



Cathedral City

CITY COUNCIL MINUTES

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

Wednesday, March 25, 2015 REGULAR MEETING 6:30 PM

• CALL TO ORDER

Mayor Henry called the Regular Meeting of the City Council to order at 7:24 p.m.

• PLEDGE OF ALLEGIANCE

Council Member Kaplan led the Pedge of Allegiance.

• INVOCATION (MOMENT OF REFLECTION)

Council Member Carnevale offered the Invocation.

• ROLL CALL AND STATEMENT OF PARTICIPATION BY THE CITY CLERK

Present: 4 - Mayor Stan Henry, Mayor Pro Tem Gregory S. Pettis, Council Member Shelley Kaplan, and Council Member Mark Carnevale

Excused: 1 - Council Member John Aguilar

• AGENDA FINALIZATION

City Attorney Charles Green announced that a Closed Session Urgency Item will need to be added to the Agenda. The matter involves potential litigation involving Tesoro. Adding this item to the Agenda meets all of the requirements of an urgency item.

A motion was made by Council Member Carnevale, seconded by Mayor Pro Tem Pettis, to add an Urgency Item to the Agenda: Closed Session, Potential Litigation involving Tesoro. The motion carried by the following vote:

Aye: 4 - Mayor Henry, Mayor Pro Tem Pettis, Council Member Kaplan, and Council Member Carnevale

Excused: Council Member Aguilar

1. SPECIAL PRESENTATIONS

2. PUBLIC COMMENTS

Gary Rees, Palm Springs, was called to speak. He provided some information to the City Council related to Cannabis Cultivation.

3. CONSENT AGENDA

Approval of the Consent Agenda

A motion was made by Council Member Kaplan, seconded by Council Member Carnevale, to approve the following Consent Agenda Items. Mayor Pro Tem Pettis abstained from Item 3.I. The motion carried by the following vote:

Aye: 4 - Mayor Henry, Mayor Pro Tem Pettis, Council Member Kaplan, and Council Member Carnevale

Excused: Council Member Aguilar

- 3.A.** [2015-95](#) **City Council Minutes of March 11, 2015**
Enactment No: M.O. 6372
- 3.B.** [2015-75](#) **Improvement Area NO. 7 - CFD NO. 2006-1 - Second Reading and Adoption of an Ordinance Establishing a Special Tax Levy**
Enactment No: Ord 749
- 3.C.** [2015-79](#) **Approve Construction Contracts for the Festival Lawn Sidewalks**
Enactment No: M.O. 6373
- 3.D.** [2015-80](#) **Resolution Accepting Dedication of a Public Alley on Lot "E" of Tract No. 3627**
Enactment No: Reso 2015-15
- 3.E.** [2015-82](#) **Cost Effective/Public Interest Finding - East Palm Canyon Drive Maintenance Project**
Enactment No: Reso 2015-18
- 3.F.** [2015-86](#) **Support for the California Desert Conservation and Recreation Act of 2015**
Enactment No: Reso 2015-16
- 3.G.** [2015-87](#) **Purchase of Emergency Vehicle Preemption (EVP) Replacement Equipment and Repair Services**
Enactment No: M.O. 6374
- 3.H.** [2015-88](#) **Traffic Signal Upgrades at Date Palm Drive and 30th Avenue**
Enactment No: M.O. 6375
- 3.I.** [2015-89](#) **Service Provider Agreement with California Consulting, LLC for Downtown Festival Park Grant Services**
Enactment No: M.O. 6376
- 3.J.** [2015-101](#) **Amendment to the Art in Public Places Ordinance - Second Reading**
Enactment No: Ord 750

4. PUBLIC HEARINGS

4.A. [2015-76](#) Resolution Authorizing the City to Join the Statewide Community Infrastructure Program

Mayor 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 Mayor Pro Tem Pettis, to adopt a Resolution authorizing the City to join the Statewide Community Infrastructure Program; authorizing the California Statewide Communities Development Authority to accept applications from property owners, conduct special assessment proceedings and levy assessments within the territory of the City of Cathedral City; approving Form of Acquisition Agreement for use when applicable; and authorizing related actions. The motion carried by the following vote:

Aye: 4 - Mayor Henry, Mayor Pro Tem Pettis, Council Member Kaplan, and Council Member Carnevale

Excused: Council Member Aguilar

Enactment No: Reso 2015-17

5. LEGISLATIVE ACTIONS

5.A. [2015-77](#) Adoption of the 2015 City Speed Limits Ordinance

A motion was made by Council Member Carnevale, seconded by Council Member Kaplan, to approve the first reading of an Ordinance amending Section 12.20.01 of the Cathedral City Municipal Code relating to the designation of Special Speed Limits in 2015. The motion carried by the following vote:

Aye: 4 - Mayor Henry, Mayor Pro Tem Pettis, Council Member Kaplan, and Council Member Carnevale

