



Thursday, June 25, 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, June 25, 2020, at 6:10 p.m., in the Council Chamber, City Hall, located at 3200 E. Tahquitz Canyon Way, Palm Springs, California.

PLEDGE OF ALLEGIANCE:

City Clerk Mejia 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:

Councilmember Garner presented an update on Census Action Week and encouraged all residents to complete the U.S. Census.

Sustainability Manager Tallorico provided a presentation on the City's participation in Plastic Free July and encouraged residents to reduce their consumption of single-use plastics.

Police Chief Reyes provided an update on the "Eight Can't Wait" campaign and summarized each element of the campaign.

ACCEPTANCE OF THE AGENDA:

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

REPORT OF CLOSED SESSION:

The Regular Closed Session of the City Council of June 25, 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):

Marilyn Aronson v. City of Palm Springs, Mariposa Landscape

Case No PSC 1902825, Superior Court of the State of California, County of Riverside

Lavenant v. City of Palm Springs

Case No. 5:17-cv-02267, United States District Court, Central District of California

CONFERENCE WITH LEGAL COUNSEL – MATTERS CREATING SIGNIFICANT 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.

Gov't Claim, dated May 11, 2020, from Wright Construction Engineering Corp.

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 four (4) 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:	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:	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:	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
Property Description:	APN 666-140-024 Located at 63775 Dillon Road (Former County of Riverside Fire Station No. 36)
Agency:	City of Palm Springs
City Negotiator:	David Ready, City Manager or Designee
Negotiating Parties:	Riverside County
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)

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

City Negotiator:	David Ready, City Manager or Designee Perry Madison, Director of Human Resources Bryan Reyes, Chief of Police Peter Brown, Attorney
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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
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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 5A, urging the City Council to approve the distance waiver request for the subject cannabis dispensary and lounge:

- Simone Sandoval, representing the Applicant
- Ivy Bader, representing the Applicant
- John Mikhael, Applicant
- Andrew Mekhail, Applicant
- Johnathan Rodriguez

The following individuals spoke in opposition to Item 5A, citing concerns regarding potential negative impacts to adjacent businesses and/or neighborhood and an oversaturation of cannabis-related businesses in the immediate area:

- Gabriel Mittelmann, Rockstar Cannabis Club
- Anna Apetyan, Rockstar Cannabis Club
- Derek Sanchez
- Gilbert Martiras
- Peter Roa
- Andre Khach
- Jacquelyn Larose
- Elizabeth Khach

Dr. Charles Gonzales, speaking on Item 4A, urged the City Council to order the use of face covering in gyms, citing concern that patrons are not following health and safety guidelines related to COVID-19.

Timothy Azar, speaking on Item 4A, requested that the City Council authorize the reopening of basketball courts at City parks.

Fritz Koenig, speaking on Item 4A, voiced concern that people are not wearing face coverings at grocery stores; recommended that people should be required to present a doctor's recommendation if they refuse to wear a face covering where required.

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

Councilmember Garner pointed out that fireworks are prohibited in Palm Springs; requested that staff agendaize consideration of renaming Golf Club Drive and Crossley Road after Lawrence Crossley; noted the retirement of Mrs. Linda Gray and commended her for her dedication and service to the Palm Springs community.

Councilmember Middleton provided an update on the activities of the SunLine Transit Agency; requested that staff agendaize consideration of an ordinance setting a penalty for use of a forged doctor's recommendation related to not wearing a face covering where required; requested that staff agendaize consideration of taking a position on Assembly Bill 2218, Transgender Wellness and Equity Fund.

During the course of discussion, the City Council requested that staff schedule the Listening Session on Policing, Racism, Discrimination and Other Related Matters for an upcoming Saturday.

Mayor Pro Tem Holstege discussed her letter to the County Board of Supervisors in support of Supervisor Perez's resolution calling for a review of the Sheriff's Department policing policies and practices.

Mayor Kors reported on the activities of the Coachella Valley Association of Governments Executive Committee; discussed a recent call with Riverside County Supervisor Perez regarding COVID-19, challenges with testing, and funding for compliance efforts; summarized the activities of Desert Community Energy.

