

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

**Council Chamber, City Hall**  
**3200 E. Tahquitz Canyon Way, Palm Springs, CA 92262**

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

**AGENDA**

**September 6, 2017**



**4:00 PM CLOSED SESSION**  
**6:00 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.*

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**David H. Ready, Esq., Ph.D., City Manager**  
**Kathleen D. Hart, MMC, Interim City Clerk**  
**Marcus 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](mailto: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 (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:** Boy Scout Troop 262.

**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.

A. **TREASURER'S INVESTMENT REPORT AS OF JUNE 30, 2017:**

**RECOMMENDATION:**

Receive and File the Treasurer's Investment Report as of June 30, 2017.

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 CLAIMS AND DEMANDS BY WARRANTS NUMBERED 1093355 THROUGH 1093501 IN THE AGGREGATE AMOUNT OF \$1,780,051.65, 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 07-15-2017 BY WARRANTS NUMBERED 420007 THROUGH 420017 AND 420019 TOTALING \$27,666.44 LIABILITY CHECKS NUMBERED 1093502 THROUGH 1093521 TOTALING \$80,627.00, FIVE WIRE TRANSFERS FOR \$121,769.95, AND THREE ELECTRONIC ACH DEBITS OF \$1,822,733.07 IN THE AGGREGATE AMOUNT OF \$2,052,796.46, 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 1093522 THROUGH 1093632 IN THE AGGREGATE AMOUNT OF \$979,881.19, 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 1093633 THROUGH 1093766 IN THE AGGREGATE AMOUNT OF \$4,413,019.42, DRAWN ON BANK OF AMERICA."

C. **STAFF AUTHORIZED AGREEMENTS AND PURCHASE ORDERS FOR THE MONTH OF JULY 2017:**

**RECOMMENDATION:**

Receive and file the report of Staff Authorized Agreements and Purchase Orders for the period of July 1 through July 31, 2017.

D. **APPROVAL OF MILLS ACT HISTORIC PROPERTY PRESERVATION AGREEMENT FOR CLASS 1 HISTORIC SITE LOCATED AT 1520 EAST TACHEVAH DRIVE, HSPB 105:**

**RECOMMENDATION:**

1. Approve a Mills Act Historic Property Preservation Agreement between the City of Palm Springs and Todd Hays, for 1520 East Tachevah Drive, a Class 1 Historic Site, HSPB 105. A\_\_\_\_\_.
2. Authorize the City Manager to execute the Agreement.
3. Direct the City Clerk to record the Agreement.

**E. APPROVAL OF MILLS ACT HISTORIC PROPERTY PRESERVATION AGREEMENT FOR CLASS 1 HISTORIC SITE LOCATED AT 1784 SOUTH ARABY DRIVE, A CLASS 1 HISTORIC SITE, HSPB 103/HD-6:  
RECOMMENDATION:**

1. Approve a Mills Act Historic Property Agreement with Charles D. Hopkins and David L. Kersey and Park South Homeowners Association, for property located at 1784 S Araby Drive, a Class 1 Historic Site, HSPB 103/HD-6. A\_\_\_\_\_.
2. Authorize the City Manager to execute the Agreement.
3. Direct the City Clerk to record the Agreement.

**F. APPROVAL OF MILLS ACT HISTORIC PROPERTY PRESERVATION AGREEMENT FOR CLASS 1 HISTORIC SITE LOCATED AT 1861 SANDCLIFF ROAD, A CLASS 1 HISTORIC SITE HSPB 93/HD-5:  
RECOMMENDATION:**

1. Approve a Mills Act Historic Property Agreement with Frederick J. Sousek and Sharon K. Sousek and Sandcliff Homeowners Association, for property located at 1861 Sandcliff 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.

