



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**

AGENDA

JANUARY 21, 2020

4:00 P.M. – CLOSED SESSION

5:15 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 - 4:00 P.M.

CALL TO ORDER

ROLL CALL

PUBLIC COMMENTS

At this time, item(s) on the Closed Session agenda may be discussed during Public Comments. PLEASE STATE YOUR NAME FOR THE RECORD.

CLOSED SESSION:

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

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

Name of Case: Garcia, et al. v. City of Desert Hot Springs, et al., Case Number PSC1807458

2. **CONFERENCE WITH LEGAL COUNSEL—EXISTING LITIGATION**

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

Name of Case: Coachillin' Holdings, LLC. V. City of Desert Hot Springs, et al;
Superior Court, County of Riverside, Case Number PSC 1907920

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

PRESENTATIONS - 5:15 P.M.

5. **2020 Census Proclamation**
Mayor, Scott Matas
6. **Desert Hot Springs Multi-Year Financial Forecast Presentation**
Urban Futures, Inc., Michael Busch
7. **Introduction and Swearing-In of New Police Officer**
Chief of Police, Jim Henson; and City Clerk, Jerryl Soriano

RECESS

REGULAR SESSION - 6:00 P.M.

CALL TO ORDER

ROLL CALL

INVOCATION

PLEDGE OF ALLEGIANCE

CITY ATTORNEY REPORT ON CLOSED SESSION

APPROVAL OF THE AGENDA

At this time the City Council may amend the order of the agenda, approve the Consent Calendar, remove items from the Consent Calendar for separate discussion and action, and add Urgency Items.

Urgency Items ("Added Starters"): The Brown Act, which governs public meetings, permits the City Council to take action on any item that does not appear on the agenda only if 2/3 of the City Council (if all are present) or all members of the City Council (if fewer than all members are present) determine there is a need to take immediate action on the item, and the need to take immediate action came to the City Council's attention after the agenda was posted.

PUBLIC COMMENTS

At this time, pursuant to the Brown Act, any person may comment on matters of general interest within the subject matter jurisdiction of the City Council, NOT listed on the agenda. Under the Brown Act, the City Council should not take action on or discuss matters raised during Public Comment portion of the agenda that are not listed on the agenda.

Comments are limited to the first ten (10) speakers at three (3) minutes per speaker. Speakers may not yield their time to others without consent of the Mayor. All comments are to be directed to the City Council and shall be devoid of any personal attacks. Members of the public are expected to maintain a professional, courteous decorum during public comments.

Please complete and submit a "speaker card" to the City Clerk. You will be asked to STATE YOUR NAME AND CITY OF RESIDENCE FOR THE RECORD.

CITY MANAGER REPORT

MAYOR AND COUNCIL MEMBER REPORTS

PUBLIC HEARINGS:

8. [Annexation No. 18, Zone 19 to the City of Desert Hot Springs Landscape and Lighting Maintenance District No. 2 \(Rancho Del Oro\)](#)

Public Works Director, Daniel Porras

Packet Page 9

- Recommendation:**
- 1) Staff Report;
 - 2) Entertain questions of Staff from the City Council;
 - 3) Open the Public Hearing;
 - 4) Take public testimony from those in favor of the annexation;
 - 5) Take public testimony from those opposed to the annexation;
 - 6) Take public testimony from those in a neutral position;
 - 7) Close the Public Hearing;
 - 8) City Clerk tabulates the assessment ballots submitted, and not withdrawn, in support of or opposition to the proposed assessment and declares the results;
 - 9) If no majority protest, City Council to adopt a "Resolution Ordering the Annexation of property (Annexation No. 18, Zone 19) to the City of Desert Hot Springs Landscape and Lighting Maintenance District No. 2 and Levying Assessment; OR

If a majority protest exists, it is recommended that the City Council not adopt the resolution.

9. [\(Continued from December 3, 2019\) Annexation No. 37 to the City of Desert Hot Springs Community Facilities District No. 2010-1 \(Services\) for APN 665-110-006 Located East of Little Morongo Road, and North of Dillon Road](#)

Finance Director, Geoffrey Buchheim

Packet Page 39

- Recommendation:**
- 1) Staff Report;
 - 2) Entertain questions of staff from the City Council;
 - 3) Open the Public Hearing continued from December 3, 2019;
 - 4) Take public testimony;
 - 5) Close the Public Hearing;
 - 6) City Council discussion and questions of Staff;
 - 7) Adopt a Resolution calling an election to submit to the qualified electors the question of levying a special tax within the area proposed to be annexed to Community Facilities District No. 2010-1 (Services) (Annexation No. 37)
 - 8) Hold the election;
 - 9) Canvass the election; and
 - 10) Adopt a Resolution declaring election results for annexation to Community Facilities District No. 2010-1 (Services) (Annexation No. 37)

10. [\(Continued from December 3, 2019\) Creating Special Tax Area 43 \(Mirali Zarrabi\) for APN 665-110-006 Located North of Dillon Road and East of Little Morongo Road Within the Desert Springs Special Public Safety Tax Area](#)

Finance Director, Geoffrey Buchheim

Packet Page 73

- Recommendation:**
- 1) Staff Report;
 - 2) Entertain questions of Staff from the City Council;
 - 3) Open the Public Hearing continued from December 3, 2019;
 - 4) Take public testimony;
 - 5) Close the Public Hearing;
 - 6) City Council discussion and questions of Staff;
 - 7) Hold the election;
 - 8) Canvass the election; and
 - 9) Adopt an Ordinance Establishing a Special Public Safety Tax Area Zone 43 (Mirali Zarrabi).

