



CITY COUNCIL MINUTES

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

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

- **CALL TO ORDER**

Mayor Stan Henry called the Regular Meeting of July 26, 2017, to order at 6:34 p.m.

- **PLEDGE OF ALLEGIANCE**

Councilmember Shelley Kaplan led the Pledge of Allegiance.

- **INVOCATION (MOMENT OF REFLECTION)**

Councilmember 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

- **SPECIAL PRESENTATIONS**

A. Certificates of Recognition - Esser Air Conditioning and Firefighter/Paramedics Valenti and Porto, Engineer Pike, and Captain Williams from Station 411, Cathedral City Fire Department

Fire Chief Paul Wilson commended Esser Air Conditioning and Firefighter/Paramedics for providing air conditioning to a resident in need.

B. Certificates of Appreciation - Outgoing Commission/Committee Members

The Mayor and Council presented Certificates of Appreciation to outgoing commission and committee members.

C. City Manager Report - Update on Comments Made by Mr. Carl Cieslikowski

City Manager McClendon discussed the allegations of Mr. Cieslikowski and results of the investigation.

- **AGENDA FINALIZATION**

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

1. PUBLIC COMMENT

Ernesto Guitierrez, Cathedral City, was called to speak. He expressed his concern with code enforcement and encouraged additional staffing. Mayor Henry explained that additional staff was added and graffiti abatement was increasing.

Robert L. McCormick was called to speak. He proposed that the City put banners, posters, signs, and flags around the perimeter of the City to advertise and celebrate that Cathedral City was a sanctuary City.

Lee Wilson, Cathedral City, was called to speak. He presented the Fallen Hero Banners and requested the City sponsor new banners for the Air Museum.

Justin Gardiner, Cathedral City, was called to speak. He, Chapter Commander of the Military Order Purple Heart, encouraged support of the Fallen Hero Banner program. He mentioned an upcoming campaign to rename streets by Cathedral City High School.

Jeff Horton, Post Commander VFW Desert Hot Springs, was called to speak. He expressed his support for Lee Wilson and banner program. He stated that he would like to work with surrounding cities and school to familiarize the youth with the Veterans of Foreign Wars and that he would like a VFW in Cathedral City.

Lynne O'Neil was called to speak. She thanked the Council for advancing Item 2J.

Terry Applegate was called to speak. She indicated support for the resolution of Item 2J.

2. CONSENT AGENDA

Approval of the Consent Agenda

A motion was made by Council Member Aguilar, seconded by Council Member Kaplan, 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. [2017-271](#) Receive and file Payment of Claims and Demands

This item was approved.

Enactment No: M.O. 6785

2.B. [2017-293](#) City Council Minutes of March 22, 2017 and April 5, 2017

This item was approved.

Enactment No: M.O. 6786

2.C. [2017-225](#) Amendment to Successor Agency's Existing Ground Lease on Property located at the Southwest Corner of E. Palm Canyon and Margot Murphy Way

This item was approved.

Enactment No: M.O. 6787

2.D. [2017-263](#) Vista Chino East and Vista Chino West Pavement Rehabilitation Final Acceptance

This item was approved.

Enactment No: M.O. 6788

2.E. [2017-264](#) Whitewater Neighborhood Street Improvements Final Acceptance

This item was approved.

Enactment No: M.O. 6789

2.F. [2017-285](#) Contract Award to Albert A. Webb Associates for Professional Services for the Highway Safety Improvement Program, Cycle 8.

This item was approved.

Enactment No: M.O. 6790

2.G. [2017-288](#) Approve and Accept the Improvements within Tract Map 36832-1 and Authorize the Release of Subdivision Agreement Securities (Stanton Place 2014, LLC, Subdivider).

A motion was made by Council Member Aguilar, seconded by Council Member Kaplan, to approve the following Consent Agenda Items. The motion carried by the following vote:

Enactment No: Reso 2017-36

2.H. [2017-277](#) Assessment of Special Assessments Against Properties for Nuisance Abatement Costs

This item was approved.

Enactment No: Reso 2017-36

2.I. [2017-276](#) Purchase of six (6) Replacement Marked Police Vehicles and seven (7) Replacement Unmarked Police Vehicles from Palm Springs Motors.

A motion was made by Council Member Aguilar, seconded by Council Member Kaplan, to approve the following Consent Agenda Items. The motion carried by the following vote:

Enactment No: M.O. 6791

2.J. [2017-290](#) Budget Amendment to Support Regional Homelessness Services

This item was approved.

