



Cathedral City

## CITY COUNCIL STUDY SESSION MINUTES

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

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Wednesday, March 14, 2018      STUDY SESSION      4:30 PM

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### • CALL TO ORDER

*Mayor Stan Henry called the Study Session Meeting to order at 4:30 p.m.*

### • 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

*Mayor Pro Tem Greg Pettis participated via telecom from the following location:  
Portola Hotel & Spa at Monterey Bay  
2 Portola Plaza  
Monterey, CA 93940*

*Council Member John Aguilar arrived at 4:45 p.m.*

### • AGENDA FINALIZATION

### • STATEMENT OF PARTICIPATION BY THE DEPUTY CITY CLERK

#### 1. PUBLIC COMMENT

*Randy Winbigler, Cathedral City, was called to speak. He stated that he is in opposition of the rezone for the Tesoro Project.*

#### 2. STUDY SESSION

##### 2.A. [2018-85](#)      **Ordinance Prohibiting the Purchase and Discharge of Illegal Fireworks and Revising Administrative Citation and Administrative Fine and Adding Illegal Fireworks Enforcement**

*Fire Chief Paul Wilson presented the proposed Ordinance to the City Council for their direction.*

*Mayor Stan Henry indicated that he would like to see the second offense be a fine of \$2,000. He also would like to see a Strong Education Component and suggested working with Desert Hot Springs on an educational campaign.*

*Council Member Shelley Kaplan questioned if the individual lighting the illegal fireworks can be cited as well.*

*Council Member John Aguilar stated that he looks forward to seeing the report after the first year with the amended Ordinance in place.*

*Melinda Shapiro, Cathedral City, was called to speak. She recommended \$500 for the first citation.*

*Alan Carvalho, Cathedral City, was called to speak. He feels that \$1000 is a good fine and that the community needs to be educated.*

**2.B. [2018-79](#) City of Cathedral City membership with SisterCities International and formation of a Local Sister Cities Committee.**

*Fire Chief Paul Wilson, presented a Staff Report to the City Council with regard to becoming a part of the SisterCities International Organization.*

*Melinda Shapiro, Cathedral City, was called to speak. She feels that the Committee needs to be more educational not business oriented. She would like to see students involved.*

*Alan Carvalho, Cathedral City, was called to speak. He stated that there are advantages and disadvantages to being a part of a larger group and suggested that the Council be cautious moving forward.*

*It was the consensus of the City Council to move forward with joining the SisterCities International and to appoint Mayor Pro Tem Greg Pettis and Councilman John Aguilar to the Committee to represent the City Council.*

**3. CLOSED SESSION**

*The City Council adjourned to Closed Session at 5:11 p.m. to discuss the following item listed on the Agenda.*

**3.A. [2018-72](#) Conference with Real Property Negotiator Pursuant to Government Code Section 54956.8.**

**Property Location:** Eight (8) Parcels in the area of the southwest corner of East Palm Canyon Drive and W. Buddy Rogers with APN's of 687-195-002 through 007, 687-193-007 & 010.

**Negotiating Parties:** City Urban Revitalization Corporation & Successor Agency to the former Redevelopment Agency

**Property Owner:** City Urban Revitalization Corporation

**Under Negotiations:** Price & Terms on Sale of Real Property

*The City Council reconvened at 6:30 p.m.*

*Mayor Stan Henry announced that the City Council met in Closed Session to discuss the following:*

*Property Negotiations for eight (8) Parcels in the area of the southwest corner of East Palm Canyon Drive and W. Buddy Rogers with APN's of 687-195-002 through 007, 687-193-007 & 010.*

