



CITY COUNCIL SPECIAL MEETING MINUTES

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

Monday, November 16, 2015 SPECIAL MEETING 6:30 PM

- **CALL TO ORDER**

Mayor Stan Henry called the Special Meeting of November 16, 2015 to order at 6:49 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**

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

- **AGENDA FINALIZATION**

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

1. PUBLIC COMMENT

Conrad Correll, Cathedral City, was called to speak. He expressed his concern with the sounds from events held in the downtown area traveling to his neighborhood. He would like to be a part of the solution and would like to participate in any discussion that may take place. He also expressed his concern with Time Warner. He feels that City Government works and he plans on being involved.

2. CONSENT AGENDA

Approval of the Consent Agenda

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

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

2.A. [2015-446](#) Receive and file Payment of Claims and Demands

Recommendation: The City Council acting in its capacity for the City, the Successor Agency to the former Redevelopment Agency, the Housing Successor Agency, the Cathedral City Public Finance Authority Board, and the Cathedral City

Downtown Foundation Board receive and file payment of claims and demands in the aggregate sum of \$ 3,231,590 for the month of October, 2015.

Approved

Enactment No: M.O. 6486

2.B. [2015-465](#) City Council Minutes of October 21, 2015, October 28, 2015 and October 30, 2015

Recommendation: Approve the City Council Minutes of October 21, 2015, October 28, 2015 and October 30, 2015.

Approved

Enactment No: M.O. 6487

2.C. [2015-415](#) Budget Adjustments

Recommendation: Memorialization of previously approved and recommended budget adjustments

Approved

Enactment No: M.O. 6488

2.D. [2015-430](#) Intergovernmental Cooperative Agreement with the Coachella Valley Association of Governments (CVAG) for the Cathedral City Bike Trail.

Recommendation: Staff recommends the Cathedral City Council approve a Cooperative Agreement with CVAG for the Cathedral City Bike Trail and authorize the Mayor to execute the Agreement on behalf of Cathedral City.

Approved

Enactment No: M.O. 6489

2.E. [2015-444](#) Property Management Contract with Playa del Sol for Space Adjacent to Fire Station 413

Recommendation: Staff Recommends the City Council Renew the Property Management Contract with Playa del Sol Development Company, Inc. for the Commercial Space Adjacent to Fire Station 413

Approved

Enactment No: M.O. 6490

2.F. [2015-450](#) Property Transfer Agreement and Non-Exclusive Easement Agreement with Maintenance Covenants for Parcels 1, 6, 7, 8, 9, 10, and 11 and Revised Parcels 2 and 5 of Parcel Map No. 36428

Recommendation: Staff recommends that the City Council and the City Council acting as the Successor Agency to the Former Redevelopment Agency of the City of Cathedral City approve the Property Transfer Agreement and Escrow Instructions and the Non-Exclusive Easement Agreement with Maintenance Covenants and direct the City Manager and Executive Director to execute the Agreements.

Approved

Enactment No: M.O. 6491

2.G. [2015-460](#) **AB 1600 Development Fee Report**

Recommendation: Staff recommends the City Council accept the Annual AB 1600 Development Fee Report for the City of Cathedral City, Fiscal Year 2014/15 and adopt a resolution accepting the report concerning certain development fees pursuant to Government Code 66006.

Approved

Enactment No: Reso 2015-58/M.O. 6492

2.H. [2015-468](#) **Application for a Rubberized Pavement Grant from Cal Recycle**

Recommendation: Staff recommends that the City Council adopt a Resolution authorizing the application, letter of authorization and execution of a standard agreement and any other documents necessary to secure a Rubberized Pavement Grant from CalRecycle for the proposed improvements to Vista Chino; and authorize the Mayor to sign the resolution on behalf of Cathedral City and authorize the City Engineer to sign the grant application.