Excused: Council Member Aguilar

Enactment No: M.O. 6377

5.B. [2015-81](#) Ratification of Desert Hot Springs Dispatch Services Contract

A motion was made by Council Member Kaplan, seconded by Council Member Carnevale, to approve a 42 month contract to continue providing Public Safety Dispatching Services to the Desert Hot Springs Police Department. The motion carried by the following vote:

Aye: 4 - Mayor Henry, Mayor Pro Tem Pettis, Council Member Kaplan, and Council Member Carnevale

Excused: Council Member Aguilar

Enactment No: M.O. 6378

5.C. [2015-84](#) Ordinance Adding Chapter 12.28.170, "Parking in Lots of Private Businesses"

A motion was made by Council Member Kaplan, seconded by Council Member Carnevale, to approve the first reading of an Ordinance of the City of Cathedral City adding Section 12.28.170, "Parking in Lots of Private Businesses" of Chapter 12.28, "Stopping, Standing and Parking" of Title 12, "Vehicles and Traffic" of the Cathedral City Municipal Code. The motion carried by the following vote:

Aye: 4 - Mayor Henry, Mayor Pro Tem Pettis, Council Member Kaplan, and Council Member Carnevale

Excused: Council Member Aguilar

Enactment No: M.O. 6379

6. COUNCIL REPORTS

Council Member Carnevale, received his Budget Workbook and is looking forward to reviewing it and going through the process. In preparation of the ISCS, he met with the Buxton Group. His restaurant will be doing the liquor for the LGBT Days Disco. He requested that an Ordinance on Cannabis Cultivation be placed on a future agenda for discussion.

Council Member Kaplan, attended the Boys and Girls Club annual awards event, which was very nice. He attended the ground breaking for the revised Jefferson Interchange. It will be under construction for a couple of years. The Rotary will hold the Movies in the Park on Saturday, "It's a Bugs Life". He and Mayor Henry will be attending the Agua Caliente Investors Forum on Friday. He encouraged everyone to attend the LGBT Days events.

Mayor Pro Tem Pettis, reported that he attended the CVEP Board of Directors Meeting. He also met with the new District Director for Dr. Ruiz about the Passenger Rail Program and some of the things going on in the City. He attended the SunLine Board Meeting. He reported that the Council will be doing a neighborhood meeting on Thursday, March 26th at the Community Presbyterian Church, no City business will be conducted. He announced that the 3rd Annual Walking for Water Event will be held on April 18th.

Mayor Henry, reported that he welcomed 500 kids at the Desert Princess along with Supervisor Benoit for the County Youth Summit. They had guest speakers that spoke on Impaired Driving, Self Defense and Diversity Discrimination. He along with Council Member Kaplan will attend Invest Coachella Valley at Agua Caliente on Friday. He also announced that the Shelter from the Storm Gala will be held on Saturday. He indicated that he will be attending the Neighborhood meeting on March 26th.

7. CLOSED SESSION

The City Council temporarily convened to Closed Session at 7:55 p.m.

Council Member Carnevale will be recusing himself from Item 7B. and Mayor Pro Tem Pettis will be recusing himself from Items 7B., 7C., 7D., 7E.

7.A. [2015-96](#) CLOSED SESSION: 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

Property Owners: City as Successor Agency to the former Redevelopment Agency and City Urban Revitalization Corporation (CURC)

Negotiating Parties: City as Successor Agency to the former Redevelopment Agency, CURC, and Saxony

Under Negotiation: Property Negotiations

7.B. [2015-97](#) 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

- 7.C. [2015-98](#) **CLOSED SESSION: CONFERENCE WITH LEGAL COUNSEL - Existing Litigation Pursuant to Government Code Section 54956.9(d)(1):**

Name of Case and Number: Green Connect, Inc. v. City of Cathedral City

Riverside County Superior Court Case Number: PSC 1406573

- 7.D. [2015-99](#) **CLOSED SESSION: CONFERENCE WITH LEGAL COUNSEL - Existing Litigation Pursuant to Government Code Section 54956.9(d)(1):**

Name of Case and Number: Cathedral City Care Collective et. al. v. City of Cathedral City et. al.

Riverside County Superior Court Case Number: PSC 1501067

- 7.E. [2015-100](#) **CLOSED SESSION: CONFERENCE WITH LEGAL COUNSEL - Anticipated Litigation - Significant exposure to litigation pursuant to paragraph (2) or (3) of subdivision (d) of Section 54956.9: One**

A statement threatening litigation has been made by a person outside an open and public meeting on a specific matter within the responsibility of the legislative body, and an official or employee of the local agency who received knowledge of the threat has made a contemporaneous or other record of the statement prior to the meeting. This record is available for public inspection at the City Clerk's Office. (Gov. Code Section 54956.9 (e) (5).)

7.F. CLOSED SESSION ITEM ADDED: Potential Litigation Involving Tesoro.

City Council reconvened at 9:00 p.m. with Council Member Kaplan and Mayor Henry present.

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

ADJOURN

Mayor Henry adjourned the City Council Meeting at 9:01 p.m.

STANLEY E. HENRY, Mayor

ATTEST:

GARY F. HOWELL, City Clerk