



CITY OF DESERT HOT SPRINGS

REGULAR MEETING OF THE CITY COUNCIL And the City Council Serving as the Successor Agency to the Redevelopment Agency Board

ACTION MINUTES

APRIL 7, 2020

5:30 P.M. – CLOSED SESSION

6:00 P.M. – REGULAR SESSION

**VIA VIDEOCONFERENCE
Desert Hot Springs, California**

This meeting was held pursuant to Executive Orders N-25-20 and N-29-20 issued by Governor Newsom. The City Council and Staff were participated remotely.

CLOSED SESSION - 5:30 P.M.

CALL TO ORDER

Mayor Matas called the Closed Session to order at 5:30 P.M.

ROLL CALL

Present:

Council Member: Russell Betts (via videoconference)
Council Member: Gary Gardner (via videoconference)
Council Member: Jan Pye (via videoconference)
Mayor Pro Tem: Robert Griffith (via videoconference)
Mayor: Scott Matas (via videoconference)

PUBLIC COMMENTS

None.

Jennifer Mizrahi, City Attorney, announced the Closed Session item.

CLOSED SESSION:

1. **CONFERENCE WITH LEGAL COUNSEL—ANTICIPATED LITIGATION**

Initiation of litigation pursuant to paragraph (4) of subdivision (d) of Section 54956.9: One Potential Case

REGULAR SESSION - 6:00 P.M.

CALL TO ORDER

Mayor Matas called the Regular Session to order at 6:00 P.M.

ROLL CALL

Present:
Council Member: Russell Betts (via videoconference)
Council Member: Gary Gardner (via videoconference)
Council Member: Jan Pye (via videoconference)
Mayor Pro Tem: Robert Griffith (via videoconference)
Mayor: Scott Matas (via videoconference)

INVOCATION

Pastor Kephyan Sheppard gave the Invocation.

PLEDGE OF ALLEGIANCE

Council Member Gardner led the Pledge of Allegiance.

CITY ATTORNEY REPORT ON CLOSED SESSION

Jennifer Mizrahi, City Attorney, advised that the City Council voted 5-0 to commence litigation.

APPROVAL OF THE AGENDA

Action: Betts moved to approve the April 7, 2020 Regular Meeting agenda; and approve the Consent Calendar in its entirety (Mayor Pro Tem Griffith abstained from the March 3, 2020 Minutes), motion seconded by Gardner, motion carried 5/0 by the following vote:

Vote: AYES: 5 - Betts, Matas, Pye, Gardner, Griffith
Passed NOES: 0 - (None)

PUBLIC COMMENTS

There were no public comments.

CITY MANAGER REPORT

Doria Wilms, Assistant City Manager, reported on operational changes due to the various COVID-19 orders.

Daniel Porras, Public Works Director, provided an update regarding Phase II of the Palm Drive Lighting and Safety Improvements project; and the traffic signal projects.

MAYOR AND COUNCIL MEMBER REPORTS

Council Member Gardner reported on the various meetings he attended.

Council Member Pye reported on the various meetings she attended.

Council Member Betts reported on the various meetings he attended.

Mayor Pro Tem Griffith reported on the various meetings he attended.

Mayor Matas reported on the various meetings he attended.

PUBLIC HEARINGS:

2. [Development Permit No. 09-19: An Application to Develop and Complete the Remaining 73 Vacant Lots Within the Agua Dulce Residential Development Tract Map No. 32421](#)

Community Development Director, Rebecca Deming

- Recommendation:**
- 1) Staff Report
 - 2) Entertain questions of Staff from the City Council;
 - 3) Open Public Hearing;
 - 4) Take testimony from Applicant;
 - 5) Take public testimony for those in favor;
 - 6) Take public testimony from those opposed;
 - 7) Take public testimony from those in a neutral position;
 - 8) Opportunity for Applicant rebuttal;
 - 9) Close the Public Hearing
 - 10) City Council discussion and questions to Staff; and
 - 11) Approve Development Permit No. 09-19 to complete 73 vacant lots within the Agua Dulce Residential Development Tract Map No. 32421.

Council Member Pye recused due to a separate contract relationship with the applicant under the Palm Springs Cemetery District.

Rebecca Deming, Community Development Director, presented the staff report and responded to questions.

Mayor Matas opened the Public Hearing.

Leslie Stiles (representing applicant Mario Gonzales) addressed the City Council and responded to questions.

There was no public testimony.

Mayor Matas closed the Public Hearing.

Action: Gardner moved to approve staff recommendation, motion seconded by Betts, motion carried 4/0 by the following roll call vote:

Vote: AYES: 4 - Betts, Matas, Gardner, Griffith
Passed NOES: 0 - (None)
RECUSED: 1 - Pye

ADMINISTRATIVE CALENDAR:

3. **[Lighting and Landscape Maintenance Districts and Drainage Assessment District Initiate Proceedings for the FY 2020-21 Levy and Collection of Assessment](#)**

Finance Director, Geoffrey Buchheim

Recommendation: 1) Adopt a Resolution of the City Council initiating proceedings for the levy and collection of assessments for the Citywide Landscape and Lighting Maintenance District No. 1, Zone A and Zone B for Fiscal Year 2020-21;
2) Adopt a Resolution of the City Council initiating proceedings for the levy and collection of assessments for the Landscape and Lighting Maintenance District No. 2 for Fiscal Year 2020-21; and
3) Adopt a Resolution of the City Council initiating proceedings for the levy and collection of assessments for the Drainage Assessment District No. 1 for Fiscal Year 2020-21.

Geoffrey Buchheim, Finance Director, presented the staff report for the Citywide Landscaping and Lighting Maintenance District Zones A and B.

