



**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, AUGUST 10, 2011**

**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 SESSIONCLOSED SESSION AGENDA**

**CLOSED SESSION AGENDA**

1. CONFERENCE WITH REAL PROPERTY NEGOTIATOR pursuant to Government Code Section 54956.8 (**T. Scott**)  
Property Location: APN's 687-475-002 & 003; and 687-472-005 and -007  
Negotiating Parties Cathedral City Redevelopment Agency, Rolling Hills Silverspur Pickford Theatre, LLC, and Cathedral City Downtown Foundation  
Property Owners Cathedral City Redevelopment Agency and Rolling Hills Silver Spur Pickford Theatre  
Under Negotiation Property Negotiations
2. CONFERENCE WITH REAL PROPERTY NEGOTIATOR pursuant to Government Code Section 54956.8 (**T. Scott**)  
Property Location: APN's: 687-475-003  
Negotiating Parties Cathedral City Redevelopment Agency and North America Cinemas  
Property Owners Cathedral City Redevelopment Agency  
Under Negotiation Property Negotiations

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

Property Location:	APN's: 687-180-005, 687-180-009, 687-180-011, 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, 687-202-002, 687-202-003, 687-202-004, 687-202-005, 687-202-006, 687-202-007, 687-202-008, 687-202-008, 687-202-010, 687-202-011, 687-202-012, 687-202-015, 687-203-004, 687-203-005, 687-203-006, 687-203-008, 687-203-009, 687-203-010, 687-203-011, 687-203-012, 687-203-013, 687-203-014, 687-203-015, 687-203-016, 687-203-018, 687-203-019, 687-203-020, 687-204-001, 687-204-002, 687-204-003, 687-204-004, 687-204-005, 687-204-006, 687-204-007, 687-204-008, 687-204-009, 687-204-013, 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, 687-206-006, 687-206-007, 687-206-008, 687-206-009, 687-206-010, 687-206-011, 687-206-012, 687-206-013, 687-206-014, 687-206-016, 687-208-015, 687-208-023, 687-208-024, 687-208-025, 687-208-026
Negotiating Parties	Cathedral City Redevelopment Agency, and Lewis Operating Corp.
Property Owners	Cathedral City Redevelopment Agency, Robert A. Hillery, E. Kay Hillery, Grove Street Properties, and Spinello
Under Negotiation	Property Negotiations
  
4. CONFERENCE WITH REAL PROPERTY NEGOTIATOR pursuant to Government Code Section 54956.8 **(A. Hall)**

Property Location	APN's 687-086-002 thru -006
Negotiating Parties	Cathedral City Redevelopment Agency and Carpet Empire.
Property Owners	Cathedral City Redevelopment Agency,
Under Negotiations	Property Negotiations
  
5. CONFERENCE WITH REAL PROPERTY NEGOTIATOR pursuant to Government Code Section 54956.8 **(A. Hall)**

Property Location	APN 687-471-006
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 687-207-004, 687-500-006, -007, -011 & 012
Negotiating Parties	Cathedral City Redevelopment Agency Nelson and Lestalee Soto, Angel View Crippled Children's Foundation, dba Angel View Thrift Mart No. 303, and Michael Azzarella.
Property Owners	Nelson and Lestalee Soto, Angel View Crippled Children's Foundation, dba Angel View Thrift Mart No. 303, and Michael Azzarella.
Under Negotiation	Property Negotiations

7. CONFERENCE WITH LEGAL COUNSEL REGARDING EXISTING LITIGATION pursuant to Government Code Section 54956.9 (A) **(C. Green)**  
Case name: Redevelopment Agency of the City of Cathedral City vs. Tri-Millennium Cathedral City, LLC, et. seq.  
Case No. BC382171  
Court Los Angeles County Superior Court
8. CONFERENCE WITH LABOR NEGOTIATION pursuant to Government Code Section 54957.6  
Agency Negotiator Donald Bradley, City Manager  
Represented Employees & 1) American Federation of State, County and Municipal Employees. (AFSCME)  
Non-Represented Employees 2) Cathedral City Professional Firefighters Association (CCPFA)  
3) Cathedral City Police/Fire Management Association (CCPFMA)  
4) Cathedral City Police Officers Association (CCPOA)  
5) Non-Represented Employees

