

**RESOLUTION NO. 2017-056**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DESERT HOT SPRINGS CALLING AND GIVING NOTICE OF A SPECIAL MUNICIPAL ELECTION TO BE HELD IN THE CITY OF DESERT HOT SPRINGS ON NOVEMBER 7, 2017, REGARDING A BALLOT MEASURE TO EXTEND EXISTING VOTER-APPROVED FUNDING TITLED "DESERT HOT SPRINGS 911, GANG/DRUG CRIME PREVENTION MEASURE" ASKING SHALL THE ORDINANCE PREVENTING PUBLIC SAFETY SERVICE CUTS TO POLICE/EMERGENCY RESPONSE TIMES, ANTI-GANG/ANTI-DRUG, YOUTH VIOLENCE AND SEX OFFENDER/PAROLEE PROGRAMS, EXTENDING EXISTING, VOTER-APPROVED PUBLIC SAFETY MEASURE AT A REDUCED RATE OF \$103 PER SINGLE FAMILY RESIDENCE, PROVIDING APPROXIMATELY \$2,000,000 ANNUALLY, UNTIL ENDED BY VOTERS, REQUIRING AUDITS, WITH ALL FUNDS FOR LOCAL PUBLIC SAFETY, AND A TAX DECREASE FOR THESE PARCELS, BE ADOPTED?**

**WHEREAS**, in May 2009 voters in the City of Desert Hot Springs enacted Measure A to modernize and expand the city's utility users tax; and

**WHEREAS**, in June 2010 voters in the City of Desert Hot Springs enacted Measure G extending the city's parcel tax to maintain essential public safety services; and

**WHEREAS**, this existing voter-approved local funding provides \$5 million in annual funding for police officers and emergency dispatchers, anti-gang and anti-drug enforcement operations, rapid emergency response times, crime prevention and investigation, graffiti removal, and other essential public safety services; and

**WHEREAS**, over the past decade, the State has taken millions of dollars from the City of Desert Hot Springs, including \$1.5 million in redevelopment funding; and

**WHEREAS**, amid these state takeaways, the City avoided bankruptcy, reduced a \$6 million deficit, cut staff by half, increased fiscal stability and transparency, and maintained essential services including public safety; and

**WHEREAS**, the City is making progress on lowering crime rates amid rising homelessness and state policies that continue to put offenders back on our streets; and

**WHEREAS**, the loss of voter-approved public safety services funding would require a 60% reduction in our local police force; and

**WHEREAS**, the city's Police Department is already understaffed, with one-third too few officers for cities of similar size according to national standards; and

**WHEREAS**, despite already being some of the lowest-paid in California, every police officer in the city has taken a 22 percent pay cut while protecting our community; and

**WHEREAS**, the City needs to recruit, train and retain experienced police officers; and

**WHEREAS**, by law, all funds from existing, voter-approved funding has been specifically used only for Desert Hot Springs public safety services; and

**WHEREAS**, renewing these measures is critical to the safety and survival of our city;  
and

**WHEREAS**, Desert Hot Springs' main fire station is the third-busiest in the county; and

**WHEREAS**, without this existing funding, one of our two fire stations will have to close, increasing the time it takes for 9-1-1 to respond in an emergency; and

**WHEREAS**, since 2012, the City's independent financial advisor, Urban Futures Inc., has provided the City Council and Executive Management Staff with annual updates on the City's current financial position as well as a five-year forecast for the City's General Fund; and

**WHEREAS**, while the City has been successful in implementing budget sustainability recommendations, it has come at the cost of some City services being reduced, such as but not limited to, a 25% reduction in compensation to all full-time staff, including Public Safety Staff, and the elimination of financial assistance to outside organizations, which were steps necessary to ensure the City could maintain very basic service levels and to ensure the City could weather the next recession; and

**WHEREAS**, in the future, however, should the City face another significant threat to its financial stability, similar cuts will not be available because they have already been implemented; and

