

Thousand Palms Community Council Minutes
 Thousand Palms Community Center
 31189 Robert Rd, Thousand Palms, CA 92276
December 16, 2010
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In Attendance:	X	Karen Esposito, Chairman
		Greg Pinney, Vice Chairman
	X	Patricia Saleh, Secretary
	X	Roy Nokes, Council Member
	X	Bob Alcumbrac, Council Member
	X	Michael Gialdini, Liaison to 4 th District Supervisor John Benoit
		Guests: Cathedral City Outreach and Development Director Andy Hall, Cathedral City Councilman Greg Pettis, Cathedral City Councilman Sam Toles
Call to Order:		Chairman Karen Esposito called the meeting to order at 6:00 PM. She conducted the roll call and noted that Councilman Greg Pinney was absent. After the Pledge of Allegiance the minutes of 11/18/2010 were approved as written. She called for Staff Reports.
STAFF REPORTS	A.	Fourth District Supervisor Liaison Mike Gialdini
		Medical Marijuana Dispensaries
		Gialdini handed out a press release from 4 th District Supervisor John Benoit stating that the Supervisors “have halted a plan to regulate medical marijuana collectives, leaving in place an existing ban on dispensaries that allows code enforcement officers to crack down on storefront operations popping up around the county.” He said that Code Enforcement Supervisor II Dave Lawless will give the official word on how it will be carried out.
	B.	Riverside County Sheriff’s Department
		Reporting: Lt. Bill Sullivan
		Report on Medical Marijuana Dispensaries and Violent Crime attached
		Sullivan stated that some businesses are more dangerous than others, with bars and marijuana dispensaries among them. He said that if we don’t do enough to mitigate crime then there is a higher propensity for problems. He went on to explain that marijuana is just like cash in many parts of the country, as can be seen with the problem that has been created in Mexico. “My swat team member and I have been trying to help mitigate any potential problems ahead of time with the dispensaries. I cannot share the plan with the public because there are police response plans in there,” he said. He offered to share the plan with the Council with the understanding that it can’t be given out to the public. It is the response plan now in place for the dispensary IVCHT on Ramon Road in Thousand Palms. He will do what the Board of Supervisors want and what his Chief wants, he said, in enforcing the law. He commented that what he is here to do either way is to make sure people are safe. “When my people in Riverside give me my marching orders I will follow them,” he said. Roy Nokes stated that if all of these dispensaries are forced underground we will have to create more prisons and we’ll be creating more criminals.” Attendee Thomas Hughes said that he thinks the District Court of Appeals has thrown out the bans so even if this County decides to ban marijuana it will not be able to do so. Sullivan said that he is simply a servant of the court and it is way above his pay grade to decide whether this is a law that needs to be enforced or not. Gialdini said that marijuana dispensaries are now illegal in the

