



Cathedral City

CITY COUNCIL MINUTES

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

Monday, June 22, 2015 SPECIAL MEETING 6:30 PM

• CALL TO ORDER

Mayor Stan Henry called the Special Meeting of the City Council to order at 6:31 p.m.

• PLEDGE OF ALLEGIANCE

Council Member Shelley Kaplan led the Pledge of Allegiance.

• INVOCATION (MOMENT OF REFLECTION)

Council Member Mark Carnevale offered the invocation.

• ROLL CALL AND STATEMENT OF PARTICIPATION BY THE CITY CLERK

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 stated that item 3C. will be pulled from the Consent Agenda for discussion.

1. SPECIAL PRESENTATIONS

1.A. [2015-254](#) **Certificates of Appreciation for Outgoing Board, Commission and Committee Members**

Mayor Stan Henry and the entire City Council presented all of the outgoing Commissioners and Committee with a certificate of appreciation for their time served on their respective Commissions and Committees.

2. PUBLIC COMMENTS

Scott Robinson, Boys and Girls Club, was called to speak. He thanked the Council for their continued support of their organization.

Terry Nelson, Cathedral City, was called to speak. He also thanked the Council for their support of the Boys and Girls Club and expressed his pleasure of working for the center and with all of the participants.

3. CONSENT AGENDA

A motion was made by Council Member Kaplan, seconded by Council Member Carnevale, to approve the Consent Agenda with the removal of item 3C. Contract Award to Hardy & Harper, Inc. for the Date Palm Drive Street Improvement Project, I-10 to Varner Road. 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

3.A. [2015-219](#) Approve City Council Minutes of May 27, 2015 and June 6, 2015

Recommendation: Approve the City Council Minutes of May 27, 2015 and June 6, 2015.

Enactment No: M.O. 6406

3.B. [2015-223](#) California Fire Assistance Agreement (CFAA.)

Recommendation: Staff recommends the City Council approve a resolution in support of the California Fire Assistance Agreement (CFAA.)

Enactment No: Reso 2015-34

3.C. [2015-233](#) Contract Award to Hardy & Harper, Inc. for the Date Palm Drive Street Improvement Project, I-10 to Varner Road

Recommendation: Staff recommends the City Council approve the award of a contract with Hardy & Harper, Inc. in the contract bid amount of \$386,165.00 to construct the Date Palm Drive Street Improvements, I-10 to Varner Road; and approve an approximate 15% contingency on the contract in the amount of Fifty Eight Thousand Eight Hundred Eighty-Five Dollars (\$58,835.00) for unforeseen construction contingencies, thereby, making the total encumbrance four hundred forty-five thousand dollars (\$445,000) for the project; and authorize the City Engineer to issue a Notice of Award and request bonds and insurance for the project; and authorize the City Manager to execute the contract.

A motion was made by Council Member Aguilar, seconded by Mayor Pro Tem Pettis, to award a contract to Hardy & Harper, Inc. in the contract bid amount of \$386,165.00 to construct the Date Palm Drive Street Improvements, I-10 to Varner road; and approve an approximate 15% contingency on the contract in the amount of \$58,835.00 for unforeseen construction contingencies, thereby, making the total encumbrance \$445,000 for the project; and authorize the City Engineer to issue a Notice of Award and request bonds and insurance for the project and authorize the City Manager to execute the contract. The motion carried by the following vote:

Enactment No: M.O. 6407

3.D. [2015-236](#) Approve the Relocation Plan for the C and E Street Relocations Project

Recommendation: It is recommended the City Council in its capacity as the Housing Successor Agency to the Redevelopment Agency of the City of Cathedral City approve the Relocation Plan prepared for the C and E Street Relocations Project

Enactment No: M.O. 6408

3.E. [2015-238](#) Contract Award to Pavement Coatings Company for the East Palm Canyon Drive Preventive Pavement Maintenance Project

Recommendation: Staff recommends the City Council approve the award of a contract to Pavement Coatings Company in the contract bid amount of \$165,400.00 to construct the East Palm Canyon Drive Pavement Preventive Maintenance Project; and approve an approximate 15% contingency on the contract in the amount of Twenty Four Thousand Six Hundred Dollars (\$24,600.00) for unforeseen construction contingencies, thereby, making the total encumbrance One Hundred Ninety Thousand Dollars (\$190,000) for the project; and authorize the City Engineer to issue a Notice of Award and request bonds and insurance for the project; and authorize the City Manager to execute a contract with Pavement Coatings Company on behalf of the City Council.

