

**CITY COUNCIL  
CITY OF PALM SPRINGS, CALIFORNIA**



**SPECIAL MEETING MINUTES  
WEDNESDAY, JUNE 24, 2009  
Large Conference Room**

**CALL TO ORDER:** Mayor Pougnet called the Special Meeting to order at 3:05 p.m.

**ROLL CALL:**

**PRESENT:** Councilmember Foat, Councilmember Hutcheson, Councilmember Weigel, Mayor Pro Tem Mills, and Mayor Pougnet.

**ABSENT:** None.

**ALSO PRESENT:** City Clerk Thompson.

1. **PUBLIC COMMENT:** None.

2. **INTERVIEW AND APPOINT APPLICANTS TO THE PLANNING COMMISSION:**

The City Council interviewed the following candidates for the Planning Commission: Roxann Ploss, Marshall Roath, John Williams, Leslie Munger, Bill Scott, and Jon Caffery. No action taken.

3. **COUNCILMEMBER REQUESTS:**

Councilmember Foat requested the City Clerk notify all Commissions and Boards not to hold elections for Chair and Vice Chair until after new members are appointed and qualified.

Mayor Pougnet requested Commissions and Board Members who are subject to term limits be indicated on the Commission Roster.

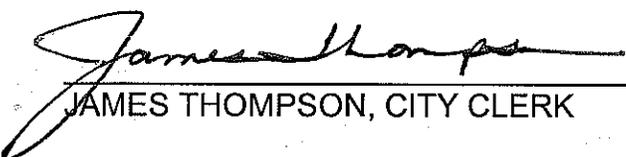
By consensus the City Council requested the City Clerk survey other Coachella Valley cities for the payment of meeting stipends to Planning Commissioners.

**ADJOURNMENT:** The City Council adjourned at 4:20 p.m. to Closed Session at 4:30 p.m.

**APPROVED BY A MOTION OF THE PALM SPRINGS CITY COUNCIL THIS  
15<sup>TH</sup> DAY OF JULY, 2009.**

  
STEPHEN P. POUGNET, MAYOR

ATTEST:

  
JAMES THOMPSON, CITY CLERK

**CITY COUNCIL  
CITY OF PALM SPRINGS, CALIFORNIA**



**MINUTES  
WEDNESDAY, JUNE 24, 2009  
Council Chamber**

**CALL TO ORDER:** Mayor Pougnet called the meeting to order at 6:02 p.m.

**PLEDGE OF ALLEGIANCE:** Mayor Pougnet led the Pledge.

**ROLL CALL:**

**PRESENT:** Councilmember Foat, Councilmember Hutcheson, Councilmember Weigel, Mayor Pro Tem Mills, and Mayor Pougnet.

**ABSENT:** None.

**ALSO PRESENT:** City Manager Ready, City Attorney Holland, City Clerk Thompson.

**PRESENTATIONS:** City Manager Ready presented recent improvements at the Palm Springs International Airport.

Mayor Pougnet and the City Council presented a Community Spotlight for Palm Springs High School High Principal Ricky B. Wright, and proclaimed June 24, 2009, as Ricky B. Wright Day in the City of Palm Springs.

The Palm Springs Unified School District presented to the City Council the PSUD Sustainability Project.

Councilmember Mills provided an update on the 2010 Census.

**REPORT OF CLOSED SESSION:** City Attorney Holland reported that the meeting was called to order at 4:30 p.m., and the City Council recessed into Closed Session to discuss Items on the posted Closed Session Agenda. No reportable actions were taken.

**ACCEPTANCE OF THE AGENDA:**

City Clerk Thompson requested the City Council hear Item 4.B. out of order, prior to the public hearings.

**ACTION:** Accept the Agenda as amended. **Motion Councilmember Foat, seconded by Mayor Pro Tem Mills and unanimously carried on a roll call vote.**

The City Council heard Item 4.B. at this time.

**1. PUBLIC HEARINGS:**

Councilmember Foat stated her business is within the boundaries of the BID, would not participate in the discussion and the vote, and left Council Chamber.

**1. A. ANNUAL REVIEW AND RENEWAL OF THE PALM SPRINGS BUSINESS IMPROVEMENT DISTRICT AND ADOPTION OF THE FISCAL YEAR 2009-10 PROGRAM:**

City Manager Ready and Cathy Van Horn, Economic Development Administrator, provided background information as outlined in the staff report dated June 24, 2009.

Mayor Pougnet opened the public hearing, and the following speakers addressed the City Council.

JESSE DANNER, Snip Snip Buzz, commented on the voting procedures, and stated his opposition to the BID.

BONNIE REISS, expressed concern with the process of the BID, and stated her opposition to the BID.

THOMAS EITZINGER, commented on the services offered by the BID, and stated he is not in support of the BID.

MICHAEL WURTTENBERG-LEUBNER, stated his opposition to the BID, and expressed concerns with the Downtown Administrator.

ROBERT KAPLAN, stated his opposition to the BID.

JOEL ROSE, read a list of businesses against the BID.

