



CITY COUNCIL STUDY SESSION MINUTES

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

Wednesday, May 27, 2015 STUDY SESSION 4:30 PM

• CALL TO ORDER

Mayor Henry called the Study Session Meeting of May 27, 2015 to order at 4:30 p.m.

• ROLL CALL AND STATEMENT OF PARTICIPATION BY THE CITY CLERK

Council Member John Aguilar arrived at 4:55 p.m.

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

PUBLIC COMMENTS

Allen Worthy, was called to speak. He feels that it is imperative to have a live public theater in Cathedral City and name it after Ginger Rogers. He will be working diligently to make this happen.

STUDY SESSION

A. [2015-190](#) **Presentation - American Red Cross**

Lois Beckman, American Red Cross Community Chapter Executive, Riverside County Chapter, gave an overview of what the American Red Cross does and the services provided in the Valley and across the Country.

B. [2015-196](#) **Update on the Cathedral Center**

Paul Padilla and Peter Rittenhouse, Cathedral Center, gave an overview and update of the services and programs provided at the Cathedral Center. They have a shortfall in their budget and they are requesting that the City give an additional \$100,000.00 each year over the next two years.

It was the consensus of the Council to form a sub-committee to meet with the members of the Cathedral Center to discuss their plans to keep moving forward and their budget request. Council Members Aguilar and Kaplan will participate on the sub-committee.

C. [2015-188](#) **Cathedral City Public Arts Commission - Program Update**

Jim Cox, Chairman Public Arts Commission, gave an overview on the activities of the Public Arts Commission over the last year and presented some of their upcoming goals.

D. [2015-180](#) **Board and Commission Residency Requirement**

Council Member Kaplan, requested that the Council establish a policy requiring residency within the city limits of

Cathedral City for appointment to a City Commission or Committee.

Jim Cox, Cathedral City, was called to speak. He encouraged the Council to allow the possibility to appoint a non-resident to the Commission.

Valerie Schechter, Cathedral City, was called to speak. She supports allowing the possibility of non-residents to be appointed but feels that residents should be considered first.

Alan Carvalho, Cathedral City, was called to speak. He feels that there is a lot of talent and interest in the City and supports having a residency requirement but leaving the option to appoint a non-resident as well.

It was the consensus of the City Council to direct staff to bring back a Policy for the City Council to consider at the next regular Council Meeting.

E. [2015-191](#) Update on the Verano Project

Leisa Lukes, Economic Development Manager, gave an update on the Verano Project.

Craig Lowe, thanked the City and City Staff for all of the challenging work they have done to date. He gave a brief overview of the project and their future goals for the project.

F. [2015-162](#) Final Review of Proposed Biennial Budget

Tami Scott, Administrative Services Director, indicated that this is an opportunity for the City Council to inform staff of any further changes they would like to proposed biennial budget prior to its adoption.

CLOSED SESSION

ADJOURN

Mayor Henry adjourned the Study Session meeting at 6:20 p.m.

STANLEY E. HENRY, Mayor

ATTEST:

GARY F. HOWELL, City Clerk



CITY COUNCIL MINUTES

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

Wednesday, May 27, 2015 REGULAR MEETING 6:30 PM

- **CALL TO ORDER**

Mayor Henry called the Regular Meeting of the City Council of May 27, 2015 to order at 6:35 p.m.

- **PLEDGE OF ALLEGIANCE**

Council Member John Aguilar 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 that item 3C. be pulled from the Consent Agenda for discussion.

1. SPECIAL PRESENTATIONS

2. PUBLIC COMMENTS

Nikohl Vandel, Desert Hot Springs, was called to speak. She stated that she attended the Veteran's for Peace Luncheon and she was also able to support the "Run for the Wall" event. She stated that she placed a sticker with regard to heroes and she apologized if she offended anyone and indicated that she will remove it if she is asked.

Allen Worthy, was called to speak. He thanked City Manager McClendon for the clarification that the City is solvent. He also announced that Cathedral City is one of the safest places to live in the Valley. He stated that he would like to see a statue of Ginger Rogers placed in Cathedral City.

