



CITY COUNCIL AGENDA

Study Session

Wednesday, December 11, 2019
4:00 PM

City Council Chambers
68-700 Avenida Lalo Guerrero
Cathedral City, CA 92234

MAYOR

Mark Carnevale

CITY COUNCIL MEMBERS

Mayor Pro Tem
John Aguilar

Councilmember
Raymond Gregory

Councilmember
Ernesto Gutierrez

Councilmember
Rita Lamb

- **CALL TO ORDER**
- **ROLL CALL**
- **AGENDA FINALIZATION**

At this time the City Council may announce any items being pulled from the agenda or continued to another date.

- **STATEMENT OF PARTICIPATION BY THE CITY CLERK**
- **THE CITY COUNCIL WILL RECESS TO CLOSED SESSION AT 4:00 PM**

1. CLOSED SESSION

A. Conference with Legal Counsel - Anticipated Litigation Pursuant to Government Code Section 54956.9(d)(2).

Number of Potential Cases: Three

B. Conference with Labor Negotiator Pursuant to Government Code Section 54956.6

Agency Negotiator: Charles McClendon, City Manager
Represented Employees:

AFSCME - The American Federation of State, County and Municipal Employees
CCPOA - Cathedral City Police Officers Association
CCPMA - Cathedral City Police Management Association
CCPFA - Cathedral City Firefighters Association
CCFMA - Cathedral City Fire Management Association

- **THE CITY COUNCIL WILL RECONVENE AT 4:30 PM**

2. PUBLIC COMMENT

Persons wishing to speak on an agenda item or during public comments are requested to state the name and town of residence for the record. Speakers should discuss topics related to City business on the agenda, or to matters within the jurisdiction of the City. Speaker's comments should be addressed to the members of the Council and not to persons in the audience. Speakers and any other member of the public will not approach the dais during the meeting without prior consent from the Mayor/Chair. Speakers should return to their seat after their comments and not continue to stand at the podium. Any documents used by the speaker shall be given to the City Clerk for distribution to the Council. Public comments are subject to a three (3) minute limit.

Persons in the audience shall refrain from behavior that will disrupt the public meeting. Shall not make or receive phone calls while the meeting is in session. All persons using personal data devices including cell phones shall place them in silent mode while meeting is in session. Persons in the audience shall also refrain from making audible talking, loud noises, clapping, shouting, booing, hissing or engaging in any other activity in a manner that disturbs, disrupts or impedes the orderly conduct of the meeting; refrain from creating, provoking or participating in any type of disturbance that disrupts the meeting. The Mayor and Council have the authority to rule a person out of order and, if deemed appropriate by the Mayor or Council, ordered to leave the meeting.

3. STUDY SESSION

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. Presentation will be limited to 10 minutes unless other provisions are made in advance.

A. Interview Applicants for the Public Arts Commission

Recommendation: Staff recommends the City Council interview the applicants that have submitted applications for possible appointment to fill one vacant seat on the Public Arts Commission.

B. Proposed Public Use of the Cathedral City High School Swimming Pool During the Summer Months and Revised City Operational Expenses

Recommendation: This item is presented for information, discussion and direction only.

ADJOURN

NOTES TO THE PUBLIC:

The City of Cathedral City complies with the Americans with Disabilities Act of 1990. If you require special assistance to participate in this meeting, please call the City Clerk's Office at (760) 770-0322 at least 48 hours prior to the meeting.

If you desire to address the City Council during the meeting, please complete a Request to Speak Form available at the entrance and present it to the Deputy City Clerk. Speakers will be called upon by the Mayor at the appropriate time.

Any documents provided to a majority of the City Council regarding any item on this agenda will be made available for public inspection in the City Clerk's office at City Hall located at 68-700 Avenida Lalo Guerrero during normal business hours. In addition, such documents will be posted on the City's website at www.cathedralcity.gov.



CITY COUNCIL AGENDA

Regular Meeting

Wednesday, December 11, 2019
6:30 PM

City Council Chambers
68-700 Avenida Lalo Guerrero
Cathedral City, CA 92234

MAYOR

Mark Carnevale

CITY COUNCIL MEMBERS

Mayor Pro Tem
John Aguilar

Councilmember
Raymond Gregory

Councilmember
Ernesto Gutierrez

Councilmember
Rita Lamb

- **CALL TO ORDER**
- **PLEDGE OF ALLEGIANCE**
- **INVOCATION (MOMENT OF REFLECTION)**
- **ROLL CALL**
- **AGENDA FINALIZATION**

At this time the City Council may announce any items being pulled from the agenda or continued to another date.

- **MAYOR AND MAYOR PRO TEM APPOINTMENT/OATH OF OFFICE**

A. Appointment of Mayor and Mayor Pro Tem

Recommendation: To appoint, in accordance with Section 2.04.180 of the Municipal Code, John Aguilar to serve as Mayor for a one year term through the first Council meeting in December 2020; and to appoint Raymond Gregory to serve as Mayor Pro Tem for the same term.

