

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

DECEMBER 3, 2013

5:00 P.M. – REGULAR SESSION

(CLOSED SESSION TO IMMEDIATELY FOLLOW OPEN SESSION)

**CITY COUNCIL CHAMBERS
CARL MAY COMMUNITY CENTER
11711 West Drive, Desert Hot Springs, California**

CALL TO ORDER

ROLL CALL

PLEDGE OF ALLEGIANCE

MOMENT OF INSPIRATION

PRESENTATIONS

[Certificates of Recognition Presented to the Desert Hot Springs High School Marching Band, "Golden Eagle Regiment, " Division 1 Winners of the "2013 California State Band Championship"](#)

[Certificates of Recognition Presented to Bill Cook, George Fisher and Dot Reed for their Contributions to the Community](#)

[Holiday Parade Presentation](#)

Parade Committee

[Recognition of Yvonne Parks for her Leadership and Service, Office of Mayor, 2007-2013](#)

ADMINISTRATIVE CALENDAR

1. [Certification of the November 5, 2013 General Municipal Election Results and Appointment to Fill Vacancy](#)

City Clerk, Jerryl Soriano

Recommendation: 1) Adopt a Resolution of the City Council of the City of Desert Hot Springs, California, reciting the fact of the General Municipal Election held in said City on November 5, 2013, declaring the result thereof and other such matters as provided by law; and

2) Adopt a Resolution of the City Council of the City of Desert Hot Springs, California, as required by Section 2.04.040(B) of the Desert Hot Springs Municipal Code, appointing Jan Pye to the vacant City Council seat created by the election of Adam Sanchez, Sr. to the Office of Mayor at the General Municipal Election held on November 5, 2013.

INSTALLATION OF OFFICERS

Oath of Office administered by Jerryl Soriano, City Clerk

Council Member: Scott Matas

Council Member: Joe McKee

Council Member: Jan Pye

Mayor: Adam Sanchez, Sr.

RECESS

CALL TO ORDER

NEW ROLL CALL

SELECTION OF MAYOR PRO TEMPORE

APPROVAL OF THE AGENDA

URGENCY ITEM(S)

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 State law, any person may comment on an item, which is NOT on the agenda. PLEASE STATE YOUR NAME AND CITY OF RESIDENCE FOR THE RECORD.

Comments are limited to the first ten (10) speakers at three (3) minutes per speaker. 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.

PUBLIC HEARINGS

1. **[An Urgency Ordinance Amending Specified Chapters of the Municipal Code to Adopt the 2013 California Building Standards Code and Related Codes](#)**

Community Development Department, Martín Magaña

- Recommendation:**
- 1) Staff Report;
 - 2) Entertain questions of Staff from City Council;
 - 3) Open the Public Hearing;
 - 4) Take Testimony in favor;
 - 5) Take Testimony against;
 - 6) Take Testimony neutral;
 - 7) Close the Public Hearing;
 - 8) Opportunity for Rebuttal;
 - 9) City Council discussion and questions to Staff; and
 - 10) City Council adopt, as an urgency ordinance, the proposed ordinance (Exhibit 1) which adopts the 2013 editions of the California Building Codes with certain

amendments and the requisite findings in support of such amendments. Passage of this urgency ordinance requires a four-fifths vote of the City Council

- 11) Waive the reading of the Ordinance in its entirety; and read b title only.

ADMINISTRATIVE CALENDAR

2. City Council and Commissions Meeting Guidelines and Procedures Regarding Start Time for Regular City Council Meetings and Placement of Closed Session Calendar on the Agenda

Mayor, Adam Sanchez; and Council Member, Russell Betts

Recommendation: Adopt a Resolution of the City Council amending the City Council and Commissions Meeting Guidelines and Procedures to change the start time of regular City Council meetings to 6:00 p.m. and placement of Closed Session Calendar at end of the agenda.

3. City Wide Travel / Training / Conference Moratorium

Mayor, Adam Sanchez; and Council Member, Russell Betts

Recommendation: Adopt a Resolution of the City Council immediately imposing a City-wide travel, training and conference moratorium applicable to all Council Members, Commissioners, Department Directors, Managers and all City Staff, subject to limited exceptions.

Resolution Regarding Commissioner Appointments

4.

Mayor, Adam Sanchez; and Council Member Russell Betts

Recommendation: Adopt a Resolution of the City Council prohibiting any person who serves as an elected official for any legislative body of any non-City public agency, including but not limited to any special districts, from being appointed or permitted to serve simultaneously on a City commission.

5. Budget and Financial Update - Fiscal Year 2013/14

Director of Finance and Administration, Amy Aguer

Recommendation: Direct staff to post budget adjustments, as shown in the attachments, with any changes requested by Council, to revenues and expenditures.

6. Recommendations from Staff to Reduce Expenditures and Increase Cost Recovery

Director of Finance and Administration, Amy Aguer

Recommendation: Review and provide direction to Staff.

7. Recommendations from the Urban Futures Updated Report Dated June 11, 2013 and Provided by the Finance Committee at the Special Joint Meeting of the City Council and the Finance Committee on September 24, 2013.

Director of Finance and Administration, Amy Aguer

Recommendation: Review and provide direction to staff.

8. **Health and Wellness Center Budget Update**
Director of Finance and Administration, Amy Aguer
Recommendation: Review and provide direction to Staff.

