

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



**MEETING MINUTES
WEDNESDAY, JULY 11, 2012
CITY HALL COUNCIL CHAMBER**

CALL TO ORDER: Mayor Pougnet called the meeting to order at 6:11 p.m.

PLEDGE OF ALLEGIANCE: Councilmember Lewin led the Pledge.

INVOCATION: Rabbi Sally Olins, Temple Isaiah, led the Invocation.

ROLL CALL:

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

ABSENT: None.

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

PRESENTATIONS:

David Barakian, City Engineer, announced recent promotions in the Public Works Department.

Mayor Pougnet and the City Council presented a Certificate of Recognition to Mariecar Mendoza, *The Desert Sun*, for her contributions to the City.

Mayor Pougnet announced the upcoming Forever Marilyn outdoor movie nights.

Mayor Pro Tem Foat announced the discounted adoptions program at the Palm Springs Animal Shelter.

Mayor Pougnet announced the upcoming Liberace movie casting call at the Palm Springs Convention Center.

REPORT OF CLOSED SESSION: The meeting was called to order at 4:00 p.m. and the following speakers addressed the City Council on items contained on the posted Closed Session Agenda.

JOHN STILES, commented on the proposed sale of the former Palm Springs Animal Shelter.

City Attorney Holland requested the City Council consider adding an Item to the Closed Session Agenda pursuant to California Government Code Section 54958.8, Conference with Real Property Negotiator, for the property generally located in the Chino Cone,

ITEM NO. 2.B.

APN 669-230-005, City Negotiator David H. Ready, City Manager, Negotiating Parties, Palm Springs Chino Canyon 209, to discuss the price and terms of purchase.

ACTION: 1) Make the finding the Item came to the attention of the City after the posting of the Agenda and there is an immediate need to hear and/or take action on the Item; and 2) Add to the Closed Session Agenda one item pursuant to California Government Code Section 54958.8, Conference with Real Property Negotiator, for the property generally located in the Chino Cone, APN 669-230-005, City Negotiator David H. Ready, City Manager, Negotiating Parties, Palm Springs Chino Canyon 209, to discuss the price and terms of purchase. **Motion Mayor Pro Tem Foat, seconded by Councilmember Mills and unanimously carried (4-0) noting the absence of Councilmember Hutcheson.**

City Attorney Holland reported the City Council recessed into Closed Session to discuss items on the Closed Session Agenda, the City Council authorized settlement of the case *City of Palm Springs v. Bruce Zelony et al.*, Case No. INC 1105547, and authorized settlement of the City claim against Audel Sandoval, and such documents will be made public when fully executed, and filed with the City Clerk.

ACCEPTANCE OF THE AGENDA:

City Clerk Thompson stated staff has requested Item 2.K. be withdrawn from the Agenda.

Councilmember Hutcheson requested Item 2.D. be removed from the Consent Calendar for separate discussion.

Councilmember Mills noted his business related abstention on Item 2.C., Warrant No. 1057082, and requested Items 2.T. and 2.W. be removed from the Consent Calendar for separate discussion.

Mayor Pro Tem Foat noted her business related abstention on Item 2.C., Warrant No. 1056618.

Mayor Pougnet requested Consent Calendar Item 2.M. be removed from the Consent Calendar for separate discussion.

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

1. PUBLIC HEARINGS:

1.A. FILING OF NUISANCE ABATEMENT LIENS FOR THREE PUBLIC NUISANCES LOCATED AT 2395 NORTH INDIAN CANYON DRIVE,

414 SOUTH MONTE VISTA DRIVE, AND 1091 SOUTH PASEO DE MARCIA:

Terry Tatum, Director of Building and Safety, provided background information as outlined in the staff report dated July 11, 2012.

Mayor Pougnet opened the public hearing, and no speakers coming forward the public hearing was closed.

ACTION: 1) Adopt Resolution No. 23176, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, CONFIRMING THE REPORT OF PROCEEDINGS AND ACCOUNTING FOR THE PUBLIC NUISANCE ABATEMENT LIEN LOCATED AT 2395 NORTH INDIAN CANYON DRIVE;" 2) Adopt Resolution No. 23177, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, CONFIRMING THE REPORT OF PROCEEDINGS AND ACCOUNTING FOR THE PUBLIC NUISANCE ABATEMENT LIEN LOCATED AT 414 SOUTH MONTE VISTA DRIVE;" and 3) Adopt Resolution No. 23178, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, CONFIRMING THE REPORT OF PROCEEDINGS AND ACCOUNTING FOR THE PUBLIC NUISANCE ABATEMENT LIEN LOCATED AT 1091 SOUTH PASEO DE MARCIA." **Motion Councilmember Hutcheson, seconded by Councilmember Mills and unanimously carried on a roll call vote.**

1.B. ANNUAL LEVY OF ASSESSMENTS FOR VARIOUS CITYWIDE STREET LIGHTING AND PARKWAY MAINTENANCE DISTRICTS FOR FISCAL YEAR 2012-13:

David Barakian, City Engineer, provided background information as outlined in the staff report dated July 11, 2012.

Mayor Pougnet opened the public hearing, and no speakers coming forward the public hearing was closed.

