

**CITY COUNCIL**  
**AND AS SUCCESSOR AGENCY TO THE PALM SPRINGS COMMUNITY REDEVELOPMENT AGENCY**  
**CITY OF PALM SPRINGS, CALIFORNIA**

Council Chamber, 3200 East Tahquitz Canyon Way, Palm Springs, California 92262

[www.palmspringsca.gov](http://www.palmspringsca.gov)

**AGENDA**

March 19, 2014



4:30 PM CLOSED SESSION  
6:00 PM REGULAR MEETING

**Steve Pougnet, Mayor**  
**Rick Hutcheson, Mayor Pro Tem**  
**Ginny Foat, Councilmember**  
**Paul Lewin, Councilmember**  
**Chris Mills, Councilmember**

*City of Palm Springs Vision Statement: Palm Springs aspires to be a unique world class desert community, where residents and visitors enjoy our high quality of life and a relaxing experience. We desire to balance our cultural and historical resources with responsible, sustainable economic growth and to enhance our natural desert beauty. We are committed to providing responsive, friendly and efficient customer service in an environment that fosters unity among all our citizens.*

**David H. Ready, Esq., Ph.D., City Manager**  
**James Thompson, Chief of Staff/City Clerk**  
**Douglas C. Holland, City Attorney**  
**Geoffrey S. Kiehl, Director of Finance and Treasurer**

Any person who wishes to speak regarding an item on the agenda or on a subject within the City's jurisdiction during the "Public Comments" portion of the agenda must file a "Speaker Card" with the City Clerk BEFORE that portion of the agenda is called. Although the City Council values your comments, pursuant to the Brown Act, it generally cannot take any action on items not listed on the posted agenda.

Testimony for Public Hearings will only be taken at the time of the hearing. Any person who wishes to speak at a Public Hearing must file a "Speaker Card" with the City Clerk BEFORE the Public Hearing is called.

Pursuant to G.C. Section 54957.5(b)(2) the designated office for inspection of records in connection with the meeting is the Office of the City Clerk, City Hall, 3200 E. Tahquitz Canyon Way. Complete Agenda Packets are available for public inspection at: City Hall Office of the City Clerk. Agenda and staff reports are available on the City's website [www.palmspringsca.gov](http://www.palmspringsca.gov). If you would like additional information on any item appearing on this agenda, please contact the Office of the City Clerk at (760) 323-8204.

Please note, any agenda item which has not been initiated by 10:00 P.M. may be continued to a subsequent meeting.

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It is the intention of the City of Palm Springs to comply with the Americans with Disabilities Act (ADA) in all respects. If, as an attendee or a participant at this meeting, or in meetings on a regular basis, you will need special assistance beyond what is normally provided, the City will attempt to accommodate you in every reasonable manner. Please contact the Office of the City Clerk, 323-8204, at least 48 hours prior to the meeting to inform us of your particular needs and to determine if accommodation is feasible.

## 4:30 P.M. CLOSED SESSION

**CALL TO ORDER** (*Council Chamber*):

**PUBLIC COMMENT** (*Council Chamber*): This time has been set aside for members of the public to address the City Council on items contained only on the Closed Session Agenda.

**RECESS TO CLOSED SESSION** (*Small Conference Room*): See Closed Session Agenda.

## 6:00 P.M. REGULAR MEETING

**CALL TO ORDER:**

**PLEDGE OF ALLEGIANCE:** Palm Springs Air Force ROTC Junior Color Guard.

**INVOCATION:** Sharon Stroud, Inner Faith Spiritual Center.

**ROLL CALL:**

**PRESENTATIONS:**

**REPORT OF CLOSED SESSION:**

**ACCEPTANCE OF THE AGENDA:** The City Council will discuss the order of the agenda, may amend the order, add urgency items, note abstentions or “no” votes on Consent Calendar items, and request Consent Calendar items be removed from the Consent Calendar for discussion. The City Council may also remove items from the Consent Calendar prior to that portion of the Agenda.

