



Cathedral City

CITY COUNCIL MINUTES

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

Wednesday, April 13, 2016 REGULAR MEETING 6:30 PM

• CALL TO ORDER

Mayor Stanley E. Henry called the Regular City Council Meeting to order at 6:34 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: 4 - Mayor Stan Henry, Council Member Shelley Kaplan, Council Member Mark Carnevale, and Council Member John Aguilar

Absent: 1 - Mayor Pro Tem Gregory S. Pettis

A motion was made by Council Member Carnevale, seconded by Council Member Aguilar, to excuse the absence of Mayor Pro Tem Greg Pettis from the April 13, 2016 Regular Meeting of the City Council. 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

• AGENDA FINALIZATION

Council Member Mark Carnevale pulled item 2F. from the Consent Agenda for discussion.

City Manager Charles McClendon requested that item 4D. Substantial Amendment to the Community Development Block Grant (CDBG) Fiscal Year 2015-2016 Annual Action Plan be moved to Section 3. Public Hearing.

• STATEMENT OF PARTICIPATION BY THE DEPUTY CITY CLERK

1. PUBLIC COMMENT

None

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

Absent: 1 - Mayor Pro Tem Pettis

2.A. [2016-129](#) Receive and file Payment of Claims and Demands

Enactment No: M.O. 6561

2.B. [2016-135](#) City Council Minutes of March 23, 2016

Enactment No: M.O. 6562

2.C. [2016-124](#) Annual approval of the City's Investment Policy

Enactment No: M.O. 6563

2.D. [2016-127](#) Amendments to Commercial Lease Agreements with Bonta Restaurant and Taqueria Los Arcos

Enactment No: M.O. 6564

2.E. [2016-131](#) Resolution Authorizing Access to Criminal History Information for Medical Cannabis Business Applicants

Enactment No: Reso 2016-13

2.F. [2016-132](#) Disposition of Surplus Housing Parcels

A motion was made by Council Member Aguilar, seconded by Council Member Kaplan, to execute an agreement with Kosmont Realty Corp to aid in the disposition of surplus Housing parcels. The motion carried by the following vote:

Aye: 3 - Mayor Henry, Council Member Kaplan, and Council Member Aguilar

Nay: 1 - Council Member Carnevale

Absent: 1 - Mayor Pro Tem Pettis

Enactment No: M.O. 6565

2.G. [2016-113](#) Contract with Kaplan Chen Kaplan (KCK) to Conduct the Historic and Cultural Assessment of the City

Enactment No: M.O. 6566

3. PUBLIC HEARINGS

3.A. [2016-139](#) Transient Occupancy Tax Sharing Agreement for Best Western Plus

Leisa Lukes, Economic Development Manager presented the Staff Report on the proposed Transient Occupancy

Tax Sharing Agreement for Best Western Plus.

Mayor Stanley E. Henry opened the Public Hearing for discussion.

Tyrone Pearson was called to speak. He does not support the Agreement.

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

A motion was made by Council Member Kaplan, seconded by Council Member Carnevale, to adopt a Resolution making findings and authorizing a Transient Occupancy Tax Sharing Agreement between the City and Mirage Bob Hope Varner, LLC, doing business as Best Western Plus. 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

Enactment No: Reso 2016-14/M.O. 6567

3.B. [2016-122](#) Change of Zone No. 16-001 Open Space Residential to Open Space

Mr. Baker was called to speak. He indicated that he owns property in the proposed area and asked that his parcel be excluded from the Zone Change.

Tyrone Pearson, Cathedral City, was called to speak. He does not support the Zone Change.

Resident, Cathedral City was called to speak. She indicated that she supports the Zone Change.

Resident, Cathedral City, was called to speak. She indicated that she lives in the area and supports the proposed Zone Change.

