



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

JULY 3, 2018

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**

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 (arrived after Roll Call), Joe McKee, Jan Pye
Mayor: Scott Matas

Absent:

Mayor Pro Tem: Anayeli Zavala

PUBLIC COMMENTS

None.

STUDY SESSION:

1. Greater Palm Springs Convention and Visitors Bureau

Council Member Betts arrived at 4:54 P.M.

Scott White, President/CEO, and Jeff Miraglia, Chief Creative Officer, presented updates regarding 2017 tourism economic impact, marketing results, and statistics; and responded to questions.

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

CLOSED SESSION

2. CONFERENCE WITH LEGAL COUNSEL—EXISTING LITIGATION

(Paragraph (1) of subdivision (d) of Section 54956.9).

Name of case: Laborers International Union of North America, Local Union 1184 v. City of Desert Hot Springs, et al., Riverside Superior Court Case No. RIC1812195.

3. CONFERENCE WITH LEGAL COUNSEL—POTENTIAL INITIATION OF LITIGATION

Paragraph (4) of subdivision (d) of Section 54956.9 (One Potential Case)

PRESENTATIONS - 5:30 P.M.

4. Recognition of Gerald Roberson, 40 Years as Desert Hot Springs Little League Umpire

Mayor, Scott Matas

Mayor Matas presented Certificates of Recognition to Gerald Roberson and Little League President, Al Gonzalez.

5. Retirement Recognition for Jim Knabb, Police Department Community Resource Officer

Chief of Police, Dale R. Mondary

Mayor Matas and the City Council presented a Certificate of Recognition to Jim Knabb for his service.

Dale Mondary, Chief of Police, presented a plaque to Jim Knabb in recognition of his service to the Desert Hot Springs Police Department.

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 Members: Russell Betts, Joe McKee, Jan Pye
Mayor: Scott Matas

Absent:
Mayor Pro Tem: Anayeli Zavala

INVOCATION

Council Member Pye gave the Invocation.

PLEDGE OF ALLEGIANCE

Mayor Matas 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: McKee moved to approve the July 3, 2018 Regular Meeting agenda; and approve the Consent Calendar except for Item 16, continue Item 11 to a future special meeting (Council Member Betts recused from Items 17 and 18) (Mayor Matas recused from Item 16), motion seconded by Pye, motion carried 4/0 by the following vote:

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

PUBLIC COMMENTS

Ramona Sanders spoke regarding homelessness and the need for a homeless shelter.

Eddie Johnson spoke regarding World War II Veteran Russell Snell who had passed and wished to honor him via the Wall of Honor.

Judy Shea spoke regarding the Senior Center.

Michael Picardi spoke regarding Item 11.

James Velasquez spoke regarding the cannabis industry.

Cliff Lavy spoke regarding Item 11.

Hope Scott spoke announced a fund-raising event for her organization, the "SPH Creative Arts Club."

Donna Wardean spoke regarding World War II Veteran Russell Snell.

Gary Gardner spoke regarding Item 11.

CITY MANAGER REPORT

Charles Maynard, City Manager, advised that a handout was distributed to the City Council regarding Item 6.

Dale Mondary, Chief of Police, reported on how the City will be responding to illegal fireworks.

Eddy Moore, Fire Chief, reported on how the City will be responding to illegal fireworks.

Danny Porras, Community Development Director, reported on the status of water features at Tedesco Park and the Furbee Aquatics Center.

MAYOR AND COUNCIL MEMBER REPORTS

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

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

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

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

Item 10 was considered at this time.

PUBLIC HEARINGS:

6. **Resolution Affirming the Report of Public Nuisance Abatement Costs and placing them on the Tax Roll**

Community Development Director, Daniel Porras, P.E.

Recommendation: 1) Open the Public Hearing;
2) Take Testimony;
3) Close the Public Hearing; and
4) Adopt a Resolution of the City Council of the City of

Desert Hot Springs, State of California Ordering
Confirmation of the Special Assessment Against Parcels
of Land within the Public Nuisance Abatement Costs for
Fiscal Year 2018-2019.

Danny Porras, Community Development Director, presented the staff report and responded to questions.

A discussion ensued. Christina Archuleta, Code Compliance Supervisor, responded to questions.

Mayor Matas opened the Public Hearing.

Thomas Wilhelm (APN 639-242-001, 66261 3rd Street) addressed the City Council and requested an extension in order to make the required repairs to the property.

Russell Fletcher, spoke on behalf of the property owners Michael and Jacqueline Sanderson (APN 639-182-025, 11171 Cactus Avenue), addressed the City Council and requested an extension in order to make the required repairs to the property.

Mayor Matas closed the Public Hearing.

