



Cathedral City

CITY COUNCIL MINUTES

CITY COUNCIL CHAMBERS 68-700 AVENIDA LALO GUERRERO CATHEDRAL CITY, CA 92234

Wednesday, January 13, 2016 REGULAR MEETING 6:30 PM

• CALL TO ORDER

Mayor Stan Henry called the Regular City Council Meeting to order at 6:41 p.m.

• PLEDGE OF ALLEGIANCE

Council Member John Aguilar led the Pledge of Allegiance.

• INVOCATION (MOMENT OF REFLECTION)

Council Member Mark Carnevale offered the invocation.

• ROLL CALL

Present: 5 - Mayor Stan Henry, Mayor Pro Tem Gregory S. Pettis, Council Member Shelley Kaplan, Council Member Mark Carnevale, and Council Member John Aguilar

• AGENDA FINALIZATION

Mayor Stan Henry announced that they would be pulling Item 2J from the Consent Agenda for discussion.

• STATEMENT OF PARTICIPATION BY THE DEPUTY CITY CLERK

1. PUBLIC COMMENT

The Queen and her Court for the Riverside County Fair and National Date Festival introduced themselves and invited everyone to attend the 70th Annual Riverside County Fair and National Date Festival February 12 - 21, 2016.

Nikohl Vandell, Desert Hot Springs, was called to speak. She expressed her concern with Monsanto.

Robert Durbin, Cathedral City, was called to speak. He requested that the city consider installing charging locations for electric vehicles in the City.

2. CONSENT AGENDA

A motion was made by Council Member Aguilar, seconded by Council Member Kaplan, to approve the following Consent Agenda Items with the removal of Item 2J. The motion carried with Mayor Pro Tem Greg Pettis abstaining from Item 2G. by the following vote:

Aye: 5 - Mayor Henry, Mayor Pro Tem Pettis, Council Member Kaplan, Council Member Carnevale, and Council Member Aguilar

- 2.A.** [2015-519](#) **Receive and file Payment of Claims and Demands**
Enactment No: M.O. 6512
- 2.B.** [2016-10](#) **City Council Minutes of November 16, 2015 and December 9, 2015**
Enactment No: M.O. 6513
- 2.C.** [2015-507](#) **Resolution on U.S. Supreme Court's Citizens United Ruling**
Enactment No: Reso 2016-01
- 2.D.** [2016-8](#) **Community Assistance Grant Program**
Enactment No: M.O. 6514
- 2.E.** [2015-504](#) **Facilities Grounds Maintenance Agreement**
Enactment No: M.O. 6515
- 2.F.** [2015-503](#) **Participation in the Riverside County Mortgage Credit Certificate Program**
Enactment No: Reso 2016-02
- 2.G.** [2015-501](#) **Resolution Approving the Application for Land and Water Conservation Funds for the Festival Park Project**
Enactment No: Reso 2016-03
- 2.H.** [2015-500](#) **Adopt an Environmentally Preferable Purchasing Policy**
Enactment No: M.O. 6516
- 2.I.** [2015-509](#) **Annual California Government Code Section 50075 Report for Community Facilities District (CFD) 2006-1**
Enactment No: M.O. 6517

ITEM REMOVED FROM CONSENT AGENDA FOR DISCUSSION

- 2.J.** [2015-508](#) **Grant Application for the Staffing of Adequate Fire and Emergency Response (SAFER) Grant**

A motion was made by Council Member Kaplan, seconded by Council Member Aguilar, to approve a Resolution in support of a grant application to the Federal Emergency Management Agency for Federal fiscal Year 2015/2016, which will provide federal funds for two years, consisting of salaries and benefits, to hire six firefighter/paramedics for the fire department. The motion carried by the following vote:

Aye: 5 - Mayor Henry, Mayor Pro Tem Pettis, Council Member Kaplan, Council Member Carnevale, and Council Member Aguilar

Enactment No: Reso 2016-04

3. PUBLIC HEARINGS

4. LEGISLATIVE ACTIONS

4.A. [2016-6](#) Appointments to City Boards and Commissions

A motion was made by Mayor Pro Tem Pettis, seconded by Council Member Kaplan, to appoint Jerid Seeba to fill the unexpired term on the Parks and Community Events Commission with a term continuing through June 30, 2017. The motion carried by the following vote:

Aye: 5 - Mayor Henry, Mayor Pro Tem Pettis, Council Member Kaplan, Council Member Carnevale, and Council Member Aguilar

Enactment No: M.O. 6518

A motion was made by Council Member Carnevale, seconded by Council Member Aguilar, to appoint Linda Snowden to fill the unexpired term on the Planning Commission with a term continuing to June 30, 2018 and appoint Michael Hagedorn to fill an unexpired term on the Planning Commission with a term continuing to June 30, 2017. The motion carried by the following vote:

Aye: 5 - Mayor Henry, Mayor Pro Tem Pettis, Council Member Kaplan, Council Member Carnevale, and Council Member Aguilar

Enactment No: M.O. 6518

A motion was made by Mayor Pro Tem Pettis, seconded by Council Member Aguilar, to appoint the following individuals to the Mobilehome Fair Practices Commission for temporary terms:

**Patrick Flood
Robert Durbin
Bob Elias
Mary Beth Hunt**

The motion carried by the following vote:

Aye: 4 - Mayor Henry, Mayor Pro Tem Pettis, Council Member Kaplan, and Council Member Aguilar

Nay: 1 - Council Member Carnevale

Enactment No: M.O. 6518

4.B. [2016-9](#) Ordinance Amendments Regulating Medical Cannabis Cultivation and Dispensaries

Shawn Hauser and Jordan Wellington from Vicente Sederberg, LLC will give an overview of the proposed Ordinance.

Council Member Shelley Kaplan, questioned what type of limitations for advertising are in place for liquor stores.

Mayor Pro Tem Greg Pettis questioned why medical cannabis cannot be consumed in a dispensary.

Jordan Wellington responded that it was prohibited based on the feedback from the City Council, if it is the desire of the Council to allow consumption in dispensaries they can research the State Code and see if onsite consumption can be allowed.

Mayor Stan Henry questioned if those working in a dispensary need to take their medication (medical marijuana) while working in a dispensary, would they have to leave the facility to do so?

Shawn Hauser responded in the affirmative, based on the way the current code is written.

Mayor Pro Tem Greg Pettis questioned if there was a fire at an illegal growing facility, with the new code allowing growing facilities they want to open a legal growing facility, would the City be able to charge all costs incurred by the illegal business.

City Attorney Eric Vail responded that from his knowledge the proposed Ordinance does not have a mechanism to charge such a fee and he believes that the Ordinance has certain disqualifiers and under the terms would be disqualified.

Mayor Pro Tem Greg Pettis clarified that the background investigations will be done by a contract investigator.

Police Chief George Crum responded in the affirmative.

Council Member John Aguilar questioned if the criminal background criteria is included in the Ordinance.

Shawn Hauser, Vicente Sederberg, LLC. responded in the affirmative.

Mayor Stan Henry questioned if the City can mandate some type of language for consistency in the background checks for employees.

Jordan Wellington, Vincente Sederberg, LLC, responded that the Code is written in a way that there shall be consistency.

Gary Amy, Cathedral City, was called to speak. He questioned what is meant by legal proof of entitlement to the premises. He also questioned what is local licensed authority.

Shawn Hauser, Vicente Sederberg, LLC, stated that it is required and the local license authority would deem what is appropriate.

Mayor Pro Tem Greg Pettis, questioned what would be considered an appropriate form of proof.

City Manager Charles McClendon, stated that policies will be written that will define all the requirements which will be approved by the City Council.

Tyrone Pearson, Cathedral City, was called to speak. He spoke about taxes related to Medical Marijuana and fees related to licensing the facilities.

Richard Gordon, Cathedral City, was called to speak. Questioned when the fees would be brought to the City Council for approval. He expressed his concern with the signage of the facilities and the number of cultivation facilities that may be allowed.

