



Cathedral City

CITY COUNCIL MINUTES

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

Wednesday, October 26, 2016 REGULAR MEETING 6:30 PM

• CALL TO ORDER

Mayor Stan Henry called the Regular Meeting of the City Council to order at 6:37 p.m.

• PLEDGE OF ALLEGIANCE

Mayor Stan Henry announced that the Cathedral City High School R.O.T.C. will be doing the posting of the colors proceeded by Cadet Garcia leading 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 Kaplan, seconded by Council Member Carnevale, to excuse the absence of Mayor Pro Tem Greg Pettis. 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

Mayor Stan Henry announced that item 4E. Police, Fire and Planning Staffing update will be postponed to a future City Council Meeting.

A motion was made by Council Member Aguilar, seconded by Council Member Kaplan, to postpone Item 4E. Police, Fire and Planning Staffing Update to a futuer City Council Meeting. 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

• STATEMENT OF PARTICIPATION BY THE DEPUTY CITY CLERK

1. PUBLIC COMMENT

Lee Wilson was called to speak, Palm Springs Fallen Hero Program. The Fallen Hero Program is now honoring

fallen Police Officers as well. He presented the City with two banners, one for Officer Vasquez and one for Officer Gibson both who lost their lives while on duty.

Tim Parrott, Cathedral City, was called to speak. Thanked the Council for all that they do for the residents and community.

Hector Salvatierra was called to speak. He expressed his concern with events that take place in Downtown and negative impact they have on the businesses. He asked that consideration be given to them during all future events.

Conrad Corral, Cathedral City, was called to speak. He questioned if discussion on the placement of the stage for events in Downtown has taken place to help with the noise traveling to the area neighborhoods. He commended whoever was responsible for moving the carnival to the Downtown side of the street. He feels it is much safer for the children.

Randy Winbigler, Cathedral City, was called to speak. He expressed his concern with businesses being removed for cannabis cultivation operations. He expressed his concern with the potential conflict of interest with Council Members and the medical cannabis businesses. He feels that a Moratorium should be put in place and make existing businesses the main priority of the City.

Mel Webster, Cathedral City, was called to speak. She expressed her concern with not having a cap or ceiling on cannabis businesses. She would like to see guidance given to the Planning Commission related to the cannabis industry. It is her hope that existing businesses are not displaced for cannabis businesses. She wants the City to be a place that residents want to stay and live and is concerned about the number of medical cannabis businesses in town.

Alan Carvalho, Cathedral City, was called to speak. He referred to an article that was in the Desert Sun related to medical cannabis businesses in Cathedral City.

2. 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. [2016-410](#) Assignment, Assumption and Consent Agreement and Amendment
No. 6 to Property Transfer Agreement for the Downtown Mixed
Use Project**

This Item was approved.

Enactment No: M.O. 6663

**2.B. [2016-441](#) Approve a Resolution adopting an amended Conflict of Interest
Code for Cathedral City.**

This Item was approved.

Enactment No: M.O. Reso 2016-40

2.C. [2016-448](#) 5 Year Soccer Park Maintenance and Operations Agreement with

the American Youth Soccer Organization (AYSO)

This Item was approved.

Enactment No: M.O. 6664

2.D. [2016-450](#) Resignation of Linda Snowden from the Planning Commission

This Item was approved.

Enactment No: M.O. 6665

2.E. [2016-451](#) Annual Virgin de Guadalupe Procession 2016

This Item was approved.

Enactment No: M.O. 6666

3. PUBLIC HEARINGS**3.A. [2016-429](#) AB 1600 Development Fee Report**

Tami Scott, Administrative Services Director, presented a staff report to the City Council.

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

A motion was made by Council Member Aguilar, seconded by Council Member Carnevale, to accept the Annual AB1600 Development Fee Report for the City of Cathedral City, Fiscal Year 2015/2016 and adopt a Resolution accepting the report concerning certain development fees pursuant to Government Code 66006. 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. 6667/Reso 2016-41

