



## **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**

**MARCH 5, 2019**

**5:00 P.M. – CLOSED 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**

---

### **CLOSED SESSION - 5:00 P.M.**

#### **CALL TO ORDER**

Mayor Matas called the Closed Session to order at 5:00 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Jennifer Mizrahi, City Attorney, announced the Closed Session Items and requested that Item 2 be withdrawn from the agenda.

**Action:** Betts moved to withdraw Item 2 from the agenda, motion seconded by Pye, motion carried 5/0 by the following vote:

Vote:  
Passed

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

**CLOSED SESSION:**

1. **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
2. **CONFERENCE WITH LEGAL COUNSEL—POTENTIAL INITIATION OF LITIGATION** (Paragraph (4) of subdivision (d) of Section 54956.9) (One Potential Case)

*Item 2 was withdrawn from the agenda.*

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

3. **Introduction and Swearing-In of New Police Officer**  
*Chief of Police, Dale Mondary; and City Clerk, Jerryl Soriano*

Jim Henson, Deputy Police Chief, introduced Officer Anthony Johnston.

Jerryl Soriano, City Clerk, administered the Oath.

4. **Working Scholars / Civic Scholars Presentation**  
*Human Resources Director, Pamela Meuse*

Pamela Meuse, Human Resources Director, introduced Bo Cheli, Program Director.

Bo Cheli, Program Director, presented an overview of the Working Scholars / Civic Scholars program; and responded to questions.

**RECESS**

The City Council recessed at 5:56 P.M.

**REGULAR SESSION - 6:00 P.M.**

**CALL TO ORDER**

Mayor Matas called the Regular Session to order at 6:02 P.M.

## ROLL CALL

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

## INVOCATION

Ron Mumford 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 March 5, 2019 Regular Meeting agenda; and approve the Consent Calendar in its entirety, motion seconded by Gardner, 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 fund raising for the Veterans Wall of Honor.

Mike Picardi gave various updates and announcements.

## CITY MANAGER REPORT

Charles Maynard, City Manager, spoke regarding Eddie Johnson.

## MAYOR AND COUNCIL MEMBER REPORTS

Mayor Pro Tem Pye 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.

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

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

**PUBLIC HEARINGS:**

5. **[An Ordinance Amending Chapter 17.180 Allowing and Setting Parameters for Marijuana Non-Storefront Retail as a Use](#)**

*Deputy City Manager, Luke Rainey*

**Recommendation:** 1) Staff Report;  
2) Entertain questions of Staff from City Council;  
3) Open the Public Hearing;  
4) Take testimony from those in favor;  
5) Take testimony from those opposed;  
6) Take testimony from those in a neutral position;  
7) Close the Public Hearing;  
8) City Council discussion and questions to Staff; and  
9) That the City Council concur with Planning Commission's recommendation to introduce and read by title only, "An Ordinance of the City Council of the City of Desert Hot Springs, amending Chapter 17.180 of the Desert Hot Springs Municipal Code allowing and setting parameters for Marijuana Non-Storefront Retail as a Use and harmonizing certain definitions and uses with State law."

Luke Rainey, Deputy City Manager, presented the staff report.

Mayor Matas opened the Public Hearing.

Jocelyn Kane, Coachella Valley Cannabis Alliance Network (CVCAN), spoke in support.

Ian Christensen spoke in support.

Steven Boyd spoke in support.

Simone Sandoval spoke in support; and expressed concerns regarding ban of sales/delivery to recipients within the City.

Christopher Martinez spoke in favor; and expressed concerns with limiting non-storefront retail to the industrial area.

Larry Loren spoke opposed.

Mayor Matas closed the Public Hearing.

A discussion ensued and Staff responded to questions.

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

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

**ADMINISTRATIVE CALENDAR:**

6. **Appointment to the Community and Cultural Affairs Commission (CCAC) to Fill Vacancy for Unexpired Term**

*City Clerk, Jerryl Soriano, CMC*

**Recommendation:** Ratify Council Member Betts' appointment to the CCAC to fill one (1) vacancy consisting of an unexpired term ending January 2020.

Action: Betts moved to continue to March 19, 2019, 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 to Apply for Grant Funding from the Edward Byrne Memorial Justice Assistance Grant (JAG) Program FY 2018 Local Solicitation Grant Application**

*Dale Mondary, Chief of Police*

**Recommendation:** 1) Authorize the Desert Hot Springs Police Department to submit an Edward Byrne Memorial Justice Assistance Grant (JAG) Program FY 2018 Local Solicitation grant application requesting allocated grant funds for \$15,572.00; and 2) Authorize the City Manager, or his designee, to sign any needed grant application documents and/or contract.

Action: Betts moved to approve staff 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)

8. **Resolution to Adopt the Riverside County Operational Area Multi-Jurisdictional Local Hazard Mitigation Plan**

*City Clerk, Jerryl Soriano, CMC*

**Recommendation:** Adopt a Resolution of the City Council adopting the Riverside County Operational Area Multi-Jurisdictional Local Hazard Mitigation Plan as required by the Federal Disaster Mitigation and Cost Recovery Reduction Act of 2000.

Action: Pye moved to approve staff recommendation and adopt *Resolution No. 2019-006*, motion seconded by Zavala, motion carried 5/0 by the following vote:

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

### **CONSENT CALENDAR:**

9. **City Council Regular Meeting Minutes: February 19, 2019**

*City Clerk, Jerryl Soriano, CMC*

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

10. **Second Reading and Adoption of an Ordinance Approving a Zoning Map Amendment (ZMA 01-18) for the Palm Claire Group Project Located at the Southwest Corner of Palm Drive and Claire Avenue (APN: 657-050-003)**

*Community Development Director, Rebecca Deming*

**Recommendation:** Approve Second Reading, read by title only and adopt, "An Ordinance of the City Council of the City of Desert Hot Springs amending the City's Zoning Map to reflect a change in Land Use Designation from R-R (Rural Residential) to C-N (Commercial Neighborhood) for APN 657-050-003 located at the Southwest corner of Palm Drive and Claire Avenue.

*Ordinance No. 681*

11. **Second Reading and Adoption of an Ordinance Related to Pushcart Vendors, Foot Vendors and Peddlers**

*City Clerk, Jerryl Soriano, CMC*

**Recommendation:** Approve Second Reading, read by title only and adopt: "An Ordinance of the City Council amending Chapter 5.28 "Pushcart Vendors, Food Vendors and Peddlers" of Title 5 "Business Licenses and Regulations" and Section 10.16.090 "Parking by Peddlers and Vendors-Permits" of Chapter 10.16 "Stopping, Standing, and Parking" of Title 10 "Vehicles and Traffic" of the Desert Hot Springs Municipal Code."

*Ordinance No. 682*

### **PUBLIC COMMENTS**

None.

### **ADJOURN**

Mayor Matas adjourned the meeting at 7:18 P.M.

\_\_\_\_\_  
Jerryl Soriano, CMC, City Clerk