



AIRPORT COMMISSION MEETING AGENDA

Airport Conference Room, Palm Springs International Airport
 3400 E. Tahquitz Canyon Way, Palm Springs, CA 92262
 Tuesday, June 18, 2024 - 5:30 P.M.

To view/listen/participate virtually in the meeting live, please contact Tanya Perez at Tanya.Perez@palmspringsca.gov or the following telephone number (760) 318-3805 to register for the Zoom meeting. There will be an email with Zoom credentials sent after registration is complete, in order to access the meeting and offer public comment. Registration is not required to attend the meeting in person.

In addition, the meeting will also be teleconferenced pursuant to Government Code Section 54953 from the following location(s):

TELECONFERENCE LOCATION(S):

Commissioner David Feltman – City of Palm Springs
 164 Bradford Street
 Provincetown, MA 02657

Each location is accessible to the public, and members of the public may address the Airport Commission from any of the locations listed above. Any person who wishes to provide public testimony in public comments is requested to file a speaker card before the Public Comments portion of the meeting. You may submit your public comment to the Airport Commission electronically. Material may be emailed to: Tanya.Perez@palmspringsca.gov - Transmittal prior to the start of the meeting is required. Any correspondence received during or after the meeting will be distributed to the Airport Commission and retained for the official record.

To view Airport Commission meeting videos click on [YouTube](#).

City of Palm Springs:		Riverside County: Margaret Park	City of Cathedral City: Tony Michaelis	City of Palm Desert: Kevin Wiseman
Aftab Dada - Chair	David Feltman			
Kevin J. Corcoran Vice Chair	J Craig Fong	City of Indian Wells: Robert Berriman	City of Coachella: Denise Delgado	City of Rancho Mirage: Keith Young
Vacant	Tracy Martin			
Todd Burke	M. Guillermo Suero	City of La Quinta: Kathleen Hughes	City of Desert Hot Springs: Jan Pye	City of Indio: Rick Wise
Daniel Caldwell	Dave Banks			
Palm Springs City Staff				
Scott C. Stiles		Harry Barrett Jr., A.A.E.		Jeremy Keating
City Manager		Airport Executive Director		Assistant Airport Director

- 1. CALL TO ORDER – PLEDGE OF ALLEGIANCE**
- 2. POSTING OF AGENDA**
- 3. ROLL CALL**
- 4. ACCEPTANCE OF AGENDA**
- 5. PUBLIC COMMENTS:** Limited to three minutes on any subject within the purview of the Commission
- 6. APPROVAL OF MINUTES:** Minutes of the Airport Commission Regular Meeting of January 17, 2024
- 7. INTRODUCTIONS AND PRESENTATIONS:**
 - 7.A** End of Term Plaque Presentation: Chairman Aftab Dada, Commissioner Kathleen Hughes, and Commissioner M. Guillermo Suero
 - 7.B** Announcement of New Commissioners
- 8. DISCUSSION AND ACTION ITEMS:**
 - 8.A** Baggage Claim Expansion Concept Design Update
 - 8.B** Restroom Capacity and Renovation Floor Plan Review
 - 8.C** FIS Study Update and Customs and Border Patrol Strategy
 - 8.D** Strategic Business Plan Update
 - 8.E** Arts Program Update
 - 8.F** Concessions Update
 - 8.G** AD Hoc Design Review Committee Update
 - 8.H** Marketing and Air Service Update
 - 8.I** Financial Summary Update
 - 8.J** Cancellation of July 17th Airport Commission Meeting, Approval of July 10th Special Airport Commission Meeting at 5:30 p.m., and Rescheduling of Noise Committee Meeting to July 10th at 5:00 p.m.
 - 8.K** Electronic Use Policy
 - 8.L** Projects and Airport Capital Improvement Program Update
- 9. EXECUTIVE DIRECTOR REPORT**
- 10. COMMISSIONERS REQUESTS AND REPORTS**
- 11. REPORT OF COUNCIL ACTIONS:**
 - 11.A** Past City Council Actions
 - 11.B** Future City Council Actions
- 12. RECEIVE AND FILE:**
 - 12.A** Airline Activity Report May 2024

12.B Airline Activity Report Fiscal Year Comparison

13. COMMITTEES:

13.A Future Committee Meetings

13.B Committee's Roster

ADJOURNMENT: To Be Determined

AFFIDAVIT OF POSTING

I, Harry Barrett, Jr., Airport Executive Director, City of Palm Springs, California, hereby certify this agenda was posted on June 13, 2024, in accordance with established policies and procedures.

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 Department of Aviation, (760) 318-3800, at least 48 hours prior to the meeting to inform us of your particular needs and to determine if accommodation is feasible.



AIRPORT COMMISSION

**MINUTES OF THE REGULAR MEETING OF THE AIRPORT COMMISSION OF
THE PALM SPRINGS INTERNATIONAL AIRPORT**

Wednesday, January 17, 2024 – 5:30 P.M.

1. CALL TO ORDER:

Vice Chairman Corcoran called the Airport Commission Meeting to order at 5:30 P.M. The meeting was held in-person and via videoconference.

2. POSTING OF THE AGENDA: Posted on March 14, 2024.

3. ROLL CALL:

Commissioners Present:

Robert Berriman (Indian Wells)	Tony Michaelis (Cathedral City)
Todd Burke (Palm Springs)	Margaret Park (Riverside County)
Daniel Caldwell (Palm Springs)	Jan Pye (Desert Hot Springs)
Kevin Corcoran (Palm Springs) - Vice Chair	M. Guillermo Suero (Palm Springs) *
J Craig Fong (Palm Springs)	Rick Wise (Indio)
Kathleen Hughes (La Quinta)	Kevin Wiseman (Palm Desert)
Tracy Martin (Palm Springs)	Keith Young (Rancho Mirage)

Commissioners Absent: Dave Banks (Palm Springs), Aftab Dada (Palm Springs), Denise Delgado (Coachella), and David Feltman (Palm Springs)

*M. Guillermo Suero (Palm Springs) joined the meeting at 5:39 p.m.

Staff Present:

Harry Barrett, Jr., Airport Executive Director
 Jeremy Keating, Assistant Airport Director
 Victoria Carpenter, Airport Administration Manager
 Jeremy Holm, City Attorney
 Christina Brown, Executive Program Administrator

Others Present:

Ryan Hayes, Mead & Hunt, Inc.
 Stephanie Nikho, Mead & Hunt, Inc.

4. ACCEPTANCE OF THE AGENDA:

ACTION: Accept the Agenda as presented. **Moved by Commissioner Burke, seconded by Commissioner Park, and unanimously approved noting the absence of Commissioners Banks, Dada, Delgado, Feltman, and Suero.**

5. **PUBLIC COMMENTS:** None.

6. **APPROVAL OF THE MINUTES:**

ACTION: Approve the minutes of the Airport Commission Meeting of September 20, 2023. **Moved by Commissioner Young, seconded by Commissioner Caldwell and approved by the following roll call vote: 10 Yes; 3 Abstain; and noting the absence of Commissioners Banks, Dada, Delgado, Feltman, and Suero.**

7. **DISCUSSION AND ACTION ITEMS:**

7.A Electronic Use Policy

Airport Executive Program Administrator Brown reported that on January 4, 2024, the Commission was notified about the City's mandate for all City, Board and Commission business email communications to be conducted through a City-issued email account. Ms. Brown stated that beginning on February 1, 2024, all email communications to the Commission, which includes the distribution of the agenda packets, would be sent to the Commissioner's City-issued email accounts. She notified the Commission that the City's IT staff would be available to assist with any set-up or technical problems and that she could also assist with setting up a time for the Commissioners to meet with an IT staff member.

7.B AB 557

Airport Executive Program Administrator Brown reported that on January 4, 2024, the Commission was notified about AB 557 – Teleconferencing of City Council, Board and Commission meetings and that on December 14, 2023, the City Council mandated that all City Boards and Commissions must meet in person beginning on January 1, 2024. Ms. Brown acknowledged that she had spoken to all but one Airport Commissioner to confirm that the notification had been received. She announced that City Attorney Holm, who was present in the meeting, would be available to answer any questions or concerns.

Vice Chairman Corcoran asked for confirmation that his understanding that a Commissioner's off-site address, which could include their home address, would have to be posted on the Agenda and any member of the public could technically show up for the meeting at that location and be in their right to do so. City Attorney Holm affirmed that Vice Chairman Corcoran's understanding was correct and that the Brown Act was once again being applied to pre-Covid times.

Ms. Brown stated that one of the Commissioners had a question about posting a hotel room number when attending a Commission meeting while on vacation, and specifically being unable to do so as hotel room are not assigned until a person checks in to the hotel. Mr. Holm stated that the room number would have to be posted with the location in the agenda and within the 72 hour noticing period required by the Brown Act. Mr. Holm recommended that in instances where a Commissioner is attending from a hotel, the Commissioner should do so from the hotel lobby or the hotel's business center.

Commissioner Wiseman inquired about the Brown Act rules for emergency situations. Mr. Holms explained that there are emergency exceptions under AB 2449 that would allow a Commissioner to participate in the meeting remotely without having to post their location and that it was his understanding that the City Council, City Attorney, and City Clerk had elected to not allow AB 2449 to be used because it could create some complications such as having to convert a meeting into a Zoom meeting anywhere up to the start of the meeting.

7.C Financial Summary Update

Airport Administration Manager Carpenter provided an overview of the Financial Summary Update for the period ending December 31, 2023. Ms. Carpenter stated that each of the funds had a surplus.

7.D Marketing and Air Service Update

Deputy Director of Aviation, Marketing and Air Service Meier presented the Marketing and Air Service Update for January 2024.

Commissioner Martin referred to the decline of the passenger numbers for the summer, and he asked if the Airport was coming out of the Covid travel bounce back, and should the Commission expect to not see the passenger numbers grow anywhere close to what was seen in the last year. Mr. Meier said that the Commission should expect to see pre-Covid passenger numbers and steady passenger traffic counts and growth over the next several years. Commissioner Martin asked if the decreased numbers would affect the Airports budget. Airport Executive Director Barrett said that he had directed staff to decrease the budget to adjust for the decline in passenger numbers. Commissioner Martin asked if staff had any concerns in regard to the 4% growth that had been estimated in the long-term plan. Mr. Barrett said that he was not concerned because the Airport would still see that level of demand as the trend line continues to grow.

Commissioner Fong asked if staff would need to adjust the budget for the Passenger Facility Charges revenue because of the issues with the Max 9 aircraft. Mr. Meier said that there were only four or five Max 9 aircrafts that were scheduled at the Airport per day and that there hadn't been a significant number of cancelations, and he was not expecting that to change.

7.E Concessions Update

Assistant Airport Director Keating reported that there were still a significant number of moving parts that were still in process, and he reviewed the concessions projects schedule. Vice Chairman Corcoran said that he was pleased to learn that Las Casuelas was moving forward at the Airport. Commissioner Martin inquired about the forms of revenue that the Airport receives from concessions. Airport Executive Director Barrett said that the Airport receives revenue from the leased space and the Airport also receives a percentage of the concession sales. Airport Administration Manager Carpenter said that the Airport receives 20% of The Marshall Retail Groups gross sales, and the Airport receives 12% for food and 15% for alcohol gross sales from Paradies Lagardere.

7.F Projects and Airport Capital Improvement Program Update

Airport Executive Director Barrett reported that most of the updates were included in the packet. He said that the Master Plan alternatives would be presented to the City Council on January 25, 2024 and that the next steps involved developing a financial plan for the terminal project, focusing on payment strategies. The update process for the Airport Layout Plan which would need to be approved by the FAA and would take approximately six months, and planning for other facilities was also underway. Mr. Barrett noted that the Master Plan Working Group (Working Group) meeting was scheduled for Thursday, January 25, 2024, at 10:00 a.m. and that the Working Group would be reviewing the airside alternatives.

Mr. Barrett reported that staff was beginning to do some transition planning to determine what the project phasing would look like, and he said that one of the Airport's on-call contractors would be assisting staff with developing the phasing schedule. He noted that there would be some operational challenges, particularly with the expansion of the baggage claim system and how to relocate the rental car companies that currently exist in that space while facilitating the customer experience during that process.

Mr. Barrett also reported that the Airport now has on-call service contracts with RS&H California, Inc., M. Arthur Gensler Jr. & Associates, Inc., InterVISTAS Consulting, LLC, and AECOM Technical Services, Inc. for the following four activities: 1) Architectural Services; 2) Engineering Services; 3) Environmental Services; and 4) Planning Services. Additionally, a separate stand-alone contract with Mead & Hunt, Inc would be presented to the City Council on January 25, 2024, for the construction management of the inline baggage handling system.

8. EXECUTIVE DIRECTOR REPORT:

Airport Executive Director Barrett reported on the progress of the Airport reorganization, specifically making headway on filling positions. He further detailed the hiring processes and the reasons for restructuring the job descriptions. Mr. Barrett

discussed how the Airport was working with Human Resources to align the job duties with the job descriptions.

9. COMMISSIONERS REQUESTS AND REPORTS:

Vice Chairman Corcoran asked staff to add an agenda item regarding the car rental car wash noise to the next Airport Commission meeting agenda, and he also asked staff to provide data on vehicles that are parked for seven or more days at the Airport parking lots.

Commissioner Berriman inquired about the amendment to the TNC signage ordinance. Airport Executive Director Barrett said that staff were working on taking the ordinance amendment to the City Council for approval. Vice Chairman Corcoran asked staff to provide an update at the next Airport Commission meeting.

10. REPORT OF CITY COUNCIL ACTIONS:

- 10.A. Past City Council Actions
- 10.B. Future City Council Actions

11. RECEIVE AND FILE:

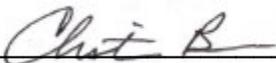
- 11.A Airlines Activity Report December 2023
- 11.B Airline Activity Report Fiscal Year Comparison

12. COMMITTEES:

- 12.A Future Committee Meetings
- 12.B Updated Committee Roster

ADJOURNMENT:

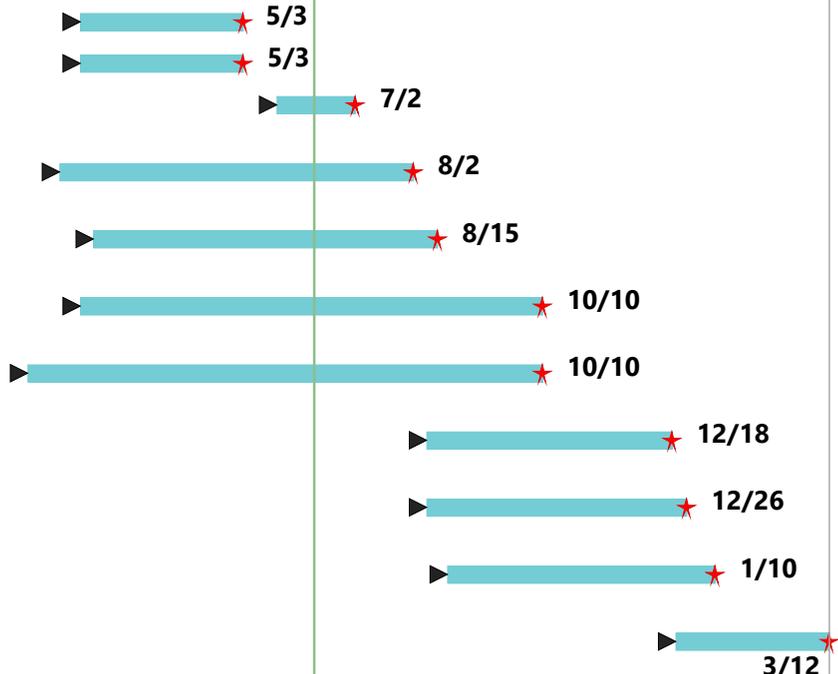
The Airport Commission adjourned at 6:32 P.M. to a Regular Meeting on February 21, 2024, at 5:30 P.M.



Christina Brown
Executive Program Administrator

PSP Concession Projected Opening Dates

ID	Task Name	2nd Quarter	3rd Quarter	4th Quarter	1st Quarter	2nd Quarter	3rd Quarter	4th Quarter	1st Quarter
1	Nine Cities- complete								
2	Hey Joshua- complete								
3	Las Palmas Oasis- complete								
4	InMotion								
5	Cactus to Clouds								
6	Las Casuelas & Coachella Valley Coffee								
7	Uptown Essentials								
8	The Pink Door								
9	Vino Volo								
10	Trio								
11	Coachella Duty Free Cart								
12	Half Moon Empanadas								





Marketing & Air Service Update

July 2024

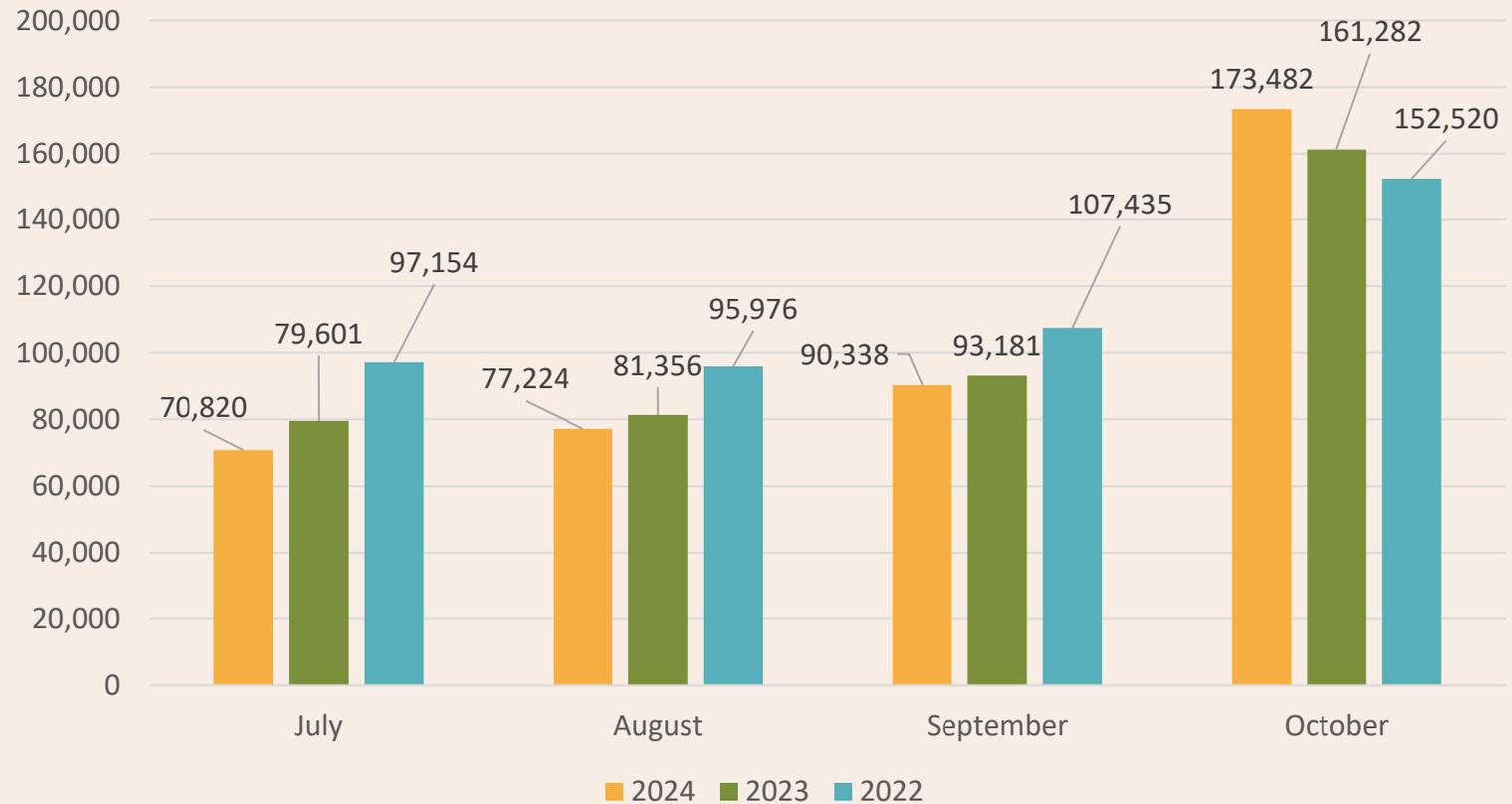
Scheduled Departing Seats

Based on 06/12/24 schedule data, subject to change.

