



## **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**

**OCTOBER 2, 2018**

**4:30 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**

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### **CLOSED SESSION - 4:30 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:**

- 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
- 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. A formal claim has been filed, which claim is available for public inspection.

**PRESENTATIONS - 5:15 P.M.**

3. [Proclamation for Fire Prevention Week, October 7 - 13, 2018](#)  
*Mayor, Scott Matas*
4. [Certificate of Recognition to Dirk Voss for his Service on the Planning Commission](#)  
*Mayor, Scott Matas*
5. [Red Cross Presentation](#)
6. [Food Now Presentation](#)

**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**

### **ADMINISTRATIVE CALENDAR:**

7. [\*\*Appointment to the Planning Commission to Fill Vacancy for Unexpired Term\*\*](#)  
*City Clerk, Jerryl Soriano, CMC* *Packet Page 7*  
**Recommendation:** Ratify Mayor Pro Tem Anayeli Zavala's appointment to the Planning Commission to fill one (1) vacancy consisting of an unexpired term ending January 2020.
  
8. [\*\*Resolution Declaring Shelter Crisis Pursuant to Homeless Emergency Aid Program \(HEAP\) \(SB 850\)\*\*](#)  
*City Clerk, Jerryl Soriano, CMC* *Packet Page 37*  
**Recommendation:** 1) Adopt a Resolution of the City Council of the City of Desert Hot Springs, California; declaring a shelter crisis pursuant to Government Code § 8698.2; and  
2) Authorize City Manager, or designee, to process and execute all necessary documents to submit a request for and to coordinate with The CoC Board of Governance of Riverside County in seeking HEAP funding.

### **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.*

9. [\*\*City Council Regular Meeting Minutes: September 18, 2018\*\*](#)  
*City Clerk, Jerryl Soriano, CMC* *Packet Page 57*  
**Recommendation:** Approve Minutes as submitted; or as corrected.

10. [Second Reading and Adoption of an Ordinance Approving Development Agreement No. 02-18 with Adkan, Adkan & Snell \(APN: 667-050-011\)](#)  
*Community Development Director, Daniel Porras, P.E. Packet Page 65*  
**Recommendation:** Approve Second Reading and adopt an Ordinance of the City Council approving Development Agreement No. 02-18 for the development of a residential subdivision (Mission Creek Trails) development with ancillary uses.
  
11. [Conflict of Interest Code Biennial Review and Update](#)  
*City Clerk, Jerryl Soriano, CMC Packet Page 107*  
**Recommendation:** Adopt a Resolution of the City Council amending the City's Conflict of Interest Code.
  
12. [Payment Register and City Council Expenditures Report for the Month of August 2018](#)  
*Finance Director, Linda Kelly Packet Page 115*  
**Recommendation:** Receive and file.
  
13. [Treasurer's Report for the Month of August 2018](#)  
*Finance Director, Linda Kelly Packet Page 145*  
**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](http://www.cityofdhs.org) for meeting locations and the most up to date information.*

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.