



## **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**

**JUNE 18, 2019**

**4:00 P.M. – CLOSED SESSION**

**5:30 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**

#### **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) Name of case: Sungrow Consulting v. City of Desert Hot Springs, et al., Riverside County Superior Court Case No. PSC1800747
- REAL PROPERTY NEGOTIATIONS**  
(Pursuant to Government Code Section 54956.8)  
Property: Assessor's Parcel Numbers 639-114-001 through -011  
Agency Negotiator: Charles Maynard, City Manager  
Negotiating Parties: City of Desert Hot Springs and DCB United, LLC  
Under Negotiation: Price and terms of payment

3. **CONFERENCE WITH LABOR NEGOTIATORS:**  
Pursuant to Government Code §54957.6  
Agency Designated Representatives: City Manager, Charles Maynard  
Deputy City Manager, Luke Rainey  
City Attorney, Jennifer Mizrahi  
Employee Organization: Police Officers Association (DHSPOA)
  
4. **CONFERENCE WITH LABOR NEGOTIATORS:**  
Pursuant to Government Code §54957.6  
Agency Designated Representatives: City Manager, Charles Maynard  
Deputy City Manager, Luke Rainey  
City Attorney, Jennifer Mizrahi  
Employee Organization: Desert Hot Springs Employee's Union

**PRESENTATIONS - 5:30 P.M.**

5. **Introduction and Swearing-In of New Police Officer**  
*Acting Police Chief, 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:**

6. **[Landscape and Lighting Maintenance District No. 1 Levy and Collection of Assessments to Fund Improvements for Fiscal Year 2019-20](#)**

*Acting Finance Director, Geoffrey Buchheim*

*Packet Page 9*

**Recommendation:** 1) Staff Report;  
2) Entertain questions of Staff from the City Council;  
3) Open the Public Hearing;  
4) Take testimony;  
5) Close the Public Hearing;  
6) City Council discussion and questions of Staff; and  
7) Adopt a Resolution of the City Council of the City of Desert Hot Springs, State of California, Approving the Levy and Collection of Assessments to Fund Improvements within Landscape and Lighting Maintenance District No. 1 for Fiscal Year 2019-20.

7. **[Landscape and Lighting Maintenance District No. 2 Levy and Collection of Assessments to Fund Improvements for Fiscal Year 2019-20](#)**

*Acting Finance Director, Geoffrey Buchheim*

*Packet Page 149*

**Recommendation:** 1) Staff Report;  
2) Entertain questions of Staff from the City Council;  
3) Open the Public Hearing;  
4) Take Testimony;  
5) Close the Public Hearing;  
6) City Council discussion and questions of Staff; and  
7) Adopt a Resolution of the City Council of the City of Desert Hot Springs, State of California, Approving the Levy and Collection of Assessments to Fund Improvements within Landscape and Lighting Maintenance District No. 2 for Fiscal Year 2019-20.

8. [Drainage Assessment District No. 1 Levy and Collection of Assessments to Fund Improvements for Fiscal Year 2019-20](#)

*Acting Finance Director, Geoffrey Buchheim*

*Packet Page 243*

**Recommendation:** 1) Staff Report;  
2) Entertain questions of Staff from the City Council;  
3) Open the Public Hearing;  
4) Take testimony;  
5) Close the Public Hearing;  
6) City Council discussion and questions of Staff; and  
7) Adopt a Resolution of the City of Desert Hot Springs, County of Riverside, California, Approving and Ordering the Levy and Collection of Assessments within Drainage Assessment District No. 1 for Fiscal Year 2019-20.

**ADMINISTRATIVE CALENDAR:**

9. [Desert Valley Disposal Agreement for Trash Abatement Program](#)

*Acting Finance Director, Geoffrey Buchheim*

*Packet Page 323*

**Recommendation:** Authorize the City Manager to negotiate and execute and agreement with Desert Valley Disposal for abatement of illegal dumping and roadside litter for an amount not to exceed \$185,000.