*There was no reportable action taken.*

**ADJOURN**

*Mayor Stan Henry adjourned the Study Session Meeting at 6:30 p.m.*

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STANLEY E. HENRY, Mayor

*ATTEST:*

\_\_\_\_\_  
*GARY F. HOWELL, City Clerk*



Cathedral City

## CITY COUNCIL MINUTES

CITY COUNCIL CHAMBERS

68-700 AVENIDA LALO GUERRERO

CATHEDRAL CITY, CA 92234

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Wednesday, March 14, 2018

REGULAR MEETING

6:30 PM

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- **CALL TO ORDER**

- **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**

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

*Mayor Pro Tem Greg Pettis participated via telecom from the following location:*

*Portola Hotel & Spa at Monterey Bay*

*2 Portola Plaza*

*Monterey, CA 93940*

- **AGENDA FINALIZATION**

- **STATEMENT OF PARTICIPATION BY THE DEPUTY CITY CLERK**

### **1. PUBLIC COMMENT**

*Ahmses Maat, Cathedral City, was called to speak. He announced that he opened a Short Term Rental named after his dad.*

*Simeon Den, Cathedral City, was called to speak. Thanked the City Council for all of the work that they do. He thanked the City Council for their continual support of the Agnes Pelton Society. He thanked the Council for their monetary support over the years and stated that they will no longer need that monetary support moving forward. He gave an overview of their plans for the coming years.*

*Jane Rasco, Cathedral City, was called to speak. She expressed her concern with the comments that have been made about her and Diane. She stated that she is a long time resident of the Cove and respectfully requested that the comments stop.*

*Mario Rodriguez, Cathedral City, was called to speak. He stated that he is a resident and will be trying to get involved in the community.*

*Roger Culbertson was, Cathedral City, was called to speak. He stated that many Cove residents are concerned with the re-zoning of the Cove. He stated that those residents are reluctant to attend meetings for fear that they*

*will be bullied and verbally attacked.*

*Alan Carvalho, Cathedral City, was called to speak. He feels that he has been bullied and their comments are responses to being attacked themselves. He does not want to see homes built on the mountains in the Cove.*

## **2. COUNCIL REPORTS**

*Council Member Mark Carnevale reported that he and Mayor Pro Tem Greg Pettis attended the City Hall at Your Corner, which he always enjoys. He also attended the grand opening of the Runway Restaurant and Bar. He reported that he also attended Martha's Village and Kitchen Fundraising Campaign Kick-off and the CV Housing which was put on by the Path of Life Ministries. He reported that he attended the Senior Center get together fundraiser and also met with Supervisor Perez at the Senior Center for his round table discussion.*

*Council Member John Aguilar, reported that he attended the National League of Cities Congressional Annual Meeting. He felt that it was very productive and a lot of good information was provided. He reported that he attended the groundbreaking for the new Runway Restaurant and Bar and the Date Palm Country Club COPS Breakfast. He reported that Josie Diaz has been working hard with Leisa Lukes, Business Development Manager, to implement an MOU with ACE Hardware for a First Hire, Local Hire. They have been out recruiting local individuals to fill 20 positions.*

*Council Member Shelley Kaplan, reported that he attended a College of the Desert First Light Function where they announced their new telescope that will be at the Thermal Campus. It is a very impressive addition to the campus. He attended the graduation ceremony for the 6 new firefighters/paramedics. It was a great event to welcome the new employees. He attended the Riverside County State of Education presentation. It was reported that there is a 90% graduation rate in the County. He attended the opening of the Kim Nicol Trail, the first trail that has been opened in 10 years, it's a 5.6 mile loop. He and Council Member Carnevale attended the CV Housing First Open House. He reminded everyone that the State of the City Address will be held on March 20, 2018 and on March 21, 2018, dinner with Patsy will be held at Bonta, benefits will go to the high school choir. A Super-Q will be held at the Royal Palms to recognize first responders.*

*Mayor Stan Henry reported that he attended the Rich Milanovich Legacy Hike and the League of California Cities division dinner in Canyon Lakes. He announced that he attended the passing of the key ceremony from the old IMAX building to CVRep. He thanked Tami Scott, Administrative Services Director for all of her efforts with that transaction. He announced that the State of the City will be held on March 20, 2018, at the Double Tree Hotel. The presentation will show all of the great things that have happened in the City and what we can look forward to.*

