Cathedral City

AGENDA OF THE CITY COUNCIL AND THE COUNCIL SITTING AS THE REDEVELOPMENT AGENCY

REGULAR CC/RDA MEETING
Council Chamber in City Hall
68-700 Avenida Lalo Guerrero
Cathedral City, CA 92234

WEDNESDAY, SEPTEMBER 26, 2001

Study Session - 3:00 p.m.
Regular Meeting - 7:30 p.m.

PLEASE NOTE: THE CITY HAS IN EFFECT AN ORDINANCE REGARDING LOBBYING THAT REQUIRES PERSONS BEING PAID TO MAKE A PRESENTATION ON BEHALF OF SOMEONE OTHER THAN THEMSELVES TO DISCLOSE THAT FACT AT THE TIME OF THEIR PRESENTATION, AND, IN SOME INSTANCES, TO REGISTER WITH THE CITY CLERK PRIOR TO APPEARING BEFORE THE CITY COUNCIL, PLANNING COMMISSION OR CITY STAFF.

3:00 P.M.

CALL TO ORDER

a) Roll Call of City Council/RDA Member(s)
b) Action to Excuse Absent City Council/RDA Member(s)

COUNCIL WILL ADJOURN TO THE STUDY SESSION ROOM ON THE FIRST FLOOR OF CITY HALL TO CONSIDER THE CLOSED SESSION AGENDA ITEMS.

4:00 P.M.

COUNCIL WILL RECONVENE IN COUNCIL CHAMBER TO CONTINUE STUDY SESSION AGENDA REVIEW.

PUBLIC COMMENTS

If any person desires to address members of the City Council and/or the Redevelopment Agency Board, this will be the **only opportunity to do so during this Study Session.** Please limit your remarks to 3 minutes. In response to any public comment on an item or matter which **has not been placed on this Agenda** pursuant to Government Code Section 54954.2, members of the City Council/Redevelopment Agency Board may only: **1)** briefly respond 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)** take action to direct staff to place a matter of business on a future Agenda. (California Government Code Section 54954)

STUDY SESSION **(Normally, No Action Is Taken On Study Session Items; However, The City Council Does Reserve The Right To Give Specific Policy Direction And To Take Specific Action As Necessary.)**

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

1. Introduction of New Personnel:
   - ☞ Police Department - Police Chief Stan Henry
     - Jaime Frias, Public Safety Dispatcher
     - Ernesto Vasquez, Police Officer

2. Update of the Mosquito and Vector Control Board by Paul Marchand, Cathedral City's representative to the Board.

3. Presentation regarding the proposed alternative for the Draft Multi-Species Habitat Conservation Plan. (Jim Sullivan, CVAG; Bill Havert, CV Mountains Conservancy - 4:30PM) (Cynthia Kinser)

4. Councilmember Reports of Committee Meetings.

5. Review of September 26, 2001, City Council/Redevelopment Agency Board Agendas.

6. City Council/Staff Reports and Inquiries Regarding Status of New or Ongoing Projects.

7. Closed Session Urgency Items.

CC/RDA WILL ADJOURN TO CLOSED SESSION

Cathedral City

CLOSED SESSION

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REGULAR CC/RDA MEETING
WEDNESDAY, SEPTEMBER 26, 2001

1. CONFERENCE WITH LEGAL COUNSEL REGARDING POTENTIAL LITIGATION pursuant to government Code Section 54956.9 subd. (c).
   Number of Potential Cases: **Two**

2. CONFERENCE WITH LEGAL COUNSEL REGARDING EXISTING LITIGATION pursuant to Government Code Section 54956.9, subd. (a).
   Case Name: Case name is unspecified since disclosure would jeopardize existing settlement negotiations.