Councilmember Woods urged everyone to wear a face covering and maintain social distancing while in public settings.

1. CONSENT CALENDAR:

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

A. APPROVAL OF MINUTES

MOTION BY COUNCILMEMBER MIDDLETON, SECOND BY COUNCILMEMBER GARNER, CARRIED 5-0, to approve the City Council Meeting Minutes of May 14, 2020, and May 21, 2020.

B. TREASURER'S INVESTMENT REPORT AS OF APRIL 30, 2020

MOTION BY COUNCILMEMBER MIDDLETON, SECOND BY COUNCILMEMBER GARNER, CARRIED 5-0, to receive and file the Treasurer's Investment Report as of April 30, 2020.

C. APPROVAL OF PAYROLL WARRANTS, CLAIMS AND DEMANDS

MOTION BY COUNCILMEMBER MIDDLETON, SECOND BY COUNCILMEMBER GARNER, CARRIED 5-0, to adopt Resolution No. 24767 entitled, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, APPROVING PAYMENT OF PAYROLL WARRANTS/DISBURSEMENTS FOR THE PERIOD ENDING 05-16-2020 TOTALING \$1,763,933.28 AND PERIOD ENDING 05-30-2020 TOTALING \$1,792,308.25, ACCOUNTS PAYABLE WARRANTS DATED 05-14-2020 TOTALING \$3,294,253.58, ACCOUNTS PAYABLE WARRANTS DATED 05-21-2020 TOTALING \$1,795,449.67, AND ACCOUNTS PAYABLE WARRANTS DATED 05-28-2020 TOTALING \$993,492.37, IN THE AGGREGATE AMOUNT OF \$9,639,437.15, DRAWN ON BANK OF AMERICA."

D. REQUEST BY HOLDINGS OF HARVEST CA, LLC FOR MINOR ARCHITECTURAL REVIEW APPROVAL TO PAINT THE PRIMARY ELEVATION OF AN EXISTING CANNABIS DISPENSARY FACILITY LOCATED AT 312 NORTH PALM CANYON DRIVE (APN: 513-081-014), ZONE CBD, SECTION 15 (CASE 3.3005 MAA)

This item was excluded from the Consent Calendar. Please refer to Page 12 of these minutes for a summary of that action.

E. APPROVAL OF A MINOR ARCHITECTURAL APPLICATION BY ASH'S FIRST, LLC TO MODIFY AN EXISTING FACADE FOR A PROPOSED CANNABIS DISPENSARY & LOUNGE LOCATED AT 757 SOUTH WILLIAMS ROAD, ZONE M-1 (CASE 3.4166 MAA)

MOTION BY COUNCILMEMBER MIDDLETON, SECOND BY COUNCILMEMBER GARNER, CARRIED 5-0, to adopt Resolution No. 24768 entitled, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, APPROVING A MINOR ARCHITECTURAL APPLICATION (CASE NO. 3.4166 MM) TO RE-PAINT AND INSTALL WINDOW TREATMENTS AT A PROPOSED CANNABIS DISPENSARY & LOUNGE LOCATED AT 757 SOUTH WILLIAMS ROAD."

F. AWARD A CONSTRUCTION CONTRACT TO TRUELINE CONSTRUCTION & SURFACING, INC., A CALIFORNIA CORPORATION, IN THE AMOUNT OF \$65,600 FOR PICKLEBALL & TENNIS COURT RESURFACING, CITY PROJECT NO. 20-11

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

1. Award a construction contract to Trueline Construction & Surfacing, Inc., a California corporation, in the amount of \$65,600 for the Pickleball & Tennis Court Resurfacing, City Project No. 20-11. **A8560**
2. Authorize the City Manager to execute all necessary documents.

