



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 2, 2020

5:00 P.M. – CLOSED SESSION

6:00 P.M. – REGULAR SESSION

VIA VIDEOCONFERENCE
Desert Hot Springs, California

Notice Regarding COVID-19 and Public Participation at City Council Meetings

Pursuant to California Governor Newsom's Executive Orders N-25-20 issued on March 4, 2020 and N-29-20 issued on March 18, 2020, the City Council regular meeting will be conducted remotely through Zoom and broadcast live on the City's YouTube channel.

Pursuant to the Executive Orders, and to ensure the health and safety of the public by limiting human contact that could spread the COVID-19 virus, the Carl May Center/Council Chamber will not be open for the meeting. The City Council and Staff will be participating remotely and will not be physically present in the Council Chamber.

Watch the Meeting Live

- [City of Desert Hot Springs YouTube Channel](#)

For Public Comment

If you wish to speak under general public comment, or speak on an agenda item, you can access the meeting remotely through ONE of the following options:

- **Participate via Zoom**
[CLICK HERE](#) to register
(URL: https://us02web.zoom.us/webinar/register/WN_IAM3g2BsSjSleuFvzWxeJw)
- **Submit Comments in Writing**
You may also submit your comments in writing via email to the City Clerk at cityclerk@cityofdhs.org. **To give the City Clerk adequate time to compile, please submit no later than 4:00 P.M. on June 2, 2020.** All written public comments will be distributed to the City Council and included as part of the record.

In the subject line, please indicate:

“Public Comment – Non-Agenda Item” OR

“Public Comment – Item #” (insert the agenda item number(s) relevant to your comment(s))

The City of Desert Hot Springs thanks you in advance for taking all precautions to prevent the spreading of the COVID-19 virus.

CLOSED SESSION - 5:00 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:

1. **[REAL PROPERTY NEGOTIATIONS \(Successor Agency\)](#)**

Pursuant to Government Code Section 54956.8:

Property: 66146 Pierson Boulevard (APN: 639-232-040)

Agency Negotiator: Charles L. Maynard, City Manager/Executive Director
Jennifer Mizrahi, City Attorney/General Counsel

Negotiating Parties: Mlou Guzman Villanueva

Under Negotiation: Price and Terms

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:

2. [Development Permit No. 20-3: An Application to Develop 15 Single-Family Homes Within the Eagle Pointe Specific Plan Residential Development Tract Map No. 30540](#)

Community Development Director, Rebecca Deming

Packet Page 9

- Recommendation:**
- 1) Staff Report
 - 2) Entertain questions of Staff from the City Council;
 - 3) Open Public Hearing;
 - 4) Take testimony from Applicant;
 - 5) Take public testimony for those in favor;
 - 6) Take public testimony from those opposed;
 - 7) Take public testimony from those in a neutral position;
 - 8) Opportunity for Applicant rebuttal;
 - 9) Close the Public Hearing
 - 10) City Council discussion and questions to Staff; and
 - 11) Recommendation for approval of Development Permit No. 20-3 to develop 15 single family homes within the Eagle Pointe Residential Development Tract Map No. 30540.

3. [Desert Valley Disposal Placing Delinquent Disposal Billings on the County Tax Roll, Fiscal Year 2020-21](#)

Finance Director, Geoffrey Buchheim

Packet Page 115

Recommendation: 1) Staff Report;
2) Entertain questions of Staff from the 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) 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 2020-21 County Tax Roll, after Holding a Public Hearing.

4. [Resolution Ordering Annual Assessments for Desert Valley Disposal Solid Waste Refuse Services of Residential Properties for Fiscal Year 2020-21](#)

Finance Director, Geoffrey Buchheim

Packet Page 289

Recommendation: 1) Staff Report;
2) Entertain questions of Staff from the 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) Adopt a Resolution Ordering Annual Assessment for Desert Valley Disposal Solid Waste Refuse Services of Residential Properties for Fiscal Year 2020-21.

ADMINISTRATIVE CALENDAR:

5. [City of Desert Hot Springs Preliminary One Year Budget for All Funds and Capital Improvement Projects for Fiscal Year 2020-2021](#)

Finance Director, Geoffrey Buchheim

Packet Page 515

Recommendation: 1) Receive Staff Presentation of the City of Desert Hot Springs Preliminary One Year Budget for All Funds and Capital Improvement Projects for Fiscal Year 2020-2021;
2) Entertain questions from City Council;
3) City Council to provide any changes, recommendations, or directions to be included in the final budget document; and
4) Adopt a Resolution of the City Council of the City of Desert Hot Springs Approving the Fiscal Year 2020-2021 Budget and Fiscal Year 2020-2021 Appropriations Limit.

