



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

FEBRUARY 19, 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

At 5:00 P.M., Mayor Pro Tem Pye announced that the Closed Session would be held following the Regular Session.

CLOSED SESSION:

Items 1 and 2 were considered following the Regular Session.

- 1. CONFERENCE WITH LEGAL COUNSEL—EXISTING LITIGATION** (Paragraph (1) of subdivision (d) of Section 54956.9) Sierra Club and Center for Biological Diversity v. City of Desert Hot Springs, et al; and Adkison Engineers, Inc. et al as real parties in interest, Riverside Superior Court Case No. RIC1821985.
- 2. 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.

3. City Employee Service Recognitions *Human Resources Director, Pamela Meuse*

Pam Meuse, Human Resources Director, presented Certificates to City employees in recognition of 5, 10, 15, and 20-year anniversaries.

4. Little Morongo Power Poles Presentation *Public Works Director, Daniel Porras, P.E.*

Danny Porras, Public Works Director, gave the presentation and responded to questions.

REGULAR SESSION - 6:00 P.M.

CALL TO ORDER

Mayor Matas called the Regular Session to order at 6:17 P.M.

ROLL CALL

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

INVOCATION

Dr. Tahlil McMichaux, Reverend, gave the Invocation.

PLEDGE OF ALLEGIANCE

Council Member Gardner led the Pledge of Allegiance.

CITY ATTORNEY REPORT ON CLOSED SESSION

The report was moved to the end of the meeting, following the Closed Session.

APPROVAL OF THE AGENDA

Action: Betts moved to approve the February 19, 2019 Regular Meeting agenda, and approve the Consent Calendar in its entirety, motion seconded by Zavala, motion carried 5/0 by the following vote:

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

PUBLIC COMMENTS

Requita Grant spoke regarding a street renaming proposal; and Black History Month.

Dr. Bill Godwin spoke regarding a street renaming proposal.

Mike Picardi gave various updates and announcements.

CITY MANAGER REPORT

Doria Wilms, Assistant to the City Manager, reported that Palm Drive would not be closed during the Kind Music Festival and advised that road sign wording would be revised to provide clarity.

MAYOR AND COUNCIL MEMBER REPORTS

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

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 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 to Amend the City's Zoning Map 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: 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) Approve: A) An Exemption to the California Environmental Quality Act (CEQA) Pursuant to Section 15061(b)(3), General Rule, of the CEQA Statutes and Guidelines; and B) Introduce for First Reading and read by title only "An Ordinance of the City Council 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 No. 657-050-003 for the Palm Claire Group Project located at the southwest corner of Palm Drive and Claire Avenue.

Scott Taschner, Senior Planner, presented the staff report.

Mayor Matas opened the Public Hearing.

Chester Allen, Applicant, addressed the City Council.

There was no public testimony.

Mayor Matas closed the Public Hearing.

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

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

6. An Ordinance Related to Pushcart Vendors, Foot Vendors and Peddlers

City Attorney, Jennifer A. Mizrahi

Recommendation:

- 1) Staff Report;
- 2) Entertain questions of Staff from the 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) Introduce for First Reading and read by title only: "An Ordinance of the City Council of the City of Desert Hot Springs, California, amending Chapter 5.28 "Pushcart Vendors, Foot 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."

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

A discussion ensued.

Mayor Matas opened the Public Hearing.

There was no public testimony.

Mayor Matas closed the Public Hearing.

Action: Gardner moved to approve staff recommendation with the following amendments: strike section 5.28.085(A)(4); amend Section 5.28.085(A)(2) and 3 to reflect 30 feet; and amend Section 5.28.085(A)(5) to reflect Palm Drive between Park Drive and Camino Aventura, motion seconded by Zavala, motion carried 5/0 by the following vote:

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

ADMINISTRATIVE CALENDAR:

7. Approval of the 2018-2019 Budgetary Adjustments for Revenues, Expenditures, and Transfers for the Fiscal Year Ending June 30, 2019

Finance Director, Linda Kelly

Recommendation: Approve the mid-year budgetary adjustments as stated for the FY 2018-2019 budget with revenues totaling \$984,689 and expenditures totaling \$963,303.

Geoffrey Buchheim, Finance Manager, presented the staff report and responded to questions.

Action: Gardner 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. CDBG Mission Springs Park Improvement Project 2017-05 Notice of Completion and Change Orders

Public Works Director, Daniel Porras

Recommendation: Approve the work with change orders totaling \$51,848.00, accept the park improvements and direct the City Manager to file the Notice of Completion for the CDBG Mission Springs Park Improvement Project Number 2017-05.

Danny Porras, Public Works Director, presented the staff report.

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

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

9. Tedesco Park Playground and ADA Improvement Project 2017-01 - Notice of Completion

Public Works Director, Daniel Porras

Recommendation: Approve the work, accept the park improvements, and direct the City Manager to file the Notice of Completion for the Tedesco Park Playground and ADA Improvement Project 2017-01.

Action: Gardner 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)

CONSENT CALENDAR:

10. City Council Regular Meeting Minutes: February 5, 2019

City Clerk, Jerryl Soriano, CMC

Recommendation: Approve Minutes as presented; or as corrected.

11. Second Reading of an Ordinance Amending Title 17 to Amend Various Sections of the Desert Hot Springs Municipal Code Related to Housing, Including Supportive and Transitional Housing, Emergency Shelters, Accessory Dwelling Units, and Other Amendments to Harmonize With State Law

City Clerk, Jerryl Soriano, CMC

Recommendation: Approve Second Reading, read by title only and adopt: "An Ordinance of the City Council amending Title 17 to amend various Sections of the Desert Hot Springs Municipal Code related to housing, including Supportive and Transitional Housing, Emergency Shelters, Accessory Dwelling Units, and other amendments to harmonize with State Law."

Ordinance No. 679

12. Second Reading and Adoption of an Ordinance Establishing Speed Limits on Various Streets Based on Engineering and Traffic Survey

City Clerk, Jerryl Soriano, CMC

Recommendation: Approve Second Reading, read by title only and adopt: "An Ordinance of the City Council adopting an Engineering and Traffic Speed Limit Study, establishing maximum speed

limits on Streets within the City of Desert Hot Springs, and amending section 10.32.010 of the Desert Hot Springs Municipal Code.

Ordinance No. 680

13. Treasurer's Report for the Month of January 2019

Finance Director, Linda Kelly

Recommendation: Receive and file.

14. Payment Register and City Council Expenditures Report for the Month of January 2019

Finance Director, Linda Kelly

Recommendation: Receive and file.

PUBLIC COMMENTS

None.

ADJOURN

The City Council adjourned to Closed Session at 7:51 P.M.

The City Council reconvened in Open Session at 8:37 P.M.

Jennifer Mizrahi, City Attorney, advised that there was no reportable action.

Mayor Matas adjourned the meeting at 8:38 P.M.

Jerryl Soriano, CMC, City Clerk