G. SECOND READING AND ADOPTION OF AN ORDINANCE OF THE CITY OF PALM SPRINGS AMENDING PALM SPRINGS ZONING CODE SECTIONS 91.00.10 AND 93.06.00 RELATING TO THE REQUIREMENTS FOR ELECTRIC VEHICLE CHARGING STATIONS (CASE 5.1505 ZTA)

MOTION BY COUNCILMEMBER MIDDLETON, SECOND BY COUNCILMEMBER GARNER, CARRIED 5-0, to adopt Ordinance No. 2025 entitled, "AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, AMENDING SECTIONS 91.00.10 AND 93.06.00 OF THE PALM SPRINGS ZONING CODE RELATING TO THE REQUIREMENTS FOR ELECTRIC VEHICLE CHARGING STATIONS."

H. ACCEPTANCE OF THE LASER LEVELING OF BALLFIELDS, CITY PROJECT NO. 19-35

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

1. Accept the public works improvement identified as the Laser Leveling of Ballfields, City Project No. 19-35, as completed in accordance with the plans and specifications.
2. Authorize the City Engineer to execute and file for recordation with the Riverside County Recorder a Notice of Completion for the Laser Leveling of Ballfields, City Project No. 19-35.

I. APPROVAL OF AMENDMENT NO. 1 TO THE PROFESSIONAL SERVICES AGREEMENT WITH ESGIL CORPORATION, A CALIFORNIA CORPORATION, FOR "ON CALL" BUILDING PLAN CHECK SERVICES

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

1. Approve Amendment No. 1 to Agreement No. 6726 with Esgil Corporation, a California corporation, for "On-Call" Building Plan Review Services. **A6726**
2. Authorize the City Manager to execute all necessary documents.

J. STAFF AUTHORIZED AGREEMENTS AND PURCHASE ORDERS FOR THE MONTHS OF APRIL AND MAY 2020

MOTION BY COUNCILMEMBER MIDDLETON, SECOND BY COUNCILMEMBER GARNER, CARRIED 5-0, to receive and file the report of Staff Authorized Agreements and Purchase Orders for the period of April 1, 2020, through May 31, 2020.

K. LOCAL EMERGENCY RELATING TO THE INCREASING SPREAD OF THE NOVEL CORONAVIRUS 2019 PANDEMIC (COVID-19) - EXPENDITURE UPDATE

MOTION BY COUNCILMEMBER MIDDLETON, SECOND BY COUNCILMEMBER GARNER, CARRIED 5-0, to receive and file COVID-19 pandemic expenditure update.

L. REQUEST FOR APPROVAL OF MILLS ACT HISTORIC PROPERTY PRESERVATION AGREEMENT FOR A CLASS 1 HISTORIC SITE LOCATED AT 183 WEST MERITO PLACE (HSPB #121/HD-8)

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

1. Approve a Mills Act Historic Property Agreement between the City of Palm Springs, Mark Gibson and Helen Tsao and the Merito Manor Community Association, for 183 West Merito Place a Class 1 Historic Site (HSPB #121 HD-8). **A8561**
2. Authorize the City Manager to execute the Agreement.
3. Direct the City Clerk to record the Agreement.

M. REQUEST FOR APPROVAL OF MILLS ACT HISTORIC PROPERTY PRESERVATION AGREEMENT FOR A CLASS 1 HISTORIC SITE LOCATED AT 185 WEST MERITO PLACE (HSPB #121/HD-8)

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

1. Approve a Mills Act Historic Property Agreement between the City of Palm Springs, John M. Schmidt and Kimberly D. Schmidt and the Merito Manor Community Association, for 185 West Merito Place a Class 1 Historic Site (HSPB #121 HD-8). **A8562**
2. Authorize the City Manager to execute the Agreement.
3. Direct the City Clerk to record the Agreement.

N. APPROVAL OF TWO (2) PROFESSIONAL SERVICES AGREEMENTS WITH CAROLLO ENGINEERS, A DELAWARE CORPORATION, AND STANTEC CONSULTING SERVICES, INC. CONSULTING SERVICES, INC., A NEW YORK CORPORATION, FOR ON-CALL WASTEWATER ENGINEERING DESIGN SERVICES

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

1. Approve an agreement with Carollo Engineers, a Delaware Corporation, for on-call wastewater engineering design 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. **A8563**

(City Council action continued on the next page)

2. Approve an agreement with Stantec Consulting Services, Inc., a New York Corporation, for on-call wastewater engineering design 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. **A8564**
3. Approve an agreement with Stantec Consulting Services, Inc., a New York Corporation, for on-call wastewater engineering design 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. **A8565**
4. Authorize the City Manager to execute all necessary documents.

