



## **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**

**SEPTEMBER 18, 2018**

**5:00 P.M. – CLOSED SESSION**

**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 - 5:00 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](#) (Paragraph (1) of Subdivision (d) of Section 54956.9) In the Matter of Administration of the D.H.S. Drugs, Inc. Profit Sharing Plan, Riverside Superior Court Case No. PRIN1801126
2. [CONFERENCE WITH LEGAL COUNSEL — EXISTING LITIGATION](#) (Paragraph (1) of subdivision (d) of Section 54956.9) Coachillin' Holdings, LLC v. City of Desert Hot Springs, Riverside Superior Court Case No. RIC1805014

#### **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:**

- [3. Development Agreement No. 02-18 Between the City of Desert Hot Springs and Adkan Engineering for the Future Development of the Mission Creek Trails Residential Subdivision Project Located on APN 667-050-011 and Within the Rancho Royale Specific Plan West of Highway 62](#)

*Community Development Director, Daniel Porras, P.E.*

*Packet Page 7*

**Recommendation:** 1) Staff Report;  
2) Entertain Questions of Staff from 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) Consider a recommendation from the Planning Commission to the City Council to: A) Adopt the Addendum to the previously-certified Final Environmental Impact Report (FEIR) for the Rancho Royale Specific Plan (SCH #92042024), in accordance with the California Environmental Quality Act (CEQA); B) approve Development Agreement No 02-18; and C) introduce and approve for first reading, an Ordinance of the City of Desert Hot Springs approving the Development Agreement (by and between the City of Desert Hot Springs and Edy P. Adkison and Judith Elizabeth Adkison, and Martha Ruiz-Snell) related to Tentative Tract Maps 35009 & 35448 & Specific Plan 01-92, subject to the attached conditions of approval. APN 667-050-011.

#### **ADMINISTRATIVE CALENDAR:**

4. **[Award Construction Contract for Palm Drive and Camino Aventura Traffic Signal](#)**

*Community Development Director, Daniel Porras, P.E.*

*Packet Page 571*

**Recommendation:** Award the construction contract agreement to the lowest responsive bidder, Elecnor Belco Electric, Inc. and authorize the City Manager to execute the agreement by and between Elecnor Belco Electric, Inc. and the City of Desert Hot Springs for the completion of the Palm Drive and Camino Aventura Traffic Signal Project Number 2018-08 in the amount of \$367,998.00 plus a 10 percent contingency of \$36,799.80, for a total project budget of \$404,797.80.

#### **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.*

5. [City Council Regular Meeting Minutes: September 4, 2018](#)  
*City Clerk, Jerryl Soriano, CMC* *Packet Page 611*  
**Recommendation:** Approve the Minutes as submitted; or as corrected.
  
6. [Third Amendment and Restatement to the Coachella Valley Association of Governments \(CVAG\) Joint Powers Agreement](#)  
*City Clerk, Jerryl Soriano, CMC* *Packet Page 619*  
**Recommendation:** Approve by Minute Order, the Third Amendment and Restatement to the CVAG Joint Powers Agreement; and authorize the Mayor to execute said Agreement.
  
7. [Second Reading and Adoption of an Ordinance Relating to Electronic and Paperless Filing of Fair Political Practices Commission \(FPPC\) Campaign Disclosure Statements](#)  
*City Clerk, Jerryl Soriano, CMC* *Packet Page 691*  
**Recommendation:** Approve Second Reading, read by title only and adopt: "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.

### **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](#) at [www.cityofdhs.org](http://www.cityofdhs.org) for meeting locations and the most up to date information.*

October 2	City Council Regular Meeting	6:00 p.m.
October 9	Planning Commission	6:00 p.m.
October 10	CCAC	6:00 p.m.
October 11	Public Safety Commission	6:00 p.m.
October 16	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.