**WHEREAS**, Measure A and Measure G collectively provide approximately \$5 million annually in City funding which must be set aside in a separate Public Safety Fund (Fund 245) to be specifically utilized for Public Safety services in the City; and

**WHEREAS**, these measures include accountability provisions such as requiring financial oversight and guaranteed annual independent audits; and

**WHEREAS**, all funding generated by these measures is legally required to stay in Desert Hot Springs for public safety services to ensure funds are used as promised to voters; and

**WHEREAS**, both Measure A and Measure G are considered to be special taxes pursuant to Section 1(d) of Article XIII C of the California Constitution which defines a "special tax" as any tax imposed for specific purposes; and

**WHEREAS**, both Section 2(d) of Article XIII C of the California Constitution and Section 53722 of the Government Code require that special taxes be approved by at least two-thirds of the voters voting on the special tax measure; and

**WHEREAS**, the next regularly scheduled general election for the City of Desert Hot Springs is not until November 2018; and

**WHEREAS**, the November 7, 2017 election would be considered a special election should the City Council want to add a special tax measure to the November 7, 2017 election ballot; and

**WHEREAS**, based on all of the information presented at the July 5, 2017 meeting of the City Council, both written and oral, including the staff reports, minutes, and other relevant materials, the City Council finds that under CEQA Guidelines 15060(c) (2) and 15378, subdivisions (2) and (4) of subdivision (b), this proposed special tax does not constitute a project under CEQA and therefore review under CEQA is not required.

**NOW, THEREFORE, BE IT RESOLVED, DETERMINED AND ORDERED BY THE CITY COUNCIL FOR THE CITY OF DESERT HOT SPRINGS, AS FOLLOWS:**

**Section 1. RECITALS**

That the recitals set forth above are true and correct and are hereby incorporated herein as findings of the City Council.

**Section 2. ELECTION**

That the City Council of the City of Desert Hot Springs hereby calls and orders to be held in the City of Desert Hot Springs, a special municipal election of the qualified electors of the City of Desert Hot Springs on November 7, 2017, for the purpose of submitting to the voters a ballot measure asking: Shall the Ordinance to prevent essential public safety services cuts such as police/emergency response, anti-gang/drug, youth violence prevention and sex offender/parolee monitoring programs, extending the existing, voter-approved public safety measure at the reduced rate of \$103 per single family residence, providing approximately \$2,000,000 annually, until ended by voters, requiring oversight, audits, all funds for local public safety services, with a tax decrease for these parcels be adopted?

**Section 3. BALLOT MEASURE**

That a ballot measure ("Measure") shall be submitted to the voters on the November 7, 2017, special municipal election ballot in the form of the following question:

<b>DESERT HOT SPRINGS 911, GANG/DRUG CRIME PREVENTION MEASURE</b>		
Shall the Ordinance preventing public safety service cuts to police/emergency response times, anti-gang/anti-drug, youth violence and sex offender/parolee programs, extending existing, voter-approved public safety measure at a reduced rate of \$103 per single family residence, providing approximately \$2,000,000 annually, until ended by voters, requiring audits, with all funds for local public safety, and a tax decrease for these parcels, be adopted?	YES	NO

That the full text of the proposed Measure to be submitted to the voters is attached as Exhibit A. If at least two-thirds of the qualified voters voting on the Measure vote in favor of the Measure, the Measure shall be deemed effective ten (10) days after the election results are certified by the City Council.

**Section 4. ELECTIONS CODE SECTION 13119 STATEMENT**

- A. That the **decrease** in the Public Safety Special Tax rate for:
  - 1. Single Family Residential/R-1/CON, which is measured per dwelling unit, will be decreased from \$138.64 (which is the current rate for FY 2017/2018) to \$103.00
- B. That the **increase** in the Public Safety Special Tax rates for:

1. Residential Vacant, which is measured per dwelling unit, which will be increased from \$9.82 (which is the current rate for FY 2017/2018) to \$19.14
2. Commercial Vacant, which is measured per acre, which will be increased from \$133.80 (which is the current rate for FY 2017/2018) to \$267.60
3. Industrial Vacant, which is measured per acre, which will be increased from \$2.71 (which is the current rate for FY 2017/2018) to \$5.42
4. Hotel Vacant, which is measured per acre, which will be increased from \$11.25 (which is the current rate for FY 2017/2018) to \$22.50

All of the above is expected to produce annually an additional \$91,138 of revenue for the Public Safety Fund, with the Public Safety Tax remaining in place until subsequently repealed by the voters.

