-up services.

MEETING RECESS

The City Council recessed at 4:30 p.m. and reconvened at 4:40 p.m. with all members present.

City Manager Ready spoke on service level impacts as a result of the proposed budget cuts; expressed gratitude to Departments Heads and non-represented employees for taking a voluntary 10% pay reduction, noting that he is taking a 20% pay reduction. In response to City Council inquiries, City Manager Ready summarized the City's investments in tourism, noting the Convention Center, Downtown Redevelopment Project, Palm Springs Bureau of Tourism, and City-owned golf course.

Councilmember Middleton noted that the City is spending nearly twice as much to support tourism than neighboring cities, opining that other cities should be contributing more towards supporting tourism valley wide.

Mayor Kors recommended that staff evaluate redundancies between the Palm Springs Bureau of Tourism and the Greater Palm Springs Convention and Visitors Bureau for saving and efficiencies.

City Manager Ready presented a comparison of Coachella Valley cities operating plans and expenditures related to libraries, public safety, and parks and recreation.

Councilmember Garner expressed an interest in learning more about the recreation programs in other Coachella Valley cities; suggested the future consideration of an assessment district for recreation services; noted that businesses in other cities may provide recreational activities for youth, expressing a desire to attract such businesses to Palm Springs.

Mayor Pro Tem Holstege expressed concern with comparing Palm Springs to other Coachella Valley cities which do not operate their own recreational programs, noting that they participate in a recreation district; recommended that staff identify other cities which are more comparable to Palm Springs.

Discussion ensued regarding pension costs and unfunded pension liabilities. Councilmember Middleton noted that the CalPERS Board does not have the authority to defer pension payments; summarized the discount rates and projected cost increases.

Mayor Pro Tem Holstege requested that staff provide a cost/benefit analysis for the special events and parades held in Palm Springs; expressed concern that cancelling all events will further exacerbate the economic decline.

Councilmember Garner reported that the Coachella Valley Economic Partnership (CVEP) understands that the City Council will need to reduce its funding and expressed that they will work with other cities to ensure that it is a regional funded program.

Councilmember Middleton spoke in support of funding CVEP, even at a reduced amount; expressed support for continuing to support specific events and parades, noting that more philanthropic dollars may be needed to support such events.

Councilmember Woods voiced concern that the City is in a massive deficit and using a large portion of reserves; recommended that the City Council and staff define core City services and then build upon that analysis to determine where funding is best utilized; expressed a preference for maintaining a separate pension reserve and general fund reserve; spoke on the importance of addressing redundancies and efficiencies.

Mayor Pro Tem Holstege conveyed support for merging the pension and general fund reserve; agreed that the City Council and staff need to analyze the budget for efficiencies while continuing to invest in the City's future.

Mayor Kors noted that the budget cuts proposed in Scenario A, will not result in the closure of community centers, but will reduce or eliminate certain programs and services; spoke on the importance of maintaining reserves, noting that the budget forecast is not based on a worst-case scenario; noted that the City Council will need to continuously monitor projected revenues to avoid further use of reserves.

City Manager Ready requested that the City Council provide direction on the minimum reserve level acceptable to the City Council, noting that staff will return with a modified budget; reviewed the rehiring process for certain positions proposed to be eliminated.

Mayor Kors opined that unless there is a long-term plan for savings, he is unwilling to go below an 18% reserve level.

Councilmember Garner and Mayor Pro Tem Holstege recommended that staff develop scenarios based on different reserve levels in relation to maintaining City services and programs.

City Manager Ready noted that there may be a need to make additional cuts in the coming months if projected revenues do not materialize; suggested that the City Council maintain a minimum of a 15% reserve; noted that the labor unions have submitted a cost saving proposal and that staff needs more time to evaluate the impacts.

The City Council agreed to adjourn to an Adjourned Regular meeting on May 29, 2020 at 1:00 p.m. for continuing discussion of the budget.

MEETING RECESS

The City Council recessed at 7:20 p.m. and reconvened at 7:35 p.m. with all members present.

B. AN URGENCY ORDINANCE OF THE CITY OF PALM SPRINGS, CALIFORNIA, EXTENDING A TEMPORARY MORATORIUM ON EVICTIONS RESULTING FROM NONPAYMENT OF RENT WHEN SUCH NONPAYMENT WAS CAUSED BY THE COVID-19 PANDEMIC, AND SETTING FORTH THE FACTS CONSTITUTING SUCH URGENCY

City Attorney Ballinger presented the staff report and responded to City Council inquiries.

During the course of discussion, the City Council agreed that the moratorium should be reviewed on a monthly basis and extended through June 2020 at this time.

Mayor Pro Tem Holstege noted that mediation services are available through the Riverside County Fair Housing Council as it relates landlord/tenant disputes and that there may be local attorneys willing to provide pro bono mediation services.

MOTION BY COUNCILMEMBER GARNER, SECOND BY COUNCILMEMBER MIDDLETON, CARRIED 5-0, to adopt Ordinance No. 2024 entitled "AN URGENCY ORDINANCE OF THE CITY OF PALM SPRINGS, CALIFORNIA, EXTENDING A TEMPORARY MORATORIUM ON EVICTIONS RESULTING FROM NONPAYMENT OF RENT WHEN SUCH NONPAYMENT WAS CAUSED BY THE COVID-19 PANDEMIC, AND SETTING FORTH THE FACTS CONSTITUTING SUCH URGENCY."

RETURN TO CLOSED SESSION

At 7:56 p.m. the City Council returned to Closed Session.

ADJOURNMENT:

At 7:56 p.m., the City Council adjourned to an Adjourned Regular City Council Meeting to occur on May 29, 2020, at 1:00 p.m.

Respectfully submitted,


Anthony J. Mejia, MMC
City Clerk

APPROVED BY CITY COUNCIL: 07/09/2020