



**REGULAR MEETING OF THE CITY COUNCIL
AND THE CITY COUNCIL SITTING AS THE REDEVELOPMENT AGENCY BOARD**

**CLOSED SESSION MEETING BEGINS AT 3:00 p.m.
IN THE CITY HALL STUDY SESSION ROOM
68700 Avenida Lalo Guerrero
Cathedral City, CA 92234**

WEDNESDAY, JANUARY 28, 2009

**Closed Session at 3:00 p.m., followed by Study Session at approximately 5:00 p.m. or at
such time as the City Council completes the Closed Session Agenda
and Regular Meeting at 6:30 p.m. in 3rd-floor Council Chambers**

CALL TO ORDER

- a) Roll call of City Council/RDA Board Members
- b) Action to excuse absent City Council/RDA Board Member(s)

CLOSED SESSION PUBLIC COMMENTS

*At this time, members of the public may address the City Council on any matter that is listed on this Closed Session agenda. Unless additional time is authorized by the City Council, **remarks shall be limited to three minutes.***

*In response to any public comment on an item or matter **on this Closed Session agenda**, pursuant to Government Code Section 54954.2, members of the City Council and/or the Redevelopment Agency Board may only: **1)** respond briefly to statements made or questions posed by the public; **2)** ask a question for clarification; **3)** make a brief report on his or her own activities; **4)** provide a reference to staff or other resources for factual information; **5)** request staff to report back to the City Council at a subsequent meeting concerning any matter raised by the public; or, **6)** direct staff to place a matter of business on a future agenda. (California Government Code Section 54954).*

SUMMARY OF CLOSED SESSION ITEMS

City Attorney will read a summary of Closed Session items into the record.

THE CITY COUNCIL WILL MOVE TO CLOSED SESSION

CLOSED SESSION AGENDA

1. CONFERENCE WITH REAL PROPERTY NEGOTIATOR pursuant to Government Code Section 54956.8. **(J. Davison)**

| | |
|---------------------|---------------------------------------------------------------------------------------------------------------------------------------------|
| Property Location | 687-170-006, 687-170-008, 687-170-016, 687-170-018, 687-170-020, 687-170-023 |
| Negotiating Parties | Cathedral City Redevelopment Agency and Janean Goodman, Sanders Family Trust, MRG Properties, LLC, Cochran Communication Construction, Inc. |
| Property Owners | Janean Goodman, Sanders Family Trust, MRG Properties, LLC, Cochran Communication Construction, Inc. |
| Under Negotiations | Property Negotiations |

2. CONFERENCE WITH REAL PROPERTY NEGOTIATOR pursuant to Government Code Section 54956.8 **(J. Davison)**

| | |
|---------------------|--------------------------------------------------------|
| Property Location | 68307 East Palm Canyon |
| Negotiating Parties | Cathedral City Redevelopment Agency and MRG Properties |
| Under Negotiations | Property Negotiations |

3. CONFERENCE WITH REAL PROPERTY NEGOTIATOR pursuant to Government Code Section 54956.8. **(J. Davison)**

| | |
|---------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Property Location | APN's: 677-402-060, 677-402-040, 677-402-065, 677-401-052, 677-401-051, 677-401-054, 677-401-055, 677-401-057, 677-401-058, 677-522-015, 677-522-016, 677-522-017, 677-522-014, 677-402-066, 677-401-056 |
| Negotiating Parties | Cathedral City Redevelopment Agency and Moe Nasr and Grove Properties |
| Property Owners | Cathedral Group |
| Under Negotiations | Property Negotiations |

