

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

July 5, 2017



4:00 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) 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.

4:00 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:

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, SUBCOMMITTEE, AND CITY MANAGER’S COMMENTS AND REPORTS: This time is set aside for the City Council to provide additional general comments, reports, and announcements. 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.

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.

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@palmsspringsca.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.

**1.A. AMENDMENT NO. 2 TO PROFESSIONAL SERVICES AGREEMENT NO. A6690 WITH ANDERSONPENNA, INC., IN THE AMOUNT OF \$35,470 FOR ASSISTANCE WITH THE REIMBURSEMENT PROCESS FOR STATE REVOLVING FUND AND GREEN PROJECT RESERVE FOR THE WASTEWATER TREATMENT PLANT UPGRADE, CP 15-14:
RECOMMENDATION:**

- 1) Approve Amendment No. 2 to the Professional Services Agreement No. A6690 with AndersonPenna, Inc. in the amount of \$35,470 for an increased total contract amount of \$88,690 for the Wastewater Treatment Plant Upgrade, CP 15-14.
- 2) Authorize the City Manager to execute all necessary documents.

**1.B. 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 PAYROLL WARRANTS FOR THE PERIOD ENDED 06-03-2017 BY WARRANTS NUMBERED 419956 THROUGH 419967 TOTALING \$18,710.42, LIABILITY CHECKS NUMBERED 1092683 THROUGH 1092702 TOTALING \$81,429.77, FIVE WIRE TRANSFERS FOR \$58,472.88, AND THREE ELECTRONIC ACH DEBITS OF \$1,363,738.89 IN THE AGGREGATE AMOUNT OF \$1,522,351.96, 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 CLAIMS AND DEMANDS BY WARRANTS NUMBERED 1092703 THROUGH 1092801 IN THE AGGREGATE AMOUNT OF \$1,529,332.83, 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 1092802 THROUGH 1092954 IN THE AGGREGATE AMOUNT OF \$1,712,089.68, DRAWN ON BANK OF AMERICA."

1.C. REPORT OF EMERGENCY REPLACEMENT OF AIR CONDITIONING AND COMPRESSOR UNIT FOR THE CITY HALL SERVER ROOM PURSUANT TO PALM SPRINGS MUNICIPAL CODE SECTION 7.04.040:

RECOMMENDATION: Receive and file.

**1.D. MILLS ACT HISTORIC PROPERTY PRESERVATION AGREEMENT FOR CLASS 1 HISTORIC SITE LOCATED AT 1838 SOUTH BARONA ROAD, A CLASS 1 HISTORIC SITE (HSPB 93/HD-5):
RECOMMENDATION:**

- 1) Approve a Mills Act Historic Property Agreement between the City of Palm Springs, William L. Wilson and Karen L. Wilson and Sandcliff

Homeowners Association, for 1838 South Barona Road, a Class 1 Historic Site (HSPB 93/HD-5). A_____.

- 2) Authorize the City Manager to execute the Agreement.
- 3) Direct the City Clerk to record the Agreement.

1.E. MILLS ACT HISTORIC PROPERTY PRESERVATION AGREEMENT FOR CLASS 1 HISTORIC SITE LOCATED AT 360 CABRILLO ROAD UNIT 127 (RACQUET CLUB COTTAGES WEST, HSPB 88/HD-3):

RECOMMENDATION:

- 1) Approve a Mills Act Historic Property Preservation Agreement between the City of Palm Springs, Dr. Kenneth J. Pearson and Sara F. Pearson and the Racquet Club Garden Villas Homeowners Association, for 360 Cabrillo Road Unit 127 (HSPB 88/HD-3). A_____.
- 2) Authorize the City Manager to execute the Agreement.
- 3) Direct the City Clerk to record the Agreement.