ACTION: 1) Adopt Resolution No. 23179, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, AMENDING AND/OR APPROVING THE FINAL ENGINEER'S ANNUAL LEVY REPORT FOR FISCAL YEAR 2012-13 FOR THE PALM SPRINGS STREET LIGHTING MAINTENANCE DISTRICT NO. 3;" 2) Adopt Resolution No. 23180, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, ORDERING THE LEVYING AND COLLECTION OF ASSESSMENTS FOR FISCAL YEAR 2012-13 WITHIN THE PALM SPRINGS STREET LIGHTING MAINTENANCE DISTRICT NO. 3;" 3) Adopt Resolution No. 23181, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, AMENDING AND/OR APPROVING THE FINAL ENGINEER'S ANNUAL LEVY REPORT FOR FISCAL YEAR 2012-13"

FOR THE PALM SPRINGS PARKWAY MAINTENANCE DISTRICT NO. 6A;" 4) Adopt Resolution No. 23182, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, ORDERING THE LEVYING AND COLLECTION OF ASSESSMENTS FOR FISCAL YEAR 2012-13 WITHIN THE PALM SPRINGS PARKWAY MAINTENANCE DISTRICT NO. 6A;" 5) Adopt Resolution No. 23183, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, AMENDING AND/OR APPROVING THE FINAL ENGINEER'S ANNUAL LEVY REPORT FOR FISCAL YEAR 2012-13 FOR THE PALM SPRINGS PARKWAY MAINTENANCE DISTRICT NO. 6C;" 6) Adopt Resolution No. 23184, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, ORDERING THE LEVYING AND COLLECTION OF ASSESSMENTS FOR FISCAL YEAR 2012-13 WITHIN THE PALM SPRINGS PARKWAY MAINTENANCE DISTRICT NO. 6C;" 7) Adopt Resolution No. 23185, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, AMENDING AND/OR APPROVING THE FINAL ENGINEER'S ANNUAL LEVY REPORT FOR FISCAL YEAR 2012-13 FOR THE PALM SPRINGS PARKWAY MAINTENANCE DISTRICT NO. 7;" 8) Adopt Resolution No. 23186, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, ORDERING THE LEVYING AND COLLECTION OF ASSESSMENTS FOR FISCAL YEAR 2012-13 WITHIN THE PALM SPRINGS PARKWAY MAINTENANCE DISTRICT NO. 7;" 9) Adopt Resolution No. 23187, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, AMENDING AND/OR APPROVING THE FINAL ENGINEER'S ANNUAL LEVY REPORT FOR FISCAL YEAR 2012-13 FOR THE PALM SPRINGS PARKWAY MAINTENANCE DISTRICT NO. 8;" 10) Adopt Resolution No. 23188, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, ORDERING THE LEVYING AND COLLECTION OF ASSESSMENTS FOR FISCAL YEAR 2012-13 WITHIN THE PALM SPRINGS PARKWAY MAINTENANCE DISTRICT NO. 8;" 11) Adopt Resolution No. 23189, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, AMENDING AND/OR APPROVING THE FINAL ENGINEER'S ANNUAL LEVY REPORT FOR FISCAL YEAR 2012-13 FOR THE PALM SPRINGS PARKWAY MAINTENANCE DISTRICT NO. 9;" 12) Adopt Resolution No. 23190, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, ORDERING THE LEVYING AND COLLECTION OF ASSESSMENTS FOR FISCAL YEAR 2012-13 WITHIN THE PALM SPRINGS PARKWAY MAINTENANCE DISTRICT NO. 9;" 13) Adopt Resolution No. 23191, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, AMENDING AND/OR APPROVING THE FINAL ENGINEER'S ANNUAL LEVY REPORT FOR FISCAL YEAR 2012-13 FOR THE PALM SPRINGS PARKWAY MAINTENANCE DISTRICT NO. 10, ZONE 1 AND ZONE 2;" 14) Adopt Resolution No. 23192, "A

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, ORDERING THE LEVYING AND COLLECTION OF ASSESSMENTS FOR FISCAL YEAR 2012-13 WITHIN THE PALM SPRINGS PARKWAY MAINTENANCE DISTRICT NO. 10, ZONE 1 AND ZONE 2;" 15) Adopt Resolution No. 23193, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, AMENDING AND/OR APPROVING THE FINAL ENGINEER'S ANNUAL LEVY REPORT FOR FISCAL YEAR 2012-13 FOR THE PALM SPRINGS LANDSCAPE MAINTENANCE DISTRICT NO. 12;" 16) Adopt Resolution No. 23194, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, ORDERING THE LEVYING AND COLLECTION OF ASSESSMENTS FOR FISCAL YEAR 2012-13 WITHIN THE PALM SPRINGS LANDSCAPE MAINTENANCE DISTRICT NO. 12." **Motion Mayor Pro Tem Foat, seconded by Councilmember Lewin and unanimously carried on a roll call vote.**

The City Council heard Item 1.C. and 1.D. concurrently as one public hearing.

1.C. SECOND READING AND ADOPTION OF ORDINANCE NO. 1809, AMENDING THE PALM SPRINGS ZONING MAP TO DESIGNATE EIGHTEEN CITY-OWNED PROPERTIES AS CIVIC CENTER DISTRICT / CIVIC USES FROM THEIR CURRENT ZONE DESIGNATIONS:

Craig Ewing, Director of Planning Services, provided background information as outlined in the staff report dated July 11, 2012.

Mayor Pougnet opened the public hearing, and no speakers coming forward the public hearing was closed.

ACTION: Waive further reading and adopt Ordinance No. 1809, "AN ORDINANCE OF THE CITY OF PALM SPRINGS, CALIFORNIA, AMENDING THE ZONING MAP TO CHANGE THE ZONING DESIGNATION OF EIGHTEEN PARCELS FROM VARIOUS CURRENT ZONING DESIGNATIONS TO CIVIC CENTER DISTRICT (CIVIC USES) ZONE, CASE NO. 5.1281 CZ (CHANGE OF ZONE)." **Motion Councilmember Mills, seconded by Mayor Pro Tem Foat and unanimously carried on a roll call vote.**

1.D. SECOND READING AND ADOPTION OF ORDINANCE NO. 1808, RENAMING THE CIVIC CENTER DISTRICT ZONE AS THE CIVIC USES ZONE AND AMENDS CERTAIN DEVELOPMENT STANDARDS TO IMPLEMENT THE PURPOSE OF THE ZONE:

Craig Ewing, Director of Planning Services, provided background information as outlined in the staff report dated July 11, 2012.

Mayor Pougnet opened the public hearing, and no speakers coming forward the public hearing was closed.