**G. APPROVAL OF RIGHT OF WAY ACQUISITION AGREEMENT WITH SOUTHERN CALIFORNIA EDISON COMPANY FOR ASSESSOR'S PARCEL NUMBER (APN) 669-093-010 FOR THE INDIAN CANYON DRIVE WIDENING & BRIDGE REPLACEMENT, CP 01-11, FEDERAL AID PROJECT NO. BRLO 5282 (017):  
RECOMMENDATION:**

1. Approve a Right-of-Way Agreement for Acquisition of Real Property Interest and Escrow Instructions in the amount of \$24,500 with Southern California Edison Company, a California Corporation, for acquisition of 50 square feet of right-of-way, 8,378 square feet of slope easement, 400 square feet of drainage easement and rental for a period of 5 years of 7,236 square feet of a portion of the property identified as APN 669-093-010 to facilitate and accomplish the construction and installation of various street improvements associated with the Indian Canyon Drive Widening and Bridge Replacement at the Union Pacific Railroad undercrossing, CP 01-11, Federal-Aid Project No. BRLO 5282 (017). A\_\_\_\_\_.
2. Authorize the City Manager to execute all necessary documents, open escrow, and pay for associated escrow and title costs associated with the right-of-way acquisitions.

- H. **ACCEPTANCE OF THE PALM SPRINGS LIBRARY LED INFORMATION SIGN, CP 15-28:**  
**RECOMMENDATION:**
1. Accept the public works improvement identified as the Palm Springs Library LED Information Sign as completed in accordance with the plans and specifications, CP 15-28. A6928.
  2. Authorize the City Engineer to execute and file for recordation with the Riverside County Recorder a Notice of Completion for the Palm Springs Library LED Information Sign, CP 15-28.
- I. **AWARD A CONSTRUCTION CONTRACT TO TRYCO GENERAL ENGINEERING IN THE AMOUNT OF \$693,560, APPROVE A PURCHASE ORDER IN AN AMOUNT NOT TO EXCEED \$26,740 TO ALBERT A. WEBB ASSOCIATES FOR CONSTRUCTION SUPPORT SERVICES FOR THE SB 821 MISSING LINK SIDEWALKS, CP 15-23:**  
**RECOMMENDATION:**
1. Award a construction contract to TryCo General Engineering in the amount of \$693,560 for the SB 821 Missing Link Sidewalks, CP 15-23. A\_\_\_\_\_.
  2. Authorize a Purchase Order to Albert A. Webb Associates pursuant to On-Call Agreement No. A6443, in the amount up to \$26,740 for construction support services for the SB 821 Missing Link Sidewalks, CP 15-23.
  3. Authorize the City Manager to approve and execute construction contract change orders up to a cumulative amount of \$69,360 (10% of construction contract).
  4. Authorize the City Manager to execute all necessary documents.
- J. **ACCEPTANCE OF THE DEMUTH PARK ADA ACCESS IMPROVEMENTS, CP 15-15:**  
**RECOMMENDATION:**
1. Accept the public works improvement identified as the Demuth Park ADA Access Improvements Project as completed in accordance with the plans and specifications, CP 15-15. A6948.
  2. Authorize the City Engineer to execute and file for recordation with the Riverside County Recorder a Notice of Completion for the Demuth Park ADA Access Improvements, CP 15-15.
- K. **AUTHORIZE THE CITY MANAGER TO PURCHASE NATURAL GAS FOR A PERIOD OF 24 MONTHS THROUGH NOVEMBER 30, 2019:**  
**RECOMMENDATION:**
1. Authorize the City Manager to enter into purchase agreements for natural gas from the wholesale commodity market for a term not to exceed 24 months from December 1, 2017, through November 30, 2019.
  2. Authorize the City Manager to execute all necessary documents.

**L. ACCEPTANCE OF ADA CURB RAMPS, CP 16-09:  
RECOMMENDATION:**

1. Accept the public works improvements identified as the ADA Curb Ramps as completed in accordance with the plans and specifications, CP 16-09.
2. Authorize the City Engineer to execute and file for recordation with the Riverside County Recorder a Notice of Completion for the ADA Curb Ramps, CP 16-09.

**M. AWARD PURCHASE OF PHOENIX G2 FIRE STATION ALERTING SYSTEM FROM  
US DIGITAL DESIGNS:  
RECOMMENDATION:**

1. Approve the purchase of Phoenix G2 Fire Station Alerting System from US Digital Designs in the amount of \$359,300 inclusive of all applicable taxes and shipping, utilizing FireRescue GPO cooperative purchase agreement.
2. Authorize the City Manager to execute the necessary documents.