		<p>County and things will be litigated in the courts but it is his guess that things will probably be left as they are until they are litigated in the courts. Attendee Israel Esmeralda said that if the County continues to allow these they will flood in here and why not houses of prostitution as well? He said, "The kids are getting hooked on drugs and the parents are having trouble curbing it, now the County isn't stopping it?" He said that it gives the impression that the County is "in cahoots" with the drug dealers. Attendee Michael Ascani asked if he can have the addresses of the dispensaries. Martin Caswell, owner of the marijuana dispensary in Thousand Palms Plaza, said he would provide them to him. Hughes said that they have a right to do what they are doing and that thousands of taxpayer dollars will be spent on many other governmental activities to curb the sales. Caswell said that he'd help to put people at ease any way he can.</p>
	C.	Code Enforcement
		Reporting: Riverside County Code Enforcement Supervisor II Dave Lawless
		Enforcement of Marijuana Dispensary Shutdown
		<p>Lawless said that as Gialdini stated, the County repealed the medical marijuana ordinance and will simply outlaw medical marijuana. Lawless said it remains to be demonstrated how this is to be enforced. Attendee Don Donnelly asked why the Federal laws are not being enforced by local authorities. Lawless said he doesn't understand it either and it is difficult since the Federal Government says it's illegal while the State says it is and the County says it won't be permitted. He said that we have various ways other than citations to deal with this. Attendee Hughes said that U.S. Attorney General Eric Holder has stated that the Federal Government will not enforce the prohibition of medical marijuana. Caswell stated that L.A. County had the same situation and a judge told them to do what they want. Donnelly asked Caswell how, when the County has outlawed this, can any individual go against that? Gialdini said that the Supervisor's office will decide by January how it will be enforced. He said that some people are for it and some against it but right now in Thousand Palms they are not allowed to operate.</p>
	D.	CalFire/Roy Wilson Fire Station in Thousand Palms
		Reporting: Chief Pete Blakemore
		For the month of Nov. there were 90 responses. The majority were for medical support and traffic accidents. The new station can report that its average response time was still 3.5 minutes. Your area is protected by the Roy Wilson Fire Station.
		a) Report from Cal Fire on Willits (correction: Willis) Palms Burning Down
		<p>Blakemore said that on Friday, Nov. 26, the Department responded to the Willits Palms fire within the Coachella Valley Preserve. He said that access is very difficult and all the dirt roads are locked with federal locks. "The actual roads that we did have in there were not close enough so we had to do the best we could to put it out." Nevertheless, he said, the majority of the historic palms did burn. The BLM responded with their chief officer and a few others as it is really the BLM's responsibility. Nokes said that a 3.5 minute response time is pretty good but in the days he was Fire Captain they did it in one minute and a half. Blakemore said that the BLM has not come out with a report stating the cause. Offering further explanation, he said that between the road and the trees there are 1,000 feet. The most effective way to put out a fire like that is water and the fire trucks could get closer than 1,500 feet with their hoses. They were eventually able to get trucks up closer after about an hour. Nokes said that he was out there but the trees were burning so rapidly that even if they'd been able to get closer the firemen would not have been able to put them out. On the positive side, Nokes said that palm trees survive pretty well, even if they're burned badly.</p>

UNFINISHED BUSINESS	A.	Architectural Theme for Thousand Palms (Not in Attendance)
	B.	Report on Cathedral City Council vote to take spheres over all of Thousand Palms, minus the species habitat areas
		Reporting: Patricia Saleh
		a) Discussion on confusion on Nov 18 Thousand Palms Community Council vote regarding Cathedral City SOI west of Rio Del Sol.
		<p>Saleh said that one of the Thousand Palms Community Council members was confused when casting her vote on the motion Saleh made during the November 18, 2010 Thousand Palms Community Council Meeting that the Council support the Cathedral City Sphere of Influence as long as it is over all of Thousand Palms. On November 18, Chairman Esposito reported that the vote was three to two in favor of the motion. Because Esposito thought she'd voted one way but reported that she'd voted another, Saleh moved that a roll call vote be taken to clarify the Thousand Palms Community Council vote on the motion she made on Nov. 18, 2010 that the Council support the Cathedral City Sphere of Influence as long as it is over all of Thousand Palms. The motion to take a roll-call vote was seconded by Nokes. Discussion followed.</p> <p>Chairman Esposito apologized that she misunderstood the vote and said that she would like to correct her vote. Bob Alcumbrac stated that since Cathedral City has come into our community they are short of money and they want to pick a plum to rectify this situation. He said that the Chamber has endorsed this and they have a track record of endorsing the wrong thing. In the past they voted to approve an auto auction a few hundred feet from the Circle K. Adding to this, he said, he was in Tucson and saw an article on the crime and gangs in Cathedral City.</p> <p>Thomas Hughes said that he has been studying this since 2009 and that Thousand Palms does not have a constitutional right to form our own city. Alcumbrac went on to say that the County has treated us well. He said that the country clubs and the Chamber have been trying to run Thousand Palms for a long time. Saleh called the question to temporarily stop the discussion since it didn't pertain to her motion. Gialdini said that Esposito didn't have to call the question. Attendee Pam McKay said that she was surprised to find out that we don't automatically have the right to vote on being annexed to a city. Esposito said that we do have the right to vote. Saleh corrected her in that George Spiliotis of the Local Agency Formation Commission said this is a protest situation. If people don't protest, the annexation will go through. Gialdini reminded people that this is a sphere of influence not an annexation. He further gave an explanation how the spheres would be heard. Nokes said that he has been called a turncoat because he has been fighting other cities taking spheres over parts of Thousand Palms (TP) and he abstained from voting during the Nov. 18 meeting only to change his mind before the Cathedral City Council and say that he now supports Cathedral City (CC) taking a sphere over all of Thousand Palms. He said that he has been to Planning Department meetings and LAFCO hearings and he has nothing against the County. He said, "My vote wasn't against Riverside County it was a vote for choice in that this is the first chance we've ever had to become a part of a city. If people don't want to be annexed then we have the right to protest."</p> <p>Esposito asked the Council members if anyone could tell her exactly how much Thousand Palms has to gain financially from Cathedral City. Nokes said that CC has people going out to actively seek and help retail businesses. Saleh said that there is no exact way to know how much Thousand Palms will gain financially in that these will be two communities joining to work together toward a better future for both. She said that the County has done a lot for Thousand Palms but it is not</p>