### 1. PUBLIC HEARINGS:

#### 1.A. 40TH PROGRAM YEAR COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) 2014-15 ANNUAL ACTION PLAN AND CDBG BUDGET APPROVAL, AUTHORIZATION TO SUBMIT TO THE UNITED STATES DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT GRANT NO. B-14-MC-06-0561 IN THE AMOUNT OF \$317,336, AND APPROVING SUBRECIPIENT AGREEMENTS:

**RECOMMENDATION:** 1) Open the public hearing and receive public testimony; and 2) Adopt Resolution No. \_\_\_\_\_, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, APPROVING THE 2014-15 COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) ANNUAL ACTION PLAN, APPROVING THE CDBG BUDGET FOR FISCAL YEAR 2014-15, AUTHORIZING THE SUBMITTAL OF THE PLAN AND BUDGET TO THE UNITED STATES DEPARTMENT OF HOUSING & URBAN DEVELOPMENT (HUD), AND AUTHORIZING THE CITY MANAGER TO EXECUTE THE APPROVAL/AGREEMENT

WITH HUD (GRANT NO. B-14-MC-06-0561) IN THE AMOUNT OF \$317,336 AND THE SUBRECIPIENT AGREEMENTS." A5814.

|   |          |        |
|---|----------|--------|
| Desert AIDS Project<br>Energy-Efficiency Upgrades                             | \$90,000 | A_____ |
| Boys & Girls Club of Palm Springs<br>Gymnasium Interior Renovations           | \$69,195 | A_____ |
| Mizell Senior Center<br>Energy-Efficiency Kitchen Upgrades                    | \$27,074 | A_____ |
| Fair Housing Council of Riverside<br>Fair Housing Services                    | \$15,000 | A_____ |
| AIDS Assistance Program<br>Food Voucher Program                               | \$15,000 | A_____ |
| Jewish Family Service of the Desert<br>KidFirst Healthy Life Program          | \$17,600 | A_____ |
| City of Palm Springs, Community & Economic Development<br>Home Repair Program | \$20,000 | A_____ |

- 1.B. GERARD AND JANET BIEGEL FOR TENTATIVE TRACT MAP 36715 OF ONE (1) LOT EQUALING 35,672-SQUARE FEET FOR THE PURPOSE OF A NINE (9) UNIT CONDOMINIUM PROJECT CONSISTING OF THREE BUILDINGS ON COMMON GROUND LOCATED AT 100 NORTH CERRITOS ROAD (CASE TTM 36715):**  
**RECOMMENDATION:** 1) Open the public hearing and receive public testimony; and 2) Adopt Resolution No. \_\_\_\_\_, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, APPROVING TENTATIVE TRACT MAP 36715 OF ONE (1) LOT EQUALING 35,672-SQUARE FEET FOR THE PURPOSE OF A NINE (9) UNIT CONDOMINIUM PROJECT CONSISTING OF THREE BUILDINGS ON COMMON GROUND LOCATED AT 100 NORTH CERRITOS ROAD, ZONE R-2, SECTION 13 (CASE TTM 36715)."

**PUBLIC COMMENT:** This time has been set aside for members of the public to address the City Council on Consent Calendar and other agenda items; and items of general interest within the subject matter jurisdiction of the City. Although the City Council values your comments, pursuant to the Brown Act, it generally cannot take any action on items not listed on the posted agenda. Three (3) minutes assigned for each speaker. Testimony for Public Hearings will only be taken at the time of the hearing.

**COUNCILMEMBER COMMENTS:** This portion of the meeting is set aside for brief general comments, and/or other issues of concern from members of the City Council.

**CITY MANAGER'S REPORT:** This time is set aside for the City Manager to update the City Council on important items initiated by staff or previously requested by the City Council.

**2. CONSENT CALENDAR:**

The following routine matters may be acted upon by one motion. Individual items may be removed by the Council for separate discussion at this time or under Approval of the Agenda. The title is deemed to be read and further reading waived on any ordinance listed on the Consent Calendar for introduction or adoption.

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

**RECOMMENDATION:** Receive and file Report on the Posting of the March 19, 2014, City Council Agenda.

**2.B. APPROVAL OF MINUTES:**

**RECOMMENDATION:** Approve the City Council Minutes of March 5, 2014.

**2.C. STAFF AUTHORIZED AGREEMENTS AND PURCHASE ORDERS FOR THE MONTH OF FEBRUARY 2014:**

**RECOMMENDATION:** Receive and file the report of Staff Authorized Agreements and Purchase Orders for the period of February 1 through February 28, 2014.