**N. REPORT OF EMERGENCY REPLACEMENT OF THE WATER COOLED CHILLER  
SYSTEM FOR THE EMERGENCY OPERATIONS CENTER OF CITY HALL  
PURSUANT TO PALM SPRINGS MUNICIPAL CODE SECTION 7.04.040:  
RECOMMENDATION:**

Receive and File.

**O. DISPOSAL AND RECYCLING OF BALLISTIC VESTS AND HELMETS VIA STATE  
AUTHORIZED PROGRAM:  
RECOMMENDATION:**

1. Waive the Public Auction requirement in Section 7.07.020 (3) of the Municipal Code for Disposition of Surplus Property and authorize the destruction and recycle of 23 Ballistic Vests and 10 Helmets by SafariLand, LLC pursuant to the terms and conditions of California State Contract 1-10-84-07.
2. Authorize the City Manager to execute all necessary documents.

**P. AWARD PURCHASE OF BALLISTIC HELMETS, RIOT FACE SHIELDS, AND  
HELMET CARRY/STORAGE BAGS FOR ALL POLICE DEPARTMENT SWORN  
PERSONNEL:  
RECOMMENDATION:**

1. Award the purchase of 100 Delta 4 brand ballistic helmets, riot face shields, and carry/storage bags for PSPD sworn personnel from Aardvark Inc. in the amount of \$43,478.13 including applicable sales tax and delivery.
2. Authorize the City Manager to execute all necessary documents.

**Q. ACCEPTANCE OF \$130,000 IN GRANT FUNDING FROM THE CALIFORNIA  
OFFICE OF TRAFFIC SAFETY (OTS) FOR A SELECTIVE TRAFFIC  
ENFORCEMENT PROGRAM (STEP) TO BE USED TO ENFORCE, EDUCATE, AND  
BRING AWARENESS TO THE PUBLIC:  
RECOMMENDATION:**

1. Accept \$130,000 in grant funding from the California Office of Traffic Safety for a Selective Traffic Enforcement Program (STEP) for fiscal year 2017-2018. A\_\_\_\_\_.
2. Authorize the City Manager to execute all necessary documents.

- R. RATIFY CONSTRUCTION BIDS FOR THE AIRPORT TAXIWAY J PAVEMENT RECONSTRUCTION PROJECT (IFB 17-06) AND AIRFIELD LIGHTING PROJECT (IFB 17-07), AND RE-BID THE TICKETING HALL EXPANSION ENABLING PROJECT (IFB 18-01):  
RECOMMENDATION:**
1. Accept report and ratify the award of construction contract to All American Asphalt as the lowest responsive and responsible bidder for the Taxiway J Pavement Reconstruction Project, IFB No. 17-06, in the amount of \$258,265.00.
  2. Accept report and ratify the award of construction contract to Vellutina dba Royal Electric Company as the lowest responsive and responsible bidder for the Airfield Lighting Project, IFB No. 17-07, in the amount of \$1,633,526.00.
  3. Find the bid from Suffolk-Nibbi as non-responsive, reject all other bids, and authorize staff to re-bid the Ticketing Hall Expansion Enabling Project, IFB No. 18-01.
  4. Authorize the City Manager to execute all documents.
- S. REPORT OF EMERGENCY REPAIRS TO THE PALM SPRINGS INTERNATIONAL AIRPORT AIRFIELD LIGHTING SYSTEM PURSUANT TO MUNICIPAL CODE SECTION 7.04.040:  
RECOMMENDATION:**
- Receive and file the report for emergency repairs of the airfield electrical system.
- T. ADMINISTRATIVE APPEALS BOARD HEARING DECISIONS:  
RECOMMENDATION:**
- Receive and file the Administrative Appeals Board decisions from the July 17, 2017, and July 28, 2017, hearings.
- U. AWARD A CONSTRUCTION CONTRACT TO AL MILLER & SONS ROOFING COMPANY, INC. IN THE AMOUNT OF \$528,310 FOR THE PALM SPRINGS ROOF REPAIR AND REPLACEMENT PROJECT, CP 16-05:  
RECOMMENDATION:**
1. Waive any informality (non-responsiveness), and award a construction contract to Al Miller & Sons Roofing Company, Inc. in the amount of \$528,310 for the Palm Springs Roof Repair and Replacement Project, CP 16-05. A\_\_\_\_\_.
  3. Authorize the City Manager to approve and execute construction contract change orders up to an additional amount of \$52,850.
  4. Authorize the City Manager to execute all necessary documents.
- V. CONSIDERATION OF GRANT SPONSORSHIPS FOR WELL IN THE DESERT AND PALM SPRINGS PRIDE - PRIOR TO FULL REVIEW OF APPLICATIONS SUBMITTED AS PART OF FISCAL YEAR 2017-18 BUDGET PROCESS:  
RECOMMENDATION:**
1. *Grant* - Well in the Desert \$9,000 for three months' payment of Homeless Day Center facility lease and food.
  2. *Sponsorship* - Palm Springs Pride Event \$90,000 in-kind contribution for City services associated with the event.