## **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.

## **STUDY SESSION**

## **CALL TO ORDER**

## **PRESENTATION OF COLORS**

## **PLEDGE OF ALLEGIANCE**

## **INVOCATION**

## **OATH OF OFFICE CEREMONY – NONE**

## **PRESENTATIONS AND PROCLAMATIONS** - Certificate of Recognition – Linda Human (Mayor DeRosa)

## **CATHEDRAL CITY HIGH SCHOOL STUDENT REPORTS**

## **PUBLIC COMMENTS**

## **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 discussion on i-HUB by Wes Ahlgren and Cathy VanHorn. **(A. Hall) (Pg. 1-4)**
2. Review and discuss online survey recommended by Applied Storytelling, Inc. **(A. Howe) (Pg. 5-18)**
3. Receive Quarterly update of progress towards accomplishment of the Goals established by the City Council in January of 2011. **(A. Hall) (Pg. 19-21)**
4. Discussion to consider approval to increase technology stipend for City Council. **(T. Scott) (Pg. 22-23)**

5. Receive update by Fire Department on final fireworks report 2011. **(R. VanNortrick) (Pg.24-26)**

6. City Council/Staff reports and inquiries of new or ongoing projects.

## **RECESS**

## **CALL TO ORDER**

## **PRESENTATIONS AND PROCLAMATIONS**

## **CLOSED SESSION ANNOUNCEMENTS**

## **PUBLIC COMMENTS**

## **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 minutes from City Council Meeting of June 8 and July 13, 2011.

## **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 \$16,302.348 for the month of July 2011. **(T. Scott) (pg. 1-2)**

**2. COUNCIL.** Approve Amendment One to AB2766 Memorandum of Understanding (MOU) by and between Coachella Valley Association of Governments (CVAG) and the CVAG member jurisdiction for a modification of CVAG's AB2766 formula from 100% to 60% to provide sustainable funding of the Regional PM10 Street Sweeping Program. **(T. Scott) (Pg. 3-12)**

**3. COUNCIL.** Approve increase of technology stipend for City Council by \$75/month per person. **(T. Scott) (Pg. 13-14)**

**4. COUNCIL/RDA.** Approve Second Reading and Adoption of an Ordinance of the City Council of the City of Cathedral City, California, determining it will comply with voluntary alternative redevelopment program pursuant to Part 1.9 of Division 24 of the California Health and Safety code in order to permit the continued existence and operation of the Redevelopment Agency of the City of Cathedral City. **(J. Davison) (Pg. 15-18)**

**5. RDA.** Adopt the schedule of Enforceable Obligations for the Agency in conformance with ABX1-26. **(J. Davison) (Pg. 19-20) (Payment Schedule under separate cover)**

**6. COUNCIL/RDA.** Approve extending License Agreement between the City of Cathedral City and Kimera Lewis for use of the former Community Center and Annex as a performing arts center for an additional year beginning July 1, 2011. **(J. Davison) (Pg. 21-22)**

**7. COUNCIL.** Approve acquisition of permanent easement of parcel APN 670-130-006 &007 on the North side of Ramon Road required to widen Ramon Road to six lanes. **(A. Hall) (Pg. 23-38)**

**8. COUNCIL.** Adopt a Resolution of Intent to vacate certain easements for construction and maintenance of public utilities as dedicated on the map of Tract 2204 within the boundary of Parcel Map 33763, and certain public utility easements reserved from previous vacation alleys within the boundary of Parcel Map 33763, located at the northwest corner of Landau Boulevard and Vista Chino and set Public Hearing for September 28, 2011, at 6:30pm related thereto. Vacation 2011-01. **(A. Hall) (Pg. 39-45)**