**Section 5. PUBLIC INSPECTION**

That the City Clerk shall maintain a copy of the Measure and proposed ordinance and make the same available for public inspection upon request.

**Section 6. DEADLINE FOR SUBMISSION OF ARGUMENTS**

That arguments in Favor or Against the Measure shall be filed with the City Clerk of the City of Desert Hot Springs on or before August 21, 2017, after which no arguments for or against the Measure may be submitted to the City Clerk.

**Section 7. ARGUMENTS IN FAVOR**

That the Mayor is hereby authorized to select two members of the City Council to prepare a written argument in favor of the proposed Measure, not to exceed 300 words, on behalf of the City Council. At the Mayor's discretion, the argument may also be signed by members of the City Council or bona fide associations or by individual voters who are eligible to vote.

**Section 8. REBUTTALS**

In the event that an argument is filed against the Measure, the Mayor is also authorized to select two members of the City Council to prepare a rebuttal argument on behalf of the City Council, which may also be signed by members of the City Council or bona fide associations or by individual voters who are eligible to vote. The rebuttal arguments shall be filed with the City Clerk by August 31, 2017, and shall not exceed 250 words in length.

**Section 9. CITY ATTORNEY ANALYSIS**

That the City Clerk is hereby directed to transmit a copy of the Measure and proposed ordinance to the City Attorney, who shall prepare an impartial analysis of the Measure by August 21, 2017, showing the effect of the Measure on the existing law and the operation of the Measure in accordance with Section 9280 of the Elections Code, and shall not exceed 500 words in length.

**Section 10. PUBLIC INSPECTION**

That the City Clerk shall make available for public inspection: (a) the arguments filed For or Against the Measure and the City Attorney's Impartial Analysis during the period commencing August 22, 2017, and ending on August 31, 2017; and (b) the rebuttals to the arguments filed For or Against the Measure. During the period commencing September 1, 2017, and ending September 10, 2017,

**Section 11. ELECTION RETURNS**

That the Riverside County Registrar of Voters is hereby authorized to canvass the returns of the election.

**Section 12. PARTY RESPONSIBLE FOR MANAGING ELECTION**

That the Board of Supervisors of the County of Riverside is hereby requested to issue instructions to the Riverside County Registrar of Voters to take any and all steps necessary for the holding of the election.

**Section 13. REIMBURSEMENTS**

That the City of Desert Hot Springs recognizes that costs will be incurred by the County of Riverside in connection with the election and agrees to reimburse the County for any such costs.

**Section 14. CITY CLERK DUTIES**

That the City Clerk is hereby directed to: (a) file a certified copy of this Resolution with the Board of Supervisors and the Riverside County Registrar of Voters; and (b) cause the posting, publication, and printing of notices and all other matters pursuant to the requirements of the Elections Code and Government Code of the State of California.

**Section 15. EFFECTIVE DATE**

That this Resolution shall take effect upon its adoption.

**Section 16. CERTIFICATION**

That the City Clerk shall certify to the passage of this Resolution and enter it into the book of original resolutions.

**PASSED AND ADOPTED** by the City Council of the City of Desert Hot Springs at a regular meeting held on the 5th day of July, 2017, by the following vote:

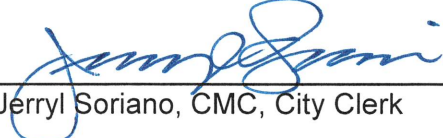
**AYES:** 5 – Betts; McKee; Parks; Zavala; and Mayor Matas.