**2.D. SECOND READING AND ADOPTION OF ORDINANCE NO. 1848 AMENDING CHAPTER 5.25 OF THE PALM SPRINGS MUNICIPAL CODE REGARDING VACATION RENTAL REGULATIONS AND RELATED ADMINISTRATIVE CITATION PROCEDURES:**

**RECOMMENDATION:** Waive the reading of the ordinance text in its entirety and adopt Ordinance No. 1848, "AN ORDINANCE OF THE CITY OF PALM SPRINGS, CALIFORNIA, AMENDING AND RESTATING CHAPTER 5.25 OF, AND AMENDING SECTION 1.06.030 OF, THE PALM SPRINGS MUNICIPAL CODE RELATING TO VACATION RENTALS."

**2.E. APPROVAL OF PAYROLL WARRANTS, CLAIMS AND DEMANDS:**

**RECOMMENDATION:** 1) Adopt Resolution No. \_\_\_\_\_, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, APPROVING PAYMENT OF CLAIMS AND DEMANDS BY WARRANTS NUMBERED 1069045 THROUGH 1069224 IN THE AGGREGATE AMOUNT OF \$2,730,703.65, DRAWN ON BANK OF AMERICA;" 2) Adopt Resolution No. \_\_\_\_\_, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, APPROVING PAYMENT OF PAYROLL WARRANTS FOR THE PERIOD ENDED 02-15-14 BY WARRANTS NUMBERED 418503 THROUGH 418522 TOTALING \$34,643.19, LIABILITY CHECKS NUMBERED 1069225 THROUGH 1069248 TOTALING \$111,210.06, FIVE WIRE TRANSFERS FOR \$47,765.11 AND THREE ELECTRONIC ACH DEBITS OF \$1,122,881.59 IN THE AGGREGATE AMOUNT OF \$1,316,499.95, DRAWN ON BANK OF AMERICA;" 3) Adopt Resolution No. \_\_\_\_\_, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, APPROVING PAYMENT OF CLAIMS AND

DEMANDS BY WARRANT NUMBERED 1069249 IN THE AGGREGATE AMOUNT OF \$50,000.00, DRAWN ON BANK OF AMERICA;” 4) Adopt Resolution No. \_\_\_\_\_, “A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, APPROVING PAYMENT OF CLAIMS AND DEMANDS BY WARRANTS NUMBERED 1069250 THROUGH 1069465 IN THE AGGREGATE AMOUNT OF \$3,238,390.79, DRAWN ON BANK OF AMERICA;” 5) Adopt Resolution No. \_\_\_\_\_, “A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, APPROVING PAYMENT OF CLAIMS AND DEMANDS BY WARRANTS NUMBERED 1069466 THROUGH 1069608 IN THE AGGREGATE AMOUNT OF \$987,408.27, DRAWN ON BANK OF AMERICA;” and 6) Adopt Resolution No. \_\_\_\_\_, “A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, APPROVING PAYMENT OF PAYROLL WARRANTS FOR THE PERIOD ENDED 03-01-14 BY WARRANTS NUMBERED 418523 THROUGH 418542 TOTALING \$36,266.00, LIABILITY CHECKS NUMBERED 1069609 THROUGH 1069632 TOTALING \$112,248.20, FIVE WIRE TRANSFERS FOR \$48,160.11 AND THREE ELECTRONIC ACH DEBITS OF \$1,145,818.99 IN THE AGGREGATE AMOUNT OF \$1,342,493.30, DRAWN ON BANK OF AMERICA.”

**2.F. SUMMARY RIGHT-OF-WAY VACATION OF A PORTION OF WEST PALM CANYON DRIVE AT 333 EAST PALM CANYON DRIVE (FILE R 11-14):**

**RECOMMENDATION:** Adopt Resolution No. \_\_\_\_\_, “A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, SUMMARILY VACATING AND ABANDONING ALL OF ITS RIGHTS, TITLE, AND INTERESTS TO A PORTION OF WEST PALM CANYON DRIVE AT 333 EAST PALM CANYON DRIVE (FILE R 11-14)”.

**2.G. DESIGN SERVICES BY MSA CONSULTING, INC. FOR A TEMPORARY PARKING LOT FOR THE CONVENTION CENTER:**

**RECOMMENDATION:** 1) Approve the proposal from MSA Consulting, Inc. for the design of a temporary parking lot for the Convention Center at the southeast corner of Amado Road and Avenida Caballeros; 2) Approve sub-consulting work by Michael Buccino Associates and MRC Engineers; and 3) Authorize the City Manager to execute all necessary documents. A6445.