3.B. [2016-434](#) 2016 Building and Fire Codes Adoption, Second Reading

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

A motion was made by Council Member Aguilar, seconded by Council Member Kaplan, to approve the second reading, by title only, and adopt an Ordinance of the City Council of the City of Cathedral City, Amending Title 8 of the Cathedral City Municipal Code by adopting by reference the 2016 California Building Standard Codes and certain specified appendices thereof, including the 2016 California Building Code, 2016 California Electrical Code, 2016 California Mechanical Code, 2016 California Plumbing Code, 2016 California Fire Code, 2016 California Energy Code, 2016 California Green Building Standards Code, 2016 California Residential Code, 2016 California Existing Building Code, 2016 Historical Building Code, 2015 International Swimming Pool and Spa Code, 2015 International Property Maintenance Code and making certain findings in support of specific additions, deletions and/or amendments thereto, adopting specified portions of the 1997 Uniform Housing Code. 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

4. LEGISLATIVE ACTIONS**4.A. [2016-430](#) Rio Vista Village Specific Plan Amendment**

Specific Plan No. 97-55B

General Plan Amendment No. 16-003

Change of Zone No. 16-003

*David Leonard, Contract Project Planner, gave an overview of the project and the recommendation of staff.**Mayor Stan Henry opened the Public Hearing for comments. There being none, he closed the Public Hearing.*

A motion was made by Council Member Aguilar, seconded by Council Member Kaplan, to adopt a Resolution approving a Negative Declaration and approving the associated General Plan Amendment No. 16-003 to facilitate adoption of the Rio Vista Specific Plan Amendment; introduced the first reading of an Ordinance, by title only, adopting Change of Zone No. 16-003 to amend the text of the MF-4 Zone of the Rio Vista Village Specific Plan and the City's Zoning Map from R-6 to R-2 in Planning Area 2.2 and waive further reading; introduced the first reading of an Ordinance, read by title only, adopting Specific Plan Amendment No. 97-55B (RVVSP) and waive further reading. 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/ 2016-42/M.O. 6667

4.B. [2016-452](#) 2017 Palm Springs Film Festival*It was the concensus of the City Council for staff to negotiate the best option for the City for the 2017 Palm Springs International Film Festival and to bring the Final Agreement back to the City Council for approval.**Alan Carvalho, Cathedral City, was called to speak. He would like to see the Festival be renamed to the Greater Palm Springs Film Festival hyphenated with Cathedral City.**Ali Baba, Rancho Mirage, was called to speak. He stated that he will help with raising funds for this event.***4.C. [2016-445](#) Appointment to the Palm Springs International Airport Commission and the Public Arts Commission**

A motion was made by Council Member Aguilar, seconded by Council Member Carnevale, to appoint Mitchell Spike to fill the unexpired term on the Palm Springs International Airport Commission continuing through June 30, 2018. 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. 6668

A motion was made by Council Member Carnevale, seconded by Council Member Aguilar, to appoint Josie Diaz to fill the unexpired term on the Public Arts Commission continuing through June 30, 2018. 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

4.D. [2016-455](#) Endorse California Jazz Foundation

A motion was made by Council Member Kaplan, seconded by Council Member Aguilar, to endorse the California Jazz Foundation and allow them the use of the City Logo. 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. 6669

4.E. [2016-433](#) Police, Fire and Planning Staffing Update

A motion was made by Council Member Carnevale, seconded by Council Member Kaplan, to approve a Budget Amendment to the FY 2016/17 Budget in the amount of \$344,261 adding five full-time employees to the staffing schedule, which includes 1 Battalion Chief, 2 Police Officers, 1 Code Compliance Officer, 1 Assistant Planner and \$50,000 for a Business Relocation Program to be established only if the Charter passes at the November 8, 2016 Election. 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. 6670

5. COUNCIL REPORTS

Council Member Mark Carnevale reported that the Chamber of Commerce luncheon will be held on November 17, 2016. He also attended the CVREP event. He reminded everyone to attend the City Hall at your Corner on November 2, 2016 at Cardenas at 2:00. He gave kuddos to Chief Wilson for the Department putting out the structure fire and kuddos to the Police Department for catching the individual that committed the horrible crime in town. He announced that there are a lot of things happening in November and he is looking forward to all the great events.

Council Member John Aguilar expressed his condolences to the family and staff members of the recent bus crash. He reported that the Cathedral City Fire Department provided mutual aid for the incident and acknowledged them for the work. He reported that he attended the 2016 Equality Awards, which was a nice event. He announced that the first Vacation Rental Task Force Meeting was held and feels that it is made up of a good group of individuals with a lot of knowledge. He attended the second meeting of the Community Benefits Committee that will assist in implementing economic development measures for the community.

Council Member Shelley Kaplan reported that on October 21, 2016, Senator Stone did a Senior Scam program at the Senior Center, which was very well received by the participants.

