



CITY COUNCIL MINUTES

Study & Regular Meeting

Wednesday, November 13, 2024

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

STUDY SESSION 3:00PM

- **CALL TO ORDER**

Mayor Mark Carnevale called the Study Session portion of the meeting to order at 3:00 p.m.

- **AGENDA FINALIZATION**

There were no changes to the Agenda.

1. **PUBLIC COMMENTS**

The following written comments were submitted for the record:

Lauri Jones, expressed her concern with the cannabis odor near her home.

David Wilton, expressed his concern with the cannabis odor near his home.

Stephen Weiderick, expressed his concern with the cannabis odor near his home.

Denise Evans, expressed his concern with the cannabis odor near his home.

Scott McDonald and Ken Pirie, expressed their concern with the cannabis odor near their home.

2. **CLOSED SESSION**

City Attorney Eric Vail announced that the City Council will meet in Closed Session to discuss the items listed under Closed Session.

- A. **Conference with Labor Negotiator
Pursuant to Government Code 54957.6**

Labor Negotiator: Algeria Ford, Assistant City Attorney and Eugenia Torres, Human Resources Manager

Employee Organization: Police Officers Association

- B. Conference with Legal Counsel - Existing Litigation, Pursuant to Government Code section 54956.9(d)(1)
Number of Matters: Three (3)**

**Beatriz Toledo et al., v. City of Cathedral City et al.
CRSC Case No. CVRI 2405559**

**Peerless At Mammoth, LLC v City of Cathedral City et al.
CRSC Case No. CVRI 2405742**

**Levik v. Cit of Cathedral City, et al.
APRI 2400126 (CVPS 2403242)**

The following written comment was submitted for the record:

Richard Levik, expressed his concern related to his lawsuit against the City.

- C. Conference with Legal Counsel - Anticipated Litigation
Pursuant to Government Code Section 54956.9(d)(2)
Significant Exposure to Litigation - Number of Matters: One (1)
Claim for Damages: Zenergy Capital LLC**

The City Council recessed to Closed Session at 3:01 p.m.

The City Council reconvened at 4:20 p.m.

City Attorney Eric Vail reported that the City Council met in Closed Session to discuss the items listed on the Agenda. Item 2A. Conference with Labor Negotiator Pursuant to Government Code 54957.6 was completed and direction was provided by the City Council. There was no other reportable action taken.

3. STUDY SESSION

A. Discussion of Future Land Uses within the North City Specific Plan

Sandra Molina, Deputy Director of Community and Economic Development, provided a presentation to facilitate discussion on the future land uses within the North City Specific Plan, The following points were presented:

- North City Specific Plan
- North City Extended Specific Plan
- Mixed Use-Urban (MU-U)
- Mixed Use-Neighborhood (MU-N)
- North City Specific Plans Economic Development Resolution
- Blue Fern Development Proposal
 - Alternative 1 Market Rate
 - Alternative 2 Active Adult
- Housing Consideration

The City Council asked clarifying questions, which were responded to by staff. They expressed their support for considering the proposal and are open to ideas, while remaining cautious not to change the entire North City Specific Plan.

B. Street Sweeping Communications

Ryan Hunt, Communications and Events Manager, provided a presentation on street sweeping communications. The following points were presented:

- Background
- CodeRED Community Notification System
- Sweeping Zones and Sweep Days

The City Council asked clarifying questions, which were responded to by staff. This item was a presentation only, there was no formal action taken by the City Council.

C. Council Goals Adopted over the Past Five Years.

Charles McClendon, City Manager, provided an overview on the Council goals adopted over the past five years.

This item was for information and discussion only, there was no formal action taken by the City Council.

RECESS

Mayor Mark Carnevale adjourned the Study Session Meeting at 5:13 p.m.

REGULAR MEETING - 5:30 PM

• **CALL TO ORDER**

Mayor Mark Carnevale called the Regular City Council Meeting to order at 5:30 p.m.

• **PLEDGE OF ALLEGIANCE**

Councilmember Rita Lamb led the Pledge of Allegiance.

• **INVOCATION (MOMENT OF REFLECTION)**

Councilmember Ernesto Gutierrez offered the Invocation.

• **ROLL CALL**

Council Present:

Mark Carnevale, Mayor
Nancy Ross, Mayor Pro Tem
Raymond Gregory, Councilmember
Ernesto Gutierrez, Councilmember
Rita Lamb, Councilmember

- **AGENDA FINALIZATION**

There were no changes to the Agenda.

