



**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, SEPTEMBER 8, 2010

**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 Third Floor Council Chambers**

CALL TO ORDER

ROLL CALL

- 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.

AGENDA APPROVAL

THE CITY COUNCIL WILL MOVE TO CLOSED SESSION

CLOSED SESSION AGENDA

1. CONFERENCE WITH REAL PROPERTY NEGOTIATOR pursuant to Government Code Section 54956.8. (A. Hall)

Property Location	APN's: 670-130-006 & 670-130-007
Negotiating Parties	Overland Pacific and Cutler on behalf of the City of Cathedral City.
Property Owners	Field's Family
Under Negotiations	Property Negotiations

2. CONFERENCE WITH REAL PROPERTY NEGOTIATOR pursuant to Government Code Section 54956.8. (A. Hall)

Property Location	APN's: 687-180-005, 687-180-011, 687-180-009, 687-201-001, 687-201-002, 687-201-003, 687-201-004, 687-201-005, 687-201-006, 687-201-007, 687-201-008, 687-201-009, 687-201-010, 687-201-011, 687-202-001, 687-202-004, 687-202-006, 687-202-008, 687-202-010, 687-202-002, 687-202-003, 687-202-005, 687-202-007, 687-202-009, 687-202-011, 287-202-012, 687-202-015, 687-203-015, 687-203-008, 687-203-009, 687-203-010, 687-203-011, 687-203-012, 687-203-013, 687-203-014, 687-204-001, 687-204-002, 687-204-004, 687-204-006, 687-204-008, 687-204-013, 687-204-003, 687-204-005, 687-204-007, 687-204-009, 687-204-014, 687-204-016, 687-205-005, 687-205-006, 687-205-007, 687-205-008, 687-206-001, 687-206-002, 687-206-003, 687-206-004, 687-206-005, 687-206-007, 687-206-006, 687-206-008, 687-206-009, 687-206-010, 687-206-011, 687-206-012, 687-206-013, 687-206-014, 687-206-015, 687-206-016, 687-208-025, 687-208-026, 687-208-024, 687-208-023, 687-208-022, 687-208-015
Negotiating Parties	Cathedral City Redevelopment Agency, Wessman Holdings, LLC; Grove Street Properties, LLC/Spinello Properties, Inc, In 'N Out; Lewis Operating Corp; and Pacific Development.
Property Owners	Cathedral City Redevelopment Agency and Jesus Gomez, Aguilar Family Trust, Roger L. Smith, Marsh L. Smith, Karianne Middleton, Robert P. Middleton, Erminia, Verlengia, Grove Street Properties and Wessman Holdings
Under Negotiations	Property Negotiations

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

Property Location	APN: 687-193-007
Negotiating Parties	Cathedral City Redevelopment Agency and Art Hall
Property Owners	Cathedral City Redevelopment Agency
Under Negotiations	Property Negotiations

4. CONFERENCE WITH REAL PROPERTY NEGOTIATOR pursuant to Government Code Section 54956.8. **(J. Davison)**
Property Location APN's: 687-170-006 and 018
Negotiating Parties Cathedral City Redevelopment Agency and Sonja Cobb, Patsima Norris and Mali Kaeomee
Property Owners Cathedral City Redevelopment Agency
Under Negotiations Property Negotiations
5. CONFERENCE WITH REAL PROPERTY NEGOTIATOR pursuant to Government Code Section 54956.8. **(J. Davison)**
Property Location APN's: 687-199-001 and 002
Negotiating Parties Cathedral City Redevelopment Agency and Cathedral City Chamber of Commerce
Property Owners Cathedral City Redevelopment Agency
Under Negotiations Property Negotiations
6. CONFERENCE WITH REAL PROPERTY NEGOTIATOR pursuant to Government Code Section 54956.8. **(J. Davison)**
Property Location APN's: 680-371-055
Negotiating Parties Cathedral City Redevelopment Agency and Miguel Hernandez
Property Owners Cathedral City Redevelopment Agency
Under Negotiations Property Negotiations
7. CONFERENCE WITH REAL PROPERTY NEGOTIATOR pursuant to Government Code Section 54956.8. **(J. Davison)**
Property Location APN's: 680-442-039, 33560 Navajo Trail
Negotiating Parties Cathedral City Redevelopment Agency and Episcopal Community Services
Property Owners Cathedral City Redevelopment Agency
Under Negotiations Property Negotiations
8. CONFERENCE WITH REAL PROPERTY NEGOTIATOR pursuant to Government Code Section 54956.8. **(J. Davison)**
Property Location APN's: 687-472-007 & 687-472-005
Negotiating Parties Cathedral City Redevelopment Agency and Rolling Hills Spur Pickford Theatre; North American Cinemas, Inc., and CC Restaurant Center.
Property Owners Cathedral City Redevelopment Agency
Under Negotiations Property Negotiations
9. CONFERENCE WITH REAL PROPERTY NEGOTIATOR pursuant to Government Code Section 54956.8. **(T. Scott)**
Property Location APN's: 687-475-002 and 003
Negotiating Parties Cathedral City Redevelopment Agency and Cinema Group (Richard James)
Property Owners Cathedral City Redevelopment Agency
Under Negotiations Property Negotiations