Action: Matas moved to approve staff recommendation and adopt *Resolution No. 2018-058*; grant a 90-day extension for APN 639-242-001 and that the property owner to provide interim housing to tenant; and that the property owners for APN 639-182-025 to work with Staff in accordance with the Code Compliance Program, motion seconded by McKee, motion carried 4/0 by the following vote:

<u>Vote:</u>	AYES: 4 - Betts, Matas, McKee, Pye
Passed	NOES: 0 - (None)
	ABSENT: 1 - Zavala

7. [Landscape and Lighting Maintenance District No. 1 Levy and Collection of Assessments to Fund Improvements for Fiscal Year 2018-2019](#)

Finance Director, Linda Kelly

Recommendation: 1) Open the Public Hearing;
2) Take Testimony;
3) Close the Public Hearing; and
4) Adopt a Resolution of the City Council of the City of Desert Hot Springs, State of California, Approving the Levy and Collection of Assessments to fund Improvements within Landscape and Lighting Maintenance District No. 1 for Fiscal Year 2018-2019.

Council Member Betts recused due to a potential conflict of interest.

Linda Kelly, Finance Director, presented the staff report.

Mayor Matas opened the Public Hearing.

There was no testimony.

Mayor Matas closed the Public Hearing.

Action: McKee moved to approve staff recommendation and adopt *Resolution No. 2018-059*, motion seconded by Pye, motion carried 3/0 by the following vote:

Vote: AYES: 3 - Matas, McKee, Pye
Passed NOES: 0 - (None)
ABSENT: 1 - Zavala
RECUSED: 1 - Betts

8. **Landscape and Lighting Maintenance District No. 2 Levy and Collection of Assessments to Fund Improvements for Fiscal Year 2018-2019**

Finance Director, Linda Kelly

Recommendation: 1) Open the Public Hearing;
2) Take Testimony;
3) Close the Public Hearing; and
4) Adopt a Resolution of the City Council of the City of Desert Hot Springs, State of California, Approving the Levy and Collection of Assessments to Fund Improvements within Landscape and Lighting Maintenance District No. 2 for Fiscal Year 2018-2019.

For Items 8 and 9, straws were drawn under the Rule of Necessity because a majority of the City Council present had a potential conflict of interest. Mayor Matas recused.

Council Member McKee assumed the Chair.

Linda Kelly, Finance Director, presented the staff report.

Council Member McKee opened the Public Hearing.

There was no testimony.

Council Member McKee closed the Public Hearing.

Action: Betts moved to approve staff recommendation and adopt *Resolution No. 2018-060*, motion seconded by Pye, motion carried 3/0 by the following vote:

Vote: AYES: 3 - Betts, McKee, Pye
Passed NOES: 0 - (None)
ABSENT: 1 - Zavala
RECUSED: 1 - Matas

9. **Drainage Assessment District No. 1 Levy and Collection of Assessments to Fund Improvements for Fiscal Year 2018-2019**

Finance Director, Linda Kelly

Recommendation: 1) Open the Public Hearing;
2) Take Testimony;
3) Close the Public Hearing; and
4) Adopt a Resolution of the City of Desert Hot Springs, County of Riverside, California Approving and Ordering the Levy and Collection of Assessments within Drainage Assessment District No. 1 for Fiscal Year 2018-2019.

For Items 8 and 9, straws were drawn under the Rule of Necessity because a majority of the City Council present had a potential conflict of interest. Mayor Matas recused.

Linda Kelly, Finance Director, presented the staff report.

Council Member McKee opened the Public Hearing.

There was no testimony.

Council Member McKee closed the Public Hearing.

A discussion ensued. Staff responded to questions.

Action: Pye moved to approve staff recommendation and adopt *Resolution No. 2018-061*, motion seconded by McKee, motion carried by the following vote:

<u>Vote:</u>	AYES: 2 - McKee, Pye
Passed	NOES: 0 - (None)
	ABSENT: 1 - Zavala
	ABSTAIN: 1 - Betts
	RECUSED: 1 - Matas

Item 16 was considered at this time.

ADMINISTRATIVE CALENDAR:

10. **Active Transportation Program (ATP) Cycle 4 Grant Applications**

Community Development Director, Daniel Porras, P.E.

Recommendation: Approve a primary route for the CV Link Desert Hot Springs Extension Project, and authorize Staff to apply for design and construction funding through the State's ATP Cycle 4.

Item 10 was considered following "Mayor and Council Member Reports" and prior to Item 6.

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

Daisy Ramirez, Riverside University Health System, provided an update regarding Safe Routes 2 School.

Martin Magana, CVAG Transportation Director, presented an overview and responded to questions.

Judy Shea expressed concerns.

Theresa Price spoke in favor.

Ted Mayrhofer spoke in favor.

A discussion ensued.

Council Member Betts moved to reject staff recommendation. The motion failed for lack of a second.

Action: Matas moved to approve Option 2 as the primary route for the CV Link Extension Project; authorized the application/design process to move forward; and directed Staff to bring back the final application and conceptual design prior to submittal, motion seconded by Pye, motion carried 3/1 by the following vote:

A discussion ensued.