**NAYS:** None.

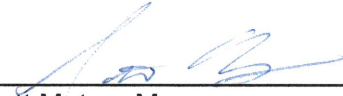
**ABSENT:** None.

**ABSTAIN:** None.


**ATTEST:**

  
\_\_\_\_\_  
Jerryl Soriano, CMC, City Clerk

**APPROVED:**

  
\_\_\_\_\_  
Scott Matas, Mayor

**APPROVED AS TO FORM:**

  
\_\_\_\_\_  
Jennifer A. Mizrahi, City Attorney

**EXHIBIT A**  
**PROPOSED ORDINANCE**

ORDINANCE NO. \_\_\_\_\_

**AN ORDINANCE OF THE PEOPLE OF THE CITY OF DESERT HOT SPRINGS, AMENDING CHAPTER 3.32 (PUBLIC SAFETY SPECIAL TAX) OF THE CITY OF DESERT HOT SPRINGS' MUNICIPAL CODE EXTENDING THE DURATION OF THE EXISTING, VOTER-APPROVED PUBLIC SAFETY SPECIAL TAX, AMENDING THE TAX RATES UNTIL ENDED BY THE VOTERS**

**THE PEOPLE OF THE CITY OF DESERT HOT SPRINGS ORDAIN AS FOLLOWS:**

**Section 1. ELECTIONS CODE SECTION 13119 STATEMENT**

A. That the **decrease** in the Public Safety Special Tax rate for:

1. Single Family Residential/R-1/CON, which is measured per dwelling unit, which will be decreased from \$138.64 (which is the current rate for FY 2017/2018) to \$103.00

B. That the **increase** in the Public Safety Special Tax rates for:

1. Residential Vacant, which is measured per dwelling unit, which will be increased from \$9.82 (which is the current rate for FY 2017/2018) to \$19.14
2. Commercial Vacant, which is measured per acre, which will be increased from \$133.80 (which is the current rate for FY 2017/2018) to \$267.60
3. Industrial Vacant, which is measured per acre, which will be increased from \$2.71 (which is the current rate for FY 2017/2018) to \$5.42
4. Hotel Vacant, which is measured per acre, which will be increased from \$11.25 (which is the current rate for FY 2017/2018) to \$22.50

All of the above is expected to produce annually an additional \$91,138.44 of revenue for the 245 Fund, with the Public Safety Tax remaining in place until subsequently repealed by the voters.

**Section 2. AMENDMENT TO CHAPTER 3.32**

That Chapter 3.32 of the Desert Hot Springs Municipal Code shall be amended to read as follows (the only edit is shown in bold and underline in Section 3.32.210 "Expiration date"):

**3.32.010 Definitions.**

Except where the context otherwise requires, the definitions of the words and phrases set forth in this section shall govern the application and administration of the provisions of this chapter:

"Administrator" means the City of Desert Hot Springs Finance Director, or designee.

"Animal control services" means services directed towards maintaining a safe and stray-free community, including the enforcement of applicable state and City laws and citing of violators; kennel operation and maintenance services; care for impounded animals and



adoption services; pick-up of stray animals; issuing and recording dog licenses; investigating animal abuse; handling endangered species; and removing wild animals and reptiles from the community; and administrative costs directly related thereto.

“City” means the City of Desert Hot Springs.

“Code enforcement services” means services directed toward the enforcement of municipal code provisions with respect to public nuisances, including zoning, signs, land use and property maintenance violations, and toward the enforcement of municipal code provisions with respect to business licensing and removal of abandoned vehicles; and administrative costs directly related thereto.

