

CITY COUNCIL
AND AS SUCCESSOR AGENCY TO THE
COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF THE PALM SPRINGS
CITY OF PALM SPRINGS, CALIFORNIA
Palm Springs Convention Center
Primrose B (See Location Map)
277 N. Avenida Caballeros, Palm Springs, CA 92262
www.palmspringsca.gov

AGENDA

May 17, 2017



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

Robert Moon, Mayor
Ginny Foat, Mayor Pro Tem
Geoff Kors, Councilmember
Chris Mills, Councilmember
J.R. Roberts, Councilmember

City of Palm Springs Mission Statement: Palm Springs is an inclusive world-class city dedicated to providing excellent and responsive public services to enhance the quality of life for current and future generations.

David H. Ready, Esq., Ph.D., City Manager
Kathleen D. Hart, MMC, Interim City Clerk
Marcus L. Fuller, MPA, P.E., P.L.S., Assistant City Manager
Edward Z. Kotkin, City Attorney
Geoffrey S. Kiehl, Director of Finance and Treasurer

Any person who wishes to provide public testimony for an Item on the Agenda MUST file a speaker card prior to the Public Testimony (Non-Public Hearing Agenda Items Only) prior to that portion of the meeting. Testimony for Public Hearings will be allowed only during the Public Hearing. [Two (2) minutes per speaker]

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. [Two (2) minutes per speaker]

Any person who wishes to speak on a topic not on the agenda 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. [Two (2) minutes per speaker] 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.

Please note, any agenda item which has not been initiated by 11:00 p.m. may be continued to a subsequent meeting.

At approximately 10:00 p.m., the City Council will determine the number of speakers who wish to address the City Council during Public Comment for non-Agenda Items, and determine which agenda items will be considered before the 11:00 p.m. Adjournment time.

The City Council encourages written public testimony prior to the meeting, which provides the City Council ample time and attention for consideration. All written testimony will be provided to the City Council prior to the discussion. Written testimony may be sent via email to CITY.CLERK@palmspringsca.gov, by fax at (760) 322-8332, or hand delivery to the City Clerk, Palm Springs City Hall, 3200 E. Tahquitz Canyon Way, Palm Springs, CA 92262.

4:30 P.M. CLOSED SESSION

CALL TO ORDER (*Primrose B*):

PUBLIC COMMENT (*Primrose B*): 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 (*Mesquite B*): See Closed Session Agenda.

6:00 P.M. REGULAR MEETING

CALL TO ORDER:

PLEDGE OF ALLEGIANCE:

ROLL CALL:

PRESENTATIONS:

Homelessness update.

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.

REPORT OF CLOSED SESSION:

PUBLIC TESTIMONY: (Non-Public Hearing Agenda Items ONLY)

This time has been set aside for members of the public to address the City Council only on agenda items. Two (2) minutes will be assigned to each speaker. Testimony for Public Hearings will only be taken at the time of the hearing, and General Public Comments, non-agenda items, will be taken later in the meeting.

CITY COUNCIL AND CITY MANAGER’S COMMENTS AND REPORT: This time is set aside for the City Council to provide additional general comments, reports, and announcements are briefly presented. Additionally, 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.

CITY COUNCIL SUBCOMMITTEE REPORTS: This time is set aside for the City Council to provide subcommittee reports.

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1. 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 Acceptance of the Agenda. The ordinance title is deemed to be read in its entirety and further reading waived on any ordinance listed on the Consent Calendar.

1.A. ACCEPTANCE OF THE TAHQUITZ CREEK TRIANGLE GATEWAY, CP 14-16:**RECOMMENDATION:**

- 1) Accept the public works improvement identified as the Tahquitz Creek Triangle Gateway as completed in accordance with the plans and specifications, CP 14-16. A6771.
- 2) Authorize the City Engineer to execute and file for recordation with the Riverside County Recorder a Notice of Completion for the Tahquitz Creek Triangle Gateway, CP 14-16.

1.B. STAFF AUTHORIZED AGREEMENTS AND PURCHASE ORDERS FOR THE MONTH OF APRIL 2017:

RECOMMENDATION: Receive and file the report of Staff Authorized Agreements and Purchase Orders for the period of April 1 through April 30, 2017.

1.C. 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 1091537 IN THE AGGREGATE AMOUNT OF \$20,000.00, 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 04-08-2017 BY WARRANTS NUMBERED 419897 THROUGH 419909 TOTALING \$21,243.84, LIABILITY CHECKS NUMBERED 1091538 THROUGH 1091558 TOTALING \$81,647.36, FIVE WIRE TRANSFERS FOR \$63,774.67, AND THREE ELECTRONIC ACH DEBITS OF \$1,362,642.56 IN THE AGGREGATE AMOUNT OF \$1,529,308.43, 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 WARRANTS NUMBERED 1091559 THROUGH 1091708 IN THE AGGREGATE AMOUNT OF \$2,701,992.65, DRAWN ON BANK OF AMERICA."

