



Cathedral City

CITY COUNCIL MINUTES

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

Wednesday, June 10, 2015 REGULAR MEETING 6:30 PM

• CALL TO ORDER

Mayor Henry opened the Regular City Council Meeting of June 10, 2015 at 6:35 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

Council Member John Aguilar requested to pull item 3C. for discussion.

1. SPECIAL PRESENTATIONS

2. PUBLIC COMMENTS

Nikohl Vandel, Desert Hot Springs, was called to speak. She questioned who the friends are of CVLink. She feels that until we get back to clear communication there will be confusion and chaos.

Allen Worthy, was called to speak. He stated that he is moving forward with trying to open a theater in Cathedral City.

Charles Green, City Attorney, announced that there have been some complaints with the approval process of opening medical marijuana dispensaries in Cathedral City. He reminded the public that when it was brought before the Council to allow dispensaries in Cathedral City, he indicated that there would undoubtedly be litigation involved. Litigation has indeed happened. To this point the City has been sued twice. The first case was based upon an inadequate floor plan and the court supported the City's action. The second case was much more troubling. The Court finally held the hearing on the second case and ruled completely in favor of the City. One of the reasons the City has been moving slowly was due to a preliminary injunction that was filed with the second case. Staff will now be able to move forward with the process.

3. CONSENT AGENDA

A Motion was made by Council Member Aguilar, seconded by Council Member Kaplan, to approve the

Consent Agenda with the removal of Item 3C. 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. [2015-221](#) Receive and file Payment of Claims and Demands

Enactment No: M.O. 6399

3.B. [2015-224](#) Council Policy on Residency Requirement for City Boards and Commissions

Enactment No: Reso 2015-28

3.C. [2015-228](#) Boards, Commissions and Committee Appointments

This item was removed from the Consent Agenda for discussion and separate vote for each Commission, Board and Committee.

Stephen Vericker, Cathedral City, was called to speak. He encouraged the City Council to reappoint Pam Price to the Public Arts Commission. She has been a good asset to the Commission. He believes that the Public Arts Commission needs to represent the entire community and be diverse geographically.

Enactment No: M.O. 6400

A motion was made by Council Member Carnevale, seconded by Council Member Kaplan, to appoint John Haag to the Palm Springs International Airport Commission with a term continuing to June 30, 2018. 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

A motion was made by Council Member Carnevale, seconded by Council Member Kaplan, to appoint Tyrone Pearson and Jared Seeba to the Finance Advisory Committee each with a term continuing to June 30, 2018. 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

A motion was made by Council Member Kaplan, seconded by Mayor Pro Tem Pettis, to appoint Diane Hines, Ariana Menon, Karen Panico-Willis, Valerie Schechter and Johnny Huynh-Simmonds to the Parks and Community Events Commission each with a term continuing to June 30, 2018. 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

A motion was made by Council Member Kaplan, seconded by Mayor Pro Tem Pettis, to appoint Denise Rodriguez-Bowman, Simeon Den, Tim Parott, Sue Townsley and Pam Price to the Public Arts Commission each with a term continuing to June 30, 2018. The motion carried by the following vote:

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

Nay: 2 - Mayor Henry, and Council Member Aguilar

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

John Rivera, Ana Rodriguez, Barry Jaques and Robin Johnson to the Planning Commission each with a term continuing to June 30, 2018. 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

A motion was made by Mayor Pro Tem Pettis, seconded by Council Member Kaplan, to appoint Ralph Hitchcock, Al Jimenez and Donna Lawton to the Board of Appeals each with a term continuing to June 30, 2018. 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.D. [2015-199](#) Establishing Annual Special Tax for Fiscal Year 2015-2016 (Rio Vista Village)

Enactment No: Reso 2015-29

3.E. [2015-211](#) Supporting Resolutions for the FY 2015-16 and 2016-17 Operating Budgets

Enactment No: Reso 2015-30/Reso 2015-31/Reso SA-2015-01/Reso PFA-2015-01

3.F. [2015-217](#) Regular meeting schedule for the Cathedral City Public Finance Authority

Enactment No: Reso PFA-2015-02

4. PUBLIC HEARINGS

4.A. [2015-200](#) Annual Renewal of the Lighting & Landscaping District Budget

Tami Scott, Administrative Services Director, presented the Staff Report.

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

A motion was made by Council Member Aguilar, seconded by Council Member Kaplan, to adopt a resolution approving the final engineer's report and a resolution ordering the levy and collection of annual assessments for the sixteen (16) existing benefit zones to enable the annual renewal of the Lighting and Landscaping District Budget for FY 2015-16. 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 2015-32/Reso 2015-33

5. LEGISLATIVE ACTIONS

5.A. [2015-213](#) Riverside County Field and Shelter Services Contract for one (1) year, FY 2015/16

A motion was made by Council Member Kaplan, seconded by Council Member Carnevale, to authorize the Police Department to enter into a one year contract with Riverside County Health Agency to continue with Field and Shelter Services provided by the Department of Animal 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. 6401

5.B. [2015-212](#) Ordinance Regulating Single Use Carryout Plastic Bags.

A motion was made by Council Member Aguilar, seconded by Council Member Kaplan, to approve the first reading of an Ordinance regulating single use carryout plastic bags. 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. 6402

5.C. [2015-214](#) Ordinance Regarding Massage Establishments.

A motion was made by Council Member Kaplan, seconded by Council Member Aguilar, to approve the first reading of an Ordinance amending Chapter 5.33, "Massage Therapy Permits" of Title 5, "Business Regulations" 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. 6403

5.D. [2015-216](#) Proposed Ordinance Regarding Trespass.

A motion was made by Council Member Kaplan, seconded by Council Member Carnevale, to approve the first reading of an Ordinance amending Section 11.08.080, "Trespass" of Chapter 1.08, "Disorderly Conduct" 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. 6404

5.E. [2015-218](#) Special Use Permit - High Fitness Exercise Demonstration

A motion was made by Council Member Kaplan, seconded by Council Member Aguilar, to approve Special Use Permit #15-014 allowing them to begin at 8:00 a.m. instead of 9:00 a.m. 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. 6405

Mayor Stan Henry temporarily adjourned the City Council Meeting at 7:15 p.m.

Mayor Stan Henry reconvened the City Council Meeting at 7:53 p.m.

6. COUNCIL REPORTS

There were no Council Reports.

7. CLOSED SESSION

The City Council adjourned to Closed Session at 7:54 p.m.

7.A. [2015-231](#) CLOSED SESSION: CONFERENCE WITH REAL PROPERTY NEGOTIATOR pursuant to Government Code Section 54956.8

Property Location: The property located in the general vicinity of Date Palm Drive and Perez Road

Property Owners: City of Cathedral City

Negotiating Parties: City of Cathedral City and Coachella Valley Association of Governments

7.B. [2015-235](#) CLOSED SESSION: CONFERENCE WITH REAL PROPERTY NEGOTIATOR pursuant to Government Code Section 54956.8

Property Location: Parcel 5 of Parcel Map No. 36428 located East, South, Southwest and West of Margot Murphy Place.

Negotiating Parties: City of Cathedral City as Successor Agency to the Former Redevelopment and M&M Property Company, LLC.

Property Owners: City of Cathedral City as Successor Agency to the former Redevelopment Agency

The City Council reconvened at 8:45 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 8:45 p.m.

STANLEY E. HENRY, Mayor

ATTEST:

GARY F. HOWELL, City Clerk