



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

JUNE 4, 2019

5:30 P.M. – CLOSED SESSION

6:00 P.M. – REGULAR SESSION

CITY COUNCIL CHAMBERS
Carl May Community Center
11711 West Drive, Desert Hot Springs, California

CLOSED SESSION - 5:30 P.M.

CALL TO ORDER

Mayor Matas called the Closed Session to order at 5:32 P.M.

ROLL CALL

Present:

Council Members: Russell Betts, Gary Gardner, Anayeli Zavala
Mayor Pro Tem: Jan Pye
Mayor: Scott Matas

PUBLIC COMMENTS

There were no comments.

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

CLOSED SESSION:

1. [CONFERENCE WITH LEGAL COUNSEL—EXISTING LITIGATION](#)
(Paragraph (1) of subdivision (d) of Section 54956.9) Name of case: Sungrow
Consulting v. City of Desert Hot Springs, et al., Riverside County Superior Court
Case No. PSC1800747

2. **CONFERENCE WITH LEGAL COUNSEL—EXISTING LITIGATION**
(Paragraph (1) of Subdivision (d) of Government Code Section 54956.9)
Name of Case: Garcia et al v. City of Desert Hot Springs– Pending Litigation
Riverside Superior Court Case Number: PSC 1807458

RECESS

REGULAR SESSION - 6:00 P.M.

CALL TO ORDER

Mayor Matas called the Regular Session to order at 6:20 P.M.

ROLL CALL

Present:
Council Members: Russell Betts, Gary Gardner, Anayeli Zavala
Mayor Pro Tem: Jan Pye
Mayor: Scott Matas

INVOCATION

The Invocation was given by a representative of the Ministerial Fellowship. (Name was not provided)

PLEDGE OF ALLEGIANCE

Council Member Zavala led the Pledge of Allegiance.

CITY ATTORNEY REPORT ON CLOSED SESSION

Jennifer Mizrahi, City Attorney, advised that there was no reportable action.

APPROVAL OF THE AGENDA

Action: Gardner moved to approve the June 4, 2019 Regular Meeting agenda; and approve the Consent Calendar in its entirety, motion seconded by Zavala, motion carried 5/0 by the following vote:

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

PUBLIC COMMENTS

Eddie Johnson spoke regarding the Memorial Day Ceremony.

Donna Wardean spoke regarding the State of the City event; Eddie Johnson; and the Memorial Day Ceremony.

Yosely Sanchez spoke regarding Grid Alternatives.

Kenny Dickerson spoke regarding Development Impact Fees.

Brad Anderson spoke regarding the Coachella Valley Mosquito and Vector Control District.

Rene Hickey requested update regarding the Wardman Park Pool.

Rosie Terry expressed concerns regarding teenager behavior near the Senior Center.

Judy Shea spoke regarding the Senior Center.

David Nunn spoke regarding the Coachella Valley Disaster Preparedness Network.

Joe Wallace spoke regarding the Coachella Valley Economic Partnership.

CITY MANAGER REPORT

Danny Porras, Public Works Director, provided updates regarding the safety improvement projects along Palm Drive.

MAYOR AND COUNCIL MEMBER REPORTS

Mayor Pro Tem Pye reported on the various meetings and events she attended.

Council Member Zavala reported on the various meetings and events she attended.

Council Member Betts reported on the various meetings and events he attended.

Council Member Gardner reported on the various meetings and events he attended.

Mayor Matas reported on the various meetings and events he attended.

PUBLIC HEARINGS:

- [Resolution Ordering Annual Assessments for Desert Valley Disposal Solid Waste Refuse Services of Residential Properties for Fiscal Year 2019-20](#)**
Acting Finance Director, Geoffrey Buchheim
Recommendation: 1) Staff Report;

- 2) Entertain questions of Staff from the City Council;
- 3) Open the Public Hearing;
- 4) Take testimony;
- 5) Close the Public Hearing; and
- 6) City Council discussion and questions of Staff; and
- 7) Adopt a Resolution of the City Council ordering annual assessment for Desert Valley Disposal Solid Waste Refuse Services of residential properties for Fiscal Year 2019-20.

Geoffrey Buchheim, Acting Finance Director, presented the staff report.

Chris Cunningham, Desert Valley Disposal, responded to questions.

Mayor Matas opened the Public Hearing.

There was no testimony.

Mayor Matas closed the Public Hearing.

Action: Gardner moved to approve staff recommendation and adopt *Resolution No. 2019-027*, motion seconded by Zavala, motion carried 5/0 by the following vote:

<u>Vote:</u>	AYES: 5 - Zavala, Betts, Matas, Pye, Gardner
Passed	NOES: 0 - (None)

4. (Continued from May 7, 2019) Creating Special Tax Area 41 (Lenwood Hospitality Center, LLC) for APN 665-030-051 Located North of San Gorgonio Lane and East of Little Morongo Road Within the Desert Hot Springs Special Public Safety Tax Area

Acting Finance Director, Geoffrey Buchheim

- Recommendation:**
- 1) Staff report;
 - 2) Entertain questions of Staff from the City Council;
 - 3) Open the Public Hearing;
 - 4) Take public testimony;
 - 5) Close the Public Hearing;
 - 6) City Council discussion and questions of Staff;
 - 7) Hold the election;
 - 8) Canvass the election; and
 - 9) Adopt an Ordinance establishing Special Public Safety Tax Area Zone 41 (Lenwood Hospitality Center, LLC).

