



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

NOVEMBER 5, 2019

4:15 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**

CLOSED SESSION - 4:15 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**
Significant exposure to litigation pursuant to subdivision (d)(2) of Section 54956.9:
The facts and circumstances involve issues pertaining a certain developer who
has threatened litigation against the City, although no formal claim has been filed.
2. **PUBLIC EMPLOYEE DISCIPLINE/DISMISSAL/RELEASE**
Pursuant to CA Government Code Section 54957
3. **PUBLIC EMPLOYEE APPOINTMENT**
Pursuant to CA Government Code 54957
Title: City Attorney

PRESENTATIONS - 5:15 P.M.

4. **Coachella Valley Mosquito and Vector Control (CVMVCD) Presentation**
CVMVCD General Manager, Jeremy Wittie, M.S.
5. **Cabot's Pueblo Museum Presentation**
Executive Director, Irene Rodriguez
6. **Service Recognition Presented to Former Planning Commissioner, Scott De la Torre**
Mayor and City Council
7. **Recognition of L.E.A.D. (Leadership, Education, Action, and Development) Group 2**
Human Resources Director, Pamela Meuse

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:

8. **[Annexation No. 35 to the City of Desert Hot Springs Community Facilities District No. 2010-1 \(Services\) for APN 665-030-051 Located East of Little Morongo Road and South of 14th Avenue](#)**

Finance Director, Geoffrey Buchheim

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- Recommendation:**
- 1) Staff Report;
 - 2) Entertain questions of staff from the City Council;
 - 3) Open the Public Hearing;
 - 4) Take public testimony;
 - 5) Close the Public Hearing;
 - 6) City Council discussion and questions to Staff;
 - 7) Adopt a Resolution calling an election to submit to the qualified electors the question of levying a special tax within the area proposed to be annexed to Community Facilities District No. 2010-1 (Services) (Annexation No. 35);
 - 8) Hold the election;
 - 9) Canvass the election; and
 - 10) Adopt a Resolution declaring election results for annexation to Community Facilities District No. 2010-1 (Services) (Annexation No. 35)

9. **[Annexation No. 36 to the City of Desert Hot Springs Community Facilities District No. 2010-1 \(Services\) for APN 665-030-052 Located East of Little Morongo Road and South of 14th Avenue](#)**

Finance Director, Geoffrey Buchheim

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- Recommendation:**
- 1) Staff Report;
 - 2) Entertain questions of staff from the City Council;
 - 3) Open the Public Hearing;
 - 4) Take public testimony;
 - 5) Close Public Hearing;
 - 6) City Council discussion and questions of Staff;

- 7) Adopt a Resolution calling an election to submit to the qualified electors the question of levying a special tax within the area proposed to be annexed to Community Facilities District No. 2010-1 (Services) (Annexation No. 36);
- 8) Hold the election;
- 9) Canvass the election;
- 10) Adopt a Resolution declaring election results for annexation to Community Facilities District No. 2010-1 (Services) (Annexation No. 36)

10. [An Ordinance Amending Chapter 17.108 \(Home Occupancy Permits\) of Title 17 \(Zoning\) of the Desert Hot Springs Municipal Code to Adopt Regulations for Microenterprise Home Kitchen Operation](#)

Community Development Director, Rebecca Deming

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- Recommendation:**
- 1) Staff Report;
 - 2) Entertain questions of Staff from City Council;
 - 3) Open the Public Hearing;
 - 4) Take testimony from those in favor;
 - 5) Take testimony from those opposed;
 - 6) Take testimony from those in a neutral position;
 - 7) Close the Public Hearing;
 - 8) City Council discussion and questions to Staff; and
 - 9) Introduce and read by title only, "An Ordinance of the City Council of the City of Desert Hot Springs, Amending Chapter 17.108 (Home Occupancy Permits) of Title 17 (Zoning) of the Desert Hot Springs Municipal Code to Adopt Regulations for Microenterprise Home Kitchen Operations."