set up to build future cities. It uses the County areas to complement the cities. The County, she said, is not there to promote development or businesses in a community like Thousand Palms but a city is. She said that property values would likely improve with the focus on Thousand Palms by CC. Ascani asked what the procedure is for community members to protest. Saleh explained what Spiliotis said about uninhabited and inhabited annexations and how petitions and letters would have to be collected protesting an annexation representing 50% of landowners owning 50% of the assessed value in a proposed uninhabited annexation (less than 12 registered voters living there) to stop an uninhabited annexation, and in inhabited annexations it would require getting 25% or more (up to 50 %) of the registered voters in the proposed annexation area to protest to trigger an election on the annexation, or getting 25% of the landowners owning 25% of the assessed value of all the land in the proposed annexation area to protest to trigger an election. If 50% of the registered voters or 50% of the landowners owning 50% of the assessed value of the land in the proposed annexation area protest, the annexation would be defeated. Or, if it goes to a vote and 51% of the registered voters say no it will be defeated. She said that if Ascani decides to lead a protest she will provide him with all the information he needs as to how to go about it.


Cathedral City Councilman Greg Pettis explained that the second sphere will probably go before LAFCO in September 2011. He said that in his estimation Cathedral City can do all the work necessary to ask for annexation by 2014. Esmeralda wanted to clarify that an application for 4,100 acres does not mean CC will automatically ask for the second sphere. Pettis said that staff has already started preparing the second request.

Esmeralda said that when Desert Hot Springs annexed an area around Dillon Road people's taxes went up from \$2,100 to \$22,000 dollars for police and fire. Pettis answered that CC doesn't have districts like Desert Hot Springs does. He said that Cathedral City would have to ask the people to vote for an increase in taxes, whether it's citywide or in a particular neighborhood.

Nokes clarified that nothing changes as to revenue going to the County until annexation is approved. All services and taxes would still be governed by the County until annexation. Donnelly said that he takes Pettis at his word but he can see why some people are a little nervous because he was there when CC voted on the sphere and he wants to know why CC can't change the original sphere to include all of Thousand Palms to show that TP is protected in that all of the community will be taken in. Cathedral City Community Outreach and Development Director Andy Hall said that he contacted Spiliotis about how CC can show good faith to TP. Spiliotis said that CC can apply for the second sphere before January 27, 2011. He said that LAFCO has already done all of their research over the last almost three years and Spiliotis doesn't want to have to let that work go to waste. However, Pettis said that at the public hearing CC could ask for the sphere to be amended to include all of Thousand Palms and Donnelly said he liked that.

Desert Edge Community Council Chairman Cindy Nance stated that as an outside community her Council will be writing a letter to LAFCO in support of Thousand Palms remaining in the County on the basis that the outlying communities would have "no more information coming from the County and we'd be cut off as islands." She said that she would also be sending a letter to CC on this as well. Gialdini said that there will be no effect whatsoever on Desert Edge (DE) or Sky Valley (SV) and they are separated from TP by the mountains. Nance said that Sky Valley and Desert Edge would like to be annexed by Thousand Palms if TP became a city. She said that SV and DE are concerned with CC's record of maintaining its own streets and fire services. She said that this is the geographic center of the