Approved

Enactment No: Reso 2015-59

3. PUBLIC HEARINGS

3.A. [2015-447](#) **Public Hearing to Vacate Certain Streets, Alleys, Public Highway Easements and Utility Easements - Vacation No. 2015-02**

Recommendation: Staff recommends the City Council hold a public hearing and adopt the Resolution, conditionally vacating all or portions of Lot "V" ("B" Street), Lot "W"("A" Street), and Lot "X"(alley lot), as shown on the map of Cathedral City, filed in Book 13, at Pages 24 through 26, inclusive, of Maps, Records of Riverside County, California, together with the public highway and/or public utility uses on portions of Lots 132 and 133, as shown on said map of Cathedral City, all located within the East half of Section 33, Township 4 South, Range 5 East, San Bernardino Meridian, at the Southeast quadrant of East Palm Canyon Drive and Van Fleet Avenue; and approve the sale or disposal of certain surplus public property parcels resulting from the above vacations, to the abutting parcel owners, at a price or other consideration

as approved by the City Manager; and approve the use of the sample Resolution attached as Exhibit "C" to the Vacation Resolution, as outlined herein, for the vacation of the above streets, alley and easements in portions or segments, as the conditions of their vacation are met.

Tami Scott, Administrative Services Director, presented a staff report on the proposed Street Vacation.

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

A motion was made by Council Member Kaplan, seconded by Council Member Aguilar, to adopt a Resolution , conditionally vacating all or portions of Lot "V" ("B" Street), Lot "W" ("A" Street), and Lot "X" (alley lot), as shown on the map of Cathedral City, filed in Book 13, at Pages 24 through 26, inclusive, of Maps, Records of Riverside County, California, together with the public highway and/or public utility uses on portions of Lots 132 and 133, as shown on said map of Cathedral City, all located within the East Half of Section 33, Township 4 South, Range 5 East, San Bernardino Meridian, at the Southeast quadrant of East Palm Canyon Drive and Van Fleet Avenue; and approved the sale or disposal of certain surplus public property parcels resulting from the above vacations, to the abutting parcel owners, at a price or other property parcels resulting from the above vacations, to the abutting parcel owners, at a price or other consideration as approved by the City Manager; and approve the use of sample Resolution attached as Exhibit "C" to the Vacation Resolution, as outlined herein, for the vacation of the above streets, alleys and easements in portions or segments, as the conditions of their vacation are met. The motion carried by the following vote:

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

Enactment No: Reso 2015-60

4. LEGISLATIVE ACTIONS

4.A. [2015-442](#) Resignation of Julie Haltman from the Parks and Community Events Commission and Robin Johnson from the Planning Commission

Recommendation: Staff recommends the City Council accept the resignation of Julie Haltman from the Parks and Community Events Commission and Robin Johnson from the Planning Commission, direct staff to post a Notice of Vacancy pursuant to Government Code Section 54974 and provide direction to staff on how to proceed with filling the vacancies.

A motion was made by Council Member Aguilar, seconded by Council Member Carnevale, to accept the resignation of Julie Haltman from the Parks and Community Events Commission and Robin Johnson from Planning Commission, direct staff to post a Notice of Vacancy pursuant to Government Code Section 54974 and accept applications for both vacancies at a date to be determined, interview applicants and make appointments in January, 2016. The motion carried by the following vote:

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

Enactment No: M.O. 6493

4.B. [2015-462](#) C.O.D. Street Fair

Recommendation: Staff recommends the City Council approve SUP #15-033

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

Special Use Permit #15-033 "West Valley Wednesdays". The motion carried by the following vote:

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

Enactment No: M.O. 6494

4.C. [2015-467](#) Circo Caballeros

Recommendation: Staff recommends the City Council approve SUP #15-034

A motion was made by Council Member Aguilar, seconded by Council Member Kaplan, to approve Special Use Permit #15-034 for "Circo Caballero". The motion carried by the following vote:

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

Enactment No: M.O. 6495

4.D. [2015-470](#) Joining Regional Real Estate Fraud Task Force

Recommendation: Staff recommends the City Council approve the Police Department joining a fully funded Regional Real Estate Fraud Task Force operated by the Riverside County District Attorney's Office.