11. [Ordinances Amending Various Chapters of Desert Hot Springs Municipal Code Title 15 "Buildings and Construction" to Adopt the 2019 Editions of Various State and Uniform Codes"](#)

Community Development Director, Rebecca Deming

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- Recommendation:**
- 1) Staff Report;
 - 2) Entertain questions of Staff from City Council;
 - 3) Open the Public Hearing;
 - 4) Take testimony from those in favor;
 - 5) Take testimony from those opposed;
 - 6) Take testimony from those in a neutral position;
 - 7) Close the Public Hearing;
 - 8) City Council discussion and questions to Staff; and
 - 9) Introduce and read by title only the following ordinances:
 - A) "An Ordinance of the City Council of the City of Desert Hot Springs amending Title 15 "Buildings and Construction" of the Desert Hot Springs Municipal Code to repeal Chapter 15.24 and to add Chapter 15.22 "California Fire Code" to adopt the 2019 edition of the California Fire Code with selected appendices

- and amendments;" AND
- B) "An Ordinance of the City Council of the City of Desert Hot Springs, California amending Chapter 4.08 "Enforcement Authority" and adding, repealing, amending, and renumbering various Chapters of Title 15 "Buildings and Construction" of the Desert Hot Springs Municipal Code in order to adopt by reference the 2019 editions of the California Building Code, California Residential Code, California Electrical Code, California Mechanical Code, California Plumbing Code, California Energy Code, California Historical Building Code, California Existing Building Code, California Green Building Standards Code, California Referenced Standards Code, International Property Maintenance Code, and to adopt local revisions to those Codes."

ADMINISTRATIVE CALENDAR:

12. **L.E.A.D. (Leadership, Education, Action, and Development) Group 2 - Community Project**
L.E.A.D. Team Members *Packet Page 137*
Recommendation: Receive and file.
13. **Stagnant Water Inspection and Abatement Warrant Release, Waiver, and Indemnity Agreement**
Compliance Manager, Christina Archuleta *Packet Page 141*
Recommendation: Approve the contract entitled, "Stagnant Water Inspection and Abatement Warrant Release, Waiver, and Indemnity Agreement By and Between the City Of Desert Hot Springs and Coachella Valley Mosquito and Vector Control District."
14. **Approval of Parcel Map No. 37571 for Best Development Group, Acceptance of Dedications for Street and Public Utility Purposes, Acceptance of Subdivision Improvement Agreement and Related Bonds, and Acceptance of Utility Pole Undergrounding Agreement**
Daniel Porras, Public Works Director *Packet Page 157*
Recommendation: 1) Find that the Parcel Map No. 37571 is in substantial conformance with the previously approved tentative map;
2) Approve Parcel Map 37571 in accordance with the Conditions of Approval;
3) Accept the dedications as offered on the map for street and public utility purposes, drainage easements and direct access restrictions;
4) Accept the Subdivision Improvement Agreement, Performance Bond and Labor and Materials Bond once approved by the City Attorney and City Manager;

- 5) Authorize the City Clerk and Interim City Engineer to sign the map evidencing the City Council's approval; and
- 6) Authorize staff to process and file the map and subdivision agreement with the County Recorder's Office.
- 7) Approve the Agreement to Defer Undergrounding of Utilities and For Payment of Undergrounding of Costs, and authority the City Manager to make any changes to the Agreement if needed thereto to consummate the Project.

15. [Resolution of Intent to Vacate Ortega Drive](#)

Daniel Porras Public Works Director

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Recommendation: Adopt a Resolution of the City Council of the City of Desert Hot Springs declaring its intent to vacate Ortega Drive in the City of Desert Hot Springs, which would set a time date and place for a City Council public hearing (proposed on December 3, 2019 at 6pm in the Carl May Center), and referring the matter to the planning commission for consideration of general plan consistency.

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.

16. [City Council Regular Meeting Minutes: October 15, 2019](#)

[City Council Special Meeting Minutes: October 22, 2019](#)

City Clerk, Jerryl Soriano, CMC

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

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 for meeting locations and the most up to date information.*

November 6	Planning Commission Special Meeting	6:00 p.m.
November 19	City Council Regular Meeting	6:00 p.m.
November 12	Planning Commission	6:00 p.m.
November 13	CCAC	6:00 p.m.
November 14	Public Safety Commission	6:00 p.m.
December 3	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.