



CITY COUNCIL SPECIAL MEETING MINUTES

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

Monday, June 26, 2017 SPECIAL MEETING 6:30 PM

- **CALL TO ORDER**

Mayor Henry called the Regular Meeting of June 26, 2017, 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**

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

SPECIAL PRESENTATIONS

A. MADD Law Enforcement Recognition Award - Officers Castro and Lara

Chief Walker recognized Officers Castro and Lara.

B. [2017-259](#) Special Presentation from Board Chair of the Cathedral City Chamber of Commerce

Recommendation: This is a presentation only, no action required from the City Council

Lesa Bodner, Chamber of Commerce, thanked the Council for its support of the Chamber.

1. PUBLIC COMMENT

Olivia Manes, Cathedral City, was called to speak. She discussed an ancient organism in Cathedral City and requested the City declare the organism as the designated plant of the City.

Robert McKechnie, Executive Director of Cathedral City Senior Center, was called to speak. He discussed successes at the Senior Center and thanked the Council for its support.

Carl Cieslikowski, Palm Desert, was called to speak. He discussed his experience with automobile difficulty and

officer's refusal to assist his service animal in the heat. He requested an apology from the City and the Chief of Police.

Bethany Ballard, Cathedral City, was called to speak. She requested new legislation on speech for all public officials, particularly commissioners on social media.

2. CONSENT AGENDA

Approval of the Consent Agenda

A motion was made by Council Member Kaplan, seconded by Mayor Pro Tem Pettis, 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. [2017-252](#) Contract Award for the McCallum Way and 30th Avenue Pavement Rehabilitation Improvements

Recommendation: Staff recommends the City Council authorize the City Manager to execute a construction contract with the low responsive and responsible bidder to construct the McCallum Way and 30th Avenue Pavement Rehabilitation Improvement Projects as listed in the 2017-19 Capital Improvement Program, after bids are received, evaluated, confirmed; including inspection, testing and contingencies; all within the approved budgeted limits for each Project.

This item was approved.

Enactment No: M.O. 6776

2.B. [2017-253](#) Accept Donation of Property from the City Urban Revitalization Corporation

Recommendation: Staff recommends the City Council adopt a Resolution accepting donation of property from the City Urban Revitalization Corporation "CURC" for park and/or recreational amenity purposes

This item was approved.

Enactment No: Reso 2017-34

3. PUBLIC HEARINGS

3.A. [2017-247](#) Public Hearing to Receive Public Comments and Discuss Potential Council Election Districts

Recommendation: Staff recommends the City Council hold a public hearing and receive comments from the public regarding Council election districts; discuss the submitted district maps; and consider selecting maps for further consideration.

Doug Johnson, NDC, presented the potential district maps. He spoke about the criteria and how the maps were developed with federal laws. He commended the public on their participation and input on the maps. He explained

that the maps were grouped into three categories including: Most-Compact, Less-Compact, and North-South. He showed pictures of each map and explained the census blocks. He explained next steps and indicated the maps could be viewed on the City's website.

Kathleen Patterson, Cathedral City, was called to speak. She recommended retaining neighborhoods together.

Dale Jag, Cathedral City, was called to speak. He stated that he did not want to see the Cove split up into districts.

Bethany Ballard, Cathedral City, was called to speak. She suggested the Cove not have two representatives.

Sergio Espericueta, Cathedral City, was called to speak. He recommended that the Dream Home neighborhood be kept together.

Michael Hagedorn, Cathedral City, was called to speak. He stated that he was disappointed in the map selection process. He explained that the residents knew the area best and suggested online voting for the maps.

Mayor Henry closed the public hearing.

Mayor Pro Tem Pettis discussed the proposed districts for the Cove. He expressed his interest in looking at the population deviations and stated the final decision would be made in September.

Councilmember Aguilar expressed disappointed with limited participation and encouraged public outreach.

Councilmember Kaplan asked which maps had three districts with the majority Latino voting population. Mr. Johnson presented the demographic sheet available on the City's website, pointing out the maps with three majority Latino districts.

Mayor Pro Tem Pettis asked if there were any maps that would show fluctuation related to the Asian population. Doug Johnson responded that the percentage was too small. He stated the population numbers were from the 2010 US Census Bureau and 2014 registration data.

Mayor Henry discussed difficulty in retaining neighborhoods. He discussed the City of Indio's process, not allowing the community to draw maps. He agreed that the maps be narrowed down in July.

In response to Councilmember Aguilar, Mr. Johnson explained the maps by election year.

In response to Councilmember Carnevale, Mr. Johnson explained that the maps would be narrowed down and then adjusted for detail.

3.B. [2017-221](#) Public Hearing and Formation of Underground Utility District 2017-01

Recommendation: Staff recommends the City Council conduct a Public Hearing; receive public comments; and approve the formation of Underground Utility District 2017-01.

John Corella, City Engineer, presented the staff report.

Mayor Henry opened the public hearing.

