



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

JULY 7, 2020

4:30 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_qOllmWxzRXS2dmIZ1GSyhQ)
- **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 July 7, 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 - 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—EXISTING LITIGATION**

[\(Gov. Code section 54956.9\(d\)\(1\).\)](#)

Name of Case: Coachillin’ Holdings, LLC v. City of Desert Hot Springs, et al.;
Riverside Superior Court, Case No. PSC1907920

2. **CONFERENCE WITH LEGAL COUNSEL—EXISTING LITIGATION**

[\(Gov. Code section 54956.9\(d\)\(1\).\)](#)

Name of Case: Garcia, et al. v. City of Desert Hot Springs, et al., Case Number
PSC1807458

3. **THREAT TO PUBLIC SERVICES OR FACILITIES**

[\(Gov. Code section 54957\(a\).\)](#)

Consultation with: Desert Hot Springs Police Department - Chief Henson, or his
designee

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. **[Landscape and Lighting Maintenance District No. 1 Levy and Collection of Assessments to Fund Improvements for Fiscal Year 2020-21](#)**

Finance Director, Geoffrey Buchheim

Packet Page 11

- 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; and
- 7) Adopt a Resolution of the City Council of the City of Desert Hot Springs, State of California, Approving the Levy and Collection of Assessments to Fund Improvements within Landscape and Lighting Maintenance District No. 1 for Fiscal Year 2020-21.

5. [Landscape and Lighting Maintenance District No. 2 Levy and Collection of Assessments to Fund Improvements for Fiscal Year 2020-21](#)

Finance Director, Geoffrey Buchheim

Packet Page 35

- 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; and
 - 7) Adopt a Resolution of the City Council of the City of Desert Hot Springs, State of California, Approving the Levy and Collection of Assessments to Fund Improvements within Landscape and Lighting Maintenance District No. 2 for Fiscal Year 2020-21.

6. [Drainage Assessment District No. 1 Levy and Collection of Assessments to Fund Improvements for Fiscal Year 2020-21](#)

Finance Director, Geoffrey Buchheim

Packet Page 137

- 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; and
 - 7) Adopt a Resolution of the City of Desert Hot Springs, County of Riverside, California Approving and Ordering the Levy and Collection of Assessments within Drainage Assessment District No. 1 for Fiscal Year 2020-21

7. [Development Agreement No. 20-1: A Development Agreement Between the City of Desert Hot Springs and Marapharm DHS California, LLC](#)

Community Development Director, Rebecca Deming

Packet Page 221

- Recommendation:**
- 1) Staff Report;
 - 2) Entertain questions of Staff from the 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) Introduce for First Reading and read by title only, "An Ordinance of the City Council of the City of Desert Hot Springs, California, Approving the Development Agreement by and Between the City of Desert Hot Springs and Marapharm DHS California LLC.

8. **Resolution Affirming the Report of Public Nuisance Abatement Costs and Placing Them on the Tax Roll**

Finance Director, Geoffrey Buchheim

Packet Page 261

- 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; and
 - 6) City Council discussion and questions to Staff; and
 - 7) Adopt a Resolution of the City Council of the City of Desert Hot Springs, State of California Ordering Confirmation of the Special Assessments Against Parcels of Land within the Public Nuisance Abatement Costs for Fiscal Year 2020-21.

9. **(Continued from June 16, 2020) Resolution Adopting User Fee Study**

Finance Director, Geoffrey Buchheim

Packet Page 273

- Recommendation:**
- 1) Staff Report;
 - 2) Entertain questions of Staff by 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; and
 - 7) Adopt a Resolution of the City Council adopting the User Fee Study prepared by Revenue & Cost Specialists, LLC, dated April 2020.

10. **An Ordinance Amending Section 17.08.120 "Manufactured Homes" of Chapter 17.08 "Residential Districts" of Title 17 "Zoning" of the Desert Hot Springs Municipal Code Regarding Regulations for the Installation of Manufactured Homes**

Community Development Director, Rebecca Deming

Packet Page 617

- Recommendation:**
- 1) Staff Report;
 - 2) Entertain questions of Staff from the City Council
 - 3) Open Public Hearing;
 - 4) Take public testimony;
 - 5) Close the Public Hearing;
 - 6) City Council discussion and questions to Staff; and
 - 7) Introduce for First Reading and read by title only "An Ordinance of the City Council of the City of Desert Hot Springs, California Amending Section 17.08.120 "Manufactured Homes" Of Chapter 17.08 "Residential Districts" of Title 17 "Zoning" of the Desert Hot Springs

Municipal Code Regarding Regulations for the Installation of Manufactured Homes.”