## **3. CONSENT AGENDA**

### ***Approval of the Consent Agenda***

**A motion was made by Council Member Carnevale, seconded by Council Member Aguilar, to approve the following Consent Agenda Items. The motion carried by the following vote:**

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

**Absent:** 1 - Mayor Pro Tem Pettis

### **3.A. [2018-68](#) Receive and file Payment of Claims and Demands**

**This item was approved.**

Enactment No: M.O. 6903

### **3.B. [2018-86](#) City Council Minutes of February 28, 2018**

This item was approved.

Enactment No: M.O. 6904

- 3.C. [2018-60](#)      **Second Reading and Adoption of Ordinance Approving General Plan Amendment No. 17-001, Change of Zone No. 17-002, Specific Plan Amendment No. 07-001B Located in the North City Specific Plan****

This item was approved.

Enactment No: Ord 806

- 3.D. [2018-65](#)      **Re-open CIP 1010, the Da Vall/I-10 Interchange Development Project****

This item was approved.

Enactment No: M.O. 6905

- 3.E. [2018-64](#)      **Resolution Approving Senate Bill 1 Project List for Fiscal Year 2018-2019.****

This item was approved.

Enactment No: Reso 2018-05

- 3.F. [2018-70](#)      **Resignation of Karyn Barnes from Parks and Community Events Commission****

This item was approved.

Enactment No: M.O. 6906

- 3.G. [2018-84](#)      **Resignation of Josie Diaz from Public Arts Commission****

This item was approved.

Enactment No: M.O. 6907

- 3.H. [2018-74](#)      **Resolutions of Support for Propositions 68 and 69 and Opposing the Repeal of SB1****

This item was approved.

Enactment No: Reso 2018-06/Reso 2018-07

- 3.I. [2018-83](#)      **Resolution in Opposition to the Proposed Tax Fairness, Transparency and Accountability Act of 2018****

This item was approved.

Enactment No: Reso 2018-08

**3.J. [2018-80](#) Support for AB2439**

*Charlie Sharples/Tom Hernandez was called to speak. Mr. Sharples read a statement on behalf of Tom Hernandez expressing his appreciation for the support of the City Council for AB2439. He suggested that some language be added to the Resolution that referenced Mr. Hernandez and the 2001 AMVETS Post 66.*

**This item was approved.**

Enactment No: Reso 2018-09

**3.K. [2018-82](#) Amendment to the Employment Contract with the City Manager**

**This item was approved.**

Enactment No: M.O. 6908

**3.L. [2018-69](#) Disposition of Certain Housing Parcels**

**This item was approved.**

Enactment No: M.O. 6909

**4. PUBLIC HEARINGS****4.A. [2018-40](#) Rio Vista Village Specific Plan Amendment No. 97-55C**

*Pat Milos, Community Development Director, presented the proposed Specific Plan Amendment No. 97-55C.*

*Mayor Stan Henry opened the Public Hearing for comments, there being none, he returned discussion to the City Council.*

**A motion was made by Council Member Kaplan, seconded by Council Member Carnevale, to adopt a Resolution approving a Mitigated Negative Declaration and to introduce the first reading of an Ordinance to amend the Rio Vista Village Specific Plan (75-55C) text to add Section 5.8: General Residential Site Development Standards for R-2 Cluster Single-Family Development and to add references to other section of the Rio Vista Specific Plan text referring to the development standards of Section 5.8. 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 2018-10/M.O. 6910

**4.B. [2018-77](#) General Plan Amendment No. 17-002, Change of Zone No. 17-003, and related Memorandum of Agreement and Restrictive Covenant - Tesoro Property**