“Dwelling unit” means, without limitation, one or more rooms including bathroom(s) and a kitchen, designated as a unit for occupancy by one family or for living and sleeping purposes for developed properties. In calculating the special tax for residential vacant properties, the number of dwelling units per acre shall be assigned based on the approved residential zoning according to the following formula: (1) R-L Residential Low—Three dwelling units per acre; (2) R-M Residential Medium—Five dwelling units per acre; (3) R-MH Residential Mobile Home—Six dwelling units per acre; and (4) R-H Residential High—Eight dwelling units per acre. In instances in which the appropriate zoning for a residential vacant property is uncertain, the Administrator shall assign the property to a zoning district, referring to the City of Desert Hot Springs General Plan, Zoning Ordinance, and Zoning Map in making the determination.

“Fire protection services” means the services provided by the Riverside County Fire Department pursuant to a cooperative agreement to provide fire protection, fire prevention, rescue and medical aid for the City entered into by and between the City and Riverside County Fire Department, and administrative costs directly related thereto.

“Parcel” means an individual property assigned its own assessment number by the Riverside County Assessor’s office.

“Person” means any natural individual, firm, trust, common law trust, estate, joint stock company, joint venture, limited liability company, corporation (foreign or domestic), cooperative, or receiver, trustee, guardian or other representative appointed by order of any court.

“Police protection services” means services protecting the safety of the citizens of the City through the maintenance of law and order, including the enforcement of criminal and vehicular laws and municipal code provisions; services to enhance the quality of life, environment and safety of the citizens of the City; services responding to calls for police assistance; services in cooperation with other City departments, including code enforcement and animal control, and services in cooperation with other law enforcement agencies and social service agencies; and administrative costs directly related thereto.

“Public safety services” means animal control services, code enforcement services, fire protection services and police protection services.

“State” means the state of California.

### 3.32.020 Use of special tax revenues.

The revenues of the special tax may be used only for funding public safety services and collection costs related to:

- A. The collection of the tax by the Assessor and Tax Collector of the County of Riverside; and
- B. Foreclosure activities in the event of nonpayment of the tax.

3.32.030 Separate public safety services accounts.

The revenue produced by the special tax shall be placed by the Finance Department into a separate public safety services account.

3.32.040 Prohibited use of revenue for other services—Annual reporting and audit.

- A. No revenue generated by the special tax shall be used for any purpose whatsoever other than for funding public safety services and the collection costs described in Section 3.32.020 unless this chapter is amended to provide otherwise pursuant to the approval of at least a two-thirds vote of the electors of the City at an election called for such a purpose in a manner consistent with California Constitution Article XIID, Section 3, California Government Code Sections 53722 et seq., and/or any other applicable state constitutional provision, law or regulation pertaining to such matters.
- B. The City of Desert Hot Springs' existing Public Safety Commission shall, in addition to the Commission's existing responsibilities, serve as an advisory committee to the City Council with respect to the receipt and expenditure of public safety special tax funds. In that capacity, the Public Safety Commission shall at least annually prepare and provide to the City Council a review of the expenditures of funds generated by the public safety special tax.
- C. By no later than December 31st of each year, the City's independent auditors shall complete a compliance and internal control audit report for public safety special tax funds received. Such report shall review whether the tax revenue is collected, managed and expended in accordance with Chapter 3.32 of the Municipal Code.

3.32.050 Special tax area.

The special tax area is all land within the City of Desert Hot Springs.

3.32.060 Land use category.

The amount of the special tax shall be based in part upon the land use category of the subject parcel (land use category), as set forth in Appendix A hereto and incorporated herein by this reference, and shall be initially in the amounts set forth in Appendix A.

3.32.070 Prohibited additions and modifications to special tax areas and/or land use categories.

No boundary modifications to the existing special tax area and no modifications to the land use categories shall be made which will result in an increase in the rate or amount of any special tax above the rate or amount set forth in this chapter unless such an addition or modification is submitted to the voters and is approved by at least a two-thirds vote of the electors of the City at an election called for such a purpose in a manner consistent with California Constitution Article XIID, Section 3, California Government

Code Sections 53722 et seq., and/or any other applicable constitutional provision, law or regulation pertaining to such matters.

