



CITY COUNCIL MINUTES

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

Wednesday, April 26, 2017 REGULAR MEETING 6:30 PM

- **CALL TO ORDER**

Mayor Stan Henry called the April 26, 2017 Regular Meeting of the City Council 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**

Pat Milos, Community Development Director, indicated that item 3B. needs to be removed from the Agenda.

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

1. PUBLIC COMMENT

Valerie Schechter, Cathedral City, was called to speak. Thanked Council Member John Aguilar for funding the 10 free friday movies in conjunction with the Mary Pickford Theater.

Jane Rasco, Cathedral City, was called to speak. She expressed her concern with the number of cannabis businesses that are coming into town. She is concerned with the affects the marijuana industry will have on the City.

Bill Strust, Cathedral City, was called to speak. He feels that families won't want to come to Cathedral City if the main tax base of the City will be gambling and dope.

Diane Gill, Cathedral City, was called to speak. She expressed her concern with the number of marijuana businesses coming into the City. She feels that marijuana businesses should be on the other side of the freeway. It is her hope that when we go to District Elections there is a representation of family.

Kendra Culbertson, Cathedral City, was called to speak. She feels that it is a travesty to have an open field on the cannabis industry. She requested that Mayor Pro Tem Greg Pettis recuse himself from voting on cannabis items, she feels that it is a conflict of interest.

Tiffani LoBue, Palm Springs, was called to speak. Spoke on pet over population in the Valley. She stated that backyard breeding is a problem in the Valley and would like the Council to adopt an Ordinance prohibiting backyard breeding in the City.

It was the consensus of the City Council to bring back this item for discussion on a future Agenda as a Study Session Item.

Deborah Hardy Godley, La Quinta, was called to speak. She spoke on backyard puppy breeding and support of banning it.

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. [2017-174](#) City Council Minutes of February 8, 2017

This item was approved.

Enactment No: M.O. 6757

2.B. [2017-143](#) Revised Purchase Agreement for the Downtown Mixed Use Project

This item was approved.

Enactment No: M.O. 6758

2.C. [2017-164](#) Second Reading and Adoption of an Ordinance Amending Title 2 of the Municipal Code Restructuring the Planning Commission and Reestablishing the Architectural Review Committee.

This item was approved.

Enactment No: Ord 793

3. PUBLIC HEARINGS

3.A. [2017-165](#) Public Hearing to Receive Public Comments on the Composition of Potential Council Election Districts

Mayor Stan Henry opened the Public Hearing for comments.

Alan Carvalho, Cathedral City, was called to speak. Stated that the maps are not official they are designed by residents.

Sergio Espericueta, Cathedral City, was called to speak. Questioned if the comments that were written on the submitted maps that were drawn are made part of the record.

Mayor Henry indicated that all comments will be made part of the record.

Mario Gonzales, Cathedral City, was called to speak. He questioned if input from business owners would be considered.

Mayor Stan Henry closed the Public Hearing.

3.B. [2017-160](#) Rio Vista Village Specific Plan Amendment No. 97-55C

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

Mayor Henry indicated that this item will will continued to a date uncertain.

A motion was made by Mayor Pro Tem Pettis, seconded by Council Member Kaplan, to continue the Rio Vista Village Specific Plan Amendment No. 97-55C to a date uncertain. 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: None

3.C. [2017-168](#) Vacation 2017-01: Public Hearing and Resolution to Vacate Certain Streets, Alleys, Public Highway Easements and Utility Easements Northwest of East Palm Canyon Drive and Date Palm Drive.

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, that the City Council make the findings contained in the Resolution of Vacation for VAC 2017-01; and adopt the Resolution, conditionally vacating all or portions of Hillery Road (formerly First Street), Allen Avenue, public highway and public utility easements on portions of Lots 44, 50, 51, 52, 53, 54, and 55 as shown on the map of Cathedral City, filed in Book 13, at Pages 24 through 26, inclusive, of Maps, Records of Riverside County, and to vacate public alleys in Lots 45 and 48 of said Cathedral City, as said alleys are shown on the map filed in Book 11, Page 11 of Records of Survey, Records of Riverside County, all located within the East half of Section 33, Township 4 South, Range 5 East, San Bernardino Meridian, at the northwest quadrant of East Palm Canyon Drive and Date Palm Drive; 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. 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: Reso 2017-11

4. LEGISLATIVE ACTIONS

4.A. [2017-166](#) Council Subcommittee Funding Recommendations for the Community Assistance Program

Joshua Kunkle, Cathedral City Library, was called to speak. He introduced members of the Friends of the Cathedral City Library. They thanked the sub-committee of the Community Assistance Program for their recommendation to fund their project.

Sue Townsley, Cathedral City, was called to speak. She stated that she is representing the California Jazz

Foundation and encouraged the support of the City Council to fund thier request for a grant through the Community Assistance Program.

A motion was made by Council Member Kaplan, seconded by Mayor Pro Tem Pettis, to approve the award of the following grants and sponsorships for FY 17-18 through the Community Assistance Program:

ACBCI Milanovich Hike - \$2,500
Animal Samaritans - \$1,500
Shelter from the Storm - \$3,000
ACBCI Dinner in the Canyons - \$2,500
Children's Discovery Museum - \$1,000
Assistance League of PS - \$1,500
CVAG Alan Seman Bus Pass - \$3,000
RSVP Riverside Co. Office on Aging - \$1,500
California Jazz Foundation - \$1,000
CV Symphony - \$2,000
Friends of CC Library - \$1,000
Palm Springs Air Museum - \$3,000
CC Historical Society - \$1,500
TOTAL AWARDED \$25,000

The remaining \$3,000 will be reserved to sponsor a future event benefitting the CV Rep Theater.

