



## CITY COUNCIL MINUTES

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

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Wednesday, September 13, 2017      REGULAR MEETING      6:30 PM

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- **CALL TO ORDER**

*Mayor Stan Henry called the September 13, 2017, Regular Meeting to order at 6:30 p.m.*

- **PLEDGE OF ALLEGIANCE**

*Councilmember 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

- **AGENDA FINALIZATION**

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

### **1. PUBLIC COMMENT**

*Robert McCormick was called to speak. He suggested the City display, signs, banners and plaques indicating the City was a Sanctuary City.*

*Sam Pace, Cathedral City, was called to speak. He thanked the City for its support and participating in the Meatball Festival on October 1, 2017.*

*Alan Carvalho was called to speak. He announced the Tejano Festival.*

### **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. [2017-367](#)      Receive and file Payment of Claims and Demands**

This item was approved.

Enactment No: M.O. 6814

**2.B. [2017-369](#) City Council Minutes of April 12, 2017**

This item was approved.

Enactment No: M.O. 6815

**2.C. [2017-324](#) Access and Construction Agreement**

This item was approved.

Enactment No: M.O. 6816

**2.D. [2017-356](#) Disposition of Certain Housing Parcels**

This item was approved.

Enactment No: M.O. 6817

**2.E. [2017-357](#) Disposition of Certain Housing Parcels**

This item was approved.

Enactment No: M.O. 6818

**2.F. [2017-359](#) Disposition of Certain Housing Parcels**

This item was approved.

Enactment No: M.O. 6819

**2.G. [2017-365](#) Disposition of Certain Housing Parcels**

This item was approved.

Enactment No: M.O. 6820

**2.H. [2017-360](#) Disposition of Certain City Parcels**

This item was approved.

Enactment No: M.O. 6821

**2.I. [2017-362](#) Acceptance of the 2017 Edward Byrne Memorial Justice Assistance (JAG) Grant of \$9,063 from the Bureau of Justice Assistance.**

This item was approved.

Enactment No: M.O. 6822

**2.J. [2017-361](#) Administering Agency-State Agreement for Federal Aid Projects**

**No. 08-5430F15 and Program Supplemental Agreement No. 006-N1  
for Federal Aid Project No. HSIPL 5430(033).**

**This item was approved.**

Enactment No: Reso 2017-44

**2.K. [2017-344](#) Easement from Desert Water Agency for the Whitewater River Bike Path.**

**This item was approved.**

Enactment No: M.O. 6823

**2.L. [2017-363](#) Annual Virgin de Guadalupe Procession 2017**

**This item was approved.**

Enactment No: M.O. 6824

**2.M. [2017-364](#) CCHS Annual Homecoming Parade 2017**

**This item was approved.**

Enactment No: M.O. 6825

**3. PUBLIC HEARINGS**

**3.A. [2017-368](#) Ordinance Establishing Council Election Districts**

*City Manager McClendon presented the staff report.*

*David Smith was called to speak. He questioned the logic behind the created districts.*

*Doug Johnson, National Demographic Corporation, summarized the public engagement process and selected map, which complied with the requirements.*

*Mayor Henry discussed the required criteria and 2020 census.*

*Mayor Pro Tem Pettis stated the gated communities and neighborhood communities were left intact.*

*Council Member Aguilar asked if map Purple 2B meet the criteria and eligibility requirements. Mr. Johnson responded that the map complied with all of the requirements.*

*Council Member Carnevale mentioned a letter from Linda Shapiro about her suggestion for a Downtown Overlay.*

*Mayor Henry responded that it was not possible.*

**A motion was made by Council Member Kaplan, seconded by Council Member Aguilar, to approve the first Reading, by title only, an Ordinance of the City Council of the City of Cathedral City, California amending Chapter 1.12 (Elections) of the Cathedral City Municipal Code to Change the City's Electoral System from At-large to By-district Elections with respect to electing City Council Members, establishing district boundaries, and scheduling elections within the districts and approval of NDC created Purple Map2B as the attachment. 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. 6826

**3.B. [2017-354](#) Change of Zone No. 17-001, Specific Plan Amendment No. 90-43A**

*Planning Manager Robert Rodriguez gave a presentation on the Change of Zone No. 17 001. He explained the planned limited commercial uses, the specific plan prohibited uses, and the specific plan amendments.*

*Mayor Pro Tem Pettis asked if the grocery store would be allowed to apply for off premise alcohol sales. Planning Manager Rodriguez explained that the application would have to go through ABC licensing. Mayor Pro Tem Pettis asked the process if the conditions were removed per the applicant's request. Planning Manager Rodriguez discussed the permitting requirements and prohibited uses.*

*Council Member Aguilar asked about the condition related to deletion of the drainage fee. John Corella, City Engineer, explained the new NPDES standards.*

*Mayor Henry asked why the Planning Commission prohibited the two uses. Planning Manager Rodriguez responded that it was due to the proximity to the school and park.*

*Mario Gonzales, on behalf of the applicant, discussed his goal for quality and sustainable projects in collaboration with the City. He discussed efforts to create a medical cannabis business and urged the amendment to the Specific Plan.*

*Council Member Carnevale asked the number of tenants. Mr. Gonzales stated there would be one tenant.*

*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 Carnevale, to approve an exemption to the California Environmental Quality Act (CEQA) based on the finding that the project is exempt pursuant to the California Environmental Quality Act (CEQA) per Section 15601(b)(3), as it can be seen with certainty that there is no possibility that Specific Plan Amendment No. 90-43A and Change of Zone No. 17-001 may have a significant effect on the environment and adopt an ordinance approving Specific Plan Amendment No. 90-43A and Change of Zone No. 17-001. 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: M.O. 6827/6828

