



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

**CLOSED SESSION MEETING BEGINS AT 4:30 p.m.
IN THE CITY HALL STUDY SESSION ROOM
68700 Avenida Lalo Guerrero
Cathedral City, CA 92234**

WEDNESDAY, OCTOBER 27, 2010

**Closed Session at 4:30 p.m., followed by Study Session at approximately 6:00 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 **(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 City Urban Revitalization Corporation
Under Negotiations Property Negotiations

2. CONFERENCE WITH REAL PROPERTY NEGOTIATOR pursuant to Government Code Section 54956.8 **(T. Scott)**
Property Location 687-480-007, 687-480-008, 687-480-015, 687-490-001, 687-226-008, 687-241-021, 686-232-034, 686-260-012, 686-270-003, 686-270-006, 686-270-006, 686-310-006, 686-222-021, 686-232-028, 686-310-005, 687-241-063, 687-490-003.
Negotiating Parties Cathedral City Redevelopment Agency, City of Cathedral City and Desert Cove Golf LLC.
Property Owners Cathedral City and Cathedral City Redevelopment Agency
Under Negotiations Property Negotiations

3. CONFERENCE WITH REAL PROPERTY NEGOTIATOR pursuant to Government Code Section 54956.8 **(J. Davison)**
Property Location: APN 687-472-005
Negotiating Parties Cathedral City Redevelopment Agency, Rolling Hills Silverspur Pickford Theatre, LLC and North American Cinema Inc.
Property Owners Rolling Hills Silverspur Pickford Theatre, LLC
Under Negotiation Property Negotiations

4. CONFERENCE WITH REAL PROPERTY NEGOTIATOR pursuant to Government Code Section 54956.8 **(J. Davison)**
Property Location: APN 687-030-010, 030, 040, 051, 055 074, and 091
Negotiating Parties Cathedral City Redevelopment Agency, Michael Murphy and Wes Hinkle
Property Owners Cathedral City Redevelopment Agency
Under Negotiation Property Negotiations

5. CONFERENCE WITH REAL PROPERTY NEGOTIATOR pursuant to Government Code Section 54956.8 **(J. Davison)**
Property Location: APN's 687-040-037 & 038
Negotiating Parties Cathedral City Redevelopment Agency and John Kiefer
Property Owners Century Property of R.I.
Under Negotiation Property Negotiations

6. 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, 687-204-001, 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, 687-206-001, 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, and Lewis Operating Corp.
Property Owners	Cathedral City Redevelopment Agency and Wessman Holdings, LLC; Grove Street Properties and Erminia Verlengia
Under Negotiations	Property Negotiations

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

Property Location	APN's: 687-203-009, 687-203-010, 687-203-011, 687-203-012, 687-203-013, 687-203-014, 687-205-005, 687-205-006, 687-205-207, 687-205-008, and 687-203-008
Negotiating Parties	Cathedral City Redevelopment Agency & In 'N Out
Property Owners	Cathedral City Redevelopment Agency
Under Negotiations	Property Negotiations

8. CONFERENCE WITH LEGAL COUNSEL REGARDING POTENTIAL SIGNIFICANT EXPOSURE TO LITIGATION pursuant to Government Code Section 54956.9. (b)

No. Potential Cases **1**

9. PUBLIC EMPLOYEE EVALUATION pursuant to Government Code Section 54957
TITLE OF POSITION: **CITY MANAGER**

10. PUBLIC EMPLOYEE EVALUATION pursuant to Government Code Section 54957
TITLE OF POSITION: **CITY ATTORNEY**

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, OCTOBER 27, 2010 at approximately 6:00 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

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. Discussion on Housing Programs including ADFAP and SHARP. (J. Davison) (Separate Cover).**
- 2. City Council/Staff reports and inquiries of new or ongoing projects.**

RECESS



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REDEVELOPMENT AGENCY BOARD
Council Chamber -- Third Floor of City Hall
68700 Avenida Lalo Guerrero
Cathedral City, CA 92234**

**WEDNESDAY, OCTOBER 27, 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 October 13, 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. Approve the Sub-Reimbursement Agreement between CVAG and Cathedral City for the Palm Drive/Gene Autry Trail at Interstate 10 Interchange Project. **(B. Bayne) (Pg. 1-11)**

2. COUNCIL/RDA. Approve Termination and Mutual Release of First Amended and Restated Owner Participation Agreement dated October 10, 2007 with Desert Cove Golf Resort, LLC. **(J. Davison) (Pg. 12-18)**

PUBLIC HEARING(S)

3. COUNCIL/RDA. Consider approving the Disposition of Agency owned property at 32-804 Monte Vista Road to Caritina Rodriguez. **(J. Davison) (Pg. 19-20)**

- a. Report by Redevelopment Director
- b. Public Hearing
- c. Recommendation: Consider Approving

4. COUNCIL/RDA. Consider approving the sale of Agency owned property at 33-345 Cathedral Canyon Drive to Miguel Hernandez. **(J. Davison) (Pg. 21-22)**

- a. Report by Redevelopment Director
- b. Public Hearing
- c. Recommendation: Consider Approving

5. COUNCIL/RDA. Consider approving Resolution and loan agreement by and between the Redevelopment Agency of the City of Cathedral City and Terracina Cathedral City Apartments, L.P. **(J. Davison) (Pg. 23-65)**

- a. Report by Redevelopment Director
- b. Public Comments
- c. Recommendation: Consider Approving Resolution and Loan Agreement

6. COUNCIL. Consider adopting a Resolution to receive and File the Annual and Five-year AB 1600 Development Fee Report and make requisite findings pursuant to Government Code Section 66001 (d). **T. Scott (Pg. 66-95)**

- a. Report by Administrative Services Director
- b. Public Comments
- c. Recommendation: Consider Approving Resolution

LEGISLATIVE ACTION(S)

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, NOVEMBER 10, 2010.

Please remember: City Hall is closed every Friday

ALSO, CITY HALL WILL BE CLOSED ON THURSDAY, OCTOBER 28 2010, DUE TO EMPLOYEE FURLOUGHS CAUSED BY BUDGET CUTBACKS.

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.