ACTION: Waive further reading and adopt Ordinance No. 1808, "AN ORDINANCE OF THE CITY OF PALM SPRINGS, CALIFORNIA, AMENDING SECTIONS 92.23.00, 92.23.01, AND 92.23.02 OF THE PALM SPRINGS MUNICIPAL CODE, RELATING TO AMENDMENTS TO THE CIVIC CENTER DISTRICT ZONE. **Motion Councilmember Mills, seconded by Mayor Pro Tem Foat and unanimously carried on a roll call vote.**

Mayor Pro Tem Foat stated she has a property related conflict of interest with respect to Items 1.E. and 1.F., and left Council Chamber.

1.E. DESIGNATION OF THE CASA PALMERAS RESIDENCES, 783 N. INDIAN CANYON, DRIVE AS A CLASS 1 HISTORIC SITE (HSPB 82): Craig Ewing, Director of Planning Services, provided background information as outlined in the staff report dated July 11, 2012.

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

ERIK ROSENOW, Palm Springs, commented on the significance of the site and property and requested the City Council approve the historic designation.

PATRICK McGREW, commented on the significance of the site and property and requested the City Council approve the historic designation.

TOM DeLEEUW, commented on the significance of the site and property and requested the City Council approve the historic designation.

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

Councilmember Mills commented on Section 3.3 of the proposed resolution regarding the native or desert appropriate landscaping.

Councilmember Hutcheson requested staff address the property owner support and further clarification with respect to the review of landscaping.

ACTION: Adopt Resolution No. 23195, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, DESIGNATING THE PROPERTY LOCATED AT CASA PALMERAS RESIDENCES, 783 N. INDIAN CANYON DRIVE AS A HISTORIC SITE, CLASS 1 (HSPB 82)," *amending Section 3 of the Resolution to include the entire site, property line to property line, in the designation.* **Motion Councilmember Hutcheson, seconded by Councilmember Lewin and carried 3-1 on a roll call vote.**

AYES: Councilmember Hutcheson, Councilmember Lewin, and Mayor Pougnet.
NOES: Councilmember Mills.
ABSENT: Mayor Pro Tem Foat.

1.F. DESIGNATION OF THE KOCHER-SAMSON BUILDING, 766 N. PALM CANYON DRIVE, AS A CLASS 1 HISTORIC SITE (HSPB 79):

Craig Ewing, Director of Planning Services, provided background information as outlined in the staff report dated July 11, 2012.

Mayor Pougnet opened the public hearing, and no speakers coming forward the public hearing was closed.

Councilmember Mills stated his support for historic designation, and requested staff address the staff report regarding land surrounding the building, and stated the entire site is included in the historic designation.

ACTION: Adopt Resolution No. 23196, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, DESIGNATING THE PROPERTY LOCATED AT 766 N. PALM CANYON DRIVE ("KOCHER-SAMSON BUILDING") AS A HISTORIC SITE, CLASS 1 (HSPB 79)," *amending Section 3 of the Resolution to include the entire site, property line to property line, in the designation.* **Motion Councilmember Mills, seconded by Councilmember Lewin and unanimously carried 4-0 on a roll call vote.**

AYES: Councilmember Hutcheson, Councilmember Lewin, Councilmember Mills, and Mayor Pougnet.
NOES: None.
ABSENT: Mayor Pro Tem Foat.

Mayor Pro Tem Foat returned to the dais.

1.G. RACQUET CLUB ROAD SEWER CONSTRUCTION REFUND AGREEMENT:

David Barakian, City Engineer, provided background information as outlined in the staff report dated July 11, 2012.

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

WES OLIPHANT, requested the City Council support the reimbursement agreement.

CHRISTINA MINERVINI, Palm Springs, requested the City Council defer action for 30-days.

Councilmember Lewin requested the City Attorney clarify the notice and the mailing date of the notice.

Mayor Pro Tem Foat stated the proposed agreement is far more equitable than the previous agreement and thanked staff for reviewing.

ACTION: 1) Approve a sewer construction refund agreement with Tuscany Heights, LLC; and 2) Direct the City Clerk to record the sewer construction refund agreement with the Riverside County Recorder. A6253. **Motion Mayor Pro Tem Foat, seconded by Councilmember Hutcheson and unanimously carried on a roll call vote.**

PUBLIC COMMENT:

HOBERT WEHIR, Palm Springs, commented on the Federal arms control regulations.

BRIAN DAMSON, Palm Springs, commented on medical cannabis and a medical cannabis permit for Safe Access.

WAYNE WEISBERGER, commented on medical cannabis and requested the City Council defer action to continue to allow the collectives to remain operating.

JENNIFER LUGO, commented on Item 3.A. and requested the City Council not approve the amendments to the medical cannabis regulations and for the City to work with the collectives.

ROBERT VAN ROO, commented on Item 3.A., and requested the City Council address the urgency clause, the clause in the ordinance that would null and void all medical cannabis approvals, and requested the City Council defer action on the proposed ordinances.

ROBERT ANZOVINO, Palm Springs, commented on problems with City staff regarding his complaints with his litigation against the City.

DENNIS CUNNINGHAM, Palm Springs, commented on Item 2.W. and the agreement pertaining to the performance bonds.

DAVID BARON, Palm Springs, commented on Item 2.W. and the agreement pertaining to the performance bonds.

PHYLLIS BURGESS, Palm Springs, commented on sustainability programs and socialism.

BARBARA MARSHALL, commented on damage done by fire at historic properties by vagrants.

NANCY STATHAM, commented on Item 3.A. medical cannabis regulations and the limitation of three dispensaries in the City.

RENO FONTANA, Palm Springs, commented on donations to the Palm Springs Animal Shelter, and requested the City Council add a discussion of event houses on the September 5, 2012, City Council agenda.

BETSY HAYES, commented on Item 3.B. regarding outdoor advertising and requested the City Council include additional regulations pertaining to the Federal recommended guidelines, brightness and State regulations regarding digital displays.

BILL HOUCK, Palm Desert, commented on the completion of the Highway 111 Beautification Agreement and the removal of billboards.

