



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

OCTOBER 3, 2017

4:30 P.M. – 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**

STUDY SESSION - 4:30 P.M.

CALL TO ORDER

Mayor Matas called the Study Session to order at 4:30 P.M.

ROLL CALL

Present:

Council Members: Russell Betts, Joe McKee; Anayeli Zavala

Mayor Pro Tem: Yvonne Parks

Mayor: Scott Matas

1. Discussion Regarding Marijuana Facilities

City Manager, Charles L. Maynard

Recommendation: Provide direction as the City Council deems appropriate.

A discussion ensued and direction was provided regarding:

1) Rights or obligations of Dispensary Applicants

2) Marijuana tax on manufacturing

3) Manufacturing of marijuana in the commercial zone.

PRESENTATIONS - 5:30 P.M.

2. Swearing In of New Police Officer

Chief of Police, Dale R. Mondary

Dale Mondary, Chief of Police, introduced new Police Officer, Paul Huerta.

Jerryl Soriano, City Clerk, administered the Oath of Allegiance.

3. Little League Presentation

Mayor, Scott Matas

Mayor Matas presented Certificates of Recognition to Desert Hot Springs Little League, East District 58 Champions.

RECESS

REGULAR SESSION – 6:00 P.M.

CALL TO ORDER

Mayor Matas called the Regular Session to order at 6:01 P.M.

ROLL CALL

Present:

Council Members: Russell Betts; Joe McKee; Anayeli Zavala

Mayor Pro Tem: Yvonne Parks

Mayor: Scott Matas

INVOCATION

A Moment of Silence was held for the victims of the Las Vegas shooting incident.

Pastor Bruce Montgomery gave the Invocation.

PLEDGE OF ALLEGIANCE

Desert Hot Springs Scouts, Troop 1606, presented the colors and led the Pledge of Allegiance.

APPROVAL OF THE AGENDA

Action: Betts moved to approve the October 3, 2017 Regular Meeting Agenda and approve the Consent Calendar except for Items 10, 11, and 12, motion seconded by McKee, motion carried 5/0 by the following vote:

Vote: AYES: 5 - Zavala, Parks, Betts, Matas, McKee
Passed NOES: 0 - (None)

PUBLIC COMMENTS

Kathryn Schoenfeld commended the services provided at the Senior Center.

Kathy Kirsmitch expressed concerns regarding cleaning at the Senior Center.

Bruce Montgomery announced an event at Grace Church.

Eddie Johnson announced an even at Westfield Palm Desert honoring Vietnam Veterans.

Donna Wardeen expressed concerns regarding a dispensary across from City Hall; and spoke in support for Measures B and C.

Andrew Milks commented regarding the Study Session item concerning marijuana facilities.

Jeff Horton announced the "Purple Heart Run" event.

Russ Martin expressed support for Measures B and C.

John Gerardi expressed support for Measures B and C.

Irene Rodriguez reported on Cabot's Pueblo Museum activities and "Eye on the Desert" feature.

Isaac Giron expressed thanks to attendees of his 9-11 Flag Retirement Ceremony.

Courtney Moe expressed support for Measures B and C.

Jany Pye expressed support for Measures B and C.

Sue Giron spoke regarding the Boys and Girl Scouts use of the Lozano Center.

Rebecca Hutson spoke regarding Boys and Girl Scouts Troop 1606.

Gary Gardner spoke regarding the Human Rights Committee.

Mike Picardi gave various updates and announcements; and inquired about use of Community Development Block Grant (CDBG) funding for the Library.

CITY MANAGER REPORT

Jerryl Soriano, City Clerk, announced important dates relative to the November 7, 2017 Special Election.

MAYOR AND COUNCIL MEMBER REPORTS

Council Member Parks reported on various meetings and events she attended.

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

Council Member McKee 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.

ADMINISTRATIVE CALENDAR:

4. West Valley Housing Navigation Program

City Council

Recommendation: Take whatever action the City Council deems appropriate.

Wendy Depen spoke regarding homelessness.

Meda Thompson, distributed a handout, and expressed concerns.

Greg Rodriguez, representing Riverside County Supervisor Manuel Perez' Office, addressed the City Council.