Seats vs. 1 Year Ago

Month	% Change
July	- 11.1%
August	- 5.1 %
September	- 3.1 %
October	7.6 %

Note: 737 MAX issues and SFO runway work continue to impact PSP's summer capacity.



Bar Graph: Left to right: 2024, 2023, 2022

May Total Passenger Counts

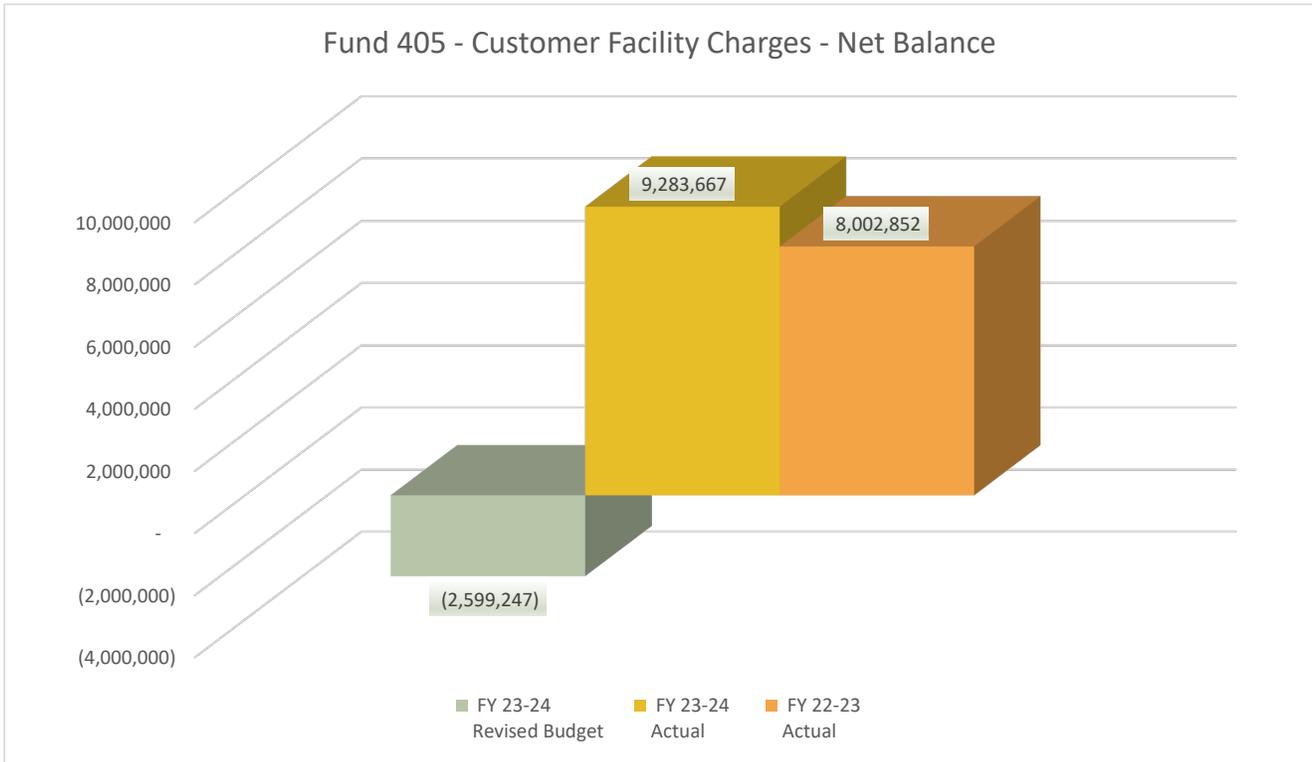
- 246,186 Total Passengers
- Increase of 0.1% over 2023
- New record for May

Seasonal Service Updates

- American to Chicago, O'Hare
- Southwest to Dallas Love
- All seasonal routes have now ended, and they will begin to return in September
- A full list of seasonal service end and return dates is available on flyPSP.com under the Airlines & Destinations page in the Flights drop-down menu

CITY OF PALM SPRINGS
PALM SPRINGS INTERNATIONAL AIRPORT
 Financial Summary
 Ending May 31, 2024

Fund 405 - Customer Facility Charges	FY 23-24 Revised Budget	FY 23-24 Actual	FY 23-24 % Of Budget	FY 22-23 Actual	FY 22-23 vs FY 23-24 % Change
Operating Revenue	9,181,327	9,283,667	101%	8,002,852	16%
Operating Expenditures	11,780,574	-	0%	-	0%
Surplus / (Deficit)	(2,599,247)	9,283,667	-357%	8,002,852	-16%



Fund 405 is the airports fund for customer facility charges (CFC).

Revenues

CFC revenue is collected by the car rental concessionaires and remitted to the Airport according to state law to support the future consolidated rental car facility project. In March 2022, City Council approved a change in the collection methodology rate from \$10 per transaction to \$9 per day up to five days maximum.

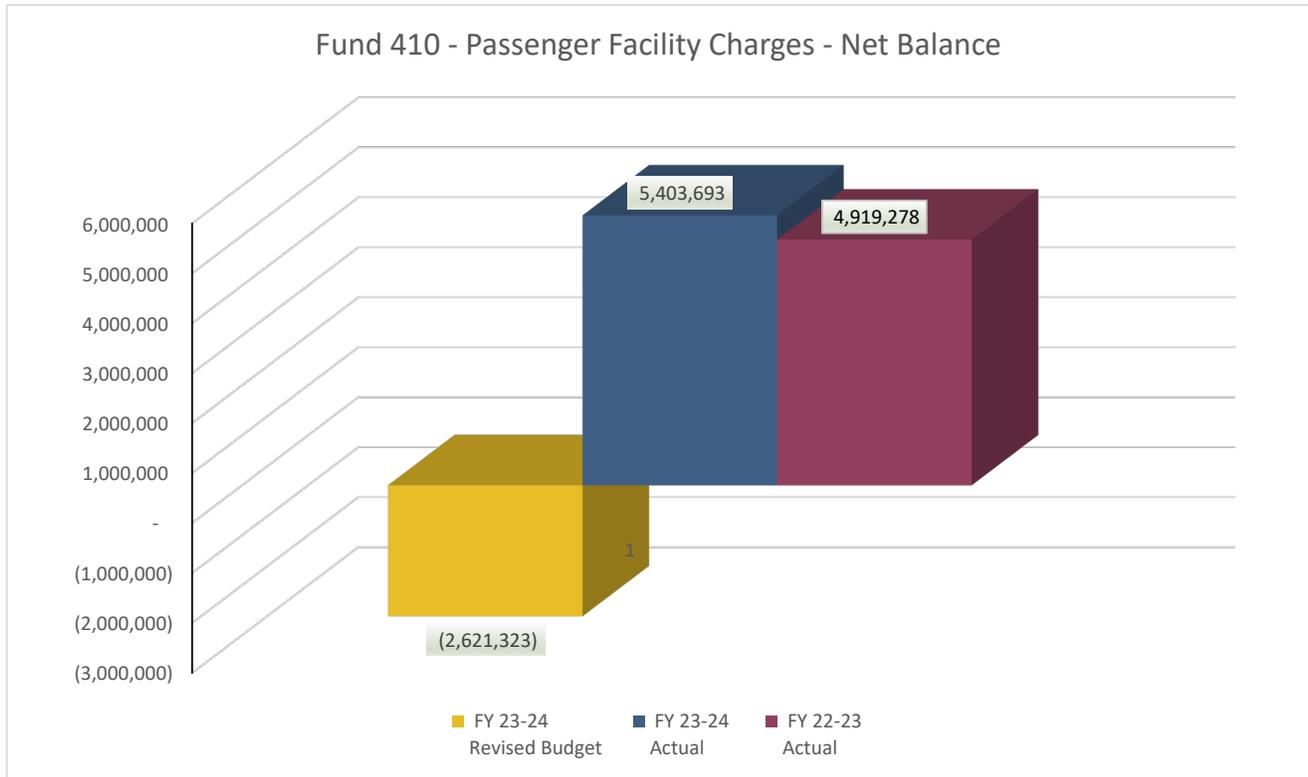
YTD, revenues of \$9.2M represents 101% of the full year budget, reflecting seasonal nature of CFC revenues.

Expenditures

YTD, the airport has not spent any of the Fund 405 budgeted expenditures.

CITY OF PALM SPRINGS
PALM SPRINGS INTERNATIONAL AIRPORT
 Financial Summary
 Ending May 31, 2024

Fund 410 - Passenger Facility Charges	FY 23-24 Revised Budget	FY 23-24 Actual	FY 23-24 % Of Budget	FY 22-23 Actual	FY 20-23 vs FY 21-24 % Change
Operating Revenue	6,450,776	5,743,984	89%	5,371,413	7%
Operating Expenditures	9,072,099	340,291	4%	452,135	-25%
Surplus / (Deficit)	(2,621,323)	5,403,693	-206%	4,919,278	10%



Fund 410 is the airports fund for passenger facility charges (PFC).

Revenues

The PFC, provides a source of additional capital to improve, expand, and repair the nation’s airport infrastructure. The FAA must approve any facility charges imposed on enplaning passengers. The PFC at PSP is \$4.50 and the maximum PFC charge on any one passenger travel ticket is capped at \$18.00.

YTD, revenues of \$5.7M represents 89% of the full year budget, reflecting seasonal nature of CFC revenues.

Expenditures

On July 18, 2019, the City of Palm Springs issued 2019 Airport Passenger Facility Charge Revenue Bonds for \$22,270,000 to finance a portion of the design, acquisition, and construction of ticketing hall and baggage handling system improvements. Interest is payable semiannually on June 1, and December 1 of each year, commencing December 1, 2019, until maturity or earlier redemption. Fiscal year 2024 principal is \$1,690,000 and interest is \$807,000. Expenses to fund 410 include principal and interest and contractual services to the bond consultant.

YTD expenses of \$340,291 represents the interest payments for the 2019 bond.

CITY OF PALM SPRINGS
PALM SPRINGS INTERNATIONAL AIRPORT
 Financial Summary
 Ending May 31, 2024

Fund 415 - Airport Operations & Maintenance	FY 23-24 Revised Budget	FY 23-24 Actual	FY 23-24 % Of Budget	FY 22-23 Actual	FY 22-23 vs FY 23-24 % Change
Operating Revenue	64,090,869	41,818,567	65%	50,805,785	-18%
Operating Expenditures	51,371,103	28,909,070	56%	23,504,014	23%
Surplus / Deficit	12,719,766	12,909,498	101%	27,301,771	-53%

Fund 415 is the airports operation & maintenance fund which records for all the revenues and expenditures.

Revenues

Airport revenues included operating and non-operating revenues from airlines, fuel fees, terminal rentals, ground rentals, concessions, fines, parking, ground transportation, grant reimbursements, admission fees for the Palm Springs Air Museum and interest income.

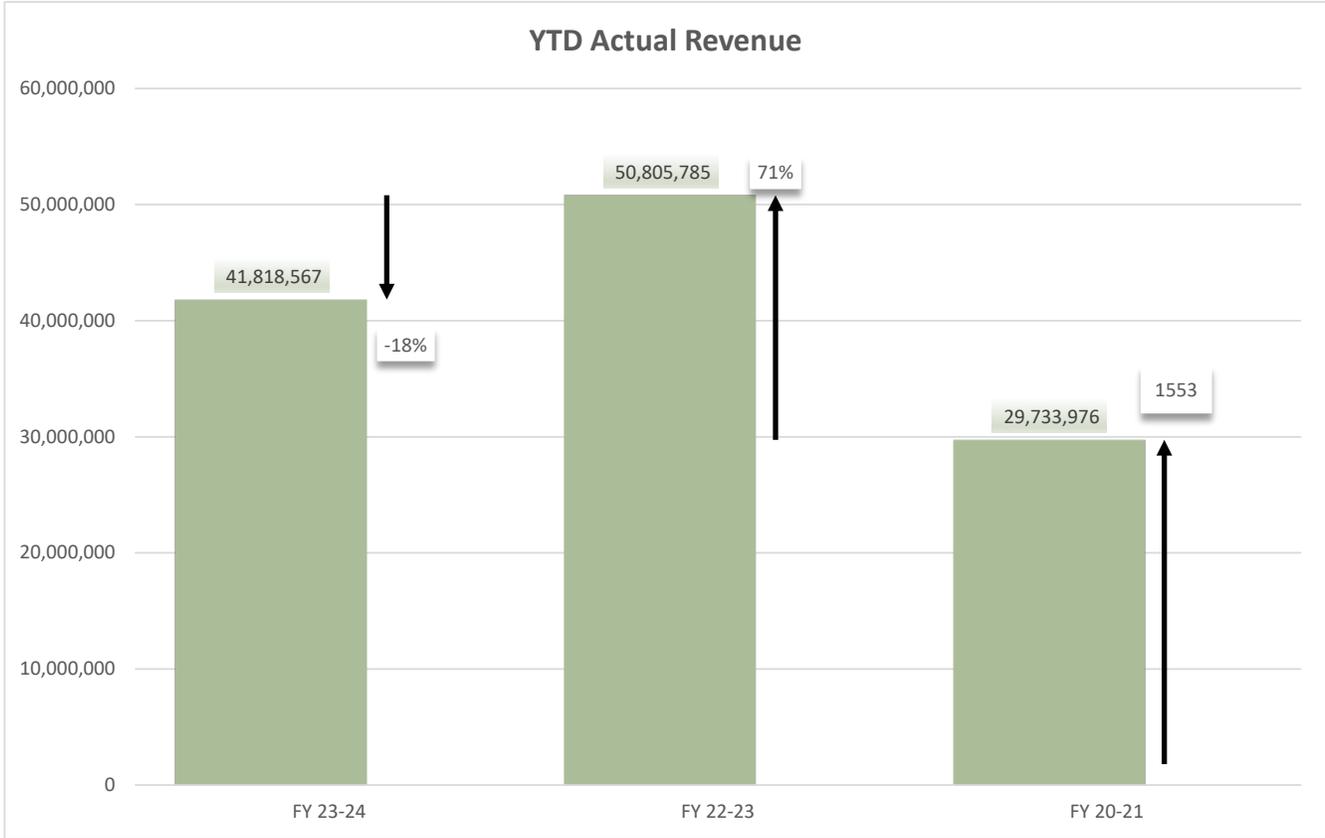
Expenditures

Airport expenditures consist of personnel, contractual services, safety and security (Aircraft Rescue and Fire Fighting (ARFF) and law enforcement), utilities, maintenance, supplies, operating equipment, insurance, employee development, equipment rentals and repairs.

CITY OF PALM SPRINGS
PALM SPRINGS INTERNATIONAL AIRPORT
Financial Summary
Ending May 31, 2024

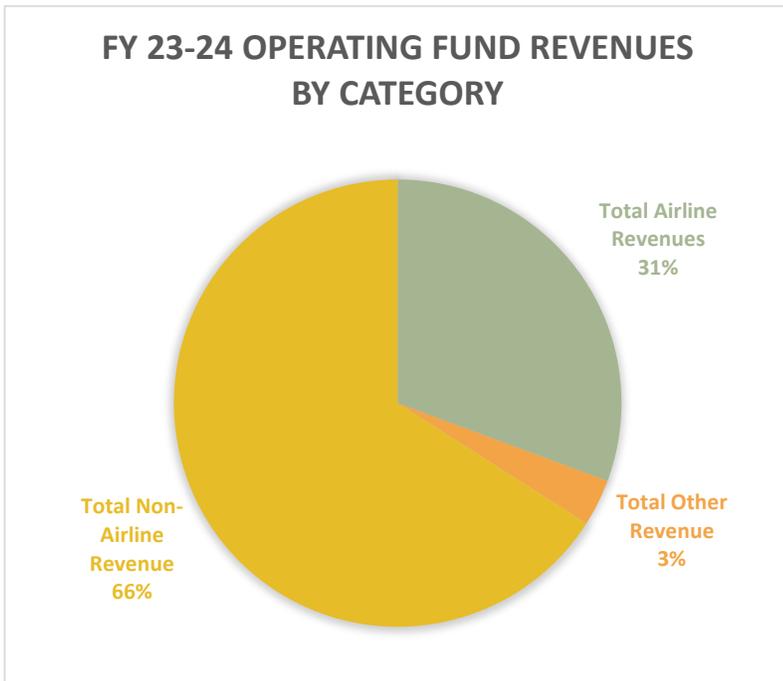
Fund 415 - Airport					
Operations & Maintenance	FY 23-24 Revised Budget	FY 23-24 Actual	FY 23-24 % Of Budget	FY 22-23 Actual	FY 22-23 vs FY 23-24 % Change
Operating Revenue					
Airline Revenue					
Landing Fees	5,910,134	5,183,271	88%	3,293,709	57%
Landing Fee Surcharge	-	(93,778)	0%	2,002,388	-105%
Terminal Airline Space/Joint Use	9,467,216	4,874,073	51%	1,994,705	144%
Gate Per Use Fees	3,470,605	1,538,513	44%	1,300,895	18%
Passenger Loading Bridge Fee	1,255,064	579,342	46%	-	0%
Baggage Handling System Fees	897,000	743,173	83%	-	0%
Total Airline Revenues	21,000,019	12,824,594	61%	8,591,697	49%
Other Revenue					
CARES Act	-	-	0%	5,989,698	-100%
CRRSAA-Airport	4,783,916	1,408,292	29%	-	0%
CRRSAA-Concessions	280,390	-	0%	280,390	-100%
ARPA-Airport	1,481,290	-	0%	9,310,342	-100%
ARPA - Concessions	1,121,560	-	0%	(280,390)	-100%
Total Other Revenue	7,667,156	1,408,292	18%	15,300,040	-91%
Non-Airline Revenue					
General Aviation	406,000	348,416	86%	368,359	-5%
Non-Aeronautical Ground Rental	457,315	599,095	131%	387,023	55%
Aeronautical Ground Rental	1,247,329	1,155,509	93%	1,295,939	-11%
Parking	6,697,064	5,938,631	89%	5,844,773	2%
Airport Use Permits	53,263	109,954	206%	82,749	33%
Non-Airline Terminal Rent Fee	9,998,816	2,832,350	28%	2,097,959	35%
Rental Car - Overflow Parking	371,809	185,438	50%	193,203	-4%
Advertising	315,951	501,238	159%	423,074	18%
On Airport Rental Car	11,944,780	10,572,412	89%	11,432,110	-8%
Commercial Services Fees	1,099,000	1,112,254	101%	1,079,630	3%
Ground Transportation Fees	1,195,000	1,295,422	108%	1,086,346	19%
Customs	336,296	412,372	123%	403,187	2%
All Other Revenue	1,301,070	2,522,593	194%	2,219,696	14%
Total Non-Airline Revenue	35,423,694	27,585,681	78%	26,914,048	2%
Total Operating Revenues	64,090,869	41,818,567	65%	50,805,785	-18%