3. CONSENT AGENDA

A motion was made by Council Member Kaplan, seconded by Mayor Pro Tem Pettis, 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. [2015-189](#) City Council Minutes of May 13, 2015

Enactment No: M.O. 6395

3.B. [2015-177](#) Amend the City's Appropriation Limit for Fiscal Year 2014-2015

Enactment No: Reso 2015-25

3.C. [2015-178](#) Annual approval of the City's Investment Policy

A motion was made by Council Member Carnevale, seconded by Mayor Pro Tem Pettis, to approve item 3C. Annual Approval of the City's Investment Policy. The motion carried by the following vote:

Enactment No: M.O. 6396

3.D. [2015-179](#) Appropriations Limit for Fiscal Year 2015-2016

Enactment No: Reso. 2015-26

3.E. [2015-197](#) Agreement to Reconvey Deed of Trust in Consideration or General Release of Liability

Enactment No: M.O. 6397

3.F. [2015-181](#) Purchase and Performance Agreement with VERANO RECOVERY, LLC

Enactment No: M.O. 6398

3.G. [2015-184](#) Greater Palm Springs Convention & Visitors Bureau Joint Powers Authority

Enactment No: Reso. 2015-27

4. PUBLIC HEARINGS

5. LEGISLATIVE ACTIONS

5.A. [2015-183](#) Proposed Ordinance Regulating Shopping Carts

Pat Milos, Community Development Director, gave an overview of the shopping cart issues that the City faces and the proposed Shopping Cart Ordinance.

Council Member Mark Carnevale, doesn't want to see the supermarkets punished for individuals taking shopping carts from their stores.

Mayor Pro Tem Greg Pettis, feels that the responsibility should be placed on the supermarkets and store owners. He feels that the stores should receive a citation on the spot when the carts are returned.

Council Member Shelley Kaplan, feels that it is the responsibility of the store owners. He feels that City Staff should speak to the business owners regarding this on-going issue.

Council Member John Aguilar, doesn't want to penalize the homeless that use shopping carts or an alternative should be provided to the homeless.

Mayor Stan Henry, recommended that staff work with the Chamber and the businesses to see what alternatives are available, questioned having a staff person that is funded by the retail market to deal with shopping carts in Cathedral City only, and when new businesses come to town we need to require them to have some type of locking device on the carts and possibly provide cart rental for those individuals that have no vehicle or provide some type of alternative.

Council Member Mark Carnevale, stated that he would be willing to talk to the markets to discuss the issues with the store managers.

Council Member Shelley Kaplan, stated that there are folding carts and perhaps the City could make some of those available to those residents who need them.

Nikohl Vandel, Desert Hot springs, was called to speak. She suggested asking the stores to incorporate a shopping cart return program.

Lynn Mallotto, Chamber of Commerce, was called to speak. She suggested that the City work with the surrounding cities once a program is implemented. She stated that the Chamber will be happy to help any way that they can.

Allen Worthy, was called to speak. Stated the shopping cart issue is getting worse and is something that the City needs to stay on top of.

5.B. [2015-185](#) Proposed Ordinance Regulating Single Use Carryout Plastic Bags

Nick Hermesen, Deputy City Attorney, presented a staff report to the City Council.

Mayor Pro Tem Greg Pettis, feels that Cathedral City needs to get an Ordinance on the books.

Mayor Stan Henry, agrees that we need to move forward but feels that it should be similar to the Ordinances implemented in the surrounding cities.

It was the consensus of the Council for staff to bring back an Ordinance for a first reading at the next meeting.

5.C. [2015-186](#) Proposed Ordinance Regarding Graffiti Abatement Procedures

Pat Milos, Community Development Director, gave an overview of the recommended amendment to the current graffiti ordinance.

Council Member Shelley Kaplan, stated that it is important to remove graffiti rapidly. He expressed his concern with graffiti being painted over with paint that doesn't match.

Community Development Director Milos, stated that he would like to investigate some alternatives and options for graffiti removal.

Council Member John Aguilar, supports this ordinance. He expressed his concern with gang graffiti and questioned if it is dealt with differently.

Community Development Director Milos, responded that staffing levels have not allowed them to track gang graffiti as well as they use to but would like to make it a priority once again.

Mayor Stan Henry, stated that there are private companies that do a great job and would like to see staff explore that idea. He expressed his concern with making criminals out of victims.

Karen Panico-Willis, Cathedral City, was called to speak. Expressed her concern with those who cannot remove graffiti due to financial or physical limitations.

Nickohl Vandel, was called to speak. She feels that sometimes graffiti is self expression and suggested turning some of the graffiti into murals.

5.D. [2015-187](#) Proposed Ordinance Regarding Massage Therapy Establishments

Nick Hermesen, Deputy City Attorney, presented the staff report to the City Council.

Council Member John Aguilar, questioned if there was a provision for a legitimate school to provide massages.

Deputy City Attorney Hermesen, responded in the affirmative.

