



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**

DRAFT ACTION MINUTES

SEPTEMBER 4, 2018

5:30 P.M. – CLOSED SESSION

6:00 P.M. – REGULAR SESSION

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

CLOSED SESSION - 5:30 P.M.

CALL TO ORDER

Mayor Matas called the Closed Session to order at 5:33 P.M.

ROLL CALL

Present:

Council Members: Russell Betts, Joe McKee, Jan Pye

Mayor Pro Tem: Anayeli Zavala

Mayor: Scott Matas

PUBLIC COMMENTS

None.

CLOSED SESSION:

- 1. CONFERENCE WITH LEGAL COUNSEL—EXISTING LITIGATION (Paragraph (1) of subdivision (d) of Section 54956.9)** In the Matter of the Administration of the D.H.S. Drugs, Inc. Profit Sharing Plan, Riverside Superior Court Case No. PRIN1801126

REGULAR SESSION - 6:00 P.M.

CALL TO ORDER

Mayor Matas called the Regular Session to order at 6:05 P.M.

ROLL CALL

Present:

Council Members: Russell Betts, Joe McKee, Jan Pye
Mayor Pro Tem: Anayeli Zavala
Mayor: Scott Matas

INVOCATION

Pastor, Kephyan Sheppard, and Reverend, Ron Hobbs, gave the Invocation.

PLEDGE OF ALLEGIANCE

Council Member McKee 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 September 9, 2018 regular meeting agenda; and approve the Consent Calendar except for Item 9, motion seconded by Zavala, motion carried 5/0 by the following vote:

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

PUBLIC COMMENTS

Donna Wardean expressed thanks for the Palm Drive Safety Corridor; and requested lighting for the flag pole at the Carl May Center.

Russ Martin, Mission Springs Water District (MSWD), spoke regarding a matter between the Desert Water Agency and MSWD.

Stephanie Virgen, representing Riverside County Supervisor Manuel Perez' Office, introduced herself as the liaison to the City of Desert Hot Springs.

Mike Goss, Desert Hot Springs Eagles Youth Football and Cheer Program, expressed concerns regarding lack of field lighting at Mission Springs Park.

Pastor Kephyan Sheppard and Reverend Ron Hobbs invited the community to participate in a day of prayer at Christian Center on September 11, 2018.

Mike Picardi gave various announcements.

CITY MANAGER REPORT

Eddy Moore, CALFire Division Chief, reported on the Whitewater River drowning incident.

Doria Wilms, Assistant to the City Manager, provided highlights of the "City Manager's Weekly Report."

MAYOR AND COUNCIL MEMBER REPORTS

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

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

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

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

PUBLIC HEARINGS:

2. **Conditional Use Permit No. 03-05: Amendment to Change a Type 20 (Off-Sale Beer and Wine) Alcoholic Beverage Control License to a Type 21 (Off-Sale General) for the Existing Carniceria Rancho Grande Located at 13313 Palm Drive (APN 641-214-022) Within the General Commercial (C-G) Zone (Applicant: Carlos Enterprises, Inc.)**

Community Development Director, Daniel Porras, P.E.

- Recommendation:**
- 1) Staff Report;
 - 2) Entertain questions of Staff from the City Council;
 - 3) Open the Public Hearing;
 - 4) Take testimony from Applicant;
 - 5) Take testimony from those in favor;
 - 6) Take testimony from those opposed;
 - 7) Take testimony from those in a neutral position;
 - 8) Opportunity for Applicant rebuttal;
 - 9) Close the Public Hearing;
 - 10) City Council discussion and questions to Staff; and
 - 11) That the City Council make a Finding of Public Convenience or Necessity and approve Conditional Use Permit No. 03-05 Amendment for a Type 21 ABC

License which allows the sale of beer, wine, and distilled spirits for the existing Carniceria Rancho Grande located at 13313 Palm Drive within the C-G (General Commercial) Zone. APN 641-214-022.

Scott Taschner, Senior Planner, presented the staff report and responded to questions.

A discussion ensued. Staff responded to questions.

Mayor Matas opened the Public Hearing.