Mayor Stan Henry reported that he attended the Chamber of Commerce quarterly meeting. They are doing very well. He attended an event at Desert Hospital for United Way. Cathedral City took first place in the City Category in the Wellness Competition in the Valley. The City also won the United Way contribution award for staff participation. He has been hearing a lot of compliments on the Public Safety Departments, truly a testimony to the great staff the City has.

6. CLOSED SESSION

Eric Vail announced that the City Council will recess to Closed Session to discuss the items listed on the Agenda.

The City Council recessed to Closed Session at 8:17 p.m.

6.A. [2016-435](#) Conference with Real Property Negotiator Pursuant to Government Code Section 54956.8.

Property Location: Approximately 5.79 acres at Margot Murphy Way south of E. Palm Canyon Drive; A.P.N. 687-510-049 and 687-510-050, Parcels 6 and 7.

Negotiating Parties: City Council as Successor Agency to the Former Redevelopment Agency and City Urban Revitalization Corp.

Property Owners: City Urban Revitalization

Under Negotiation: Price and Terms for Potential Sale of Real Property

6.B. [2016-449](#) Conference with Real Property Negotiator Pursuant to Government Code Section 54956.8.

Property Location: APN: 675-362-012, 68925 Durango Rd; APN: 675-242-005, 68255 Tortuga Rd.; APN: 675-292-010, 68615 Tachevah Dr.; APN 678-081-019, 68280 Galardo Rd.

Negotiating Parties: City of Cathedral City as Housing Successor Agency to the former Redevelopment Agency and Mario Perez Inc. and/or Assignee

Property Owners: Housing Successor Agency

Under Negotiations: Price and Terms for potential purchase of real property.

6.C. [2016-447](#) Conference with Real Property Negotiator Pursuant to Government Code Section 54956.8.

Property Location: APNS: 675-271-036 & 037 (east side of Landau Blvd northerly of 30th Avenue) and APN 680-442-039 (33560 Navajo Trail)

Negotiating Parties: City of Cathedral City as Housing Successor Agency to the former Redevelopment Agency and Riverside Housing Development Corporation

Property Owners: Housing Successor Agency

Under Negotiations: Price and Terms for potential purchase of real property.

6.D. [2016-431](#) Conference with Real Property Negotiator Pursuant to Government Code Section 54956.8.

Property Location: Approximately 13.8 acres at the Northwest Corner of East Palm Canyon Drive and Date Palm Drive.

Negotiating Parties: City of Cathedral City as Successor Agency to the former Redevelopment Agency and the City Urban Revitalization Corporation,

Property Owners: City Urban Revitalization Corporation

Under Negotiations: Price and Terms for potential purchase of real property.

6.E. [2016-453](#) Conference with Real Property Negotiator Pursuant to Government Code Section 54956.8.

Property Location: APN: 686-141-006 (located at the intersection of Elna Way and Grand View)

Negotiating Parties: City of Cathedral City

Property Owners: Tim Priehs

Under Negotiations: Price and Terms for potential purchase of real property.

6.F. [2016-454](#) Conference with Legal Counsel - Anticipated Litigation, Pursuant to Government Code Section 54956.9 (a) and (d)(4): One Potential Case

The City Council reconvened at 9:45 p.m.

City Attorney Eric Vail announced that the City Council met in Closed Session to hold a Conference with Real Property Negotiator for the following property locations:

Approximately 5.79 acres at Margot Murphy Wasy south of E. Palm Canyon Drive - A.P.N. 687-510-049 and 687-510-050, parcels 6 and 7.

68925 Durango Road - A.P.N. 675-362-012

68255 Tortuga Road - A.P.N. 675-242-005

68615 Tacheva Drive - A.P.N. 675-292-010

68280 Galardo Road - A.P.N. 678-081-019

East side of Landau Blvd northerly of 30th Avenue - A.P.N.'s 675-271-036 & 037

33560 Navajo Trail - A.P.N. 680-442-039

Approximately 13.8 acres at the northwest corner of East Palm Canyon Drive and Date Palm Drive Intersection of Elna Way and Grand View - A.P.N. 686-141-006

A conference was also held with Legal Counsel regarding anticipated litigation - One Potential Case

There was no reportable action taken.

ADJOURN

STANLEY E. HENRY, Mayor

ATTEST:

GARY F. HOWELL, City Clerk