Action: Gardner moved to approve staff recommendation and adopt *Resolution No. 2020-009 (Citywide LLMD No. 1 Zones A and B)*, motion seconded by Griffith, motion carried 5/0 by the following roll call vote:

Vote: AYES: 5 - Betts, Matas, Pye, Gardner, Griffith
Passed NOES: 0 - (None)

Mayor Matas and Council Member Betts recused from the proceedings for Landscape and Lighting Maintenance District No. 2 and Drainage Assessment District No. 1. Both own property within the Districts.

Mayor Pro Tem Griffith assumed the Chair.

Geoffrey Buchheim, Finance Director, presented the staff report for Landscape and Lighting Maintenance District No. 2.

Action: Gardner moved to approve staff recommendation and adopt *Resolution No. 2020-010 (Landscape and Lighting Maintenance District No. 2)*, motion seconded by Pye, motion carried 3/0 by the following roll call vote:

Vote: AYES: 3 - Pye, Gardner, Griffith
Passed NOES: 0 - (None)
RECUSED: 2 - Betts, Matas

Geoffrey Buchheim, Finance Director, presented the staff report for Drainage Assessment District No. 1.

Action: Pye moved to approve staff recommendation and adopt *Resolution No. 2020-011 (Drainage Assessment District No. 1)*, motion seconded by Gardner, motion carried 3/0 by the following roll call vote:

Vote: AYES: 3 - Pye, Gardner, Griffith
Passed NOES: 0 - (None)
RECUSED: 2 - Betts, Matas

4. Mid-Year Budget Adjustments for the 2019-2020 Fiscal Year

Finance Director, Geoffrey Buchheim

Recommendation: Approve the mid-year budget adjustments for the 2019-2020 Fiscal Year.

Geoffrey Buchheim, Finance Director, presented the staff report and responded to questions.

A discussion ensued.

Greg Rodriguez spoke regarding the Coachella Valley Collaborative on Homelessness, a joint project between the County Supervisor Manuel Perez' Office and the Coachella Valley Association of Governments (CVAG); and requested the City to maintain the CVAG homelessness budget line item of \$103,000.

A discussion ensued.

Action: Gardner moved to approve staff recommendation and direct Staff to reduce the marijuana reserve fund transfer by \$103,000 for FY 2019-20 to cover the CVAG homelessness contribution, motion seconded by Griffith, motion carried 5/0 by the following vote:

Vote: AYES: 5 - Betts, Matas, Pye, Gardner, Griffith
Passed NOES: 0 - (None)

5. [Resolution Consenting to the Enforcement and Observation of All Orders and Quarantine Regulations by the California Department of Public Health and Statutes Relating to Public Health by the County Health Officer of Riverside County](#)

City Attorney, Jennifer Mizrahi

Recommendation: Adopt a Resolution of the City Council consenting to the enforcement and observation of all orders and quarantine regulations by the California Department of Public Health and statutes relating to public health by the County Health Officers of Riverside County.

Jennifer Mizrahi, City Attorney, presented the staff report and responded to questions.

Amy Andrews Gray spoke regarding 5G wireless and COVID-19.

Action: Gardner moved to approve staff recommendation and adopt *Resolution No. 2020-012*, motion seconded by Betts, motion carried 5/0 by the following roll call vote:

Vote: AYES: 5 - Betts, Matas, Pye, Gardner, Griffith
Passed NOES: 0 - (None)

6. [An Ordinance of the City Council to Establish a Board to Hear Appeals Involving California Building Code Issues](#)

City Attorney, Jennifer Mizrahi

Recommendation: Introduce for First Reading and read by title only: "An Ordinance of the City Council of the City of Desert Hot Springs, California 1) Adding Chapter 2.72 "Appeals Board" to Title 2 "Administration and Personnel,"; 2) Amending Section 4.16.085 "Public Nuisance Hearing"; 3) Amending Various Sections of Chapter 4.16.110 "Procedures for Appeal of a Notice of Public Nuisance and Order to Abate" of Title 4 "Public Nuisances"4) and Amending Various Sections of Chapter 15.04 "Building Code" of Title 15 "Buildings and Construction" of the Desert Hot Springs Municipal Code in Order to Establish a Board to Hear Appeals Involving California Building Code Issues."

Item 6 was withdrawn from the agenda. No action was taken.

CONSENT CALENDAR:

7. [City Council Regular Meeting Minutes: March 3, 2020](#)

City Council Emergency Meeting Minutes: March 18, 2020

City Council Emergency Meeting Minutes: March 26, 2020

City Council Emergency Meeting Minutes: March 27, 2020

City Clerk, Jerry Soriano, CMC

Recommendation: Approve the Minutes as presented; or as corrected.

Mayor Pro Tem Griffith abstained from approval of the March 3, 2020 Minutes.

8. **Resolution Authorizing Application for, and Receipt of, Local Government Planning Support Grant Program Funds**

Community Development Director, Rebecca Deming

Recommendation: Adopt a Resolution of the City Council of the City of Desert Hot Springs Authorizing Application for, and Receipt of, Local Government Planning Support Grant Program Funds.

Resolution No. 2020-013

9. **Treasurer's Report for the Month of January 2020**

Finance Director, Geoffrey Buchheim

Recommendation: Receive and file.

10. **Payment Register and City Council Expenditures Report for the Month of January 2020**

Finance Director, Geoffrey Buchheim

Recommendation: Receive and file.

PUBLIC COMMENTS

None.

ADJOURN

Mayor Matas adjourned the meeting at 7:33 P.M.

Jerryl Soriano, CMC, City Clerk