Mayor Pro Tem Greg Pettis, feels that too much time and energy has been spent on this issue. He expressed his concern with the restrictions that are being placed on Massage businesses. He believes this ordinance needs to be revamped but feels that it needs to be looked at for what is good for Cathedral City.

Council Member Shelley Kaplan, feels the the Ordinance does have some restrictions that he does not agree with.

Council Member John Aguilar, questioned if there are ongoing issues which has caused staff to bring forward an amendment to the Massage Ordinance.

Deputy City Attorney Hermesen, responded that there have been some issues and staff has tried to address them through the amendment to the Ordinance.

Pat Milos, Community Development Director, also responded that there have been some cases which have caused staff to try and address them through an amendment to the Ordinance.

Council Member Mark Carnevale, questioned what the process is for investigating massage establishments.

George Crum, Police Chief, responded that the investigations are complaint driven.

Mayor Pro Tem Pettis, suggested that the zoning be looked at with regard to massage establishments and he doesn't have a problem with the back-ground checks.

Mayor Stan Henry, feels that the issues need to be separated. He feels that back-ground checks are necessary. He also feels that there should be a valley-wide ordinance related to massage establishments.

Carlos Vidal, Palm Desert, was called to speak. He indicated that his wife owns a massage establishment and expressed his concern with some of the requirements that are proposed in the amended ordinance and feels that if it isn't broke, why fix it?

Russell West, Desert Hot Springs, was called to speak. He expressed his concern with some of the provisions to the amended Ordinance, in particular the required medical history questions.

Nikohl Vandel, Desert Hot Springs, was called to speak. She feels that this issue was originally brought up due to human trafficking and doesn't want to lose sight of that during this discussion, however, she does agree with the comments that are being made.

Lynn Mallotto, Chamber of Commerce, was called to speak. She made some comments regarding asking for medical history and who can ask for that as well as having food in a massage establishment.

It was the consensus of the Council to direct staff to bring back an amendment to the Massage Ordinance adding the requirement of back-ground checks only and to explore zoning provisions for massage establishments at a later date.

6. COUNCIL REPORTS

Council Member Shelley Kaplan, reported that he attended a SCAG workshop and they are looking at transportation issues and growth in the Valley and Riverside County over the next 25 years and the impact it will have with regard to water use, environmental issues and greenhouse gas. He encouraged everyone to check out SCAG's website. Additional workshops will be held in the future. He attended the Street Naming event for students today. He attended the Harvey Milk event breakfast. He attended the ICSC Conference in Las Vegas along with the Council and staff. He felt that it was a very interesting experience and had an opportunity to talk to potential retailers and existing ones, it was a positive experience.

Council Member John Aguilar, stated that there were several Memorial Day Events throughout the Valley. He was able to attend the Veterans for Peace luncheon, and was happy to represent the City at that event. He reported that there is a new burger place in town and it is great, Tony's Burgers.

Council Member Mark Carnevale, stated that Tony's Burger's is very good.

Mayor Pro Tem Greg Pettis, stated that it was great to have all of the Council Members attend the Harvey Milk Event. He and the Mayor attended the symphony band concert at the high school, they did an excellent job. He was able to go to Korea with SCAG to speak at symposiums, it was a great opportunity and has opened his eyes for a lot of opportunities in the area. He stated that every year governments have to establish DBE Goals. SunLine will be bringing back a report to their board members showing how they have met their goals. He questioned how Cathedral City is meeting their goals and asked that staff report back to the Council.

Mayor Stan Henry, stated that it has been a very busy two weeks. The Council has been participating in many events throughout the community. He thanked Staff for doing a great job preparing Council for ICSC, he feels that there were great conversations and there should be good outcome from those conversations. He was able to attend Memorial Day Events, the High School Symphony and the Street Naming Event.

7. CLOSED SESSION

The City Council adjourned to Closed Session at 8:20 p.m.

7.A. [2015-192](#) CLOSED SESSION: CONFERENCE WITH REAL PROPERTY NEGOTIATOR pursuant to Government Code Section 54956.8

Property Location: Parcels 1, 2, 5, 6, 7, 8, 9, 10 and 11 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., Conneaut Partners, LLC.

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

7.B. [2015-195](#) CITY COUNCIL - Conference with Labor Negotiator Pursuant to Government Code Section 54956.6.

Agency Negotiator: Charles McClendon, City Manager

Represented Employees: Cathedral City Professional Firefighters
Association

The City Council reconvened at 8:56 p.m.

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

ADJOURN

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

STANLEY E. HENRY, Mayor

ATTEST:

GARY F. HOWELL, City Clerk