4. CONFERENCE WITH REAL PROPERTY NEGOTIATOR pursuant to Government Code Section 54956.8. **(J. Davison)**

| | |
|---------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Property Location | 687-203-008 (#35), 687-203-009 (#37), 687-206-011 (#69), 687-206-012 (#70), 687-206-013 (#71), 687-206-014 (#72), 687-206-015 (#73), 687-206-016 (#74), 687-208-025, 687-208-026, 687-208-024, 687-208-023, 687-208-022, and 687-208-015 |
| Negotiating Parties | Cathedral City Redevelopment Agency, Cathedral City Town Center Venture and various east side landowners: Pomposa Garcia, Aguilar Family Trust, Roger L. Smith, Marsha L. Smith, Kariann Middleton, Robert P. Middleton, Erminia Verlengia, Grove Street Properties, Wessman Holdings |
| Property Owners | Pomposa Garcia, Aguilar Family Trust, Roger L. Smith, Marsha L. Smith, Kariann Middleton, Robert P. Middleton, Erminia Verlengia, Grove Street Properties, Wessman Holdings |
| Under Negotiations | Property Negotiations |

5. CONFERENCE WITH REAL PROPERTY NEGOTIATOR pursuant to Government Code Section 54956.8 **(T. Scott)**

| | |
|---------------------|--------------------------------------------------------------------------------|
| Property Location | Parcel Map 32932 Parcel 1, East of Van Fleet Avenue, south of East Palm Canyon |
| Negotiating Parties | Cathedral City Redevelopment Agency and City Urban Revitalization Corporation |
| Property Owners | Cathedral City Redevelopment Agency |
| Under Negotiations | Property Negotiations |

6. CONFERENCE WITH REAL PROPERTY NEGOTIATOR pursuant to Government Code Section 54956.8. **(T. Scott)**

| | |
|---------------------|------------------------------------------------------|
| Property Location: | 68510 East Palm Canyon Drive |
| Negotiating Parties | Cathedral City Redevelopment Agency and Cinema Group |
| Property Owner: | Cathedral City Redevelopment Agency |
| Under Negotiation: | Property Negotiations |

7. CONFERENCE WITH LEGAL COUNSEL REGARDING EXISTING LITIGATION pursuant to Government Code Section 54956.9 (a) **(C. Green)**

| | |
|------------|--------------------------------------------------------------------------|
| Case name: | First Southern Baptist Church of Cathedral City, Inc. vs. Cathedral City |
| Case No. | Case No. CV08 – 4280 ODW (PLAx) |
| Court | United States District Court, Central District of California |

8. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION Initiation of Litigation pursuant to Government Code Section 54956.9. **(C. Green)**

| | |
|---------------------|---|
| No. Potential Cases | 1 |
|---------------------|---|



**REGULAR MEETING OF THE CITY COUNCIL
AND THE CITY COUNCIL SITTING AS THE REDEVELOPMENT AGENCY BOARD
Council Chamber -- Third Floor of City Hall
68700 Avenida Lalo Guerrero
Cathedral City, CA 92234**

**WEDNESDAY, JANUARY 28, 2009 at approximately 5:00 p.m.
or at such time as the City Council completes the Closed Session Agenda.**

STUDY SESSION

CALL TO ORDER

FLAG SALUTE AND PRESENTATION OF COLORS –

Cathedral City High School Air Force Junior ROTC

INVOCATION

OATH OF OFFICE CEREMONY

Firefighter/Paramedic Josh Hess to be sworn as Reserve Police Officer
Firefighter/Paramedic Robert Williams to be sworn as Reserve Police Officer
Jennifer Nellis - Dispatcher

PUBLIC COMMENTS

*At this time, members of the public may address the City Council on any matter not listed on the agenda or any item on the Study Session agenda. Please complete a **'Request to Speak' form** and **limit your comments to three minutes**. When you are called to speak, please come forward and state your name and city of residence for the record.*

*In response to any public comment on an item or matter **not on this agenda**, pursuant to Government Code Section 54954.2, members of the City Council and/or the Redevelopment Agency Board may only: **1)** respond briefly to statements made or questions posed by the public; **2)** ask a question for clarification; **3)** make a brief report on his or her own activities; **4)** provide a reference to staff or other resources for factual information; **5)** request staff to report to the City Council at a subsequent meeting concerning any matter raised by the public; or, **6)** direct staff to place a matter of business on a future agenda. (California Government Code Section 54954). Unless additional time is authorized by the City Council, **remarks shall be limited to three minutes**.*

STUDY SESSION AGENDA

Normally, no action is taken on Study Session items; however, the City Council reserves the right to give specific policy direction and take specific action as necessary. Presentations will be limited to 10 minutes unless other provisions are made in advance.