- 1.D. ACCEPTANCE OF THE 2015 CITYWIDE ANNUAL SLURRY SEAL, CP 15-02:
RECOMMENDATION:**
- 1) Accept the public works improvement identified as the 2015 Citywide Annual Slurry Seal as completed in accordance with the plans and specifications, CP 15-02. A6774.
 - 2) Authorize the City Engineer to execute and file for recordation with the Riverside County Recorder a Notice of Completion for the 2015 Citywide Annual Slurry Seal, CP 15-02.
- 1.E. ACCEPTANCE OF THE HERMOSA DRIVE STREET AND STORM DRAINAGE IMPROVEMENTS, FEDERAL PROJECT, CP 09-04:
RECOMMENDATION:**
- 1) Accept the public works improvement identified as the Hermosa Drive Street and Storm Drainage Improvements as completed in accordance with the plans and specifications, Federal Project PLHDL06-5282 (032) & HPLUL-5282 (033), CP 09-04. A6845.
 - 2) Authorize the City Engineer to execute and file for recordation with the Riverside County Recorder a Notice of Completion for the Hermosa Drive Street and Storm Drainage Improvements, Federal Project PLHDL06-5282 (032) & HPLUL-5282 (033), CP 09-04.
- 1.F. AGREEMENT WITH DESTINY SOFTWARE INC. FOR AN AGENDA MANAGEMENT SYSTEM IN THE AMOUNT OF \$42,810 FOR FIVE YEARS, INCLUDING INSTALLATION, SETUP, TRAINING, AND UNLIMITED SUPPORT:
RECOMMENDATION:**
- 1) Authorize the single source procurement of an agenda management system from Destiny Software Inc.
 - 2) Approve an agreement with Destiny Software Inc. for an agenda management system in the amount of \$42,810 for five years, including installation, setup, training, and unlimited support. A_____.
 - 3) Authorize the City Manager to execute all necessary documents.
- 1.G. APPROVAL OF PLANS, SPECIFICATIONS AND ESTIMATE (PS&E) AND AUTHORIZATION TO BID THE N. PALM CANYON DRIVE AT STEVENS ROAD AND VIA LAS PALMAS CROSSWALK INSTALLATIONS, CP 16-13:
RECOMMENDATION:**
- 1) Approve the plans, specifications, and estimate for the N. Palm Canyon Drive at Stevens Road and Via Las Palmas Crosswalk Installations, CP 16-13.
 - 2) Authorize staff to advertise and solicit bids for the N. Palm Canyon Drive at Stevens Road and Via Las Palmas Crosswalk Installations, CP 16-13.

- 1.H. APPROVE A COOPERATIVE AGREEMENT WITH THE CALIFORNIA DEPARTMENT OF TRANSPORTATION (CALTRANS) FOR A FUNDING CONTRIBUTION OF \$200,000 FOR THE NORTH PALM CANYON DRIVE (STATE ROUTE 111) AT VIA ESCUELA TRAFFIC SIGNAL INSTALLATION, CP 17-05:**
RECOMMENDATION:
- 1) Approve a Cooperative Agreement for State Highway Operation & Protection Program (SHOPP) Minor Funds Contribution from the California Department of Transportation for an amount up to \$200,000 for the N. Palm Canyon Drive (State Route 111) and Via Esceula Traffic Signal Installation, CP 17-05. A_____.
 - 2) Authorize the City Manager to execute all necessary documents.
- 1.I. AMENDMENT NO. 7 TO AGREEMENT NO. A6329 A PURCHASE AND SALE AGREEMENT WITH SELENE PALM SPRINGS, LLC:**
RECOMMENDATION:
- 1) Approve Amendment No. 7 to Agreement No. A6329 with Selene Palm Springs, LLC for the sale of a 7.8 acre parcel at the northeast corner of Calle Alavarado and Amado Road.
 - 2) Authorize the City Manager to execute all necessary documents.
- 1.J. AGREEMENT FOR ATTORNEY SERVICES WITH WOODRUFF, SPRADLIN & SMART:**
RECOMMENDATION:
- 1) Approve an Agreement for Attorney Services with Woodruff, Spradlin & Smart subject to negotiation, clarification, and revision by the City Attorney. A_____.
 - 2) Authorize the City Manager to execute all necessary documents.
- 1.K. REPORT OF EMERGENCY ENGINE REPAIRS FOR FIRE ENGINE #5 PURSUANT TO SECTION 7.04.040. OF THE PALM SPRINGS MUNICIPAL CODE:**
RECOMMENDATION: Receive and File the report of emergency engine repairs.

