



Cathedral City

CITY COUNCIL MINUTES

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

Wednesday, December 14, 2016 REGULAR MEETING 6:30 PM

• CALL TO ORDER

Mayor Stan Henry called the December 14, 2016, City Council Meeting to order at 6:38 p.m.

• PLEDGE OF ALLEGIANCE

Council Member John Aguilar led the Pledge of Allegiance.

• INVOCATION (MOMENT OF REFLECTION)

Council Memembr 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

• STATEMENT OF PARTICIPATION BY THE DEPUTY CITY CLERK

1. PUBLIC COMMENT

Dale Jag, Cathedral City, was called to speak. He expressed his concerns with residents being afraid to speak during Public Comment for fear of verbal retaliation and harassment.

Alan Carvalho, Cathedral City, was called to speak. He apologized to anyone that he may have offended and encouraged residents to get involed and be engaged.

2. CONSENT AGENDA

Approval of the Consent Agenda

A motion was made by Council Member Kaplan, seconded by Mayor Pro Tem Pettis, to approve the following Consent Agenda Items. The motion carried by the following vote:

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

2.A. [2016-530](#) Receive and file Payment of Claims and Demands

This item was approved.

Enactment No: M.O. 6690

2.B. [2016-538](#) Approve City Council Minutes

This item was approved.

Enactment No: M.O. 6691

2.C. [2016-526](#) Amendment to SUP #16-021, Desert Oasis Market

This item was approved.

Enactment No: M.O. 6692

2.D. [2016-518](#) Program Supplemental Agreement No. N011-Rev. 1 to Administering Agency-State Agreement No. 08-5430R for the Date Palm Drive Bridge Widening Project

This item was approved.

Enactment No: Reso 2016-45

3. PUBLIC HEARINGS

3.A. [2016-528](#) Extension of Moratorium on the Approval of New Cannabis Dispensaries

City Attorney Eric Vail, gave an overview of the proposed moratorium indicating that the initial 45 day period of the moratorium is not enough time to thoroughly study the issues and prepare ordinance amendments. The proposed ordinance would extend the moratorium approved in Ordinance No. 785 for a period of six months.

Mayor Stan Henry opened the Public Hearing for discussion, there being none, he closed the Public Hearing.

City Manager Charles McClendon, announced the names of the individuals that were appointed to the Medical Cannabis Task Force.

A motion was made by Council Member Aguilar, seconded by Council Member Kaplan, to approve an Interim Urgency Ordinance extending the temporary moratorium on the approval of new applications for dispensaries for a period of six months. 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: Ord 786

3.B. [2016-492](#) Substantial Amendment to the Community Development Block Grant (CDBG) Fiscal Year 2014-2015 and 2015-2016 Annual Action Plans

John Corella, City Engineer, indicated that there are some updates that need to be made to the surplus fund for projects and will require this item to be continued to a later date. It is staff's recommendation that the Council open the Public Hearing and continue it to January 25, 2017.

Mayor Stan Henry opened the Public Hearing for discussion. The Public Hearing is continued to January 25, 2017.

Enactment No: M.O. 6693

3.C. [2016-521](#) Disposition of a Certain Housing Parcel

Mayor Stan Henry opened the Public Hearing for discussion, there being none, he closed the Public Hearing.

A motion was made by Council Member Kaplan, seconded by Council Member Aguilar, that the City Council, acting as the Housing Successor Agency, authorize the sale of one duplex housing parcel located at 33560 Navajo Trail, APN: 680-442-039 from James Fortson, in the amount of \$175,000. 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. 6694

3.D. [2016-519](#) Appeal of Planning Commission Approval of Conditional Use Permit 16-023 for WCCC-West Coast Cannabis Club, 68828 Ramon Road, Suite A2

City Attorney Eric Vail gave an overview of the role of the City Council in the appeal process.

Pat Milos, Community Development Director, presented the Conditional Use Permit as it was presented to the Planning Commission. He stated that the Commission approved the CUP.

Michael Peterson, appellant, presented his appeal. He feels that the CUP approved by the Planning Commission should be overturned based on undue concentration. He encouraged the Council to institute a moratorium on the issuance of CUPs on licenses that have already been granted until undue concentration is clearly defined.