**CITY OF PALM SPRINGS
PALM SPRINGS INTERNATIONAL AIRPORT
Financial Summary
Ending May 31, 2024**



Note: FY22-23 had \$15.3M in revenues from one-time CARES & ARPA grant funds

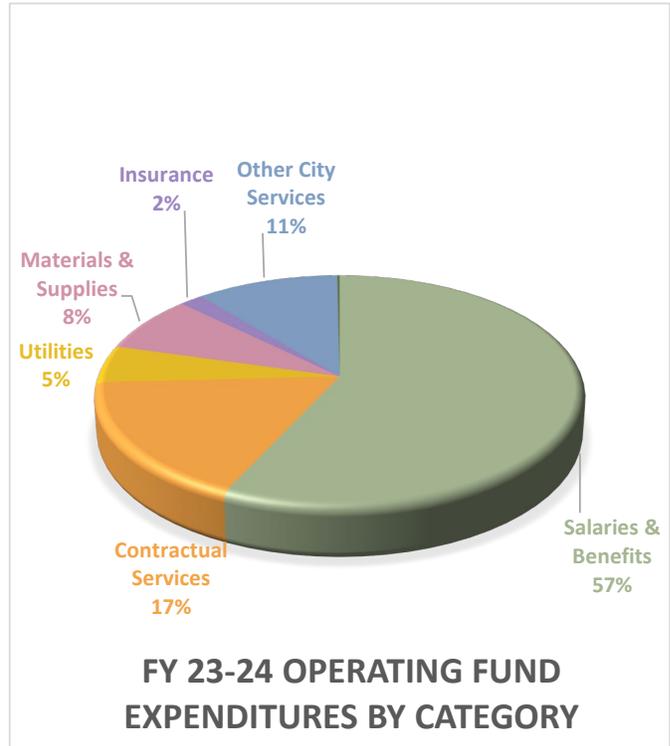
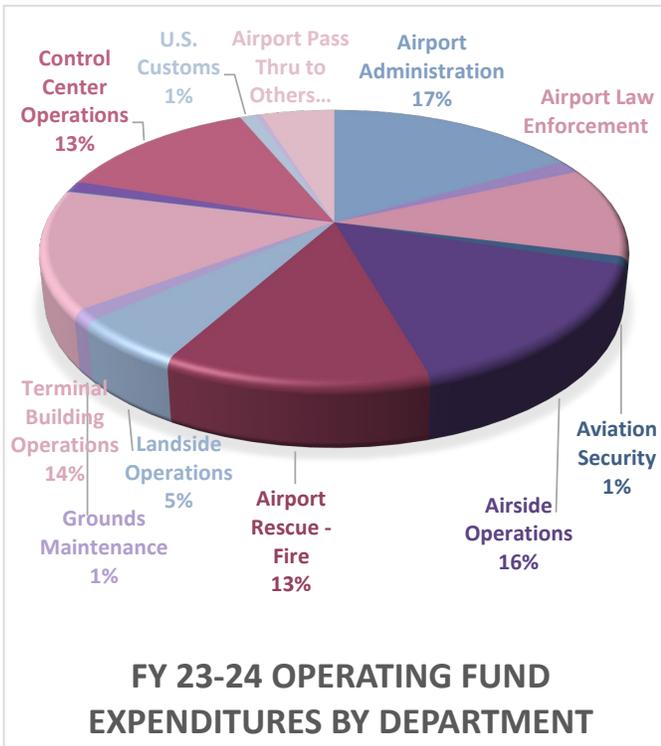
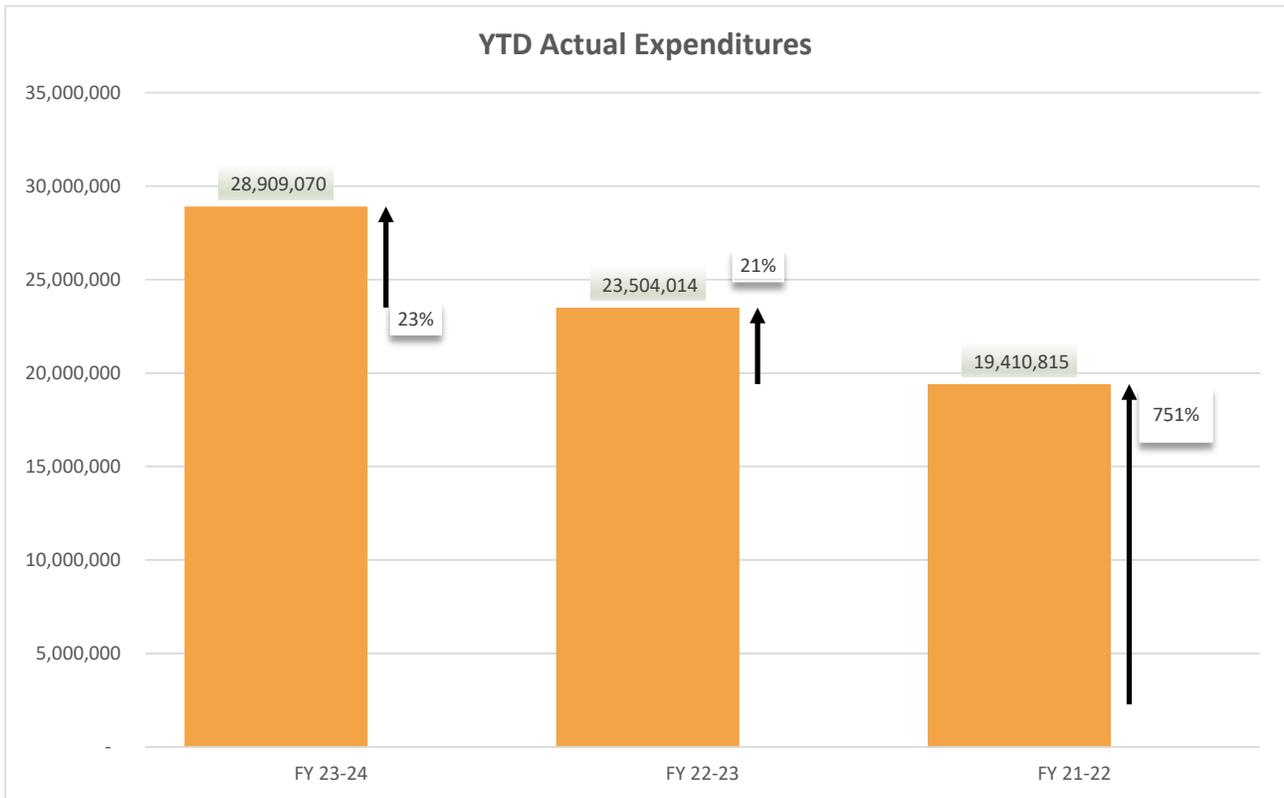
YTD actual revenue is \$8.9M below the prior year because the prior year YTD included: CARES ACT funding of \$6M and ARPA funding of \$9.3M that will not repeat in the current year or future fiscal years. Adjusting for these two items, revenue is up 18% YTD over the prior year.



CITY OF PALM SPRINGS
PALM SPRINGS INTERNATIONAL AIRPORT
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Ending May 31, 2024

Fund 415 - Airport					
Operations & Maintenance	FY 23-24 Budget	FY 23-24 Actual	FY 23-24 % Of Budget	FY 22-23 Actual	FY 22-23 vs FY 23-24 % Change
Operating Expenditures					
Airport Administration	8,155,945	4,836,626	59%	4,577,919	6%
Airport Information Technology	1,026,206	442,799	43%	92,736	
Airport Law Enforcement	3,130,981	3,099,105	99%	2,918,942	6%
Aviation Security	1,936,264	272,234	14%	-	0%
Airside Operations	5,981,668	4,515,704	75%	387,280	1066%
Airport Rescue - Fire	4,828,582	3,634,868	75%	3,333,328	9%
Landside Operations	2,217,250	1,574,403	71%	1,436,783	10%
Grounds Maintenance	691,680	352,833	51%	500,409	-29%
Terminal Building Operations	8,270,483	4,075,867	49%	6,302,485	-35%
Passenger Boarding Bridges	120,000	33,426	28%	18,163	84%
Baggage Handling System	897,000	363,544	41%	344,362	6%
Control Center Operations	4,169,247	3,899,295	94%	3,315,823	18%
U.S. Customs	336,436	291,064	87%	275,785	6%
Planning & Projects	723,776	120,959	17%	-	0%
Airport Pass Thru to Others	1,401,950	1,396,342	100%	-	0%
PERS Cost Recovery	500,000	-	0%	-	0%
Budget Transfer Out	6,983,634	-	0%	-	0%
Total Operating Expenditures	51,371,103	28,909,070	56%	23,504,014	-23%
Surplus / (Deficit)	12,719,766	12,909,498	101%	27,301,771	-53%

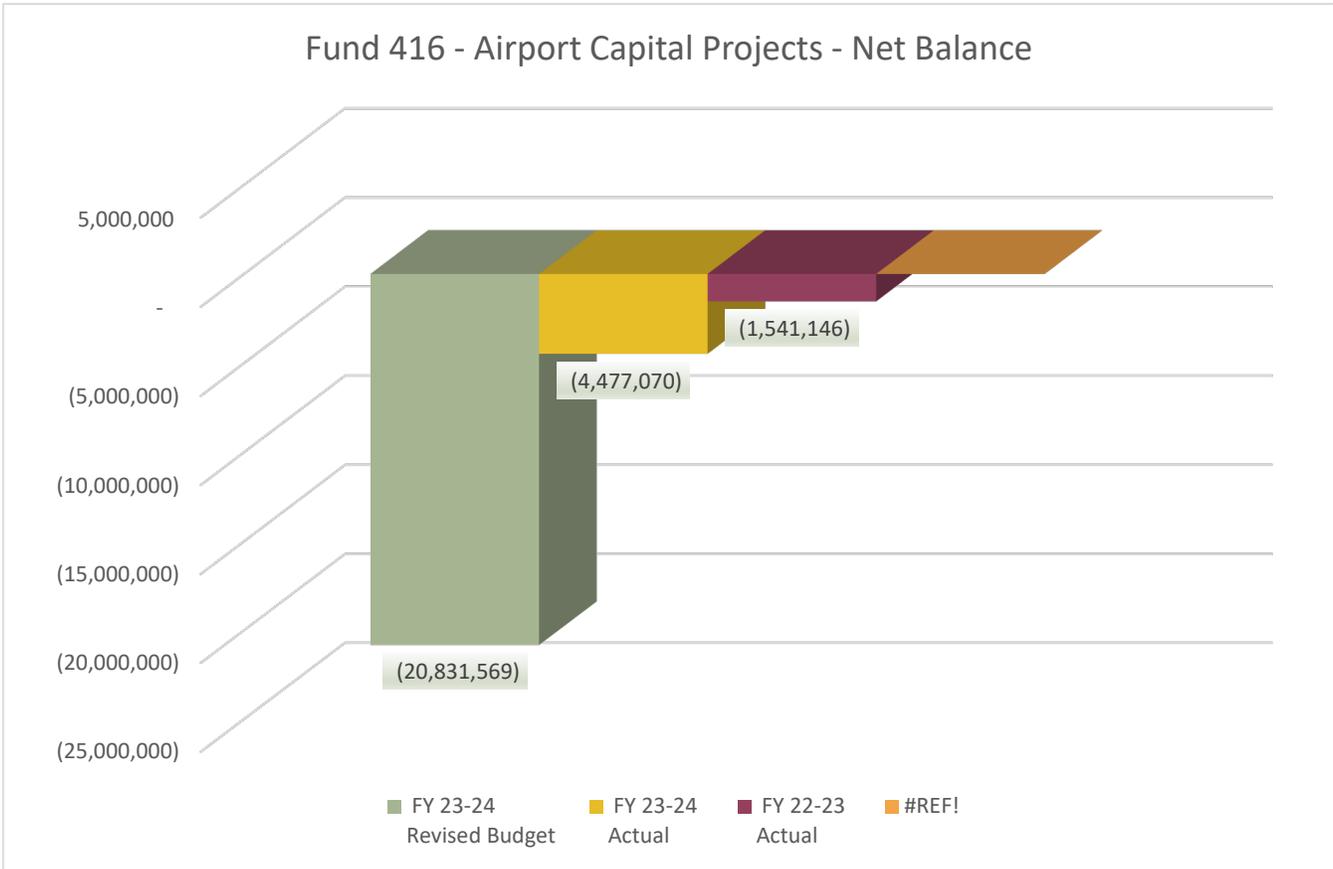
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Financial Summary
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**CITY OF PALM SPRINGS
PALM SPRINGS INTERNATIONAL AIRPORT**

Financial Summary
Ending May 31, 2024

Fund 416 - Airport Capital Projects	FY 23-24 Revised Budget	FY 23-24 Actual	FY 23-24 % Of Budget	FY 22-23 Actual	FY 20-23 vs FY 21-24 % Change
Operating Revenue	69,701,796	1,316,671	2%	2,824,100	-53%
Operating Expenditures	90,533,365	5,793,741	6%	4,365,246	33%
Surplus / (Deficit)	(20,831,569)	(4,477,070)	21%	(1,541,146)	191%



CITY OF PALM SPRINGS
PALM SPRINGS INTERNATIONAL AIRPORT

Financial Summary

Ending May 31, 2024

Fund 416 is the airports capital program

Revenues

Airport Improvement Program (AIP) grants are offered to PSP to provide funding assistance for eligible capital projects that meet the criteria of the federal program. Additional funding is being distributed through AIP grant program by the Bipartisan Infrastructure Law (BIL). These grants have a 9.34% local share and the remaining 90.66% are reimbursed by the FAA. Revenues in excess of the Airport Operations & Maintenance are transferred to fund 416 to cover capital projects.

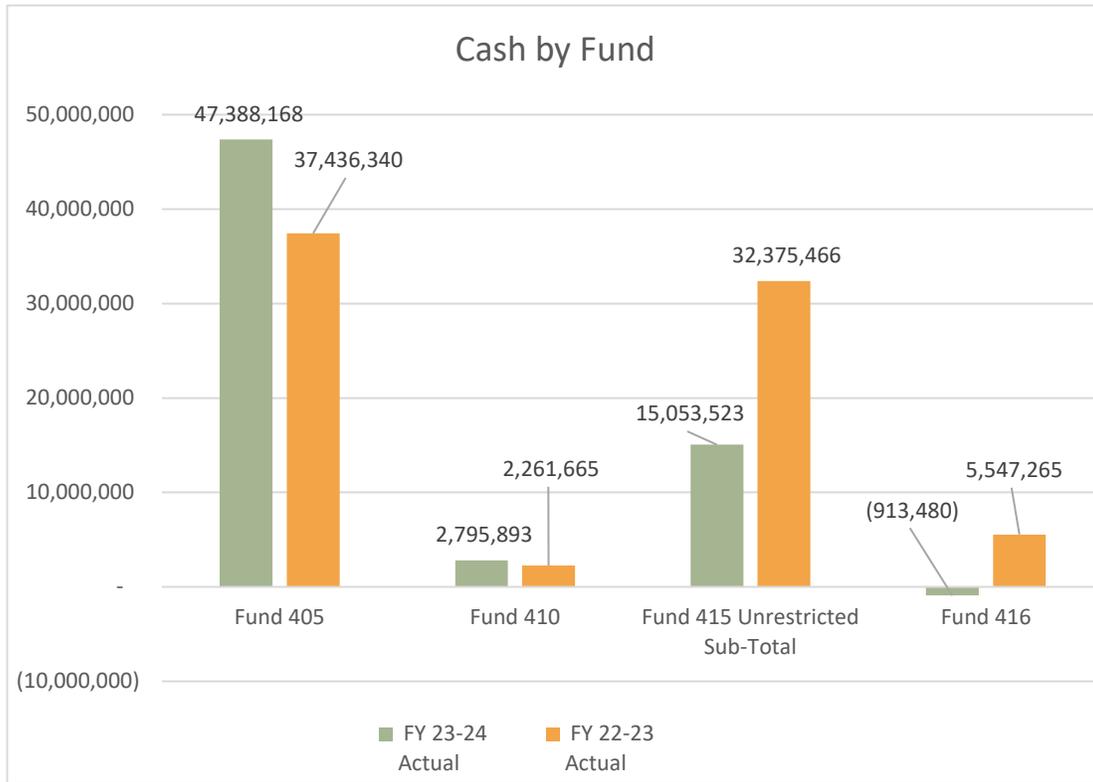
Expenditures

The airports Capital Improvement Program and Capital Outlay projects are shown on a separate sheet. Under the new the AULA, the airlines will be charged amortization for certain capital projects to help recover its portion of funds used for capital assets. A capital expenditure is any single item that costs \$300,000 or more with a useful life in excess of three years, including planning studies, environmental studies, and environmental mitigation measures.

YTD there is a deficit of \$4.5M. At the end of the year, fund 415 will transfer the surplus to the capital account to fund the deficit. We expect revenue to be \$85M below budget due to the push out of associated capital projects. The corresponding expenses for the pushed out projects will also be deferred to future fiscal years.