O. REPORT OF EMERGENCY REPLACEMENT OF AN EMERGENCY GENERATOR FOR THE POLICE DEPARTMENT PURSUANT TO PALM SPRINGS MUNICIPAL CODE SECTION 7.04.040

MOTION BY COUNCILMEMBER MIDDLETON, SECOND BY COUNCILMEMBER GARNER, CARRIED 5-0, to receive and file Emergency Replacement of an Emergency Generator Report.

P. APPROVAL OF FIVE (5) PROFESSIONAL SERVICES AGREEMENTS WITH DUDEK & ASSOCIATES, A CALIFORNIA CORPORATION; NV5, A CALIFORNIA CORPORATION; BERG & ASSOCIATES, A CALIFORNIA CORPORATION; SOUTHSTAR ENGINEERING AND CONSULTING, A CALIFORNIA CORPORATION; AND KOA, A CALIFORNIA CORPORATION, FOR ON-CALL CONSTRUCTION MANAGEMENT AND INSPECTION SERVICES

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

1. Approve an agreement with Dudek & Associates, a California Corporation, for on-call construction management and inspection 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. **A8566**
2. Approve an agreement with Berg & Associates, a California Corporation, for on-call construction management and inspection 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. **A8567**
3. Approve an agreement with NV5, a California Corporation, for on-call construction management and inspection 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. **A8568**

(City Council action continued on the next page)

4. Approve an Agreement with Southstar Engineering and Consulting, a California Corporation, for on-call construction management and inspection 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. **A8569**
5. Approve an agreement with KOA, a California Corporation, for on-call construction management and inspection 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. **A8570**
6. Authorize the issuance of Purchase Orders pursuant to the On-Call Agreements for on-call project management and inspection services in amounts sufficient to cover the cost of required services related to budgeted capital projects with funds received for Federal, State, Regional, and Locally funded capital projects.
7. Authorize the City Manager to administratively approve individual Task Orders for on-call inspection services on private land development projects paid exclusively with developer "pass-through" fees received from construction permits.
8. Authorize the City Manager to execute all necessary documents.

Q. RESOLUTIONS CALLING THE NOVEMBER 3, 2020, GENERAL MUNICIPAL ELECTION, ORDERING SERVICES AND ADOPTING REGULATIONS FOR CANDIDATE STATEMENTS

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

1. Adopt Resolution No. 24769 entitled, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, CALLING FOR THE HOLDING OF A GENERAL MUNICIPAL ELECTION TO BE HELD ON NOVEMBER 3, 2020, FOR THE ELECTION OF CERTAIN OFFICERS, AS REQUIRED BY THE PROVISIONS OF THE LAWS OF THE STATE OF CALIFORNIA AND CITY CHARTER."
2. Adopt Resolution No. 24770 entitled, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, REQUESTING THE BOARD OF SUPERVISORS OF THE COUNTY OF RIVERSIDE TO CONSOLIDATE A GENERAL MUNICIPAL ELECTION TO BE HELD ON NOVEMBER 3, 2020, WITH THE STATEWIDE GENERAL ELECTION TO BE HELD ON THE SAME DATE PURSUANT TO SECTION 10403 OF THE ELECTION CODE."
3. Adopt Resolution No. 24771 entitled, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, ADOPTING REGULATIONS FOR CANDIDATES FOR ELECTIVE OFFICE PERTAINING TO CANDIDATE STATEMENTS SUBMITTED TO THE VOTERS AT THE GENERAL MUNICIPAL ELECTION TO BE HELD ON NOVEMBER 3, 2020."

R. CONSIDERATION OF A RESOLUTION REQUESTING CARES ACT FUNDING FROM RIVERSIDE COUNTY TO PROVIDE FUNDING FOR PUBLIC SERVICES RELATING TO COVID-19 NOT ELIGIBLE FOR REIMBURSEMENT THROUGH THE STATE AND/OR FEDERAL DISASTER DECLARATIONS

This item was excluded from the Consent Calendar. Please refer to Page 12 of these minutes for a summary of that action.