STEVE COIN, stated his opposition to the BID.

BORIS ROSE, stated his opposition to the BID.

JOHN TYMON, stated his opposition to the BID.

PAUL MEDIANO, stated the businesses were misinformed on the matter to sign the petition.

ROXANN PLOSS, commented on the history of the BID and the community assistance.

DARRON DAHLE, stated his support of the BID, but expressed concerns with the process, administration, and programs.

MINDY REED, stated her support for the BID, but expressed concerns with the fee scale and other aspects of the BID.

JOY MEREDITH, stated her support for the BID and clarified the BID funds are used for the marketing of the businesses in the Downtown area.

RODOLFO CASTILLO, stated his support for the BID, but expressed concerns with the administration.

ROXANNE MISHLER, stated her support for the BID.

SUZANNE DELAHANTY, stated her support for the BID, but suggested changes could be made to make it better.

TIM ELLIS, Palm Mountain Resort, stated improvement in the Downtown and his support for the BID.

No further speakers coming forward, the public hearing was closed.

City Clerk Thompson requested the City Council allow for additional time to report the protest proceedings, and requested the City Council close the hearing and place this matter on the July 15, 2009 Agenda.

**ACTION:** 1) Close the public testimony portion of the public hearing and the acceptance of protests; 2) Direct the City Clerk to tabulate the results of the protest proceedings; and 3) Continue to July 15, 2009. **Motion Mayor Pro Tem Mills, seconded by Councilmember Weigel and unanimously carried 4-0 on a roll call vote.**

**AYES:** Councilmember Hutcheson, Councilmember Weigel, Mayor Pro Tem Mills, and Mayor Pougnet.

**NOES:** None.

**ABSENT:** Councilmember Foat.

The City Council recessed at 7:40 p.m.

The City Council reconvened at 7:48 p.m., and Councilmember Foat returned to the dais.

**1.B. PROPOSED DESIGNATION OF THE TOWN AND COUNTRY CENTER AS CLASS 1 HISTORIC SITE, LOCATED AT 146-174 NORTH PALM CANYON DRIVE AND 167-181 NORTH INDIAN CANYON DRIVE:**

Craig Ewing, Director of Planning Services, provided background information as outlined in the staff report dated June 24, 2009.

Mayor Pougnet opened the public hearing, and the following speakers addressed the City Council.

RON MARSHALL, stated his support for the Class 1 designation.

JAMES R. HARLAN, read a letter from the California Office of Historic Preservation, and stated his support for the Class 1 designation.

GRANT MONCK, stated his support of the Class 1 designation.

REUEL YOUNG, stated his opposition to the Class 1 designation.

JADE NELSON, stated his support for the Class 1 designation.

BOB HELBLING, stated his support for preserving the property, but finding a solution to working with the property owner toward development of the site.

JACQUES CAUSSIN, stated his support of the Class 1 designation.

GARY JOHNS, stated his support for the Class 1 designation.

STEVE ROSENBERG, stated his opposition to the Class 1 designation.

VALERIE ZUGATES, stated her opposition to the Class 1 site, and stated the Chamber of Commerce position of the Class 1 designations.

DARYL JAMES, stated his opposition to the Class 1 designation.

VIC GAINER, stated his opposition to the Class 1 designation.

MARVIN ROOS, stated his opposition to the Class 1 designation.

DON KARVELIS, stated his opposition to the Class 1 designation.

LAINÉ SCOTT, stated his support for the Class 1 designation.

TIM CLARK, stated his opposition to the Class 1 designation.

MINDY REED, stated her opposition to the Class 1 designation.

KEN FEENSTRA, stated his opposition to the Class 1 designation.

DAVID BARON, read a letter from Harold Matzner in opposition of the Class 1 designation.

HAROLD MEYERMAN, stated his opposition to the Class 1 designation.

ROXANNE MISHLER, stated her support of the Class 1 designation.

JOHN TYMON, stated his support for a Class 2 designation of the property.

ROXANN PLOSS, stated her support for the Class 1 designation.

PATRICK MCGREW, stated his support for the Class 1 designation.

CHRIS SUTTON, stated his support for the Class 1 designation.

RICHARD KIP SERAFIN, stated his support for the Class 1 designation.

JESSE DANNER, Snip Snip Buzz, stated his opposition to the Class 1 designation.

MARK ANDERSON, spoke in opposition to the Class 1 designation.

JOY MEREDITH, stated her opposition to the Class 1 designation.

PETER MORUZZI, stated his support for the Class 1 designation.

PAUL MEDIANO, stated his opposition to the Class 1 designation.

No further speakers coming forward, the public hearing was closed.

The City Council recessed at 9:16 p.m.

The City Council reconvened at 9:21 p.m.

The City Council discussed and/or commented on the following with respect to the historic designation: making the determination during the Specific Plan process, the development activities in the Downtown area, the historical background of the site, the economics toward restoring the property, the obsolete design of the property, the possibility of a Class 2 designation, demolition alternatives and restrictions, and that the architecture does not represent a Class 1 designation.