All awardees will be required to report back to the City the benefit to the community through the award of these funds.

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. 6759

4.B. [2017-169](#) Vacation 2017-02: Resolution of Intention to Vacate a Portion of a Public Utility Easement Between Grandview Avenue and Valley View Drive

A motion was made by Mayor Pro Tem Pettis, seconded by Council Member Kaplan, to adopt a Resolution of Intention to vacate a portion of a 40 foot wide public utility easement reserved from the vacation of Channel Drive, between Grandview Avenue and Valley Vista Drive, and setting a public hearing therefor, on Wednesday, May 24, 2017, at 6:30 p.m. in the City Council Chambers. 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: Reso 2017-12

4.C. [2017-170](#) Resolution Establishing Tax Rates for Cannabis Cultivation and Manufacturing Businesses

Alice Daby, Cathedral City, was called to speak. She expressed her support for cultivation and manufacturing of cannabis being allowed in the City and would like to see everyone embrace it.

Alan Carvalho, Cathedral City, was called to speak. Reported that the Chamber of Commerce held a ribbon

cutting on the grand opening of a dispensary on Perez Road and expressed his excitement.

Nick Hughes, Bramuda Dunes, was called to speak. Questioned if the Task Force has determined what a gram will be for manufacturing. He also asked how many times a single plant will be taxed.

Mario Gonzales, Cathedral City, was called to speak. He feels that the taxes should be set at a fair and competitive rate and encouraged the Council to support staff's recommendation.

A motion was made by Mayor Pro Tem Pettis, seconded by Council Member Kaplan, to adopt a Resolution establishing the following tax rates for Cannabis cultivation and manufacturing businesses:

Ten cents for each one dollar of gross receipts or fractional part thereof received by a dispensary or by any other cannabis business for activities other than cannabis cultivation or manufacturing.

Fifteen dollars for each square foot or fractional part thereof of cannabis cultivation space.

Forty cents for each gram of cannabis concentrate produced or manufactured.

Forty cents for each unit of cannabis-infused product other than cannabis concentrate produced or manufactured and packaged or intended for individual sale.

The motion carried by the following vote:

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

Nay: 1 - Mayor Henry

Enactment No: Reso 2017-13

4.D. [2017-172](#) First Reading of an Ordinance Amending Chapter 5.88 of the Code Regulating Medical Cannabis Transportation, Distribution and Testing Laboratories

A motion was made by Council Member Aguilar, seconded by Council Member Kaplan, to approve the first reading, by title only, an Ordinance amending Chapter 5.88 of the Code regulating medical cannabis transportation, distribution and testing laboratories with the following amendment:

Section 5 E #6 shall read as follows:

A distributor shall also hold a transporter license.

The City Council also authorized the City Attorney to go through entire Ordinance and complete a general clean-up of language within the Ordinance. 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. 6760

5. COUNCIL REPORTS

Mayor Pro Tem Pettis, reported that a local businessman stepped-up and donated \$10,000.00 to the Cathedral City High School band for their trip to Australia. He thanked that anonymous business owner for their very generous donation.

Council Member Carnevale, reported that the Boys and Girls Club will be holding a Spaghetti Dinner fundraiser.

Council Member Aguilar reported that the Cathedral City High School Interact Club along with the Cathedral Center will be holding a Cinco de Mayor event at the center.

Council Member Kaplan, reported that the CCA continues to move forward. He also reported that he attended a zero-net tour in Palm Desert, which he felt was very interesting. He was pleased to attend an event at Fire House Subs in Pam Springs where the Cathedral City Fire Department was presented with a grant in the amount of \$20,000 to be used to purchase fire equipment. He had the opportunity to attend a SunLine Meeting where they received a 12.5 million grant for fuel cell busses. He along with Mayor Pro Tem Pettis attended an event at the Armenian Church to recognize the Genocide, which was followed by a recognition of the Holocaust. On May 3rd at 5:30 p.m. the Staybridge Hotel will be having their grand opening. He announced that there is a new website that has USA facts on all governments and government activities.

Mayor Henry, requested a consensus of a letter of support on legislation to keep CDBG funding. He reported that on Monday evening he and Mayor Pro Tem Pettis attended the CVAG Executive Board Meeting where they were given an update on CVLink and the ongoing work of the homeless committee. He will attend a luncheon on the Delphinin project.

6. CLOSED SESSION

All of the Closed Session Items were heard during the Study Session portion of the meeting and are recorded on the Study Session Minutes of April 26, 2017.

6.A. [2017-173](#) Conference with Legal Counsel - Potential Litigation, Pursuant to Government Code Section 54956.9 (d)(4):

One Potential Case

6.B. [2017-162](#) 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 Corp.

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

6.C. [2017-163](#) Conference with Real Property Negotiator Pursuant to Government Code Section 54956.8.

Property Location: APNS: 675-271-036 through 042 (east side of Landau Blvd northerly of 30th Avenue), APN 680-251-055 Cathedral Canyon Dr; APN 680-252-022 Navajo Trail; APN 680-301-001 & 002 on Wishing Well Trail; APN 680-302-021 Wishing Well Trail; 680-421-031 Shifting Sands Trail and APN 680-432-011 Sky Blue Water 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.

ADJOURN

Mayor Stan Henry adjourned the Regular City Council Meeting at 8:17 p.m.

STANLEY E. HENRY, Mayor

ATTEST:

GARY F. HOWELL, City Clerk