Bethany Ballard, Cathedral City, was called to speak. She indicated support for undergrounding and encouraged keeping the cost down.

Mayor Henry closed the public hearing.

A motion was made by Council Member Aguilar, seconded by Council Member Kaplan, to approve the formation of Underground Utility District 2017-01. 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 2017-31

4. LEGISLATIVE ACTIONS

4.A. [2017-249](#) Commissions and Committee Appointments

Recommendation: Staff recommends Council approve appointments to vacancies on the various Commissions and Committees based on interviews conducted on June 26, 2017.

A motion was made by Council Member Carnevale, seconded by Council Member Kaplan, to appoint the following individuals to the Architectural Review Committee:

Robert Lee Durbin and Dean Keffer with a term continuing to June 30, 2020

Mitch King, Ray Lopez and John Rivera with a term continuing to June 30, 2021.

Aye: 5 - Mayor Henry, Mayor Pro Tem Pettis, Council Member Kaplan, Council Member Carnevale, and Council Member Aguilar

Enactment No: M.O. 6777, 6778, 6779, 6780, 6781, 6782

A motion was made by Mayor Pro Tem Pettis, seconded by Councilmember Kaplan, to reappoint Michael Hagedorn to the Planning Commission with a term continuing to June 30, 2021. 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

A motion was made by Mayor Pro Tem Pettis, seconded by Councilmember Carnevale, to appoint Thomas Kocan and Alice Daby to the Parks and Community Events Commission with terms continuing to June 30, 2021. 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

A motion was made by Mayor Pro Tem Pettis, seconded by Councilmember Kaplan, to appoint Alan Carvalho and Wendy Willson to Public Arts Commission.

Councilmember Kaplan discussed concerns raised over Alan Carvalho. He stated social media was not a meaningful method of communication and was destroying the community. He stated he did not support bullying rather commission appointments had to be made in the City's best interest. He listed the accomplishments of the Public Arts Commission under Mr. Carvalho's leadership. He suggested Mr. Carvalho be reappointed based on merits.

Mayor Pro Tem Pettis bifurcated his motion.

Councilmember Carnevale expressed his belief in Freedom of Speech but the emails were inappropriate. He commended Mr. Carvalho's on his work but stated he could not reward bad behavior.

A motion was made by Mayor Pro Tem Pettis, seconded by Councilmember Kaplan, to appoint Alan Carvalho to Public Arts Commission with a term continuing to June 30, 2021. The motion carried by the

following vote:

Aye: 2 - Mayor Pro Tem Pettis, and Council Member Aguilar

Nay: 3 - Mayor Henry, Council Member Kaplan, and Council Member Carnevale

A motion was made by Mayor Pro Tem Pettis, seconded by Councilmember Kaplan, to appoint Wendy Willson to Public Arts Commission with a term continuing to June 30, 2021. 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

A motion was made by Mayor Pro Tem Pettis, seconded by Councilmember Kaplan, to appoint Charles Hull, Craig Loe, Paul Thompson and Valerie Wagner to the Finance Advisory Committee with terms continuing to June 30, 2021. 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

4.B. [2017-248](#) Burrtec Waste & Recycling Services Request for a Rate Increase on Commercial, Residential, Roll-off and Multi Family Services

Recommendation: Staff recommends the City Council approve a rate increase on the service rates charged to all roll-off, residential, multi-family and commercial customers for cost of living increase based on the Consumer Price Index ("CPI") and Riverside County's gate fee increase.

Michael Harrington presented the staff report.

Councilmember Aguilar asked Mike Veto, Burrtec, if there was potential relief for hardships. Mike Veto, Burrtec Waste & Recycling, responded that he would look into it. He explained services offered for residents.

Mayor Henry stated Palm Springs offered obtaining cans to the street. Mr. Veto stated they offered that as well, and provided that service free to handicapped persons.

Mayor Pro Tem Pettis asked how many Burrtec employees live in Cathedral City.

Mayor Henry invited the public to comment.

Michael Hagedorn expressed concern with Burrtec charging for additional green waste.

Mayor Henry closed the public comment period.

A motion was made by Councilmember Carnevale, seconded by Councilmember Kaplan, to approve a rate increase on the service rates charged to all roll off, residential, multi-family and commercial customers for cost of living increase based on the Consumer Price Index ("CPI") and Riverside County's gate fee increase. 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. 6783

4.C. [2017-241](#) Contract with NAI Consulting for Project Management and Grant Administration Services for Grant Funded Transportation Projects

Recommendation:

Staff recommends the City Council award a contract to NAI Consulting for as needed project management and grant administration services for state and federally funded transportation projects in the amount of \$150,000.

John Corella, City Engineer, presented the staff report.

Mayor Henry invited the public to comment. There being no speakers, Mayor Henry closed the public comment period.