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

A motion was made by Mayor Henry, seconded by Council Member Carnevale, to approve the associated exemption to the California Environmental Quality Act (CEQA) pursuant to section 15601(b) (3) of the CEQA Guidelines; and waive further reading, approve the introduction and first reading, by title only, an Ordinance of the City Council of Cathedral City, California, Amending the Official Zoning Map from OS-R20-H (Open space Residential with 20 acres minimum net lot size, with a hillside overlay) to OS (Open Space) for 12 properties (Excludes APN 687-040-058 and APN 681-300-011 to remain open space residential) of approximately 98 acres generally located on the south side of East Palm Canyon Drive between the Western City Boundary and Bankside Drive. The motion carried by the following vote:

Aye: 3 - Mayor Henry, Council Member Carnevale, and Council Member Aguilar

Nay: 1 - Council Member Kaplan

Absent: 1 - Mayor Pro Tem Pettis

Enactment No: M.O. 6568

4.D. [2016-91](#) Substantial Amendment to the Community Development Block Grant (CDBG) Fiscal Year 2015-2016 Annual Action Plan

Pat Milos, Community Development Director, presented a Staff Report on the proposed amendment to the Community Development Block Grant (CDBG) Fiscal Year 2015-2016 Annual Action Plan.

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

A motion was made by Council Member Kaplan, seconded by Council Member Carnevale, to approve the Substantial Amendment to the CDBG Fiscal Year (FY) 2015-2016 Annual Action Plan to reprogram project funds from the San Joaquin Drive Street Improvements Project to the Ortega Road Sidewalk Design Project and the ADA Ramp Improvements Project; and authorize the City Manager (or designee) to submit the Substantial Amendment to the U.S. Department of Housing and Urban Development (HUD) for their review and record. 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

Enactment No: M.O. 6571

4. LEGISLATIVE ACTIONS

4.A. [2016-103](#) Relocation Assistance and Operating Grant for the Cathedral City Dance Program

Alan Carvalho, Cathedral City, was called to speak. He supports the agreement, however, he feels that they need to be appreciative of what the City is doing for them and encouraged them to promote the good things the City is doing.

Tyrone Pearson, Cathedral City, was called to speak. He does not support social media and feels that it can be damaging.

A motion was made by Council Member Aguilar, seconded by Council Member Kaplan, to approve an Agreement with Cathedral City Dance Program for one-time relocation assistance of \$5,000, rent waivers for the remainder of FY 15/16 and an operating grant for FY 16/17 and approve the required budget adjustments. 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

Enactment No: M.O. 6569

4.B. [2016-142](#) Special Use Permit - Positive Adventures

A motion was made by Council Member Carnevale, seconded by Council Member Kaplan, to approve Special Use Permit #16-007 to Positive Adventures in the Cathedral City Festival Lawn between the hours of 6:30 a.m. and 12:30 p.m. 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

Enactment No: M.O. 6570

4.C. [2016-130](#) Ticket Distribution Policy

A motion was made by Council Member Kaplan, seconded by Council Member Aguilar, to approve a Resolution adopting a Policy for the Distribution of Tickets and Passes Under Section 18944.1 of Title 2 of the California Code of Regulations. 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

Enactment No: Reso 2016-15

4.E. [2016-121](#) Ordinance Amending Various Provisions of the Cathedral City Municipal Code relating to Code Compliance

A motion was made by Council Member Kaplan, seconded by Council Member Carnevale, to approve the introduction and first reading, by title only, and waive further reading of an Ordinance of the City Council of the City of Cathedral City Amending Various Provisions of the Cathedral City Municipal Code Relating to Code Compliance. 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

Enactment No: M.O. 6572

4.F. [2016-138](#) Council Subcommittee to Review Community Assistance Program Applications

A motion was made by Council Member Carnevale, seconded by Council Member Aguilar, to appoint Council Member Mark Carnevale and Council Member Shelley Kaplan to serve as a sub-committee to review applications submitted for the Community Assistance Program and bring a recommendaion to the City Council for funding approval. 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

Enactment No: M.O. 6573

5. COUNCIL REPORTS

Council Member Mark Carnevale, reported that he attended the Chamber of Commerce Power Lunch at Bonta Restaurant. He also attended the All-In Cities Chamber at Agua Caliente. He reported that he participated on the City Sign Committee and feels that the Committee did a great job and the outcome will be great for the City. He reported that he attended the National Crime Victims Week event, which was a wonderful event as well as the All-in Cities Workshop.