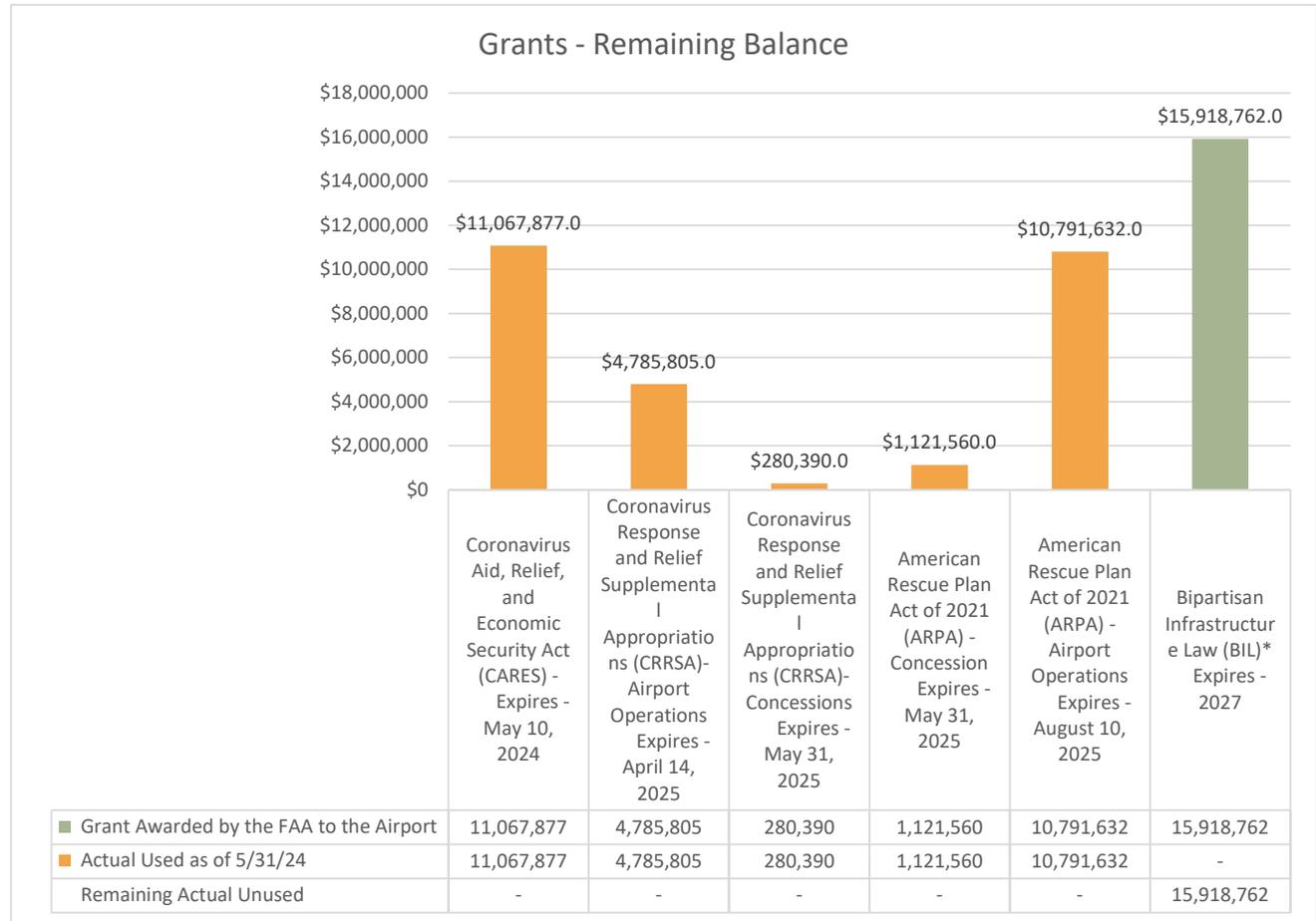
CITY OF PALM SPRINGS
PALM SPRINGS INTERNATIONAL AIRPORT
 Financial Summary
 Ending May 31, 2024

<u>Cash Summary</u>	FY 23-24 Actual	FY 22-23 Actual
Fund 405	47,388,168	37,436,340
Fund 410	2,795,893	2,261,665
Fund 415 Unrestricted Sub-Total	15,053,523	32,375,466
Fund 416	(913,480)	5,547,265



CITY OF PALM SPRINGS
PALM SPRINGS INTERNATIONAL AIRPORT
 Financial Summary
 Ending May 31, 2024

<u>Grant Type</u>	Grant		
<u>Expiration Date</u>	Awarded by the FAA to the Airport	Actual Used as of 5/31/24	Remaining Actual Unused
Coronavirus Aid, Relief, and Economic Security Act (CARES) - Expires - May 10, 2024	11,067,877	11,067,877	-
Coronavirus Response and Relief Supplemental Appropriations (CRRSA)- Airport Operations Expires - April 14, 2025	4,785,805	4,785,805	-
Coronavirus Response and Relief Supplemental Appropriations (CRRSA)- Concessions Expires - May 31, 2025	280,390	280,390	-
American Rescue Plan Act of 2021 (ARPA) - Concession Expires - May 31, 2025	1,121,560	1,121,560	-
American Rescue Plan Act of 2021 (ARPA) - Airport Operations Expires - August 10, 2025	10,791,632	10,791,632	-
Bipartisan Infrastructure Law (BIL)* Expires - 2027	15,918,762	-	15,918,762
Total Grants	43,966,026	28,047,264	15,918,762



Note: The BIL grant is allocated to the inbound baggage claim project

CITY OF PALM SPRINGS
PALM SPRINGS INTERNATIONAL AIRPORT
Financial Summary
Ending May 31, 2024

NO. OF PROJECTS	PROJECT NAME	BUDGET	BUDGET	BUDGET	BUDGET	EXPENSES TO		FUNDING SOURCE
		FY 2021-2022	FY 2022-2023	FY 2023-2024	FY 2024-2025	DATE	REMAINING	
						-		
1	AIRCRAFT RESCUE & FIREFIGHTING TRUCK			-	1,500,000	1,127,610	372,390	Airport
2	AIRFIELD 31L/13R REHABILITATION & AIRFIELD CONNECTOR - (DESIGN)	-	-	-	1,500,000	-	1,500,000	Airport / ACIP Grant
3	AIRFIELD W & A1 - (CONSTRUCT - PHASE 1)	-	-	-	6,500,000	-	6,500,000	Airport / ACIP / BIL-AIG Grant
4	AUTOMATED EXIT LANES	-	-	-	750,000	-	750,000	Airport
5	AUTOMATED VEHICLE IDENTIFICATION	300,000	-	-	-	276,384	23,616	Airport
6	BHS - TERMINAL BUILDING EXPANSION (CONSTRUCT)	-	-	-	25,000,000	-	25,000,000	PFC
7	CARPET REPLACEMENT - MAIN TERMINAL LOBBY AND SECURITY CHECK POINT	-	-	400,000	-	-	400,000	Airport
8	COMMON USE	225,860	2,777,514	-	-	2,207,957	795,418	Airport
9	CONSOLIDATED RENTAL CAR FACILITY (DESIGN)	-	-	-	2,500,000	-	2,500,000	CFC
10	CONVEYANCE REPLACEMENT	-	-	-	4,700,000	-	4,700,000	Airport / BIL-ATP Grant
11	ECONOMY LOT (CONSTRUCT) - PHASE 1	-	-	-	3,000,000	30,677	2,969,323	Airport
12	ECONOMY LOT (CONSTRUCT) - PHASE 2	-	-	-	3,000,000	-	3,000,000	Airport
13	ELECTRIC VEHICLE (EV) CHARGERS	-	-	300,000	-	295,708	4,292	Airport/ACIP
14	FEDERAL INSPECTION STATION - (DESIGN) & NEW TERMINAL EXPANSION	-	-	-	19,000,000	120,878	18,879,122	Airport / BIL - Entitlement Grant
15	GATE STRIPING	-	-	599,900	-	599,900	-	Airport
16	HOT SPOT STUDY	-	-	181,320	-	53,283	128,037	Airport/ACIP
17	HVAC INFRASTRUCTURE REPLACEMENT	-	-	-	2,000,000	6,209	1,993,791	Airport / BIL-ATP Grant
18	INBOUND BAGGAGE CLAIM	-	-	6,000,000	12,000,000	505,992	17,494,008	Airport/BIL-ATP Grant
19	LED RIBBON	-	-	-	-	(3,000)	3,000	Airport
20	LOT A (CONSTRUCT)	-	-	-	700,000	-	700,000	Airport
21	MAIN TERMINAL FAÇADE RESTORATION (DESIGN)	-	-	-	500,000	-	500,000	Airport
22	MASTER PLAN	-	-	2,275,816	-	931,540	1,344,276	Airport/ACIP
23	OUTBOUND BAGGAGE HANDLING SYSTEM	-	-	20,000,000	10,000,000	646,762	29,353,238	Airport/ACIP/PFC
24	PAINT STRIPING TRUCK	-	-	1,000,000	-	-	1,000,000	Airport
25	PARKING REVENUE SYSTEM	-	-	500,000	-	-	500,000	Airport
26	PRIOR YEAR PROJECTS	29,205,802	-	-	-	-	29,205,802	
27	PROCURE LANDSIDE VEHICLES	-	-	210,000	-	67,772	142,228	Airport / VALE/ZEV Grant
28	PROCURE TWO ZERO EMISSIONS BUSES	-	-	-	2,000,000	-	2,000,000	Airport / VALE/ZEV Grant
29	PROPERTY ACQUISITION	-	-	8,800,000	-	-	8,800,000	CFC
30	PUBLIC PARKING PAVING	-	-	2,400,000	-	4,604	2,395,396	Airport
31	PUBLIC RESTROOMS	-	-	10,000,000	-	89,817	9,910,183	Airport/BIL-ATP Grant
32	REMAIN OVER NIGHT (RON) PARKING SPACES	-	-	-	4,000,000	-	4,000,000	Airport / ACIP Grant
33	SHADE AREA - PHASE 1	-	-	236,000	-	148,209	87,791	Airport / VGPS Grant
34	SOLID SEPARATOR	-	-	100,000	-	-	100,000	Airport
35	TAXIWAY REHABILITATION W & A1	-	-	571,158	-	88,644	482,515	Airport/ACIP
36	TELEHANDLER/FORKLIFT	-	-	150,000	-	373,469	(223,469)	Airport
37	VERBIAGE MESSAGE SIGNAGE - DIGITAL	-	-	800,000	-	-	800,000	Airport
38	WI-FI CONSULTANT (DESIGN)	-	-	150,000	-	-	150,000	Airport
39	WIFI WIRELESS EQUIPMENT	-	-	500,000	-	405,933	94,067	Airport
40	WILDLIFE HAZARD ASSESSEMENT	-	-	126,924	-	41,557	85,367	Airport/ACIP
42	Z-SAFETY MANAGEMENT SYSTEMS CONSULTANT	-	-	-	-	71,961	-	Airport
	TOTAL	29,731,662	2,777,514	53,724,194	98,650,000	7,700,245	177,310,956	



CITY COUNCIL STAFF REPORT

DATE: April 21, 2022 CONSENT CALENDAR
SUBJECT: ADOPTION OF ELECTRONIC SYSTEMS AND RECORDS POLICIES
FROM: Justin Clifton, City Manager
BY: Jeffrey S. Ballinger, City Attorney

SUMMARY:

The City Council was asked to review and provide input on various City policies governing the use of electronic devices, social media, and electronic records. Specifically, the following policies have been drafted, with input from the City's IT, City Clerk, City Attorney, City Manager and Human Resources Departments:

- Electronic Systems Use Policy
- California Public Records Act Policy
- *San Jose* Compliance Policy
- Electronic Records Retention Policy
- Social Media Use Policy

Following City Council input at its November 4, 2021 meeting, the City sought input from the City's labor units regarding these proposed policies and is now bringing these policies back for formal adoption.

RECOMMENDATION:

By motion, approve and adopt the proposed Electronic Systems Use Policy, California Public Records Act Policy, *San Jose* Compliance Policy, Electronic Records Retention Policy, and Social Media Use Policy.

BACKGROUND:

As the use of electronic systems, records and social media has grown over the years, it has become necessary to adopt and implement policies for City staff, appointees, and elected officials to handle these systems, records, and media. Many of these policies are already being implemented by various City departments and personnel. However, it is best to memorialize these policies into written form, so that they can be implemented more uniformly throughout the City organization. This staff report summarizes some of the key elements of each of the proposed policies.

Electronic Systems Use Policy

The purpose of this policy is to provide direction regarding the authorized use of the City of Palm Springs electronic systems. This includes City e-mail, web collaboration, remote access, Internet, social networking, voicemail, video teleconferencing, fax, storage media (including the “cloud”), electronic bulletin boards, television, electronic subscription services, electronic documents and other forms of electronic communication maintained and operated by the City.

This policy establishes certain protocols, such as limiting the City’s electronic systems to official City business only (i.e., not personal activities). The policy does allow for limited personal use, such as during meal and rest periods if such use does not interfere with the duties of the employee or the operations of the department and does not result in personal profit or gain.

The Electronic Systems Use Policy also establishes protocols for ensuring that usernames and passwords are properly established, used, and protected.

This policy also outlines several prohibited uses of City electronic systems, such as:

- Messages in support or opposition to campaigns for candidates for an elected office or a ballot measure.
- Unlawful activities.
- Threats of violence or injury to any person, property, or organization.
- Harassment.
- Access to, or communication of, material or graphic images which are abusive, threatening, obscene or profane, sexually explicit, sexually suggestive, or disrespectful.
- Use while driving, except for Police and Fire personnel when such use is authorized pursuant to state law or department policy.
- Downloading files from the Internet such as games, programs, music, videos, pod casts, and screen savers are prohibited.

Finally, the Electronic Systems Use Policy provides for training of new employees as well as ongoing periodic training for existing employees.

California Public Records Act Policy

The purpose of the proposed Public Records Act Policy is to provide direction on how to receive, process, and respond to requests to inspect or receive copies of City records. The policy provides that all such requests will be handled pursuant to the provisions of the California Public Records Act (“PRA”), California Government Code 6250 et seq.

This policy applies to all City employees, appointees, and elected officials. In accordance with the PRA, this policy deals with all sorts of City records, including any

typewriting, printing, photostating, photographing, photocopying, electronic mail or facsimile, and every other means of recording, regardless of the manner in which the record has been stored.

The policy recognizes the public's fundamental right to copy and inspect public records.

The Public Record Act Policy then describes the process for the public to make a PRA request, and how the City will process that request. Any member of the public may make a PRA request. The City will not require the requester's name or purpose of the request, but the City may request the requester's contact information in order to transmit the requested records. Any request (verbal or written) to review a record qualifies as a PRA request.

Once the City receives a PRA request, City personnel will stamp the PRA request with the date received. All PRA requests will be forwarded to the applicable City department. Any PRA request involving members of the City Council are also to be forwarded to the City Attorney and City Manager.

If the request does not reasonably identify a City record, the City will make every effort to assist the requester in making a focused and effective request.

The City will gather the records, including by complying with the *San Jose Compliance Policy*, discussed below. Because the PRA only applies to *existing* records, the City personnel will not *create* a new record in response to a PRA request, without supervisor approval. The City Attorney must be consulted in these instances.

The City is required to respond to records requests promptly, but at least ten (10) calendar days after receipt of the request. Note, the City is not required to *produce* documents within 10 calendar days, but the City must respond to the requestor, indicating that either the City has no responsive records, by providing the disclosable records, or informing the requestor that the City will need a reasonable time to locate and prepare the records for release.

The City may provide the records electronically or in hard copy. If the records are produced in hard copy format, the City may charge a fee that represents the reasonably estimated cost of duplicating the records.

The PRA Policy recognizes certain exemptions that the PRA establishes, for example, for personnel-related records, pending litigation/attorney-client privileged records, or the "catch-all" exemption, i.e., if the City can demonstrate that on the facts of the particular case the public interest served by non-disclosure clearly outweighs the public interest served by disclosure.

As with the other policies, the PRA Policy provides for training for new hires as well as ongoing periodic training for existing employees.

San Jose Compliance Policy

The purpose of the proposed *San Jose* Compliance Policy is to provide direction regarding the use of private electronic devices and accounts for City business and responding to PRA requests for records on such devices or accounts. Specifically, this policy is adopted in light of the *City of San Jose v. Superior Court* (2017) 2 Cal.5th 608 case, in which the California Supreme Court held that communications related to the conduct of City business do not cease to be public records simply because they were sent or received using a personal device or account.

The *San Jose* Policy applies to all City employees, appointees, and elected officials. As with the PRA policy, above, this policy broadly applies to all possible records, including emails and text messages.

While the *San Jose* Policy does not prohibit the use of private devices for City business, the policy does discourage it. In order to assist in carrying out the San Jose decision, this policy provides that City board members/commissioners will be provided with a City-issued email account for their use in conducting City business.

If a PRA request either explicitly seeks documents on private devices/accounts or can be reasonably interpreted as such, the City Clerk will promptly communicate the request to the relevant City personnel who may reasonably be in possession of responsive records. This could include City employees, City appointees (such as City board members/ commissioners), and elected officials. These individuals must conduct a reasonable search for responsive records, which may include a search of their personal devices or accounts.

Whether a particular record “relates to City business” involves an examination of several factors, including: the content itself; the context in, or purpose for which, it was written; the audience to whom it was directed; and whether the writing was prepared by an employee acting or purporting to act within the scope of his or her employment. Communications that are primarily personal, containing no more than incidental mentions of City business, generally will not constitute public records under the *San Jose* Policy.

City personnel will provide responsive public records to the City Clerk. These records are still subject to review and redactions for PRA exemptions before production. City personnel must provide responsive public records to the City Clerk regardless of the potential exemptions since the City Clerk and City Attorney will review the records for such exemptions.

Non-public records need not be provided to the City Clerk. In the event that City personnel makes a decision to withhold any otherwise responsive records that do not qualify as public records, he/she must submit a statement with facts sufficient to show the record is not related to City business.

The City Clerk, in consultation with the City Attorney, will determine whether a particular record, or any portion of that record, is exempt from disclosure.

Again, training will be provided for the *San Jose* Policy, both upon commencement of employment and on an ongoing basis.

Electronic Records Retention Policy

The purpose of this policy is to provide direction regarding the retention of electronic records that are prepared, owned, used, or retained by the City that pertain to the City's business and are maintained on electronic devices.

This proposed policy applies to City employees, appointed officials, and elected officials. Electronic records is defined broadly to include any typewriting, printing, photostating, photographing, photocopying, electronic mail or facsimile, and every other means of recording, when maintained on electronic devices.

Under the proposed Electronic Records Retention Policy, all electronic records are to be retained pursuant to applicable laws, regulations, including the City's Records Retention Schedule.

All electronic records sent or received by the City, regardless of its content, will be automatically saved by the email system for two (2) years. After two years and one day, all electronic records will be deleted, unless retained pursuant to the proposed Policy.

Electronic records subject to a retention period longer than two years, as determined by the content of the electronic record (i.e., if the City's Records Retention Policy calls for a longer retention period), must be retained, in such a way that does not permit additions, deletions, or changes to the original record, and without creating a duplicate of the record, including the preservation of metadata, if applicable.

City personnel may also retain electronic records for longer than two years if the record has significant business or historic value. Electronic records are not to be automatically retained for longer than the legally required retention period for the general convenience of City personnel.

In addition, at the request of the City Attorney or City Clerk, holds may be placed on electronic records, suspending the automatic deletion of specific email accounts or emails that meet a specific search criteria. For instance, if the City receives a "litigation hold" notification, notifying the City that the City may possess records that are likely to become the subject of litigation, a hold may be placed on those records. City personnel with knowledge of a potential hold requirement are required under the proposed policy to immediately notify the City Clerk.

Emails may also be preserved longer than two years by the City Manager, City Attorney, and Department Heads.

City personnel are required to consider the significance of an email's attachments and retain the attachments in accordance with the proposed policy.

As with the other proposed policies, this policy provides for training, upon commencement of employment and on an ongoing basis.

