



**SPECIAL MEETING OF THE CITY COUNCIL
THE CITY COUNCIL SITTING AS THE REDEVELOPMENT AGENCY BOARD AND THE CATHEDRAL
CITY DOWNTOWN FOUNDATION**

**CLOSED SESSION MEETING BEGINS AT 4:00 p.m.
IN THE CITY HALL STUDY SESSION ROOM
68700 Avenida Lalo Guerrero
Cathedral City, CA 92234**

WEDNESDAY, NOVEMBER 2, 2011

**Closed Session at 4:00 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 687-460-012 – 013 & 687-460-025
Negotiating Parties	Cathedral City Redevelopment Agency, Plaza Auto Center and Jessup Dutton Prop., C/O Plaza Motors.
Property Owners	Plaza Auto Center and Jessup Dutton Prop., C/O Plaza Motors
Under Negotiation	Property Negotiations

2. **CONFERENCE WITH REAL PROPERTY NEGOTIATOR pursuant to Government Code Section 54956.8 (A. Hall)**
Property Location: APN's 687-030-075
Negotiating Parties Cathedral City Redevelopment Agency and Jessup Brothers
Property Owners Jessup Brothers
Under Negotiation Property Negotiations
3. **CONFERENCE WITH REAL PROPERTY NEGOTIATOR pursuant to Government Code Section 54956.8 (A. Hall)**
Property Location: APN's 687-196- 001 thru – 006, 687-198-001 thru – 006
Negotiating Parties Cathedral City Redevelopment Agency and Charlie Knickerbocker
Property Owners Cathedral City Redevelopment Agency
Under Negotiation Property Negotiations
4. **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
5. **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, Cathedral City Downtown Foundation, Rolling Hills Silver Spur, North American Cinemas, and Ultra Star Cinemas
Property Owners Cathedral City Redevelopment Agency and Rolling Hills Silver Spur
Under Negotiation Property Negotiations
6. **CONFERENCE WITH REAL PROPERTY NEGOTIATOR pursuant to Government Code Section 54956.8 (J. Davison)**
Property Location: APN's 677-410-009, 677-332-003, and 677-331-003
Negotiating Parties Cathedral City Redevelopment Agency and Southern California Housing Development Corporation (CORE)
Property Owners 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: 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 LEGAL COUNSEL REGARDING EXISTING LITIGATION pursuant to Government Code Section 54956.9 (A) (C. Green)**
Case name: City of Cathedral City vs. Sukut Construction
Case No. INC 1105593
Court Riverside Superior Court (Indio)

9. **CONFERENCE WITH LEGAL COUNSEL – POTENTIAL LITIGATION**
Potential Litigation pursuant to Government Code Section 54956.9.(b) **(C. Green)**
No. Potential Cases **1**

10. **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
Non-Represented Employees Employees. (AFSCME)
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

Cathedral City High School Air Force Junior ROTC Honor Guard

PLEDGE OF ALLEGIANCE

INVOCATION

OATH OF OFFICE CEREMONY

NONE

PRESENTATIONS AND PROCLAMATIONS

Presentation of two League of California Cities Helen Putnam Awards by Dave Willmon. **(Council)**
Certificate of Recognition – Rich Malacoff **(Council)**
Certificate of Recognition – Barry Cox **(Council)**

CATHEDRAL CITY HIGH SCHOOL STUDENT REPORTS

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 of Alarm Ordinance Policy change. **(K. Conner) (Pg. 1-6)**
2. Update on Date Palm Corridor Implementation Plan presented by Jerry Ogburn, MSA Consulting, representing The Planning Center I DC&E – A SCAG Compass Blueprint Project. **(L. Lukes) (Pg. 7-8)**
3. Status of Code Compliance for vacant property located between McCallum Way and Elizabeth Road. **(K. Conner)**
4. Review and discussion of current Municipal Policies and Procedures regarding the sewer connection deadline of January 1, 2012. **(A. Hall) (Pg.) (Under separate Cover)**
5. City Council/Staff reports and inquiries of new or ongoing projects.

