



Cathedral City

CITY COUNCIL STUDY SESSION MINUTES

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

Wednesday, October 14, 2015

STUDY SESSION

4:30 PM

• CALL TO ORDER

Mayor Stan Henry called the Study Session Meeting of October 14, 2015 to order at 4:30 p.m.

• ROLL CALL

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

• STATEMENT OF PARTICIPATION BY THE DEPUTY CITY CLERK

1. PUBLIC COMMENT

2. STUDY SESSION

2.A. [2015-405](#) **Presentation - Palm Springs Unified School District**

Karen Cornett, Board President, Palm Springs Unified School District, gave an update on the District.

2.B. [2015-388](#) **El Niño Preparedness Update**

Fire Chief Paul Wilson gave a presentation on the City's preparedness for El Niño.

2.C. [2015-404](#) **Youth Commission**

City Manager Charles McClendon, gave a brief report on having a Youth Commission and what some of the surrounding cities do.

The City Council directed the City Manager to draft a letter on behalf of the City Council to the principals of the high schools and meeting with them personally to see if there is any interest from the students to participate on a Youth Commission.

2.D. [2015-410](#) **Municipal Code 9.80 "Accessory Structures, Structure Heights, Yards, Walls and Fencing"**

Robert Rodriguez, Development Services Manager, gave an overview of Section 9.80 of the Municipal Code.

Richard Altman, Cathedral City, was called to speak. He stated that he has received several code violations for his non-compliant fencing, which he has in place for safety. He indicated that he would like to get a variance for his fencing.

Pat Milos, Community Development Director, encouraged residents to come in and get a building permit and talk to staff prior to building anything that may be non-compliant. Staff will do what they can to work with the residents to get a result that everyone is happy with. Getting a permit is there to protect the property owner.

It was the consensus of the Council to have the Planning Commission review this section of the Code to see if there are any updates that should be made.

3. CLOSED SESSION

City Attorney Charles Green announced that the City Council will meet in Closed Session to discuss the following Closed Session items that are on the Regular City Council Meeting Agenda:

6A. CITY COUNCIL AS SUCCESSOR AGENCY - Conference with Real Property Negotiator Pursuant to Government Code Section 54956.8

*Property Location: 68707 & 68727 East Palm Canyon Drive
Property Owners: City of Cathedral City
Negotiating Parties: City of Cathedral City, City Urban Revitalization Corporation
Under Negotiation: Property Negotiations*

6B. 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*

6C. CITY COUNCIL AS SUCCESSOR AGENCY - Conference with Real Property Negotiator Pursuant to Government Code Section 54956.8

*Property Location: 36850 Pickfair St, Cathedral City, CA 92234
Property Owners: Rolling Hills Silver Spur & the Estate of Beverly Rogers
Negotiating Parties: Successor Agency & the Estate of Beverly Rogers
Under Negotiation: Property Negotiations*

The City Council adjourned to Closed Session at 5:25 p.m.

The City Council reconvened the Study Session Meeting at 6:30 p.m.

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

ADJOURN

STANLEY E. HENRY, Mayor

ATTEST:

GARY F. HOWELL, City Clerk



Cathedral City

CITY COUNCIL MINUTES

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

Wednesday, October 14, 2015 REGULAR MEETING 6:30 PM

• CALL TO ORDER

Mayor Stan Henry called the October 14, 2015 Regular City Council Meeting to order at 6:30 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, 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 items 2C. and 2I. for discussion.

• STATEMENT OF PARTICIPATION BY THE DEPUTY CITY CLERK

1. PUBLIC COMMENT

Richard Finn, Desert Hot springs, was called to speak. He indicated that he is the Chairman of Veterans Committee in Desert Hot Springs. He acknowledged Council Member Kaplan for his help with efforts in honoring International Peace Day. He requested that the City Council do a Proclamation in support of International Day of Peace.

Nikohl Vandel, Desert Hot Springs, was called to speak. She indicated that the California Coastal Commission is trying to assume jurisdiction over nuclear waste with the closing of San Onofre.

Andrei Doroshin, Executive Director The Invisible Sea, a non-profit organization, was called to speak. He presented a packet showing the effects of the Salton Sea, who is affected, what they feel the solution is and their campaign.

Valerie Schechter, Cathedral City, was called to speak. She indicated that she supports a Youth Commission and get the kids involved. She offered to volunteer to get the Commission going.

Alan Carvalho, Cathedral City, was called to speak. He reported that his neighbor in the Cove is having a pot-luck on Saturday and invited everyone to come. He also reported that the Agnes Pelton Society will be having a play reading at 4:00 p.m. on Saturday and Sunday.