ADMINISTRATIVE CALENDAR:

11. [Addendum to the Third Amendment and Restatement of the Coachella Valley Association of Governments \(CVAG\) Joint Powers Agreement](#)

City Clerk, Jerryl Soriano, CMC

Packet Page 95

- Recommendation:** Approve the addendum to the Third Amendment and Restatement of the CVAG Joint Powers Agreement, which establishes the Torres Martinez Desert Cahuilla Indians as formal members.

12. [Resolution Authorizing the Issuance of Special Tax Refunding Bonds for and on Behalf of the City of Desert Hot Springs Community Facilities District No. 2006-1 Improvement Area No. 1, Approving and Directing the Execution of a Fiscal Agent Agreement, Approving Sale of Such Bonds, and Approving other Related Documents and Actions](#)
Finance Director, Geoffrey Buchheim *Packet Page 105*
Recommendation: Adopt a Resolution of the City Council authorizing the issuance of refunding bonds for and on behalf of Community Facilities District No. 2006-1 Improvement Area 1, approving the sale of such bonds and approving other related documents and actions described herein.
13. [Consideration of an Ordinance Increasing the Salary of City Councilmembers and Mayor](#)
Deputy City Manager, Luke Rainey *Packet Page 173*
Recommendation: Consider introducing for First Reading and read by title only, "An Ordinance of the City Council Amending Section 2.04.020 of Chapter 2.04 "City Council" of the Desert Hot Springs Municipal Code Increasing the Salary of City Councilmembers and Mayor."
14. [Discussion Item: American Dog Kennel Breeding Ordinance](#)
Mayor, Scott Matas *Packet Page 181*
Recommendation: Consider whether to place an item regarding "American Dog Kennel Breeding Ordinance" on a future agenda for action.

CONSENT CALENDAR:

Matters on the "Consent Calendar" are considered routine and may be acted upon by one motion under "Approval of the Agenda." Individual items may also be removed by the City Council for separate discussion under "Approval of the Agenda." The title is deemed to be read and further reading waived on any ordinance listed on the Consent Calendar for second reading and adoption.

15. [City Council Regular Meeting Minutes: December 3, 2019](#)
City Clerk, Jerryl Soriano, CMC *Packet Page 187*
Recommendation: Approve the Minutes as presented; or as corrected.
16. [Payment Register and City Council Expenditures Report for the Month of October 2019](#)
Finance Director, Geoffrey Buchheim *Packet Page 199*
Recommendation: Receive and file.
17. [Payment Register and City Council Expenditures Report for the Month of November 2019](#)
Finance Director, Geoffrey Buchheim *Packet Page 279*
Recommendation: Receive and file.

18. [Treasurer's Report for the Month of October 2019](#)

Finance Director, Geoffrey Buchheim

Packet Page 341

Recommendation: Receive and file.

19. [Treasurer's Report for the Month of November 2019](#)

Finance Director, Geoffrey Buchheim

Packet Page 349

Recommendation: Receive and file.

FUTURE AGENDA ITEMS

PUBLIC COMMENTS

Opportunity is given to those members of the public who have NOT addressed the City Council on an item which is NOT on the agenda. Comments are limited to three (3) minutes per speaker. PLEASE STATE YOUR NAME AND CITY OF RESIDENCE FOR THE RECORD.

ADJOURN

UPCOMING DATES

**Please refer to the City website [calendar](http://www.cityofdhs.org) at www.cityofdhs.org for meeting locations and the most up to date information.*

February 4	City Council Regular Meeting	6:00 p.m.
February 11	Planning Commission	6:00 p.m.
February 12	CCAC	6:00 p.m.
February 13	Public Safety Commission	6:00 p.m.
February 18	City Council Regular Meeting	6:00 p.m.

NOTICES

Americans with Disabilities Act

In an effort to comply with the requirements of Title 2 of the Americans with Disabilities Act of 1990, the City of Desert Hot Springs requires that any person in need of any type of special equipment, assistance, or accommodation(s) in order to communicate at a City public meeting, must inform the City Clerk a minimum of 72 hours prior to the scheduled meeting to enable the City to make reasonable arrangements.

SB 343

In accordance with California Government Code Section 54957.5, any writing or document that is a public record, relates to an open session agenda item, and is distributed less than 72 hours prior to a regular meeting will be made available for public inspection in the Office of the City Clerk at City Hall during normal business hours at 65950 Pierson Boulevard, Desert Hot Springs, CA 92240.

If, however, the document or writing is not distributed until the regular meeting to which it relates, then the document or writing will be made available to the public at the location of the meeting, as listed on this agenda at 11711 West Drive, Desert Hot Springs, CA 92240.