10. CONFERENCE WITH REAL PROPERTY NEGOTIATOR pursuant to Government Code Section 54956.8. **(T. Scott)**
- | | |
|---------------------|---|
| Property Location | APN's: 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 | City Urban Revitalization Corporation |
| Under Negotiations | Property Negotiations |
11. CONFERENCE WITH LEGAL COUNSEL REGARDING ANTICIPATED LITIGATION PURSUANT TO GOVERNMENT CODE SECTION 54956.9: Initiation of litigation pursuant to subdivision (c) of Section 54956.9: **(C. Green)**
- Number of potential cases: **One (1)**

RECESS

Following the Closed Session meeting, the Council will convene to the Council Chamber on the third floor for the Study Session and Regular Meeting.



**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**

**STUDY SESSION
WEDNESDAY, SEPTEMBER 8, 2010 at approximately 5:00 p.m.
or at such time as the City Council completes the Closed Session Agenda.**

STUDY SESSION

CALL TO ORDER

PRESENTATION OF COLORS

Cathedral City High School Air Force Junior ROTC Honor Guard

PLEDGE OF ALLEGIANCE

INVOCATION

OATH OF OFFICE CEREMONY

NONE

PRESENTATIONS AND PROCLAMATIONS

Special Presentation – Luke Nelson (7yr old) will recite from memory the Declaration of Independence. **(Mayor DeRosa)**

Proclamation – Filipino-American Association of Coachella Valley **(Mayor DeRosa)**

Proclamation – Jessup Motors 72nd Anniversary **(Mayor DeRosa)**

Proclamation – 9th Annual Blue Mass **(Chief Soqui)**

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. Interviews of applicants for Appointment for the Arts Commission and the Architectural Review Committee. **(P. Hammers) (Pg. 1-5)**
2. Discussion of a Resolution authorizing the submittal of a multi-jurisdictional application for designation as a State Enterprise Zone and Adoption of a Negative Declaration in compliance with CEQA. **(J. Davison)**
3. Presentation on the Coachella Valley Integrated Regional Water Management Plan Status Update. **(B. Bayne) (Pg. 6-8)**
4. Presentation by the design consultant for the Riverside County Flood Control and Water Conservation District of the proposed alternative alignments for the Flood Control Line 43 and Line 43A and appurtenances located south of East Palm Canyon Drive and in the area between Plaza and West Cathedral Canyon Channel. **(B. Bayne) (Pg. 9-49)**
5. Discussion of roles of Downtown & Real Estate City Council Subcommittees. **(D. Bradley)**
6. Information regarding October Breast Cancer Awareness Fundraiser by the Fire Department. **(B. Soqui)**
7. 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, SEPTEMBER 8, 2010
6:30 p.m.**

CALL TO ORDER

PRESENTATIONS AND PROCLAMATIONS

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**.*

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 July 14, 2010.

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/RDA. Receive and file payment of claims and demands in the aggregate sum of \$6,205,106 for the month of August 2010. **(T. Scott) (pg. 1-2)**

2. COUNCIL. Receive Report of Intended Travel from Mayor DeRosa:

a.) ICSC San Diego – Wednesday, September 22nd – Friday September 24, 2010, San Diego, CA.

