

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



**MEETING MINUTES
WEDNESDAY, OCTOBER 16, 2013
CITY HALL COUNCIL CHAMBER**

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

PLEDGE OF ALLEGIANCE: Palm Springs Air Force ROTC Junior Color Guard, led the Pledge.

INVOCATION: Rev. Amanda Burr, United Methodist Church, led the Invocation.

ROLL CALL:

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

ABSENT: Mayor Pougnet.

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

PRESENTATIONS:

Mayor Pro Tem Mills announced the grand opening of the Hard Rock Hotel Palm Springs.

John Allen, Fire Chief, announced the Fire Department's activities for Breast Cancer Awareness Month, and announced the upcoming 2013 Great Shake Out event.

Mayor Pro Tem Mills announced the opening of the Demuth Park Temporary Dog Park for maintenance operations at the Palm Springs Dog Park, the ribbon cutting at the Palm Springs Skate Park, and the upcoming Palm Springs seasonal parades.

Justin Blake, Palm Springs Unified School District, provided an update on the state of the Palm Springs Unified School District.

REPORT OF CLOSED SESSION:

The meeting was called to order at 5:00 p.m. and the City Council recessed into Closed Session to discuss items on the posted Closed Session Agenda. City Attorney Holland stated the City Council took no reportable actions.

ITEM NO. 2.8.

ACCEPTANCE OF THE AGENDA:

Mayor Pro Tem Mills requested Items 2.J. and 2.K. be removed from the Consent Calendar for separate discussion.

ACTION: Accept the Agenda as amended. **Motion Councilmember Foat, seconded by Councilmember Lewin and unanimously carried 4-0 on a roll call vote.**

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

NOES: None.

ABSENT: Mayor Pougnet.

1. **PUBLIC HEARINGS:** None.

PUBLIC COMMENT:

RON STEWART, County of Riverside Office on Aging, commented on the RSVP Program.

TERRY TOWNE, commented on the American Dream Builders project, and commented on the contributions of neighborhood organizations to the City of Palm Springs.

JESSE DANNER, commented on the upcoming American Heat event in the City of Palm Springs, and requested the generators be moved down the street toward empty businesses.

DAVID POWELL, commented on the noticing of the Dolce Hotel project for the Planning Commission.

CHARLES SACHS, Palm Springs, commented on Measure J funding.

LARRY BLOCK, West Hollywood, stated he is running for the Board of the Palm Springs Chamber of Commerce, and commented on tourism in the City of Palm Springs.

FRANK TYSEN, commented on Item 4.A., and stated his opposition to the removal of ficus trees at the former Desert Fashion Plaza site.

JOHN WESSMAN, commented on Item 2.G. and requested the City Council rescind Resolution No. 23404 regarding the Dakota Project.

COUNCILMEMBER COMMENTS:

Councilmember Foat provided an update on the CVAG study and development of a rail system for the Coachella Valley.

Councilmember Lewin requested the City Manager respond to Jesse Danner regarding the placement of generators at the American Heat event, and commented on the Measure J Subcommittee meeting.

Councilmember Hutcheson commented on the Measure J Subcommittee meeting.

CITY MANAGER'S REPORT:

City Manager Ready presented an Employee Spotlight featuring Valerie Wagner, Street Maintenance Supervisor, announced the upcoming Hidden Away movie filmed in the City of Palm Springs, and the Palm Springs Film Friendly programs.

2. CONSENT CALENDAR:

ACTION: Approve Items 2.A., 2.B., 2.C., 2.D., 2.E., 2.F., 2.G., 2.H., 2.I., and 2.L.
Motion Councilmember Hutcheson, seconded by Councilmember Foat and unanimously carried 4-0 on a roll call vote.

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

NOES: None.

ABSENT: Mayor Pougnet.

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

ACTION: Receive and file Report on the Posting of the October 16, 2013, City Council Agenda. **Approved as part of the Consent Calendar.**

2.B. APPROVAL OF MINUTES:

ACTION: Approve the City Council Minutes of October 2, 2013. **Approved as part of the Consent Calendar.**

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

ACTION: 1) Adopt Resolution No. 23450, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, APPROVING PAYMENT OF CLAIMS AND DEMANDS BY WARRANTS NUMBERED 1066257 THROUGH 1066419 IN THE AGGREGATE AMOUNT OF \$2,845,554.69, DRAWN ON BANK OF AMERICA;" 2) Adopt Resolution No. 23451, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, APPROVING PAYMENT OF PAYROLL WARRANTS FOR THE PERIOD ENDED 9-28-13 BY WARRANTS NUMBERED 418334 THROUGH 418350 TOTALING \$31,292.26, LIABILITY CHECKS NUMBERED 1066420 THROUGH 1066443 TOTALING \$122,721.49 FIVE WIRE TRANSFERS FOR \$45,870.92 AND THREE ELECTRONIC ACH DEBITS OF \$1,118,449.70 IN THE AGGREGATE AMOUNT OF \$1,318,334.37, DRAWN ON BANK OF AMERICA;" and 3) Adopt Resolution No. 23452, "A RESOLUTION OF

THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, APPROVING PAYMENT OF CLAIMS AND DEMANDS BY WARRANTS NUMBERED 1066444 THROUGH 1066563 IN THE AGGREGATE AMOUNT OF \$579,795.48, DRAWN ON BANK OF AMERICA." **Approved as part of the Consent Calendar.**

2.D. STAFF AUTHORIZED AGREEMENTS AND PURCHASE ORDERS FOR THE MONTHS OF AUGUST AND SEPTEMBER 2013:

ACTION: Receive and file the report of Staff Authorized Agreements and Purchase Orders for the period of August 1 through September 30, 2013. **Approved as part of the Consent Calendar.**

2.E. ACCEPT FROM THE CALIFORNIA GOVERNOR'S OFFICE OF EMERGENCY SERVICES THE EMERGENCY MANAGEMENT PERFORMANCE GRANT IN THE AMOUNT OF \$17,507 AND AUTHORIZE THE PURCHASE OF A MOBILE WATER TREATMENT SYSTEM FOR DISASTER OPERATIONS:

ACTION: 1) Accept the Fiscal Year 2013 Emergency Management Performance Grant through the California Governor's Office of Emergency Services in the amount of \$17,507; 2) Authorize the purchase of a mobile water treatment system in an amount up to \$41,000 through a competitive bid process; and 3) Authorize the City Manager to execute all necessary documents. A6412. **Approved as part of the Consent Calendar.**

2.F. APPOINT A MEMBER TO THE PALM SPRINGS INTERNATIONAL AIRPORT COMMISSION FOR THE UNEXPIRED TERM ENDING JUNE 30, 2014:

ACTION: Appoint Richard Stelk to the Palm Springs International Airport Commission for the unexpired term ending June 30, 2014. **Approved as part of the Consent Calendar.**

2.G. RESCIND CITY COUNCIL RESOLUTION NO. 23404 APPROVING 43 TWO-STORY, DETACHED SINGLE FAMILY RESIDENTIAL DEVELOPMENT AND A TENTATIVE TRACT MAP (CASE 5.1297 PDD 364 TTM 36548) ON THE WEST SIDE OF BELARDO ROAD, SOUTH OF MORONGO ROAD ("DAKOTA"):

ACTION: Adopt Resolution No. 23453, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, RESCINDING RESOLUTION NO. 23404." **Approved as part of the Consent Calendar.**

2.H. TREASURER'S INVESTMENT REPORT AS OF AUGUST 31, 2013:

ACTION: 1) Receive and file the Treasurer's Investment Report as of August 31, 2013. **Approved as part of the Consent Calendar.**

2.I. APPROVE ASSIGNMENT OF LEASE AGREEMENT NO. A5283 OF CITY-OWNED PROPERTY AT 211 SOUTH PALM CANYON DRIVE AT THE VILLAGE GREEN TO LUTFA MOBARAK (PALM SPRINGS CHOCOLATES & FUDGE):

ACTION: 1) Approve the assignment of Lease Agreement No. A5283 held by John Flatley and Mohammad Haque to Lutfa Mobarak for the lease of property known as Palm Springs Chocolates & Fudge located at 211 South Palm Canyon Drive; 2) Approve an option to renew the lease in a term to match or exceed the loan of the assignee; and 3) Authorize the City Manager to execute all necessary documents. A5283. **Approved as part of the Consent Calendar.**

2.L. APPROVE PURCHASE ORDER TO PREFERRED PLUMBING FOR SUNRISE PARK WATER VALVE REPLACEMENT:

ACTION: 1) Authorize a change to the purchase order to Preferred Plumbing, increasing the amount by \$6,750 to a total amount of \$25,547, for additional work for the Sunrise Park water valve replacement project; and 2) Authorize the City Manager to execute the purchase order as needed. **Approved as part of the Consent Calendar.**

EXCLUDED CONSENT CALENDAR:

2.J. AUTHORIZE PURCHASE OF 11 NEW REPLACEMENT VEHICLES (5 OF WHICH ARE HYBRIDS OR ALTERNATIVE FUEL VEHICLES):

Mayor Pro Tem Mills requested staff clarify the estimated price and mileage as stated in the staff report, and the cost of the police CNG vehicle.

ACTION: 1) Approve the purchase of 2 new replacement vehicles (for use by the Wastewater Treatment Plant), in an amount not to exceed \$505,000; 2) Approve the purchase of 2 new alternative fuel vehicles and a trailer (for use by the Airport) in an amount not to exceed \$137,000; 3) Approve the purchase of 6 new replacement vehicles (3 of which are hybrids or electronic), by various City Departments in an amount not to exceed \$265,000; 4) Approve a change from a previously approved hybrid pick-up to a CNG pick-up for the Police Department for an additional amount estimated at \$17,000; 5) Authorize staff to conduct the appropriate bid processes or utilize cooperative purchase contracts, if available, in accordance with Procurement procedures; and 6) Authorize the City Manager to execute all necessary documents, including all purchase orders for the approved list of vehicles, to expedite the acquisition process. **Motion Councilmember Foat, seconded by Councilmember Hutcheson and unanimously carried 4-0 on a roll call vote.**

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

NOES: None.