10. [Consideration of New Market Tax Credit Financing Documents Necessary to Wind Down the Financing](#)

*Acting Finance Director, Geoffrey Buchheim*

*Packet Page 333*

**Recommendation:** 1) Adopt a Resolution of the City Council of the City of Desert Hot Springs, County of Riverside, State of California, approving certain matters relating to the exit of a New Markets Tax Credit Financing for the Health and Wellness Center and approving forms of documents and certain actions related thereto;  
2) Approve the Membership Interest Purchase Agreement; and  
3) Delegate authority to the City Manager to negotiate and execute all documents, including certifications, and proofs necessary to exit the New Markets Tax Credit Financing, upon approval as to form by the City Attorney and Special Counsel.

11. [Appointment to the Desert Hot Springs Health and Wellness Foundation Board](#)

*City Clerk, Jerry Soriano, CMC*

*Packet Page 409*

**Recommendation:** Appoint a Director to the Health and Wellness Foundation Board of Directors.

12. [\(Successor Agency\) Resolution Approving Purchase and Sale Agreement and Joint Escrow Instructions With Karnail Singh, Satnam Kaur, Malkiat Singh Randhawa, and Kanwardeep Kaur for Real Property Located at 66071 and 66079 Pierson Boulevard \(APNs 641-021-006 and 641-021-048\)](#)  
*Acting Finance Director, Geoffrey Buchheim* *Packet Page 419*  
**Recommendation:** Adopt a Resolution of the Successor Agency to the Redevelopment Agency of the City of Desert Hot Springs approving Purchase and Sale Agreement and Joint Escrow Instructions between the Successor Agency to the Redevelopment Agency of the City of Desert Hot Springs and Karnail Singh, Satnam Kaur, Malkiat Singh Randhawa, and Kanwardeep Kaur with respect to the real property located at 66071 and 66079 Pierson Boulevard, Desert Hot Springs, California (APNs 641-021-006 and 641-021-048) and approving certain related actions.
13. [Appointment to the Public Safety Commission to Fill Vacancy for Unexpired Term](#)  
*City Clerk, Jerryl Soriano, CMC* *Packet Page 475*  
**Recommendation:** Ratify Council Member Zavala's appointment to the Public Safety Commission to fill one (1) vacancy consisting of an unexpired term ending January 2020.
14. [Second Amendment to the General Plan Update Contract with MIG, Inc.](#)  
*Community Development Director, Rebecca Deming* *Packet Page 531*  
**Recommendation:** Authorize the City Manager to execute a Second Amendment to the Professional Services Agreement by and Between the City of Desert Hot Springs and MIG for the 2018 Comprehensive General Plan Update; with approval as to form by the City Attorney.
15. [Award Street Sweeping Services - Project 2019-08](#)  
*Public Works Director, Daniel Porras, P.E.* *Packet Page 539*  
**Recommendation:** Award the Street Sweeping Services Contract to M&M Sweeping, as the lowest responsible bidder, and authorize the City Manager to execute an agreement between M&M Sweeping and the City of Desert Hot Springs, in an amount not to exceed \$70,740.00, with an additional \$+14,148.00 for contingency annually, for City-wide Street Sweeping Services.
16. [First Amendment to Professional Services Agreement for Public Works Inspections Services](#)  
*Public Works Director, Daniel Porras, P.E.* *Packet Page 607*  
**Recommendation:** Authorize the City Manager to execute a First Amendment to the Professional Services Agreement between the City of Desert Hot Springs and Ray Torres, extending the contract term until June 30, 2020, with an amount not to exceed \$109,678 annually for Contract Public Works Inspection Services, upon approval as to form by the City Attorney.

17. [Funding Request from OneFuture Coachella Valley](#)

*City Clerk, Jerryl Soriano, CMC*

*Packet Page ---*

**Recommendation:** Consider a funding request in the amount of \$25,000 from OneFuture Coachella Valley.

**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.*

18. [City Council Regular Meeting Minutes: June 4, 2019](#)

*City Clerk, Jerryl Soriano, CMC*

*Packet Page 619*

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

19. [Community Facilities District 2006-1, Improvement Area No. 1, Levy and Collection of Special Taxes for Fiscal Year 2019-20](#)

*Acting Finance Director, Geoffrey Buchheim*

*Packet Page 627*

**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 2019-20.

20. [Community Facilities District No. 2010-1 Levy and Collection of Special Taxes to Fund the Maintenance of the Improvements for Fiscal Year 2019-20](#)

*Acting Finance Director, Geoffrey Buchheim*

*Packet Page 637*

**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 2019-20.

**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.*

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

**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.