Social Media Use Policy

The purpose of this policy is to provide direction regarding the use of social media by City personnel, including to disseminate information from the City to members of the public concerning the City's missions, goals, meetings, activities, and current events. A portion of this policy is intended to implement a new law (AB 992) and applies only to members of the City's legislative bodies, as discussed below.

This Social Media Use Policy establishes the City's website (<http://www.palmspringsca.gov>) as the primary means of online communication with the public. However, the policy recognizes that there are other social media that the City may use, including Facebook, Twitter, Blogs, RSS, YouTube, LinkedIn, Nextdoor, and Flickr.

Under the proposed policy, City social media sites should bear the name and/or official logo of the City, contact information including a City email address, and a link to the official City website. City social media sites are also required clearly state that such sites are maintained by the City, are the official City social media account, and are governed by this Policy.

The establishment of City social media sites is subject to approval by the City Manager. The City Manager is required to monitor content on City social media sites to ensure adherence to the proposed Social Media Policy. Moreover, the policy states that City social media sites supplement, and do not replace, the City's legally required notices and standard communications.

The Social Media Policy contains guidelines for both City personnel as well as the public. Some of the guidelines for City personnel include the following:

- Only City personnel authorized by the City Manager may post on the City's social media sites.
- Content posted by City personnel should pertain to City business.
- Content posted to the City's social media sites must contain hyperlinks directing users back to the City's official website for forms, documents, or online services necessary to conduct business with the City, whenever possible.
- The City must have full permission or rights to any original content posted by the City, including photographs and videos.
- City personnel posting on a City social media site are required to review, be familiar with, and comply with the terms of use of the social media site's use

policies and terms and conditions and have signed an acknowledgement of this Policy.

- All City personnel posting on City social media sites must conduct themselves at all times as a professional representative of the City. City personnel posting on a City social media site are not to express his/her own personal views or concerns through such postings.
- Postings on any City social media site must only reflect the views of the City.

Some of the notable guidelines for members of the public include the right of the City to delete any third-party content, including any posts, if the content is any of the following:

- Not topically related to a particular posting that is the subject of comment in relation to the posting in question.
- In support of, or opposition to, political campaigns, candidates or ballot measures, or a link to such content.
- Profane, obscene, abusive, harassing, threatening or defamatory content.
- Promotes, fosters, or perpetuates discrimination on the basis of actual or perceived race, religion, color, sex, age, marital status, ancestry, national origin (*i.e.*, place of origin, immigration status, cultural or linguistic characteristics, or ethnicity), sexual orientation, gender identity, gender expression, physical or mental disability, or medical condition as well as any other category protected by federal, state, or local laws.
- Sexual content or links to sexual content.
- Solicitations of commerce or financial contributions.
- Conduct or encouragement of illegal activity.
- Information that may tend to compromise the health, safety, or security of the public or public systems.
- Content that violates a legal interest or right of any other party.
- Threats of violence or injury to any person, property, or organization.
- Content intended to collect or post private information and data without disclosure.

Under the Social Media Policy, third-party content may only be deleted if approved by the City Manager. The City Attorney is to be consulted before third-party content is deleted. The City will retain a complete copy of any posting removed and document the time, date, and identity of the poster. The records will be retained for two years.

In addition, the City reserves the right to report violations of a third-party site's terms of use, or to law enforcement when necessary.

The proposed Social Media Policy also addresses a new State law, Assembly Bill 992, which authorizes members of a legislative body to use social media to communicate with the public, subject to statutory exceptions.

Under this portion of the policy, applicable to members of the City Council and the City's various commissions, members of the Council and such commission may engage in separate conversations or communicate on social media platforms to answer questions, provide information to the public, or solicit information from the public regarding City business. However, a member of the City Council or a City commission may not do either of the following on a social media platform:

- Discussion by a majority: Discuss City business with a majority of members of the same legislative body. That includes communicating, posting, sharing, commenting, or using digital icons (i.e., a thumbs up or an emoji); and
- Direct Responses: Respond directly to another member's communication, comment, or post if the two are on the same legislative body of the City and the topic concerns City business.

Finally, the proposed Social Media Policy addresses the issue of how a public official's otherwise private social media account might turn into a public forum. This issue has been addressed in several recent court rulings, most notably *Knight First Amendment Inst. at Columbia Univ. v. Trump*, No. 1:17-cv-5205 (S.D.N.Y.), No. 18-1691 (2d Cir.), No. 20-197 (S. Ct.), in which a federal Court of Appeal ruled that the former President's otherwise private Twitter account became a public forum. Because the Twitter account was a public forum, the President was forbidden from blocking third-party users and deleting their comments from that account. Although that specific case was directed by the U.S. Supreme Court to be dismissed as moot, there are other similar cases around the country, and this policy addresses the issue.

Specifically, the proposed policy points out that, in determining whether a private social media page has become a public forum, courts have examined factors including:

- How the City personnel is referenced on the site (i.e., is he or she referenced as "Mayor" or "Commission Chair", or simply "Jane Doe"?)
- How the page is titled (i.e., is the account registered as a governmental account or a private account?)
- How the City personnel "invites" users to use the page (i.e., in cases in which the account was deemed a public one, the city personnel solicited the public's opinion on city matters)
- Whether the City personnel is "transacting" City matters on the site (i.e., posting about matters before the City)
- Whether City employees help maintain and operate the site.
- Whether the City personnel uses the site to engage directly with the public (i.e., replying to constituent comments regarding City business)

Whether an account is private or public is fact-specific and depends on the totality of the circumstances. If there are reasons to believe that a City personnel's private social media page has turned into a public forum, the proposed Social Media Policy dictates that City personnel should refrain from blocking members of the public from the page or deleting comments with which they disagree.

As with the other policies, the proposed Social Media Policy provides for training.

ENVIRONMENTAL ASSESSMENT:

This action is exempt from further review under the California Environmental Quality act (CEQA) as it can be seen with certainty that this action will not have any reasonably foreseeable impact on the environment.

ALIGNMENT WITH STRATEGIC PLANNING:

The adoption of these policies aligns with the following strategic plan themes, principles, and goals:

- Optimize basic services and facilities. These policies are some of the foundational policies for any governmental organization that is operating in the digital age.
- Good Governance/ Create Training Programs. These policies provide for training of City officials and employees, on the use of electronic systems and records.
- Good Governance/ Expand communication staff. These policies will assist the City's communication staff in providing information to, and participation by, Palm Springs residents, businesses, and visitors.

FISCAL IMPACT:

There are not likely to be any significant fiscal impacts to the City as a result of adopting and implementing the proposed policies.

REVIEWED BY:

Interim City Clerk:	Monique M. Lomeli
City Attorney:	Jeffrey S. Ballinger
City Manager:	Justin Clifton

ATTACHMENTS:

1. Electronics Systems Use Policy
2. California Public Records Act Policy
3. San Jose Compliance Policy
4. Electronic Records Retention Policy
5. Social Media Use Policy

Electronic Systems Use Policy

ARTICLE I. PURPOSE

The purpose of this policy is to provide direction regarding the authorized use of the City of Palm Springs' ("City") electronic systems.

ARTICLE II. DEFINITIONS

Section 2.1 Definitions

- A. **"User/City personnel"** shall collectively refer to all City employees, elected officials, appointed officials, consultants, as well as volunteers and other non-employees who use any of the City's electronic systems.
- B. **"Electronic Systems"** include, but are not necessarily limited to, the following: e-mail, web collaboration, remote access, Internet, social networking, voice-mail, video teleconferencing, fax, storage media (including the "cloud"), electronic bulletin boards, television, electronic subscription services, electronic documents and any other forms of electronic communication maintained and operated by the City. The City's electronic system also includes City networks, including but not limited to its computer servers, networks, local area networks or file sharing systems owned or made available by the City.
- C. **"IT"** shall refer to the City's Information Technology Department.

Section 2.2 General Scope

This policy applies to all City personnel and shall be interpreted to be consistent with other City-wide policies and the law.

ARTICLE III. POLICY & PROCEDURES

Section 3.1 General Guidelines

- A. City personnel shall use the City's electronic systems in such a way that efficiently and effectively conducts the City's business, provides quality customer service, and maintains network integrity and security.
- B. Users have no right to privacy in the City's electronic systems including emails, text messages, and internet usage. The City may revoke a User's access to any electronic systems at any time.
- C. All of the City's electronic systems, and information relating to or transmitted by them, are City property. The City reserves the right to monitor, retrieve, and use of any and all information on the City's electronic systems.

- D. Unless otherwise stated in City policy, the use of all City electronic systems is restricted to official City business.
 - 1. City personnel may use the City's electronic systems for limited personal use during meal and rest periods, if such use does not interfere with the duties of the employee or the operations of the department, and does not result in personal profit or gain.
 - 2. City personnel may not engage in any of the City's electronic system's Prohibited Uses during personal use.
 - 3. Users shall reimburse the City for personal use of City electronic systems if any charge or fee is incurred from or related to personal use.
 - 4. City personnel are advised that records related to his/her personal use may be subject to public disclosure.
- E. City personnel shall use the City's electronic systems in the manner intended and make best efforts to maintain the electronic systems in their optimal working condition. Users shall adhere to IT maintenance schedules and instructions.
- F. City personnel shall use the most appropriate confidential communication method to transmit sensitive information. City personnel shall consult with IT to ensure the appropriate communication method is used for sensitive information.
- G. City personnel, acting with City Manager and/or Department Head approval, may utilize remote access tools (e.g., VPN) to access City electronic systems. Remote access can only be obtained via City-approved client software that is issued and distributed by IT.
- H. Personally-owned computing devices including smartphones, tablets, laptops, music devices, and storage devices may not be connected to a City electronic system without prior approval and authorization by IT.

Section 3.2 Username and Passwords

It is the responsibility of the User to protect the confidentiality of his/her account and password information and immediately report any breach to IT.

City personnel will be assigned a unique user account and will set their own password subject to the City's password requirements defined in the next paragraph. City personnel are solely responsible for all actions taken while using their user account. City personnel shall lock their computer when leaving their workstation unattended. Computers that are inactive for fifteen (15) minutes shall be automatically locked.

Passwords are considered confidential and should not be disclosed without the consent of the IT Director and only when no other means can suffice.

Users shall create complex passwords that adhere to the following guidelines:

- They shall not be based on the user's account name;
- They must contain at least eight characters, and;
- They must contain characters from three of the following four categories:
 - Uppercase alphabetic characters (A-Z)
 - Lowercase alphabetic characters (a-z)
 - Numbers (0-9)
 - Non-alphabetic characters (!@#\$\$%^)

Passwords shall expire every ninety (90) days. The system will save the last five passwords used to prevent employees from using a recent password. Passwords shall not be left written down in any area within the City's facilities where they can be easily accessed. If a password is written down on a piece of paper it must be shredded immediately after its use. Logging on and/or using another User's account is prohibited.

Section 3.3 Prohibited Uses

The use of City electronic systems for activities prohibited by this policy include, but are not limited to, the following:

- A. Messages in support or opposition to campaigns for candidates for an elected office or a ballot measure;
- B. Messages promoting or opposing religious beliefs;
- C. Unlawful activities;
- D. Unauthorized access to systems, software or data;
- E. Threats of violence or injury to any person, property or organization;
- F. Harassment;
- G. Defamation;
- H. Access to, or communication of, material or graphic images which are abusive, threatening, obscene or profane, sexually explicit, sexually suggestive, or disrespectful;

- I. Use while driving;¹;
- J. Unreasonable use of personal electronic equipment simultaneous with City electronic systems that interferes with the duties of Users and/or the operations of the department;
- K. Installation of personal software (either purchased or downloaded from the Internet) or equipment without prior approval of the City Manager or designee;
- L. Misrepresentation under any circumstances of an employee's true identity, including forging email messages or any other form of communication;
- M. Unauthorized access to any electronic system, unauthorized access to others' files or vandalizing the data of another user;
- N. Any action intended to accomplish or assist in unauthorized access to electronic systems including attempts to access information protected by privacy laws;
- O. Sabotage, including intentionally disrupting network traffic, crashing the network, or intentionally introducing a computer virus;
- P. Transmittal of unauthorized broadcast communications or solicitations, such as mass e-mail transmittals;
- Q. Any action that causes the City to incur a fee or cost for which there has not been prior approval;
- R. Membership in interactive sites such as user groups, news groups, forums, chat rooms, blogs or bulletin boards using City-owned electronic systems without prior approval from the City Manager or his/her designee;
- S. Any attempts to probe, scan or test the vulnerability of internal or external systems or networks or to breach security or authentication measures without express authorization;
- T. Downloading files from the Internet such as games, programs, music, videos, pod casts, and screen savers are prohibited;
- U. Use of a security code or password other than as authorized;
- V. Disclosing your username and password;

¹ An exception to the prohibition against use while driving exists as to use by Police and Fire personnel when such use is authorized pursuant to state law or department policy.

- W. Messages used to send or receive copyrighted material, proprietary financial information or similar materials (unless transmission of such material is directly related to City business); and
- X. Forwarding messages from a City account to a non-governmental account(s) for the purpose of creating a personal e-mail archive of any record related to City business.

Section 3.4 Emails

- A. City personnel shall notify IT if multiple spam emails are received from the same Web address.
- B. City personnel are provided access to email but such access is not authorization for employees to work outside of regularly scheduled work hours without receiving prior approval.

Section 3.5 Separated Users

Upon the separation of a User, the Human Resources Department shall notify the IT Department prior to the person's final day of work. The User's access to IT systems shall be disabled at close-of-business on the individual's final day on the job. In cases where the Users is terminated without notice, IT shall be notified immediately so that access to City IT systems can be blocked.

Section 3.6 Hardware / Software Purchases, Licensing and Installation

- A. All computer software and hardware purchases and installation must be coordinated through IT in order to assure that it meets standards that are compatible and supported by the current network infrastructure.
- B. Equipment and software must be purchased from reputable, vendor-authorized resellers who can provide maintenance, warranty coverage or technical support services, and certified licensed software.
- C. All hardware and software installations and upgrades on City workstations must be performed by authorized personnel. Users may not install, relocate, or upgrade workstation hardware or software without the authorization from IT.
- D. All software used on the City network must be legally licensed by the City and approved by IT.
- E. No software may be downloaded or installed without the prior authorization and installation by the IT.

- F. City personnel shall abide by the terms of license agreements. City personnel shall not duplicate, modify, or manipulate software licensed by the City. Software held by the City under a license agreement may not be supplied to an outside party unless the license agreement permits such use.
- G. City personnel are not authorized to install personally owned copies of software on City workstations. Use of commercial software not licensed by the City, but licensed to a User, may not be used on a City owned computer.
- H. Users shall not disable virus protection software and shall notify IT of any virus detection messages they receive on their system.
- I. Users must report suspected information security incidents immediately to IT. All suspected intrusions of the City network by unauthorized employees or other individuals are to be reported to the IT immediately.

Section 3.7 Security Awareness and Education

- A. All City personnel will be required to take periodic security training. In addition to training, the City's security awareness and education program will include unscheduled awareness assessments to assure compliance with the training. New employees should undergo training upon hire. Completion of the training shall be documented and maintained in employees' personnel files.

ARTICLE IV. VIOLATIONS

Violation of this policy may result in disciplinary action, up to and including termination of employment.

Attachments:

Attachment A – Acknowledgement of Electronic Systems Use Policy

ATTACHMENT A
Acknowledgement of Electronic Systems Use Policy

Acknowledgement of Electronic Systems Use Policy

I hereby acknowledge receipt of a copy of the City of Palm Springs' Electronic Systems Use Policy, and also represent and warrant that I have carefully reviewed and understand the policy. I have received answers to any questions that I may have had about said policy's applicability to my work for the City, and hereby agree to abide by said policies.

In executing this acknowledgment, I warrant and understand that **(a)** I have no expectation of privacy regarding any aspect of my use of any component of the City's electronic systems as that term is used in this policy; **(b)** I understand that the City reserves the right to access, audit, and disclose, for whatever reason or purpose, all communications and activity on the City's electronic systems; and **(c)** I understand that any violation of this policy could lead to disciplinary action against me.

Employee Name: _____

Employee Signature: _____

Department: _____

Date: _____

This form shall be retained in Human Resources Department files.

California Public Records Act Policy

ARTICLE I. PURPOSE

The purpose of this policy is to provide direction on how to receive, process, and respond to requests to inspect or receive copies of City of Palm Springs (“City”) records. All requests for City records will be handled pursuant to the provisions of the California Public Records Act (“PRA”).

ARTICLE II. DEFINITIONS

Section 2.1 Definitions

- A. **“City personnel”** shall collectively refer to all City employees, elected officials, appointed officials, consultants, as well as volunteers and other non-employees who prepare, own, use, or retain public records on behalf of the City.
- B. **“Public record”** is defined by the PRA and includes any writing that contains information relating to the conduct of the public’s business prepared, owned, used or retained by the City regardless of physical form or characteristics, and regardless of whether created or transmitted on or by a City-owned device.
- C. **“PRA Coordinator”** is the person or team designated by the applicable City department to manage PRA requests.
- D. **“Writing”** shall mean any typewriting, printing, photostating, photographing, photocopying, transmitting by electronic mail or facsimile, and every other means of recording upon any tangible thing any form of communication or representation, including letters, words, pictures, sounds, or symbols, or combination thereof, and any record thereby created, regardless of the manner in which the record has been stored.

Section 2.2 General Scope

This policy applies to all City personnel and shall be interpreted to be consistent with other City-wide policies and the law.

ARTICLE III. POLICY & PROCEDURES

Section 3.1 Policy and Procedures

The public has a fundamental right to copy and inspect public records. It is imperative for City personnel to properly gather responsive records, review the records for privileged or exempt information, and produce responsive disclosable documents in a timely manner. All City personnel are tasked with prioritizing PRA requests as reasonably permitted by their job duties. The PRA Coordinator is responsible for

gathering responsive records and responding to the requester. However, it is the responsibility of all City personnel to assist in producing and, when necessary, redacting responsive records.

Section 3.2 The PRA Request

- A. Any member of the public may make a records request. The City cannot require the requester's name or purpose of the request, but may request the requester's contact information in order to transmit the requested records. Anonymous requests or fictitious names are permitted. If the requester refuses to give his/her contact information, City personnel shall set a date within 10 calendar days for the requester to check on the status of the request.
- B. Any request (verbal or written) to review a record qualifies as a PRA request. The requester is not required to cite to the PRA or file a written request with the City Clerk's office.
 - i. If City personnel receives a verbal request, he/she may ask but not require the person to put the request in writing. If the person does not put the request in writing, City personnel shall document the request to the best of his/her ability.
 - ii. While any records request may qualify as a PRA request, the request may be made pursuant to a different body of law with unique requirements. Note that the requester could have a statutory right to the records that is outside the PRA (i.e., employee's request to review his/her personnel file; a request for a Statement of Economic Interest (FPPC Form 700); a request for copies of certified payroll records; etc.).
- C. Once the City receives a PRA request, City personnel shall stamp the PRA request with the date received. The date received is the date the City learns of the PRA request (i.e., opens the email or opens the mail). City personnel shall mark the PRA request with the appropriate reference number.
- D. All PRA requests shall be forwarded to the department's PRA Coordinator.
 - i. The PRA Coordinator for requests involving department heads, media, or emails is the City Clerk.
 - ii. Any PRA request involving members of the City Council should also be forwarded to the City Attorney and City Manager.
- E. If the request does not reasonably identify a City record, the PRA Coordinator shall make every effort to assist the requester in making a

focused and effective request. The PRA Coordinator shall document their efforts to:

- i. Assist the member of the public to identify records and information that are responsive to the request or to the purpose of the request, if stated.
 - ii. Describe the information technology and physical location in which the records exist.
 - iii. Provide suggestions for overcoming any practical basis for denying access to the records or information sought.
- F. Modified requests should be documented in response letters to the requester, per Section 3.3.B.