A motion was made by Council Member Kaplan, seconded by Council Member Carnevale, to approve the Police Department joining a fully funded Regional Real Estate Fraud Task Force operated by the Riverside County District Attorney's Office. The motion carried by the following vote:

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

Enactment No: M.O. 6496

4.E. [2015-453](#) Proposed Ordinance Regarding Gender Neutral Restrooms.

Recommendation: Staff recommends the City Council enact the attached ordinance regarding gender-neutral restrooms.

A motion was made by Council Member Aguilar, seconded by Council Member Pettis, to approve the first reading of an Ordinance adding Chapter 5.86, "Gender-Neutral Signage for Single-User Restrooms" to the Cathedral City Municipal Code. The motion carried by the following vote:

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

Enactment No: M.O. 6497

4.F. [2015-456](#) Proposed Ordinance Regulating Shopping Carts.

Recommendation: Staff recommends the City Council approve the attached ordinance establishing regulations concerning shopping carts.

A motion was made by Council Member Carnevale, seconded by Council Member Pettis, to approve the first reading of an Ordinance adding Chapter 13.160, "Shopping Carts" of Title 13, "Code Enforcements and Remedies" of the Cathedral City Municipal Code. The motion carried by the following vote:

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

Enactment No: M.O. 6498

4.G. [2015-457](#) Zone Ordinance Amendment No. 15-001 - Billboards

Recommendation: Planning Commission recommends the City Council approve an amendment to the Zoning Ordinance to amend Chapter 9.62 (Signs) to add regulations and development standards for the construction of Billboards with digital display or changeable copy in the City of Cathedral City.

This Informational Report was approved.

Enactment No: M.O. 6499

4.H. [2015-461](#) Discussion of OpenGov Software for Access to Financial Data

Recommendation: Staff recommends the City Council receive the presentation, discuss the material and provide direction to staff.

A motion was made by Council Member Carnevale, seconded by Council Member Kaplan, to direct staff to bring back to Council an Agreement with OpenGov for software to access financial data. The motion carried by the following vote:

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

Enactment No: M.O. 6500

5. COUNCIL REPORTS

Council Member Aguilar, feels that the Taste of Jalisco was an amazing event and very successful. He thanked Staff and all of the committee members that worked so hard to make it a great event.

Council Member Shelley Kaplan, also feels that the Taste of Jalisco was a wonderful first year event. He reported that the Evening Rotary had a presentation by the Invisible Sea. He encouraged everyone to go to their website to learn about their organization and the issues we face with the Salton Sea. He reported that he attended the Southern California International Trade Summit, which he found very interesting. He stated that he is the representative on the Coachella Valley conservation Commission and announced that there are two vacancies on the Trails Committee Sub-committee. Anyone interested should contact him, the deadline is December 15, 2015. CVWD has established new landscape Ordinances for new construction, which will impact City Ordinances. He along with Mayor Henry and Council Member Carnevale attended the First Annual Veteran's Day Musical Ceremony at Forest Lawn, which was wonderful. He reported that he also attended the Human Rights Commission Garden party which was an excellent fundraising event for them Coachella Valley Economic Summit, which had very good news for the coming years.

Council Member Mark Carnevale, stated that the Taste of Jalisco event was a great event and everyone did a great job and thanked all those who help make it successful. He feels that the Healing Fields was a nice event as always. He along with City Manager McClendon had a meeting with Jim Engel from AYSO. He does a great job with the organization and feels that the City really needs to get behind them and help to improve the field. He met with Officer Dwayne Hodge who has been assigned the Homeless Liason. He stated that anyone interested in joining the Red Cross should contact him. He wished everyone a pleasant Thanksgiving.