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

2. PUBLIC HEARINGS:

- 2.A. PROPOSED RESOLUTION TO PLACE DELINQUENT WASTE DISPOSAL CHARGES ON THE RIVERSIDE COUNTY TAX ROLLS FOR COLLECTION:**
RECOMMENDATION:
- 1) Open the public hearing and receive public testimony.

The City Council encourages written public testimony prior to the meeting, which provides the City Council ample time and attention for consideration. All written testimony will be provided to the City Council prior to the discussion. Written testimony may be sent via email to CITY.CLERK@palm Springsca.gov, by fax at (760) 322-8332, or hand delivery to the City Clerk, Palm Springs City Hall, 3200 E. Tahquitz Canyon Way, Palm Springs, CA 92262.

2) Adopt Resolution No. _____, "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."

2.B. PROPOSED DESIGNATION OF 401 WEST MERITO PLACE AS A CLASS 1 HISTORIC SITE AND NOTICE OF EXEMPTION FROM CEQA, CASE HSPB 106:

RECOMMENDATION:

- 1) Open the public hearing and receive public testimony.
- 2) Adopt Resolution No. _____, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, DESIGNATING 401 WEST MERITO PLACE A CLASS 1 HISTORIC SITE, HSPB 106, APN 505-294-006, ZONE R-1-A".

2.C. SELENE PALM SPRINGS, LLC, FOR AN AMENDMENT TO A PREVIOUSLY-APPROVED FINAL PLANNED DEVELOPMENT DISTRICT (PD 333) AND TENTATIVE TRACT MAP 35236 FOR THE DEVELOPMENT OF A 171-ROOM HOTEL, 34 RESIDENTIAL UNITS AND ASSOCIATED FACILITIES LOCATED AT THE NORTHWEST CORNER OF AVENIDA CABALLEROS AND AMADO ROAD, CASE NO. 5.1132 – PD 333 AMND & TTM 35236:

RECOMMENDATION:

- 1) Table the public hearing with no public testimony at this time.
- 2) Continue the Public Hearing to June 7, 2017.
- 3) Direct the City Clerk to re-notice pursuant to applicable law.

2.D. 750 LOFTS DEVELOPMENT AT 750 NORTH PALM CANYON DRIVE, CASE 5.1350 PDD 374/GPA/CUP/3.3795 MAJ:

RECOMMENDATION:

- 1) Table the public hearing with no public testimony at this time.
- 2) Direct the City Clerk to re-notice pursuant to applicable law.

2.E. INTRODUCTION OF AN ORDINANCE AMENDING THE CITY'S SIGN ORDINANCE AND REPEALING THE "SIT AND LIE" ORDINANCE, AMENDING AND REPEALING SECTIONS OF THE PALM SPRINGS MUNICIPAL CODE:

RECOMMENDATION:

- 1) Open the public hearing and receive public testimony.
- 2) Waive the reading of text in its entirety, read by title only, and introduce for first reading Ordinance No. _____, "AN ORDINANCE AMENDING THE CITY'S SIGN ORDINANCE, AMENDING SECTIONS 12.28.050, 14.16.010, 91.00.10, AND 93.20.01 THROUGH 93.20.11, AND REPEALING SECTION 12.12.055, PALM SPRINGS MUNICIPAL CODE."

3. LEGISLATIVE:**3.A. INTRODUCTION OF AN ORDINANCE ADDING TO AND AMENDING THE PALM SPRINGS MUNICIPAL CODE, REGARDING LOUD, UNUSUAL NOISES AND LANDSCAPE RELATED BUSINESSES, PROHIBITING GASOLINE POWERED LEAF BLOWERS IN THE CITY AS A PER SE NUISANCE COMMENCING ON JANUARY 1, 2019, AND PROVIDING FOR REGULATION OF ELECTRICAL OR BATTERY POWERED LEAF BLOWERS:**

RECOMMENDATION: Waive the reading of text in its entirety, read by title only, and introduce for first reading Ordinance No. _____, "AN ORDINANCE OF THE CITY OF PALM SPRINGS, CALIFORNIA, ADDING SUBSECTION (k) TO SECTION 11.74.043 AND SECTION 5.78.050, AND AMENDING SECTION 5.78.010 OF THE PALM SPRINGS MUNICIPAL CODE, REGARDING LOUD, UNUSUAL NOISES AND LANDSCAPE RELATED BUSINESSES, PROHIBITING GASOLINE POWERED LEAF BLOWERS IN THE CITY AS A PER SE NUISANCE COMMENCING ON JANUARY 1, 2019, AND PROVIDING FOR REGULATION OF ELECTRICAL OR BATTERY POWERED LEAF BLOWERS."