Council Member Shelley Kaplan, reported that the Cathedral City Senior Center is publishing a new quarterly newsletter and their Executive Director will be presenting an update at the next Council Meeting. He reported that Congressman Ruiz attended a tour of the Coachella Valley Vector Control facility in Indio, during the tour they explained the ZICA Virus and how their operations work. He feels that the LGBT Weekend Events were great and commended City Staff and the Committee for doing a great job. He reported that he attended the County of Riverside Senior Inspiration Awards, Lou Perez of Cathedral City received an award, it was a very nice event. He also reported that the Coachella Valley Vector Control will begin a public relations program, "Fight to Bite", which will begin on April 21, 2016 with a 5k walk, this is a week long event. The Boys and Girls Club will be celebrating their 35th Anniversary on April 22nd. He announced that Cathedral City is on the cover of Western City Magazine.

Mayor Stan Henry, reported that he attended the League of California Cities Riverside Division Executive Committee Meeting, they are looking for Statewide League Board position applicants, Mayor Pro Tem Pettis has applied and feels that he will represent the City well. On November 14, 2016 Cathedral City will host the League of

California Cities Riverside Division Board Meeting. He attended the Candle Light Vigil for Victims, three victims were from Cathedral City.

6. CLOSED SESSION

City Attorney Eric Vail announced the City Council will meet in Closed Session to discuss all of the items listed on the Agenda.

The City Council recessed to Closed Session at 8:35 p.m.

6.A. [2016-133](#) Conference with Legal Counsel - Existing Litigation pursuant to Government Code section 54956.9(d)(1):

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

Riverside County Superior Court Case Number: PSC 1501912

6.B. [2016-145](#) Conference with Real Property Negotiator Pursuant to Government Code Section 54956.8

Property Location: Parcels 6, 7, 8, 9 and 10 of Parcel Map No. 36428 located Southwest and West of Margot Murphy Place. Negotiating Parties: City of Cathedral City as Successor Agency to the Former Redevelopment, City Urban Revitalization Corporation, and Conneaut Partners, LLC.

Property Owners: City of Cathedral City as Successor Agency to the former Redevelopment Agency, City Urban Revitalization Corporation, and Conneaut Partners, LLC.

6.C. [2016-143](#) Conference with Real Property Negotiator Pursuant to Government Code Section 54956.8

Property Location: Approximately 15 acres southwest corner of East Palm Canyon Drive and Date Palm Drive

Property Owners: City Urban Revitalization Corporation

Negotiating Parties: City of Cathedral City as Successor Agency to the Former Redevelopment Agency & the City Urban Revitalization Corporation

6.D. [2016-119](#) Conference with Real Property Negotiator Pursuant to Government Code Section 54956.8.

Property Location: 68510 E Palm Canyon Dr., Cathedral City, CA 92234. APN 687475003

Negotiating Parties: City of Cathedral City, the City Urban Revitalization Corporation, and the Cathedral City Downtown Foundation

Property Owners: City Urban Revitalization Corporation

Under Negotiations: Property Negotiations

6.E. [2016-128](#) Conference with Real Property Negotiator pursuant to Government Code Section 54956.8.

Property Location: APN 687-311-020 & 687-311-014 located in the vicinity of the Northwest corner of Cathedral Canyon Drive and Officer David Vasquez

Negotiating Parties: City of Cathedral City, City Urban Revitalization Corporation, and Ricardo and Katherine Bracamonte

Property Owners: Ricardo and Katherine Bracamonte

Under Negotiations: Property Negotiations

The City Council reconvened at 9:44 p.m.

City Attorney Eric Vail announced that the Council met in Closed Session to discuss the Closed Session Items listed on the Agenda, there was no reportable action taken.

ADJOURN

Mayor Stanley E. Henry adjourned the Regular City Council Meeting at 9:45 p.m.

STANLEY E. HENRY, Mayor

ATTEST:

GARY F. HOWELL, City Clerk