		<p>Coachella Valley and if it were to be blighted it would have an effect on the whole valley. She knows it would take a long time for annexation to happen but those are her concerns. Hughes said that according to his research the Knox Reorganization Act of 2004 states that cities have to do financial studies, ecological studies and it will take at least two years to do those studies before annexation could occur. Annexation is a lot more expensive, he said.</p> <p>Hall responded that although some people have stated that CC is broke it is far from it. Cathedral City has a problem with its general fund because sales tax revenues have dropped in half since the recession, but all of the other departments are in good shape. As to the roads being in bad shape, he said that the CC Council has just allocated funds to repair Ramon Road because it does need it. Cathedral City, he said, has gone through a lot of similar things to what Thousand Palms is going through now in that their city grew up with County zoning just like Thousand Palms has and they've had to retrofit to correct these problems in many cases. He said that people ask him, "Why take Thousand Palms?" and he tells them that he thinks Cathedral City can benefit from adding Thousand Palms and that Thousand Palms can benefit from being part of Cathedral City. It's for you [the people of Thousand Palms] to decide what's best for Thousand Palms as we decide what's best for CC.</p> <p>Nokes said that he'd like to go back over how this whole thing started when outside interests decided what should happen to Thousand Palms years ago by buying up land to the east and LAFCO allowing more spheres of influence. He said, the only way he thinks Thousand Palms can thrive is to become part of CC or be cut down in size by people who don't own one square inch of property here right now.</p> <p>Pettis introduced recently elected Cathedral City City Councilman Sam Toles who said that Cathedral City is looking forward to working with Thousand Palms.</p> <p>Saleh called the question and Esposito took a roll call vote: Nokes voted yes; Alcumbrac voted no; Saleh voted yes; and Esposito voted no. The vote was two to two. There was no action taken on taking a roll call vote to clarify the vote on the November 18, 2010 motion to support the Cathedral City sphere as long as it is over Thousand Palms. The November 18, 2010 vote stands as 3 to 2 vote in favor of the Cathedral City sphere over all of Thousand Palms.</p>
NEW BUSINESS	A.	DISCUSSION on plans to repave Varner Road from Ramon to Rio Del Sol AND Rio Del Sol from Varner to Vista Chino. Information only.
		Reporting: Michael Gialdini
		Riverside County will be doing a lot of work on repaving Varner from Ramon to Rio del Sol AND Rio del Sol from Varner to Vista Chino.
	B.	REQUEST to construct a commercial warehouse/office building of 3,500 sq ft with a height of 26 ft for a landscape maintenance business with equipment storage and truck parking northerly of Del Norte Way and east of Rio Del Sol at the terminus of Watt Court
		Reporting: Bob Alcumbrac
		Alcumbrac moved to approve in concept. Nokes seconded. Motion carried.
	C.	VOTE on changing the next Council meeting date due to the Cathedral City LAFCO hearing being held on January 27, 2011.

		Nokes suggested that the Council choose to meet January 20, 2011, instead of Jan. 27, 2011 so people can get an update on the Sphere before the LAFCO hearing. Saleh moved to change the meeting day to Jan. 20, 2011 instead of Jan. 27. Roy seconded. Motion carried.
PUBLIC COMMENTS		Crossing Guard for Della Lindley School
		Reporting: Patricia Saleh
		No action has been taken. The Della S. Lindley School Parent Teachers Group reported to her that the safety problems in front of the school still exist. Gialdini said it's up to the parents to do something.
		Donnelly said that he has become aware of the fact that Thousand Palms Community does not have an Emergency Preparedness Plan and he thinks the Council should discuss this at the next agenda. Saleh announced that Donnelly has volunteered to be the coordinator of the first Emergency Preparedness Committee outside of the country clubs. This discussion will be placed on the next agenda.
COMMITTEE REPORTS	A.	Desert Recreation District Report
		Reporting: Manny Rujo , temporary Thousand Palms Community Center Coordinator
		Rob is still out ill but he is working half days. Participation in Community Center activities remains good. The participants are as follows: Youth soccer, 45 participants; Zumba, 23 participants; Afterschool, 23 participants and they will be off two weeks in December for the holidays; Karate, 22 participants; and Tae Kwando, 23 participants. The Pet Parade and Adoption Event has been cancelled because during the holiday season there are not enough volunteers.
	B.	Thousand Palms Library (Not in attendance)
PUBLIC ANNOUNCEMENTS		Esmeralda reported that the Coachella Valley Water District has ruled that fire sprinkler systems will be required in new homes after Jan. 1, 2011
AGENDA ITEMS FOR NEXT MEETING		LAFCO Hearing on first Cathedral City sphere request set for Jan. 27, 2010
ADJOURN MEETING		Nokes moved to adjourn. Alcumbrac seconded. Adjourned at 7:55 PM.
NEXT MEETING		January 20, 2011, 6:00 PM
		Respectfully submitted,  Patricia Saleh, Thousand Palms Community Council Secretary, 760-343-2440