**2.H. ACCEPT THE RESIGNATION OF LARRY ABEL FROM THE BUSINESS IMPROVEMENT DISTRICT (BID) ADVISORY BOARD:**

**RECOMMENDATION:** Accept the resignation of Larry Abel.

**2.I. APPOINT TWO MEMBERS OF THE CITY COUNCIL TO THE AD HOC CITY COUNCIL IHUB SUBCOMMITTEE:**

**RECOMMENDATION:** Appoint Councilmember Lewin and Mayor Pougnet to the ad hoc City Council iHub Subcommittee.

**2.J. PURCHASE AND INSTALLATION OF VIDEO CAMERAS FROM SYSTEMS INTEGRATION CORP. TO MONITOR THE EXTERIOR OF VARIOUS PARK RESTROOMS:**

**RECOMMENDATION:** Approve the purchase and installation of video cameras to monitor the exterior of various park restrooms from Systems Integration Corp. in the amount of \$38,000.

**2.K. CITY OF PALM SPRINGS GENERAL PLAN HOUSING ELEMENT 2013 ANNUAL REPORT:**

**RECOMMENDATION:** Receive and file the City of Palm Springs General Plan Housing Element, 2013 Annual Report.

**2.L. AUTHORIZE THE PURCHASE OF TWO COOLING TOWERS FROM ALLISON MECHANICAL INC. IN THE AMOUNT OF \$53,115.70:**

**RECOMMENDATION:** 1) Award IFB 14-07 and approve the purchase of two (2) new cooling towers from Allison Mechanical Inc., in the amount of \$53,115.70; and 2) Authorize the City Manager to execute the purchase order.

**2.M. APPROVAL OF PLANS, SPECIFICATIONS AND ESTIMATE AND AUTHORIZATION TO BID FOR THE TRACT NO. 13257 SEWER IMPROVEMENTS (PHASE 3) (CP 13-26):**

**RECOMMENDATION:** 1) Approve the plans, specifications and working details for the Tract No. 13257 Sewer Improvements (Phase 3), and authorize the bid process (CP 13-26); and 2) Authorize funding from Measure J for Phase 3, On-Site (Private) Improvements in the amount of \$132,240.

**2.N. APPROVE SIX INTERIOR REMODEL GRANT AGREEMENTS UNDER THE CITY'S SPECIAL ECONOMIC DEVELOPMENT FOCUS INCENTIVE AREAS:**

**RECOMMENDATION:** 1) Approve an Interior Remodel Grant Agreement with Geoff McIntosh, Bernie's Lounge and Supper Club, at 292 East Palm Canyon Drive in the amount of \$25,000; 2) Approve an Interior Remodel Grant Agreement with Julie Montante, Dollar Plus, at 555 South Palm Canyon Drive in the amount of \$25,000; 3) Approve an Interior Remodel Grant Agreement with Neil Castren, The New York Company Restaurant, at 1260 South Palm Canyon Drive, in the amount of \$25,000; 4) Approve an Interior Remodel Grant Agreement with Costa Nichols, Go Deli Market at 611 South Palm Canyon Drive, Suite 22, in the amount of \$25,000; 5) Approve an Interior Remodel Grant Agreement with Mirsad Terzic, Miro's Restaurant at 1555 South Palm Canyon Drive, in the amount of \$25,000; 6) Approve an Interior Remodel Grant Agreement with Daniel Doiron, 78 Degrees at the D, 2249 North Palm Canyon Drive, in the amount of \$25,000; and 7) Authorize the City Manager to execute all necessary documents. A\_\_\_\_. A\_\_\_\_. A\_\_\_\_. A\_\_\_\_. A\_\_\_\_. A\_\_\_\_.

**2.O. APPROVE PLANS, SPECIFICATIONS AND ESTIMATE (PS&E) AND AUTHORIZATION TO BID FOR THE PALM TREE REMOVAL AND REPLACEMENT PROJECT (CP 13-09):**

**RECOMMENDATION:** 1) Approve the specifications and working details for the Palm Tree Removal and Replacement Project (CP 13-09); and 2) Authorize staff to advertise and solicit bids.

**EXCLUDED CONSENT CALENDAR:** Items removed from the Consent Calendar for separate discussion are considered at this time.