EXCLUDED CONSENT CALENDAR:

D. REQUEST BY HOLDINGS OF HARVEST CA, LLC FOR MINOR ARCHITECTURAL REVIEW APPROVAL TO PAINT THE PRIMARY ELEVATION OF AN EXISTING CANNABIS DISPENSARY FACILITY LOCATED AT 312 NORTH PALM CANYON DRIVE (APN: 513-081-014), ZONE CBD, SECTION 15 (CASE 3.3005 MAA)

Planning Services Director Fagg presented the staff report.

Councilmember Garner, Mayor Pro Tem Holstege, and Mayor Kors spoke in support of the proposed design, noting their desire to review the City's mural and design guidelines; stated that they will support the Architectural Advisory Committee's recommendation, noting that the City Council may want to provide additional guidance to the Committee in the future.

MOTION BY COUNCILMEMBER GARNER, SECOND BY COUNCILMEMBER MIDDLETON, CARRIED 5-0, to deny the applicant's request to apply a coat of 'Decisive Yellow' paint, but allow the repainting of the exterior elevation in 'Arcade White' as proposed.

R. CONSIDERATION OF A RESOLUTION REQUESTING CARES ACT FUNDING FROM RIVERSIDE COUNTY TO PROVIDE FUNDING FOR PUBLIC SERVICES RELATING TO COVID-19 NOT ELIGIBLE FOR REIMBURSEMENT THROUGH THE STATE AND/OR FEDERAL DISASTER DECLARATIONS

Mayor Pro Tem Holstege and Mayor Kors spoke on the additional burden of enforcing state and local orders, noting that the City is receiving little funding to support such efforts.

MOTION BY MAYOR PRO TEM HOLSTEGE, SECOND BY COUNCILMEMBER GARNER, CARRIED 5-0, to adopt Resolution No. 24772 entitled, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, REQUESTING A DISBURSEMENT OF FUNDS FROM RIVERSIDE COUNTY'S CARES ACT PAYMENT TO FUND THE CITY'S NECESSARY EXPENDITURES INCURRED RELATING TO THE PUBLIC HEALTH EMERGENCY WITH RESPECT TO THE CORONAVIRUS DISEASE 2019 (COVID- 19)."

2. PUBLIC HEARINGS:

A. ADOPTION OF THE REVISED FISCAL YEAR 2020-2021 COMPREHENSIVE BUDGET

City Manager Ready narrated a PowerPoint presentation; noted that new expenditures are proposed and outlined the presentation; advised that the employee associations have agreed to defer their cost of living adjustments (COLA) which has resulted in the restoration of certain positions with the Library and Parks and Recreation Departments; explained that this will be a rolling budget process with staff providing regular budget updates so that adjustments can be made as necessary.

In response to City Council inquiries, Parks and Recreation Director Alvarado summarized the status of various youth programs, noting that overall capacity will be restricted; advised that the Skate Park could operate without an on-site monitor and programming or recreation staff offices could be relocated to the Skate Park.

In response to City Council inquiry, City Attorney Ballinger advised that it appears that the legislative intent regarding the use of pension reserves indicates that a 4/5th vote is necessary for use of said reserves.

Mayor Kors opened the Public Hearing.

Edwin Ramoran, spoke in support of priority-based budgeting and urged the City Council to support the recommendations submitted by Maribel Nunez.

Michelle Castillo, asserted that the Police Department is overfunded and that additional resources should be allocated towards housing, community services, food assistance, and medical and mental health services; spoke in support of priority-based budgeting.

Matt Zerebny, noted that he is the father of slain Police Officer Leslie Zerebny; spoke on the importance of supporting and funding law enforcement.

Juanita Garner, spoke on the history of racism, humiliation, and disrespect towards people of color and the need for lasting change; voiced support for an independent review of the Police Department's policies and procedures, opining that the Police Department is overfunded.

Juan Espinoza, voiced support for reducing the Police Department's budget and reallocating the funding towards community-based and economic development programs, especially for under-represented communities.