2. 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. 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

2.A. [2015-407](#) Receive and file Payment of Claims and Demands

Enactment No: M.O. 5464

2.B. [2015-386](#) City Council Minutes of September 16, 2015 and September 28, 2015

Enactment No: M.O. 5465

2.C. [2015-395](#) Day of the Young Child

A motion was made by Council Member Kaplan, seconded by Mayor Pro Tem Pettis, to approve Special Use Permit #2015-15-027 - Day of the Young Child to be held on March 12, 2016. 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. 5466

2.D. [2015-396](#) Annual Virgin de Guadalupe Procession 2015

Enactment No: M.O. 5467

2.E. [2015-397](#) Cathedral City Boys & Girls Club Annual Holiday Wreath Fundraiser

Enactment No: M.O. 5468

2.F. [2015-390](#) Memorandum of Understanding (MOU) with the County of Riverside Transportation Department for Sharing of Traffic Collision Information.

Enactment No: M.O. 5469

2.G. [2015-391](#) Rescind Resolution No. 95-20 Related to the Purchase of Traffic Signal Equipment

Enactment No: Reso. 2015-55

2.H. [2015-398](#) Contract Award to Granite Construction for Ortega Road Reconstruction.

Enactment No: M.O. 5470

2.I. [2015-399](#) Creekside Promissory Note Purchase

A motion was made by Council Member Kaplan, seconded by Council Member Aguilar, to authorize McCormack Baron Asset Management to purchase the Creekside Promissory Note at a discount of 7.5% for a Net Present Value of \$526,415. 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. 5471

2.J. [2015-400](#) Resolution of Intention to Vacate Certain Streets, Alleys, Public Highways and Utility Easements - Vacation No. 2015-02

Enactment No: Reso. 2015-56

2.K. [2015-412](#) Purchase of Three (3) Replacement Marked Police Vehicles and Two (2) Replacement Unmarked Police Vehicles from Palm Springs Motors.

Enactment No: M.O. 5472

3. PUBLIC HEARINGS

4. LEGISLATIVE ACTIONS

4.A. [2015-406](#) Commercial Vehicle Loading Zone Designation on Date Palm Drive Fronting the Date Palm Plaza Shopping Center.

Tyrone Pearson, Cathedral City, was called to speak. He talked about real estate and the importance of owning land.

A motion was made by Council Member Kaplan, seconded by Council Member Aguilar, to amend Resolution 88-5 that established no parking regulations on Date Palm Drive (Gerald Ford Drive to 1,000 feet north of Converse Drive) with new Resolution to establish a "15 Minute Commercial Vehicle Loading Zone" (yellow curb) designation on 60 feet of Date Palm Drive's east curb fronting Date Palm Plaza Shopping Center approximately 320 feet north of Converse Road. The motion carried by the following vote:

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

Abstain: 1 - Council Member Carnevale

4.B. [2015-408](#) Purchase order with Petrochem Materials Innovation, LLC (PMI) for Rubberized Emulsion Aggregate Slurry (REAS) for Phase 1 of the City's 2015-2016 Pavement Management Program (PMP).

Tyrone Pearson, Cathedral City, was called to speak. He suggested that the Council approve the item only if they are comfortable with it.

A motion was made by Council Member Aguilar, seconded by Mayor Pro Tem Pettis, to authorize the City Manager to execute the required "piggyback" contract/purchase order documents with PMI to supply and apply REAS on PMP programmed streets and include traffic control in the amount of

\$706,807.80; and approve an approximate ten percent (10%) contingency in the amount of \$78,534.20 dollars for unforeseeable construction costs; and authorize the City Engineer to negotiate and execute a contract/purchase order for thermoplastic street striping, stop bar and stop lettering in the amount of approximately \$40,000; and approve \$5,000 for staff labor to perform project management, inspection and materials testing; and authorize the City Engineer to add streets within Phase 1 of the PMP if it is projected that contingency funds are available; and authorize the City Engineer to request insurance for this project and issue a Notice of Proceed; thereby, making the first phase of the 2015/2016 PMP expenditure at \$785,342. 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. 5473

4.C. [2015-409](#) **Contract Awards for the Whitewater Bike Trail Design and Environmental Services**

Rosario Avila, Cathedral City, was called to speak. She indicated that there was a type-o on page 17 in the report, the date is wrong when it talks about 60% Design Plans. She would like to see the design bar set high.