**3. LEGISLATIVE:**

**3.A. PROPOSED ORDINANCE ADOPTING REGULATIONS FOR THE USE OF SINGLE-USE CARRYOUT PLASTIC BAGS BY RETAIL ESTABLISHMENTS:**

**RECOMMENDATION:** Waive the reading of the ordinance text in its entirety and introduce by title only Ordinance No. \_\_\_\_\_, "AN ORDINANCE OF THE CITY OF PALM SPRINGS, CALIFORNIA, ADDING CHAPTER 6.09 RELATING TO THE PALM SPRINGS MUNICIPAL CODE, RELATING TO THE PROHIBITION OF SINGLE-USE CARRYOUT PLASTIC BAGS BY RETAIL ESTABLISHMENTS, TO BE EFFECTIVE MAY 1, 2014."

**3.B. AN INTERIM URGENCY ORDINANCE PROHIBITING VENDING FROM MOBILE FOOD VEHICLES IN THE CITY, SUBJECT TO CERTAIN EXCEPTIONS, FOR A PERIOD OF SIX MONTHS:**

**RECOMMENDATION:** Waive the reading of the ordinance text in its entirety and read by title only and adopt Interim Urgency Ordinance No. \_\_\_\_\_, "AN URGENCY ORDINANCE OF THE CITY OF PALM SPRINGS, CALIFORNIA, PROHIBITING VENDING FROM MOBILE FOOD VEHICLES IN THE CITY, SUBJECT TO CERTAIN EXCEPTIONS, FOR A PERIOD OF SIX MONTHS (4/5ths Vote Required)."

**4. UNFINISHED BUSINESS:** None.

**5. NEW BUSINESS:** None.

**COUNCILMEMBER COMMENTS, REQUESTS, AND REPORTS:** Additional general comments, reports, announcements, requests of staff and/or issues of concern to Councilmembers are briefly presented at this time.

**ADJOURNMENT:** The City Council will adjourn to Wednesday, April 2, 2014, 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.

**CITY COUNCIL**  
**CITY OF PALM SPRINGS, CALIFORNIA**  
AND AS SUCCESSOR AGENCY TO THE PALM SPRINGS COMMUNITY REDEVELOPMENT AGENCY



CLOSED SESSION AGENDA  
Wednesday, March 19, 2014 – 4:30 P.M.

City Hall, Small Conference Room  
3200 East Tahquitz Canyon Way, Palm Springs

**CONFERENCE WITH LEGAL COUNSEL.** The City Council finds, based on advice from the City Attorney, that discussion in open session of the following described matter(s) will prejudice the position of the City in existing and anticipated litigation.

**EXISTING LITIGATION** **G.C. 54956.9(a)**

1. *Douglas Calvin v. City of Palm Springs et al.*  
Case No. INC 1302511, Riverside Superior Court, Indio Division
2. *Orange Citizens for Park and Recreation v. Superior Court, City of Orange*  
Case No. S212800, California Supreme Court

**EXPOSURE TO LITIGATION** **G.C. 54956.9(b)**

Three Case(s).

**INITIATION OF LITIGATION** **G.C. 54956.9(c)**

Three Case(s).

**CONFERENCE WITH LABOR NEGOTIATOR** **G.C. 54957.6**

|                         |   |
|-------------------------|---|
| City Negotiator:        | David Ready, City Manager or Designee<br>Perry Madison, Director of Human Resources |
| Employee Organizations: | All City Bargaining Units/Unrepresented Employees                                   |

**CONFERENCE WITH REAL PROPERTY NEGOTIATOR** **G.C. 54956.8**

|                               |   |
|-------------------------------|---|
| Property Address/Description: | 310 acre site APN's 505-020-027, 505-020-029,<br>505-020-031, and 505-020-035 |
| Agency:                       | City of Palm Springs  |
| Agency Negotiator:            | David Ready, City Manager or Designee   |
| Negotiating Parties:          | Shadowrock Palm Springs Development LLC                                       |
| Under Negotiation:            | Price and Terms of Payment (Purchase)   |

Property Address/Description: 1450 Baristo Road, Palm Springs  
Agency: City of Palm Springs  
Agency Negotiator: David Ready, City Manager or Designee  
Negotiating Parties: Palm Springs Unified School District  
Represented By: Julie Arthur, Director of Facilities  
Under Negotiation: Price and Terms of Payment (Purchase)

Property Address/Description: 980 E. Tahquitz Canyon Way, Palm Springs  
Agency: City of Palm Springs  
Agency Negotiator: David Ready, City Manager or Designee  
Negotiating Parties: Palm Springs Unified School District  
Represented By: Julie Arthur, Director of Facilities  
Under Negotiation: Price and Terms of Payment (Purchase)