A motion was made by Council Member Kaplan, seconded by Council Member Aguilar, to approve the first reading and introduction, by title only, an Ordinance of the City Council of Cathedral City, California, Adding Section 5.88 of the Cathedral City Municipal Code Relating to Medical Cannabis. The motion carried by the following vote:

Aye: 4 - Mayor Pro Tem Pettis, Council Member Kaplan, Council Member Carnevale, and Council Member Aguilar

Nay: 1 - Mayor Henry

Enactment No: M.O. 6519

4.C. [2016-1](#) Contract Award for the Citywide Wayfinding Sign Program

A motion was made by Council Member Kaplan, seconded by Council Member Aguilar, to approve the award of a Design Professional Services Agreement with Graphic Solutions to develop and implement a comprehensive Citywide Sign Program and authorize the City Manager to execute the Agreement and to appoint Council Member Kaplan and Council Member Mark Carnevale to represent the City Council on the Sign Program Committee. The motion carried by the following vote:

Aye: 5 - Mayor Henry, Mayor Pro Tem Pettis, Council Member Kaplan, Council Member Carnevale, and Council Member Aguilar

Enactment No: M.O. 6520

4.D. [2015-506](#) First Reading of an Ordinance Prohibiting the Retail Sale of Dogs and Cats within the City of Cathedral City

A motion was made by Council Member Aguilar, seconded by Council Member Carnevale, to approve the first reading and introduction, by title only, an Ordinance of the City Council of the City of Cathedral City, California, Adding a Chapter to the Cathedral City Municipal Code, Prohibiting the Retail Sale of Dogs and Cats Within the City of Cathedral City, Subject to Certain Exceptions. The motion carried by the following vote:

Aye: 4 - Mayor Henry, Council Member Kaplan, Council Member Carnevale, and Council Member Aguilar

Nay: 1 - Mayor Pro Tem Pettis

Enactment No: M.O. 6521

4.E. [2015-512](#) Fire Department Remount of Two Ambulance Patient Compartments onto Two New Chassis

A motion was made by Council Member Kaplan, seconded by Mayor Pro Tem Pettis, to authorize staff to undertake the appropriate procurement process for purchase of chassis and installation of patient compartments to remount two 2008 Marque Type III Patient Compartments onto two new 2016 Ford E-450 Chassis. The motion carried by the following vote:

Aye: 5 - Mayor Henry, Mayor Pro Tem Pettis, Council Member Kaplan, Council Member Carnevale, and Council Member Aguilar

Enactment No: M.O. 6522

5. COUNCIL REPORTS

Council Member Mark Carnevale, reported that he attended the 2016 Goal Setting Meeting and is looking forward to the upcoming year. He attended a Public Safety Meeting and feels that Cathedral City has a great Police Department. He spoke with Captain Moss with regard to the new marijuana laws and all of the officers will need to be brought up to speed on this issue. He attended the Red Cross Meeting and they will be holding a golf tournament if anyone is interested. He announced that he attended a Restaurant Cluster Meeting, it is their hope to get about 25 restaurants together in an effort to let the Valley know the good quality restaurants that are in Cathedral City.

Council Member John Aguilar reported that he and Mayor Pro Tem Greg Pettis had the opportunity to meet twice with the Desert Sands HOA one was an ice cream social and the other was the Annual Meeting and Installation of their new Board. He reported that SunLine is going to be improving two existing bus shelters in Cathedral City.

Council Member Shelley Kaplan, thanked the City Manager and Chris Parman for setting up a good media event

for the recent passage of the gender neutral restroom ordinance. He stated that the State has been asking for follow-up information as they reevaluate the regulatory framework for water conservation. Some comments were sent in for Cathedral City. Consideration of credit for those who had measures in place prior to, large seasonal residents, not penalized for watering in parks. He went over some of the stats on PACE program. He reported that the Vector Control Board General Manager retired in December, a new Manager will be at the first City Council Meeting in February. He also reported that he was elected the Treasurer of the Board. He announced that meetings have been set up around the State for the Regional Transportation Plan. The SCAG website will have the dates listed.

Mayor Pro Tem Greg Pettis, thanked his colleagues for attending events on his behalf. He requested that a discussion be brought to the Council to consider amending the Mobilhome Fair Practices Commission Ordinance to allow those who live in mobilehome parks to be allowed to serve on the commission. Members of the Desert Sands HOA have expressed their concern with not having a voice on the Commission. The HOA has extended an invitation to the Police Chief, Fire Chief and City Manager to come speak to them on different items. He along with Mayor Henry and the Police Chief met with Walgreens regarding disaster preparedness, they indicated their willingness to donate materials and supplies. He attended the Southern California Economic Summit, there was very interesting dialog and the Valley was very well represented. He feels that the Goal Setting Retreat was good he feels that the finances and reserves are heading in the right direction. On February 5th The Greater Palm Springs CVB will be hosting a day trip on the "Sunset Limited".