Section 3.3 Gathering Responsive Records

- A. The PRA Coordinator shall immediately notify City personnel most likely to have responsive records (i.e., requests for planning documents should go to the Planning Department).
- i. It is the responsibility of all City personnel to assist in gathering responsive records. After learning of a relevant PRA request, City personnel shall produce responsive records to the PRA Coordinator as expeditiously as possible.
 - ii. When determining whether a record is responsive, City personnel shall consider if a reasonable person would interpret the request to include a particular document.
 - iii. City personnel shall gather responsive records held on private devices or accounts. See *San Jose Compliance Policy*.
- B. The PRA Coordinator shall gather all responsive records, including privileged documents. These unredacted documents shall be retained for at least two years after the date of final production.
- C. City personnel shall not create a record in response to a PRA request that does not otherwise exist, without supervisor approval. The City Attorney shall be consulted in these instances.
- i. PRA requests that seek documents yet to be created (i.e., future City Council agendas) should be denied.

Section 3.4 Response timelines

- A. The City is required to respond to records requests promptly, but at least ten (10) calendar days after receipt of the request. If the tenth day falls on a weekend or a holiday, the due date is the next business day. For example, if the City receives a request on February 1, then the tenth day is February 11. If February 11 is a Saturday, then the response is due on Monday, February 13.
- B. Note, the City is not required to *produce* documents within 10 calendar days, but the PRA Coordinator must respond to the requester in writing with most applicable option below:
- i. Inform the requester that the City has no responsive records.
 - ii. Produce non-exempt, responsive records, noting any redactions or withheld records and citing the appropriate exemptions. See Section 3.5 below.
 - iii. Inform the requester that the City has responsive records and set a reasonable date in the future for production. The documents may be produced at one time or on a rolling basis. Consult your supervisor about the timing of the production depending on the complexity of the response.
 - a. If the records need to be produced on a rolling basis, establish a production schedule and share the schedule with the requester.
 - b. Every effort shall be made to produce at least one responsive record to the requester within 10 calendar days.
 - iv. Inform the requester that the City is taking an extension of 14 calendar days to determine whether it has responsive records. The City does not need to request the extension, but may take the extension as matter of right.
 - a. This extension must be made pursuant to Government Code section 6253, subdivision (c)(1)-(4), citing one or more of the following reasons:
 - (i) The need to search for and collect the requested records from field facilities or other establishments that are separate from the office processing the request.
 - (ii) The need to search for, collect, and appropriately examine a voluminous amount of separate and distinct records that are demanded in a single request.

- (iii) The need for consultation, which shall be conducted with all practicable speed, with another agency having substantial interest in the determination of the request or among two or more components of the agency having substantial subject matter interest therein.
 - (iv) The need to compile data, to write programming language or a computer program, or to construct a computer report to extract data.
- b. After the 14 day deadline, the City must respond pursuant to Sections 3.4.B.i-iii above.

Section 3.5 Producing the records

- A. City staff may email responsive records to the requester or use file sharing to produce the records. The requester shall not be charged for production of electronic records pursuant to this subdivision (A).
- B. When producing hard copies, the City may charge fees in accordance with the City's most recently adopted Comprehensive Fee Schedule.
 - i. City personnel shall receive payment before making a significant number of copies. City personnel shall estimate the charge for the copies and inform the requester that the City will refund any overages.
 - ii. City staff may not charge the requester for the time collecting or processing the records and may only charge for the direct cost of duplicating the records.
 - a. Exceptions may be made when the request requires data compilation, extraction, or programming or the City would be required to produce a copy of an electronic record and the record is one that is produced only at otherwise regularly scheduled intervals. Consult with the City Attorney in these instances.

Section 3.6 Exemptions

- A. City personnel shall only redact the specific portion of the record that is exempt. Redactions should not only black out the information but also delete any embedded hyperlinks.
- B. Information contained in a record that is non-responsive to the PRA request shall not be redacted. Only information that is subject to an exemption may be redacted.

- C. Responsive records shall be reviewed to assess whether: 1.) the responsive records are public record and 2.) an exemption applies. Non-public records may be records that are primarily personal, containing no more than incidental mentions of agency business. Non-public records are not subject to the PRA and are not required to be disclosed for a PRA request.
- D. Common exemptions:
 - i. The “Catch-All” Exemption. Information or documents may be withheld if the City can demonstrate that on the facts of the particular case the public interest served by non-disclosure clearly outweighs the public interest served by disclosure. (Gov. Code, § 6255.)
 - a. If the City applies this exemption, the response letter must list the name and title of the person responsible for claim of exemption.
 - ii. Personnel, Medical or Similar Files (Gov. Code, § 6254(c))
 - iii. Public Employee home addresses, home telephone numbers, personal cell phone numbers, and birth dates (Gov. Code, § 6254.3)
 - iv. Law Enforcement Investigative Records (Gov. Code, § 6254(f))
 - v. Pending Litigation (Gov. Code, § 6254(b))
 - vi. Voter Information (Gov. Code, § 6254.4)
 - vii. Tax Payer Information (Gov. Code, § 6254(i))
 - viii. Law Enforcement Personnel Records (Penal Code §832.7)
 - ix. Attorney-Client Privileged Communications or Attorney Work Product. (Evid. Code, § 954 et seq.; Code Civ. Proc., § 2018.030)
 - x. Trade Secrets (Civ Code, § 3426.1(d))

Section 3.7 Training

- A. All City personnel shall receive periodic training on this policy. New employees should undergo training upon hire. Completion of the training shall be documented and maintained in employees’ personnel files.

ARTICLE IV. VIOLATIONS

Violation of this policy may result in disciplinary action, up to and including termination of employment.

San Jose Compliance Policy

ARTICLE I. PURPOSE

The purpose of this policy is to provide direction regarding the use of private electronic devices and accounts for City business and responding to California Public Records Act (“PRA”) requests for records on private devices or accounts. Specifically, this policy is adopted in light of the *City of San Jose v. Superior Court* (2017) 2 Cal.5th 608 case, which held that communications related to the conduct of public business do not cease to be public records because they were sent or received using a personal device or account.

ARTICLE II. DEFINITIONS

Section 2.1 Definitions

- A. **“City personnel”** shall collectively refer to all City employees, elected officials, appointed officials, consultants, volunteers, and other non-employees who prepare, own, use, or retain public records on behalf of the City.
- B. **“Private account”** includes any non-City account that creates, sends, receives or stores electronic communications, including, but not limited to, email, text messaging, and social media such as Twitter, Facebook, Instagram and Snapchat.
- C. **“Private device”** shall refer to a non-City device, including, but not limited to, cellular telephones, laptops and desktop computers, tablets, pagers, cameras, televisions, and DVD/CD players.
- D. **“Public record”** shall mean any writing, as defined in Government Code sections 6252(e) and (g), that is prepared, owned, used, or retained by the City and that substantively relates to City business. Resolution of the question will involve an examination of several factors, including: the content itself; the context in, or purpose for which, it was written; the audience to whom it was directed; and whether the writing was prepared by an employee acting or purporting to act within the scope of his or her employment. Communications that are primarily personal, containing no more than incidental mentions of City business, generally will not constitute public records.

Section 2.2 General Scope

This policy applies to all City personnel and shall be interpreted to be consistent with other City-wide policies and the law.

ARTICLE III. POLICY & PROCEDURES

Section 3.1 Use of private devices and accounts

- A. Use of a private device or account for City business is discouraged.
- B. City personnel who wish to only use a City device or account for City business shall be provided with the appropriate tools.
- C. City personnel who use a private device or account for City business shall make public records on the device or account available to the City upon request. Requests may include Human Resources investigations and requests pursuant to Section 3.2 below.
- D. All City boardmembers/commissioners shall, during their term as a boardmember/commissioner, be assigned a City-issued e-mail account, for use for City business.

Section 3.2 Public Records Requests

- A. In the event that the City receives a PRA request that either explicitly seeks documents on private devices or accounts or can be reasonably interpreted as such, the City Clerk shall promptly communicate the request to the relevant City personnel who may reasonably be in possession of responsive records. These personnel shall conduct a reasonable search for responsive records, which may include a search of personal devices or accounts.
- B. City personnel shall then provide responsive public records to the City Clerk. These records are still subject to review and redactions for PRA exemptions before production. City personnel shall provide responsive public records regardless of the potential exemptions.
- C. Non-public records need not be provided to the City Clerk. In the event that City personnel makes a decision to withhold any responsive records that do not qualify as public records, he/she shall submit a statement with facts sufficient to show the record is not related to City business. The City shall determine whether the statement has sufficient facts.
- D. If a search of a private device or account is reasonably responsive to the PRA request, City personnel shall document his/her search, even if no records were found. City personnel shall document:
 - 1. Search terms used
 - 2. Date of search(es)
 - 3. Locations searched
 - 4. Whether responsive records were found
 - 5. Description of records found, if any

6. City personnel shall sign this documentation verifying that he/she has used best efforts to search for and identify responsive records
- E. The City Clerk, in consultation with the City Attorney, shall determine whether a particular record, or any portion of that record, is exempt from disclosure.

Section 3.3 Training

- A. All City personnel shall receive periodic training on this policy. Training should include information on how to distinguish between public and personal records and the steps necessary to conduct a reasonable search for public records. New employees should undergo training upon hire. Completion of the training shall be documented and maintained in employees' personnel files.
- B. This policy does not affect the use of approved remote access accounts from private devices. Records created from remote access accounts are stored in the City's systems.

ARTICLE IV. VIOLATIONS

Violation of this policy may result in disciplinary action, up to and including termination of employment for employees, removal from office (for commissioners); or censure (for commissioners or elected officials).

Electronic Records Retention Policy

ARTICLE I. PURPOSE

The purpose of this policy is to provide direction regarding the retention of electronic records that are prepared, owned, used or retained by the City of Palm Springs ("City") that pertain to the City's business and are maintained on electronic devices.

ARTICLE II. DEFINITIONS

Section 2.1 Definitions

- A. **"City personnel"** shall collectively refer to all City employees, elected officials, appointed officials, consultants, as well as volunteers and other non-employees who prepare, own, use, or retain public records on behalf of the City.
- B. **"Hold"** is a directive to retain a document because it is the subject of a subpoena, Public Records Act request, claim against the City, civil or criminal litigation, administrative or criminal charge or investigation, or similar proceeding, which is in progress or which can reasonably be anticipated.
- C. **"Retention"** shall mean preservation of a record in such a way that does not permit additions, deletions, or changes to the original document, without creating a duplicate of the record, including the preservation of metadata, if applicable.
- D. **"Electronic records"** shall mean records prepared, owned, used or retained by City personnel that pertain to the conduct of the City's business. Records shall include any typewriting, printing, photostating, photographing, photocopying, text, transmitting by electronic mail or facsimile, and every other means of recording upon any tangible thing any form of communication or representation, including letters, words, pictures, sounds, or symbols, or combination thereof, and any record thereby created, which are maintained on electronic devices.

Section 2.2 General Scope

This policy applies to all City personnel and shall be interpreted to be consistent with other City-wide policies. This policy applies to all electronic records.

If a record is subject to a specific state or federal law or regulation that conflicts with this policy, then the provisions of those laws or regulations shall prevail.

ARTICLE III. POLICY & PROCEDURES

Unless otherwise specified by law or City policy, the form of the record does not affect its retention period. All electronic records shall be retained pursuant to applicable laws, regulations, City policies, and Records Retention Schedules to ensure that the public and

courts have access to the appropriate universe of documents and the City records governance is efficiently administered.

Section 3.1 Email Retention

- A. All electronic records sent or received by the City, regardless of its content, shall be automatically saved by the email system for two years. After two years and one day, all electronic records shall be deleted, unless retained pursuant to this Section.
- B. Electronic records subject to a retention period longer than two years, as determined by the content of the electronic record, shall be retained in such a way that does not permit additions, deletions, or changes to the original record, without creating a duplicate of the record, including the preservation of metadata, if applicable.
- C. City personnel may also retain electronic records for longer than two years if the email has significant business or historic value. Electronic records shall not be automatically retained for longer than the legally required retention period for the general convenience of City personnel.
- D. At the request of the City Attorney or City Clerk, holds may be placed on electronic records, suspending the automatic deletion of specific email accounts or emails that meet a specific search criteria. City personnel with knowledge of a potential hold requirement shall immediately notify the City Clerk.
- E. The sender of the email shall be responsible for preserving the public record, except persons responsible for a particular program or project file shall be responsible for retaining all emails they send or receive related to that program or project. If it is unclear which party is responsible for retaining certain records, the parties shall confer and document the designated responsible party.
- F. City personnel shall consider the significance of an email's attachments and retain the attachments in accordance with this policy.
- G. Emails may also be preserved longer than two years by the City Manager, City Attorney, and Department Heads.

Section 3.2 Training

- A. All City personnel shall receive periodic training on this policy. New employees shall undergo training upon hire. Completion of the training shall be documented and maintained in employees' personnel files.

ARTICLE IV. VIOLATIONS

Violation of this policy may result in disciplinary action, up to and including termination of employment.

Social Media Use Policy

ARTICLE I. PURPOSE

The purpose of this policy is to provide direction regarding the use of social media by City personnel, including to disseminate information from the City of Palm Springs (“City”) to members of the public concerning the City’s missions, goals, meetings, activities and current events.

ARTICLE II. DEFINITIONS

Section 2.1 Definitions

- A. **City business** shall mean information relating to the conduct of the public’s business or communications concerning matters within the subject matter of the City’s jurisdiction, including, but not limited to, pending or potential City projects, past or prospective City agenda items, or City budgets or expenditures involving City funds.
- B. **City Manager** means and includes the City Manager of the City or his/her authorized designee(s) for purposes of the administration of this policy.
- C. **City personnel** shall refer to any City employee, elected official, appointed official, consultant, as well as any volunteer and other non-employee conducting work for the City.
- D. **City social media site** means a social media website that the City establishes and maintains, and over which it has control over all postings, except for advertisements or hyperlinks by the social media site’s owners, vendors, or partners.
- E. **Legislative Body Member** means any member of any City legislative body, including, without limitation the City Council, any City Commission, and any committee/subcommittee that is subject to the Brown Act.
- F. **Open and accessible to the public** means, with reference to a social media site, that members of the general public have the ability to access and participate, free of charge, in the social media platform without the approval by the social media platform or a person or entity other than the social media platform, including any forum and chatroom, and cannot be blocked from doing so, except when the internet-based social media platform determines that an individual violated its protocols or rules.
- G. **Posts or postings** means content, information, articles, pictures, videos or any other form of communication posted on a social media site.
- H. **Social media sites or social media** means content created using accessible, expandable, and upgradable publishing technologies, through

and on the internet. Examples of social media include, but are not limited to, Facebook, Twitter, Blogs, RSS, YouTube, LinkedIn, Nextdoor, Delicious, and Flickr.

Section 2.2 General Scope

This policy applies to all City personnel acting in an official capacity and using the City's social media sites. In addition, Sections 3.4 and 3.5 apply to City personnel whether or not they are using City social media sites. This policy shall be interpreted to be consistent with other City-wide policies.

ARTICLE III. POLICY AND PROCEDURES

Section 3.1 General Policy

- A. The City's official website is and shall remain its primary means of online communication with the public (<http://www.palmspringsca.gov>).
- B. To the extent practicable, City social media sites shall bear the name and/or official logo of the City, contact information including a City email address, and a link to the official City website. City social media sites shall clearly state that such sites are maintained by the City, are the official City social media account, and are governed by this Policy. This Policy shall be made available by hyperlink.
- C. All City social media sites shall adhere to applicable federal, state and local laws, regulations and policies. City social media sites shall comply with the terms of service of any site provider, including privacy policies.
- D. All City social media sites shall utilize authorized City contact information and City accounts for account set-up, monitoring and access.
- E. City social media sites may contain content, including but not limited to, advertisements or hyperlinks over which the City has no control. The City does not endorse any hyperlink or advertisement placed on City social media sites.
- F. The establishment of City social media sites is subject to approval by the City Manager. The City Manager shall monitor content on City social media sites to ensure adherence to this Policy.
- G. City social media sites supplement, and do not replace, the City's required notices and standard communications.

Section 3.2 Content Guidelines for Posts by City Personnel on City Social Media Sites:

- A. Only City personnel authorized by the City Manager may post on the City's social media sites.
- B. Content posted by City personnel should pertain to City business. Content includes, but is not limited to, information, photographs, videos, and hyperlinks.
- C. Content posted to the City's social media sites shall contain hyperlinks directing users back to the City's official website for forms, documents or online services necessary to conduct business with the City, whenever possible.
- D. The City shall have full permission or rights to any original content posted by the City, including photographs and videos.
- E. City personnel posting on a City social media site shall review, be familiar with, and comply with the terms of use of the social media site's use policies and terms and conditions, and will have signed an acknowledgement of this Policy. The signed acknowledgement shall be retained in his/her personnel file.
- F. All City personnel posting on City social media sites shall conduct themselves at all times as a professional representative of the City. City personnel posting on a City social media site shall not express his/her own personal views or concerns through such postings. Postings on any City social media site shall only reflect the views of the City.
- G. If it is determined that any social media post needs to be corrected, amended, or clarified, the City will determine what modification or supplement to the earlier social media communication is needed. City personnel seeking a correction should raise any concern with his/her supervisor in writing. Any modification to a published post must be retained in accordance with the procedures described in this Policy.
- H. Accessing any social media site shall comply with all applicable City policies pertaining to communications and the use of the internet by City personnel, including email content.

Section 3.3 Content Guidelines for the Public

- A. The City reserves the right to delete any third party content, including posts, from any City social media site(s). The City may delete content or links that are:
 - (1) Not topically related to a particular posting that is the subject of comment in relation to the posting in question;

- (2) In support of, or opposition to, political campaigns, candidates or ballot measures, or a link to such content;
 - (3) Profane, obscene, abusive, harassing, threatening or defamatory content,
 - (4) Content that promotes, fosters, or perpetuates discrimination on the basis of actual or perceived race, religion, color, sex, age, marital status, ancestry, national origin (*i.e.*, place of origin, immigration status, cultural or linguistic characteristics, or ethnicity), sexual orientation, gender identity, gender expression, physical or mental disability, or medical condition as well as any other category protected by federal, state, or local laws;
 - (5) Sexual content or links to sexual content;
 - (6) Solicitations of commerce or financial contributions;
 - (7) Conduct or encouragement of illegal activity;
 - (8) Information that may tend to compromise the health, safety or security of the public or public systems;
 - (9) Content that violates a legal interest or right of any other party;
 - (10) Threats of violence or injury to any person, property or organization; or
 - (11) Content intended to collect or post private information and data without disclosure.
- B. Third-party content may only be deleted if approved by the City Manager. The City Attorney shall be consulted before third-party content is deleted.
 - C. The City shall retain a true, correct and complete copy of any posting removed and document the time, date and identity of the poster. The records shall be retained for two years.
 - D. The City reserves the right to report violations of a third-party site's terms of use. The City also reserves the right to report any posting on any social media site, whether a City social media site or not, to law enforcement.