A motion was made by Council Member Kaplan, seconded by Council Member Aguilar, to award a Design Professional Services Agreement to Alta Planning and Design for the design of the Whitewater Bike Trail between Vista Chino and Ramon Road in the contract amount of \$139,081.00 and award a Professional Services Agreement to Terra Nova Planning and Research to prepare CEQA documents for the Whitewater Bike Trail in the contract amount of \$56,595.00. 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. 5474

5. COUNCIL REPORTS

Council Member John Aguilar, reported that he attended the Equality Awards along with Mayor Pro Tem Pettis, it was very well attended and a very nice event. He attended the IMS Event on Friday and is looking forward to hearing a presentation on how the event went. He attended the Diane Schuur event on Friday, Cathedral City was very well represented at the event.

Council Member Shelley Kaplan, reported that the Agnes Pelton Society will be holding an event on Saturday and Sunday at 4:00 p.m. He also reported that their Children's Art Parties have been going very well and are held on the second Saturday of the month. He congratulated Karen Riley from SCRAP Gallery for receiving the Environmental Education Award. He announced that Movies in the Park will begin on October 24th at Panorama Park, Goonies will be the first movie. He commended Deanna Pressgrove and the City for receiving the Helen Puntnam Award for the Organic Gardening Program. He reported that he and the Mayor attended the Dinner in the Canyons fundraising event, which had an excellent turnout. October is Fire Awareness month and he reminded everyone to change the batteries in their smoke detectors.

Council Member Mark Carnevale, attended the League of California Cities Conference last week. He reported that he met with the Red Cross, they are working on a lot things throughout the valley.

Mayor Pro Tem Greg Pettis, reported that Cathedral City was very well represented at the Diane Schuur event. He had the opportunity to speak at the Whitewater Preserve, which was an excellent event. He thanked Chief Wilson for speaking to the Rotary Club at their last meeting. He indicated that anyone interested in hearing information on the Salton Sea should attend the Rotary Meeting next week at Sunshine Cafe. He announced that the Community Presbyterian Church will still hold their Fish Dinner in honor of Butch Altman. He reported that the

CVWD and the City Council had a joint meeting and the penalty issue and the need to re-look at how the penalties are charged was discussed. At their recent Board meeting they were talking about raising their penalties because they are not meeting the State requirements. He also reported that Southern California Edison will do their maintenance next week at Mt. View Senior Community when the weather is still warm in the afternoon, he feels that the City needs to be more aggressive in helping them with their maintenance schedule. They have decided to get rid of their local government affairs staff all concerns will be routed through their 1-800 number. He feels that the PUC needs to get involved and help their customers.

Mayor Stan Henry thanked the Council for all of their involvement.

6. CLOSED SESSION

Mayor Henry announced that the City Council met in Closed Session to discuss Items 6A., 6B., and 6C. during the Study Session Meeting and there was no reportable action taken. The Council adjourned to Closed Session at 7:31 p.m. to discuss Item 6D.

6.A. [2015-385](#) CITY COUNCIL AS SUCCESSOR AGENCY - Conference with Real Property Negotiator Pursuant to Government Code Section 54956.8

Property Location: 68707 & 68727 East Palm Canyon Drive
 Property Owners: City of Cathedral City
 Negotiating Parties: City of Cathedral City, City Urban Revitalization Corporation
 Under Negotiation: Property Negotiations

6.B. [2015-401](#) 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
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 Negotiating Parties: City of Cathedral City, City Urban Revitalization Corporation & Wessman Development
 Under Negotiation: Property Negotiations

6.C. [2015-402](#) CITY COUNCIL AS SUCCESSOR AGENCY - Conference with Real Property Negotiator Pursuant to Government Code Section 54956.8

Property Location: 36850 Pickfair St, Cathedral City, CA 92234
 Property Owners: Rolling Hills Silver Spur & the Estate of Beverly Rogers
 Negotiating Parties: Successor Agency & the Estate of Beverly Rogers
 Under Negotiation: Property Negotiations

6.D. [2015-411](#) CLOSED SESSION: Employee Negotiation Per Government Code Section 54957 (B) Title: City Attorney

City Council reconvened the City Council Meeting at 8:25 p.m.

City Manager Charles McClendon announced that the City Council chose the following five law firms to interview:

*Aleshire & Wynder, LLP
Rutan & Tucker, LLP
Burke, Williams & Sorensen, LLC
Green, de Bortnowsky, LLP
Best, Best & Krieger, LLP*

The interviews will be held at a Special City Council Meeting on October 30, 2015.

ADJOURN

Mayor Stan Henry adjourned the City Council Meeting at 8:30 p.m.

STANLEY E. HENRY, Mayor

ATTEST:

GARY F. HOWELL, City Clerk