STEVEN COOLEY, Palm Springs, commented on Item 3.A. regarding medical cannabis laws, and requested the City Council defer any action until the State addresses changes.

FRANK TYSEN, commented on Item 3.B. outdoor advertising displays, and requested the City Council eliminate outdoor advertising along the Interstate 10 corridor.

EMILY HEMPHILL, commented on Item 2.W. and requested the City Council approve the subdivision reimbursement agreement.

COUNCILMEMBER COMMENTS:

Mayor Pougnet commented on the process and discussion with respect to outdoor advertising.

CITY MANAGER'S REPORT:

City Manager Ready provided an update on recent code enforcement activities and the upcoming street overlay program.

2. CONSENT CALENDAR:

ACTION: Approve Items 2.A., 2.B., 2.C., 2.E., 2.F., 2.G., 2.H., 2.I., 2.J., 2.L., 2.N., 2.O., 2.P., 2.Q., 2.R., 2.S., 2.U., and 2.V. **Motion Councilmember Hutcheson, seconded by Councilmember Lewin and unanimously carried 4-0 on a roll call vote.**

AYES: Councilmember Hutcheson, Councilmember Lewin, Mayor Pro Tem Foat, and Mayor Pougnet.

NOES: None.

ABSENT: Councilmember Mills.

2.A. REPORT ON THE POSTING OF THE AGENDA:

ACTION: Receive and file Report on the Posting of the July 11, 2012, City Council Agenda. **Approved as part of the Consent Calendar.**

2.B. APPROVAL OF MINUTES:

ACTION: Approve the City Council Minutes of June 18, 2012, and June 20, 2012. **Approved as part of the Consent Calendar.**

2.C. APPROVAL OF PAYROLL WARRANTS, CLAIMS AND DEMANDS:

ACTION: 1) Adopt Resolution No. 23197, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, APPROVING PAYMENT OF PAYROLL WARRANTS FOR THE PERIOD ENDED 5-12-12 BY WARRANTS NUMBERED 417416 THROUGH 417443 TOTALING \$46,204.23, LIABILITY CHECKS NUMBERED 1056243 THROUGH 1056266 TOTALING \$124,745.53, FIVE WIRE TRANSFERS FOR \$42,085.95, AND THREE ELECTRONIC ACH DEBITS OF \$1,039,091.87, IN THE AGGREGATE AMOUNT OF \$1,252,127.58, DRAWN ON BANK OF AMERICA;" 2) Adopt Resolution No. 23198, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, APPROVING PAYMENT OF CLAIMS AND DEMANDS BY WARRANTS NUMBERED 1056267 THROUGH 1056377 IN THE AGGREGATE AMOUNT OF \$2,974,523.76, DRAWN ON BANK OF AMERICA;" 3) Adopt Resolution No. 23199, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, APPROVING PAYMENT OF CLAIMS AND DEMANDS BY WARRANTS NUMBERED 1056378 THROUGH 1056539 IN THE AGGREGATE AMOUNT OF \$946,682.15, DRAWN ON BANK OF AMERICA;" 4) Adopt Resolution No. 23200, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, APPROVING PAYMENT OF PAYROLL WARRANTS FOR THE PERIOD ENDED 5-26-12 BY WARRANTS NUMBERED 417444 THROUGH 417469 TOTALING \$45,470.20, LIABILITY CHECKS NUMBERED 1056540 THROUGH 1056563 TOTALING \$124,803.05, FIVE WIRE TRANSFERS FOR \$41,827.45, AND THREE ELECTRONIC ACH DEBITS OF \$1,048,872.65, IN THE AGGREGATE AMOUNT OF \$1,260,973.35, DRAWN ON BANK OF AMERICA;" 5) Adopt Resolution No. 23201, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, APPROVING PAYMENT OF CLAIMS AND DEMANDS BY WARRANTS NUMBERED 1056564 THROUGH 1056638 IN THE AGGREGATE AMOUNT OF \$1,166,700.08, DRAWN ON BANK OF AMERICA;" 6) Adopt Resolution No. 23202, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, APPROVING PAYMENT OF CLAIMS AND DEMANDS BY WARRANTS NUMBERED 1056639 THROUGH 1056745 IN THE AGGREGATE AMOUNT OF \$1,142,531.07, DRAWN ON BANK OF AMERICA;" 7) Adopt Resolution No. 23203, "A RESOLUTION OF

THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, APPROVING PAYMENT OF PAYROLL WARRANTS FOR THE PERIOD ENDED 6-09-12 BY WARRANTS NUMBERED 417470 THROUGH 417498 TOTALING \$42,062.02, LIABILITY CHECKS NUMBERED 1056746 THROUGH 1056769 TOTALING \$125,312.31, FIVE WIRE TRANSFERS FOR \$43,402.45, AND THREE ELECTRONIC ACH DEBITS OF \$1,020,815.17, IN THE AGGREGATE AMOUNT OF \$1,231,591.95, DRAWN ON BANK OF AMERICA;" 8) Adopt Resolution No. 23204, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, APPROVING PAYMENT OF CLAIMS AND DEMANDS BY WARRANTS NUMBERED 1056770 THROUGH 1056916 IN THE AGGREGATE AMOUNT OF \$1,618,609.89, DRAWN ON BANK OF AMERICA;" and 9) Adopt Resolution No. 23205, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, APPROVING PAYMENT OF CLAIMS AND DEMANDS BY WARRANTS NUMBERED 1056917 THROUGH 1057108 IN THE AGGREGATE AMOUNT OF \$1,763,537.89, DRAWN ON BANK OF AMERICA." **Approved as part of the Consent Calendar, noting the abstention of Councilmember Mills on Warrant No. 1057082, and Mayor Pro Tem Foat on Warrant No. 1056618.**