*Pat Milos, Community Development Director, gave an overview of the proposed General Plan Amendment No. 17-002, Change of Zone No. 17-003, and related Memorandum of Agreement and Restrictive Covenant - Tesoro Property.*

*Mayor Henry opened the Public Hearing.*

*Miriam Alario, Cathedral City, was called to speak. She stated she is opposed to the zone-change.*

*Richard Altman was called to speak. He expressed his support for the zone-change.*

*Barry Jaquess, Cathedral City, was called to speak. He stated that he is opposed to the zone-change.*

*Jane Rasco, Cathedral City, was called to speak. She stated that she is opposed to the zone-change.*

*Jason Sugarman was called to speak. He stated that he supports the zone-change and the product that Mr. Baker offers.*

*Heidi Wayne was called to speak. She stated that she supports the project.*

*Roger Culbertson, Cathedral City, was called to speak. He stated that he is opposed to the zone-change and the type of business that is being proposed.*

*Kathleen Patterson, Cathedral City, was called to speak. She is opposed to the zone-change. She would like to see nothing built in that area.*

*Melinda Shapiro, Cathedral City, was called to speak. She is opposed to the zone-change. The proposed development is perfect for the other side of the freeway.*

*Dale Jag, Cathedral City, was called to speak. He stated that he is opposed to the zone-change.*

*Allen Worthy, Palm Springs, was called to speak. He stated that he is opposed to the zone-change. He would like to see residential in this area.*

*Alan Carvalho, Cathedral City, was called to speak. Stated that he supports the zone-change. He feels that it is important to remember that there are many different opinions in the community.*

*Mario Rodriguez, Cathedral City, was called to speak. He is opposed to the zone-change.*

*George Howell, Cathedral City, was called to speak. He stated that he is a Cove Resident. He is opposed to the zone-change and feels that there is a better location for the proposed development.*

*Chad Goodman, Cathedral City, was called to speak. He stated that he does not support the zone-change. He would like to see it remain residential.*

*Mayor Henry closed the Public Hearing and returned discussion to the City Council.*

*Council Member Mark Carnevale thanked all of the residents that took the time to participate.*

*Mayor Pro Tem Greg Pettis provided a recap of what has taken place with regard to this item and stated that he is uncertain how he will be voting.*

*Mayor Stan Henry, appreciated the applicants willingness to work with the City on the proposed restrictions. He is not in favor of the proposed zone change.*

*Council Member Shelley Kaplan, thanked all those that have commented and have take the time to send letters and emails. He stated that he does support the zone change. He feels that the City has taken all of the appropriate steps to ensure that it is a viable project for the City.*

*Council Member John Aguilar, stated that he feels that a lot of time has been spent on this proposed zone-change and project. He feels that the there has been an outcry from the community on this item and he is still unsure of his position.*

**A motion was made by Council Member Kaplan, seconded by Council Member Carnevale, to approve**

an exemption to the California Environmental Quality Act (CEQA) pursuant to Section No. 15061 (b)(3); and Introduce, read by title only, and waive further reading of an Ordinance approve General Plan Amendment No. 17-002 and Change of Zone No. 17-003; and Approve the Memorandum of Agreement for Community Hiring and Union Neutrality between the City of Cathedral City and Palm Canyon Group; and Accept as to form and content the Restrictive Covenant offered by Palm Canyon Group, LLP related to the anticipated project on the site. The motion failed by the following vote:

**Aye:** 1 - Council Member Kaplan

**Nay:** 4 - Mayor Henry, Mayor Pro Tem Pettis, Council Member Carnevale, and Council Member Aguilar

Enactment No: M.O. 6911

**A motion was made by Council Member Carnevale, seconded by Council Member Kaplan, to deny the exemption to the California Environmental Quality Act (CEQA) pursuant to Section No. 15061 (b)(3); and Introduce, by title only and waive further reading, an Ordinance to approve General Plan Amendment No. 17-002 and Change of Zone No. 17-003. 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. 6911