Mike Casavan, Vice President of the Palms Springs Police Officers Association, spoke on the recent events and changes in public opinion in regard to police officers, noting that they are part of the community and deserve to be heard.

Javier Carrillo, opined that reducing the Police Department's budget would be detrimental to public safety.

Stephen Moses, spoke in support of exploring the feasibility of selling the parcels obtained from Gritt Development to help the City through the current financial crisis.

Sammy Flores, expressed support for reallocating a portion of the Police Department's budget towards social and mental health services.

Erick Lemus, spoke on the importance of prioritizing funding for community needs such as rental assistance, youth programs, and addressing homelessness.

John Brooks Thomas, voiced support for defunding the Police Department and reallocating the funding towards community and mental health services; opined that the militarization of police departments exacerbates the negative image of the police.

Isabel Olea, urged the City Council to reallocate a portion of the Police Department's budget toward programs that support programs that benefit minority communities.

Brendon Steinlee, asserted that the Police Department is overfunded, citing that its funding level is more than double the national average based on population.

Naomi Soto, opined that the Police Department's budget should be more aligned with that of similarly-sized, tourism-based cities and that the excess funding should be reallocated towards community and mental health services.

Sean Brown, urged the City Council to prioritize funding for social and mental health services and to demilitarize the Police Department.

Dieter Crawford, representing the Desert Highlands Gateway Estates Community Action Association, spoke in support of police reform, investing in community and mental health services, allowing media access to public safety radio systems, discrimination prevention training for City staff, and improved hiring practices at the City.

Britney Grunkel, spoke in support of the Police Department, asserting that there is no documentation indicating a history of discriminatory policies or practices.

Christina Grunkel, urged the City Council to fully fund the Police Department.

Jesus Gonzalez, spoke on the differences between the Palm Springs Police Department and those which have spurred national discourse; urged the City Council to continue its funding of the Police Department.

Judi Olivas, representing the Friends of the Palm Springs Animal Shelter, spoke in support of funding the Palm Springs Animal Shelter.

Maribel Nunez, representing Inland Equity Partnership, urged the City Council to implement priority-based budgeting and allocating funding towards rental assistance and other programs that benefit the community.

Rabbi David Lazar, recommended that the City Council conduct public meetings to discuss potential changes to the Police Department budget and how best to support the Black Lives Matter movement.

Emily Daniel, voiced support for defunding of the Police Department and reallocating those resources to support community-based programs and services.

David Weiner, suggested redirecting financial resources from the Police Department to other areas including mental health services and community-based programs.

Martha Jara, representing the Palm Springs Animal Shelter, thanked the City Council for its support and discussed their low-cost pet vaccination program.

Lauren Wolfer, spoke in support of the City Council reducing the Police Department budget and reallocating those funds to improving the community and offering more robust social services.

Alexis Ortega, urged the City Council to fully fund programming at the City's community centers and skate park; voiced support for reducing the Police Department budget to increase funding for community programs.

Daniel Quirk, spoke in support of the Palm Springs Animal Shelter and discussed the programs they offer to the community.

Troy Castillo, voiced opposition to defunding the Police Department, citing riots occurring in Seattle, Washington, and other cities and the need to protect all citizens.

Adriana Canizales, encouraged the City Council to divert Police Department funding towards after-school programs, and other community-based programs and services as a method of reducing crime.

Fritz Koenig, spoke on the need to establish an independent community-based Police Review Board.

Felic, spoke about the impacts of the COVID-19 pandemic on her family, noting they are worried about their ability to pay bills.

Jose, advised that he lost his construction job due to the COVID-19 pandemic and is worried about his families ability to pay rent and bills.

Christine Soto, urged the Police Department to agree to reallocating a portion of their budget to fund social services and community programs.

Debra Massey, opined the Police Department is appropriately funded, is not militarized and provides a necessary service.

Luz Gallegos, urged Council to support the community with rental assistance, noting that many undocumented residents have received no financial support from the government.

Zack Solomon, urged the City Council to find creative ways to treating people in the City as opposed to focusing on protecting property.