2.E. SECOND READING AND ADOPTION OF ORDINANCE NO. 1810, ADDING A PROVISION TO THE PALM SPRINGS MUNICIPAL CODE REGULATING THE SOLICITATION OF MOTORISTS WITHIN CERTAIN PUBLIC RIGHTS-OF-WAY AND ADJACENT TO DRIVEWAYS IN THE CITY:

ACTION: 1) Waive further reading and adopt Ordinance No. 1810, "AN ORDINANCE OF THE CITY OF PALM SPRINGS, CALIFORNIA, AMENDING SECTION 5.48.010 AND ADDING SECTION 5.48.065 TO THE PALM SPRINGS MUNICIPAL CODE, RELATING TO SOLICITATION WITHIN THE PUBLIC RIGHT-OF-WAY;" and 2) Adopt Resolution No. 23206, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, AMENDING THE MASTER BAIL SCHEDULE TO ADD VIOLATION OF PSMC SECTION 5.48.065." **Approved as part of the Consent Calendar.**

2.F. TREASURER'S INVESTMENT REPORT AS OF MAY 31, 2012:

ACTION: Receive and file the Treasurer's Investment Report as of May 31, 2012. **Approved as part of the Consent Calendar.**

2.G. AWARD OF CONTRACT FOR THE RAMON ROAD DRAINAGE IMPROVEMENTS AT THE BARISTO CHANNEL (CP 09-10A):

ACTION: 1) Approve an agreement with Tri-Star Contracting II Inc., for the Ramon Road Drainage Improvements at the Baristo Channel in the amount of \$68,509.50 (CP 09-10A); and 2) Authorize the City Manager to execute all necessary documents. A6254. **Approved as part of the Consent Calendar.**

2.H. CITY COUNCIL APPOINTMENT TO THE COACHELLA VALLEY ASSOCIATION OF GOVERNMENT'S (CVAG) ENERGY AND ENVIRONMENT COMMITTEE:

ACTION: Appoint Councilmember Paul Lewin as the City of Palm Springs Designee to the CVAG Energy and Environment Committee. **Approved as part of the Consent Calendar.**

2.I. AMENDMENT NO. 2 AND RESTATED LEASE AGREEMENT WITH PALM CANYON THEATER, INC. FOR PROPERTY LOCATED AT 538 NORTH PALM CANYON DRIVE, AT FRANCES STEVENS PARK, FOR THREE YEARS:

ACTION: 1) Approve Amendment No. 2 and restated lease agreement with Palm Canyon Theater, Inc. for property located at 538 North Palm Canyon Drive, at Frances Stevens Park, for three (3) years at the current rate subject to consumer price index adjustments, subject to a shared use agreement with the Palm Springs International Film Festival; and 2) Authorize the City Manager to execute all necessary documents. A3785. **Approved as part of the Consent Calendar.**

2.J. PROPOSED RESOLUTION RECEIVING A PORTION OF AN AREA DETACHED FROM THE BANNING LIBRARY DISTRICT AND TRANSFERRING IT TO THE CITY OF PALM SPRINGS:

ACTION: 1) Adopt Resolution No. 23207, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, RECEIVING A PORTION OF AN AREA DETACHED FROM THE BANNING LIBRARY DISTRICT IN CABAZON AND TRANSFERRING IT TO THE CITY OF PALM SPRINGS;" and 2) Authorize the City Manager to execute all appropriate documents related to the transfer to the City. **Approved as part of the Consent Calendar.**

2.L. PARTICIPATION AGREEMENT WITH JEWISH FAMILY SERVICES OF SAN DIEGO DBA DESERT SOS IN THE AMOUNT OF \$80,000 FOR THE REHABILITATION OF NIGHTENGALE MANOR AS A 10-UNIT PERMANENT SUPPORTIVE HOUSING PROGRAM LOCATED AT 2951 DE ANZA ROAD, IN THE CITY'S CAPACITY AS THE SUCCESSOR HOUSING AGENCY OF THE COMMUNITY REDEVELOPMENT AGENCY IN MERGED PROJECT AREA NO. 1:

ACTION: 1) Approve Participation Agreement ("PA") with Jewish Family Services of San Diego d.b.a. Desert SOS in the amount of \$80,000 for the rehabilitation of Nightengale Manor as a 10-unit Permanent Supportive Housing Program located at 2951 De Anza Road, in the City's capacity as the Housing Successor Agency of the Community Redevelopment Agency in Merged Project Area No. 1; 2) Adopt Resolution No. 23208, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, ACTING SOLELY IN ITS CAPACITY AS THE HOUSING SUCCESSOR AGENCY TO THE CITY OF PALM SPRINGS

COMMUNITY REDEVELOPMENT AGENCY, AMENDING THE BUDGET FOR FISCAL YEAR 2012-13 FOR THE NIGHTENGALE MANOR RENOVATION;" and 3) Authorize the City Manager to execute all necessary documents. A6255. **Approved as part of the Consent Calendar.**

2.N. AGREEMENT WITH PARSONS BRINKERHOFF FOR "AS-NEEDED" AIRPORT PROJECT PROFESSIONAL SERVICES FOR FIVE YEARS BEGINNING AUGUST 1, 2012:

ACTION: 1) Award contract to Parsons Brinkerhoff for "as-needed" airport project professional services including engineering, architectural, construction management, planning, environmental, and other aviation specific expertise as required for five years beginning August 1, 2012; and 2) Authorize the City Manager to execute all necessary documents. A6256. **Approved as part of the Consent Calendar.**

2.O. FEDERAL AVIATION ADMINISTRATION (FAA) AIRPORT IMPROVEMENT PROJECT (AIP) 49 GRANT ACCEPTANCE:

ACTION: 1) Accept FAA AIP Grant 3-06-0101-049-2012, from the Federal Aviation Administration, for up to \$1,620,000 for design phase of a terminal pavement rehabilitation project and taxiway markings replacement project; and 2) Authorize the City Manager to execute all necessary documents. A6257. **Approved as part of the Consent Calendar.**