- **10 MINUTE RECESS**

- **STATEMENT OF PARTICIPATION BY THE CITY CLERK**

- 1. **PUBLIC COMMENT**

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- 2. **COUNCIL REPORTS**

This is an opportunity for each member of the City Council to report on any conferences they attend, local events or make any other comments they may have.

- 3. **CONSENT AGENDA**

The following Consent Calendar items are expected to be routine and noncontroversial. They will be acted upon by the City Council at one time without discussion. Any Council Member, Staff Member, or Citizen may request removal of an item from the Consent Calendar for discussion.

- A. **Minutes Approval**

- 1. **City Council - Study Session - Nov 13, 2019 3:00 PM**
 - 2. **City Council - Regular Meeting - Nov 13, 2019 6:30 PM**

- B. **Receive and file Payment of Claims and Demands for November 2019**

Recommendation: The City Council acting in its capacity for the City, the Successor Agency to the former Redevelopment Agency, the Housing Successor Agency, and the Cathedral City Public Finance Authority Board receive and file payment of

claims and demands in the aggregate sum of \$5,849,829 for the month of November 2019.

C. California Government Code Section 50075 Report, Community Facilities District (CFD) 2006-1)

Recommendation: To accept the FY 18/19 California Government Code Section 50075 report for CFD 2006-1 revenues and expenditures.

D. Council Appointments to Various Local Agencies for 2020

Recommendation: Staff recommends the City Council review the list of Local Agency Assignments and make the appointments.

E. STVR Data Analytics Services

Recommendation: To ratify the award of a contract to Deckard Technologies for STVR data analytics services and authorize the required budget amendment in the amount of \$14,000.

F. Purchase of a Replacement 2020 Ford Pick-up for the Fire Department

Recommendation: To authorize staff to purchase one 2020 Ford F250 pick-up, including sales tax and delivery, from Palm Springs Ford for a total cost of \$35,369.40

G. Grant of Easements to SCE on City-Owned Park Lots in the Rio Vista (Verano) Development

Recommendation: To approve Grants of Easement to Southern California Edison (SCE) for utility easements on City-owned park Lots 271, 272, 287 and 288 of Tract 28639-1, in the Rio Vista (Verano) development; and, authorize the City Manager to execute the Grants of Easement on behalf of the City.

H. Resolutions Certifying the Completion of Private Improvements in Tracts 34322-1 and 34322

Recommendation: To approve Resolutions certifying the completion of private improvements within Tract 34322-1 and Tract 34322, each; and, authorize the release of Improvement Agreement securities and deposits as described in the Resolutions; and, authorize the Director of Engineering/Public Works to file Notices of Completion on each Tract.

I. Resolution Accepting an Offer of Dedication for Public Street Purposes of a Portion of Lot "P" of Palm Springs Country Club Estates, for the North Side of Ramon Road, East of San Luis Rey.

Recommendation: To approve a Resolution accepting the offer of dedication for public street purposes of a portion of Lot "P" as shown on the map of Palm Springs Country Club Estates, for a portion of the north side of Ramon Road, east of San Luis Rey.

J. Resolution of Intention to Vacate certain streets, alleys, easements and reserved utility easements in the area north of East Palm Canyon Drive, west of Date Palm Drive, east of Monty hall Avenue and south of Buddy Rogers Avenue. Vacation No. 2019-01.

Recommendation: To adopt a Resolution declaring the City's intention to vacate all or portions of Hillery Road (formerly First Street) and Grove Street, between Monty Hall Drive and Allen Avenue; a public alley between Hillery Road and Grove Street; two sidewalk easements on the north side of Grove Street; and, various utility easements reserved from the previous vacation of other portions of Hillery Road, Grove Street, Dawes Street, Allen Avenue, and public alleys, and easements for street and highway purposes, all as described in City Council Resolutions No. 2015-49-A and No. 2017-11-A, both recorded on August 10, 2017, as instruments No. 2017-0330780 and 0330781, in Official Records, all located in the northwest quadrant of Date Palm Drive and East Palm Canyon Drive, east of Monty Hall Drive and south of Buddy Rogers Avenue.

K. Contract Award to CASC Engineering and Consulting, Inc. for NPDES Program Consulting Services

Recommendation: To award a two-year, on-call contract to CASC Engineering and Consulting, Inc. for National Pollutant Discharge Elimination System (NPDES) Program Consulting Services; and, authorize the City Manager to execute the contact documents; and, authorize the Director of Engineering/Public Works to issue Task Orders as needed to complete the NPDES Program requirements within existing FY 2020-21 budget limits.

L. Second Reading of Temporary Cannabis Event Ordinance

Recommendation: To provide second reading and adopt an Ordinance amending Section 5.88.035 of the Cathedral City Municipal Code related to temporary cannabis events.

M. American Forensic Nurses Agreement Approval

Recommendation: To enter into an agreement with American Forensic Nurses for on-call nursing services and authorize the City Manager to execute the agreement documents.

N. Expenditure Plan for the Supplemental Law Enforcement Services Account (SLESA) for FY 2018-2019

Recommendation: To approve the recommended Expenditure Plan appropriating a portion of the Supplemental Law Enforcement Service Account (SLESA) for FY 2018-2019

O. Police Chief Recruitment

Recommendation: To authorize a Budget Amendment in the amount of \$25,000 for executive recruitment for a Police Chief.

