



## **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**

**JUNE 16, 2020**

**4:30 P.M. – CLOSED SESSION**

**6:00 P.M. – REGULAR SESSION**

**VIA VIDEOCONFERENCE  
Desert Hot Springs, California**

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*This meeting was held pursuant to Executive Orders N-25-20 and N-29-20 issued by Governor Newsom. The City Council and Staff participated remotely.*

#### **CLOSED SESSION - 4:30 P.M.**

##### **CALL TO ORDER**

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

##### **ROLL CALL**

###### **Present:**

Council Member: Russell Betts (via videoconference)  
Council Member: Gary Gardner (via videoconference)  
Council Member: Jan Pye (via videoconference)  
Mayor Pro Tem: Robert Griffith (via videoconference)  
Mayor: Scott Matas (via videoconference)

##### **PUBLIC COMMENTS**

Brad Anderson spoke regarding Closed Session Item 2.

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

## **CLOSED SESSION:**

### **1. CONFERENCE WITH LEGAL COUNSEL—EXISTING LITIGATION**

(Gov. Code section 54956.9(d)(1).)

Name of Case: Kinney v. City of Desert Hot Springs, et al., Case Number RIC2000505

### **2. THREAT TO PUBLIC SERVICES OR FACILITIES**

(Gov. Code section 54957(a).)

Consultation with: Desert Hot Springs Police Department - Chief Henson, or his designee

## **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 Member: Russell Betts (via videoconference)  
Council Member: Gary Gardner (via videoconference)  
Council Member: Jan Pye (via videoconference)  
Mayor Pro Tem: Robert Griffith (via videoconference)  
Mayor: Scott Matas (via videoconference)

## **INVOCATION**

Tricina Sheppard gave the Invocation.

## **PLEDGE OF ALLEGIANCE**

Council Member Pye 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 June 16, 2020 Regular Meeting Agenda, and approve the Consent Calendar in its entirety, motion seconded by Griffith, motion carried 5/0 by the following vote:

Vote:  
Passed

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

### **PUBLIC COMMENTS**

Brad Anderson spoke regarding the Coachella Valley Mosquito and Vector Control District.

Beatrice Cordova inquired about zoning for APN No. 666-060-002.

### **CITY MANAGER REPORT**

Geoffrey Buchheim, Finance Director, provided an update regarding the City's financial situation.

Jim Henson, Chief of Police, provided an update regarding COVID-19 testing site at the Lozano Community Center; and illegal fireworks.

Nicholas Haecker, Public Works Manager, provided an update regarding Phase II of the Palm Drive Lighting and Safety Improvements project; and the traffic signal projects.

Doria Wilms, Assistant City Manager, provided an update regarding COVID-19.

### **MAYOR AND COUNCIL MEMBER REPORTS**

Mayor Pro Tem Griffith reported on the various meeting he attended.

Council Member Betts reported on the various meeting he attended.

Council Member Gardner reported on the various meeting he attended.

Council Member Pye reported on the various meeting she attended.

Mayor Matas reported on the various meeting he attended.

### **PUBLIC HEARINGS:**

#### **3. Resolution Adopting User Fee Study**

*Finance Director, Geoffrey Buchheim*

**Recommendation:** 1) Staff Report;  
2) Entertain questions of Staff by the City Council;  
3) Open the Public Hearing;  
4) Take public testimony;  
5) Close the Public Hearing;  
6) City Council discussion and questions to Staff; and

- 7) Adopt a Resolution of the City Council adopting the User Fee Study prepared by Revenue & Cost Specialists, LLC, dated April 2020.

Mayor Matas advised that it was necessary to continue the Public Hearing for further review.

Mayor Matas opened the Public Hearing.

Katherine Dickerson stated that she would reserve her comments until July 7, 2020.

Sarah Nayfack stated that she would reserve her comments until July 7, 2020.

Gretchen Gutierrez stated that she would reserve her comments until July 7, 2020.

Deborah McGarrey stated that she would reserve her comments until July 7, 2020.

Action: Betts moved to continue the Public Hearing to July 7, 2020, motion seconded by Griffith, motion carried 5/0 by the following vote:

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

#### 4. **Environmental Findings, General Plan GPA-20-1 and Zoning Typographical Error Corrections**

*Community Development Director, Rebecca Deming*

**Recommendation:**

- 1) Staff Report;
- 2) Entertain questions of Staff from the City Council
- 3) Open Public Hearing;
- 4) Take public testimony;
- 7) Close the Public Hearing;
- 8) City Council discussion and questions to Staff; and
- 9) The City Council Approve:
  - A) A Resolution of the City Council of the City of Desert Hot Springs, California, Amending General Plan Amendment and Land Use Map GPA-20-1 to Correct Certain Typographical Errors Pertaining to the Density Number for the Following: 1) Page LU-8, Table LU-1: Land Use Categories (To Reflect Corrected Density Number); 2) Page LU-9 Land Use Map (To Reflect Corrected Density Number); 3) LU-14, Residential High Land Use Designation (To Reflect Corrected Density Number); and 4) LU-15, Mix Use Corridor Land Use Designation (To Reflect Corrected Density Number)

Introduce for First Reading and read by title only the attached Ordinance:

B) An Ordinance of the City Council of the City of Desert Hot

Springs Correcting Certain Typographic Errors to Reflect the Proper Density By Amending: 1) Land Use Table 17.08.02 "Development Standards-Residential Districts"; And 2) Land Use Table 17.14.02 "Development Standards- Mixed Use Districts."

Rebecca Deming, Community Development Director, presented the staff report and responded to questions.

Mayor Matas opened the Public Hearing.

Susan Miller asked questions regarding a specific parcel.

Michael Tenant asked questions regarding a specific parcel.

Mayor Matas closed the Public Hearing.