Section 3.4 Additional Rule for Legislative Body Members.

- A. This Section is adopted, in part, in light of California Assembly Bill No. 992, which authorizes members of a legislative body to use social media to communicate with the public, subject to statutory exceptions. The City of Palm Springs recognizes that social media has become an integral channel of communication for individual members of the its legislative bodies with

members of the public. However, such communications must be balanced against legal obligations with respect to transparency in the conduct of the people's business. For example, the Brown Act requires that legislative bodies of public agencies deliberate and take action openly. (Gov. Code §§ 54950 *et seq.*). Moreover, communications regarding Agency business on private accounts may be subject to disclosure under the Public Records Act. (Gov. Code §§ 6250 *et seq.*) To that end, the following protocol will be followed for members of the City's legislative bodies.

- B. Legislative body members may engage in separate conversations or communicate on social media platforms to answer questions, provide information to the public, or solicit information from the public regarding City business.
- C. However, a legislative body member may not do either of the following on a social media platform:
 - (1) Discussion by a majority: Discuss City business with a majority of members of the same legislative body. That includes communicating, posting, sharing, commenting, or using digital icons (*i.e.*, a thumbs up or an emoji); and
 - (2) Direct Responses: Respond directly to another member's communication, comment or post if the two are on the same legislative body of the City and the topic concerns City business.

Section 3.5 Private vs. Public Social Media Accounts.

- A. City personnel should also be aware that their private social media accounts may be transformed into public fora where members of the public may have First Amendment rights. In determining whether a private social media page has become a public forum, courts have examined factors including:
 - (1) How the City personnel is referenced on the site (*i.e.*, is he or she referenced as "Mayor" or "Chair", or simply "Jane Doe"?);
 - (2) How the page is titled (*i.e.*, is the account registered as a governmental account or a private account?);
 - (3) How the City personnel "invites" users to use the page (*i.e.*, in cases in which the account was deemed a public one, the city personnel solicited the public's opinion on city matters);
 - (4) Whether the City personnel is "transacting" City matters on the site (*i.e.*, posting about matters before the City);
 - (5) Whether City employees help maintain and operate the site; and

- (6) Whether the City personnel uses the site to engage directly with the public (*i.e.*, replying to constituent comments regarding City business).
- B. Whether an account is private or public is fact-specific and depends on the totality of the circumstances. If there are reasons to believe that a City personnel's private social media page has turned into a public forum, City personnel should refrain from blocking members of the public from the page or deleting comments with which they disagree.

Section 3.6 Training

- A. All City personnel shall receive periodic training on this policy. New employees should undergo training upon hire. Completion of the training shall be documented and maintained in employees' personnel files.

ARTICLE IV. VIOLATIONS

Violation of this policy may result in disciplinary action, up to and including termination of employment for employees, removal from office (for commissioners); or censure (for commissioners or elected officials).

Attachments:

Attachment A – Acknowledgement of Social Media Use Policy



ACKNOWLEDGEMENT OF SOCIAL MEDIA USE POLICY

I hereby acknowledge receipt of a copy of the City of Palm Springs' "Social Media Use Policy" and also represent and warrant that I have carefully reviewed and understand the policy provided to me. I have received answers to any questions that I may have had about said policy's applicability to my work for the City, and hereby agree to abide by said policies.

In executing this acknowledgment I understand that any violation of this policy could lead to disciplinary action, including termination.

Employee Name: _____ j _____

Employee Signature: _____

Department: _____

Date: _____ j _____

This form shall be retained in the employee's personnel file.



A Department of the City of Palm Springs

Palm Springs International Airport
3400 E. Tahquitz Canyon Way, Suite 1
Palm Springs, CA 92262-6966

flypsp.com
T: (760) 318-3800

DATE: June 18, 2024
TO: Chairman Dada and Airport Commissioners
FROM: Harry Barrett, Jr., Airport Executive Director
SUBJECT: Projects and Airport Capital Improvement Update

Capital Projects

Airport Master Plan (Updated June 9, 2024)

Background: This project is a 30-month comprehensive study to plan and develop capital program requirements thru the year 2045. The study is scoped to be sustainable, and incorporates future goals related to terminal complex, landside access and parking, and airside improvements for future generation aircraft.

Status: In process. On June 4th, Airport staff in partnership with Mead & Hunt and Aviatrix conducted a public meeting to garner feedback on the conceptual development drawing set for the master plan. A major point of discussion was the location and height of the proposed rental car facility, with multiple requests for the airport and consultant to consider alternatives for the location of the facility. Airport staff informed the public that future public meetings will be held in the coming months, to garner as much feedback as possible for the community. Next steps for the master plan involves development of a financial feasibility program document, a California Environmental Quality Act (CEQA) and National Environmental Protection Act (NEPA) assessment, approval of an Airport Layout Plan drawing set.

Measure J Improvements (updated May 11, 2024)

Background: The City Finance Department identified roughly \$1.2 Million in funding collected for the purpose of ensuring the completion of airport specific community projects. The Measure J Commission and Airport Commission voted recommend a number of projects to the City Council for airport staff to pursue, and those recommendations were ultimately approved by the Council.

Status: In progress. Airport staff has started coordinating the completion of two of the five projects approved by the City Council.

The Commissions jointly recommended some funds be applied to replacement of the carpet in the lobby areas of the Wexler terminal. Airport staff reviewed the City's approval and intends to install terrazzo instead of replacing carpet with new carpet. Staff believes this would likely be a better use of Measure J

funding and still meets the intent of the recommendation/approval. The Executive Director instructed the airport's on-call architectural firm to design a flooring plan consistent with the Wexler terminal's original flooring design. Upon completion, airport staff intends to seek Historic Preservation Committee review before soliciting the design for construction bids. The Airport staff has also begun evaluating specifications for replacement water filling stations. Staff expects to order new equipment over the summer for anticipated installation in the early fall (timeline subject to supply chain/delivery schedule).

Staff expects the remaining projects to be taken up by staff in the fall of 2024.

Sterile Area Shade Structures (updated May 11, 2024)

Background: This project aims to add shade structures post security to encourage broader use of the Airport during summer months. This project is partially funded through a grant facilitated by Visit Greater Palm Springs.

Status: Awaiting Construction. Concept design of the sterile area shade structures was completed and airport staff sought permits for construction in August. As a result of the Wexler Terminal being listed on the Federal Historic Preservation Register, the structures were subject to additional approvals and vetting before permits can be secured. A 100 percent design schedule was provided to airport staff for permitting and other relevant approvals. Anticipated construction and installation of structures is expected early June 2024.

Restroom Renovations (updated April 11, 2024)

Background: City Council approved Airport staff to design and renovate all public restrooms airport wide in the FY 2023 budget. This would include demolition and replacement of all flooring and fixtures, upgrades to ventilation and lighting systems, and conversion of some restrooms to gender neutral facilities.

Status: In progress – Design. Airport staff provided Gensler with Notice to Proceed with a project definition report for design and renovation of restrooms at the Bono concourse and in the courtyard areas while a decision and approval of a terminal development alternative is pending. These areas will be considered Phase I of the project. Gensler has held two stakeholder feedback meetings to date, the first which included airport staff, the second which included various external stakeholders representing the airport commission, modernism and historic preservation communities, tourism organizations and City government. These meetings are intended to incorporate user preferences and ideas into their design process. Gensler is starting conceptual design work which is anticipated to take up to two months.

Taxiway W and A1 Rehabilitation (updated April 11, 2024)

Background: This is an Airport Improvement Program (AIP) funded project to design and rehabilitate the Airport's primary commercial taxiway under the Pavement Management Program.

Status: In Design. The airport's on-call engineering firm RS&H completed surveying and destructive testing of the pavement to determine the project approach for rehabilitation. Design is 100% complete and has been reviewed by the Department of the City Engineer and by the FAA. PSP solicited this project for bid in March and received multiple competitive bids. The bid process was solicited contingent on FAA grant funding. PSP is requesting AIP discretionary funding which, if successful, would enable this project to move forward for construction in CY 2024.

Baggage Claim Expansion and Renovation (Updated April 11, 2024):

Background: This project was previously identified on the airport's Capital Improvement Program (CIP) list for start in FY 2025.

Status: In progress - design. In the Fall of 2022, Airport staff applied for a nation-wide competitive grant under the Airports Terminal Program (ATP) under the 2021 Bipartisan Infrastructure Law. Airport staff was notified on February 27th that PSP had been awarded a \$5.7M grant to partially fund expansion of baggage claim. Airport staff has determined that a Construction Manager at Risk (CMAR) project delivery methodology is appropriate for this project and Request for Proposal #34-23 was advertised. A contract award for Construction Manager at Risk to Skanska was approved by the City Council in July 2023 with a project budget of \$27M.

This project remains in environmental review. Airport staff is following up continuously with the FAA but at this time there is no indication on when the environmental review process will be completed. The Federal Aviation Administration notified airport staff in February that as a result of the Wexler terminal being listed on the National Register of Historic Places, the baggage claim project is subject to additional environmental review processes that would delay an environmental determination. As a result, the \$5.7 million grant announced to PSP in February of last year for the bag claim expansion was clawed back and reallocated to another airport. PSP is eligible to apply for future competitive grants, however future competitive grants are not guaranteed. Airport staff have decided to continue with the project design and construction and will evaluate the timing of future projects on the airport's capital program to ensure the bag claim project can be funded to 100%.

Outbound Baggage Handling System Replacement: (Updated March 13, 2023)

Background: This project is intended to modify or replace the current outbound baggage handling system with a new inline baggage handling system to improve capacity and process efficiency, implement additional technology for bag tracking, reduce or eliminate single points of failure, and improve ergonomics.

Status: In process - design: City Council approved the selection of AECOM for inline outbound baggage handling system design services. AECOM is underway on design with expected 30% designs in late October. Airport staff and AECOM have held a number of meetings with TSA and FAA stakeholders to review initial concepts and seek input. Airport staff have met with airline stakeholders to garner feedback on initial design concepts. AECOM continues to hold ongoing meetings with airline affairs reps and TSA engineers to design the system and facility. Airport staff directed AECOM to incorporate the City's

approved master plan terminal development alternative into design and AECOM has been responsive to that request. The timing of federal funding suggests that PSP will target CY 2025 for construction.

Public Parking Electrification – Lot D (Updated April 11, 2024)

Background: Airport staff applied for the Southern California Edison electric vehicle charging infrastructure rebate program in the winter of 2022. The program is designed to provide no-cost infrastructure to enable Level 2 electric vehicle charging with the caveat that sponsors self-procure level 2 chargers.

Status: PSP was approved for expansion of electric infrastructure under the SCE rebate program. Request for Proposal #04-23 was issued on June 1st, 2023 for procurement of 40 level two chargers to serve 80 parking positions. Airport staff have ordered the Level 2 chargers which are set to arrive by the end of October. Staff is preparing a Request for Proposal to install the chargers once the infrastructure work has been completed by SCE. Airport staff is developing costs recovery rate and fee plans for EV charging spaces and anticipates bringing proposals to the finance committee in the winter of 2023. SCE has advised airport staff to expect infrastructure work to feed the chargers to be completed by November 2024.

Program Updates

Feasibility Study for Federal Inspection Station (International Air Service) (Updated May 11, 2024)

Background: This two-phased study (partially funded by Visit Greater Palm Springs) seeks to analyze how small and medium hub airports have successfully constructed an FIS and expanded international routes to their facilities, and subsequently develop a business plan for expansion of Customs and Border Protection Services for commercial flights at PSP.

Status: In Process – Phase II; Airport staff gave InterVISTAS Notice to Proceed on Phase II of the study which involves a PSP-specific FIS plan on October 4, 2023. InterVISTAS has substantially completed the market demand analysis and the economic impact analysis of the study. Airport staff met with InterVISTAS to discuss the status of the study and to provide direction as required. InterVistas is now working with the airport’s master plan consultant to coordinate on facility site selection and environmental review. Airport staff provided InterVISTAS with an amended scope of work to proceed with inter-governmental coordination and federal advocacy consulting related to securing CBP labor and equipment resources to staff and operate an FIS. InterVistas informed airport staff that their study effort has reached the point where their team is prepared to provide a written justification document for Customs and Border Protection review.



A Department of the City of Palm Springs

Palm Springs International Airport
3400 E. Tahquitz Canyon Way, Suite 1
Palm Springs, CA 92262-6966

flypsp.com
T: (760) 318-3800

DATE: June 18, 2024
TO: Chairman Dada and Airport Commissioners
FROM: Harry Barrett, Jr., Airport Executive Director
SUBJECT: Executive Director Report

Emerging Developments

Legislative Report – FY 25 DHS Appropriations (New June 9, 2024)

Background: On Wednesday June 12, the House Appropriations Committee will consider the FY 25 appropriations bill. The Senate Appropriations Committee has not yet announced plans to begin considering FY 25 requests.

Report: In advance of the House Department of Security (DHS) Appropriations Subcommittee considering its fiscal year 2025 (FY25) bill June 4th, the Subcommittee released its draft bill and a summary. The bill provides \$64.81 billion, \$2.2 billion above the budget request for DHS, including funding for the Transportation Security Administration (TSA) and the U.S. Customs and Border Protection (CBP). The draft bill summary does not highlight funding for new CBP Officers as requested by airport industry organizations, which resulted in a net gain of 150 officers to the agency. Airport staff is closely watching developments as these spending priorities have a direct impact on PSP's ability to secure CBP resources to staff an FIS.

Legislative Report – FAA Reauthorization (New June 9, 2024)

Background: On May 16, President Biden signed a bipartisan FAA Reauthorization Bill into law.

Report: On May 9th, the Senate passed an FAA Reauthorization bill that would renew authority of the agency for the next five years and passed a short-term extension that would give the House of Representatives room to review and pass the bill with strong bi-partisan support. On May 15th, the House of Representatives overwhelmingly approved the bill which increases AIP funding to \$4 billion annually, authorizes \$200 million for resilience and runway safety projects, and expands the Voluntary Airport Low Emissions program to all commercial airports. The bill also authorizes \$20 million annually for each of three aviation workforce programs aimed at supporting the education of pilots, mechanics and aerospace workers. PSP anticipates a potential increase in AIP stemming from this bill, although the amount is yet to be determined.

Airport Reorganization – New FTEs (Updated May 11, 2024)

Background: The PS City Council adopted the FY 2024 and FY 2025 budgets on June 29th, which included the Airport's request for an additional 49 Full Time Equivalent positions. These positions included augmentation of current classifications to support growth, as well as new classifications to better align resources with airport needs.

Report: Airport staff and Human Resources (HR) have been coordinating on hiring priorities. Airport staff continues to recruit for the Deputy Director of Planning & Engineering. This position has been difficult to fill with candidates citing compensation as a critical barrier. Airport staff also continues to recruit for Executive Program Administrator (originally Commercial Properties Spec) and Project Manager.

ITEM 11.A - PAST CITY COUNCIL ACTIONS

Airport Commission Meeting of June 18, 2024

City Council Meeting of May 9, 2024:

3. Business & Legislature

SUBJECT

APPROVAL OF THE AIRPORT MASTER PLAN AIRSIDE AND LANDSIDE CONCEPTUAL DEVELOPMENT PLAN FOR THE PALM SPRINGS INTERNATIONAL AIRPORT

RECOMMENDATION:

Approve the Airport Master Plan airside and landside conceptual development plan for the Palm Springs International Airport including the associated terminal plan and onsite Consolidated Rental Car Facility (CONRAC).

Attachments

[Item 3B](#)

SUBJECT

CITY BOARDS AND COMMISSIONS – DISCUSSION AND POSSIBLE DIRECTION REGARDING ROLES AND DUTIES OF CITY BOARDS/COMMISSIONS; POSSIBLE CODE OF CONDUCT; SUPPORT AND GUIDANCE OF BOARDS AND COMMISSIONS; AND PROCESS FOR REMOVAL OF BOARD/COMMISSION MEMBERS

RECOMMENDATION:

Discuss and provide direction to City staff and/or City Attorney.

Attachments

[Item 3C](#)

City Council Meeting of May 23, 2024:

1. CONSENT CALENDAR

SUBJECT

APPROVE AMENDMENT NO. 1 TO CONSULTING SERVICES AGREEMENT 23Q112 WITH AECOM TECHNICAL SERVICES, INC. FOR THE DESIGN OF AN INLINE BAGGAGE HANDLING SYSTEM FOR THE PALM SPRINGS INTERNATIONAL AIRPORT

RECOMMENDATION:

1. Approve Amendment No. 1 to Consulting Services Agreement 23Q112 with AECOM Technical Services, Inc., in the additional amount of \$372,711.02 for a total revised contract amount not to exceed \$3,547,349.02 for the design of an inline baggage handling system for the Palm Springs International Airport.
2. Appropriate \$125,000 from Airport Capital Project Fund 416 to Airport Account 4167065.80000 for Fiscal Year 2023-24, and \$247,711.02 from Airport Capital Project Fund 416 to Airport Account 4167065.80000 for Fiscal Year 2024-25.
3. Authorize the City Manager or designee to execute all necessary documents.

Attachments

[Item 1G](#)

SUBJECT

APPROVE AMENDMENT NO. 1 TO CONTRACT SERVICES AGREEMENT NO. 23B043 WITH WGJ ENTERPRISES, INC. DBA PCI, FOR AIRFIELD RUBBER AND PAINT REMOVAL SERVICES AT THE PALM SPRINGS INTERNATIONAL AIRPORT

RECOMMENDATION:

1. Approve Amendment No. 1 to Contract Services Agreement No. 23B043 with WGJ Enterprises, Inc. dba PCI, in the additional amount of \$245,000 for a total revised contract amount not to exceed \$905,000 for airfield rubber and paint removal services at the Palm Springs International Airport.
2. Appropriate \$245,000 from Airport Fund 415 to Airport account 4157030.40105 budget for Fiscal Year 2024-25.
3. Authorize the City Manager or designee to execute all necessary documents.

Attachments

[Item 1H](#)

SUBJECT

A REQUEST BY LOGAN ADAIR, ON BEHALF OF THE PALM SPRINGS INTERNATIONAL AIRPORT, FOR THE APPROVAL OF AN ART MURAL TITLED “PALM SPRINGS WELCOMES YOU” LOCATED ON A PORTION OF THE REGIONAL CONCOURSE WALL WITHIN THE AIRPORT LOCATED AT 3400 EAST TAHQUITZ CANYON WAY, ZONE A, (APN: 677-280-010) (CASE MUR 2024-0002)

RECOMMENDATION:

Adopt a Resolution entitled, “A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, APPROVING AN ART MURAL TITLED “PALM SPRINGS WELCOMES YOU” PAINTED ON THE REGIONAL CONCOURSE WALL, LOCATED AT 3400 EAST TAHQUITZ CANYON DRIVE, WITHIN THE PALM SPRINGS INTERNATIONAL AIRPORT (APN: 677-280-010) (CASE MUR 2024-0002).”