2.P. AMENDMENT NO. 3 TO AGREEMENT NO. A3613 WITH PALM SPRINGS AIR MUSEUM FOR AN ADDITIONAL 5,397 SQUARE FEET OF LAND FOR THE INSTALLATION OF A SOLAR ENERGY SYSTEM:

ACTION: 1) Approve Amendment No. 3 to Agreement No. A3613 with the Palm Springs Air Museum for an additional 5,397 square feet of land to accommodate the installation of a solar energy system; and 2) Authorize the City Manager to execute all necessary documents. A3613. **Approved as part of the Consent Calendar.**

2.Q. CHANGE ORDER NO. 1 AND 2 TO AGREEMENT NO. A6147 WITH CS CONSTRUCTION AND AMENDMENT NO. 4 TO AGREEMENT NO. A5348 WITH REYNOLDS SMITH AND HILL, INC. FOR AIRPORT PERIMETER FENCING (AIP 3-06-0818-048 2011):

ACTION: 1) Approve Change Order Nos. 1 (\$91,112.35 and 66 additional calendar days) and 2 (\$88,046.18 and 45 additional calendar days) to Agreement No. A6147 with CS Construction for the perimeter fencing; 2) Approve Amendment No. 4 to Agreement No. A5348 with Reynolds Smith and Hill, Inc. for construction management services in the amount of \$33,977.00; and 3) Authorize the City Manager to execute all necessary documents. A6147. A5348. **Approved as part of the Consent Calendar.**

2.R. AUTHORIZE PURCHASE OF NEW BODY ARMOR FOR THE SPECIAL WEAPONS AND TACTICS (SWAT) TEAM:

ACTION: 1) Authorize the single source purchase of eighteen (18) new Protech Tactical Ballistic Vests in an amount not-to-exceed \$49,252.88, inclusive of all applicable taxes and delivery; and 2) Authorize the City Manager to execute all necessary documents. **Approved as part of the Consent Calendar.**

2.S. FIND THE BID FROM FISHER SCIENTIFIC IN RESPONSE TO IFB 12-12 FOR SCOTT BRAND SELF CONTAINED BREATHING APPARATUS NON-RESPONSIVE AND AWARD THE BID TO ALLSTAR FIRE EQUIPMENT INC. IN THE AMOUNT OF \$218,853.11:

ACTION: 1) Find the bid from Fisher Scientific in response to IFB 12-12 for 36 new Scott brand Self Contained Breathing Apparatus and associated equipment to be Non-Responsive; 2) Award the bid to Allstar Fire Equipment Inc. in the amount of \$218,853.11; and 3) Authorize the Fire Department to acquire up to an additional 14 new breathing apparatus and associated equipment per the guaranteed Unit Prices from Allstar valid through December 31, 2014. **Approved as part of the Consent Calendar.**

2.U. AMENDMENT NO. 5 TO AGREEMENT NO. A4780 WITH DOKKEN ENGINEERING FOR THE BELARDO ROAD BRIDGE & ROADWAY WIDENING PROJECT (CP 87-49):

ACTION: 1) Approve Amendment No. 5 to Agreement No. A4780 with Dokken Engineering, in the amount of \$92,500 for a total revised contract amount of \$862,740 for the Belardo Road Bridge & Roadway Widening Project (CP 87-49); and 2) Authorize the City Manager to execute all necessary documents. A4780. **Approved as part of the Consent Calendar.**

2.V. AUTHORIZE NEGOTIATIONS WITH RAEFCORP AND APPROVE THE PURCHASE AND INSTALLATION OF A MODULAR BUILDING TO SERVE AS THE MANAGEMENT AND OPERATIONS OFFICE AT THE PALM SPRINGS SKATE PARK:

ACTION: 1) Authorize the purchase and approve the installation of a modular building from Raelcorp as the Management and Operations Office at the Palm Springs Skate Park in a form acceptable to the City Attorney; 2) Adopt Resolution No. 23209, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, AMENDING THE BUDGET FOR FISCAL YEAR 2012-13; and 3) Authorize the City Manager to execute all necessary documents. **Approved as part of the Consent Calendar.**

EXCLUDED CONSENT CALENDAR:

2.D. STAFF AUTHORIZED AGREEMENTS AND PURCHASE ORDERS FOR THE MONTH OF JUNE 2012:

Councilmember Hutcheson commented on the donation of the Old Las Palmas Neighborhood Organization to fund and maintain landscaping of the median.

ACTION: Receive and file the report of Staff Authorized Agreements and Purchase Orders for the period of June 1 through June 30, 2012. **Motion Councilmember Hutcheson, seconded by Mayor Pougnet and carried 4-0 on a roll call vote.**

AYES: Councilmember Hutcheson, Councilmember Lewin, Mayor Pro Tem Foat, and Mayor Pougnet.

NOES: None.

ABSTAIN: Councilmember Mills.

2.K. PURCHASE OF REAL PROPERTY FROM CHINO CIENEGA FOUNDATION AND STEPHEN C. NICHOLS AND SARAH J. BENSON TRUSTEES OF THE BENSON-NICHOLS TRUST OF 2003, FOR APPROXIMATELY 2.4 ACRES AT THE NORTHWEST CORNER OF TRAMWAY ROAD AND NORTH PALM CANYON DRIVE:

Withdrawn from the Agenda at the request of staff.

2.M. AMENDMENT NO. 4 TO AGREEMENT NO. A5235 WITH DOKKEN ENGINEERING FOR THE INDIAN CANYON DRIVE WIDENING (CP 01-25):

Mayor Pougnet requested the City Engineer provide an update and timeline for the Indian Canyon Drive Widening project.

ACTION: 1) Approve Amendment No. 4 to Agreement No. A5235 with Dokken Engineering, in the amount of \$19,283 for a total revised contract amount of \$970,323 for the Indian Canyon Drive Widening (CP 01-25); and 2) Authorize the City Manager to execute all necessary documents. A5235. **Motion Councilmember Mills, seconded by Mayor Pougnet and unanimously carried on a roll call vote.**

2.T. PROPOSED UPGRADE TO THE GRANICUS SYSTEM TO PROVIDE AGENDA MANAGEMENT AND IPAD TECHNOLOGY, MOVING TOWARD A PAPERLESS AGENDA PROCESS ENVIRONMENT:

The City Council discussed and/or commented on the following with respect to the system upgrade: proposed cost, the potential loss of archived data on the current system, and the problems with the current touch screen equipment.