1. **PUBLIC COMMENTS**

Sunshine Herrera, proposed a rotational system for Chair and Vice-Chair on the City's Boards and Commissions.

Alan Carvalho disagrees with comments made by the City Attorney related to public speakers. He also expressed his concern with Councilmember Gutierrez's support of the newly elected United States President. He thanked all those who supported Measure W.

Scott McDonald, expressed his concern related to cannabis odor.

Ken Pirie, expressed his concern related to cannabis odor.

Debbie Price, expressed her concern related to cannabis odor.

Janet Ream, expressed her concern related to cannabis odor.

Teresa McHugh, expressed her concern related to cannabis odor.

Barbara Moore, expressed her concern related to cannabis odor.

Reg Trowell, expressed his concern related to cannabis odor.

Terry Huff, expressed his concern related to cannabis odor.

Roe Smith, expressed his concern related to cannabis odor.

Jane McKenzie-Hill, expressed her concern related to cannabis odor.

Robyn Lucas, expressed her concern related to cannabis odor.

Kathie Schermerhorn, expressed her concern related to cannabis odor.

Dennis Cramer, expressed his concern related to the water issue at Tramview Mobile Home Park.

Christine Anderson, expressed her concerns related to cannabis odor.

Laurie Duncan, expressed her concern related to cannabis odor.

Paul Grube, expressed his concern related to cannabis odor.

Don Palmer, expressed his concern related to cannabis odor.

Tobi Perkins, expressed her concern related to cannabis odor.

Philip Sanstrum, expressed his concern related to cannabis odor.

Greg Assaly, expressed his concern related to cannabis odor.

Pat McDonald, discussed the issues related eliminating cannabis odor.

Bruce Keefer, disagreed with speaker Alan Carvalho's comments and expressed his support for Councilmember Gutierrez.

Darrel Roberts, inquired if there are plans for more cannabis projects near his home.

Anne Ambrose, Assistant City Manager, responded that there are no planned projects at this time.

The City Council recessed at 6:27 p.m.

The City Council reconvened at 6:32 p.m.

2. COUNCIL REPORTS

Councilmember Rita Lamb reported on the following:

- Her attendance at the Autism Walk event
- Her attendance at the Howl-O-Ween Dog Costume Contest
- Her attendance at the Dia de Los Muertos event at Desert Memorial Park
- Her participation in the General Election
- Her attendance at the Rancho Mirage Small Business Expo
- Her attendance at the Quarterly Art Show at the Cathedral City Library
- The upcoming Volkswagen Ribbon Cutting on November 20th
- Her attendance at the AMVETS Veterans for Peace event at Desert Memorial Park
- The Cathedral City Fire Department's lock-box program
- She thanked Ryan Hunt and Adam Chastain for their help in coordinating her civic day with middle school students

Councilmember Raymond Gregory reported on the following:

- His attendance at the Howl-O-Ween Dog Costume Contest
- His attendance at the Spooktacular event
- His participation in the Palm Springs Pride Parade
- His attendance at the Coachella Valley Association of Governments Transportation Committee Meeting
- His attendance at the Fields of Valor
- His attendance at the Cathedral City Chamber Mixer at the Mary Pickford
- His attendance at the Riverside County transportation Commission Meeting
- The upcoming Special City Council meeting on Tuesday December 10, 2024

Mayor Pro Tem Nancy Ross discussed the recent Presidential Election and the concerns she has received related to it.

Councilmember Ernesto Gutierrez reported on the following:

- The Veterans Day Holiday
- He congratulated Rita Lamb and Nancy Ross on their recent reelection

- He thanked everyone who voted yes on Measure W
- His attendance at the Howl-O-Ween Dog Costume Contest
- His attendance at the Spooktacular event
- His attendance at the Coachella Valley Recovery Center Ribbon Cutting
- His visit to Ocotillo Park to see all the newly painted benches
- His visit to the Fields of Valor
- His personal tour to see what is needed to improve the beautification of the City
- His celebration plans for the Thanksgiving Holiday
- The upcoming International Balloon Festival

Mayor Mark Carnevale reported on the following:

- His attendance at the events mentioned already
- His attendance at the upcoming Homeless Forum at the Grove Community Church
- He gave a shout out to Burrtec, staff and volunteers for their help with the Fields of Valor
- His conversation with a local cannabis business related to their odor issue
- His participation at the Cathedral City Chamber Mixer at the Mary Pickford
- He congratulated Rita Lamb and Nancy Ross for their recent reelection

3. **CONSENT AGENDA**

A. **Waive Full Reading of Ordinances on Agenda**

Recommendation: Waive full reading of Ordinances.