Mayor Stan Henry expressed his condolences on behalf of the City to Bill Baker's family. He reported that he attended the Goal Setting Workshop for 2016 and feels that it went well and thanked staff for all of their efforts. He is optimistic about the things that were added for 2016 and feels that it is great to see that they may not all start at the same place but get there in the end. The Palm Springs Film Festival at the Mary Pickford was good. It was great to see all of the people in Cathedral City. It is his hope to make that happen again in future years. He will be attending the League of California Cities dinner on Monday, and the Chamber of Commerce Installation of the Board of Directors will be held on Tuesday. On Sunday Mayor Pro Tem Greg Pettis will be presenting a proclamation for Martin Luther King Day. He also reported that he sent a letter for the Mizell Center to continue managing the grant for the food bank for seniors and other senior activities.

6. CLOSED SESSION

City Attorney Eric Vail announced that the City Council will recess to Closed Session to discuss the following Items:

- 6A. Conference with Real Property Negotiator pursuant to Government Code Section 54956.8 as listed on the Agenda.
- 6B. Conference with Real Property Negotiator pursuant to Government Code Section 54956.8 as listed on the Agenda.
- 6C. Conference with Real Property Negotiator pursuant to Government Code Section 54956.8 as listed on the Agenda.
- 6D. Conference with Labor Negotiator Pursuant to Government Code Section 54956.6 subd. (b) as listed on the Agenda.

Council recessed into Closed Session at 8:51 p.m.

6.A. [2015-513](#) CLOSED SESSION: CONFERENCE WITH REAL PROPERTY NEGOTIATOR pursuant to Government Code Section 54956.8.

Property Location: APN: 675-271-036 - 037, 675-271-040 - 041, 677-291-021 - 022, 677-382-005 - 008, 677-383-001 - 002, 680-251-055, 680-252-022, 680-301-001, 680-301-003, 680-302-021, 680-421-031,

680-432-011, 680-422-039, 687-212-001 - 005, 687-212-019,
687-212-026, 677-410-009, 677-332-003, 677-373-008

Negotiating Parties: City of Cathedral City, Riverside Housing Development Corporation, and Urban Housing Communities

Property Owners: City of Cathedral City in its capacity as Housing Successor Agency

Under Negotiations: Property Negotiations

6.B. [2015-505](#) CITY COUNCIL- Conference with Real Property Negotiator Pursuant to Government Code Section 54956.8

Property Location: Approximately 18 acres at NW Corner of East Palm Canyon Drive and Date Palm Drive

Property Owners: City Urban Revitalization Corporation, Wessman Development & the City of Cathedral City

Negotiating Parties: City of Cathedral City, City Urban Revitalization Corporation, Wessman Development

Under Negotiation: Property Negotiations

6.C. [2015-515](#) CLOSED SESSION: CONFERENCE WITH REAL PROPERTY NEGOTIATOR pursuant to Government Code Section 54956.8.

Property Location: 68783 E. Palm Canyon Drive APN #687-207-004

Negotiating Parties: City of Cathedral City and Mike Azzarella

Property Owners: Mike Azzarella

Under Negotiations: Property Negotiations

6.D. [2015-511](#) CITY COUNCIL - Conference with Labor Negotiator Pursuant to Government Code Section 54956.6 subd. (b)

Agency Negotiator: Charles McClendon, City Manager

Represented Employees: Cathedral City Police Officers Association (CCPOA)

Non-Represented Employees: Non-Represented Employee Group

The City Council reconvened at 9:55 p.m.

City Attorney Eric Vail announced that the City Council met in Closed Session and there was no reportable action taken.

ADJOURN

Mayor Stan Henry adjourned the City Council Meeting at 9:55 p.m.

STANLEY E. HENRY, Mayor

ATTEST:

GARY F. HOWELL, City Clerk