



## **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**

**OCTOBER 15, 2019**

**4:00 P.M. – CLOSED SESSION**

**5:00 P.M. – PRESENTATIONS**

**6:00 P.M. – REGULAR SESSION**

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

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### **CLOSED SESSION - 4:00 P.M.**

#### **CALL TO ORDER**

Mayor Matas called the meeting to order at 4:04 P.M.

#### **ROLL CALL**

**Present:**

Council Members: Russell Betts, Gary Gardner, and Robert Griffith

Mayor Pro Tem: Jan Pye

Mayor: Scott Matas

#### **PUBLIC COMMENTS**

*Closed Session Item 1 was withdrawn from the agenda.*

Jennifer Mizrahi, City Attorney, announced the Closed Session items.

## **CLOSED SESSION:**

- 1. CONFERENCE WITH LEGAL COUNSEL—ANTICIPATED LITIGATION**  
**Potential Initiation of litigation pursuant to paragraph (4) of subdivision (d) of Section 54956.9: One Potential Case**

*Item 1 was withdrawn from the agenda.*

- 2. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION**  
Significant exposure to litigation pursuant to subdivision (d)(2) of Section 54956.9: The facts and circumstances involve issues pertaining a certain entity who has threatened litigation against the City, although no formal claim or action has been filed.
- 3. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION**  
Significant exposure to litigation pursuant to subdivision (d)(2) of Section 54956.9: The facts and circumstances involve issues pertaining a certain developer who has threatened litigation against the City, although no formal claim has been filed.

## **PRESENTATIONS - 5:00 P.M.**

- 4. Greater Palm Springs Convention & Visitors Bureau Annual Update Presentation (15 Minutes)**

*The presentation was heard following the "Safehouse of the Desert" presentation.*

Scott White, Chief Executive Officer, and Colleen Pace, Chief Marketing Officer, presented an update regarding tourism in the City of Desert Hot Springs and the Coachella Valley.

- 5. Safehouse of the Desert Presentation (15 Minutes)**

Birgit Phillips and Staff, Safehouse of the Desert, provided an overview of the programs and services they provide; and responded to questions.

- 6. Recognition of L.E.A.D (Leadership, Education, Action, Development) Group 1**  
*Mayor and City Council*

Pam Meuse, Human Resources Director, provided an overview of the L.E.A.D. Program.

Mayor Matas , the City Council, and Pam Meuse, presented Certificates of Recognition to the members of LEAD Group 1: Virginia Alvarez; Police Records Clerk; Daniel McVey; Code Compliance Officer; Colleen Michael, Counter/Permit Technician; Lynne Paul, Public Works Analyst; Melissa Purcell, Administrative Assistant; Patricia Villagomez, Planning Technician; and Angelica Villalobos, Finance Clerk.

**7. Police Department Life Saving Awards**

*Chief of Police, Jim Henson*

Jim Henson, Chief of Police, presented Life Saving Awards to Sergeant Christopher Saucier, and Corporal Scott Hazen, for their heroic actions.

**8. Mayoral Presentations**

*Mayor, Scott Matas*

Mayor Matas announced that Geoffrey Buchheim was appointed as Finance Director; and provided his background.

Mayor Matas announced that Jim Henson was appointed as Chief of Police.

Chief Henson's son performed the badge pinning.

Jerryl Soriano, City Clerk, administered the Oath.

**RECESS**

**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, Gary Gardner, and Robert Griffith

Mayor Pro Tem: Jan Pye

Mayor: Scott Matas

**INVOCATION**

None.

**PLEDGE OF ALLEGIANCE**

Council Member Griffith 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: Gardner moved to approve the October 15, 2019 Regular Meeting agenda; and approve the Consent Calendar in its entirety, motion seconded by Pye, motion carried 5/0 by the following vote:

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

## **PUBLIC COMMENTS**

Eddie Johnson provided various announcements and suggestions regarding Veterans and crosswalks.

Sanjiv Gupta stated that he was a co-founder of a recent startup small business as a member of the Coachella Valley Economic Partnership (CVEP).