6. [Landscape and Lighting Maintenance District No. 1 Intention Proceedings for the Levy and Collection of Assessments](#)

Finance Director, Geoffrey Buchheim

Packet Page 589

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 Fiscal Year 2020-21; 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 Fiscal Year 2020-21.

7. [Landscape and Lighting Maintenance District No. 2 Intention Proceedings for the Levy and Collection of Assessments](#)

Finance Director, Geoffrey Buchheim

Packet Page 733

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 and 17 through 19, for Fiscal Year 2020-21; 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 and 17 through 19, for Fiscal Year 2020-21.

8. [Drainage Assessment District No. 1 Intention Proceedings for the Levy and Collection of Assessments](#)

Finance Director, Geoffrey Buchheim

Packet Page 839

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 2020-21; 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 Assessment District No. 1 for Fiscal Year 2020-21.

9. [Fireworks Permits](#)

Community Development Director, Rebecca Deming

Packet Page 911

Recommendation: The Fireworks Committee is recommending that the City Council:
1) Make an exception to the Ordinance and approve all five (5) applications; or
2) Approve four (4) applications which are in compliance.

10. [\(Continued from May 19, 2020\) Appointment to the Planning Commission to Fill Vacancy for Unexpired Term](#)
City Clerk, Jerryl Soriano, CMC *Packet Page 933*
Recommendation: Ratify Council Member Betts' appointment to the Planning Commission to fill one (1) vacancy consisting of an unexpired term ending January 2022.
11. [A Resolution of the City Council Amending the Meeting Guidelines and Procedures Policy Regarding Appointments to City Boards and Commissions](#)
Council Member, Gary Gardner; and *Packet Page 991*
Council Member, Jan Pye
Recommendation: The City Council Policies and Procedures Subcommittee (Council Members Gardner and Pye) recommend that the City Council adopt a Resolution of the City Council amending the Meeting and Guidelines and Procedures Policy regarding appointments to City Boards and Commissions.

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 19, 2020](#)
City Clerk, Jerryl Soriano, CMC *Packet Page 1015*
Recommendation: Approve the Minutes as presented; or as corrected.
13. [Desert Valley Disposal Re-Investment Payment and Extension of Term of the Franchise Agreement](#)
Finance Director, Geoffrey Buchheim *Packet Page 1023*
Recommendation: Approve a Minute Motion to accept a request from the Desert Valley Disposal for Re-Investment Payment and Extension of Term of the Franchise Agreement.
14. [Second Reading and Adoption of an Ordinance Amending or Adding the Following Chapters of the Desert Hot Springs Municipal Code: A\) 17.04.050 "Definitions"; B\) 17.08 "Residential Districts"; 4\) 17.12 "Commercial Districts"; D\) 17.14 "Mixed Use Districts"; E\) 17.16 "Industrial Districts"; F\) 17.64 "Administration"; G\) 17.74 "Administrative Conditional Use Permits" and 2\) Amending The Zoning Map In Accordance With Zoning Amendment No. ZA-20-1](#)
Community Development Director, Rebecca Deming *Packet Page 1027*
Recommendation: Approve Second Reading, read by title only and adopt: " An Ordinance of the City Council of the City of Desert Hot Springs 1) Amending or Adding the Following Chapters of the Desert Hot Springs Municipal Code: A) 17.04.050

“Definitions”; B) 17.08 “Residential Districts”; 4) 17.12 “Commercial Districts”; D) 17.14 “Mixed Use Districts”; E) 17.16 “Industrial Districts”; F) 17.64 “Administration”; G) 17.74 “Administrative Conditional Use Permits” and 2) Amending The Zoning Map In Accordance With Zoning Amendment No. ZA-20-1.”

15. **Second Reading and Adoption of An Ordinance Amending the Desert Hot Springs Municipal Code to Clarify and Solidify the Intent of the City Council for Recovery of Attorney's Fees for Nuisance Abatement**

City Clerk, Jerryl Soriano, CMC

Packet Page 1129

Recommendation: Approve Second Reading, read by title only and adopt: "An Ordinance of the City Council of the City of Desert Hot Springs, California, amending Section 4.04.070 of the Desert Hot Springs Municipal Code to clarify and solidify the intent of the City Council for recovery of attorney's fees for nuisance abatement.

16. **Contracts Management Report as of May 15, 2020**

Finance Director, Geoffrey Buchheim

Packet Page 1139

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

June 9	Planning Commission	6:00 p.m.
June 11	Public Safety Commission	6:00 p.m.
June 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.