1.F. APPROVAL OF TRACT MAP 31095 (THE "BOULDERS" PROJECT) AND A SUBDIVISION IMPROVEMENT AGREEMENT WITH GRIT DEVELOPMENT, LLC:

RECOMMENDATION: Adopt Resolution No. _____, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, APPROVING TRACT MAP 31095 AND AN ASSOCIATED SUBDIVISION IMPROVEMENT AGREEMENT WITH GRIT DEVELOPMENT LLC, FOR PROPERTY LOCATED ALONG WEST VIA ESCUELA, SOUTH OF RACQUET CLUB ROAD AND NORTH OF CHINO CANYON ROAD, IN SECTION 3, TOWNSHIP 3 SOUTH, RANGE 4 EAST."

1.G. APPROVAL OF MINUTES:

RECOMMENDATION: Approve the City Council Minutes of May 3, 2017.

1.H. ENGAGEMENT OF SPECIAL LEGAL COUNSEL, BIRD LAW GROUP AND COLANTUONO, HIGHSMITH & WHATLEY:

RECOMMENDATION:

- 1) Ratify Agreement No. A6988 with Bird Law Group, for specialized legal services arising from and related to cannabis and the City's implementation of Chapters 5.35 and 5.45 of the Palm Springs Municipal Code, in a total amount not to exceed twenty-five thousand dollars (\$25,000.00).
- 2) Approve an Agreement with Colantuono, Highsmith & Whatley, for specialized legal services arising from and related to certain specialized areas of municipal legal practice, including without limitation exactions, cannabis, and election matters, in a total amount not to exceed twenty-five thousand dollars (\$25,000.00), in a form substantially similar to that

published with this staff report, subject to minor modification, within the reasonable discretion of the City Attorney. A_____.

3) Authorize the City Manager to execute all necessary documents

1.I. APPOINTMENT OF VARIOUS COMMISSIONERS AND BOARD MEMBERS AS PART OF THE 2017 ANNUAL RECRUITMENT PROCESS:

RECOMMENDATION:

1) Appoint Oliver Cleary to the Administrative Appeals Board for a term from July 1, 2017, to June 30, 2020.

2) Re-appoint Dorothy Watson and appoint Juliette Montante to the VillageFest Board for terms from July 1, 2017, to June 30, 2020.

1.J. ACCEPT THE RESIGNATION OF MARK ACKER FROM THE PARKS AND RECREATION COMMISSION:

RECOMMENDATION:

1) Accept with regret the resignation of Mark Acker from the Parks and Recreation Commission.

2) Direct the City Clerk to post a notice of vacancy for the term ending June 30, 2018.

1.K. AUTHORIZE THE PURCHASE OF 11 NEW VEHICLES AND EQUIPMENT IN AN AMOUNT NOT TO EXCEED \$550,000:

RECOMMENDATION:

1) Authorize the purchase of 1 new Ford F250 for the Police Department.

2) Authorize the purchase of 1 new Ford Edge for the Police Department.

3) Authorize the purchase of 4 new Ford F150 (CNG/alternative fuel equivalent) or similar for the Building & Safety Department to replace Units 090502, 090602, 090802, 090901.

4) Authorize the purchase of 5 new Ford F150 (CNG/alternative fuel equivalent) or similar for the Facilities & Maintenance Department to replace Units 060301, 060400, 061200, 066201 and 061000.

5) Authorize staff to conduct the appropriate bid processes, or utilize cooperative purchase contracts if available, in accordance with Procurement procedures and authorize the City Manager to execute all necessary documents, including Purchase Orders for the new replacement vehicles and equipment, in a total cumulative amount not to exceed \$550,000.

1.L. AUTHORIZE A PURCHASE ORDER IN THE AMOUNT OF \$63,460 WITH ALBERT A. WEBB & ASSOCIATES FOR ENGINEERING DESIGN SERVICES FOR THE NORTH PALM CANYON DRIVE (STATE ROUTE 111) AT VIA ESCUELA TRAFFIC SIGNAL INSTALLATION, CP 17-05:

RECOMMENDATION:

- 1) Approve a Purchase Order in the amount of \$63,460 with the City's "on-call" engineering firm, Albert A. Webb & Associates, pursuant to Agreement No. A6443, for civil and traffic engineering design services associated with the N. Palm Canyon Drive (State Route 111) and Via Escuela Traffic Signal Installation, CP 17-05.
- 2) Authorize the City Manager to execute all necessary documents.

