



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

SEPTEMBER 17, 2019

5:00 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**

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. **CONFERENCE WITH LEGAL COUNSEL—EXISTING LITIGATION**
(Paragraph (1) of subdivision (d) of Section 54956.9)
Name of case: Garcia v. City of Desert Hot Springs, et al. (Best Development Group, LLC as Real Party in Interest)
Riverside County Superior Court Case No. RIC1903260
2. **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.

PRESENTATIONS - 5:30 P.M.

3. **Recognition of Kihon MMA of Desert Hot Springs**
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. [Creating Special Tax Area 45 \(Watermarke Homes, LLC\) for Assessor's Parcel Numbers \("APN"\) 661-550-011 through 661-550-019 and 661-551-001 through 661-551-007 Located North of Mission Lakes Blvd. and East of Little Morongo Rd., to the Desert Hot Springs Special Public Safety Tax Area](#)
Acting Finance Director, Geoffrey Buchheim *Packet Page 7*
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 of Staff;
7) Hold the election;
8) Canvass the election; and
9) Adopt an Ordinance Establishing a Special Public Safety Tax Area Zone 45 (Watermarke Holmes, LLC).

ADMINISTRATIVE CALENDAR:

5. [Approval of Mission Springs Water District Initiating Formation of Assessment District No. 18 of the Mission Springs Water District](#)
Public Works Director, Daniel Porras, P.E. *Packet Page 29*
Recommendation: Consider adoption of a Resolution of the City Council that does not object to the Mission Springs Water District initiation of proceedings for the construction of certain work pursuant to the provisions of the Municipal Government Act of 1913 for Assessment District No. 18 and additional Assessment Districts contained therein.
6. [Low Voltage System for the New City Hall Project](#)
Deputy City Manager, Luke Rainey *Packet Page 41*
Recommendation: Award the bid and authorize the City Manager to execute a Public Works Construction Agreement with AMS Connect to provide design, construction, equipment, and maintenance of a Low Voltage System for the New City Hall project in an amount of \$653,093.56 plus a 5% contingency for a total not to exceed \$685,748.24.
7. [Award Construction Contract for the Installation of Traffic Signals at Pierson Boulevard at Cholla Drive and Palm Drive at Desert View Avenue \(City Project No. 2019-10\)](#)
Public Works Director, Daniel Porras, P.E. *Packet Page 179*
Recommendation: Award the construction contract agreement to the lowest responsive bidder, Elecnor Belco Electric, Inc. and authorize

the City Manager to execute the agreement with Elecnor Belco Electric, Inc. for the Installation of the Traffic Signals at Pierson Boulevard at Cholla Drive and Palm Drive at Desert View Avenue (City Project No. 2019-10) in the amount of \$582,650.00, and approve a contingency amount of \$87,397.50 (15%), as needed inspection services of \$60,000, and as-needed material/equipment testing of \$15,000, which brings the total project budget to \$745,047.50.

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

Acting Finance Director, Geoffrey Buchheim

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Recommendation: Adopt a Resolution of the City Council of the City of Desert Hot Springs declaring its intention to annex territory to Community Facilities District No. 2010-1 (Services) of the City of Desert Hot Springs, adopting a map of the area proposed to be annexed (Annexation No. 35) and to authorize the levy of special taxes therein.

9. [Resolution of Intention to Annex One Parcel \(Annexation No. 36\) Located East of Little Morongo Road, and South of 14th Ave. \(APN 665-030-052\) to the City of Desert Hot Springs Community Facilities District No. 2010-1 \(Services\)](#)

Acting Finance Director, Geoffrey Buchheim

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Recommendation: Adopt a Resolution of the City Council of the City of Desert Hot Springs declaring its intention to annex territory to Community Facilities District No. 2010-1 (Services) of the City of Desert Hot Springs, adopting a map of the area proposed to be annexed (Annexation No. 36), and to authorize the levy of special taxes therein.

10. [DHS Bike Lanes and ADA Improvement Project - Riverside County Transportation Commission \(RCTC\) Agreement for Funding Under Senate Bill \(SB\) 821 Bicycle Pedestrian Facilities Program](#)

Public Works Director, Daniel Porras, P.E.

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Recommendation: Authorize the City Manager to execute a funding agreement between Riverside County Transportation Commission (RCTC) and the City of Desert Hot Springs, to receive SB 821 funding totaling \$300,000 for the DHS Bike Lanes and ADA Improvements Project.

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: September 3, 2019](#)
City Clerk, Jerryl Soriano, CMC *Packet Page 359*
Recommendation: Approve the Minutes as presented; or as corrected.
12. [Second Reading and Adoption of an Ordinance Amending Chapter 3.44 \(Purchasing\) of the Desert Hot Springs Municipal Code, Clarifying and Amending Procurement Procedures; and Amending Chapter 3.45 \(Public Works Projects\), Increasing Competitive Bidding Threshold Amounts in Accordance with State Law](#)
City Clerk, Jerryl Soriano, CMC *Packet Page 369*
Recommendation: Approve for Second Reading, read by title only and adopt: "An Ordinance of the City Council of the City of Desert Hot Springs, California, amending Chapter 3.44 (Purchasing) of the Desert Hot Springs Municipal Code, clarifying and amending procurement procedures; and amending Chapter 3.45 (Public Works Projects), increasing competitive bidding threshold amounts in accordance with State law.

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.*

October 1	City Council Regular Meeting	6:00 p.m.
October 8	Planning Commission	6:00 p.m.
October 9	CCAC	6:00 p.m.
October 10	Public Safety Commission	6:00 p.m.
October 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.