



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

MAY 19, 2020

3:00 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 participated remotely.

CLOSED SESSION - 3:00 P.M.

CALL TO ORDER

Mayor Matas called the meeting to order at 3:00 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)

PUBLIC COMMENTS

Jerryl Soriano, City Clerk, advised that written comments were received from Brad Anderson regarding Item No. 1; a copy of which was distributed to the City Council and made a part of the record.

CLOSED SESSION:

1. **THREAT TO PUBLIC SERVICES OR FACILITIES**

(Gov. Code section 54957(a).)

Consultation with: Desert Hot Springs Police Department - Chief Henson, or his designee

RECESS

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 Matt Dudley 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: Gardner moved to approve the May 19, 2020 Regular Meeting Agenda; and approve the Consent Calendar in its entirety, motion seconded by Griffith, motion carried 5/0 by the following vote:

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

PUBLIC COMMENTS

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

(Mr. Anderson's comments were heard following "City Manager Report" and prior to "Mayor and Council Member Reports.")

CITY MANAGER REPORT

Doria Wilms, Assistant City Manager, provided an update regarding COVID-19.

Jim Henson, Chief of Police, provided an update regarding COVID-19 testing site at the Lozano Community Center.

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.

Luke Rainey, Deputy City Manager, provided an update regarding traffic flow mitigation at the KMart Shopping Center.

Geoffrey Buchheim, Finance Director, provided an update regarding the status of the City's financial forecast as a result of COVID-19 and the budget development process for FY 2020-21.

Public comment from Brad Anderson was heard at this time.

MAYOR AND COUNCIL MEMBER REPORTS

Council Member Betts reported on the various meetings he attended.

Council Member Pye reported on the various meetings she attended.

Council Member Gardner 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.

ADMINISTRATIVE CALENDAR:

2. [Appointment to the Planning Commission to Fill Vacancy for Unexpired Term City Clerk, Jerryl Soriano, CMC](#)

Recommendation: Ratify Council Member Betts' appointment to the Planning Commission to fill one (1) vacancy consisting of an unexpired term ending January 2022.

Jerryl Soriano, City Clerk, presented the staff report.

A discussion ensued.

Action: Betts moved to continue to the June 2, 2020 Regular City Council meeting, motion seconded by Gardner, motion carried 5/0 by the following vote:

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

3. [An Ordinance Amending the Desert Hot Springs Municipal Code to Clarify and Solidify the Intent of the City Council for Recovery of Attorney's Fees for Nuisance Abatement](#)

City Attorney, Jennifer Mizrahi

Recommendation: Introduce and read by title only: "An Ordinance of the City Council of the City of Desert Hot Springs, California, amending Section 4.04.070 of the Desert Hot Springs Municipal Code to clarify and solidify the intent of the City Council for recovery of attorney's fees for nuisance abatement.

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

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

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

4. [City Council Meeting Schedule for Summer/Winter 2020](#)

City Clerk, Jerryl Soriano, CMC

Recommendation: Approve the proposed City Council Meeting Schedule for Summer/Winter 2020.

Jerryl Soriano, City Clerk, presented the staff report.

A discussion ensued.

Action: Matas moved to approve staff recommendation with the addition of November 3, 2020 (Election Day) to be cancelled, motion seconded by Gardner, motion carried 5/0 by the following vote:

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

5. **Discussion Item: Discussion of Spa Hotel Ordinance**

Council Member, Gary Gardner; and Mayor Pro Tem, Robert Griffith

Recommendation: Consider whether to place an item on a future agenda regarding "Discussion of Spa Hotel Ordinance."

Council Member Gardner and Mayor Pro Tem Griffith presented the report and responded to questions.

Action: Betts moved to approve placement on a future agenda, motion seconded by Gardner, motion carried 5/0 by the following vote:

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

CONSENT CALENDAR:

6. **City Council Regular Meeting Minutes: May 5, 2020**

City Clerk, Jerryl Soriano, CMC

Recommendation: Approve Minutes as presented; or as corrected.

7. **Second Reading and Adoption of an Ordinance Amending Desert Hot Springs Municipal Code Section 17.40.110 Fences, Walls and Hedges**

City Clerk, Jerryl Soriano, CMC

Recommendation: Approve Second Reading, read by title only and adopt: "An Ordinance of the City Council of the City of Desert Hot Springs, California, amending Desert Hot Springs Municipal Code Section 17.40.110 Fences, Walls and Hedges.

Ordinance No. 707

8. **Second Reading and Adoption of an Ordinance Amending the Desert Hot Springs Municipal Code in Order to Establish a Board to Hear Appeals Involving California Building Code Issues**

City Clerk, Jerryl Soriano, CMC

Recommendation: Approve Second Reading, read by title only and adopt: "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 Adding Section 15.03.040 to Chapter 15.03 "Administration" 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.

Ordinance No. 708

9. [Second Reading and Adoption of an Ordinance Disbanding the City's Community and Cultural Affairs Commission](#)

City Clerk, Jerryl Soriano, CMC

Recommendation: Approve Second Reading, read by title only and adopt: "An Ordinance of the City Council of the City of Desert Hot Springs, California, amending Chapter 2.44 of the Desert Hot Springs Municipal Code disbanding the City's Community and Cultural Affairs Commission and granting certain authority to the City Manager or his/her designee."

Ordinance No. 709

10. [Second Reading and Adoption of An Ordinance Amending Chapter 17.180 "Definitions" of Testing Facility, to Allow for Cannabis Facilities That are Licensed by the Federal Government Itself or by the State Government Itself](#)

City Clerk, Jerryl Soriano, CMC

Recommendation: Approve Second Reading, read by title only and adopt: "An Ordinance of the City Council of the City of Desert Hot Springs, Amending Chapter 17.180 "Definitions" of Testing Facility, to Allow for Cannabis Facilities That are Licensed by the Federal Government Itself or by the State Government Itself."

Ordinance No. 710

11. [Second Reading and Adoption of An Ordinance Amending Sections 17.12.080 \(Convenience Stores - Commercial Districts\) And 17.16.060 \(Convenience Stores-Industrial Districts\) of the Desert Hot Springs Municipal Code Regarding Convenience Stores](#)

City Clerk, Jerryl Soriano, CMC

Recommendation: Approve Second Reading, read by title only and adopt: "An Ordinance of the City Council of the City of Desert Hot Springs Amending Sections 17.12.080 (Convenience Stores - Commercial Districts) And 17.16.060 (Convenience Stores-Industrial Districts) of the Desert Hot Springs Municipal Code Regarding Convenience Stores"

Ordinance No. 711

12. [Treasurer's Report for the Month of February 2020](#)

Finance Director, Geoffrey Buchheim

Recommendation: Receive and file.

13. [Treasurer's Report for the Month of March 2020](#)

Finance Director, Geoffrey Buchheim

Recommendation: Receive and file.

14. [Payment Register and City Council Expenditures Report for the Month of February 2020](#)

Finance Director, Geoffrey Buchheim

Recommendation: Receive and file.

15. [Payment Register and City Council Expenditures Report for the Month of March 2020](#)

Finance Director, Geoffrey Buchheim

Recommendation: Receive and file.

PUBLIC COMMENTS

None.

ADJOURN

Mayor Matas adjourned the meeting at 7:11 P.M.

Jerryl Soriano, CMC, City Clerk