Kristii McEwen and Damien O'Farrell, Path of Life Ministries, responded to questions from the City Council.

Action: McKee moved to approve support of regional plan and commit funding of \$103,000 for FY 2017-18, motion seconded by Matas, motion carried 4/1 by the following vote:

As an amended motion, Council Member Betts moved that \$100,000 be dedicated towards the construction of a new ball field for Little League. The motion failed for lack of a second.

As an amended motion, Council Member Betts moved to support the regional plan except the crisis stabilization housing. The motion failed for lack of a second.

As an amended motion, Council Member Betts moved to direct the \$103,000 in funding to the Coachella Valley Rescue Mission. The motion failed for lack of a second.

Vote:

AYES: 4 - Zavala, Parks, Matas, McKee

Passed

NOES: 1 - Betts

The City Council recessed at 8:04 P.M.

The City Council reconvened at 8:15 P.M.

5. [\(Successor Agency\) Resolution Approving Purchase and Sale Agreement and Joint Escrow Instructions With Nick M. Krespis for Real Property Located South of Cahuilla Avenue, on the East Side of Palm Drive \(APN 641-113-004\)](#)

Administrative Services Director, Joseph M. Tanner, Jr.

Recommendation: Adopt a Resolution of the Successor Agency to the Redevelopment Agency of the City of Desert Hot Springs approving Purchase and Sale Agreement and Joint Escrow Instructions between the Successor Agency to the Redevelopment Agency of the City of Desert Hot Springs and Nick M. Krespis with respect to the Real Property located south of Cahuilla Avenue, on the east side of Palm Drive, Desert Hot Springs, California (APN 641-113-004) and approving certain related actions.

Joe Tanner, Administrative Services Director, presented the staff report.

Action: Parks moved to approve staff recommendation and adopt *Resolution No. SA-2017-012*, motion seconded by McKee, motion carried 4/1 by the following vote:

Vote: AYES: 4 - Zavala, Parks, Matas, McKee
Passed NOES: 1 - Betts

6. [Art In Public Places for Angel View Warehouse and Clearance Center Project](#)

Community Development Director, Daniel Porras, P.E.

Recommendation: Consider the Community and Cultural Affairs Commission's recommendation of approval of the Art in Public Places Application for the Angel View Warehouse and Clearance Center Project.

Danny Porras, Community Development Director, presented the staff report.

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

Vote: AYES: 5 - Zavala, Parks, Betts, Matas, McKee
Passed NOES: 0 - (None)

7. [Resolution Prohibiting Facility Use Agreements for a Period of Longer Than](#)

30 Consecutive or Non-Consecutive Days in Any Calendar Year, Unless Otherwise Approved by the City Council

City Manager, Charles L. Maynard

Recommendation: Adopt a Resolution of the City Council amending Resolution No. 2016-049 authorizing the City Manager to negotiate, award and execute award facility use agreements and/or other non-exclusive licenses for city-owned, operated or controlled facilities, and to prohibit facility use agreements for a period of longer than 30 consecutive or non-consecutive days in any calendar year, unless otherwise approved by the City Council.

Charles Maynard, City Manager, presented the staff report.

A discussion ensued.

Sue Giron spoke opposed.

Holly Spiewack spoke opposed.

Bruce Hutchinson spoke regarding a donation to an organization using the facility.

Guillermo Giron spoke opposed.

Catherine Griffin spoke opposed.

A discussion ensued.

Action: Parks moved to approve staff recommendation, motion seconded by Matas, motion carried 2/3 by the following vote:

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|--------------|--------------------------------|
| <u>Vote:</u> | AYES: 2 - Parks, Matas |
| Failed | NOES: 3 - Zavala, Betts, McKee |

Action: Betts moved to continue to October 17, 2017, motion seconded by McKee, motion carried 5/0 by the following vote:

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|--------------|--|
| <u>Vote:</u> | AYES: 5 - Zavala, Parks, Betts, Matas, McKee |
| Passed | NOES: 0 - (None) |

8. Ordinance Amending Section 2.20.125 ("Disclosure of Campaign Contributions") of the Desert Hot Springs Municipal Code

Mayor, Scott Matas

Recommendation: Introduce and read by title only, "An Ordinance of the City Council of the City of Desert Hot Springs, California, Amending Section 2.20.125 ("Disclosure of Campaign Contributions") of Chapter 2.20 ("Code of Ethics for City Officials") of Title 2 ("Administration and Personnel") of the Desert Hot Springs Municipal Code" ("DHSMC").

