



Cathedral City

## CITY COUNCIL MINUTES

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

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Wednesday, March 11, 2015      REGULAR MEETING      6:30 PM

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### • CALL TO ORDER

*Mayor Henry called the Regular Meeting of the City Council of March 11, 2015 to order at 6:50 p.m.*

### • PLEDGE OF ALLEGIANCE

*Council Member Kaplan led the Pledge of Allegiance.*

### • INVOCATION (MOMENT OF REFLECTION)

*Council Member 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 Henry announced that Item 3D. will be pulled from the Consent Agenda for separate action and that the Council will need to take action to Accept 7(a) as a Closed Session Agenda item.*

**A motion was made by Council Member Kaplan, seconded by Mayor Pro Tem Pettis, to accept the amended Item 7A under Closed Session. 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

## 1. SPECIAL PRESENTATIONS

## 2. PUBLIC COMMENTS

*Mayor Henry opened Public Comments, there being none, he closed Public Comments.*

## 3. 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 Kaplan, Council Member Carnevale, and Council Member Aguilar

**3.A.**     [2015-56](#)     Receive and file Payment of Claims and Demands

Enactment No: M.O. 6364

**3.B.**     [2015-66](#)     City Council Minutes of February 25, 2015

Enactment No: M.O. 6365

**3.C.**     [2015-73](#)     Reject All Bids - East Palm Canyon Preventive Maintenance Project

Enactment No: M.O. 6366

**ITEM REMOVED FROM CONSENT AGENDA****3.D.**     [2015-69](#)     Interfusion Music Summit 5

**A motion was made by Mayor Pro Tem Pettis, seconded by Council Member Kaplan, to approve Special Use Permit #15-008 for Interfusion Music Summit 5 from Friday, October 9, 2015 through Sunday, October 11, 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. 6367

**4. PUBLIC HEARINGS****4.A.**     [2015-74](#)     Improvement Area No. 8 - CFD 2006-1 - Public Hearing, Election and Tax Levy

*Karen Panico-Willis, Cathedral City, questioned who will be taxed with this item.*

*Tami Scott, Administrative Services Director, responded that the developer will be paying this tax.*

**A motion was made by Council Member Carnevale, seconded by Council Member Aguilar, to approve a Resolution of Formation of the City Council of the City of Cathedral City determining the validity of prior proceedings, establishing Improvement Area No. 8 of the City of Cathedral City Community Facilities District No. 2006-1 (Law Enforcement, Fire, Paramedic and Park Maintenance 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: Reso. 2015-12

*Enactment No: Reso. 2015-13*

**A motion was made by Council Member Kaplan, seconded by Council Member Aguilar, to approve a Resolution of the City Council of the City of Cathedral City acting on behalf of Improvement Area No. 8 of the City of Cathedral City Community Facilities District No. 2006-1 (Law Enforcement, Fire, Paramedic and Park Maintenance Services) Calling a Special Election. 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. 2015-14*

**A motion was made by Council Member Aguilar, seconded by Council Member Kaplan, to approve a Resolution of the City Council of the City of Cathedral City acting on behalf of Improvement Area No. 8 of the City of Cathedral City Community Facilities District No. 2006-1 (Law Enforcement, Fire, Paramedic and Park Maintenance Services) canvassing the results of the Special Election held within said District. 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. 6368*

**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 Council of the City of Cathedral City acting as the Legislative Body of Community Facilities District No. 2006-1 (Law Enforcement, Fire, Paramedic and Park Maintenance Services) of the City of Cathedral City authorizing the levy of a Special Tax within said District. 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

## **5. LEGISLATIVE ACTIONS**

### **5.A. [2015-53](#) Amendment to the Art in Public Places Ordinance**

**A motion was made by Council Member Aguilar, seconded by Council Member Carnevale, to approve the first reading of an Ordinance, by title only, of the City Council of the City of Cathedral City amending various provisions of Chapter 11.45 ("Art in Public Places Program") of the Cathedral City Municipal Code. 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. 6369*

### **5.B. [2015-64](#) Battle of the Badges - Boxing Special Event**

**A motion was made by Council Member Aguilar, seconded by Mayor Pro Tem Pettis, to approve Special Use Permit 15-006 to allow Jesus Gonzales, a sole proprietor, in collaboration with the Cathedral City Police Officers Associations, to conduct a special event on Saturday, June 6 from 7:00 pm to 10:00 pm. 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. 6370*

### **5.C. [2015-67](#) Jammin for Jesus Music Fest 2016**

**A motion was made by Council Member Carnevale, seconded by Council Member Kaplan, to approve Special Use Permit #15-004 for the 13th Annual "Jammin" for Jesus Music Fest 2016, which will be held on January 16, 2016. 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. 6371