1. Update on Library **(T. Scott)**
2. Presentation regarding RDA Affordable Housing Database – AB 987” **(J. Davison) (pg. 1)**
3. North City Specific Plan Update and Next Steps **(L. Lukes)**
4. Discussion of citywide priority project lists for FY 2010 Federal appropriations and economic stimulus requests **(M. Nieman)**
5. City Council/Staff reports and inquiries of new or ongoing projects

RECESS



REGULAR MEETING OF THE CITY COUNCIL AND THE COUNCIL SITTING AS THE
REDEVELOPMENT AGENCY BOARD
Council Chamber -- Third Floor of City Hall
68700 Avenida Lalo Guerrero
Cathedral City, CA 92234

WEDNESDAY, JANUARY 28, 2009
6:30 p.m.

CALL TO ORDER

PRESENTATIONS AND PROCLAMATIONS

Recognition of Estela Burt for her years of service to the City of Cathedral City

CLOSED SESSION ANNOUNCEMENTS

PUBLIC COMMENTS

*At this time, members of the public may address the City Council on any matter not listed on the agenda or any item on the Consent Agenda. Please complete a **'Request to Speak' form** and **limit your comments to three minutes**. When you are called to speak, please come forward and state your name and city of residence for the record.*

*In response to any public comment on an item or matter **not on this agenda**, pursuant to Government Code Section 54954.2, members of the City Council and/or the Redevelopment Agency Board may only: **1)** respond briefly to statements made or questions posed by the public; **2)** ask a question for clarification; **3)** make a brief report on his or her own activities; **4)** provide a reference to staff or other resources for factual information; **5)** request staff to report back to the City Council at a subsequent meeting concerning any matter raised by the public; or, **6)** direct staff to place a matter of business on a future agenda. (California Government Code Section 54954). Unless additional time is authorized by the City Council, **remarks shall be limited to three minutes**.*

CATHEDRAL CITY HIGH SCHOOL STUDENT REPORTS

Debbie Flores, Senior and Carolina De La Torre, Junior.

AGENDA FINALIZATION

At this time, the City Council and/or the Redevelopment Agency Board may announce any items being pulled from the agenda or continued to another date.

URGENCY ITEMS

Urgency Items ("Added Starters"): The Brown Act, which governs public meetings, permits the City Council to take action on any item that does not appear on the agenda only if 2/3 of the Council (if all are present) or all members of the Council (if fewer than all members are present) determine there is a need to take immediate action on the item, and the need to take immediate action came to the City Council's attention after the agenda is posted.

COUNCIL COMMENTS Council Members' comments on items not on the agenda.

COMMITTEE ASSIGNMENTS

See last page of Agenda Book

MINUTES

Approval of the minutes from the regularly scheduled City Council Meeting of January 14, 2009.

CONSENT AGENDA

All matters on the Consent Agenda are considered routine in nature and are expected to be enacted by one motion. Members of the public may comment on any item on the consent agenda. However, Council Members will not discuss individual items among themselves unless those items are pulled off the Consent Agenda by a Council Member.

1. COUNCIL. Approve a Service Agreement for Medical Director for Emergency Services program **(B. Soqui) (pg. 1-10)**

2. COUNCIL. Authorize a Professional Services Agreement with MuniFinancial for the Completion of a City wide Comprehensive User Fee Study Update. **(T. Scott) (pg. 11-12)**

3. COUNCIL. Authorize Change Order #4 for the East Palm Canyon Drive Traffic Study, in the amount of \$53,300 with W2 Design, Inc. for their Traffic Impact Study for the proposed widening of East Palm Canyon Drive to 6 Lanes, by providing a detailed engineering study of the primary downtown segment from Cathedral Canyon Drive to Date Palm Drive. **(R. Mohler) (pg. 13-18)**

