



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

MAY 1, 2018

4:30 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**

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.

1. CONFERENCE WITH LABOR NEGOTIATORS:

Pursuant to Government Code §54957.6

Agency Designated Representatives: City Manager, Charles L. Maynard

City Attorney, Jennifer Mizrahi

Employee Organization:

Police Officers Association (DHSPOA)

2. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION

Significant exposure to litigation pursuant to subdivision (d)(2) of Section 54956.9: (1 case). The facts and circumstances involve issues pertaining a certain developer who has threatened litigation against the City, although no formal claim has been filed.

PRESENTATIONS - 5:30 P.M.

3. **Proclamation for May is Mental Health Month**
Mayor, Scott Matas

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:

4. [Amendment to Development Agreement No. 14-16 to Add Additional Uses and Revise Language, the Project Site is Located on a 2.31 Acre Site Approximately 350 Feet East of Little Morongo Road and 1,000 Feet North of Two Bunch Palms Trail in the Light Industrial \(I-L\) Zone \(APN: 663-280-002\)](#)
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 Public Testimony;
6) Opportunity for Applicant Rebuttal;
7) Close the Public Hearing;
8) City Council discussion and questions to Staff; and
9) Consider approval of an amendment to Development Agreement No. 14-16.

ADMINISTRATIVE CALENDAR:

5. [Furbee Aquatic Center Professional Services/ License Agreement for Swim Programs](#)
Special Projects, John Holcomb Packet Page 47
Recommendation: Authorize the City Manager to enter into a Professional Services/ License Agreement with USA Management, LLC in the amount of \$68,180.00 to provide Swimming Program Management Services at the Furbee Aquatic Center.
6. [Resolution of Intention for Placing Desert Valley Disposal Annual Billings for Services of Residential Properties on the County Tax Rolls, Fiscal Year 2018-2019](#)
Finance Director, Linda Kelly Packet Page 101
Recommendation: 1) Adopt a Resolution of the City Council Declaring the Intention to Levy Annual Billing for Desert Valley Disposal Inc., Solid Waste Refuse Services for Residential Properties on the County Tax Roll for the Fiscal Year 2018-2019.
2) Approving the Attachment F Rate Schedule for July 1, 2018 Rate Year; and
3) Setting a Time and Place for the Public Hearing.

7. [Application for the Installation of Public Art \(Veteran's Corner Monument\) for the Vets Leaf Cultivation Project](#)
Daniel Porras, Community Development Director *Packet Page 329*
Recommendation: Consider a recommendation from the Community and Cultural Affairs Commission for the approval of the proposed public art (Veteran's Monument) for the Vets Leaf cultivation project located at the southwest corner of Cabot Road and San Jacinto Lane, in the Light Industrial (I-L) General Plan and Zoning Land Use District. (APN 665-030-037).

8. [Process to Fill City Council Vacancy Created by the Resignation of Council Member, Yvonne Parks](#)
City Clerk, Jerryl Soriano, CMC *Packet Page 351*
Recommendation: 1) Consider an appointment process and timeline to fill the vacancy created by the resignation of Council Member, Yvonne Parks and provide direction to Staff; and
2) Adopt a Resolution of the City Council to appoint a citizen to fill the Office of City Council Member vacated by the resignation of Yvonne Parks and waiving the option of a special election.

9. [Cancel Hearing and Abandon the Proceedings to Annex and Assess 259 Homes Commonly Known as Rancho Del Oro to the City of Desert Hot Springs Landscape and Lighting Maintenance District No. 2](#)
Community Development Director, Daniel Porras, P.E. *Packet Page 363*
Recommendation: That the City Council by Minute Order move to cancel the Public Hearing for May 15, 2018 and abandon the proceedings to annex and assess property to Landscape and Lighting Maintenance District No. 2 (Annexation No. 18, Zone 19) and to continue to maintain certain landscaping surrounding Rancho del Oro.

10. [Resolution Amending the Fiscal Year 2018-2019 Budget to Include the Various List of Projects to be Funded by Senate Bill 1 \(SB1\)](#)
Community Development Director, Daniel Porras, P.E. *Packet Page 365*
Recommendation: Adopt a Resolution of the City Council amending the budget for Fiscal Year 2018-2019 to incorporate the various list of projects to be funded by Senate Bill 1 (SB 1) - Road Maintenance Rehabilitation Account (RMRA) Funds with an estimated amount of \$483,419.00.

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.

11. [City Council Regular Meeting Minutes: April 17, 2018](#)
City Clerk, Jerryl Soriano, CMC *Packet Page 371*
Recommendation: Approve Minutes as submitted; or as corrected.

12. [Second Reading and Adoption of an Ordinance Approving Development Agreement No. 01-18 with Desert Land Ventures III, LLC \(APNs 669-150-001 and -002\)](#)
Community Development Director, Daniel Porras, P.E. *Packet Page 383*
Recommendation: Approve Second Reading, read by title and adopt, "An Ordinance of the City Council approving Development Agreement No. 01-18 by and between the City of Desert Hot Springs and Desert Land Ventures III, LLC," for the development of a mixed use commercial/industrial business park.

13. [Treasurer's Reports for the months of October 2017, November 2017 and December 2017](#)
Finance Director, Linda Kelly *Packet Page 467*
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.*

May 8	Planning Commission	6:00 p.m.
May 9	RDA Oversight Board Meeting	8.00 a.m.
May 10	CCAC	6:00 p.m.
May 11	Public Safety Commission	6:00 p.m.
May 15	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.