ACTION: 1) Approve a purchase order contract in the amount of \$19,850 with Granicus, Inc. for upgrading the Meeting Management System for Agenda Management and iPad Technology; 2) Approve a purchase order contract in the amount of \$26,112 (\$2,176 monthly) with Granicus, Inc. for managed hardware, Open Platform and Government Transparency and Meeting Efficiency Suites with VoteCast; and 3) Approve the purchase of five 64 GB Apple iPads with Wi-Fi in an amount not to exceed \$1,000 each for the members of the City Council.
Motion Councilmember Hutcheson, seconded by Mayor Pro Tem Foat and carried 4-1 on a roll call vote.

AYES: Councilmember Hutcheson, Councilmember Lewin, Mayor Pro Tem Foat, and Mayor Pougnet.

NOES: Councilmember Mills.

2.W. REIMBURSEMENT AGREEMENT RELATED TO SUBDIVISION IMPROVEMENTS FOR TRACT NO. 33162 WITH WESSMAN HOLDINGS LLC:

Councilmember Mills stated he is not in agreement with the contract, and requested the City Council table the item to the next meeting for staff to review the policy and history of such agreements.

Mayor Pro Tem Foat noted her support for Councilmember Mill's comments and recommended staff review all stalled projects and proposed several questions on the bonds, lack of details on a project, the release of bonds, and requested the City Council delay action on the item.

Mayor Pougnet requested the City Attorney address if a similar request and agreement was approved for the Monte Sereno project.

Councilmember Hutcheson stated his support for calling the bonds to provide public improvements and requested the City Council move forward with the agreement.

Councilmember Mills noted all projects with public improvements have performance bonds, requested staff address the status of the CUP, and the nature of the public and private improvements that are required by the bonds.

Councilmember Lewin requested the City Attorney comment on the transfer of bonds as part of the recorded map, stated the site is substantially distributed, and stated the public good is to call the bonds.

Mayor Pro Tem Foat requested staff address the timeline if the City were to enter into the agreement, commented on the lack of timing for improvements, and the lack of project.

ACTION: 1) Delay the vote and continue the Item; 2) Direct staff to review the policy and the history; and 3) Direct staff to further review so that the City

receives a benefit such as public streets and improvements, and timing for the completion of the public improvements. **Motion Mayor Pro Tem Foat, seconded by Councilmember Mills and failed 2-3 on a roll call vote.**

AYES: Councilmember Mills, and Mayor Pro Tem Foat.

NOES: Councilmember Hutcheson, Councilmember Lewin, and Mayor Pougnet.

Further discussion was held on the timeline, the process to get the project moving, and the merits of calling the bonds.

Councilmember Mills stated to get the project moving is not to call bonds.

ACTION: 1) Approve the Reimbursement Agreement for subdivision improvements with Wessman Holdings LLC in a form and content approved by the City Attorney; and 2) Authorize the City Manager to execute all necessary documents. A6258. **Motion Mayor Pougnet, seconded by Councilmember Lewin and carried 3-2 on a roll call vote.**

AYES: Councilmember Hutcheson, Councilmember Lewin, and Mayor Pougnet.

NOES: Councilmember Mills, and Mayor Pro Tem Foat.

3. LEGISLATIVE:

3.A. INTRODUCTION AND FIRST READING OF AN ORDINANCE REQUIRING UNPERMITTED COLLECTIVES AND COOPERATIVES TO DISCLOSE THEIR UNPERMITTED STATUS TO THE PUBLIC AND PROVIDES ADDITIONAL ADMINISTRATIVE ENFORCEMENT OPTIONS TO THE CITY IN ADDRESSING VIOLATIONS OF THE CITY'S MEDICAL CANNABIS REGULATORY ORDINANCE, INCLUDING POSTING OF PROPERTY, ISSUANCE OF ABATEMENT ORDERS, AND THE RECORDATION OF LIENS, AND ADOPTION OF AN URGENCY ORDINANCE REQUIRING UNPERMITTED COLLECTIVES AND COOPERATIVES TO DISCLOSE THEIR UNPERMITTED STATUS TO THE PUBLIC AND PROVIDES ADDITIONAL ADMINISTRATIVE ENFORCEMENT OPTIONS TO THE CITY IN ADDRESSING VIOLATIONS OF THE CITY'S MEDICAL CANNABIS REGULATORY ORDINANCE, INCLUDING POSTING OF PROPERTY, ISSUANCE OF ABATEMENT ORDERS, AND THE RECORDATION OF LIENS:

City Attorney Holland provided background information as outlined in the staff report dated July 11, 2012.

Councilmember Lewin commented on the intent of the ordinance to bring some clarity and safety to the public.

Mayor Pro Tem Foat commented on the history and the development of the current regulations, and stated her support of the proposed ordinances.

Councilmember Lewin commented on the proposed State legislation and the requirements for one dispensary for every 50,000 residents.