<u>Vote:</u>	AYES: 3 - Matas, McKee, Pye
Passed	NOES: 1 - Betts
	ABSENT: 1 - Zavala

The City Council recessed at 8:36 P.M.

The City Council reconvened at 8:46 P.M.

11. [Resolution Calling and Noticing a General Municipal Election for November 6, 2018, regarding a proposed Measure to be submitted to the Voters on proposing the Change of Term of the Directly- Elected Mayor from Two Years to Four Years](#)

City Council

Recommendation: Take whatever action the City Council deems appropriate.

Under "Approval of the Agenda," Item 11 was continued to a future special meeting.

12. [Designation of Voting Delegate and Alternate\(s\) for the 2018 League of California Cities Annual Conference in Long Beach, California](#)

City Clerk, Jerryl Soriano, CMC

Recommendation: Appoint a voting delegate and up to two (2) alternates for the 2018 League of California Cities Annual Conference in Long Beach, California.

Action: Betts moved to designate Mayor Matas as the voting delegate, and Council Members Betts and Pye as alternates, motion seconded by Pye, motion carried 4/0 by the following vote:

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

CONSENT CALENDAR:

13. City Council Regular Meeting Minutes: June 19, 2018

City Clerk, Jerryl Soriano, CMC

Recommendation: Approve Minutes as submitted; or as corrected.

14. Desert Valley Disposal Contract For Trash Abatement Program

Linda Kelly, Finance Director

Recommendation: Authorize the City Manager to negotiate and execute an agreement with Desert Valley Disposal (DVD) for abatement of illegal dumping and roadside litter for an amount not to exceed \$177,000.00.

15. Community Facilities District 2006-1, Improvement Area No. 1, Levy and Collection of Special Taxes for Fiscal Year 2018-2019

Linda Kelly, Finance Director

Recommendation: Adopt a Resolution of the City Council Ordering the Levy and Collection of Special Taxes within Community Facilities District No 2006-1 Improvement Area No. 1, for Fiscal Year 2018-2019.

Resolution No. 2018-062

16. Community Facilities District No 2010-1 Levy and Collection of Special Taxes to fund the Maintenance of the Improvements for Fiscal Year 2018-2019

Finance Director, Linda Kelly

Recommendation: Adopt a Resolution of the City Council of the City of Desert Hot Springs, California, Approving the Levy and Collection of Special Taxes within the Community Facilities District No. 2010-1 (Services) for Fiscal Year 2018-2019.

Item 16 was considered following Item 9.

Linda Kelly, Finance Director, presented the staff report and responded to questions.

Action: Pye moved to approve staff recommendation and adopt *Resolution No. 2018-063*, motion seconded by Betts, motion carried 3/0 by the following vote:

Vote: AYES: 3 - Betts, McKee, Pye
Passed NOES: 0 - (None)
ABSENT: 1 - Zavala
RECUSED: 1 - Matas

17. [\(Successor Agency\) Resolution Approving Purchase and Sale Agreement and Joint Escrow Instructions With the City of Desert Hot Springs for Real Property Located on the North Side of Pierson Boulevard \(APN 639-252-039\) and Approving Certain Related Actions](#)

Finance Director, Linda Kelly

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 the City of Desert Hot Springs with respect to the real property located on the north side of Pierson Boulevard, Desert Hot Springs, California (APN 639-252-039) and approving certain related actions; and further instruct the City Manager, acting on behalf of the Successor Agency, to substantively negotiate and execute any and all documents needed to effectuate the transaction.

Resolution No. SA-2018-005

18. [City Council\) Resolution Approving Purchase and Sale Agreement and Joint Escrow Instructions With the Successor Agency for Real Property Located on the North Side of Pierson Boulevard \(APN 639-252-043\) and Approving Certain Related Actions](#)

Finance Director, Linda Kelly

Recommendation: Adopt a Resolution of the City Council 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 the City of Desert Hot Springs with respect to the Real Property located on the north side of Pierson Boulevard, Desert Hot Springs, California (APN 639-252-039) and approving certain related actions.

Resolution No. 2018-064

19. [Second Reading and Adoption of an Ordinance Amending Chapter 17.180 Allowing Certain Administrative Approvals for Certain Entitlements, Creating a More Streamlined Process for Already Approved Entitlements in Good Standing With the City](#)

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 allowing certain administrative approvals for certain entitlements, creating a more streamlined process for already approved entitlements in good standing with the City."

Ordinance No. 671

20. [Payment Register and City Council Expenditures Report for the Month of May 2018](#)

Finance Director, Linda Kelly

Recommendation: Receive and file.

21. [Treasurer's Report for the Month of May 2018](#)

Finance Director, Linda Kelly

Recommendation: Receive and file.

[PUBLIC COMMENTS](#)

None.

[ADJOURN](#)

Mayor Matas adjourned the meeting at 9:47 P.M.

Jerryl Soriano, CMC, City Clerk