



## **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 2, 2019**

#### **4:30 P.M. – STUDY SESSION**

##### **CLOSED SESSION**

**(Immediately Following the Study Session)**

#### **5:30 P.M. – PRESENTATIONS**

#### **6:00 P.M. – REGULAR SESSION**

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

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### **STUDY SESSION - 4:30 P.M.**

#### **CALL TO ORDER**

Mayor Matas called the Study Session to order at 4:31 P.M.

#### **ROLL CALL**

**Present:**

Council Members: Russell Betts; Gary Gardner; Anayeli Zavala

Mayor Pro Tem: Jan Pye

Mayor: Scott Matas

#### **STUDY SESSION:**

1. **Food Truck Ordinance Update**

*Community Development Director, Rebecca Deming*

**Recommendation:** Provide direction to Staff.

Rebecca Deming, Community Development Director, presented options for food trucks.

A discussion ensued.

Following discussion, Staff was directed to bring back an Ordinance for the following categories: 1) private property (commercial and industrial); 2) public property such as parks; 3) special events, city-sponsored events and temporary use permits; and 4) food truck restrictions for residential streets.

## **PUBLIC COMMENTS**

There were no comments.

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

### **CLOSED SESSION** **(Immediately Following the Study Session)**

#### **CLOSED SESSION:**

2. **CONFERENCE WITH LEGAL COUNSEL—EXISTING LITIGATION**  
(Paragraph (1) of Subdivision (d) of Government Code Section 54956.9)  
In the Matter of the Administration of the D.H.S. Drugs, Inc. Profit Sharing Plan  
Riverside Superior Court Case Number: PRIN1801126
3. **CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION**  
(Paragraph (1) of subdivision (d) of Government Code section 54956.9)  
Name of case: City of Desert Hot Springs vs. Stefan Steve Irimescu (66291 Buena Vista) – Pending Litigation  
Riverside Superior Court Case: PSC 1706598

### **PRESENTATIONS - 5:30 P.M.**

4. **Presentation of Vehicle Theft 10851 Awards**  
*Chief of Police, Dale R. Mondary*

Dale Mondary, Chief of Police, presented the awards to Officer, Jason Jimenez; Detective, Christopher Tooth; Sergeant, Daud Chang; Sergeant, Christopher Saucier; and Corporal, Gregory Elias.

## **RECESS**

The City Council recessed at 5:46 P.M.

### **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 Members: Russell Betts; Gary Gardner; Anayeli Zavala  
Mayor Pro Tem: Jan Pye  
Mayor: Scott Matas

## INVOCATION

Angelyah Shalombisha gave the Invocation.

## PLEDGE OF ALLEGIANCE

Council Member Betts 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: Betts moved to approve the April 2, 2019 Regular Meeting agenda, pulling Item 8 from the Consent Calendar, motion seconded by Pye, motion carried 5/0 by the following vote:

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

## PUBLIC COMMENTS

Chris Cunningham, Desert Valley Disposal, gave updates and announced the Citywide curbside cleanup and shredding and e-waste events.

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

Donna Wardean spoke regarding the Women's Club bar-be-que event.

## CITY MANAGER REPORT

Charles Maynard, City Manager, responded to the concern regarding disruptive teenager behavior occurring near the Senior Center.

## MAYOR AND COUNCIL MEMBER REPORTS

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

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

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

## ADMINISTRATIVE CALENDAR:

### 5. First Amendment to the Professional Services Agreement With STK Architecture, Incorporated to Provide Construction Management Services for the City Hall Project

*Public Works Director, Daniel Porras, P.E.*

**Recommendation:** Approve and authorize the City Manager to execute a First Amendment to the Professional Services Agreement with STK Architecture, Inc. for the City Hall Project No. 2019-03 to provide construction management services for increased amount of \$90,128.

Council Member Betts recused due to a potential conflict of interest. Owns property within 500 feet.

Danny Porras, Public Works Director, presented the staff report.

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

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

### 6. Art in Public Places Application No. 01-18: A Request to Make Revisions to the Previously Approved Public Art for the Bunch Palms Trail Project

*Public Works Director, Daniel Porras, P.E.*

**Recommendation:** Consider a recommendation from the Community and Cultural Affairs Commission for approval of the Applicant's proposed changes to the public art for the Bunch Palms Trails Cultivation project located at the southwest corner of Cabot Road and Two Bunch Palms Trail.

Scott Taschner, Senior Planner, presented the staff report.

Gary Devlin spoke in support.

Action: Betts moved to approve recommendation, motion seconded by Zavala, motion carried 5/0 by the following vote:

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

7. **[First Amendment to the Professional Services Agreement With Professional Staffing Team Inc. for Contract Engineering Services](#)**

*Public Works Director, Daniel Porras, P.E.*

**Recommendation:** Approve and authorize the City Manager to execute a First Amendment to the Professional Services Agreement with Professional Staffing Team, Inc. for Contract Engineering Services for an increased amount of \$20,000, for a total not to exceed amount of \$50,000.00.

Danny Porras, Public Works Director, presented the staff report.

Action: Betts 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:**

8. **[City Council Regular Meeting Minutes: March 19, 2019](#)**

*City Clerk, Jerryl Soriano, CMC*

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

Action: Betts moved to approve the Minutes as corrected under Item 1, Cannabis Strategic Plan, to read "it was unanimously agreed to continue to review the Cannabis Strategic Plan with the understanding that it would return in the future for a Study Session and final City Council approval at a Regular City Council meeting, and that it is not yet approved as a formal document" , motion seconded by Zavala, motion carried 2/3 by the following vote:

A discussion ensued.

Vote: AYES: 2 - Zavala, Betts  
Failed NOES: 3 - Matas, Pye, Gardner

Action: Matas moved to approve the Minutes as submitted, motion seconded by Pye, motion carried 4/1 by the following vote:

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

## PUBLIC COMMENTS

Salle Kirby expressed concerns regarding disruptive teenager behavior occurring near the Senior Center.

Angelyah Shalombisha introduced herself and stated there was no citywide prayer meeting.

Catherine Kirkendal spoke regarding the Study Session food truck item and expressed support.

## ADJOURN

Mayor Matas adjourned the meeting at 7:04 P.M.

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Jerryl Soriano, CMC, City Clerk