3. CONFERENCE WITH LEGAL COUNSEL REGARDING EXISTING LITIGATION pursuant to Government Code Section 54956.9, subd. (a).
   Case Name: Wilkins v. Big League Dreams Sports Park (Cathedral City)
   Case Number: INC 021042

4. CONFERENCE WITH LEGAL COUNSEL REGARDING EXISTING LITIGATION pursuant to Government Code Section 54956.9, subd. (a).
   Case Name: City of Cathedral City v. Jack D. Janofsky, et al.
   Case Number: CIV079585

5. CONFERENCE WITH LEGAL COUNSEL REGARDING EXISTING LITIGATION pursuant to Government Code Section 54956.9, subd. (a).
   Case Name: City of Cathedral City v. Jack D. Janofsky, et al.
   Case Number: INC 019283

6. CONFERENCE WITH REAL PROPERTY NEGOTIATOR pursuant to Government Code Section 54956.8. (Paul Shillcock)

Properties:

Location: Various Parcels South of East Palm Canyon Drive Between Date Palm and Van Fleet APN Nos.: 687-222-004; 687-224-007; 687-225-011; 687-225-017; and 687-221-001

Negotiating Parties:

Agencies: Redevelopment Agency and BCN Development

Property Owner: Redevelopment Agency

Under Negotiation: Disposition of Property

7. CONFERENCE WITH REAL PROPERTY NEGOTIATOR pursuant to Government Code section 54956.8 (Paul Shillcock/Tony Barton)

Property:

Location: North of 30th Avenue and East of Date Palm Drive: APN Nos. 670-372-008 through -016; 670-373-008 through -036; and 670-060-025.

Negotiating Parties:

Agencies: City of Cathedral City & The Berger Foundation

Property Owner: Berger Foundation

Under Negotiation: Acquisition of Property

8. CONFERENCE WITH REAL PROPERTY NEGOTIATOR pursuant to Government Code section 54956.8 (Paul Shillcock/Tony Barton)

Property:

Location: Northeast Corner of 30th Avenue and DaVall Drive

Negotiating Parties:

Agencies: City of Cathedral City & Palm Springs Cemetery District

Property Owner: Palm Springs Cemetery District

Under Negotiation: Acquisition of Property

9. CONFERENCE WITH REAL PROPERTY NEGOTIATOR pursuant to Government Code section 54956.8 (Susan Moeller)

Property:

Location: 68-752, 68-933, 68-911, 68-903, and 68-885 West Buddy Rogers Avenue

Negotiating Parties:

Agencies: Cathedral City Redevelopment Agency & LINC Housing

Property Owner: Cathedral City Redevelopment Agency

Under Negotiation: Disposition of Property

10. CONFERENCE WITH REAL PROPERTY NEGOTIATOR pursuant to Government Code section 54956.8 (Warren Bradshaw)
Property:
Location: 68795 C Street
Negotiating Parties:
Agencies: Cathedral City Redevelopment Agency & Margaret Lindblade
Property Owner: Margaret Lindblade
Under Negotiation: Real Estate Negotiation

11. CONFERENCE WITH REAL PROPERTY NEGOTIATOR pursuant to Government Code section 54956.8 (Warren Bradshaw)
Property:
Location: APN: 674-020-011 & 674-020-009; located at Date Palm Drive and the Whitewater River Wash
Negotiating Parties:
Agencies: Cathedral City Redevelopment Agency & Barbara Lyons-Gonzales
Property Owner: Barbara Lyons-Gonzales
Under Negotiation: Real Estate Negotiation

12. CONFERENCE WITH REAL PROPERTY NEGOTIATOR pursuant to Government Code Section 54956.8. (Susan Moeller)
Property:
Location: North Side of E. Palm Canyon Drive West of Monty Hall
Negotiating Parties:
Agencies: Redevelopment Agency & Palm Canyon Partners
Property Owner: Redevelopment Agency
Under Negotiation: Real Property Negotiations

RECOMMENDATION: Adopt motion to recess to closed session pursuant to the above noted statutes.

REPORT OF ACTION(S), IF ANY

CC/RDA WILL ADJOURN TO REGULAR MEETING AT 7:30 P.M.

