



**REGULAR MEETING OF THE CITY COUNCIL AND THE CITY COUNCIL SERVING AS THE
SUCCESSOR AGENCY TO THE REDEVELOPMENT AGENCY BOARD**

**CLOSED SESSION MEETING BEGINS AT 5:00 p.m.
IN THE CITY HALL STUDY SESSION ROOM
68700 Avenida Lalo Guerrero
Cathedral City, CA 92234**

WEDNESDAY, FEBRUARY 13, 2013

**Closed Session at 5:00 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 Members
- b) Action to excuse absent City Council 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 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

A. CITY COUNCIL AS SUCCESSOR AGENCY

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

B. CITY COUNCIL:

2.	CONFERENCE WITH LEGAL COUNSEL REGARDING EXISTING LITIGATION pursuant to Government Code Section 54956.9 (a) (C. Green)	
	Case name:	The Grass Hopper Inc. v. City of Cathedral City
	Case No.:	Case No. RIC1212146
	Court:	California Superior Court for the County of Riverside

3.	CONFERENCE WITH LEGAL COUNSEL REGARDING EXISTING LITIGATION pursuant to Government Code Section 54956.9 (a) (C. Green)	
	Case name:	City of Cathedral City v. The Grass Hopper Inc., <i>et. al</i>
	Case No.:	INC1206440
	Court:	California Superior Court for the County of Riverside

4.	CONFERENCE WITH LEGAL COUNSEL REGARDING EXISTING LITIGATION pursuant to Government Code Section 54956.9 (a) (C. Green)	
	Case name:	City of Cathedral City v. TODAZE Remedy
	Case No.:	INC 1208741
	Court:	California Superior Court for the County of Riverside

5.	CONFERENCE WITH LEGAL COUNSEL REGARDING EXISTING LITIGATION pursuant to Government Code Section 54956.9 (a) (C. Green)	
	Case name:	City of Cathedral City v. Desert Dank Deals., <i>et. al</i>
	Case No.:	INC1300119
	Court:	California Superior Court for the County of Riverside

6.	PUBLIC EMPLOYEE APPOINTMENT pursuant to Government Code Section 54957	
	TITLE OF POSITION:	CITY MANAGER

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.



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SUCCESSOR AGENCY TO THE REDEVELOPMENT AGENCY BOARD**

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

**STUDY SESSION
FEBRUARY 13, 2013, at approximately 6:00 p.m.
or at such time as the City Council completes the Closed Session Agenda.**

STUDY SESSION

CALL TO ORDER

ROLL CALL

PRESENTATION OF COLORS

Cathedral City High School Air Force Junior ROTC Honor Guard

PLEDGE OF ALLEGIANCE

INVOCATION

PRESENTATIONS AND PROCLAMATIONS

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 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. Introduction of Sherrye Ryan, Big League Dreams, General Manager, by Kevin Flora, Vice President – Park Operations. Update on Big League Dreams and upcoming NCAA fastpitch tournament February 21st – 24th, 2013. **(A. Hall)**

2. Budget Fiscal Year End 2012 and Mid-year 2013 review. **(T. Scott)**

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

RECESS



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

**WEDNESDAY, FEBRUARY 13, 2013
6:30 p.m.**

CALL TO ORDER

PRESENTATIONS AND PROCLAMATIONS

Administer Oath of Office to newly appointed Fire Chief Robert VanNortrick (**P. Hammers**)

Administer Oath of Office to newly appointed Community Development Director Patrick Milos (**P. Hammers**)

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 may announce any items being continued, tabled or struck.

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

NONE

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.

A. CITY COUNCIL AS SUCCESSOR AGENCY BOARD:

1. COUNCIL/CITY COUNCIL AS SUCCESSOR AGENCY BOARD. Receive and File payment of Claims and Demands in the aggregate sum of \$4,340,026 for the month of February 2013. **(T. Scott) (pg. 1-2)**

B. CITY COUNCIL:

2. COUNCIL. Approval of the expenditure plan appropriating Supplemental Law Enforcement Services Account (SLESA) for 2012-2013. **(K. Conner) (Pg. 3-6)**

3. COUNCIL. Approval to implement the submitted and approved plan for MDC (Mobile Data Computers) to gain compliance with Advanced Authentication on wireless CLETS (California Law Enforcement Telecommunications System) devices as required by the FBI and CJIS (Criminal Justice Information System). **(K. Conner) (Pg. 7-8)**

4. COUNCIL. Approve award of contract with Superior Paving Company, dba United Paving Company to construct the Date Palm Drive/Vista Chino intersection improvements in the contract bid amount of \$469,864.75. **(B. Simons) (Pg. 9-11)**

5. COUNCIL. Approve final acceptance of the signal synchronization hardware improvements to East Palm Canyon, CIP 8910, and Date Palm Drive, CIP 6506, and authorize the City Manager to file Notices of Completion with the County Recorders' Office; and authorize the release of City held retention funds to Steiny and Company, Inc. **(B. Simons) (Pg. 12-15)**

6. COUNCIL. Approval of Program Supplemental Agreement No. 016-N to administering Agency-State Agreement for Federal Aid, No. 08-5430R between the City of Cathedral City and the State of California, through the Department of Transportation (Caltrans), for the purpose of administering and disbursement of Federal Funds for the construction of the Ramon Road Pavement Rehabilitation Program. **(B. Simons) (Pg. 16-23)**

7. COUNCIL. Adopt a Resolution of the City Council of the City of Cathedral City in support of Enterprise Zones. **(A. Hall) (Pg. 24-26)**

MOTION FOR CONSENT AGENDA

PUBLIC HEARINGS

NONE

LEGISLATIVE ACTIONS

8. COUNCIL. Consider approval of a City Manager Contract between the City of Cathedral City and Gary Andrew “Andy” Hall. **(T. Scott) (Pg. 27-35)**

- a. Report by Tami E. Scott
- b. Open Public Hearing
- c. Close Public Hearing
- d. Recommendation: Approve contract

9. COUNCIL. Consider authorizing approval to negotiate an agreement between the City of Cathedral City and J.H. Douglas & Associates to prepare General Plan Housing Element and Land Use Element updates in accordance with State Law and authorize the City Manager to execute the agreement. **(L. Lukes) (Pg. 36-40)**

- a. Report by Leisa Lukes
- b. Open Public Hearing
- c. Close Public Hearing
- d. Recommendation: Authorize agreement

COUNCIL REPORTS ON CITIZEN INQUIRIES AND CONCERNS

ADJOURNMENT

NOTES TO THE PUBLIC

Please remember: City Hall is closed for lunch between 11:45am and 1:15pm, and every Friday.

The next regularly scheduled meeting of the City Council/Successor Agency is scheduled for WEDNESDAY, FEBRUARY 27, 2013.

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.