#### **4. LEGISLATIVE ACTIONS**

**4.A. [2017-339](#) Safe and Sane Fireworks - Ordinance Amendment**

*Fire Chief Paul Wilson presented the staff report.*

**A motion was made by Council Member Kaplan, seconded by Council Member Aguilar, to introduce and provide first reading of an Ordinance, by title only, amending Ordinance 723 removing the preference for three named non-profits to be issued a "Safe and Sane" fireworks permit. 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. 6828

**4.B. [2017-350](#) Grant to CV Repertory Theater**

*Administrative Services Director Scott presented the staff report.*

*Ron Solano, CV Rep, expressed excitement to partner with the City and explained support of major donors and planned partnerships with the schools.*

*Council Member Aguilar expressed his support for the theater.*

*Alan Carvalho was called to speak. He expressed his support for the item.*

*Rosario Avila was called to speak. She expressed her concern for the grant and asked how much money was going into the project.*

*Council Member Kaplan explained the goal to create a downtown entertainment district. He expressed his support for the theatre.*

**A motion was made by Council Member Aguilar, seconded by Council Member Kaplan, to authorize the Cathedral City Downtown Foundation to provide a grant to the CV Repertory (CVRep) Theater for the adaptive reuse of the theater to assist in the development of a Regional Playhouse. 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. 6828

**4.C. [2017-352](#) Acceptance of a Grant Award from the Federal Emergency Management Agency for a Staffing of Adequate Fire and Emergency Response Grant**

*Fire Chief Paul Wilson gave a presentation on the SAFER grant award. He discussed the benefits, requirements, and the financial commitment.*

*Mayor Pro Tem Pettis stated the City was going to look for additional funding to add even more staff.*

*Council Member Kaplan expressed his support for the SAFER grant.*

**A motion was made by Council Member Kaplan, seconded by Council Member Carnevale, to approve a Resolution to accept a Grant Award of \$1,393,193 from the Federal Emergency Management Agency. The award of the Staffing for Adequate Fire and Emergency Response (SAFER) grant provides federal funding for three years, consisting of salaries and benefits, to add six firefighter / paramedics to the fire department. 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 2017-42

**4.D. [2017-351](#) 2017-2019 Capital Improvement Program Budget Amendment to List Senate Bill 1 (SB-1) Projects**

*City Engineer John Corella presented SB 1 funding, CIP budget amendment, and short term solution. He discussed the need to repair roadways and presented the proposed projects.*

*Council Member Kaplan asked the criteria for selecting neighborhoods. City Engineer Corella explained the use of the pavement condition index.*

**A motion was made by Council Member Aguilar, seconded by Council Member Kaplan, to approve a Resolution amending the City's 2017-2019 Capital Improvement Program Budget (CIP) to incorporate a list of projects to be funded by Senate Bill 1 (SB-1), the Road Repair and Accountability Act of 2017. 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 2017-43

## **5. COUNCIL REPORTS**

*Councilmember Kaplan recognized Chris Parman for putting together a video at the Women's Council of Realtors event and encouraged everyone to watch the video on the Cathedral City website. He also reminded everyone of the upcoming Tejano Festival.*

*Council Member Carnevale stated that he attended the Public Safety meeting and was made aware of a campaign called "Look Both Ways" bringing awareness to pedestrians, bicyclists, and drivers. He mentioned that he met a lady who worked for the Emergency Management Department with the Fire Chief and was impressed by their work. He announced City Hall at Your Corner on September 20th.*

*Mayor Pro Tem Pettis mentioned mail theft in the Cove and thanked the police for their action. He discussed his meeting with the Tribal Chairman and Public Arts Commission meetings regarding upcoming projects. He asked when the new fire station design would be presented to the Council. City Manager McClendon anticipated soon. Administrative Services Director Scott stated escrow closed and anticipated a rough design by February. Mayor Pro Tem Pettis expressed concern about the lift station and the smells that might affect the fire station.*

*Mayor Pro Tem Pettis discussed a rally in Town Square protesting the Federal Governments action on DACA. He thanked the Public Arts commission for leaving the museum open.*

*Mayor Henry discussed his and Mayor Pro Tem Pettis' meeting with the Metropolitan Water District Board.*

## **6. CLOSED SESSION**

*City Attorney Eric Vail announced that the Council met in Closed Session to discuss the items listed on the Study Session and Regular Meeting Agendas. There was no reportable action taken.*

### **6.A. [2017-366](#) Housing Successor Agency to the Former Redevelopment Agency-Conference with Real Property Negotiator Pursuant to Government Code Section 54956.8**

Property Location: 67025 & 67045 Mission Drive with APN's of 677-383-001 &002  
Property Owners: City of Cathedral City as the Housing Successor Agency  
Negotiating Parties: City of Cathedral City as the Housing Successor Agency & REMAX Consultants  
Under Negotiation: Price & Terms on the Sale of Real Property

**6.B.     [2017-353](#)     Conference with Real Property Negotiator Pursuant to Government Code Section 54956.8.**

**Property Location:** Approximately 2 acres at the southeast corner of West Buddy Rogers and East Palm Canyon Drive.

**Negotiating Parties:** City of Cathedral City as the Housing Successor Agency to the former Redevelopment Agency and Cathedral Canyon Development LLC

**Property Owner:** City of Cathedral City as the Housing Successor Agency to the Former Redevelopment Agency

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

**ADJOURN**

*Mayor Stan Henry adjourned the September 13, 2017 Regular City Council Meeting at 7:58 p.m.*

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STANLEY E. HENRY, Mayor

ATTEST:

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TRACEY R. MARTINEZ, City Clerk