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

In response to City Council inquiries, Director Alvarado summarized the number of visitors per year at the skate park, aquatics center, and community centers. City Manager Ready noted that the skate park can be reopened with no programming and unattended.

Councilmember Woods expressed concern that there is no new revenues to pay for the newly proposed expenditures; requested that staff closely monitor the use of the Skate Park; suggested that the Police Department attempt to fund the purchase of body-worn cameras within its budget.

In response to City Council inquiries, Police Chief Reyes noted that the Police Department budget is slated to take a significant budget cut, including personnel cuts.

Councilmember Middleton pointed out that public safety is the City's first responsibility and opined that the Budget should be adopted as presented; opined that a larger and broader conversation needs to begin regarding systemic racism.

Councilmember Garner stated that approximately half of all calls for police service are related to quality of life issues, stressing the need to allocate funding where it would best serve the community; opined that public safety is not only a matter of policing, but includes rental assistance, community services, access to computers and other essential services.

Mayor Pro Tem Holstege acknowledged that many public comments support investing in community services and programs, including parks and recreation programs; stated that she does not support dipping more into City reserves for the newly proposed expenditures, suggesting the need to make additional cuts elsewhere; spoke on the need to invest in economic development to help diversify the local economy.

Mayor Kors expressed concerns about dipping further into City reserves; discussed the County's responsibility for homeless, mental health, and poverty programs; agreed that public safety is multi-faceted, not just policing and suggested moving forward with the budget, knowing that the City Council will review it again on a rolling basis.

Councilmember Woods discussed the advantages of the City having its own Police Department; agreed with maintaining the current level of reserves; suggested the possibility of opening the Skate Park unattended; spoke on the need to identify and eliminate inefficiencies and redundancies in City government.

Councilmember Middleton discussed the importance of having a conversation with the Police Department regarding the added roles given to them; voiced support for the purchase of body-worn cameras, opining that staff should identify alternative funding sources rather than the reserves; requested that the City Council fund the Palm Springs Animal Shelter.

City Manager Ready advised that staff will identify funding for the purchase of body-worn cameras utilizing the Police Department budget, as presented; stated that combined reserve level will be maintained at \$18.9 million.

By consensus, the City Council continued the Public Hearing to an Adjourned Regular meeting on June 30, 2020, at 6:30 p.m. The City Council requested that Department Heads present the potential impacts of additional layoffs or budget cuts;

B. COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) 2020 FIVE-YEAR CONSOLIDATED PLAN, 2020-2021 ANNUAL ACTION PLAN, CITIZEN PARTICIPATION PLAN AND CDBG 2020-2021 BUDGET ADOPTION, AND AUTHORIZATION FOR SUBMISSION TO THE UNITED STATES DEPARTMENT OF HOUSING & URBAN DEVELOPMENT, FOR THE FISCAL YEAR 2020-2021 COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM, 45TH PROGRAM YEAR, COMMUNITY DEVELOPMENT BLOCK GRANT - CORONA VIRUS (CDBG-CV); AND, AUTHORIZING THE CITY MANAGER TO EXECUTE ALL SUBRECIPIENT AGREEMENTS

Community and Economic Development Director Virata presented the staff report.

Mayor Kors noted he will be abstaining from considering potential funding for the Boys and Girls Club and that Councilmember Middleton will recuse herself from considering potential funding for the LGBT Community Center of the Desert.

In response to City Council inquiries, Director Virata advised that grantees will be required to track use of funds and clientele served, noting that the reports are closely monitored; summarized the County's rental assistance program, noting that Palm Springs residents are eligible for the program; noted that the CDBG administration cost helps relieve the General Fund the burden of administering the program.

Mayor Kors opened the Public Hearing.

Edwin Ramoran, voiced support for the creation of a local rental assistance program, childcare and utility assistance programs, and support for the homeless; urged the City Council to utilize priority-based budgeting.

Christine Soto, offered her assistance to help fundraise to assist small businesses.

Maribel Nunez, opined that the City's administration costs are too high; recommended that the City Council model the City of Riverside regarding the funding of their Police Department and other community services; encouraged additional investments in communities of color.