**9. COUNCIL.** Approve Final Acceptance of the Whitewater Neighborhood Sidewalk Improvements Project, Release City Held Retention Funds to Archuleta Concrete Construction Company, and Authorize the City Manager to File a Notice of Completion with the Riverside County Recorder's office. **(B. Simons) (Pg. 46-50)**

**10. COUNCIL.** Approve acceptance of the Edward Byrne Memorial Justice Grant (JAG) Program FY 2011 Local Solicitation funds in the amount of \$19,600, which will be used towards modular furniture costs for Code Enforcement, Traffic Officers, Special Enforcement Officers and Administrative Staff work stations. **(K. Conner) (Pg. 51-52)**

**11. COUNCIL.** Receive report of intended travel from Mayor DeRosa, ICSC Western Division Conference, September 7-9, 2011, San Diego, CA.

**12. COUNCIL.** Receive report of intended travel from Council Member Pettis and Council Member Toles: **a)** NCL HD Steering Committee Fall Meeting, September 15-17, 2011, Durham, NC; **b)** 27<sup>th</sup> Annual LGBT Conference, December 1-4, 2011, Houston, TX. (NLC trip for Council Pettis partially funded by NLC)

**13. COUNCIL.** Receive report of intended travel from Council Member Pettis: Rail-Volution, October 16-19, 2011, Washington, DC. (Funded by RCTC)

**14. COUNCIL.** Approve SUP #11-040, Fire Department Annual Open House and Pancake Breakfast, Saturday, October 8, 2011. **(L. Mallotto/R. VanNortrick) (Pg. 53-56)**

#### **PUBLIC HEARINGS**

**15. COUNCIL/RDA.** Consider approval the 2011 Disposition and Development Agreement (Restaurant Center – Building J) by and between the Redevelopment Agency of the City of Cathedral City and CC Restaurant Center, L.P. a California limited liability Partnership, (“Developer”) for the development of an approximately 6,000 square foot shell restaurant building and to consider all evidence and testimony for and against approval. The Disposition and Development Agreement provides Developer the right to purchase and develop vacant land currently owned by the Agency located at 68730 Buddy Rogers. **(J. Davison) (Pg. 57-80)**

- a. Report by Jan Davison, Redevelopment Director
- b. Open Public Hearing
- c. Close Public Hearing
- d. Recommendation: Approve Disposition and Development Agreement

## **LEGISLATIVE ACTIONS**

**16. RDA.** Consider adoption of a Resolution of Necessity to acquire through condemnation properties identified as assessor parcel numbers 687-207-004, 687-500-006, -007, -011 and -012. **(J. Davison) (Pg. 81-97)**

- a. Report by Jan Davison, Redevelopment Director
- b. Public Comments
- c. Recommendation: Adopt Resolution of Necessity

**17. COUNCIL/RDA.** Consider approval of Continuation Payment Assistance Agreement between the City of Cathedral City and the Redevelopment Agency of the City of Cathedral City. **(J. Davison) (Pg. 98-104)**

- a. Report by Jan Davison, Redevelopment Director
- b. Public Comments
- c. Recommendation: Approve Agreement

**18. COUNCIL.** Consider approval of a Professional Services Agreement with NAI Consulting, INC., to provide general engineering and management services, project administration, technical oversight and engineering support on a Time and Material basis. **(A. Hall) (Pg. 105-124)**

- a. Report by Andy Hall, Community Development Director
- b. Public Comments
- c. Recommendation: Approve Agreement

## **COUNCIL REPORTS ON CITIZEN INQUIRIES AND CONCERNS**

### **ADJOURNMENT**

### **NOTES TO THE PUBLIC**

***Due to a summer schedule, the regularly scheduled meeting of WEDNESDAY, AUGUST 24, 2011 is cancelled. The next regularly scheduled meeting of the City Council/Redevelopment Agency is scheduled for WEDNESDAY, SEPTEMBER 14, 2011.***

***CITY HALL WILL BE CLOSED ON THURSDAY, AUGUST 25, 2011, DUE TO EMPLOYEE FURLOUGHS CAUSED BY BUDGET CUTBACKS.***

***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](http://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.*