Mayor Matas presented the report.

A discussion ensued.

Action: Betts moved to approve recommendation with the following amendments: 1) Strike “prior 24 months” and replace with “term of office;” 2) Cumulative total of \$500 directly, or \$1,000 indirectly via a contribution to a political action committee (or similar organization formed for the purpose of raising and spending money to elect or defeat political candidates); and 3) That the provision does not apply when the official or employee claims in writing to the City that such contribution was done in a manner as an attempt to manipulate the vote of a non-supportive donor, motion seconded by McKee, motion carried 3/2 by the following vote:

Vote: AYES: 3 - Zavala, Betts, McKee
Passed NOES: 2 - Parks, Matas

CONSENT CALENDAR:

9. **[City Council Regular Meeting Minutes: September 19, 2017](#)**

City Clerk, Jerry Soriano, CMC

Recommendation: Approve Minutes as submitted; or as corrected.

10. **[Resolution of Intention to Create a Special Tax Area Zone 28 for Property Located on the Northeast Corner of 14th Avenue and Little Morongo Road \(APN 663-280-025\), to the Desert Hot Springs Special Public Safety Tax Area](#)**

Administrative Services Director, Joseph M. Tanner, Jr.

Recommendation: Adopt a Resolution of Intention which establishes the time and place of the Public Hearing to establish Zone 28 within the Special Public Safety Tax Area for Police and Fire Protection Services, and authorizing an election

Action: McKee moved to approve staff recommendation and adopt *Resolution No. 2017-091*, motion seconded by Parks, motion carried 4/1 by the following vote:

Vote: AYES: 4 - Zavala, Parks, Matas, McKee
Passed NOES: 1 - Betts

11. **[Resolution of Intention to Create a Special Tax Area Zone 29 for Property Located at 14250 Little Morongo Road \(APN 665-030-060\) to the Desert Hot Springs Special Public Safety Tax Area](#)**

Administrative Services Director, Joseph M. Tanner, Jr.

Recommendation: Adopt a Resolution of Intention which establishes the time and place of the Public Hearing to establish Zone 29 within the Special Public Safety Tax Area for Police and Fire Protection Services, and authorizing an election

Action: McKee moved to approve staff recommendation and adopt *Resolution No. 2017-092*, motion seconded by Parks, motion carried 4/1 by the following vote:

Vote: AYES: 4 - Zavala, Parks, Matas, McKee

12. [Resolution of Intention to Annex One Parcel \(Annexation No. 24\) Located at 14250 Little Morongo Road \(APN 665-030-060\) to the City of Desert Hot Springs Community Facilities District No. 2010-1 \(Services\)](#)

Administrative Services Director, Joseph M. Tanner, Jr.

Recommendation: Adopt a Resolution of the City Council of the City of Desert Hot Springs declaring its intention to annex territory to Community Facilities District No. 2010-1 (Services) of the City of Desert Hot Springs, adopting a map of the area proposed to be annexed (Annexation No. 24), and to authorize the levy of special taxes therein

Action: McKee moved to approve staff recommendation and adopt *Resolution No. 2017-093*, motion seconded by Parks, motion carried 4/1 by the following vote:

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|--------------|---------------------------------------|
| <u>Vote:</u> | AYES: 4 - Zavala, Parks, Matas, McKee |
| Passed | NOES: 1 - Betts |

[FUTURE AGENDA ITEMS](#)

None.

[PUBLIC COMMENTS](#)

Catherine Bickers requesting a Planning Commission and City Council joint meeting regarding Coachillin Project.

[ADJOURN](#)

Mayor Matas adjourned the meeting at 9:50 P.M.

Jerryl Soriano, CMC, City Clerk