4. **ITEMS PULLED FROM CONSENT**

5. **PUBLIC HEARINGS**

A. **Second Amendment to the 2017 Tax Sharing Agreement with Palm Springs Motors, Inc.**

Recommendation: To hold a public hearing; approve a Resolution approving a second revised tax sharing report for Palm Springs Motors; and authorize the City Manager and City Attorney to negotiate and prepare, and authorize the City Manager to execute, a second amendment to the tax sharing agreement with Palm Springs Motors, Inc., consistent with the terms set forth in the Resolution.

B. **De novo review of Conditional Use Permit No. 19-008 issued by the Cathedral City Planning Commission.**

Recommendation: It is requested that the Mayor and City Council Members conduct a public hearing to consider a de novo review of Planning Commission approval of Conditional Use Permit No. 19-008 to allow a Congregate Living Health Facility for up to 12 beds within an existing single family residential dwelling in the R1 Zoning District.

C. **CFD 2006-1, IA #12, Formation, Election and Ordinance Public Hearing**

Recommendation: For City Council to:

1) Hold a Public Hearing on the (a) formation of Improvement Area No. 12 of the City of Cathedral City Community Facilities District No. 2006-1 (Law Enforcement, Fire, Paramedic and General Maintenance Services), and (b) levy of special taxes.

2) Adopt the following resolutions:

(a) Resolution determining the validity of prior proceedings and establishing the Improvement Area No. 12 of the City of Cathedral City Community Facilities District No. 2006-1 (Law Enforcement, Fire, Paramedic and General Maintenance Services).

(b) Resolution calling a special election within Improvement Area No. 12 of the City of Cathedral City Community Facilities District No. 2006-1 (Law Enforcement, Fire, Paramedic and General Maintenance Services).

3) Hold Election.

4) Adopt the Resolution canvassing the results of the

election held within Improvement Area No. 12 of the City of Cathedral City Community Facilities District No. 2006-1 (Law Enforcement, Fire, Paramedic and General Maintenance Services).

5) Conduct First Reading of the Ordinance authorizing the levy of a special tax within Improvement Area No.12 of the City of Cathedral City Community Facilities District No. 2006-1 (Law Enforcement, Fire, Paramedic and General Maintenance Services).

D. Introduction and First Reading of an Ordinance Amending the City Subdivision Ordinance

Recommendation: To hold a public hearing; introduce and provide first reading by title only; and waive further reading of an ordinance amending Riverside County Land Division Ordinance 460, adopted by reference by City Ordinance 12, to add new sections relating to the amendment of recorded final maps and parcel maps, and the use of lien contracts as subdivision improvement security.

6. LEGISLATIVE ACTIONS

A. Appointment to Public Arts Commission

Recommendation: To make an appointment to the Public Arts Commission to fill one vacant seat on the Commission with a term continuing to June 30, 2020.

B. Contract for Services - Cathedral City Community Amphitheater Concession Stand

Recommendation: To approve a contract for services with Kick Back Cinemas Cathedral City LLC to manage and operate the Cathedral City Community Amphitheater concession stand as a pilot program for one year.

C. Contract Award to Hardy & Harper, Inc. for the Phase 6 Pavement Management Program

Recommendation: To award a contract to Hardy & Harper in the amount of \$1,720,000 for the Pavement Management Program (PMP), Phase 6; and, approve a fifteen percent (15%) contingency in the amount of \$258,000 for any unforeseeable construction costs; and, approve \$90,000 for design, survey, inspection and material testing; thereby, making the total encumbrance for this Project \$2,068,000; and, authorize the Director of Engineering/Public Works to issue the Notice of Proceed and request bonds and insurance for the project; and, authorize the City Manager to execute the contract documents.

D. Approval of CVAG Cooperative Reimbursement Agreement for ATP Projects' Design Services

Recommendation: To approve a Coachella Valley Association of Governments (CVAG) Cooperative Reimbursement Agreement for Professional Design Services for five (5) Active Transportation Program (ATP) Projects; and, authorize the City Manager to execute the Agreement; and, approve a General Fund Budget Amendment in the not to exceed amount of \$240,270.00 to the Engineering 100-156-8601-0000 Professional and Technical Service Fund to fund the Agreement obligations.

E. Cathedral City Community Amphitheater Fee Schedule and Hours

Recommendation: To approve a resolution setting the fee schedule and hours of operation for the Cathedral City Community Amphitheater.

F. Hall of Flowers Trade Show Special Use Permit

Recommendation: To approve Special Use Permit #19-025 with the attached conditions of approval; and conditioned upon the adoption of the Ordinance allowing temporary cannabis events with a Special Use Permit; and with an effective date corresponding to the Ordinance becoming effective.

7. CLOSED SESSION

A. Conference with Labor Negotiator Pursuant to Government Code Section 54956.6

Agency Negotiator: Charles McClendon, City Manager

Represented Employees:

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CCPOA - Cathedral City Police Officers Association

CCPMA - Cathedral City Police Management Association

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