Action: Griffith moved to approve staff recommendation and adopt *Resolution No. 2020-030*, motion seconded by Gardner, motion carried 5/0 by the following vote:

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

#### **ADMINISTRATIVE CALENDAR:**

**5. (Successor Agency) Resolution Approving the Purchase and Sale Agreement and Joint Escrow Instructions With Mlou Guzman Villanueva With Respect to the Real Property Located at 66146 Pierson Boulevard, Desert Hot Springs, California (APN 639-232-040)**

*Finance Director, Geoffrey Buchheim*

**Recommendation:** Adopt a Resolution of the Successor Agency to the Redevelopment Agency of the City of Desert Hot Springs approving the Purchase and Sale Agreement and Joint Escrow Instructions between the Successor Agency to the Redevelopment Agency of the City of Desert Hot Springs and Mlou Guzman Villanueva with respect to the Real Property located at 66146 Pierson Boulevard, Desert Hot Springs, California (APN 639-232-040) and approving certain related actions.

Geoffrey Buchheim, Finance Director, presented the staff report.

Action: Pye moved to approve staff recommendation and adopt *Resolution No. SA-2020-001*, motion seconded by Gardner, motion carried 5/0 by the following vote:

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

**6. Second Amendment to the Service Provider Agreement with Mizell Center for Senior Center Facility Operation Management Services and Programs at the Desert Hot Springs Senior Center**

*Assistant City Manager, Doria Wilms*

**Recommendation:** Authorize the City Manager to execute a Second Amendment to the Service Provider Agreement with Mizell Center to provide Facility Operation Management Services and Programs at the Desert Hot Springs Senior Center located at 11-777 West Drive in the amount of \$155,291 commencing July 1, 2020 through June 30, 2021 with an option to extend up to two (2) additional one-year terms thereafter at the discretion of the City Council.

Doria Wilms, Assistant City Manager, presented the staff report and responded to questions.

Wes Winter, Mizel Senior Center, addressed the City Council.

A discussion ensued.

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

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

**7. Proposed Agreement for Cannabis Inspection and Compliance Services**

*Deputy City Manager, Luke Rainey*

**Recommendation:** Authorize the City Manager to execute an agreement with Cannabis Compliance Services, LLC to provide inspection and compliance services related to the cannabis industry in the City of Desert Hot Springs for an amount of \$13,800 per month.

Luke Rainey, Deputy City Manager, presented the staff report and responded to questions.

Andrew Nielsen, Cannabis Compliance Services, LLC, responded to questions.

A discussion ensued.

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

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

**8. Notice and Call of General Municipal Election to be Held on Tuesday, November 3, 2020**

*City Clerk, Jerryl Soriano, CMC*

**Recommendation:** 1) Adopt a Resolution of the City Council, giving notice of the election of officers, authorizing the City Clerk to perform all items necessary to lawfully conduct the election, and requesting services from the County of Riverside to assist in conducting and canvassing the election; and  
2) Adopt a Resolution of the City Council establishing general regulations for the filing of an optional candidate's statement for inclusion in the voter's pamphlet; and setting the deposit fee at \$500.00.

Jerryl Soriano, City Clerk, presented the staff report.

Action: Gardner moved to approve staff recommendation and adopt *Resolution Nos. 2020-031 (Call and Notice of Election)* and *2020-032 (Candidate Statement Regulations)*, motion seconded by Betts, motion carried 5/0 by the following vote:

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

**9. Amendment to the 2019 Annual Housing Element Progress Report**

*Community Development Director, Rebecca Deming*

**Recommendation:** Approve the updated Table D to the 2019 Annual Housing Element Progress Report.

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

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

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

**10. (Continued from May 19, 2020 and June 2, 2020) Appointment to the Planning Commission**

*City Clerk, Jerryl Soriano, CMC*

**Recommendation:** Continue the appointment to July 7, 2020 and extend the application deadline to July 1, 2020.

Council Member Betts presented the report.

A discussion ensued.

Betts moved to approve the recommendation, motion seconded by Matas.

A discussion ensued.

Action: As an amended motion, Griffith moved to continue the appointment to July 7, 2020 only considering applications received by May 12, 2020, motion seconded by Matas, motion carried 5/0 by the following vote:

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

### **CONSENT CALENDAR:**

**11. City Council Regular Meeting Minutes: June 2, 2020**

*City Clerk, Jerryl Soriano, CMC*

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

**12. Community Facilities District No. 2010-1 Levy and Collection of Special Taxes to Fund the Maintenance of the Improvements for Fiscal Year 2020-21**

*Finance Director, Geoffrey Buchheim*

**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 2020-21.

*Resolution 2020-033*

**13. Community Facilities District 2006-1, Improvement Area No. 1, Levy and Collection of Special Taxes for Fiscal Year 2020-21**

*Finance Director, Geoffrey Buchheim*

**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 2020-21.

*Resolution 2020-034*

**14. Delegation of Investment Authority to the City Treasurer**

*Finance Director, Geoffrey Buchheim*

**Recommendation:** Adopt a Resolution of the City Council approving delegation of investment authority and other related duties to the City Treasurer, as authorized by the City's Investment Policy, and approve and adopt the attached Investment Policy for Fiscal Year 2020-2021.

*Resolution 2020-035*

**15. Fiscal Year 2020-2021 Appropriations (Gann) Limit**

*Finance Director, Geoffrey Buchheim*

**Recommendation:** Adopt a Resolution of the City Council for the Fiscal Year 2020-2021 Appropriations Limit as required by Article XIII B of the California State Constitution.

*Resolution 2020-036*

**PUBLIC COMMENTS**

None.

**ADJOURN**

Mayor Matas adjourned the meeting at 7:51 P.M.

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Jerryl Soriano, CMC, City Clerk