Tiffany Cons, representing the Applicant, Carlos Enterprises, addressed the City Council and responded to questions.

There was no public testimony.

Mayor Matas closed the Public Hearing.

A discussion ensued regarding concerns about over-concentration of Census Tract No. 445.07 and security.

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

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

ADMINISTRATIVE CALENDAR:

3. Application for the Installation of Public Art on the Northeast Corner of the Bunch Palms Trail Cultivation Project Located at the Corner of Cabot Road and Two Bunch Palms Trail (APN 665-030-058) (AIPP No. 01-18)

Community Development Director, Daniel Porras, P.E.

Recommendation: Consider a recommendation from the Community and Cultural Affairs Commission for approval of the proposed public art for the Bunch Palms Trails Cultivation project located at the southwest corner of Cabot Road and Two Bunch Palms Trail, subject to the recommended condition to move the fence behind the art piece.

Scott Taschner, Senior Planner, presented the staff report and responded to questions.

Mike Picardi, Community and Cultural Affairs Commission Chair, addressed the City Council.

John Van Beek, representing the Applicant, addressed the City Council and responded to questions.

Action: Betts moved to approve the recommendation from the Community and Cultural Affairs Commission with a condition that the art piece be placed on a concrete pedestal at a minimum height of 6 feet, motion seconded by Zavala, motion carried 5/0 by the following vote:

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

4. Law Enforcement Services Agreement between City of Desert Hot Springs and Palm Springs Unified School District

Chief of Police, Dale R. Mondary

Recommendation: Authorize the City Manager to execute a Law Enforcement Services Agreement with Palm Springs Unified School District for School Resource Officer Services.

Dale Mondary, Chief of Police, presented the staff report.

Nicole Salisbury spoke in support.

Action: Betts moved to approve staff recommendation and request the Palm Springs Unified School District to expand the program to other schools, motion seconded by McKee, motion carried 5/0 by the following vote:

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

5. Ordinance Relating to Electronic and Paperless Filing of Fair Political Practices Commission (FPPC) Campaign Disclosure Statements

City Clerk, Jerryl Soriano, CMC

Recommendation: Introduce for First Reading and read by title only, "An Ordinance of the City Council of the City of Desert Hot Springs adding Chapter 2.68 "Electronic and Paperless Filing of Fair Political Practices Commission Campaign Disclosure Statements" of Title 2 "Administration and Personnel" to the Desert Hot Springs Municipal Code relating to electronic and paperless filing of Fair Political Practices Commission campaign disclosure statements.

Jerryl Soriano, City Clerk, presented the staff report and responded to questions.

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

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

CONSENT CALENDAR:

6. City Council Regular Meeting Minutes: August 21, 2018

City Clerk, Jerryl Soriano, CMC

Recommendation: Approve the Minutes as submitted; or as corrected.

7. Year-End Budget Adjustments for Fiscal Year 2017-2018

Finance Director, Linda Kelly

Recommendation: Approve Year-End Budget Adjustments for Fiscal Year 2017-2018.

8. Second Reading and Adoption of an Ordinance Amending Chapter 3.36 "Transportation Uniform Mitigation Fee" of the Desert Hot Springs Municipal Code

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 3.36 "Transportation Uniform Mitigation Fee" of the Desert Hot Springs Municipal Code.

Ordinance No. 672

9. Second Reading and Adoption of an Ordinance Amending Chapter 17.180 Allowing Marijuana Testing Facilities in the Commercial Zones

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 marijuana testing facilities in the commercial zones.

Simone Sandoval expressed support.

Action: McKee moved to approve staff recommendation and adopt *Ordinance No. 673*, motion seconded by Betts, motion carried 5/0 by the following vote:

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

10. Treasurer's Report for the Month of July 2018

Finance Director, Linda Kelly

Recommendation: Receive and file.

11. Payment Register and City Council Expenditures Report for the Month of July 2018

Finance Director, Linda Kelly

Recommendation: Receive and file.

PUBLIC COMMENTS

None.

ADJOURN

Mayor Matas adjourned the meeting at 7:25 P.M.

Jerryl Soriano, CMC, City Clerk

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