11. [An Ordinance Amending Section 17.40.200 "Projections/Construction and Equipment Permitted into Setbacks" of Title 17 "Zoning" of the Desert Hot Springs Municipal Code to Clarify What Projections Can Encroach into Setback Areas](#)

Rebecca Deming, Community Development Director

Packet Page 625

Recommendation: 1) Staff Report;
2) Entertain questions of Staff from the City Council
3) Open Public Hearing;
4) Take public testimony;
5) Close the Public Hearing;
6) City Council discussion and questions to Staff; and
7) Introduce for First Reading and read by title only “An Ordinance of the City Council of the City of Desert Hot Springs Amending Section 17.40.200 “Projections/Construction and Equipment Permitted into Setbacks” of Title 17 “Zoning” of the Desert Hot Springs Municipal Code to Clarify What Projections Can Encroach into Setback Areas”

12. [An Ordinance Amending Section 17.12.030 "Land Use District Development Standards" of the Desert Hot Springs Municipal Code to Reflect Development Standards for Its New Zoning Designations Pursuant to the New General Plan Update](#)

Community Development Director, Rebecca Deming

Packet Page 631

Recommendation: 1) Staff Report;
2) Entertain questions of Staff from the City Council;
3) Open Public Hearing;
4) Take public testimony;
5) Close the Public Hearing;
6) City Council discussion and questions to Staff; and
7) Introduce for First Reading and read by title only “An Ordinance of the City Council of the City of Desert Hot Springs Amending Section 17.12.030 “Land Use District Development Standards” of the Desert Hot Springs Municipal Code to Reflect Development Standards for Its New Zoning Designations Pursuant to the New General Plan Update.”

13. [Environmental Findings, General Plan GPA-20-1 Housing Element Technical Corrections](#)

Community Development Director, Rebecca Deming

Packet Page 641

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

- 6) City Council discussion and questions to Staff; and
- 7) Adopt a Resolution of the City Council of the City of Desert Hot Springs, California, Amending General Plan Amendment GPA 20-1 to Make Technical Corrections to the Housing Element to Reflect Requirements of the Housing Rollover Requirement Numbers In State Law, Including Correcting the Sites Inventory Table and Other Areas to Reflect The Proper Rollover Numbers.

ADMINISTRATIVE CALENDAR:

14. **[Desert Valley Disposal Agreement for Trash Abatement Program](#)**
Finance Director, Geoffrey Buchheim *Packet Page 657*
Recommendation: Authorize the City Manager to negotiate and execute an agreement with Desert Valley Disposal (DVD) for abatement of illegal dumping and roadside litter for an amount not to exceed \$185,000.

15. **[Proposed Refinancing of the California Communities Transportation Revenue \(Installment Sale\) Certificates of Participation, Series 2012A \(TRIP - Total Road Improvement Program\)](#)**
Finance Director, Geoffrey Buchheim *Packet Page 669*
Recommendation: Adopt a Resolution of the City Council Approving the Execution and Delivery of California Statewide Communities Development Authority Transportation Revenue (Installment Sale) Certificates of Participation, Series 2020 (T.R.I.P. – Total Road Improvement Program) Pursuant to a Trust Agreement to Prepay and Refund the City’s 2012 Installment Sale Agreement and Related Certificates of Participation, Authorizing the Execution and Delivery of an Installment Sale Agreement, a Trust Agreement, Certificate Purchase Agreement and an Escrow Agreement, Authorizing the Distribution of an Official Statement in Connection with the Offering and Sale of such Certificates, and Authorizing Other Matters Relating Thereto”

16. **[Resolution Amending the Fiscal Year 2020-2021 Budget to Include Projects to be Funded by Senate Bill 1 \(SB1\)](#)**
Public Works Director, Daniel Porras *Packet Page 913*
Recommendation: Adopt a Resolution of the City Council amending the budget for Fiscal Year 2020-2021 to incorporate the list of projects to be funded by Senate Bill 1 (SB 1) - Road Maintenance Rehabilitation Account (RMRA) Funds with an estimated amount of \$502,727.

17. [\(Continued from June 16, 2020, June 2, 2020, and May 19, 2020\) Appointment to the Planning Commission](#)
City Clerk, Jerryl Soriano, CMC *Packet Page 1021*
Recommendation: Continue the appointment to September 1, 2020.
18. [Notice of Completion - New City Hall Project No. 2019-03](#)
Public Works Director, Daniel Porras *Packet Page 1027*
Recommendation: Approve the work, accept the Project, and direct the City Manager to file the Notice of Completion for the New City Hall Project 2019-03.

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.

19. [City Council Regular Meeting Minutes: June 16, 2020](#)
City Clerk, Jerryl Soriano, CMC *Packet Page 1031*
Recommendation: Approve the Minutes as presented; or as corrected.
20. [Second Reading and Adoption of an Ordinance Correcting Certain Typographical Errors to Reflect the Proper Density By Amending: 1\) Land Use Table 17.08.02 "Development Standards-Residential Districts," and 2\) Land Use Table 17.14.02 "Development Standards-Mixed Use Districts."](#)
City Clerk, Jerryl Soriano, CMC *Packet Page 1041*
Recommendation: Approve Second Reading, read by title only and adopt: "An Ordinance of the City Council of the City of Desert Hot Springs, California, Correcting Certain Typographical Errors to Reflect the Proper Density By Amending: 1) Land Use Table 17.08.02 "Development Standards-Residential Districts," and 2) Land Use Table 17.14.02 "Development Standards-Mixed Use Districts."

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.*

July 9	Public Safety Commission	6:00 p.m.
July 14	Planning Commission	6:00 p.m.
July 21	City Council Regular Meeting	DARK
August 4	City Council Regular Meeting	DARK
August 11	Planning Commission	6:00 p.m.
August 13	Public Safety Commission	6:00 p.m.
August 18	City Council Regular Meeting	DARK

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.