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

2. **PUBLIC HEARINGS:**

A. **AMENDMENT TO THE PALM SPRINGS ZONING CODE TO REVISE THE STANDARDS FOR HOTEL RESTAURANTS IN THE R-2, R-3, AND R-4 ZONE DISTRICTS, CASE 5.1420 ZTA:  
RECOMMENDATION:**

1. Waive the reading of the ordinance text in its entirety and read by title only.
2. Introduce on first reading Ordinance No. \_\_\_\_\_, "AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, ADOPTING AN AMENDMENT TO SECTIONS 92.03.01(C), 92.04.01(D), AND 92.05.01(D) OF THE PALM SPRINGS ZONING CODE (PSZC) RELATING TO THE REQUIREMENTS FOR HOTEL RESTAURANT FACILITIES IN THE R-2, R-3 AND R-4 ZONE DISTRICTS."

B. **CALLING AND CONDUCTING A SPECIAL ELECTION AND INTRODUCING AN ORDINANCE AUTHORIZING THE LEVY OF SPECIAL TAXES WITHIN ANNEXATION NO. 17 TO COMMUNITY FACILITIES DISTRICT NO. 2005-1 (PUBLIC SAFETY SERVICES):  
RECOMMENDATION:**

1. Open the public hearing, take public testimony, and consider property owner protests associated with Annexation No. 17 (for Tract Map No. 37210 – 64 @ the Riv”).
2. Adopt Resolution No. \_\_\_\_\_, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, AUTHORIZING ANNEXATION NO. 17, 64 @ THE RIV, TRACT MAP NO. 37210, INTO COMMUNITY FACILITIES DISTRICT NO. 2005-1, (PUBLIC SAFETY SERVICES), AUTHORIZING THE LEVY OF A SPECIAL TAX, AND SUBMITTING THE LEVY OF A SPECIAL TAX TO QUALIFIED ELECTORS."
3. Conduct the special election and direct the City Clerk to canvass the results.
4. Adopt Resolution No. \_\_\_\_\_, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, DECLARING THE RESULTS OF A SPECIAL ANNEXATION LANDOWNER ELECTION, DETERMINING VALIDITY OF PRIOR PROCEEDINGS, AND DIRECTING THE RECORDING OF AN AMENDMENT TO NOTICE OF SPECIAL TAX LIEN FOR ANNEXATION NO. 17, 64 @ THE RIV, TRACT MAP NO. 37210, INTO COMMUNITY FACILITIES DISTRICT NO. 2005-1, (PUBLIC SAFETY SERVICES)."
5. Waive reading of the full text in its entirety, read by title only, and introduce on first reading, Ordinance No. \_\_\_\_\_, "AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, AUTHORIZING THE LEVY OF SPECIAL TAXES IN A COMMUNITY FACILITIES DISTRICT, INCLUDING CERTAIN ANNEXATION TERRITORY IDENTIFIED AS ANNEXATION NO. 17, 64 @ THE RIV, TRACT MAP NO. 37210, INTO COMMUNITY FACILITIES DISTRICT NO. 2005-1, (PUBLIC SAFETY SERVICES)."