RECESS

CALL TO ORDER

PRESENTATIONS AND PROCLAMATIONS

Certificate of Appreciation – Rita Lamb, Public Arts Commission. **(Council)**

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.*

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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 the regularly scheduled City Council Meetings for October 12, 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. CCDTF. Ratify a Management Agreement with Select Cinema Services, Inc., to manage the Mary Pickford and Desert IMAX Theaters. **(T. Scott) (Pg. 1-9)**

2. COUNCIL. Adopt a Resolution to receive and file the Annual and Five-year AB1600 Development Fee Report and make Requisite Findings pursuant to Government Code Section 66001(d). **(T. Scott) (Pg. 10-43)**

3. COUNCIL. Approve Second Reading and Adoption of an Ordinance to Amend Code Chapters 13.65 and 13.70 and to provide that the Default Criminal Penalty for Municipal Code Violations shall be an infraction rather than a misdemeanor. **(C. Green/K. Conner) (Pg. 44-46)**

4. COUNCIL. Adopt a Resolution authorizing the application by the City of Cathedral City for a Cooperative Work Agreement Time Extension for the Whitewater River Bike Trail Phase 2; authorize State Bicycle Transportation Account No. BTA 08/09-08RIV-05. **(B. Simons) (Pg. 47-51)**

5. COUNCIL. Approve final acceptance of the Dennis Keat Soccer Park Shade Structures Project, authorize the City Manager to file Notice of Completion with the Riverside County Records' Office, approve project escalation costs, and authorize the release of City held retention funds to Sepulveda Construction. **(B. Simons) (Pg. 52-55)**

6. COUNCIL. Receive report of travel from Council Member Greg Pettis **a)** October 26-28, 2011, NLC, Washington, DC; and **b)** Receive report of intended travel: November 16-18, 2011, LOCC League Leaders Workshop and Board of Directors Meeting, Washington, DC (funded by LOCC).

7. COUNCIL. Receive report of intended travel for City Clerk Pat Hammers to League of California Cities, City Clerk Division New Law Seminar, November 30 – December 2, 2011, Long Beach, CA.

8. COUNCIL. Approve a) Special Use Permit (SUP) # 11-049, Tree Lighting Ceremony, December 1; b) SUP # 11-046, Our Lady of Guadalupe Precession, December 12; c) SUP # 11-025 Jammin' for Jesus, January 21, 2012; and d) SUP # 11-042, Tour de Palm Springs, February 11, 2012. **(L. Mallotto) (Pg. 56-76)**

PUBLIC HEARINGS

9. COUNCIL. Consider approving intention to vacate Morongo Road, Vacation 2011-03, between Moreno Road and Via de Anza, for inclusion of the vacated right of way into the Whitewater Park development Project. **(A. Hall) (Pg. 77-88)**

- a. Report by Andy Hall, Community Development Director
- b. Open Public Hearing
- c. Close Public Hearing
- d. Recommendation: Approve Vacation 2011-03

LEGISLATIVE ACTIONS

10. COUNCIL. Consider approving expenditure in the not to exceed amount of \$20,000 to be the presenting sponsor for the 2012 Interfusion Music Summit. **(A. Howe) (Under separate Cover)**

- a. Report by Allen Howe, Assistant to City Manager
- b. Public Comments
- c. Recommendation: Approve expenditure

11. COUNCIL. Consider Introduction and First Reading of an Ordinance of the City Council of Cathedral City amending Chapter 8.28 ("Security Alarm Systems") of the Cathedral Municipal Code; and Consider adoption of a Resolution of the City Council of the City of Cathedral City setting alarm permit fees; and, approval of a Professional services Agreement for Administration of False Alarms Program with PYRANET, LLC, dba CathedralCityAlarm.org.

(K. Conner) (Pg. 89-132)

- a. Report by Police Chief Conner
- b. Public Comments
- c. Recommendation: Introduce First Reading, Adopt Resolution and Approve Agreement

12. COUNCIL. Consider approving Amendment to City Attorney Contract.

(C. Green) (Pg. 133-143)

- a. Report by Charles Green, City Attorney
- b. Public Comments
- c. Recommendation: Approve Amendment

COUNCIL REPORTS ON CITIZEN INQUIRIES AND CONCERNS

ADJOURNMENT

NOTES TO THE PUBLIC

Because of this meeting being held on November 2nd to enable the full City Council to attend, the next regularly scheduled meeting of the City Council/Redevelopment Agency scheduled for WEDNESDAY, NOVEMBER 9, 2011 has been canceled.

Also, the City Council Meeting of November 23, 2011 HAS BEEN CANCELLED due to Holiday Scheduling.

The next regularly scheduled meeting of the City Council/Redevelopment Agency is scheduled for WEDNESDAY, DECEMBER 14, 2011.

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.