Kenneth Churchill, applicant, stated that the Council has received a letter addressing all of the issues of the appeal that was submitted on the CUP that was approved for West Coast Cannabis Club. He gave an overview of who he is and what type of business he plans to run in Cathedral City.

Mayor Henry opened the Public Hearing for discussion. He indicated that Council received many letters regarding this issue which were made part of the record.

Jon Bronstien, property owner of the proposed site of West Coast Cannabis Club. He indicated that he supports the decision of the Planning Commission and encourages the City Council to uphold their decision.

Mayor Henry closed the Public Hearing.

A motion was made by Mayor Pro Tem Pettis, seconded by Council Member Kaplan, to deny the appeal of the Planning Commission approval of Conditional Use Permit 16-023 for West Coast Cannabis Club located at 68828 Ramon Road, Suite A2 and affirm, in whole, the decision of the Planning Commission. 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. 6695

3.E. [2016-524](#) Appeal of Planning Commission Denial of Conditional Use Permit 16-038 for Green Dragon Collective, 68860 Perez Road, Suite K

Pat Milos, Community Development Director, presented the CUP as it was presented to the Planning Commission. He indicated that the Planning Commission denied the CUP because of the concern that granting

the CUP as described in the staff report would be detrimental to existing uses specifically permitted in the I-1 Zone.

Glenn Standbridge, Green Dragon Collective, Appellant, stated that he wanted to let the Council know who they are and what type of business they run. They want to be good neighbors and be an asset to the Community and they plan on giving back to the community.

Mayor Stan Henry opened the Public Hearing for discussion.

Nick Hughes, was called to speak. He indicated that he is opposed the the issuance of a CUP for Green Dragon Collective being located at 68860 Perez Road, Suite K.

Alex Campbell, was called to speak. He indicated that he is in favor of the CUP and encourage the Council to overturn the denial of the CUP.

Mark Moran, was called to speak. He indicated that he is in favor of the CUP.

Troy Solomon, was called to speak. He indicated that he is also in favor of the CUP.

Pamela Allen, was called to speak. She indicated that she is in favor of the aproval of the CUP.

Brieanna Steele, was called to speak. She indicated that she is also in favor or the approval of the CUP.

Mayor Henry closed the Public Hearing.

A motion was made by Mayor Pro Tem Pettis, seconded by Council Member Kaplan, to reverse the decision of the Planning Commission's decision to deny CUP 16-038 for Green Dragon Collective, 68860 Perez Road, Suite K and to approve the Conditional Use Permit. 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. 6696

4. LEGISLATIVE ACTIONS

4.A. [2016-475](#) New Firefighter Positions

A motion was made by Council Member Aguilar, seconded by Council Member Kaplan, to approve a budget amendment to the FY 16-17 budget in the amount of \$175,251 and authorize the addition of three full time employees. 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. 6697

4.B. [2016-529](#) Acceptance and Placement of Art Pieces Donated by Simi Dabah and Dinato and Placement of *Friends of the Heart*

A motion was made by Council Member Kaplan, seconded by Council Member Aguilar, to approve the acceptance and installation of 6 donated art pieces at the following locations as recommended by the Public Arts Commission in an amount not to exceed \$13,500 from the Public Arts Fund:

1. Ocotillo Park: Simi Dabah art piece 2003-02-02. Budget: \$1300 includes transportation and

installation.

2. Ramon Road Median near Whispering Palms: Simi Dabah art piece 2006-02-14. Budget: \$2000 includes transportation and installation.

3. Parking lot behind Senior Center off of Buddy Rogers: Simi Dabah art piece 2008-05-31. Budget: \$2000 includes transportation, installation and renovation to landscaping.

4. Avenida Lalo Guerrero near Swiss Cheese art piece: Simi Dabah art piece 2012-07-09. Budget: \$3300 includes transportation, installation and repair to desert landscape during installation.

Dinato Sculpture from the Colin Fisher Gallery: Dinato has successfully sold his work in Cathedral City and he would like to give back in the form of a donated art piece. The Commission is recommending that the Dinato sculpture be placed in the city hall paseo.