Mayor Pro Tem Greg Pettis, reported that he attended the National League of Cities Conference in Nashville, it was a great event with a lot of education. He indicated that Healing Fields was something that came out of him attending the NLC. This year the Healing Fields was once again a wonderful event. Taste of Jalisco was a great event. He thanked Josie Meza for all of her efforts with the delegates from Tequila. Movies in the park will be held at Panorama Park at 7:00 p.m. The movie is "Night at the Museum." Cathedral City High School Chior has been chosen to go to Carnegie Hall and they are in need of financial assistance.

Mayor Stan Henry, stated that it has been a busy month. He thanked City Staff for attending the Pride Parade and representing Cathedral City. He feels that Taste of Jalisco was a great event, each event raises the bar for the next. Healing Fields was a moving event as always. The next event will be held on December 2nd, West End Street Fair and the Seasonal Lights, Santa and Ice. He attended the Desert Valley Buillders Association Dinner where Senator Stone spoke. He also attended the League of California Cities Riverside Division dinner. He stated that he was contacted by the Coachella Valley Symphony, who requested a sponshorship from the City. He requested that Chris Parman announce the list of sponsors for the Taste of Jalisco event, if not for sponsors the events would not be what they are.

Council Member Shelley Kaplan, indicated that beginning in December the Fire Department will begin a C.E.R.T. course for thos who are interested.

Mayor Stan Henry temporarily adjourned the City Council Meeting at 8:15 p.m.

Mayor Stan Henry reconvened the City Council Meeting at 8:20 p.m.

6. CLOSED SESSION

City Attorney, Charles Green announced that the City Council will meet in Closed Session to discuss the following items:

6.A. [2015-449](#) CITY COUNCIL AS SUCCESSOR AGENCY - Conference with Real Property Negotiator Pursuant to Government Code Section 54956.8

Property Location: Approximately 15 acres at NW Corner of East Palm Canyon Drive and Date Palm Drive
Property Owners: City Urban Revitalization Corporation & Wessman Development
Negotiating Parties: City of Cathedral City, City Urban Revitalization Corporation & Wessman Development
Under Negotiation: Property Negotiations

**6.B. [2015-463](#) CLOSED SESSION: Conference with Legal Counsel - Anticipated Litigation Pursuant to Government Code Section 54956.9(e)(1).
Number of potential cases: One**

6.C. [2015-464](#) CITY COUNCIL - Conference with Real Property Negotiator Pursuant to Government Code Section 54956.8

Property Location: 687-170-027 36-770 Cathedral Canyon Drive
 687-170-028 36-770 Cathedral Canyon Drive
 687-170-006 68-556 Avenida Lalo Guerrero
 687-170-007 68-556 A v e n i d a L a l o Guerrero

Property Owners: City of Cathedral City
Negotiating Parties: City of Cathedral City and Allen Worthy
Under Negotiation: Property Negotiations

6.D. [2015-471](#) CLOSED SESSION: CONFERENCE WITH REAL PROPERTY NEGOTIATOR pursuant to Government Code Section 54956.8.

Property Location: Approximately 7.5 acres generally east of Mission Drive APN 677-410-009; 30600 San Diego Drive APN 677-331-003 and 30638 San Diego Drive APN 677-332-003

Negotiating Parties: City of Cathedral City as Housing Successor and Southern California Housing Development Corporation ("CORE")

Property Owners: City of Cathedral City as Housing Successor

Under Negotiations: Property Negotiations

The City Council recessed to Closed Session at 8:21 p.m.

The City Council reconvened at 9:30 p.m.

City Attorney Charles Green announced that the City Council met in Closed Session and there was no reportable action taken.

ADJOURN

Mayor Stan Henry adjourned the Special City Council Meeting at 9:30 p.m.

STANLEY E. HENRY, Mayor

ATTEST:

GARY F. HOWELL, City Clerk