1.M. AUTHORIZATION TO PARTICIPATE IN THE YGRENE STATEWIDE PACE PROGRAM:

RECOMMENDATION:

- 1) Adopt Resolution No. _____, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, CONSENTING TO THE INCLUSION OF PROPERTIES WITHIN THE TERRITORY OF THE CITY IN THE GOLDEN STATE FINANCE AUTHORITY COMMUNITY FACILITIES DISTRICT TO FINANCE RENEWABLE ENERGY IMPROVEMENTS, ENERGY EFFICIENCY AND WATER CONSERVATION IMPROVEMENTS, SEISMIC IMPROVEMENTS, AND ELECTRIC VEHICLE CHARGING INFRASTRUCTURE AND APPROVING ASSOCIATE MEMBERSHIP IN THE JOINT EXERCISE OF POWERS AUTHORITY RELATED THERETO."
- 2) Adopt Resolution No. _____, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, CONSENTING TO THE INCLUSION OF PROPERTIES WITHIN THE TERRITORY OF THE CITY IN THE GOLDEN STATE FINANCE AUTHORITY COMMUNITY FACILITIES DISTRICT TO FINANCE RENEWABLE ENERGY GENERATION, ENERGY AND WATER EFFICIENCY IMPROVEMENTS, SEISMIC IMPROVEMENTS, AND ELECTRIC VEHICLE CHARGING INFRASTRUCTURE AND APPROVING ASSOCIATE MEMBERSHIP IN THE JOINT EXERCISE OF POWERS AUTHORITY RELATED THERETO."
- 3) Authorize the City Manager to execute all necessary documents.

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

DEFERRED ITEMS FROM A PREVIOUS MEETING:

- D.1. **A PROPOSED RESOLUTION COMPLYING WITH WRIT OF MANDATE, REQUIRING ELIMINATION OF THE EVENT AREA FROM PLANNED DEVELOPMENT DISTRICT (PDD) 374, THE "750 LOFTS" PROJECT LOCATED AT 750 N. PALM CANYON DRIVE, CONFIRMING CONFORMITY WITH THE CITY'S MUNICIPAL CODE WITH REGARD TO PARKING, AND OTHERWISE AFFIRMING APPROVAL OF PDD 374, INTRODUCTION OF A RELATED ORDINANCE AFFIRMING APPROVAL OF PDD 374, AND A RELATED RESOLUTION AFFIRMING**

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**APPROVAL OF A MAJOR ARCHITECTURAL APPLICATION AND
CONDITIONAL USE PERMITS:
RECOMMENDATION:**

Take one of the following actions:

- 1) Approve the "750 Lofts" project as follows:
 - a. Adopt Resolution No. _____, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, COMPLYING WITH WRIT OF MANDATE, REQUIRING ELIMINATION OF THE EVENT AREA FROM PLANNED DEVELOPMENT DISTRICT (PDD) 374, THE "750 LOFTS" PROJECT LOCATED AT 750 N. PALM CANYON DRIVE, CONFIRMING CONFORMITY WITH THE PALM SPRINGS MUNICIPAL CODE WITH REGARD TO PARKING, AND OTHERWISE AFFIRMING APPROVAL OF PDD 374."
 - b. 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, AFFIRMING APPROVAL OF PLANNED DEVELOPMENT DISTRICT (PDD) 374 (CASE 5.1350 PDD 374/GPA/CUP/3.3795 MAJ)."
 - c. Adopt Resolution No. _____, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, AFFIRMING APPROVAL OF A MAJOR ARCHITECTURAL APPLICATION AND CONDITIONAL USE PERMITS (CASE 5.1350 PDD 374/GPA/CUP/3.3795 MAJ)."
- 2) Reject the "750 Lofts" project as follows: Affirm the May 3, 2017, rescission of the PDD (Ordinance No. 1886), and the MAJ and CUPs (Resolution No. 23899). Rescind Resolution No. 23898 adopting the mitigated negative declaration ("MND") for this project, and Resolution No. 23900 approving the general plan amendment ("GPA") for this project.
- 3) Determine that the Council lacks sufficient information to decide whether to approve or deny the "750 Lofts" project at this time, and send the project, or a portion thereof, to the Historic Site Preservation Board and/or Planning Commission for further consideration with direction from the Council.
- 4) Express an intent to approve the "750 Lofts" project including the event space, but resolving all parking issues under the Palm Springs Municipal Code *via* a modification as to the scope and nature of the project as newly approved, *e.g.*, a decision to approve the project with fewer hotel rooms, fewer seats in the restaurant and lounges, etc.
- 5) Express an intent to approve the "750 Lofts" project inclusive of the event space as per Alternative No. 4, but with the addition or removal of specific conditions of approval.
- 6) Express an intent to approve the "750 Lofts" project excluding the event space, but with the addition or removal of specific conditions of approval.