M.O. 2024-181

B. **Approval of October 23, 2024 Study Session and Regular City Council Minutes**

Recommendation: Approve the October 23, 2024, Study Session and Regular City Council Minutes.

M.O. 2024-182

C. **Check Demand - October**

Recommendation: Receive and File.

M.O. 2024-183

D. **Reject Bids for the Construction of the Public Works Yard Fence Replacement Project**

Recommendation: To reject all bids received for the construction of the Public Works Yard Fence Replacement project; and direct staff to include the project in the next biennial budget.

M.O. 2024-184

E. **Acceptance of Grant from the California Department of Justice, Tobacco Grant Program.**

Recommendation: To approve a resolution accepting the FY 2024/2025 grant funding from the California Department of Justice, Tobacco Grant Program in the amount of \$135,975 and authorizing the City Manager to execute the memorandum of understanding.

Reso 2024-46

F. Purchase of one (1) 2025 Chevrolet Silverado 3500HD Dump Truck for the Public Works Maintenance Department

Recommendation: To authorize the purchase of one (1) 2025 Chevrolet Silverado 3500HD Dump Truck as a replacement for the Public Works department, at a total cost of \$82,590.97; and authorize the City Manager, or his designee, to execute all required documents for the purchase.

M.O. 2024-185

G. Local Hazard Mitigation Plan and Emergency Operations Plan

Recommendation: To approve the award for the creation and update of the city's local hazard mitigation plan (LHMP) and emergency operations plan (EOP) to Jacob Greene and Associates.

M.O. 2024-186

H. Ratify the Nomination of Sunshine Herrera by Councilmember Lamb to fill the Unexpired Vacancy on the Historic Preservation Committee and appoint her to serve for a term continuing through June 30, 2026.

Recommendation: To ratify the nomination of Sunshine Herrera by Councilmember Rita Lamb to fill an unexpired term on the Historic Preservation Committee and appoint her to serve for a term continuing through June 30, 2026.

M.O. 2024-187

I. Award Task Order-01 to Albert A. Webb Associates for Engineering and Traffic City-Wide Speed Survey

Recommendation: To authorize Task Order 01 to Albert A. Webb Associates (Webb) to assist city engineering staff in conducting the Engineering and Traffic City-Wide Speed Limit Survey in the not to exceed amount of \$45,012, as part of Webb's on-call traffic engineering support services contract; and authorize the City Engineer to execute the task order.

M.O. 2024-188

J. Update City Council Policy Manual

Recommendation: Approve updates to the City Council Policy Manual.

M.O. 2024-189

A motion was made by Councilmember Gregory and seconded by Councilmember Lamb to approve the Consent Agenda.

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| RESULT: | PASS [5 TO 0] |
| MOVER: | Raymond Gregory, Councilmember |
| SECONDER: | Rita Lamb, Councilmember |
| AYES: | Carnevale, Ross, Gregory, Gutierrez, Lamb |
| NOES: | |
| ABSENT: | |
| ABSTAIN: | |

4. PUBLIC HEARINGS

A. CFD 2006-1, IA #22, Formation, Election and Ordinance Public Hearing

Recommendation: The City Council of the City of Cathedral City, acting on behalf of Improvement Area (IA) No. 22 of the City of Cathedral City Community Facilities District (CFD) 2006-1 (law enforcement, police, paramedic, park and general maintenance services), adopt the following:

- Resolution of Formation determining the validity of prior proceedings (Resolution 2024-40, Resolution of Intention)
- Resolution Calling for a Special Election
- Resolution Canvassing the Results of the Special Election
- Introduce the 1st reading of an Ordinance Authorizing the Levy of a Special Tax

Mayor Mark Carnevale opened the Public Hearing to receive a presentation from staff and comments from the public.

Christina Burton, Administrative Assistant to City Clerk, announced that notice of the Public Hearing was published in accordance with the Mello-Roos Community Facilities Act of 1982 and proof of such publication is on file in the City Clerk's office.