9. **City Manager Recruitment**
Interim City Manager, Bob Adams
Recommendation: Provide staff direction on how to proceed with the City Manager recruitment.

10. **Desert Valley Disposal Franchise Agreement Request**
Interim City Manager, Bob Adams
Recommendation: Appoint a City Council subcommittee to meet with DVD to discuss franchise options.

11. **First Amendment to the National Pollutant Discharge Elimination System Stormwater Discharge Permit Implementation Agreement**
Acting Public Works Director, Rudy Acosta
Recommendation: Approve the First Amendment to the National Pollutant Discharge Elimination System Stormwater Discharge Permit Implementation Agreement between the Riverside County Flood Control and Water Conservation District, the County of Riverside, the Coachella Valley Water District, and the Cities of Banning, Cathedral City, Coachella, Desert Hot Springs, Indian Wells, Indio, LaQuinta, Palm Desert, Palm Springs and Rancho Mirage.

CONSENT CALENDAR

12. [Debt Service for the City and the Successor Agency to the City's Redevelopment Agency](#)
Director of Finance and Administration, Amy Aguer
Recommendation: Receive and file.

13. [Authorize City Staff to Solicit Request for Proposals for a User Fee Study](#)
Director of Finance and Administration, Amy Aguer
Recommendation: Authorize City staff to prepare a Request for Proposals to solicit proposals for a User Fee Study.

14. [Payment Register and City Council Expenditure Report for October, 2013](#)
Director of Finance and Administration, Amy Aguer
Recommendation: 1) Receive and file Payment Register for October, 2013
2) Receive and file City Council Expenditure Report for October, 2013.

15. [Decline the acceptance of the U.S. Department of Justice Community Oriented Policing Services \(COPS\) Hiring Grant \(CHP\) for FY2013.](#)
Police Chief, Kate Singer
Recommendation: Authorize the City Manager, or his designee, to decline the acceptance of the U.S. Department of Justice Community Oriented Policing Services Hiring Grant for Fiscal Year 2013.

16. [Desert Valley Disposal, Inc. - Summary of Quarterly Cleanup, October 21-25, 2013](#)

Acting Public Works Director, Rudy Acosta

Recommendation: Receive and file the Desert Valley Disposal, Inc. - Summary of Quarterly Cleanup, October 21-25, 2013 Report.

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.

MAYOR AND COUNCIL MEMBER REPORTS

CITY MANAGER REPORT

ADJOURN REGULAR MEETING

CLOSED SESSION

CALL TO ORDER

ROLL CALL

APPROVAL OF CLOSED SESSION AGENDA

CLOSED SESSION PUBLIC COMMENTS

At this time, any person may address the City Council on any matter that is listed on the Closed Session agenda. PLEASE STATE YOUR NAME AND CITY OF RESIDENCE FOR THE RECORD.

CLOSED SESSION:

1. **CONFERENCE WITH LEGAL COUNSEL REGARDING EXISTING LITIGATION pursuant to Government Code Section 54956.9(d)(1)**

Case Name: Kenneth C. Cokeley Real Estate Development, Inc. v. City of Desert Hot Springs

Riverside County Superior Court Case No. PSC 1302022

2. **CONFERENCE WITH LEGAL COUNSEL REGARDING EXISTING LITIGATION pursuant to Government Code Section 54956.9(d)(1)**

Case Name: Pacific Custom Pools v. City of Desert Hot Springs, et al.,

Riverside County Superior Court Case No. PSC 1300787

3. **CONFERENCE WITH LABOR NEGOTIATORS pursuant to Government Code §54957.6**

Agency Designated Representatives: Interim City Manager, Bob Adams

Management Analyst, Jeanine Plute

City Attorney, Steven Quintanilla

Employee Organization:

Teamsters Local 911

4. [CONFERENCE WITH LABOR NEGOTIATORS pursuant to Government Code §54957.6](#)

Agency Designated Representatives:

Interim City Manager, Bob Adams

Management Analyst, Jeanine Plute

City Attorney, Steven Quintanilla

Employee Organization:

Police Officers Association (DHSP OA)

5. [CONFERENCE WITH LABOR NEGOTIATORS pursuant to Government Code §54957.6](#)

Agency Designated Representatives:

Interim City Manager, Bob Adams

Management Analyst, Jeanine Plute

City Attorney, Steven Quintanilla

Employees:

Unrepresented Employees

6. [CONFERENCE WITH LABOR NEGOTIATORS pursuant to Government Code §54957.6](#)

Agency Designated Representatives:

Interim City Manager, Bob Adams

Management Analyst, Jeanine Plute

City Attorney, Steven Quintanilla

Unrepresented Employees:

Department Heads

7. [CONFERENCE WITH LABOR NEGOTIATORS pursuant to Government Code §54957.6](#)

Agency Designated Representatives: Interim City Manager, Bob Adams
Management Analyst, Jeanine Plute
City Attorney, Steven Quintanilla

Unrepresented Employee: City Manager

8. **CONFERENCE WITH LABOR NEGOTIATORS pursuant to Government Code §54957.6**

Agency Designated Representatives: Interim City Manager, Bob Adams
Management Analyst, Jeanine Plute
City Attorney, Steven Quintanilla

Unrepresented Employee: Police Chief

CONVENE IN OPEN SESSION

CITY ATTORNEY REPORT ON CLOSED SESSION

ADJOURN