ABSENT: Mayor Pougnet.

2.K. UPTOWN CROSSWALKS, APPROVAL OF PLANS AND SPECIFICATIONS (CP 13-10):

Mayor Pro Tem Mills requested staff address the design of the crosswalk signs, and the bid specifications.

Councilmember Foat requested staff address the visual aspects of the crosswalks and the curb pop-outs, along with the estimated elimination of parking.

ACTION: Approve the Plans, Specifications, and Cost Estimate, subject to minor plan check revisions by the City Engineer, and authorize the bidding of the Uptown Crosswalk Project (CP 13-10), subject to review of the details on the final specifications by Mayor Pro Tem Mills. **Motion Councilmember Lewin, seconded by Councilmember Hutcheson and unanimously carried 4-0 on a roll call vote.**

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

NOES: None.

ABSENT: Mayor Pougnet.

3. LEGISLATIVE:

3.A. PROPOSED ORDINANCE AMENDING THE PALM SPRINGS MUNICIPAL CODE TO UPDATE THE PRIMA FACIE SPEED LIMITS OF VARIOUS CITY STREETS:

David Barakian, City Engineer, provided background information as outlined in the staff report dated October 16, 2013.

Councilmember Lewin requested further consideration for the reduction of speed limits for: Belardo from Ramon to the end, Sunny Dunes from Paseo Dorotea to Gene Autry Trail, and the speed limits on Indian Canyon.

Councilmember Foat requested staff address the legal requirements to re-set speed limits.

Councilmember Hutcheson requested the City Engineer address the specific streets identified by Councilmember Lewin.

Mayor Pro Tem Mills requested staff address the effect if a bike lane was installed on certain streets.

Councilmember Lewin requested the City Attorney address the 10 mile per hour reduction for the 85th percentile.

ACTION: 1) Waive the reading of the ordinance text in its entirety and read by title only; and 2) Introduce on first reading Ordinance No. 1830, "AN ORDINANCE OF THE CITY OF PALM SPRINGS, CALIFORNIA, AMENDING THE PALM SPRINGS MUNICIPAL CODE SECTION 12.20.020 RELATING TO THE ESTABLISHMENT OF PRIMA FACIE SPEED LIMITS OF VARIOUS CITY STREETS." **Motion Councilmember Hutcheson, seconded by Councilmember Foat and unanimously carried 4-0 on a roll call vote.**

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

4. UNFINISHED BUSINESS:

4.A. RELOCATION OF FICUS TREES AT DESERT FASHION PLAZA TO DESIGNATED CITY OWNED PARKS AND PROPERTIES:

John Raymond, Director of Community and Economic Development, provided background information as outlined in the staff report dated October 16, 2013.

Councilmember Lewin requested Staff address the concerns from the Tennis Club Neighborhood, and stated he is not in support of the removal of the trees due to the cost.

Councilmember Foat stated her support for the relocation of the mature trees to the City parks.

Councilmember Hutcheson stated he is not in support of the relocation.

Mayor Pro Tem Mills commented on estimated cost to purchase a like tree, and the problems associated with transplanting trees of that size.

MOTION: 1) Receive and file the Arborist Report prepared by Bryan Stone of ArborStone, for the relocation of trees from the Desert Fashion Plaza to other appropriate City-owned properties; 2) Approve the relocation of Tree Nos. 2 and 3, as noted in the report; and 3) Authorize the City Manager to execute all necessary documents for the relocation of Tree Nos. 2 and 3 to other City-owned properties. **Motion Councilmember Foat, failed for lack of a second.**

No action taken.

5. NEW BUSINESS:

5.A. APPOINT AN AD HOC CITY COUNCIL SUBCOMMITTEE FOR PALM SPRINGS GATEWAY SIGNAGE:

ACTION: Appoint Mayor Pro Tem Mills and Councilmember Lewin to an ad hoc City Council Subcommittee for Gateway Signage. **Motion Councilmember Foat, seconded by Councilmember Hutcheson and unanimously carried 4-0 on a roll call vote.**

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

NOES: None.

ABSENT: Mayor Pougnet.

COUNCILMEMBER COMMENTS, REQUESTS, AND REPORTS:

Councilmember Foat requested staff develop a review of branding of the City with signage, the website and the Bureau of Tourism.

Mayor Pro Tem Mills commented on the signage for Measure J projects.

ADJOURNMENT: The City Council adjourned at 8:07 p.m. to Wednesday, November 6, 2013, 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 6TH DAY OF NOVEMBER, 2013.

STEPHEN P. POUGNET, MAYOR

ATTEST:

JAMES THOMPSON, CITY CLERK