



## 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 21, 2019

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

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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:

1. [CONFERENCE WITH LEGAL COUNSEL—ANTICIPATED LITIGATION](#)  
Initiation of litigation pursuant to paragraph (4) of subdivision (d) of Section 54956.9: Two Potential Cases
2. [CONFERENCE WITH LEGAL COUNSEL—EXISTING LITIGATION](#)  
(Paragraph (1) of Subdivision (d) of Government Code Section 54956.9)  
Name of Case: Garcia et al v. City of Desert Hot Springs– Pending Litigation  
Riverside Superior Court Case Number: PSC 1807458

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

3. **[Desert Valley Disposal Solid Waste Update](#)**  
*Desert Valley Disposal, Chris Cunningham*

**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. **[Desert Valley Disposal Placing Delinquent Disposal Billings on the County Tax Roll for Fiscal Year 2019-20](#)**

*Finance Director, Linda Kelly*

*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, California, Placing the Delinquent Desert Valley Disposal Billings on the Fiscal Year 2019-20 County Tax Roll, after Holding a Public Hearing.

**ADMINISTRATIVE CALENDAR:**

5. **[Professional Services Agreement to Prepare Cost Allocation Plans and User Fee Study for the City](#)**

*Finance Director, Linda Kelly*

*Packet Page 25*

**Recommendation:** Authorize the City Manager to execute a Professional Services Agreement with Revenue & Cost Specialists, LLC to prepare a Cost Allocation Plan and a Federal OMB A-87 Cost Allocation Plan and User Fee Study; and to authorize the City Manager to execute all necessary agreements, approved as to form by the City Attorney.

6. **[Award Construction Contract for the Palm Drive Bicycle and Pedestrian Improvement Project 2016-02](#)**

*Public Works Director, Daniel Porras, P.E.*

*Packet Page 95*

**Recommendation:** Award a Construction Contract Agreement to the lowest responsible qualified bidder, Desert Concepts Construction Inc.; authorize the City Manager to execute the Agreement for the Palm Drive Bicycle and Pedestrian Improvement Project with Desert Concepts Construction, Inc. in an amount not to exceed \$1,749,890; and approve additional project expenses which include a 10% contingency of \$174,989, as-needed materials testing of \$10,000, as-needed inspection services of \$45,000, and SCE connection fee of \$54,742 which brings a total project budget of \$2,034,621.

7. [Options to Fill City Council Vacancy Created by the Resignation of Council Member, Anayeli Zavala](#)  
*City Clerk, Jerryl Soriano, CMC* *Packet Page 137*  
**Recommendation:** 1) Consider an appointment process and timeline to fill the vacancy created by the resignation of Council Member, Anayeli Zavala, and provide direction to Staff; and  
2) Adopt a Resolution of the City Council to appoint a qualified individual to fill the Office of City Council Member vacated by the resignation of Anayeli Zavala and waiving the option of a special election; OR  
3) Direct the City Clerk to prepare a Resolution of the City Council giving call and notice of a special election for action at a future meeting.
8. [Landscape and Lighting Maintenance District No. 1 Intention Proceedings for the Levy and Collection of Assessments](#)  
*Finance Director, Linda Kelly* *Packet Page 147*  
**Recommendation:** 1) Adopt a Resolution of the City Council, declaring its intention for the levy and collection of assessments for the Citywide Landscape and Lighting maintenance District No. 1, Zone A and Zone B, for the Fiscal Year 2019-20; and  
2) Adopt a Resolution of the City Council, Approving the Annual Engineer's Report regarding the proposed levy and collection of assessments for the Landscape and Lighting Maintenance District No. 1 for the Fiscal Year 2019-20.
9. [Landscape and Lighting Maintenance District No. 2 Intention Proceedings for the Levy and Collection of Assessments](#)  
*Finance Director, Linda Kelly* *Packet Page 291*  
**Recommendation:** 1) Adopt a Resolution of the City Council Declaring its intention for the levy and collection of assessments for Landscape and Lighting Maintenance District No. 2, Zones 1 through 15, 17 and 18, for Fiscal Year 2019-20; and  
2) Adopt a Resolution of the City Council approving the Annual Engineer's Report regarding the proposed levy and collection of assessments for Landscape and Lighting Maintenance District No. 2, Zones 1 through 15, 17 and 18, for Fiscal Year 2019-20.
10. [Drainage Assessment District No. 1 Intention Proceedings for the Levy and Collection of Assessments](#)  
*Finance Director, Linda Kelly* *Packet Page 395*  
**Recommendation:** 1) Adopt a Resolution of the City Council, declaring its intention for the levy and collection of assessments for the Drainage Assessment District No. 1 for Fiscal Year 2019-20; and  
2) Adopt a Resolution of the City Council, for approval of the

Annual Engineer's Report regarding the proposed levy and collection of assessments for the Drainage Assessments District No. 1 for Fiscal Year 2019-20.

11. [Consideration of a Revised City Council Meeting Schedule for Summer/Winter 2019](#)

*City Clerk, Jerryl Soriano, CMC*

*Packet Page 477*

**Recommendation:** Take whatever action the City Council deems appropriate.

**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.*

12. [City Council Regular Meeting Minutes: May 7, 2019](#)

*City Clerk, Jerryl Soriano, CMC*

*Packet Page 479*

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

13. [Second Reading and Adoption of an Ordinance Amending Chapter 4.24 of the Desert Hot Springs Municipal Code to Revise the Procedures for the Issuance of Administrative Citations](#)

*City Clerk, Jerryl Soriano, CMC*

*Packet Page 493*

**Recommendation:** Approve Second Reading, read by title and adopt: "An Ordinance of the City Council of the City of Desert Hot Springs, California, amending Chapter 4.24 "Administrative Citation Procedure" of Title 4 "Code Enforcement" of the Desert Hot Springs Municipal Code to revise the procedures for the issuance of administrative citations."

14. [Approve and Authorize Submittal of California Emergency Management Agency Form CAL OES 130 Designating Personnel to Act as the Agent for the City When Seeking Financial Assistance After a Disaster](#)

*Finance Director, Linda Kelly*

*Packet Page 513*

**Recommendation:** Approve the Form 130 Disaster Designees as the City Manager, Deputy City Manager, and Finance Director; direct the City Clerk to certify; and direct Staff to submit the CalOES Form 130 to the California Office of Emergency Services.

15. [Delegation of Investment Authority to the City Treasurer](#)

*Finance Director, Linda Kelly*

*Packet Page 517*

**Recommendation:** Adopt a Resolution of the City Council approving delegation of investment authority and other related duties to the City Treasurer, as authorized by the City's Investment Policy, and approve and adopt the attached Investment Policy for Fiscal Year 2019-2020

16. **Fiscal Year 2019-2020 Appropriations (Gann) Limit**  
*Finance Director, Linda Kelly* *Packet Page 529*  
**Recommendation:** Approve by minute order the Fiscal Year 2019-2020 Appropriations Limit as required by Article XIII B of the California State Constitution.
17. **Payment Register and City Council Expenditures Report for the Month of April 2019**  
*Finance Director, Linda Kelly* *Packet Page 535*  
**Recommendation:** Receive and file.
18. **Treasurer's Report for the Month of April 2019**  
*Finance Director, Linda Kelly* *Packet Page 595*  
**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](#) at [www.cityofdhs.org](http://www.cityofdhs.org) for meeting locations and the most up to date information.*

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