4. COUNCIL/RDA. Accept the Quarterly Report from the Cathedral City Chamber of Commerce Relative to the Fiscal Year 2008-2009 Business Services and Workforce Development Contract with the Chamber; and authorize payment to the Chamber under the Service Provider Contract approved on June 25, 2008. **(J. Davison) (pg. 19-28)**

5. COUNCIL. Approve the Public Interest Finding Resolution that it Best Serves the City of Cathedral City to Amend and Continue the Current Contract with CNS Engineers to Provide Professional Engineering Services for the Design of the Cathedral Canyon Low Water Crossing Replacement (New Bridge) at the Whitewater River and Request a Caltrans Pre-Award Audit. **(B. Bayne) (pg. 29-36)**

6. COUNCIL. Approve the Execution of a Joint Use Agreement with Southern California Edison Company covering Underground Facilities in Vista Chino, west of Landau Blvd; Regency Centers/Stater Brothers Project, Parcel Map 33763 **(B. Bayne) (pg. 37-44)**

7. COUNCIL. Approve CVAG Request for 2nd year contribution for the Homelessness Committee's Bus Pass Program in the amount of \$3,000. **(D. Bradley) (pg. 45-50)**

8. COUNCIL. Approve New Banner Design for Town Square and East Palm Canyon and approve related production budget. **(A. Howe) (pg. 51-52)**

PUBLIC HEARINGS

9. COUNCIL. Public Hearing to Consider the Vacation of Certain Rights of Ingress and Egress for Service and Emergency Vehicles, and a Public Utility Easement, previously dedicated to the City on private streets within Tracts 26598-1 and 29076-1: Applicant: Cathedral Group Ltd. (Staybridge Hotel Project, CUP 08-006) **(B. Bayne) (pg. 53-64)**

- a. Report by City Engineer
- b. Public Hearing
- c. Recommendation: Approve Recommendation

LEGISLATIVE

10. COUNCIL/RDA. Agreement for Purchase and Sale of Real Property and Joint Escrow Instructions between Cathedral Group, Ltd. and the Cathedral City Redevelopment Agency and First Amendment to Agreement for Purchase and Sale of Real Property and Joint Escrow Instructions. **(J. Davison) (pg. 65-138)**

- a. Report by Redevelopment Director
- b. Public Comment
- c. Recommendation: Approve execution of Agreement and First Amendment to Agreement

11. COUNCIL. Approve Amendment No. 2 to the Service Provider Agreement with Psomas, Inc. to provide Additional Sewer Design Plans with Specifications and Estimates in the Perez Road Area in the Not-to-Exceed amount of \$70,314. **(B. Bayne) (pg. 139-156)**

- a. Report by City Engineer
- b. Public Comment
- c. Recommendation: Authorize Award and Execution of Amendment

COUNCIL REPORTS ON CITIZEN INQUIRIES AND CONCERNS

ADJOURNMENT

NOTES TO THE PUBLIC

The next meeting of the City Council/Redevelopment Agency is scheduled for

WEDNESDAY, February 11, 2009.

Please remember: City Hall is closed every Friday.

Agendas for Council meetings are posted at City Hall at least 72 hours before the meeting and on the Cathedral City Web site, www.cathedralcity.gov. The agenda is available for public inspection in the City Hall lobby or the City Clerk's office the Monday preceding the meeting. Any document or writing that relates to an agenda item on the open session of a City Council meeting that is not distributed at least 72 hours prior to the meeting is also available for public inspection in the City Hall lobby or the City Clerk's office.

In compliance with the Americans with Disabilities Act, if you need special assistance to participate in a City meeting or other services offered by this City, please contact the City Clerk's Office at (760)770-0385. Assisted-listening devices are available at this meeting. Ask the City Clerk if you desire to use this device. Notification at least 48 hours prior to the meeting or the time when services are needed will assist city staff in assuring reasonable arrangements can be made to provide accessibility to the meeting or service.