3. COUNCIL. Receive Report of Intended Travel from Council Member Pettis:

a.) ICSC San Diego – Wednesday, September 22nd – Friday September 24, 2010, San Diego, CA.

b.) The Ninth Annual Mobility 21 Southern California Transportation Summit, October 29, 2010, Anaheim, CA (funded by RCTC).

c.) RCTC - New York Rating Agency Trip, September 25 -September 29, 2010, New York, NY (funded by RCTC).

4. COUNCIL. Approval of contract with Archuleta Construction, Inc., to construct sidewalks, wheelchair ramps and appurtenances in the Whitewater Neighborhood in the Not to Exceed Contract Bid Amount of \$64,881.18. **(B. Bayne) (Pg. 3-14)**

5. COUNCIL. Adopt the Caltrans required Quality Assurance Program for the City of Cathedral City as revised February 10, 2009. **(B. Bayne) (Pg. 15-64)**

6. COUNCIL. Adopt the Caltrans required Local Agency ADA Annual Certification Form for Program Year 2010-2011 for the City of Cathedral City. **(B. Bayne) (Pg. 65-74)**

7. COUNCIL. Approve Amendment No. 1 to the Design Professional Services Agreement with TY Lin International, Inc., to prepare traffic analysis for six additional intersections and Caltrans required services for the Da Vall Drive/I-10 Interchange in the not to exceed additional fee of \$36,642. **(B. Bayne) (Pg. 75-90)**

8. COUNCIL. Award a Contract to Holiday Lighting Design for the acquisition of materials, installation, removal, and storage of Holiday Tree Lighting for the 2010 Holiday Season in the not to exceed amount of \$16,522, from existing funds already included in the 2010/2011 Operating Budget. **(B. Bayne) (Pg. 91-94)**

9. COUNCIL. Award a Contract to the Jarvis Company to rehabilitate, install, remove and store the Town Square Holiday Tree, pole decorations and garlands for the 2010 Holiday Season in the not to exceed amount of \$10,000, from existing funds already included in the 2010/2011 Operating Budget. **(B. Bayne) (Pg. 95-96)**

10. COUNCIL. Authorize Staff to Execute a Design Professionals Service Agreement with Construction Testing & Engineering Inc, to provide construction materials testing services required for the Whitewater Neighborhood Sidewalk Construction Project in the not to exceed amount of \$3,830. **(B. Bayne) (Pg. 97-146)**

11. COUNCIL. Adopt a Resolution authorizing and directing the City Clerk's Department to destroy specified records pursuant to the City's Records Retention Schedule. **(P. Hammers) (Pg. 147-180)**

12. COUNCIL. Approval request for Special Use Permit #10-031, 22nd Annual Cathedral City Fire Department Open House & Pancake Breakfast. **(L. Mallotto) (Pg. 181-185)**

13. COUNCIL/RDA. Approval to Award a contract with Traffic Safety Engineers, Inc., to provide professional registered traffic engineering services in the not to exceed amount of \$20,000. **(R. Mohler) (Pg. 186-212)**

14. COUNCIL. Second Reading and Adoption of Zone Ordinance Amendment No. 10-001 and approve the associated Categorical Exemption based on the California Environmental Quality Act (CEQA) Section 15061(b)(3). **(L. Lukes) (Pg. 213-220)**

15. COUNCIL. Confirm Appointments to the Arts Commission and the Architectural Review Committee. **(P. Hammers)**

PUBLIC HEARING(S)

NONE

LEGISLATIVE ACTION(S)

16. COUNCIL/RDA. Consider a Resolution authorizing the submittal of a multi-jurisdictional application for designation as a State Enterprise Zone and Adoption of a Negative Declaration in compliance with CEQA. **(J. Davison) (Pg. 221-227)**

- a. Report by Jan Davison, Redevelopment Director
- b. Public Hearing
- c. Recommendation for Approval

COUNCIL REPORTS ON CITIZEN INQUIRIES AND CONCERNS

ADJOURNMENT

NOTES TO THE PUBLIC

The next regularly scheduled meeting of the City Council/Redevelopment Agency is scheduled for WEDNESDAY, SEPTEMBER 22, 2010.

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.