2. PUBLIC HEARINGS:**2.A. APPEAL BY SUMMIT LAND PARTNERS, LLC (APPLICANT), ON BEHALF OF EHOFF CANYON VIEW (PROPERTY OWNER), OF THE PLANNING COMMISSION ACTION TO DENY A GENERAL PLAN AMENDMENT, PLANNED DEVELOPMENT DISTRICT, MAJOR ARCHITECTURAL APPLICATION, AND VESTING TENTATIVE TRACT MAP FOR AN 80-LOT SINGLE-FAMILY SUBDIVISION ON A 13.25 ACRE PARCEL AT THE SOUTHWEST CORNER OF EAST PALM CANYON DRIVE AND MATTHEW DRIVE, ZONE R-3 (CASE 5.1384 – PDD 381 GPA/3.3902 MAJ/VTTM 36969):****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, UPHOLDING THE PLANNING COMMISSION DENIAL OF CASE 5.1384 – PDD 381 GPA/3.3902 MAJ/VTTM 36969; A GENERAL PLAN AMENDMENT, A PLANNED DEVELOPMENT DISTRICT IN LIEU OF A CHANGE OF ZONE, A MAJOR ARCHITECTURAL APPLICATION, AND VESTING TENTATIVE TRACT MAP FOR AN 80-LOT SINGLE-FAMILY DEVELOPMENT ON A 13.25 ACRE PARCEL LOCATED AT THE SOUTHWEST CORNER OF EAST PALM CANYON DRIVE AND MATTHEW DRIVE."
- 3) As an alternative, approve the appeal and adopt the following resolutions and ordinance in support of the project:
 - a. Adopt Resolution No. _____, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, ADOPTING A MITIGATED NEGATIVE DECLARATION FOR A PROPOSED GENERAL PLAN AMENDMENT, A PLANNED DEVELOPMENT DISTRICT IN LIEU OF A CHANGE OF ZONE, A MAJOR ARCHITECTURAL APPLICATION, AND A VESTING TENTATIVE TRACT MAP FOR AN 80-LOT SINGLE-FAMILY DEVELOPMENT ON A 13.25 ACRE PARCEL LOCATED AT THE SOUTHWEST CORNER OF EAST PALM CANYON DRIVE AND MATTHEW DRIVE."
 - b. Adopt Resolution No. _____, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, APPROVING AN AMENDMENT TO THE 2007 PALM SPRINGS GENERAL PLAN ADOPTED BY RESOLUTION NO. 22077, MODIFYING THE LAND USE DESIGNATION FROM "MIXED-USE/MULTI-USE" TO "MEDIUM DENSITY RESIDENTIAL" ON A 13.25 ACRE PROJECT SITE FOR AN 80-LOT SINGLE-FAMILY DEVELOPMENT LOCATED AT THE SOUTHWEST CORNER OF EAST PALM CANYON DRIVE AND MATTHEW DRIVE (CASE 5.1384 GPA)."