Cathedral City

AGENDA OF THE CITY COUNCIL AND THE COUNCIL SITTING AS THE REDEVELOPMENT AGENCY

REGULAR CC/RDA MEETING
7:30 P.M.
WEDNESDAY, SEPTEMBER 26, 2001

a) Invocation
b) Flag Salute

CLOSED SESSION ANNOUNCEMENTS

PUBLIC COMMENTS

During this part of the meeting, the public is invited to address the City Council, and/or the Redevelopment Agency Board on any matter **not on the Agenda** or any item on the **Consent Agenda** by stepping to the lectern and giving his/her name and City of residence for the record. Unless additional time is authorized by the City Council, remarks on agenda items shall be limited to three minutes. **If you wish to speak on an agenda item, please wait to be recognized under that item.**

In response to any public comment on an item or matter which **has not been placed on this Agenda** pursuant to Government Code Section 54954.2, members of the City Council and/or the Redevelopment Agency Board may only: **1)** briefly respond 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)** take action to direct staff to place a matter of business on a future Agenda. (California Government Code Section 54954)

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 ("Added Starters"): The Brown Act permits the City Council to take action on any item that does not appear on the Agenda only if 2/3 of the City Council (if all are present) or all members of the Council (if less than all are present) determine there is a need to take immediate action on the item and that the need to take immediate action came to the City Council's attention after the posting of the Agenda.

COUNCIL COMMENTS

Councilmembers' Comments on Items not on the Agenda.

PRESENTATIONS AND PROCLAMATIONS

- ☞ Proclamation of City support for the heroism shown in the tragic terrorists attacks of September 11, 2001. (City Council)
- ☞ Proclamation designating September 24-30, 2001 as Code Enforcement Week. (Fire Chief Steve Sowles)

CALL FOR CORRECTIONS/APPROVAL OF MINUTES

Corrections/Approval of Minutes of the Regular City Council/Redevelopment Agency Board Meeting Held on September 10, 2001.

PLEASE NOTE: THE CITY HAS IN EFFECT AN ORDINANCE REGARDING LOBBYING THAT REQUIRES PERSONS BEING PAID TO MAKE A PRESENTATION ON BEHALF OF SOMEONE OTHER THAN THEMSELVES TO DISCLOSE THAT FACT AT THE TIME OF THEIR PRESENTATION, AND, IN SOME INSTANCES, TO REGISTER WITH THE CITY CLERK PRIOR TO APPEARING BEFORE THE CITY COUNCIL, PLANNING COMMISSION OR CITY STAFF.

PUBLIC HEARINGS:

CC/RDA 1. Authorize the transfer of certain real property, underlying the Riverside County Flood Control District easement in the East Cathedral Canyon Channel, from the Cathedral City Redevelopment Agency to the City of Cathedral City for no financial consideration. (Paul Shillcock) **(Pg. 3)**

a. Report by Economic Development Manager
b. Public Hearing
c. Recommendation: Approval

COUNCIL 2. Appeal of Conditional Use Permit 01-292 for a tattoo and body piercing establishment at 68461 East Palm Canyon in the MXC (Mixed Use Commercial) Zone within the Downtown Precise Plan. (Cynthia Kinser) **(Pg. 6)**

a. Report by City Planner
b. Public Hearing
c. Recommendation: Approval

RDA 3. Authorize the Executive Director to execute a Disposition and Development Agreement with Gemstone Properties (Crystal Chrysler) to facilitate the trade of the existing municipal parking lot at the corner of Perez and Kyle Roads in the auto center for the same sized parcel of developed public parking north of Perez Road adjacent to the auto center to allow for the development of a new car sales/service facility. (Paul Shillcock) **(Pg. 23)**

a. Report by Economic Development Manager
b. Public Hearing
c. Recommendation: Approval

LEGISLATIVE ACTION:

COUNCIL 4. Approve Final Parcel Map No. 29719 (Ritz Carlton Golf Course), accept the dedications made to the City on the final map, and authorize the execution of the performance agreement. (Dave Faessel) **(Pg. 74)**

a. Report by City Engineer Dave Faessel
b. Public Input
c. Recommendation: Approval

RDA 5. Request by the Cathedral City Auto Dealers Association to reimburse the Association for all costs associated with the purchase and installation of a Reader Board to be erected at the Date Palm Drive exit of I-10 Freeway. (Paul Shillcock) **(Pg. 76)**

a. Report by Economic Development Manager
b. Public Input
c. Recommendation: Approval

CC/RDA 6. Proposed Resolutions implementing the Capital Improvement Program (CIP) for Fiscal Year 2001-2002 as outlined in the proposed 2001-2002 Capital Improvement Program book. (Jerry Jack) **(Please bring your CIP Budget Book previously distributed to you) (Pg. 82)**

a. Report by Traffic and Development Division Manager
b. Public Input
c. Recommendation: 1) Adopt Resolution No. 2001-_____
2) Adopt Resolution No. R-_____

COUNCIL 7. Award of contract to In-2-Lights of California, in the amount of $20,300 for installation of annual holiday lighting on trees in parkways and medians in the same locations as last year, and for $6,118 to purchase and install holiday lights at several new locations. (Bill Bayne) **(Pg. 98)**

a. Report by Senior Engineer
b. Public Input
c. Recommendation: Approval

RDA 8. Authorize **1)** a loan from the Housing set-aside fund balance to a new Capital Improvement Program (CIP) for the proposed conference hotel (BCN Project) in amount not to exceed Two Hundred Twenty Thousand Dollars ($220,000); and **2)** the Executive Director to execute a Professional Services Contract in substantially the same form as attached with Oliver, Vose, Sandifer, Murphy & Lee (OVS) for eminent domain and other legal services required for the proposed conference hotel (BCN Project). (Susan Moeller) **(Pg. 100)**

a. Report by Redevelopment Director
b. Public Input
c. Recommendation: Approval

RDA 9. Authorize the Executive Director to execute a contract with Superior Electrical Advertising for new and upgraded signage for the IMAX Theatre, in an amount not to exceed Twenty-Five Thousand Dollars ($25,000). (Susan Moeller) **(Pg. 119)**

a. Report by Project Manager
b. Public Input
c. Recommendation: Approval

COUNCIL 10. Authorize the purchase of two Fire Department staff vehicles due for replacement from the vehicle replacement fund. (Chief Sowles) **(Pg. 135)**

a. Report by Fire Chief
b. Public Input
c. Recommendation: Approval

COUNCIL 11. Proposed Resolution in support of the Traffic Congestion Relief Act Initiative, which provides funding means to initiate an Inter-City Rail between the Coachella Valley and Los Angeles. (Donald Bradley) **(Pg. 149)**

a. Report by City Manager
b. Public Input
c. Recommendation: Adopt Resolution No. 2001- _____

COUNCIL REPORTS ON CITIZEN INQUIRIES AND CONCERNS.

ADJOURNMENT

To the next regularly scheduled meeting of the City Council/Redevelopment Agency Board **Wednesday, October 10, 2001.**

NOTE TO THE PUBLIC

Agendas and back-up material giving more information on each agenda item, with the staff's recommendations, have been provided to all Councilmembers. These same materials are on display in the main City Hall lobby, in the Police Department lobby, in the lobby outside the Council Chamber, and in the City Clerk's office from the Thursday preceding the regular Council meeting. Staff "recommendations" are only that; the City Council makes its own decisions based on all information provided to them. The Agenda, by itself, can also be reviewed on the City's Web Site at:

www.cathedralcity.gov

In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the City Clerk by phone at (760) 770-0322. Notification 48 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to this meeting. [28 CFR 35.102-35.104 ADA Title II]

PLEASE BE ADVISED THAT CITY HALL IS CLOSED EVERY FRIDAY