Attachments

[Item 1Q](#)

City Council Meeting of June 13, 2024:

1. CONSENT CALENDAR

SUBJECT

APPOINTMENTS TO VARIOUS BOARDS AND COMMISSIONS

RECOMMENDATION:

2. Appoint Samantha McDermott to the Airport Commission for a term ending June 30, 2025. Appoint Robert (Ken) Hedrick and Bryan Ebensteiner to the Airport Commission for a term ending June 30, 2027.

Attachments

[Item 1B](#)

SUBJECT

APPROVAL OF THE 2024 PALM SPRINGS INTERNATIONAL AIRPORT AIR SERVICE INCENTIVE PROGRAM

RECOMMENDATION:

1. Approve the new 2024 Air Service Incentive Program.
2. Adopt resolution entitled, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, APPROVING THE 2024 AIR SERVICE INCENTIVE PROGRAM FOR THE PALM SPRINGS INTERNATIONAL AIRPORT."
3. Authorize the City Manager or designee to execute all necessary documents.

Attachments

[Item 1E](#)

SUBJECT

APPROVE CONTRACT SERVICES AGREEMENT NO. 24B101 WITH TIMBERLINE GSE INC. TO PURCHASE FOUR SWITCHBACK PASSENGER BOARDING RAMPS FOR THE PALM SPRINGS INTERNATIONAL AIRPORT

RECOMMENDATION:

1. Approve Contract Services Agreement 24B101 with Timberline GSE Inc. to provide four switchback passenger boarding ramps for the Palm Springs International Airport with warranty and maintenance services in an amount not to exceed \$284,105 for the initial two-year term beginning June 17, 2024, through June 16, 2026.
2. Authorize the City Manager or his designee to execute all necessary documents.

Attachments

[Item 1K](#)

SUBJECT

CITY BOARDS AND COMMISSIONS – ADOPTION OF A RESOLUTION ESTABLISHING A CODE OF CONDUCT FOR CITY BOARDS AND COMMISSIONS; AND RESOLUTION ESTABLISHING A HIATUS FOR THE CITY’S HUMAN RIGHTS COMMISSION

RECOMMENDATION:

1. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, ADOPTING A CODE OF CONDUCT FOR CITY OF PALM SPRINGS BOARDS AND COMMISSIONS
2. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, TEMPORARILY SUSPENDING MEETINGS AND ACTIVITIES OF THE CITY OF PALM SPRINGS HUMAN RIGHTS COMMISSION

Attachments

[Item 1L](#)

ITEM 11.B - FUTURE CITY COUNCIL ACTIONS

Airport Commission Meeting of June 18, 2024

June 27, 2024

- Amendment to Car Rental Concessionaire Agreements to adjust certain fixed rent charges and reinstate the Minimum Annual Guarantee (MAG).
- Southern California Edison/Hertz Rental Car Grant Easement.

July 9, 2024

- ABM Aviation, Inc. - Amendment No. 3 to extend parking management services for one-year.
- Signature Technologies Inc. dba Com-Net Software – Amendment No. 2 to extend Flight Information Display System (FIDS) services for one-year.
- Twelve Airport Leases for the property located at 2901 E. Alejo Road.

Palm Springs International Airport

MONTHLY PASSENGER ACTIVITY REPORT - 2024									
	Enplaned			Deplaned			Total Passengers		
	2024	2023	% Change	2024	2023	% Change	2024	2023	% Change
January	167,926	169,746	-1.1%	168,852	171,910	-1.8%	336,778	341,656	-1.4%
February	186,052	184,973	0.6%	196,544	188,877	4.1%	382,596	373,850	2.3%
March	238,473	223,314	6.8%	234,499	226,832	3.4%	472,972	450,146	5.1%
April	202,219	200,753	0.7%	180,068	178,600	0.8%	382,287	379,353	0.8%
May	127,314	129,695	-1.8%	119,176	116,491	2.3%	246,490	246,186	0.1%
June		71,635	-100.0%		66,826	-100.0%	-	138,461	-100.0%
July		63,647	-100.0%		60,689	-100.0%	-	124,336	-100.0%
August		59,309	-100.0%		59,947	-100.0%	-	119,256	-100.0%
September		73,813	-100.0%		77,748	-100.0%	-	151,561	-100.0%
October		126,702	-100.0%		133,106	-100.0%	-	259,808	-100.0%
November		162,180	-100.0%		165,290	-100.0%	-	327,470	-100.0%
December		158,245	-100.0%		166,997	-100.0%	-	325,242	-100.0%
Year to Date	921,984	1,624,012	1.5%	899,139	1,613,313	1.9%	1,821,123	3,237,325	1.7%

Palm Springs International Airport

Best Month Comparison						
ENPLANEMENTS						
	2020	2021	2022	2023	2024	Vs Best Mo
Jan	136,157	39,614	118,204	169,746	167,926	-1.1%
Feb	156,909	57,530	142,206	184,973	186,052	0.6%
Mar	113,166	107,577	202,993	223,314	238,473	6.8%
Apr	5,811	111,376	185,946	200,753	202,219	0.7%
May	10,751	92,820	123,736	129,695	127,314	-1.8%
Jun	14,827	66,885	73,861	71,635		-100.0%
Jul	17,231	65,869	68,071	63,647		-100.0%
Aug	18,389	58,793	65,368	59,309		-100.0%
Sep	23,087	65,682	79,599	73,813		-100.0%
Oct	41,597	108,923	120,659	126,702		-100.0%
Nov	52,874	135,677	160,129	162,180		-100.0%
Dec	41,517	136,897	159,846	158,245		-100.0%
TOTAL	632,316	1,047,643	1,500,618	1,624,012	921,984	
% Chg.	-50.89%	65.68%	43.24%	8.22%		
TOTAL PASSENGERS						
	2020	2021	2022	2023	2024	Vs Best Mo
Jan	276,099	79,082	237,388	341,656	336,778	-1.4%
Feb	320,906	120,657	292,336	373,850	382,596	2.3%
Mar	198,850	214,477	403,883	450,146	472,972	5.1%
Apr	10,082	215,777	358,115	379,353	382,287	0.8%
May	19,154	174,535	233,239	246,186	246,490	0.1%
Jun	28,748	129,872	142,524	138,461		-100.0%
Jul	33,776	129,463	133,664	124,336		-100.0%
Aug	36,482	117,952	129,952	119,256		-100.0%
Sep	47,915	136,666	162,834	151,561		-100.0%
Oct	88,777	225,991	247,457	259,808		-100.0%
Nov	108,043	271,944	319,237	327,470		-100.0%
Dec	83,262	276,527	321,215	325,242		-100.0%
TOTAL	1,252,094	2,092,943	2,981,844	3,237,325	1,821,123	
% Chg.	51.17%	67.16%	42.47%	8.57%		

Palm Springs International Airport

ACTIVITY BY AIRLINE
MAY 2024

AIRLINES	Enplaned			Deplaned			Total			(E & D) Market Share
	2024	2023	% Change	2024	2023	% Change	2024	2023	% Change	
Air Canada	-	-	0.0%	-	-	0.0%	-	-	0.0%	0.0%
Alaska	23,326	25,260	-7.7%	20,326	20,932	-2.9%	43,652	46,192	-5.5%	17.7%
American	24,503	20,464	19.7%	24,715	19,319	27.9%	49,218	39,783	23.7%	20.0%
Avelo	865	988	-12.4%	803	906	-11.4%	1,668	1,894	-11.9%	0.7%
Delta Air	1,510	3,559	-57.6%	1,702	2,804	-39.3%	3,212	6,363	-49.5%	1.3%
SkyWest (Delta Connection)	4,707	4,794	-1.8%	4,504	4,511	-0.2%	9,211	9,305	-1.0%	3.7%
SkyWest (United Express)	8,880	9,668	-8.2%	7,986	7,914	0.9%	16,866	17,582	-4.1%	6.8%
SkyWest (AA)	5,685	2,042	178.4%	4,953	1,789	176.9%	10,638	3,831	177.7%	4.3%
Southwest Air	31,483	34,529	-8.8%	31,786	34,324	-7.4%	63,269	68,853	-8.1%	25.7%
United	13,693	14,351	-4.6%	11,754	12,599	-6.7%	25,447	26,950	-5.6%	10.3%
WestJet	10,283	10,750	-4.3%	8,596	8,797	-2.3%	18,879	19,547	-3.4%	7.7%
Allegiant Air	285	883	-67.7%	196	618	-68.3%	481	1,501	-68.0%	0.2%
Flair	-	-	0.0%	-	-	0.0%	-	-	0.0%	0.0%
JetBlue	-	476	-100.0%	-	321	-100.0%	-	797	-100.0%	0.0%
MN Airlines (Sun Country)	2,094	1,931	8.4%	1,855	1,657	11.9%	3,949	3,588	10.1%	1.6%
Charters	-	-	0.0%	-	-	0.0%	-	-	0.0%	0.0%
TOTAL	127,314	129,695	-1.8%	119,176	116,491	2.3%	246,490	246,186	0.1%	100.0%

Palm Springs International Airport

ENPLANED & DEPLANED PASSENGERS - FY 2023 2024													
ENPLANED PASSENGERS													
Airlines	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	FYTD
Air Canada	-	-	-	335	5,670	5,059	5,595	6,330	8,366	6,626	-	-	37,981
Alaska	11,339	9,923	11,493	25,541	30,823	30,980	31,030	35,114	43,343	43,472	23,326	-	296,384
American	13,695	14,400	15,596	20,342	23,979	22,963	23,536	27,581	34,401	29,854	24,503	-	250,850
Avelo Air	-	-	-	-	2,477	2,528	2,498	2,889	3,870	3,635	865	-	18,762
Delta Air	-	-	392	3,945	5,840	11,659	16,245	16,444	21,544	12,438	1,510	-	90,017
SkyWest (Delta Connection)	4,267	4,070	5,050	5,668	5,403	5,466	5,415	5,799	6,147	5,671	4,707	-	57,663
SkyWest (United Express)	8,606	8,448	9,630	7,470	8,324	7,057	8,416	8,360	10,408	11,128	8,880	-	96,727
SkyWest (American Air)	3,691	2,630	3,055	5,390	5,314	3,887	4,784	4,400	5,692	5,557	5,685	-	50,085
Southwest Air	17,851	15,667	19,382	25,155	29,421	25,412	29,154	29,022	39,475	34,093	31,483	-	296,115
United	-	-	4,656	17,089	20,427	19,345	19,643	22,654	29,272	20,469	13,693	-	167,248
WestJet	4,198	4,171	4,058	11,646	16,585	16,441	16,592	19,532	23,121	19,859	10,283	-	146,486
Allegiant Air	-	-	-	1,331	1,457	1,173	1,175	1,679	2,766	2,270	285	-	12,136
Flair	-	-	-	-	-	-	-	-	1,445	303	-	-	1,748
JetBlue	-	-	-	175	3,284	2,640	404	1,627	3,422	2,950	-	-	14,502
MN Airlines (Sun Country)	-	-	501	2,615	3,176	3,635	3,439	4,621	5,201	3,894	2,094	-	29,176
Charters	-	-	-	-	-	-	-	-	-	-	-	-	-
TOTAL ENPLANED	63,647	59,309	73,813	126,702	162,180	158,245	167,926	186,052	238,473	202,219	127,314	-	1,565,880
DEPLANED PASSENGERS													
Airlines	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	FYTD
Air Canada	-	-	-	533	5,771	5,293	5,267	6,477	7,397	4,733	-	-	35,471
Alaska	10,590	10,605	12,779	27,568	30,674	31,911	30,481	37,102	44,485	37,809	20,326	-	294,330
American	13,171	14,104	15,246	20,434	24,029	24,431	24,617	29,068	32,174	27,926	24,715	-	249,915
Avelo Air	-	-	-	-	2,560	2,553	2,486	2,977	3,888	3,342	803	-	18,609
Delta Air	-	-	671	3,917	5,840	13,161	16,443	17,936	20,850	12,438	1,702	-	92,958
SkyWest (Delta Connection)	3,959	3,996	5,299	5,741	5,467	5,416	5,936	5,933	6,177	5,350	4,504	-	57,778
SkyWest (United Express)	8,016	8,498	10,039	7,711	8,827	7,852	7,922	8,774	9,825	10,370	7,986	-	95,820
SkyWest (American Air)	3,492	2,666	2,997	5,463	5,120	3,818	4,108	3,884	5,132	5,067	4,953	-	46,700
Southwest Air	17,428	16,060	20,799	25,891	30,654	28,082	28,435	30,944	39,636	32,632	31,786	-	302,347
United	-	-	4,971	17,220	20,384	20,040	19,723	23,233	28,094	17,459	11,754	-	162,878
WestJet	4,033	4,018	4,366	13,554	17,883	16,173	18,053	21,323	23,235	14,812	8,596	-	146,046
Allegiant Air	-	-	-	1,728	1,468	1,129	1,151	1,859	3,003	1,763	196	-	12,297
Flair	-	-	-	-	-	-	-	-	1,555	69	-	-	1,624
JetBlue	-	-	-	322	3,143	3,173	353	1,742	3,586	2,867	-	-	15,186
MN Airlines (Sun Country)	-	-	581	3,024	3,470	3,965	3,877	5,292	5,462	3,431	1,855	-	30,957
Charters	-	-	-	-	-	-	-	-	-	-	-	-	-
TOTAL DEPLANED	60,689	59,947	77,748	133,106	165,290	166,997	168,852	196,544	234,499	180,068	119,176	-	1,562,916
TOTAL E & D	124,336	119,256	151,561	259,808	327,470	325,242	336,778	382,596	472,972	382,287	246,490	-	3,128,796

PASSENGER ACTIVITY REPORT - FISCAL YEAR COMPARISON

	ENPLANED PASSENGERS						DEPLANED PASSENGERS						TOTAL PASSENGERS								
	FY '23-'24	% CHANGE	FY '22-'23	% CHANGE	FY '21-'22	% CHANGE	FY '20-'21	FY '23-'24	% CHANGE	FY '22-'23	% CHANGE	FY '21-'22	% CHANGE	FY '20-'21	FY '23-'24	% CHANGE	FY '22-'23	% CHANGE	FY '21-'22	% CHANGE	FY '20-'21
July	63,647	-6%	68,071	3%	65,869	282%	17,231	60,689	-7%	65,593	3%	63,594	284%	16,545	124,336	-7%	133,664	3%	129,463	283%	33,776
August	59,309	-9%	65,368	11%	58,793	220%	18,389	59,947	-7%	64,584	9%	59,159	227%	18,093	119,256	-8%	129,952	10%	117,952	223%	36,482
September	73,813	-7%	79,599	21%	65,682	184%	23,087	77,748	-7%	83,235	17%	70,984	186%	24,828	151,561	-7%	162,834	19%	136,666	185%	47,915
October	126,702	5%	120,659	11%	108,923	162%	41,597	133,106	5%	126,798	8%	117,068	148%	47,180	259,808	5%	247,457	9%	225,991	155%	88,777
November	162,180	1%	160,129	18%	135,677	157%	52,874	165,290	4%	159,108	17%	136,267	147%	55,169	327,470	3%	319,237	17%	271,944	152%	108,043
December	158,245	-1%	159,846	17%	136,897	230%	41,517	166,997	3%	161,369	16%	139,630	234%	41,745	325,242	1%	321,215	16%	276,527	232%	83,262
January	167,926	-1%	169,746	44%	118,204	198%	39,614	168,852	-2%	171,910	44%	119,184	202%	39,468	336,778	-1%	341,656	44%	237,388	200%	79,082
February	186,052	1%	184,973	30%	142,206	147%	57,530	196,544	4%	188,877	26%	150,130	138%	63,127	382,596	2%	373,850	28%	292,336	142%	120,657
March	238,473	7%	223,314	10%	202,993	89%	107,577	234,499	3%	226,832	13%	200,890	88%	106,900	472,972	5%	450,146	11%	403,883	88%	214,477
April	202,219	1%	200,753	8%	185,946	67%	111,376	180,068	1%	178,600	4%	172,169	65%	104,401	382,287	1%	379,353	6%	358,115	66%	215,777
May	127,314	-2%	129,695	5%	123,736	33%	92,820	119,176	2%	116,491	6%	109,503	34%	81,715	246,490	0%	246,186	6%	233,239	34%	174,535
June		-100%	71,635	-3%	73,861	10%	66,885		-100%	66,826	-3%	68,663	9%	62,987	-	-100%	138,461	-3%	142,524	10%	129,872
YTD	1,565,880	-4%	1,633,788	15%	1,418,787	112%	670,497	1,562,916	-3%	1,610,223	14%	1,407,241	113%	662,158	3,128,796	-4%	3,244,011	15%	2,826,028	112%	1,332,655

ITEM 13.A - FUTURE COMMITTEE MEETINGS

Airport Commission Meeting of June 18, 2024

Date	Time	Committee
June 17, 2024	10:30 A.M.	Ad Hoc Design Review Committee
July TBD	TBD	Noise Committee
TBD	TBD	Budget and Finance Committee
TBD	TBD	Marketing and Business Development Committee
TBD	TBD	Operations, Properties and Facilities Committee

AIRPORT COMMITTEES FY2023-24

REVISED 1-11-24

REPRESENTING	COMMISSIONERS	Marketing (7 Members)	Budget (7 Members)*	Operations (7 Members)	Noise (5 Members)	Ad Hoc Design Review (5 Members)*
Indian Wells	BERRIMAN, Robert			Member		
Palm Springs	BURKE, Todd	Chair			Member	Member
Palm Springs	CALDWELL, Daniel	Member		Member		
Palm Springs	CORCORAN, Kevin		Member		Member	Chair
Palm Springs	DADA, Aftab					
Palm Springs	FELTMAN, David			Chair		Member
Palm Springs	FONG, J Craig	Member			Member	
La Quinta	HUGHES, Kathleen	Member				
Palm Springs	MARTIN, Tracy		Chair			
Cathedral City	MICHAELIS, Tony		Member		Member	
Riverside County	PARK, Margaret			Member		
Desert Hot Springs	PYE, Jan		Member	Member		
Palm Springs	SUERO, Guillermo	Member				
Palm Desert	WISEMAN, Kevin	Member		Member	Member	Member
Indio	WISE, Rick	Member	Member			
Rancho Mirage	YOUNG, Keith		Member	Member		

*Budget & Finance Committee has one (1) vacancy

Ad Hoc Design Review Committee has one (1) vacancy

AIRPORT MASTER PLAN

WORKING GROUP REVISED 1-19-24

REPRESENTING	COMMISSIONERS
Palm Springs	CORCORAN, Kevin
Palm Springs	DADA, Aftab
Palm Desert	WISEMAN, Kevin
Rancho Mirage	YOUNG, Keith