Enactment No: M.O. 6409

3.F. [2015-250](#) **Final Map and Subdivision Agreement for Tract No. 36747 submitted by Jones Cree Ventures, LLC**

Recommendation: Staff recommends the City Council approve the Final Map for Tract 36747; approve the Subdivision Agreement for Tract 36747; and authorize its execution by the Mayor and City Clerk.

Enactment No: M.O. 6410

4. PUBLIC HEARINGS

4.A. [2015-227](#) **Residential Smoke Alarm Ordinance Amendment**

Recommendation: Staff recommends the City Council conduct first reading and approve an amendment to City Ordinance 8.12 and the California Fire Code 2013 Edition Article 9 - 907.2.10.5.4.

Janet Malocowsky was called to speak. She questioned if the code requirements could be provided at the local home improvement stores so that local residents know what the code is.

A motion was made by Council Member Kaplan, seconded by Council Member Aguilar, to approve the first reading, by title only, an Ordinance of the City Council of the City of Cathedral City amending provisions of Cathedral City Municipal Code Chapter 8.12 and the California Fire Code (2013 Edition Article 9-907.2.10.5.4) relating to Smoke Alarm Requirements upon the sale of certain residential dwellings. 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. 6411

5. LEGISLATIVE ACTIONS

5.A. [2015-241](#) **Amendments to the 2015 City Speed Limits Ordinance**

Recommendation: Staff recommends City Council approve an amendment to the existing 2015 City Speed Limits Ordinance, effectively lowering the speed limit on a section of Cathedral Canyon Drive north of East Palm Canyon to its

intersection with Terrace Avenue, from the current posting of 40 MPH to a new posting of 25 MPH.

A motion was made by Council Member Kaplan, seconded by Council Member Carnevale, to approve the first reading of an Ordinance, by title only, of the City of Cathedral City amending Section 12.20.01 of the Cathedral City Municipal Code relating to the designation of speed limits in 2015. 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. 6412

5.B. [2015-249](#) Funding Agreement for the Cathedral Center.

Recommendation: Staff recommends the City Council authorize the City Manager to enter into a funding agreement with the Cathedral Center and authorize the necessary payments and budget transfers.

A motion was made by Council Member Kaplan, seconded by Council Member Carnevale, to authorize the City Manager to enter into a funding agreement with the Cathedral Center and authorize the necessary payments and budget transfers. 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: 6413

5.C. [2015-251](#) Chamber of Commerce Service Provider Agreement and Lease Agreement for FY15/16

Recommendation: Staff recommends the City Council approve the Chamber of Commerce Service Provider Agreement and Lease Agreement; authorize the City Manager to sign the Agreements; and approve an appropriation and necessary budget transfers in the FY15/16 budget of \$60,000 for the agreed upon services.

Todd Hooks, Cathedral City Chamber of Commerce, was called to speak. He thanked the Council for their support.

A motion was made by Council Member Aguilar, seconded by Council Member Carnevale, to approve the Chamber of Commerce Service Provider Agreement and Lease Agreement, authorize the City Manager to sign the Agreements and approve an appropriation and necessary budget transfers in the FY 2015/2016 budget of \$60,000 for the agreed upon services. 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. 6414

5.D. [2015-244](#) Burrtec Waste and Recycling Services Rate Increase Request

Recommendation: Staff recommends the City Council approve the rate increase to all roll-off, residential, multi-family and commercial customers based on Riverside County's gate fee increase.

A motion was made by Council Member Kaplan, seconded by Mayor Pro Tem Pettis, to approve the

rate increase to all roll-off, residential, multi-family and commercial customers based on Riverside County's gate fee increase. 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. 6415

5.E. [2015-242](#) Resolution Authorizing the Refunding of Lease Revenue Bonds

Recommendation: Staff recommends the City Council approve a resolution and corresponding documentation, in substantially the form provided, to complete the issuance of Lease Revenue Refunding Bonds, Series 2015A (Taxable) (the "Bonds") to provide for the redemption of Cathedral City Public Finance Authority 1997 Lease Revenue Bonds to reduce the annual debt obligation.