- c. Waive the reading of the ordinance text in its entirety, read by title only, and introduce for first reading Ordinance No. _____, "AN ORDINANCE OF THE CITY OF PALM SPRINGS, CALIFORNIA, APPROVING PLANNED DEVELOPMENT DISTRICT 381 IN LIEU OF A CHANGE OF ZONE FOR A 13.25 ACRE PARCEL LOCATED AT THE SOUTHWEST CORNER OF EAST PALM CANYON DRIVE AND MATTHEW DRIVE (CASE 5.1384 – PD 381)."
- d. Adopt Resolution No. _____, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, APPROVING A MAJOR ARCHITECTURAL APPLICATION FOR AN 80-LOT SINGLE-FAMILY DEVELOPMENT ON A 13.25 ACRE PARCEL LOCATED AT THE SOUTHWEST CORNER OF EAST PALM CANYON DRIVE AND MATTHEW DRIVE (CASE 3.3902 MAJ)."
- e. Adopt Resolution No. _____, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, APPROVING VESTING TENTATIVE TRACT MAP 36969 FOR THE SUBDIVISION OF 14.83 GROSS ACRES INTO 80 RESIDENTIAL LOTS, PRIVATE STREETS, AND COMMON SPACE ON THE PARCEL LOCATED AT THE SOUTHWEST CORNER OF EAST PALM CANYON DRIVE AND MATTHEW DRIVE (CASE VTTM 36969)."

2.B. APPEAL BY NEXUS DEVELOPMENT CORPORATION OF THE PLANNING COMMISSION ACTION TO DENY A PLANNED DEVELOPMENT DISTRICT APPLICATION, TENTATIVE TRACT MAP APPLICATION, AND A MAJOR ARCHITECTURAL APPLICATION FOR A TWO PHASE DEVELOPMENT CONSISTING OF (1) REPURPOSING CLASS 1 HISTORIC BUILDINGS ON 3.1-ACRES AT 600-750 E. TAHQUITZ CANYON WAY AND TWO (2) 48 ATTACHED RESIDENTIAL UNITS ON 5.6 ACRES LOCATED AT THE SOUTHEAST CORNER OF NORTH CALLE EL SEGUNDO AND EAST ANDREAS ROAD (CASE NOS. 5.1399 PDD-385, 3.3983 MAJ AND TTM 36876):

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, UPHOLDING THE PLANNING COMMISSION DENIAL OF CASE 5.1399 PDD-385, 3.3983 MAJ AND TTM 36876; A PLANNED DEVELOPMENT DISTRICT, MAJOR ARCHITECTURAL APPLICATION AND TENTATIVE TRACT MAP FOR A TWO PHASE DEVELOPMENT CONSISTING OF (1) REPURPOSING CLASS 1 HISTORIC BUILDINGS ON 3.1-ACRES AT THE NORTHEAST CORNER OF NORTH CALLE EL SEGUNDO AND EAST TAHQUITZ CANYON WAY AND TWO (2) 48 ATTACHED RESIDENTIAL UNITS ON 5.6-ACRES LOCATED AT THE SOUTHEAST

CORNER OF NORTH CALLE EL SEGUNDO AND EAST ANDREAS ROAD.”

2.C. ANNUAL LEVY OF ASSESSMENTS FOR VARIOUS CITYWIDE STREET LIGHTING AND PARKWAY MAINTENANCE DISTRICTS, FISCAL YEAR 2017-18:

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 ENGINEER’S REPORT AND ORDERING THE CONTINUED OPERATION AND MAINTENANCE OF IMPROVEMENTS FOR STREET LIGHTING MAINTENANCE DISTRICT NO. 3, AND PARKWAY MAINTENANCE DISTRICTS NO. 6A, 6C, 7, 8, 9, AND 10 (ZONES 1 AND 2), AND LANDSCAPE MAINTENANCE DISTRICT NO. 12, AND ORDERING THE LEVY AND COLLECTION OF ANNUAL ASSESSMENTS RELATED THERETO FOR FISCAL YEAR 2017-18.”