5. City Hall Paseo on the City Hall side near the door to the elevator: Dinato (yellow art piece). Budget: \$1000 includes transportation and installation.

Friends of the Heart: "Friends of the Heart" is a limestone art piece donated to the city and was formerly located in the city hall paseo on the pedestal.

6. City Hall Paseo on the Police side near the telephone: Friends of the Heart. Budget: \$3900 includes transportation and installation.

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. 6698

5. COUNCIL REPORTS

Council Member Mark Carnevale felt that the Boys and Girls Club and CVREP events that were held were great.

Council Member John Aguilar reported that he attended the grand opening event for the new SBA Satellite Office.

Council Member Shelley Kaplan attended the CVREP event, which was a great success. They had rendering of the proposed live theater performance center. He along with other members of the City Council attended the retirement party for Sly Zelnys, Human Resources Manager. He announced that Mayor Pro Tem Greg Pettis was appointed to serve on the Human Development Committee for the National League of California Cities. He reported that he attended the Historic Presentation Committee Meeting, they offered an excellent presentation.

Mayor Pro Tem Greg Pettis, feels that there should be a variety of art pieces placed from various artists throughout the community, which is why he voted no on the previous item on the Agenda. He reported that he along with other staff members had the opportunity to travel to our Sister City, Jalisco Mexico. Delegates from Jalisco will be traveling to Cathedral City during the Taste of Jalisco event. The two cities have worked on a variety of projects throughout the years. They have indicated that they want to give back to the community of Cathedral City through cultural presentations of art work and music. He reported that we are celebrating 20 years of sisterhood. He presented the Mayor with a plaque of recognition from Jalisco. He also reported that he attended a good reception hosted by Assemblyman Garcia. He indicated that he had the opportunity to meet with two young men who want to get involved and engaged in the community and he gave staff information to each of them.

Mayor Stan Henry stated that there have been several events going on throughout the community. He was able to meet with Assemblyman Garcia and they discussed transportation funds and housing issues and programs. He felt they were good discussions. He thanked Mayor Pro Tem for the plaque from Jalisco. He reported that he also attended the retirement party for Sly Zelnys and announced that Captain Moss is retiring and this is his last official meeting. He thanked him for his service to Cathedral City and the Coachella Valley and wished him well in his retirement.

6. CLOSED SESSION

City Attorney Eric Vail announced that the City Council met in Closed Session regarding the items listed on the Agenda. All items were discussed during the Study Session portion of the meeting and is reflected in the minutes of the Study Session Meeting of December 14, 2016.

6.A. [2016-520](#) Conference with Real Property Negotiator Pursuant to Government Code Section 54956.8.

Property Location: APNS: 680-442-039 (33560 Navajo Trail)

Negotiating Parties: City of Cathedral City as Housing Successor Agency to the former Redevelopment Agency and James Fortson

Property Owners: Housing Successor Agency

Under Negotiations: Price and Terms for potential purchase of real property

6.B. [2016-494](#) Conference with Real Property Negotiator Pursuant to Government Code Section 54956.8.

Property Location: Approximately 5.79 acres at Margot Murphy Way south of E. Palm Canyon Drive; A.P.N. 687-510-049 and 687-510-050, Parcels 6 and 7

Negotiating Parties: City Council as Successor Agency to the Former Redevelopment Agency and City Urban Revitalization Corp.

Property Owners: City Urban Revitalization Corp.

Under Negotiation: Price and Terms for Potential Sale of Real Property

6.C. [2016-527](#) Conference with Real Property Negotiator Pursuant to Government Code Section 54956.8.

Property Location: Approximately 15 acres south of East Palm Canyon Drive at Date Palm Drive

Negotiating Parties: City of Cathedral City as the Successor Agency to the former Redevelopment Agency and the City Urban Revitalization Corporation

Property Owner: City Urban Revitalization Corporation

Under Negotiations: Price and Terms for potential sale of real property

ADJOURN

Mayor Stan Henry adjourned the City Council Meeting at 9:14 p.m.

STANLEY E. HENRY, Mayor

ATTEST:

GARY F. HOWELL, City Clerk