



CITY COUNCIL STUDY SESSION MINUTES

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

Tuesday, February 6, 2018 STUDY SESSION 4:30 PM

• CALL TO ORDER

Mayor Stan Henry called the Study Session Meeting of February 6, 2018, to order at 4:30 p.m.

• 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

Erica Felci, Governmental Projects Manager with CVAG, was called. She thanked City Staff for all of the work that they did on the recent homeless count that was conducted. She also expressed her appreciation for all of the work that staff has been doing on CVLink. The grand opening, for the portion in Cathedral City, will be held on February 23, 2018. She thanked the City and Council for their continued support.

Sandra Richter, Cathedral City, was called to speak. She expressed her frustration with Short Term Vacation Rentals in the City. She stated that the Hotline is not working properly. She has been working with the Police Department and Code Compliance, however, she feels helpless with no help. She feels that vacation rentals do not belong in residential neighborhoods, they should be downtown where they are less disruptive. She encouraged the City not to issue any further licenses and would like to see them banned.

Bethany Ballard, Cathedral City, was called to speak. She questioned what if the purpose of recreation cannabis lounges? She stated that they are for people to get high amongst others who are also getting high or to consume on the premises because they can't at home. She stated that she heard that driving under any amount of marijuana is illegal. She questioned how it is measured? Will there be a limit and who determines how much is too much? She questioned what devices are available to authorities to test drivers? If individuals drive to the lounges aren't they expected to drive home. She questioned what is to prevent them from driving under the influence. She questioned if an individual will be kept from leaving the premises for a certain length of time after consuming cannabis if so how?

2. STUDY SESSION

2.A. [2018-28](#) Update from the Cannabis Task Force Regarding Consumption Lounges and Employee Background Checks

Charles McClendon, City Manager, provided an update from the Cannabis Task Force regarding Consumption Lounges and Employee Background Checks.

Bethany Ballard, Cathedral City, was called to speak. She stated that both marijuana and alcohol consumers cause accidents that probably would happen had they not consumed. She suggested that a bus shuttle service be provided so that those going to the lounges don't have to drive. She is opposed to allowing the lounges.

Council Member Mark Carneval stated that he does not support on-site consumption lounges in Cathedral City. He does not support recreational use of cannabis, he does support medical use. He did state that if one dispensary is allowed to have on-site consumption then all of them should be allowed to. He feels that patios could pose an odor issue. He does not feel that there is any benefit for the City. He feels that background checks should be necessary for employees, the responsibility should be on the owner only.

Council Member John Aguilar, stated that the City is going to have to look at something to allow businesses to be competitive. He would support the Task Force's recommendation.

Mayor Pro Tem Greg Pettis, agrees with Councilman Aguilar. He also agrees with Councilman Carnevale with regard to background checks but would also like to hear from the Police Department. He has an issue with allowing consumption on patios.

Councilman Shelley Kaplan agrees that the consumption locations should not be limited to some of the dispensaries, it should be all of them. He supports the continuation of back ground checks and does not have a problem with consumption on patios.

Mayor Stan Henry, is not in favor of onsite consumption at this time. If it is allowed, he feels that all dispensaries should be allowed to offer it not just some. He is not in favor of having a patio setting he feels that it should be indoors with adequate ventilation. He feels that background checks should still be conducted and suggested that reasons for denial should be aligned with prop 37 with restriction and a time frame extension.

Councilman John Aguilar, questioned how impairment can be detected.

Chief of Police Walker responded that officers have been trained on the basic level of impairment.

Councilman Mark Carnevale stated that new conditions may create issues for those with leases.

2.B. [2018-34](#) Status on Solar Requirements for New Construction

Charles McClendon, City Manager, introduced the item for discussion.

David Dazlich, BIA, was called to speak. He stated that mandatory solar requirements for new construction is not an industry wide mandate.

Erica Harnik, BIA, was called to speak, she stated that they are against making solar a requirement on new construction mandatory.

Bethany Ballard, Cathedral City, was called to speak. She stated that she does not want to see solar be a standard that is required for selling your home.

Alan Carvalho, Cathedral City, was called to speak. He indicated that he supports solar but feels that it is tough to require it.

Councilman John Aguilar, stated that in a different market this could work, however, he is not certain JA - in a different market this could work, however, he is not sure it will work in Cathedral City. He would like to encourage it but not mandate it.

Councilman Mark Carnevale, stated that he is a fan of solar, however, maybe offering incentives to do solar or encouraging it but not making it a requirement. He would be interested in getting input from the Board of Realtors

on this topic.

Mayor Stan Henry stated that he received two letters that will be made part of the record. He suggested maybe offering a \$500.00 rebate to the builders as an incentive for solar on new construction only.

Mayor Pro Tem Greg Pettis stated that he agrees with the Mayor. He also feels that if we are going to give a rebate then we should talk to local providers to match the rebate. He stated that this may be premature at this time.

3. CLOSED SESSION

The City Council adjourned to Closed Session at 5:35 p.m.

3.A. [2018-29](#) Conference with Legal Counsel - Existing Litigation Pursuant to Government Code Section 54956.9(d)(1):

Case Name: Alirio Moulin v. City of Cathedral City, et. al.

Case Number: PSC 1800253

3.B. [2018-32](#) Conference with Legal Counsel - Existing Litigation Pursuant to Government Code Section 54956.9(d)(1):

Case Name: Cathedral City v. Anthony Davis, et al.

Case Number: PSC 1401152

3.C. [2018-35](#) City Council: Public Employee Performance Evaluation Per Government Code Section 54957 (B) Title: City Manager

3.D. [2018-30](#) Conference with Real Property Negotiator Pursuant to Government Code Section 54956.8.

Property Location: Eight (8) Parcels in the area of the southwest corner of East Palm Canyon Drive and W. Buddy Rogers with APN's of 687-195-002 through 007, 687-193-007 & 010.

Negotiating Parties: City Urban Revitalization Corporation & Successor Agency to the former Redevelopment Agency

Property Owner: City Urban Revitalization Corporation

Under Negotiations: Price & Terms on Sale of Real Property

3.E. [2018-31](#) Conference with Real Property Negotiator Pursuant to Government Code Section 54956.8.

Property Location: Two (2) parcels west of Van Fleet between B and C Streets with APN's of 687-214-007 & 008

Negotiating Parties: City of Cathedral as the Housing Successor Agency and Mario Perez, Inc.

Property Owner: City of Cathedral City as Housing Successor Agency

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

The City Council reconvened at 6:30 p.m.

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

Conference with Legal Counsel Existing Litigation Pursuant to Government Code Section 54956.9(d)(1):

Case Name: Alirio Moulin v. City of Cathedral City, et. al.

Case Number: PSC 1800253.

Case Name: Cathedral City v. Anthony Davis, et al.

Case Number: PSC 1401152

Public Employee Performance Evaluation Per Government Code Section 54957 (B) Title: City Manager

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

Two (2) parcels west of Van Fleet between B and C Streets with APN's of 687-214-007 & 008

Eight (8) Parcels in the area of the southwest corner of East Palm Canyon Drive and W. Buddy Rogers with APN's of 687-195-002 through 007, 687-193-007 & 010.

There was no reportable action taken.

ADJOURN

STANLEY E. HENRY, Mayor

ATTEST:

GARY F. HOWELL, City Clerk