Enactment No: M.O. 6792

3. PUBLIC HEARINGS**3.A. [2017-268](#) Public Hearing to Receive Public Comments and Discuss Potential Council Election Districts**

City Manager McClendon presented the staff report.

Mayor Henry opened the Public Hearing.

Theresa Hooks, Cathedral City, was called to speak. She indicated support for districting, retaining the Cove as

one district and having experience on the Council throughout the districting process.

Miriam Alario, Cathedral City, was called to speak. She encouraged continuity and preservation of neighborhoods, compactness of districts, representation of businesses and residents' needs and quality of life, planned future growth, and diversity in representation. She asked the Councilmembers if the voices of the minority residents and the majority of the communities have an input of the choices on the districting maps.

Sergio Espericueta, Cathedral City, was called to speak. He expressed the importance of forming five districts while also respecting the cultural aspect of the community. He listed the maps that he thought would work best for the districts.

Denise Cross, Cathedral City, was called to speak. She stated that the purpose of districts is to give all residents equal City service. She explained that a lot of the residents were ignored for service based on where they lived. She stated she felt the City Council only focused on their own neighborhoods and she did not want the Cove split.

Bethany Ballard, Cathedral City, was called to speak. She expressed concern with two representatives from the same neighborhood and stated the districts should be unified.

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

Mayor Henry took offense to statements that councilmembers represented their own neighborhoods.

Mayor Pro Tem Pettis stated he walked every neighborhood in the community. He explained the concern with problems arising from districts. He discussed efforts to allow community input and establish districts that would best serve the community.

Councilmember Kaplan summarized the criteria guidelines for the district map process. He presented additional criteria he considered including Hispanic population, continuity, retaining neighborhoods and balanced population.

Mayor Henry stated the criteria needed to be followed to ensure legal, fair and equal districts.

Councilmember Aguilar noted the written comments received that would be incorporated into the record. He indicated support for implementing districts, encouraging diversity.

Councilmember Carnevale discussed the assumption that the incumbents would run again.

Mayor Henry stated it was only recently that every Councilmember lived south of Dina Shore, which was not similar in the past. He recommended omitting maps with population imbalance.

Councilmember Kaplan suggested creating as many districts as possible with minority populations.

Mayor Henry confirmed Council concurrence to eliminate Maps 4, 5, 7, 8, 11, 12, and 14.

Councilmember Aguilar suggested Maps 1, 3 and 18.

Mayor Pro Tem Pettis discussed the impact on neighborhoods of the proposed maps. He concurred with considering Maps 1, 3 and 18.

Mayor Henry added Maps 19 and 20.

Councilmember Carnevale suggested Maps 16 and 2.

In response to Mayor Pro Tem Pettis, City Manager McClendon confirmed the necessary timeframe.

Councilmember Kaplan reiterated that the City Council had to pick a district map and determine which districts would be up for election in 2018 and 2020.

Mayor Pro Tem Pettis requested large maps be prepared for the next meeting.

Mayor Henry confirmed that the Council narrowed consideration to Maps 1, 2, 3, 16, 18, 19, 20.

4. LEGISLATIVE ACTIONS

4.A. [2017-282](#) 2017 Building and Cannabis Fee Review and Recommendation

Pat Milos, Community Development Director, introduced the 2017 Building and Cannabis Fee Review.

Building Official Al Jimenez summarized the comparison of building fees and ancillary fees, including garage sale permits.

Community Development Director Milos stated fees had not been raised since 1997. He discussed cannabis license fees.

Councilmember Aguilar asked about expedited plan review. Community Development Director Milos discussed issues with fast tracking solar applications. He stated the current turnaround was 15 days.

Mayor Henry asked the full charge for sewer connections. Building Official Jimenez discussed fees for surrounding cities.

Mayor Pro Tem Pettis asked about connection fees for a hotel. Building Official Jimenez explained the rates charged for sewage fees.

Mayor Pro Tem Pettis invited the public to comment.

Erica Hornik, Coachella Valley Building Industry, were called to speak.

David Dazlich requested they be allowed to complete their fee study prior to the Council making a decision.

Ernesto Gutierrez, Cathedral City, was called to speak. He stated Cathedral City had the lowest fees in the Coachella Valley and best staff. He suggested that the City enforce license and stated he was willing to pay increased fees.

Bethany Ballard, Cathedral City, was called to speak. She questioned the need for a permit to drain pools.

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

A motion was made by Mayor Pro Tem Pettis, seconded by Council Member Kaplan, to approve a Resolution adopting ancillary and cannabis fees and to delay the building fees. 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 2017-37

4.B. [2017-272](#) Resolution of Support for Climate Agreements

City Manager McClendon presented the staff report.