4. UNFINISHED BUSINESS: None**5. NEW BUSINESS:****5.A. INITIAL REPORT BY CITY COUNCIL AD HOC SUBCOMMITTEE ON ETHICS, TRANSPARENCY AND GOVERNMENT REFORM:**
(Councilmember Kors and Mayor Moon)

RECOMMENDATION: Receive and file the report, and instruct the Subcommittee and/or City Attorney to undertake action consistent with its terms, and/or any additional Council direction agreed upon during discussion.

5.B. CITY COUNCIL HOMELESSNESS STANDING SUBCOMMITTEE UPDATE AND DISCUSSION: (Councilmember Kors and Mayor Pro Tem Foat)

RECOMMENDATION: Provide direction as appropriate.

5.C. APPROPRIATE FUNDING AND AWARD PURCHASE OF NETWORK INFRASTRUCTURE EQUIPMENT:**RECOMMENDATION:**

1) Award IFB 17-04 and authorize the purchase of network infrastructure equipment from ConvergeOne, Inc. in the amount of \$103,187 inclusive of all applicable taxes and shipping.

- 2) Appropriate funding from the Capital Projects Technology Enhancement Fund (261-54046).
- 3) Authorize the City Manager to execute the necessary documents.

5.D. DESIGNATION OF A VOTING DELEGATE AND ALTERNATE FOR THE LEAGUE OF CALIFORNIA CITIES ANNUAL CONFERENCE SEPTEMBER 13-15, 2017:

RECOMMENDATION: Appoint a Voting Delegate and an Alternate Voting Delegate for the 2017 League of California Cities Annual Conference in Sacramento, California, September 13-15, 2017.

5.E. AUTHORIZE SUBMITTAL OF NEW AIRPORT PASSENGER FACILITY CHARGE APPLICATION:

RECOMMENDATION:

- 1) Authorize the preparation and submittal of a PFC application in accordance with FAA regulations and within the feasibility analysis range to fund, in part: A) the City Council approved Airport Master Plan Ticketing Renovation Project and programmed FAA Airport Improvement Program (AIP) projects over the next five (5) years; B) to retire all existing PFC Bond debt in connection with the funding of new AIP projects; and C) reimburse the Airport Fund for the local share of the cost of capital projects previously funded with FAA grants.
- 2) Authorize the City Manager to execute all FAA required documents.

5.F. PRELIMINARY OVERVIEW OF THE AIRPORT FISCAL YEAR 2017 – 2018 BUDGET:

RECOMMENDATION: Direct the City Council Finance and Budget Subcommittee and City Staff as appropriate.

5.G. CONTINUED DISCUSSION AND DIRECTION ON THE FISCAL YEAR 2017-18 BUDGET:

RECOMMENDATION: Direct the City Council Finance and Budget Subcommittee and City Staff as appropriate.

5.H. APPOINT TWO (2) MEMBERS OF THE CITY COUNCIL TO THE AD HOC SUBCOMMITTEE FOR THE TAHQUITZ CREEK GOLF COURSE OPERATION AGREEMENT RENEWAL WITH THE SUNSET DATE OF DECEMBER 31, 2017:

RECOMMENDATION: Provide direction as appropriate.

5.I. APPOINT TWO (2) MEMBERS OF THE CITY COUNCIL TO THE AD HOC SUBCOMMITTEE FOR COMMUNICATIONS WITH THE SUNSET DATE OF DECEMBER 31, 2017:

RECOMMENDATION: Provide direction as appropriate.

PUBLIC COMMENT: (Non-Agenda Items) This time has been set aside for members of the public to address the City Council on 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. Two (2) minutes will be assigned to each speaker. Testimony for Public Hearings will only be taken at the time of the hearing.

CITY COUNCIL AND CITY MANAGER REQUESTS AND UPCOMING AGENDA DEVELOPMENT: This time is set aside for the City Council to make requests of staff and/or issues of concern to Councilmembers are briefly presented, and to prioritize and set future agenda items.

ADJOURNMENT: The City Council will adjourn to the next regular meeting Wednesday, June 7, 2017, at 6:00 p.m. preceded by Closed Session at the Palm Springs Convention Center, Primrose B, 277 N. Avenida Caballeros, Palm Springs.

AFFIDAVIT OF POSTING

State of California)
 County of Riverside) ss.
 City of Palm Springs)

I, Kathleen D. Hart, Interim City Clerk of the City of Palm Springs, California, hereby certify this Agenda was delivered to each member of the City Council, provided to all parties who have requested such notice, posted at City Hall before 1:00 a.m., on May 12, 2017, and posted on the City's website as required by established policies and procedures.



 KATHLEEN D. HART, MMC
 Interim City Clerk

PUBLIC NOTICES

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. 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.

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, (760) 323-8204, at least 48 hours prior to the meeting to inform us of your particular needs and to determine if accommodation is feasible.

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