Geoffrey Buchheim, Acting Finance Director, presented the staff report.

Mayor Matas opened the Public Hearing.

There was no testimony.

Mayor Matas closed the Public Hearing.

Action: Gardner moved to approve staff recommendation and adopt *Ordinance No. 687*, motion seconded by Zavala, motion carried 4/1 by the following vote:

Vote: AYES: 4 - Zavala, Matas, Pye, Gardner
Passed NOES: 1 - Betts

5. [\(Continued from May 7, 2019\) Creating Special Tax Area 42 \(Lenwood Hospitality Center, LLC\) for APN 665-030-052 Located North of San Gorgonio Lane and East of Little Morongo Road Within the Desert Hot Springs Special Public Safety Tax Area](#)

Acting Finance Director, Geoffrey Buchheim

Recommendation: 1) Staff Report;
2) Entertain Questions of Staff from the City Council;
3) Open the Public Hearing;
4) Take Public Testimony;
5) Close the Public Hearing;
6) City Council discussion and questions of Staff;
7) Hold the election;
8) Canvass the election; and
9) Adopt an Ordinance establishing Special Public Safety Tax Area Zone 42 (Lenwood Hospitality Center, LLC).

Geoffrey Buchheim, Acting Finance Director, presented the staff report.

Mayor Matas opened the Public Hearing.

There was no testimony.

Mayor Matas closed the Public Hearing.

Action: Zavala moved to approve staff recommendation and adopt *Ordinance 688*, motion seconded by Gardner, motion carried 4/1 by the following vote:

Vote: AYES: 4 - Zavala, Matas, Pye, Gardner
Passed NOES: 1 - Betts

ADMINISTRATIVE CALENDAR:

6. [Applications for Fireworks Stand Permits](#)

Community Development Director, Rebecca Deming

Recommendation: Consider a recommendation from the Fireworks Committee to:
1) Make exceptions to Desert Hot Springs Municipal Code Chapter 8.28 and approve all six (6) applications, subject to conditions of approval; OR
2) Approve the four (4) applications in compliance with Municipal Code.

Rebecca Deming, Community Development Director, presented the staff report; and advised that a withdrawal request was received from Rock of Salvation Apostolic Church.

Action: Betts moved to approve fireworks stand permit applications for: 1) Victoria Outreach; 2) Souls Praising Heaven; 3) Lily of the Valley; 4) DHS Eagles Football; and 5) DHS Little League; subject to City and Fire Department Conditions of Approval; and add a condition a flyer regarding illegal fireworks shall be posted and available for review by all patrons, motion seconded by Gardner, motion carried 5/0 by the following vote:

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

7. [Authorization of Future Credits for Community Development Applications and Permits](#)

Community Development Director, Rebecca Deming

Recommendation: Approve a credit in the amount of \$60,000 for Community Development applications and permits, subject to the proposed conditions.

Council Members Betts and Gardner recused due to a potential conflict of interest.

Rebecca Deming, Community Development Director, presented the staff report.

Action: Pye moved to approve staff recommendation, motion seconded by Zavala, motion carried 3/0 by the following vote:

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

8. [Coachella Valley Association of Governments \(CVAG\) Alan Seman Bus Pass Program](#)

City Clerk, Jerryl Soriano, CMC

Recommendation: Consider a request from CVAG to contribute \$3,000.00 towards the Alan Seman Bus Pass Program for FY 2019-20.

Action: Betts moved to approve a contribution in the amount of \$3,000 towards the Alan Seman Buss Pass Program for FY 2019-20, motion seconded by Zavala, motion carried 5/0 by the following vote:

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

9. [Temporary Staffing Services](#)

Human Resources Director, Pam Meuse

Recommendation: 1) Authorize the City Manager to execute an Amendment to the Professional Services Agreement with G&M Hire Enterprises Inc., extending the agreement for an additional three years through June 30, 2022 and increasing the contract by an additional \$150,000;
2) Authorize the City Manager to execute an Amendment to the Professional Services Agreement with Robert Half International, LLC, extending the agreement for an additional three years through June 30, 2022, and increasing the contract by an additional \$150,000; and
3) Allow the City Manager to make substantive changes to the above agreements with approval as to form by the City Attorney.

Pam Meuse, Human Resources Director, presented the staff report.

Action: Pye moved to approve staff recommendation, motion seconded by Gardner, motion carried 5/0 by the following vote:

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

CONSENT CALENDAR:

10. [City Council Regular Meeting Minutes: May 21, 2019](#)

City Council Special Meeting Minutes: May 24, 2019

City Clerk, Jerryl Soriano, CMC

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

11. [Desert Valley Disposal Re-Investment Payment and Extension of Term of the Franchise Agreement](#)

Acting Finance Director, Geoffrey Buchheim

Recommendation: Approve a Minute Motion to accept a request from the Desert Valley Disposal for Re-Investment Payment and Extension of Term of the Franchise Agreement

PUBLIC COMMENTS

None.

ADJOURN

Mayor Matas adjourned the meeting at 7:44 P.M.

Jerryl Soriano, CMC, City Clerk