Juan Espinoza, asserted that the Mizell Senior Center and Well in the Desert lack sufficient outreach to Latino communities; expressed concern that the City's processes are not mindful of the communities most impacted by the COVID-19 pandemic.

Spencer Bartlett, spoke in support of investing in community centers, mental health programs, and outreach to the homeless.

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

By consensus, the City Council continued the Public Hearing to an Adjourned Regular meeting scheduled for June 30, 2020, at 6:30 p.m.

C. RESOLUTION CONFIRMING THE REPORT OF THE PALM SPRINGS SMALL HOTEL TOURISM BUSINESS IMPROVEMENT DISTRICT ADVISORY BOARD, LEVYING THE FISCAL YEAR 2020-21 ASSESSMENT, AND CONDUCT OF PROTEST PROCEEDINGS

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 reported the City Clerk's office received no written or oral protests on the proposed assessment, noting that it does not constitute a majority protest; advised that the City Council may proceed with consideration of adopting the proposed resolution.

MOTION BY COUNCILMEMBER MIDDLETON, SECOND BY MAYOR PRO TEM HOLSTEGE, CARRIED 5-0, to adopt Resolution No. 24773 entitled, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, CONFIRMING THE REPORT OF THE PALM SPRINGS TOURISM SMALL HOTEL BUSINESS IMPROVEMENT DISTRICT ADVISORY BOARD AND LEVYING AN ASSESSMENT FOR FISCAL YEAR 2020-21 IN CONNECTION WITH THE PALM SPRINGS TOURISM SMALL HOTEL BUSINESS IMPROVEMENT DISTRICT."

D. DELINQUENT WASTE DISPOSAL CHARGES

Assistant City Manager Fuller presented the staff report.

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

MOTION BY COUNCILMEMBER WOODS, SECOND BY COUNCILMEMBER MIDDLETON, CARRIED 5-0, to adopt Resolution No. 24774 entitled, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, DETERMINING CERTAIN WASTE DISPOSAL ACCOUNTS TO BE DELINQUENT AND DIRECTING THE PLACEMENT OF THESE ACCOUNTS ON THE COUNTY PROPERTY TAX ROLLS FOR COLLECTION."

3. LEGISLATIVE:

A. CONSIDERATION OF EXTENSION OF TEMPORARY MORATORIUM ON EVICTIONS RESULTING FROM NONPAYMENT OF RENT WHEN SUCH NONPAYMENT WAS CAUSED BY THE COVID-19 PANDEMIC

The City Council continued consideration this item to the Adjourned Regular meeting scheduled for June 30, 2020, at 6:30 p.m.

4. UNFINISHED BUSINESS:

A. CONTINUED DISCUSSION AND POSSIBLE DIRECTION ON THE IMPACTS AND RESPONSE TO THE LOCAL EMERGENCY RELATED TO THE NOVEL CORONAVIRUS

The City Council continued consideration this item to the Adjourned Regular meeting scheduled for June 30, 2020, at 6:30 p.m.

5. NEW BUSINESS:

A. GLOBAL GO LLC (CALIBLISS) REQUESTING AN ADMINISTRATIVE MINOR MODIFICATION FOR RELIEF FROM THE MINIMUM SEPARATION DISTANCE REQUIREMENT FOR A CANNABIS DISPENSARY/ LOUNGE AT 562 SOUTH INDIAN CANYON DRIVE (CASE 7.1601 AMM)

The City Council continued consideration this item to the Adjourned Regular meeting scheduled for June 30, 2020, at 6:30 p.m.

PUBLIC COMMENT:

The City Council continued the Public Comment period on non-agenda items to the Adjourned Regular meeting of June 30, 2020.

CITY COUNCIL AND CITY MANAGER REQUESTS AND UPCOMING AGENDA DEVELOPMENT:

None.

ADJOURNMENT:

The City Council adjourned at 12:16 a.m., to an Adjourned Regular meeting to occur on June 30, 2020, at 6:30 p.m.

Respectfully submitted,


Anthony J. Mejia, MMC
City Clerk

APPROVED BY CITY COUNCIL: 09/10/2020