A motion was made by Council Member Kaplan, seconded by Mayor Pro Tem Pettis, to approve a Resolution of the City Council of the City of Cathedral City authorizing and approving the issuance of Cathedral City Public Financing Authority Lease Revenue Refunding Bonds (Capital Facilities Projects) Series 2015A (Taxable), in the aggregate principal amount not to exceed \$3,900,000 approving the execution and delivery of a site and facility lease and a lease agreement; and authorizing certain actions and execution of a documents related thereto and a Resolution of the Cathedral City Financing Authority approving the issuance of Cathedral City Public Financing Authority Lease Revenue Refunding Bonds (Capital Facilities Projects) Series 2015A (Taxable), in the aggregate principal amount not to exceed \$3,900,000 approving the execution and delivery of a site and facility lease and a lease agreement; and authorizing certain actions and execution of a documents related thereto. 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 2015-35/Reso PFA 2015-03

5.F. [2015-243](#) Resolutions to Complete the Issuance of Local Agency Revenue Bonds

Recommendation: Staff recommends the City Council approve the attached resolutions and corresponding documentation in their substantial form, which authorize the issuance of Cathedral City Public Finance Authority Local Agency Revenue Bonds, 2015 Series A, allowing the redemption but not the cancellation of certain outstanding assessment district bonds, the redemption of the 2004 Series A Cathedral City Public Financing Authority Local Agency Revenue Bonds, the sale of the Local Obligations to the Cathedral City Public Financing Authority and the purchase of certain outstanding assessment district bonds of the City of Cathedral City.

A motion was made by Mayor Pro Tem Pettis, seconded by Council Member Kaplan, to approve a Resolution of the City Council of the City of Cathedral City, California, approving the issuance of the Cathedral City Public Financing Authority Local Agency Revenue Bonds, 2015 Series A, and authorizing the redemption but not the cancellation of certain outstanding assessment district bonds and certain other actions in connection therewith and a Resolution of the Cathedral City Public Financing Authority approving the issuance of the Cathedral City Public Financing Authority Local Agency Revenue Bonds, 2015 Series A, in the aggregate principal amount not to exceed \$41,815,000,

authorizing the redemption of certain outstanding bonds of the authority and the purchase of certain assessment district bonds of the City, approving the execution of an indenture and taking other actions related thereto. 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 2015-36/Reso PFA 2015-04

6. COUNCIL REPORTS

Council Member John Aguilar, reported that Peter Rittenhouse made a presentation at the Date Palm Country Club HOA Meeting, he did a great job.

Council Member Shelley Kaplan, reported that he attended an event hosted by the Chandi Group. They collected \$50,000 for the Special Olympics. He also reported that he attended the Book Signing for Bob Hillard. The book was good and very interesting. He attended the CVAG Conservation Committee, an item of discussion was the Salt n Sea. the State of California will be taking orders for Specialty License Plates with proceeds going towards the restoration of the sea.

Mayor Pro Tem Greg Pettis, also attended the Bob Hillard book signing event. He reported that he had an opportunity to go with Senator Stone to Angel view. He feels that the work they do is great and has invited them to come and give a presentation at a future study session.

Mayor Stan Henry, attended the CVEP meeting. It was discussed that in the past there has been some public/private partnership issues but they are more solvent now. He and Council Member Shelley Kaplan attended the CVAG Homeless Committee and it was disclosed that Roy's Resource Center is going through some budget shortfalls. They are looking at a comprehensive study to determine future funding needs. He stated that members of the City Council will be at a League of California Cities Executive forum later this week.

Mayor Stan Henry temporarily adjourned the City Council Meeting at 7:37 p.m. to finish the items on the Study Session Agenda.

Mayor Stan Henry reconvened the City Council Meeting at 8:02 p.m.

The City Council recessed into Closed Session at 8:03 p.m.

7. CLOSED SESSION

7.A. [2015-247](#) CLOSED SESSION: CONFERENCE WITH REAL PROPERTY NEGOTIATOR pursuant to Government Code Section 54956.8.

Property Location: Approximately 15 acres generally north and west of East Palm Canyon Drive and Date Palm Drive.

Negotiating Parties: City Urban Revitalization Corporation (CURC) and Landmark Development Group, LLC.

Property Owners: City Urban Revitalization Corporation (CURC)

Under Negotiations: Property Negotiations

7.B. [2015-246](#) CLOSED SESSION: CONFERENCE WITH LEGAL COUNSEL - Existing Litigation Pursuant to Government Code Section 54956.9(d)(1):

Name of Case and Number: City of Cathedral City v. Grasshopper et. al.
Riverside County Superior Court Case Number: INC 1206440

The City Council reconvened at 8:34 p.m.

City Attorney Charles Green announced that the City Council met in Closed Session and there were no reportable actions taken.

ADJOURN

Mayor Stan Henry adjourned the City Council Meeting at 8:35 p.m.

STANLEY E. HENRY, Mayor

ATTEST:

GARY F. HOWELL, City Clerk