3. **LEGISLATIVE:**

- A. **AN INTERIM URGENCY ORDINANCE AMENDING PRIOR INTERIM URGENCY ORDINANCE NO. 1934 RE INTERIM REGULATIONS FOR THE INSTALLATION AND MAINTENANCE OF TEMPORARY SIGNS SUBJECT TO CERTAIN EXCEPTIONS, AMENDING AND SUSPENDING CERTAIN SECTIONS OF THE PALM SPRINGS MUNICIPAL CODE, TO NOVEMBER 10, 2017. (4/5ths Vote Required):**

**RECOMMENDATION:**

Waive the reading of the text in its entirety, and read by title only, and adopt Ordinance No. \_\_\_\_\_, "AN INTERIM URGENCY ORDINANCE OF THE CITY OF PALM SPRINGS, CALIFORNIA, AMENDING PRIOR INTERIM URGENCY ORDINANCE NO. 1934 RE INTERIM REGULATIONS FOR THE INSTALLATION AND MAINTENANCE OF TEMPORARY SIGNS IN THE CITY OF PALM SPRINGS SUBJECT TO CERTAIN EXCEPTIONS, AMENDING SECTION 93.20.09.B.5, AND SUSPENDING SECTIONS 93.20.03.25, 93.20.07, 93.20.08, AND 93.20.10.C.4 OF, THE PALM SPRINGS MUNICIPAL CODE, TO NOVEMBER 10, 2017. (4/5ths Vote Required)."

4. **UNFINISHED BUSINESS:**

- A. **REVIEW OF THE PROPOSED WORK PLAN FOR IMPLEMENTATION OF THE RECOMMENDATIONS OF THE AD HOC PLANNED DEVELOPMENT DISTRICT (PDD) SUBCOMMITTEE:**

**RECOMMENDATION:**

Provide direction to staff and/or the Ad Hoc PDD Subcommittee as appropriate.

5. **NEW BUSINESS:**

- A. **LULU RESTAURANT ART MURAL APPLICATION ON A COMMERCIAL RESTAURANT BUILDING LOCATED AT 200 SOUTH PALM CANYON DRIVE, CASE 17-002 MUR:**

**RECOMMENDATION:**

Adopt Resolution No. \_\_\_\_\_, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, APPROVING AN ART MURAL ON THE COMMERCIAL RESTAURANT BUILDING AT 200 SOUTH PALM CANYON DRIVE, ZONE C-1, CASE 17-002 MUR."

- B. **A REQUEST FOR CITY COUNCIL REVIEW OF AN ACTION BY THE PLANNING COMMISSION TO APPROVE A MAJOR ARCHITECTURAL APPLICATION BY GLENWOOD MANAGEMENT GROUP, LLC, TO CONSTRUCT A 17 UNIT APARTMENT COMPLEX ON AN UNDEVELOPED 1.13-ACRE PARCEL LOCATED AT 2150 NORTH ZANJERO ROAD, ZONE R-2, CASE 3.3989-MAJ:**

**RECOMMENDATION:**

Adopt Resolution No. \_\_\_\_\_, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, APPROVING A MAJOR ARCHITECTURAL APPLICATION BY GLENWOOD MANAGEMENT GROUP, LLC, TO ALLOW THE CONSTRUCTION OF A 17 UNIT APARTMENT COMPLEX ON AN UNDEVELOPED 1.13-ACRE PARCEL LOCATED AT 2150 NORTH ZANJERO ROAD."