Patrick Bumstead, Analyst II, provided a presentation on the proposed formation of Community Facilities District 2006-1 IA #22.

Mayor Mark Carnevale questioned if there were oral protests or comments by the public. Seeing none, he questioned if there were any property owners subject to the proposed tax wishing to file a written protest. Seeing none, he closed the Public Hearing and returned discussion to the City Council.

A motion was made by Councilmember Gregory and seconded by Councilmember Lamb to adopt a Resolution of Formation of the City Council of the City of Cathedral City Determining the Validity of Prior Proceedings, Establishing Improvement Area No. 22 of the City of Cathedral

City Community Facilities District No. 2006-1 (Law Enforcement, Fire, Paramedic, Park Maintenance and General Maintenance Services).

Reso 2024-43

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| RESULT: | PASS [5 TO 0] |
| MOVER: | Raymond Gregory, Councilmember |
| SECONDER: | Rita Lamb, Councilmember |
| AYES: | Carnevale, Ross, Gregory, Gutierrez, Lamb |
| NOES: | |
| ABSENT: | |
| ABSTAIN: | |

A motion was made by Councilmember Gregory and seconded by Councilmember Lamb to adopt a Resolution of the City Council of the City of Cathedral City Acting on Behalf of Improvement Area No. 22 of the City of Cathedral City Community Facilities District No. 2006-1 (Law Enforcement, Fire, Paramedic, Park Maintenance and General Maintenance Services) Calling a Special Election.

Reso 2024-44

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| RESULT: | PASS [5 TO 0] |
| MOVER: | Raymond Gregory, Councilmember |
| SECONDER: | Rita Lamb, Councilmember |
| AYES: | Carnevale, Ross, Gregory, Gutierrez, Lamb |
| NOES: | |
| ABSENT: | |
| ABSTAIN: | |

Mayor Carnevale directed the City Clerk to tabulate the ballot and announce if two-thirds of the votes cast upon the question of levying the tax are in favor of levying that tax.

Christina Burton, Administrative Assistant to the City Clerk, announced that two-thirds of the votes cast upon the question of levying the tax are in favor of levying that tax.

A motion was made by Councilmember Gregory and seconded by Councilmember Lamb to adopt a Resolution of the City Council of the City of Cathedral City Acting on Behalf of Improvement Area No. 22 of the City of Cathedral City Community Facilities District No. 2006-1 (Law Enforcement, Fire, Paramedic, Park Maintenance and General Maintenance Services) Canvassing the Results of the Special Election Held Within Said District.

Reso 2024-45

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| RESULT: | PASS [5 TO 0] |
| MOVER: | Raymond Gregory, Councilmember |
| SECONDER: | Rita Lamb, Councilmember |
| AYES: | Carnevale, Ross, Gregory, Gutierrez, Lamb |
| NOES: | |

ABSENT:
ABSTAIN:

A motion was made by Councilmember Gregory and seconded by Councilmember Lamb to Introduce the first reading of an Ordinance, by title only, authorizing the Levy of a Special Tax for Improvement Area No. 22 Cathedral City Community Facilities District (CFD) 2006-1.

M.O. 2024-190

RESULT: PASS [5 TO 0]
MOVER: Raymond Gregory, Councilmember
SECONDER: Rita Lamb, Councilmember
AYES: Carnevale, Ross, Gregory, Gutierrez, Lamb
NOES:
ABSENT:
ABSTAIN:

5. LEGISLATIVE ACTIONS

A. Amendment No. 2 to the Reimbursement Agreement by and Between the City of Cathedral City and CVAG for the Da Vall Drive Interchange with I-10 Project Study Report and Close Out Update.

Recommendation: To authorize the Mayor and City Manager to execute Amendment No. 2 to the reimbursement agreement by and between the City of Cathedral City and the Coachella Valley Association of Governments (CVAG) for the Da Vall Drive Interchange with I-10 project study report (PSR).

M.O. 2024-191

A motion was made by Councilmember Gregory and seconded by Councilmember Gutierrez to authorize the Mayor and City Manager to execute Amendment No. 2 to the reimbursement agreement by and between the City of Cathedral City and the Coachella Valley Association of Governments (CVAG) for the Da Vall Drive Interchange with I-10 project study report (PSR).