**4.C. [2018-81](#) Improvement Area No. 10 - CFD 2006-1 - Public Hearing, Election and Tax Levy**

*Mayor Stan Henry opened the the Public Hearing for comments.*

*Tami Scott, Administrative Services Director, provided an overview of the proposed Improvement Area No. 6 of the City of Cathedral City Community Facilities District No. 2006-1 (Law Enforcement, Fire, Paramedic and Park Maintenance Services), and the levy of special taxes.*

*There were no comments or protests. Mayor Henry closed the Public Hearing.*

**A motion was made by Council Member Aguilar, seconded by Council Member Kaplan, to adopt a Resolution determining the validity of prior proceeding and establishing the Improvement Area No. 10 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 2018-11/ 2018-12/2018-13

**A motion was made by Council Member Kaplan, seconded by Council Member Carnevale, to adopt a Resolution calling a special election within Improvement Area No. 10 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 2018-11/ 2018-12/2018-13

**A motion was made by Council Member Kaplan, seconded by Council Member Aguilar, to adopt a Resolution canvassing the results of the election held within Improvement Area No. 10 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 2018-11/ 2018-12/2018-13

## **5. LEGISLATIVE ACTIONS**

### **5.A. [2018-66](#) CVAG Joint Powers Agreement**

**A motion was made by Council Member Aguilar, seconded by Council Member Kaplan, to approve the amended and restated Joint Powers Agreement regarding the Coachella Valley Association of Governments (CVAG). 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. 6913

### **5.B. [2018-75](#) Tejano Music Festival SUP, Production Contract and Special Events Budget Adjustments**

*Mr. Hernandez was called to speak. He supports the event.*

*Ms. Hernandez, was called to speak. She supports the event.*

**A motion was made by Council Member Aguilar, seconded by Council Member Kaplan, to approve Special Use Permit (S.U.P.) 18-006; and approve a contract with Diaz Enterprises to produce the event; and approve he recommended budget adjustment for special events. 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. 6914

### **5.C. [2018-78](#) Second Reading and Adoption of an Ordinance Allowing and Regulating Cannabis Consumption Lounges**

*Melinda Shapiro, Cathedral City, was called to speak. She expressed her concern with not knowing if someone is under the influence or not. She feels that this Ordinance may be premature.*

**A motion was made by Council Member Kaplan, seconded by Council Member Aguilar, to approve the second reading of an Ordinance of the City Council of the City of Cathedral City California amending Chapter 5.88 of the Cathedral City Municipal Code permitting and regulating cannabis consumption on-site at licensed dispensaried subject, and providing a grace period for employee background checks. The motion carried by the following vote:**

**Aye:** 3 - Mayor Pro Tem Pettis, Council Member Kaplan, and Council Member Aguilar

**Nay:** 2 - Mayor Henry, and Council Member Carnevale

Enactment No: Ord 807

## **6. CLOSED SESSION**

*The Closed Session Items listed on the Agenda were heard under the Study Session portion of the meeting and is reflected in the minutes of March 14, 2018.*

**6.A. [2018-72](#) Conference with Real Property Negotiator Pursuant to Government Code Section 54956.8.**

**Property Location:** Eight (8) Parcels in the area of the southwest corner of East Palm Canyon Drive and W. Buddy Rogers with APN's of 687-195-002 through 007, 687-193-007 & 010.

**Negotiating Parties:** City Urban Revitalization Corporation & Successor Agency to the former Redevelopment Agency

**Property Owner:** City Urban Revitalization Corporation

**Under Negotiations:** Price & Terms on Sale of Real Property

**ADJOURN**

*Mayor Stan Henry adjourned the City Council Meeting of March 28, 2018 at 8:57 p.m.*

\_\_\_\_\_  
*STANLEY E. HENRY, Mayor*

ATTEST:

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*GARY F. HOWELL, City Clerk*