**ACTION:** Deny the Town and Country Center designation as a Class 1 Historic Resource. **Motion Councilmember Weigel, seconded by Councilmember Hutcheson and unanimously carried on a roll call vote.**

The City Council recessed at 9:50 p.m.

The City Council reconvened at 9:56 p.m.

**ACTION:** Continue past the 10:00 p.m. tentative adjournment time. **By consensus of the City Council.**

**PUBLIC COMMENT:**

DENNIS ROSENBERG, commented on the Taxi Cab Regulation by Sunline.

BOB HELBLING, commented on the progress of the Escena Project, and the proposed park at Gene Autry Trail and Vista Chino.

**COUNCILMEMBER COMMENTS:** None.

**CITY MANAGER'S REPORT:** None.

2. **CONSENT CALENDAR:** None.

3. **LEGISLATIVE:** None.

4. **UNFINISHED BUSINESS:**

**4.A. APPROVE AN AGREEMENT FOR PURCHASE OF PUBLIC ARTWORK WITH THE RED DOT GALLERY FOR \$16,000 FOR PLACEMENT AT 538 NORTH PALM CANYON DRIVE, IN FRONT OF THE PALM CANYON THEATRE:**

City Manager Ready provided background information as outlined in the staff report dated June 24, 2009.

**ACTION:** 1) Approve an Agreement for Purchase of Public Artwork with the Red Dot Gallery and defer the placement of the Artwork, in a form acceptable to the City Attorney; and 2) Authorize City Manager to execute all necessary documents. A5861. **Motion Councilmember Foat, seconded by Mayor Pro Tem Mills and carried 4-1 on a roll call vote.**

**AYES:** Councilmember Foat, Mayor Pro Tem Mills, Councilmember Weigel, and Mayor Pougnet.

**NOES:** Councilmember Hutcheson.

**4.B. APPROVE ANNUAL INSURANCE POLICY RENEWALS FOR THE CITY'S INSURANCE PORTFOLIO FOR FISCAL YEAR 2009-10 AND APPROVE LOSS CONTROL AND REGULATORY COMPLIANCE SERVICES:**

City Manger Ready and Craig Gladders, Procurement Manager, provided background information as outlined in the staff report dated June 24, 2009.

The City Council discussed and/or commented on the following with respect to the insurance: the cost and calculation of the Airport runway insurance, earthquake and flood insurance, budget concerns with respect to the insurance coverage.

**ACTION:** Adopt Resolution No. 22534, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, AUTHORIZING KEENAN & ASSOCIATES, AS THE CITY'S BROKER OF RECORD TO PURCHASE PROPERTY LIABILITY, EXCESS EARTHQUAKE/FLOOD LIABILITY (DIFFERENCE IN CONDITION), EXCESS LIABILITY, EXCESS WORKERS COMPENSATION, AIRPORT OWNERS AND OPERATORS LIABILITY, VILLAGEFEST LIABILITY, MULTI MEDIA LIABILITY, AIRCRAFT HULL LIABILITY, AND CRIME/FIDELITY LIABILITY INSURANCE POLICIES FROM VARIOUS CARRIERS POLICY YEAR 2009-2010, EFFECTIVE JULY 1, 2009, AND APPROVING LOSS CONTROL AND REGULATORY COMPLIANCE SERVICES." A5862. **Motion Mayor Pougnet, seconded by Councilmember Foat and carried 4-1 on a roll call vote.**

**AYES:** Councilmember Foat, Councilmember Weigel, Mayor Pougnet, and Councilmember Hutcheson.  
**NOES:** Mayor Pro Tem Mills.

**5. NEW BUSINESS:** None.

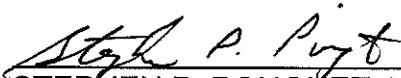
**COUNCILMEMBER COMMENTS, REQUESTS, AND REPORTS:**

Councilmember Weigel requested the City Attorney review and make recommendations to regulate smoking in City Parks.

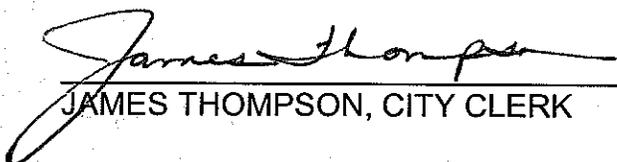
Councilmember Foat requested the City Manager announce the City's new Sustainability Coordinator.

**ADJOURNMENT:** The City Council adjourned at 10:19 p.m., to a Regular Meeting, Wednesday, July 1, 2009, at 6:00 P.M. Council Chamber, City Hall, preceded by a Closed Session at 5:00 P.M., Small Conference Room, City Hall, 3200 East Tahquitz Canyon Way, Palm Springs.

**APPROVED BY A MOTION OF THE PALM SPRINGS CITY COUNCIL THIS 15<sup>TH</sup> DAY OF JULY, 2009.**

  
STEPHEN P. POUGNET, MAYOR

ATTEST:

  
JAMES THOMPSON, CITY CLERK