ACTION: 1) Initiate, waive the reading of the full text of the ordinance, and introduce on first reading Ordinance No. 1811, "AN ORDINANCE OF THE CITY OF PALM SPRINGS, CALIFORNIA, AMENDING SECTION 3.52.030 AND SUBSECTIONS K AND L OF SECTION 93.23.15 OF, AND ADDING SUBSECTION K TO SECTION 93.23.15 OF, THE PALM SPRINGS MUNICIPAL CODE, RELATING TO ENFORCEMENT OF THE CITY'S MEDICAL CANNABIS REGULATORY ORDINANCE;" and 2) Waive reading of the full text of the ordinance, and adopt Ordinance No. 1812, "AN URGENCY ORDINANCE OF THE CITY OF PALM SPRINGS, CALIFORNIA, AMENDING SECTION 3.52.030 AND SUBSECTIONS K AND L OF SECTION 93.23.15 OF, AND ADDING SUBSECTION K TO SECTION 93.23.15 OF, THE PALM SPRINGS MUNICIPAL CODE, RELATING TO ENFORCEMENT OF THE CITY'S MEDICAL CANNABIS REGULATORY ORDINANCE." **Motion Councilmember Lewin, seconded by Mayor Pro Tem Foat and unanimously carried on a roll call vote.**

3.B. INTRODUCTION AND FIRST READING OF AN ORDINANCE ALLOWING THE REPLACEMENT OF EXISTING BILLBOARDS ALONG THE INTERSTATE 10 CORRIDOR WITH NEW DIGITAL BILLBOARDS SUBJECT TO CERTAIN CRITERIA:

City Attorney Holland provided background information as outlined in the staff report dated July 11, 2012.

The City Council discussed and/or commented on the following with respect to the proposed ordinance: the number of billboard for replacement, safety for drivers, timing cycle for digital messages, public benefit to the City as part of the process, regulations of the County and other Cities and the Tribal regulations, brightness and ratio, community standards for the cycle of changing messages, animated display, delay introduction of the ordinance for further enhancements and detail.

ACTION: 1) Delay the introduction of the ordinance; and 2) Direct staff to review and make further enhancements and further technical refinements to the proposed ordinance. **Motion Councilmember Mills, seconded by Mayor Pro Tem Foat and carried 4-1 on a roll call vote.**

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

4. UNFINISHED BUSINESS:

4.A. PROGRESS REPORT AND UPDATE FROM THE CITY COUNCIL DOWNTOWN REVITALIZATION PROJECT AD HOC SUBCOMMITTEE:

Mayor Pougnet and Councilmember Mills provided a verbal progress report on the Downtown Revitalization Project.

No action taken.

4.B. AMENDMENT AND TRANSMITTAL OF RECOGNIZED OBLIGATIONS PAYMENT SCHEDULE (ROPS) PURSUANT TO SECTION 34169(G)(1) OF CALIFORNIA HEALTH AND SAFETY CODE:

John Raymond, Director of Community and Economic Development, provided background information as outlined in the staff report dated July 11, 2012, stated the ROPS is not completed and requested the City Council amend the Resolution directing staff to prepare the ROPS.

ACTION: Adopt Resolution No. 23210, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, ACTING SOLELY IN ITS CAPACITY AS SUCCESSOR AGENCY TO THE PALM SPRINGS COMMUNITY REDEVELOPMENT AGENCY AUTHORIZING THE PREPARATION AND TRANSMITTAL OF A RECOGNIZED OBLIGATIONS PAYMENT SCHEDULE (ROPS) PURSUANT TO CALIFORNIA HEALTH AND SAFETY CODE SECTION 34169(g)(1)," *amending Section 2 of the Resolution directing the preparation of the Recognized Obligations Payment Schedule. Motion Councilmember Mills, seconded by Councilmember Hutcheson and unanimously carried on a roll call vote.*

5. NEW BUSINESS:

5.A. APPOINTMENT OF A CITY COUNCIL AD HOC SUBCOMMITTEE FOR THE PURPOSE OF REVIEWING THE VILLAGEFEST PROGRAMS:

ACTION: Appoint Councilmember Hutcheson and Councilmember Lewin to an ad hoc City Council Subcommittee to review the Villagefest programs. **Motion Councilmember Mills, seconded by Mayor Pro Tem Foat and unanimously carried on a roll call vote.**

5.B. AGREEMENT WITH DISABILITY ACCESS CONSULTANTS, INC. TO PROVIDE AMERICANS WITH DISABILITIES ACT (ADA) CONSULTING SERVICES IN THE AMOUNT OF \$161,500:

Lee Bonno, Director of Neighborhood and Community Relations, provided background information as outlined in the staff report dated July 11, 2012.

ACTION: 1) Approve a Professional Services Agreement with Disability Access Consultants, Inc., in an amount not-to-exceed \$161,500 for a full

compliance evaluation survey of City-owned facilities, parks, parking lots, signalized intersections and sidewalks and to develop both a Self Evaluation and a Transition Plan; and 2) Authorize the City Manager to sign and execute the appropriate documents. A6259. **Motion Councilmember Mills, seconded by Mayor Pro Tem Foat and unanimously carried on a roll call vote.**

COUNCILMEMBER COMMENTS, REQUESTS, AND REPORTS:

Councilmember Mills requested staff review the replacement of the century plant material on the Gene Autry median to replace spent plants, along Vista Chino weeds growing between curb and sidewalk, review grant or other funding to improve Vista Chino the 5 feet of property between the public and private property near Gene Autry, and commented on Item 2.W. and requested staff review the City policy for performance bonds.

Councilmember Lewin requested staff address the dying palm tree at the Port Lawrence project site.

Councilmember Hutcheson requested staff review the poorly maintained property occupied by Party Lab.

Mayor Pro Tem Foat thanked City staff for the power washing of public areas in the Uptown area of Palm Springs, and commented on Roy's Desert Resource Center.

Mayor Pougnet thanked City staff for the update on Code Enforcement activities, commented on the Shelter from the Storm programs and the need for volunteers, commented on the preparation of a traffic study for Downtown and Uptown, and commented on dead palm trees.

ADJOURNMENT: The City Council adjourned at 9:02 p.m. to Wednesday, September 5, 2012, at 6:00 P.M. Council Chamber, City Hall, preceded by Closed Session, Small Conference Room, City Hall, 3200 East Tahquitz Canyon Way, Palm Springs.

APPROVED BY A MOTION OF THE PALM SPRINGS CITY COUNCIL THIS 5TH DAY OF SEPTEMBER, 2012.

STEPHEN P. POUGNET, MAYOR

ATTEST:

JAMES THOMPSON, CITY CLERK