Harjit Saini stated that he was the owner of the Arco gas station on Palm Drive and his plans to combine and develop the adjacent parcel.

Cliff Lavy spoke in support of the previous speaker, Harjit Saini.

John Roath expressed concerns regarding speeding on Mountain View; and spoke regarding rent control.

## **CITY MANAGER REPORT**

Danny Porras, Public Works Director, reported on Palm Drive.

Charles Maynard, City Manager, thanked Geoffrey Buchheim re budget.

## **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 Griffith reported on the various meetings and events he attended.

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

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

*Item 11 was considered at this time.*

## **PUBLIC HEARINGS:**

9. **(Continued from October 1, 2019) Applications for Implementation of the Tuscan Hills Specific Plan, a Master Planned Residential Subdivision and a Proposed 334 Room Resort Hotel and Spa Located on a Vacant 554 Acre Property Located Along the North Side of Pierson Boulevard East of Foxdale Drive (Applicant: Walton Development and Management, Southwest USA)**

*Community Development Director, Rebecca Deming*

**Recommendation:** Continue the Public Hearing to a date certain of December 3, 2019 for the following actions:

- Certify the Addendum to the Final Environmental Impact Report and Mitigation Monitoring Program and approval of:
- A Resolution and Ordinance approving the Specific Plan 02-16, General Plan Amendment 03-16, and Zoning Ordinance Amendment 03-16 to establish development regulations and guidelines for the subject site; and
- Tentative Tract Map Nos. 36774, 37300, 37301, 37302, and 37303 – to subdivide the properties into 585 lots plus streets, open space and detention basins for a vacant 554.8 acre site located on the north side of Pierson Boulevard east of Foxdale Drive on the former Desert Hot Springs Resort Cornerstone Specific Plan project site. (APN's 638-340-003, 005, 006, 007, & 638-330-001, 002, 003, and 632-270-006)

*Council Member Griffith recused due to a potential conflict of interest.*

Rebecca Deming, Community Development Director, presented the staff report.

Action: Betts moved to continue the Public Hearing to December 3, 2019, motion seconded by Gardner, motion carried 4/0 by the following vote:

<u>Vote:</u>	AYES: 4 - Betts, Matas, Pye, Gardner
Passed	NOES: 0 - (None)
	RECUSED: 1 - Griffith

10. **Extension of an Urgency Interim Ordinance Adopting a Moratorium on the Establishment of Any Marijuana Facility, as Defined in Chapter 17.180 of the Desert Hot Springs Municipal Code, or Any Use or Activity Related Thereto, for Properties Located in the Downtown Area near City Hall, Specifically on Pierson Boulevard Between Cactus Drive and Mesquite Avenue, on Palm Drive Between Acoma and 1st Street, on 1st Street Between Cactus Drive and Mesquite Avenue, and on Acoma Avenue Between Cactus Drive and Palm Drive**

*Community Development Director, Rebecca Deming*

**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) Adopt an Extension Urgency Interim Ordinance of the City Council of the City of Desert Hot Springs Adopting a Moratorium on the Establishment of Any Marijuana Facility, as Defined in Chapter 17.180 of the Desert Hot Springs Municipal Code, or Any Use or Activity Related Thereto, for Properties Located in the Downtown Area near City Hall, Specifically on Pierson Boulevard Between Cactus Drive and Mesquite Avenue, on Palm Drive Between Acoma and 1st Street, on 1st Street Between Cactus Drive and Mesquite Avenue, and on Acoma Avenue Between Cactus Drive and Palm Drive.

*Council Member Betts recused due to a potential conflict of interest (owns real property within 500 feet).*

Rebecca Deming, Community Development Director, presented the staff report.

Mayor Matas opened the Public Hearing.

There was no testimony.

Mayor Matas closed the Public Hearing.

Action: Gardner moved to approve staff recommendation and adopt *Ordinance No. 693*, motion seconded by Griffith, motion carried 4/0 by the following vote:

Vote: AYES: 4 - Matas, Pye, Gardner, Griffith  
Passed NOES: 0 - (None)  
RECUSED: 1 - Betts

#### **ADMINISTRATIVE CALENDAR:**

- 11. Report from the L.E.A.D. (Leadership, Education, Action, and Development ) Team**  
*LEAD Team Members*  
**Recommendation:** Receive and file.