**C. REPORT AND RATIFICATION OF AWARD OF A CONSTRUCTION CONTRACT TO ATP GENERAL ENGINEERING CONTRACTORS, LLC. IN THE AMOUNT OF \$2,869,700; APPROVAL OF A PURCHASE ORDER IN AN AMOUNT NOT TO EXCEED \$105,800 TO INTERWEST CONSULTING GROUP FOR CONSTRUCTION MANAGEMENT, INSPECTION AND MATERIALS TESTING SERVICES FOR THE 2017 PAVEMENT REHABILITATION PROJECT, CP 17-01:  
RECOMMENDATION:**

1. Receive report of the City Manager's award and ratification of a construction contract to ATP General Engineering Contractors, LLC, in the amount of \$2,869,700 for the 2017 Pavement Rehabilitation Project, CP 17-01. A7002.
2. Delegate authority to the City Manager to approve and execute construction contract change orders up to \$286,970 with all change orders reported to the City Council.
3. Authorize a Purchase Order to Interwest Consulting Group, pursuant to On-Call Agreement No. A6686, in an amount not to exceed \$105,800 for construction management, inspection, and materials testing services for the 2017 Pavement Rehabilitation Project, CP 17-01.
4. Authorize the City Manager to execute all necessary documents.

**D. REJECT BIDS AND APPROVE A COOPERATIVE AGREEMENT WITH CVAG, APPROVE A PROFESSIONAL SERVICES AGREEMENT WITH ALTA PLANNING + DESIGN INC., APPROVE PLANS, SPECIFICATIONS AND ESTIMATE (PS&E) AND AUTHORIZATION TO RE-BID FOR THE TAHQUITZ CREEK LEVEE IMPROVEMENTS, CP 08-26:  
RECOMMENDATION:**

1. Reject all bids received on August 18, 2016, for the Tahquitz Creek Levee Certification project, CP 08-26.
2. Approve a Cooperative Agreement with CVAG for the Tahquitz Creek Levee Reconstruction Project, Bike Path Replacement. A\_\_\_\_\_.
3. In accordance with Section 7.04.020 "Sole source procurement by the City," of the Palm Springs Municipal Code, waive all competitive requirements of Title 7 of the Palm Springs Municipal Code finding that Alta Planning + Design Inc., has demonstrated experience and expertise of providing the required professional civil engineering design services for the Coachella Valley Association of Governments.
4. Approve a Professional Services Agreement in the amount of \$111,500 with Alta Planning + Design Inc., for final plans, specifications, and estimates; to prepare bid documents; and provide construction support for the Tahquitz Creek Levee Improvements, CP 08-26. A\_\_\_\_\_.
5. Approve the plans, specifications and estimate and authorize staff to advertise and solicit bids for the revised Tahquitz Creek Levee Improvements, CP 08-26.
6. Authorize the City Manager to execute all necessary documents.

**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 the adjourned regular meeting Tuesday, September 26, 2017, 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.

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 10:00 a.m., on September 1, 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](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.

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



**CLOSED SESSION AGENDA**  
Wednesday, September 6, 2017 – 4:00 p.m.

City Hall, Small Conference Room  
3200 East Tahquitz Canyon Way, Palm Springs  
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(d)(1)**

*City of Palm Springs v. Kenneth Irwin Jr.*

Case No. PSC1606276, Riverside Superior Court, Palm Springs Division

Thomas Alan Grossman vs. City of Palm Springs et al

Case No. PSC1406472, Riverside Superior Court, Palm Springs Division

Jeffrey Cole v. Elder Ricardo Ortiz, City of Palm Springs

Case No. PSC1503101, Riverside Superior Court, Palm Springs Division

*City of Palm Springs as Successor Agency et al. v. Ana Matosantos et al*

Case No. RIC 1513477, Riverside Superior Court, Riverside Division

*Protect Our Neighborhoods v. City of Palm Springs*

Case No. RIC1704320, Riverside Superior Court, Riverside Division

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

6 Case

**INITIATION OF LITIGATION** **G.C. 54956.9(d)(4)**

3 Cases

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

Property Address/Description:	1901 E. Baristo Road, APN 502-200-001, -002
Agency:	City of Palm Springs
City Negotiator:	David H. Ready, City Manager or Designee
Negotiating Parties:	Andrew Starke, Palm Springs Power Baseball Club
Under Negotiation:	Price and Terms of Payment (Lease)

Property Address/Description: APN 669-330-029  
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

**CONFERENCE WITH LABOR NEGOTIATOR**

**G.C. 54957.6**

Palm Springs Fire Management