Mayor Henry invited the public to comment.

Bethany Ballard, Cathedral City, was called to speak. She stated the action plan was not mandated and there was disagreement on climate action.

Alan Carvalho, Cathedral City, was called to speak. He indicated support for the resolution.

Rosario Avila, Cathedral City, was called to speak. She read an article about fossil fuels and climate change.

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

Mayor Pro Tem Pettis explained that the resolution stated the City would continue to support the four year old action plan and stated Cathedral City was the leader in the Valley for sustainability efforts.

A motion was made by Council Member Kaplan, seconded by Council Member Aguilar, to approve a Resolution affirming the City of Cathedral City's commitment to support its 2013 Climate Action Plan, the State of California Under 2° MOU and Executive Order B-30-15, and the Paris Climate Agreement. The motion carried by the following vote:

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

Nay: 1 - Council Member Carnevale

Enactment No: Reso 2017-38

4.C. [2017-274](#) Joint Powers Agreement to Implement a Community Choice Aggregation Program

Charlie McClendon, City Manager, presented the Joint Powers Agreement for Community Choice Aggregation. In response to Council inquiries, he explained opt out provisions, limited liability to the City, and cost recovery.

Mayor Henry invited the public to comment.

Rosario Avila, Cathedral City, was called to speak. She indicated opposition to the CCA due to additional bureaucracy.

Bethany, Ballard, Cathedral City, was called to speak. She asked if lower rates were guaranteed

Alan Carvalho, Cathedral City, was called to speak. He apologized that the City Council was constantly being put under suspicion.

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

A motion was made by Council Member Kaplan, seconded by Mayor Pro Tem Pettis, to introduce and provide first reading, by title only, an ordinance authorizing implementation of a Community Choice Aggregation program and approving the Desert Cities Energy Choice Joint Powers Agreement. 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. 6794

5. COUNCIL REPORTS

Councilmember Aguilar encouraged viewing of his interview on Community Affairs Channel 117.

Councilmember Kaplan stated he and Mayor Pro Tem Pettis met with SCE regarding maintenance during hot

summer months.

Mayor Pro Tem Pettis discussed the Edison meeting. He discussed his opportunity to travel with the High School band to Australia and commended the students. He announced the Sunline Transit Agency small business workshop on October 18, 2018. He expressed disappointment in the President of the United States using Twitter for setting National Security Policy.

Councilmember Kaplan announced the new exhibit opening at the museum in the Civic Center Gallery.

Mayor Henry thanked the local community and Aqua Caliente Band of Indians for replacing the equipment for the youth baseball league. He announced the death of Barbara Sinatra and adjourned in her memory.

6. CLOSED SESSION

6.A. [2017-265](#) Conference with Real Property Negotiator Pursuant to Government Code Section 54956.8.

Property Location: Approximately 2.06 acres at the Northwest Corner of San Antonio and San Mateo Dr. with APN's of 677-291-021 and 022.

Negotiating Parties: City of Cathedral City as Housing Successor Agency and Chris Ifeanyi or assignee.

Property Owners: Housing Successor Agency

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

6.B. [2017-266](#) Conference with Real Property Negotiator Pursuant to Government Code Section 54956.8.

Property Location: Approximately 1.01 acres at the Southeast Corner of San Joaquin Drive and Mission Drive with APN's of 677-383-001 and 002.

Negotiating Parties: City of Cathedral City as Housing Successor Agency and Chris Ifeanyi or assignee.

Property Owners: Housing Successor Agency

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

6.C. [2017-281](#) Conference with Legal Counsel Regarding Pending/Existing Litigation (Gov. Code §54956.9)

Name of case: Tramview Investors LLC v. Cathedral City and Cathedral City Mobilehome Fair Practices Commission, PSC 1703336

6.D. [2017-284](#) Successor Agency to the Former Redevelopment Agency- Conference with Real Property Negotiator Pursuant to Government Code Section

54956.8

Property Location: 68510 E Palm Canyon Dr. with APN 687-475-003

Property Owners: City Urban Revitalization Corporation

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

Under Negotiation: Price & Terms on the Sale of Real Property

The City Council met in Closed Session to discuss the items listed on the Agenda. There was no reportable action taken.

ADJOURN

Mayor Stan Henry adjourned the July 26, 2017 Regular City Council Meeting at 9:23 p.m.

STANLEY E. HENRY, Mayor

ATTEST:

GARY F. HOWELL, City Clerk