A motion was made by Council Member Carnevale, seconded by Council Member Aguilar, to award a contract to NAI Consulting for as needed project management and grant administration services for state and federally funded transportation projects in the amount of \$150,000. 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. 6784

4.D. [2017-261](#) Resolution Amending Resolution No. 90-94, Master Undergrounding Plan (M.U.P.) to Add Additional Line Section Areas

Recommendation: Staff recommends the City Council adopt a Resolution amending Resolution No. 90-94 adopting the Master Undergrounding Plan (M.U.P.) to include and re-Prioritize the Line Sections as specified on Exhibit A of the M.U.P. to add Priority 1: Line Section - E. of Cathedral Canyon Drive, W. of Van Fleet Street and S. of East Palm Canyon Drive, N. of "D" Street with Voltage designated as Low/High; and Priority 2: Line Section - Ramon Road north alley, W. of Date Palm Drive with Voltage designated as Low/High; and reprioritize Resolution No. 90-94 M.U.P. Exhibit A Priorities 1 through 32 to Priorities 3 through 34.

John Corella, City Engineer, presented the staff report.

Mayor Pro Tem Pettis asked the funding source and timeline. City Engineer Corella explained the M.U.P. funding requirements.

Mayor Henry invited the public to comment. There being no speakers, Mayor Henry closed the public comment period.

A motion was made by Councilmember Kaplan, seconded by Councilmember Carnevale, to adopt a Resolution amending Resolution No. 90-94 adopting the Master Undergrounding Plan (M.U.P.) to include and re Prioritize the Line Sections as specified on Exhibit A of the M.U.P. to add Priority 1: Line Section E. of Cathedral Canyon Drive, W. of Van Fleet Street and S. of East Palm Canyon Drive, N. of "D" Street with Voltage designated as Low/High; and Priority 2: Line Section Ramon Road north alley, W. of Date Palm Drive with Voltage designated as Low/High; and reprioritize Resolution No. 90-94 M.U.P. Exhibit A Priorities 1 through 32 to Priorities 3 through 34. 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 2017-32

5. COUNCIL REPORTS

Councilmember Kaplan discussed efforts to raise money for the Senior Center and donor wall. He recognized that the City Official Staff Member of the Year is Chris Parmen. He encouraged blood donations. He discussed recent events he attended.

Mayor Pro Tem Pettis stated he represented the City at a National League of Cities meeting. He thanked Councilmember Kaplan for attending the Riverside Transportation Committee Meeting on his behalf. He stated he would be meeting with the Public Utilities Commission regarding SCE shutting down resident's services for regularly scheduled maintenance.

Mayor Henry discussed the CVAG Executive Committee meeting. He announced that there would only be one meeting in July, July 26, 2017.

6. CLOSED SESSION

Eric Vail, City Attorney announced that the City Council will meet in Closed Session to discuss the following items listed on the Agenda.

The City Council adjourned to Closed Session at 8:28 p.m.

- 6.A. [2017-262](#) Conference with Legal Counsel - Anticipated Litigation Significant exposure to litigation pursuant to paragraphs (d)(2) and (e)(1) of the Government Code.**
- One (1) matter**
- 6.B. [2017-222](#) Conference with Real Property Negotiator Pursuant to Government Code Section 54956.8.**
- Property Location:** Vacant land along West Buddy Rogers Ave, West of Date Palm Drive with APN's of 687-180-009 & 687-180-011
- Negotiating Parties:** City of Cathedral and the City Urban Revitalization Corporation
- Property Owner:** City of Cathedral City
- Under Negotiations:** Price and Terms for potential sale or lease of real property
- 6.C. [2017-255](#) 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.D. [2017-256](#) **Conference with Real Property Negotiator Pursuant to Government Code Section 54956.8.****

Property Location: Approximately 13.5 acres south of East Palm Canyon Drive at Date Palm Drive

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

Property Owner: City Urban Revitalization Corporation

Under Negotiations: Price and Terms for potential sale of real property

6.E. [2017-260](#) **Conference with Real Property Negotiator Pursuant to Government Code Section 54956.8.**

Property Location: Approximately 12.5 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.

The City Council reconvened at 9:40 p.m.

City Attorney Eric Vail announced that the City Council met in Closed Session to discuss the following:

Conference with Legal Counsel Anticipated Litigation Significant exposure to litigation pursuant to paragraphs (d) (2) and (e)(1) of the Government Code. One (1) matter

Conference with Real Property Negotiator Pursuant to Government Code Section 54956.8 for the following locations:

- 1. Vacant land along West Buddy Rogers Ave, West of Date Palm Drive with APN's of 687 180 009 & 687 180 011.*
- 2. 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*
- 3. Approximately 13.5 acres south of East Palm Canyon Drive at Date Palm Drive*
- 4. Approximately 12.5 acres at the Northwest Corner of East Palm Canyon Drive and Date Palm Drive.*

There was no reportable action taken.

ADJOURN

Mayor Stan Henry adjourned the June 26, 2017 Special City Council Meeting at 9:42 p.m.

STANLEY E. HENRY, Mayor

ATTEST:

GARY F. HOWELL, City Clerk