## **6. COUNCIL REPORTS**

*Mayor Pro Tem Pettis, reported that the latest Movies in the Park was very successful. Another Movies in the Park will be held at the end of March, the movie will be "A Bugs Life" at Panorama Park. Council Member Aguilar was the guest speaker at the Rotary Meeting. United Cerebral Palsy Tea Party Event will be held on March 28th from 2-4 p.m. He encouraged all of the Council Members to attend. He and Council Member Aguilar will be doing a Neighborhood Meeting on March 26th and has been talking to the City Manager about having a special meeting so all of the Council Members can attend. It will be held at the Community Presbyterian Church. He requested that the Council have an item on a future Study Session agenda to discuss a plastic bag ordinance.*

*Council Member Carnevale, reported that In-Shape is a really nice facility. He attended a Small Business seminar, which was very interesting. He attended a pancake breakfast at Date Palm Country Club on Saturday, and there was a nice turn-out. He attended the Movies in the Park event which was a great event. He also had the opportunity to meet with the representatives from TNT Fireworks.*

*Council Member Aguilar, reported that he is looking forward to the March 26th Neighborhood Meeting. He also attended the pancake breakfast. He reported that he and Council Member Kaplan had the opportunity to meet with National CORE regarding the possibility of future housing development in the City.*

*Council Member Kaplan, reported that he represented the City on the Mountain Conservancy Meeting and participated in the RCTC General Meeting. They reviewed the Rail System that will connect the pass to Indio, they are still in phase one and looking for Federal Funding. He stated that we will experience a 25% reduction in the gas tax 25% we receive and staff may need to look into the implications of that. The Movies in the Park event was fun and the West Coast Artists was another great event even with the not so perfect weather. He announced that he attended the following ribbon cutting ceremonies: In-shape, Ernstein Book Keeping and the new interchange at I10 and Monterey Avenue. He reported that the The Mountain Conservancy has received grant funds which will be available for water purposes. He reminded everyone about the las Throw Back Thursday movie of the season, "Whatever Happened to Baby Jane" and encouraged everyone to attend.*

*Mayor Pro Tem Pettis announced that there will be visitors from our Sister City, Tequilla, Jalisco Mexico, and they will meet with Council Members and the Fire Department.*

*Mayor Henry, stated that it has been a very busy week. He reported that he, Mayor Pro Tem Pettis and the City Manager had a good meeting with a developer to discuss the area north of the I10. He also met with the Cove Association, they had great things to say about the staff and he thanked staff for all of their efforts. He announced that last Saturday the Relay for Life group held a car wash and the actual Relay for Life event will be held on Saturday at Cathedral City High School. He announced that on March 28th the Shelter from the Storm Gala will be held. He also reported that he met with the American Red Cross, which will be more active in the area. They will be at a future Study Session Meeting to talk about the programs they offer.*

## **7. CLOSED SESSION**

*The City Council temporarily convened to Closed Session at 7:41 p.m.*

*Mayor Pro Tem Pettis and Council Member Mark Carnevale announced that they would be recusing themselves from Closed Session Item 7B. due to a conflict of interest.*

**7.A. [2015-68](#) CLOSED SESSION: CONFERENCE WITH PROPERTY NEGOTIATORS PURSUANT TO GOVERNMENT CODE SECTION 54956.8**

Property Location: APN No. 687-040-057, South of the Intersection of East Palm Canyon and Bankside Drive, Cathedral City, California, 92234  
Agency Negotiator: Successor Agency to the former Redevelopment Agency  
Negotiating Parties: Palm Canyon Group/Tesoro TTM  
Under Negotiations: Reimbursement Agreement for Public Improvements

**7.B. [2015-72](#) CLOSED SESSION: CONFERENCE WITH LEGAL COUNSEL - Existing Litigation Pursuant to Government Code Section 54956.9(d)(1):**

Name of Case and Number: Sunshine Coast Wellness v. City of Cathedral City  
Riverside County Superior Court Case Number: PSC 1500857

*The City Council reconvened at 8:55 p.m. with Council Members Kaplan and Aguilar and Mayor Henry present.*

*Deputy City Attorney Nicholas Hermsen announced that the Council met in Closed Session and there were no reportable actions taken.*

**ADJOURN**

*Mayor Henry adjourned the City Council Meeting at 8:56 p.m.*

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STANLEY E. HENRY, Mayor

ATTEST:

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GARY F. HOWELL, City Clerk