RESULT: PASS [5 TO 0]
MOVER: Raymond Gregory, Councilmember
SECONDER: Ernesto Gutierrez, Councilmember
AYES: Carnevale, Ross, Gregory, Gutierrez, Lamb
NOES:
ABSENT:
ABSTAIN:

B. Contract Award to Cal Stripe Inc. for Citywide Pavement Striping, Markings and Markers on City Arterial and Collector Streets.

Recommendation: To award a construction contract to Cal Stripe Inc. in the amount of \$199,965 to provide Citywide Pavement Striping, Markings and Markers and approve a construction

contingency in the amount of \$26,035 for unforeseen construction related cost, for a total encumbrance of \$226,000; and, approve a budget adjustment in the amount of \$113,000 from the State Gas Tax Fund, and \$113,000 from Measure A Fund; and, authorize the City Manager to execute the contract documents; and, authorize the City Engineer to request bonds and insurance for the project, and issue the notice to proceed.

M.O. 2024-192

A motion was made by Councilmember Gutierrez and seconded by Councilmember Lamb to approve a construction contract to Cal Stripe Inc. in the amount of \$199,965 to provide Citywide Pavement Striping, Markings and Markers and approve a construction contingency in the amount of \$26,035 for unforeseen construction related cost, for a total encumbrance of \$226,000; and, approve a budget adjustment in the amount of \$113,000 from the State Gas Tax Fund, and \$113,000 from Measure A Fund; and, authorize the City Manager to execute the contract documents; and, authorize the City Engineer to request bonds and insurance for the project, and issue the notice to proceed.

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| RESULT: | PASS [5 TO 0] |
| MOVER: | Ernesto Gutierrez, Councilmember |
| SECONDER: | Rita Lamb, Councilmember |
| AYES: | Carnevale, Ross, Gregory, Gutierrez, Lamb |
| NOES: | |
| ABSENT: | |
| ABSTAIN: | |

C. Purchase of one (1) 2024 Hybrid Haulotte/Bil-Jax 5533A Aerial Titans Lift for the Facilities Maintenance Division

Recommendation: To authorize the purchase of one (1) 2024 Hybrid Haulotte/Bil-Jax 5533A Lift from Aerial Titans, Inc. for the Facilities Maintenance division, at a total cost of \$68,189.69; and authorize the City Manager, or designee, to execute all required documents for the purchase.

M.O. 2024-193

A motion was made by Councilmember Gregory and seconded by Councilmember Lamb to authorize the purchase of one (1) 2024 Hybrid Haulotte/Bil-Jax 5533A Lift from Aerial Titans, Inc. for the Facilities Maintenance division, at a total cost of \$68,189.69; and authorize the City Manager, or designee, to execute all required documents for the purchase.

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| RESULT: | PASS [5 TO 0] |
| MOVER: | Raymond Gregory, Councilmember |
| SECONDER: | Rita Lamb, Councilmember |
| AYES: | Carnevale, Ross, Gregory, Gutierrez, Lamb |
| NOES: | |
| ABSENT: | |

ABSTAIN:

D. Fiscal Year 2024/2025 Budget Adjustments

Recommendation: To approve a fiscal year (FY) 2024/2025 budget decrease to the General Fund in the amount of \$1,871,853 and non-General Fund decrease totaling \$96,985.

M.O. 2024-194

A motion was made by Councilmember Gutierrez and seconded by Councilmember Gregory to approve a fiscal year (FY) 2024/2025 budget decrease to the General Fund in the amount of \$1,871,853 and Non-General Fund decrease totaling \$96,985.

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| RESULT: | PASS [5 TO 0] |
| MOVER: | Ernesto Gutierrez, Councilmember |
| SECONDER: | Raymond Gregory, Councilmember |
| AYES: | Carnevale, Ross, Gregory, Gutierrez, Lamb |
| NOES: | |
| ABSENT: | |
| ABSTAIN: | |

6. DISCUSSION ON FUTURE AGENDA ITEMS

It was the consensus of the City Council to direct staff to agendize an item for a January 2025 City Council meeting to discuss the rotation of Chair and Vice-Chair for the City's Boards and Commissions.

7. CLOSED SESSION

There were no Closed Session Items

ADJOURNMENT

Mayor Mark Carnevale adjourned the meeting at 8:04 p.m.

Mayor, City of Cathedral City

City Clerk, City of Cathedral City