3. LEGISLATIVE:

3.A. A PROPOSED ORDINANCE AUTHORIZING IMPLEMENTATION OF A COMMUNITY CHOICE AGGREGATION PROGRAM, AND APPROVING THE “DESERT CITIES ENERGY CHOICE” JOINT POWERS AGREEMENT:

RECOMMENDATION: Waive the reading of the ordinance text in its entirety, read by title only, and introduce for first reading Ordinance No. _____, “AN ORDINANCE OF THE CITY OF PALM SPRINGS, CALIFORNIA, AUTHORIZING IMPLEMENTATION OF A COMMUNITY CHOICE AGGREGATION PROGRAM, AND APPROVING THE “DESERT CITIES ENERGY CHOICE” JOINT POWERS AGREEMENT.”

4. UNFINISHED BUSINESS:

4.A. POTENTIAL 2017 BALLOT MEASURES AD HOC SUBCOMMITTEE: REPORT ON POTENTIAL REVENUE BALLOT INITIATIVES FOR THE NOVEMBER 2017 ELECTION: (Councilmember Kors and Mayor Pro Tem Foat)

RECOMMENDATION: Direct staff as appropriate.

4.B. BUDGET AND FINANCE STANDING SUBCOMMITTEE: CONTINUED DISCUSSION ON EXPENDITURE REDUCTIONS AND RISING PERS RETIREMENT COSTS: (Councilmember Kors and Mayor Moon)

RECOMMENDATION: Direct staff as appropriate.

- 4.C. CANNABIS STANDING SUBCOMMITTEE:
CONTINUED DISCUSSION AS IT RELATES TO NEW STATE LAWS
REGARDING ADULT RECREATIONAL AND MEDICAL CANNABIS:
(Councilmember Kors and Mayor Pro Tem Foat) (See staff report by City
Attorney under Item 4.A.)
RECOMMENDATION: Direct staff as appropriate.**

5. NEW BUSINESS:

- 5.A. REVIEW, APPOINT, AND/OR REAPPOINT CITY COUNCIL
SUBCOMMITTEES AND OTHER APPOINTMENTS:
RECOMMENDATION:**
- 1) Review, appoint, and/or reappoint City Council Subcommittees and other appointments.
 - 2) Delete any subcommittees and other appointments no longer needed.

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.

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 an Adjourned Regular Meeting on Thursday, July 6, 2017, at 4:00 p.m., at the Palm Springs Convention Center, Primrose C and Primrose B, 277 N. Avenida Caballeros, Palm Springs.

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.

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 12:30 a.m., on June 30, 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.

City Council meetings are webcast live on the City's website www.palmspringsca.gov and cablecast live on PSCTV Channel 17 and 26.103. Meetings are re-broadcast (following the meeting) on Thursday at 8:00 p.m., Saturday at 1:30 p.m. and Tuesday at 7:00 p.m.

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



CLOSED SESSION AGENDA
Wednesday, July 5, 2017 – 4:00 p.m.

PALM SPRINGS CONVENTION CENTER
277 N. Avenida Caballeros, Primrose B
Palm Springs, CA 92262

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)**

City of Palm Springs v. Kenneth Irwin Jr.
Case No. PSC1606276, Riverside Superior Court, Palm Springs Division

EXPOSURE TO LITIGATION **G.C. 54956.9(d)(2)**

2 Cases

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

Property Address/Description:	285 N. Indian Canyon Dr., APN 513-091-003
Agency:	City of Palm Springs
City Negotiator:	David H. Ready, City Manager or Designee
Negotiating Parties:	Successor Agency of the Redevelopment
Agency	
Under Negotiation:	Price and Terms of Payment (Acquisition)

Property Address/Description:	4449 N. Indian Canyon Dr., APN 669-330-047
Agency:	City of Palm Springs
City Negotiator:	David H. Ready, City Manager or Designee
Negotiating Parties:	Desert Community College District
Under Negotiation:	Price and Terms of Payment (Acquisition)

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

Palm Springs Fire Safety
Palm Springs Fire Management

PUBLIC EMPLOYEE EVALUATION **G.C. 54957**

Position: City Manager