*Item 11 was considered following "Mayor and Council Member Reports."*

L.E.A.D group members comprised of: Virginia Alvarez; Police Records Clerk; Daniel McVey; Code Compliance Officer; Colleen Michael, Counter/Permit Technician; Lynne Paul, Public Works Analyst; Melissa Purcell, Administrative Assistant; Patricia Villagomez, Planning Technician; and Angelica Villalobos, Finance Clerk, presented the staff report.

The report was received and filed.

**12. Resolution of Intention to Annex One Parcel (Annexation No. 37) Located East of Little Morongo Road and North of Dillon Road (APN 665-110-006) to the City of Desert Hot Springs Community Facilities District No. 2010-1 (Services)**

*Acting Finance Director, Geoffrey Buchheim*

**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. 37), and to authorize the levy of special taxes therein.

Geoffrey Buchheim, Finance Director, presented the staff report.

Action: Betts moved to approve staff recommendation and adopt *Resolution No. 2019-044*, motion seconded by Gardner, motion carried 5/0 by the following vote:

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

**13. Resolution of Intention to Create a Special Tax Area Zone For Property, APN 665-110-006, Located North of Dillon Road and East of Little Morongo Road, to the Desert Hot Springs Special Public Safety Tax Area.**

*Acting Finance Director, Geoffrey Buchheim*

**Recommendation:** Adopt a Resolution of Intention which establishes the time and place of the Public Hearing to establish Zone 43 within the Special Public Safety Tax Area for Police and Fire Protection Services and authorizing an election.

Geoffrey Buchheim, Finance Director, presented the staff report.

Action: Griffith moved to approve staff recommendation and adopt *Resolution No. 2019-045*, motion seconded by Gardner, motion carried 4/1 by the following vote:

Vote: AYES: 4 - Matas, Pye, Gardner, Griffith  
Passed NOES: 1 - Betts

**CONSENT CALENDAR:**

**14. City Council Regular Meeting Minutes: October 1, 2019**

*City Clerk, Jerryl Soriano, CMC*

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

**15. Second Reading and Adoption of an Ordinance Amending the Desert Hot Springs Municipal Code Regarding Sidewalk Vendors and Peddlers**

*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, California, amending Section 5.28.010 "Purpose" and Section 5.28.085 "Sidewalk Vendor General Regulations" of Chapter 5.28 "Sidewalk Vendors and Peddlers" of Title 5 "Business Licenses and Regulations" of the Desert Hot Springs Municipal Code.

*Ordinance No. 694*

**16. Second Reading and Adoption of an Ordinance Amending Various Chapters of the Desert Hot Springs Municipal Code Providing More Consistent Rules and Procedures for the Denial, Suspension, Modification, and Revocation of Licenses and Permits and Appeals Thereof**

*City Clerk, Jerryl Soriano, CMC*

**Recommendation:** Approve Second Reading, read by title only and adopt: "An Ordinance Amending Chapters 3.20, 4.36, 5.04, 5.08, 5.12, 5.28, 5.36, 5.44, 5.50, 15.60, 17.08, 17.12, 17.40, 17.45, 17.76, 17.92, 17.144, 17.152, 17.156, 17.164, and 17.168 of the Municipal Code Providing More Consistent Rules and Procedures for the Denial, Suspension, Modification, and Revocation of Licenses and Permits and Appeals Thereof."

*Ordinance No. 695*

**17. Treasurer's Report for the Month of August 2019**

*Acting Finance Director, Geoffrey Buchheim*

**Recommendation:** Receive and file.

**18. Payment Register and City Council Expenditures Report for the Month of August 2019**

*Acting Finance Director, Geoffrey Buchheim*

**Recommendation:** Receive and file.

**PUBLIC COMMENTS**

None.

**ADJOURN**

Mayor Matas adjourned the meeting at 7:04 P.M.

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Jerryl Soriano, CMC, City Clerk