3.32.080 Change in special tax rate resulting from change in zoning, development or usage.

Notwithstanding Section 3.32.070, any increase in the rate or amount of the special tax which results from a change in zoning (e.g., from recreational to commercial), a change in development (e.g., from unimproved to improved) or usage (e.g., from a hotel to a boarding house) shall not be required to be submitted to the voters for approval. For each real property which is subject to a change in zoning, or for which a change in development or a change in usage is approved, the rate of the special tax that will be levied upon the real property shall be the rate applicable to other similarly situated properties in that particular zone, with that particular type of development and usage. This paragraph shall be interpreted in a manner which is consistent with this chapter.

3.32.090 Parcels subject to special tax.

The special tax shall be imposed on all parcels of real property located within the special tax area unless otherwise specifically exempted in this chapter.

3.32.100 Exempted parcels.

Parcels owned by the City, the federal government, the state, or any other local public agency and parcels owned by any other public or private entity that is specifically exempted from local property-related taxation regulations under any applicable federal or state statute or regulation shall be exempt from the imposition of the special tax set forth in this chapter.

3.32.110 Possessory interests in exempted parcels.

Any non-public entity holding or possessing a leasehold interest or any other similar possessory interest in any real property specifically exempt under Section 3.32.100 shall be subject to the imposition of the special tax in a manner consistent with the purposes and provisions of this chapter.

3.32.120 Annexations.

Parcels annexed by the City after the effective date of the ordinance codified in this chapter shall be included in the special tax area which most closely resembles the zoning, land use and locational characteristics of the respective parcel, as shall be determined by the City, and the subject parcel shall be subject to the imposition of the special tax set forth in this chapter only if the imposition of the special tax on the subject parcel is accomplished in a manner consistent with California Constitution Article XIID, Section 3, California Government Code Sections 53722 et seq., and/or any other applicable constitutional provision, law or regulation pertaining to such matters.

3.32.130 Annual adjustments.

The amount of the special tax as set forth in this chapter shall be adjusted annually by the cost of living increase as represented in the Consumer Price Index utilized by the Department of Labor for the area including Riverside County (currently, the Metropolitan

Los Angeles area) for the most recent 12 months preceding the annual review of the cost of living pursuant to this section, or three percent, whichever is less.

3.32.140 Prohibition against discretionary adjustments in amount of special tax.

Other than the annual adjustments set forth in Section 3.32.130, the City, the City Council and/or any other decision-making authority of the City shall be prohibited from increasing the rate or amount of the special tax above the rate or amount set forth in this chapter unless such an increase in the rate or amount is submitted to the voters and is approved by at least a two-thirds vote of the electors of the City at an election called for such a purpose in a manner consistent with California Constitution Article XIID, Section 3, California Government Code Sections 53722 et seq., and/or any other applicable constitutional provision, law or regulation pertaining to such matters.

3.32.150 Civil debt.

The special tax and all applicable penalties and interest shall be deemed a civil debt owing to the City which may be collected in the manner provided by the municipal code or any other applicable law, rule or regulation.

3.32.160 Assessment and collection duties.

The assessment and tax collection duties associated with the special tax described in this chapter shall be, pursuant to California Government Code Section 51501, the responsibility of the Assessor and Tax Collector of the County of Riverside.

3.32.170 Installment dates.

The special tax set forth in this chapter shall be due in two equal installments on the same dates in accordance with the schedule utilized by the assessor and tax collector of the County in collecting other property taxes on behalf of the City.

3.32.180 Method of collection.

The special tax set forth in this chapter shall be collected in the same manner in accordance with the procedures utilized by the Assessor and Tax Collector of the County in collecting other property taxes on behalf of the City.

3.32.190 Penalties and interest.

The special tax shall be subject to the same penalties and interest set forth by the County on behalf of the City and such penalties and interest shall constitute a lien upon the subject parcel until it has been paid.

3.32.200 Limited authority of the City Council.

The City Council, by three affirmative votes, is authorized:

- A. To reduce the amount of the special tax pro rata among parcels for a current fiscal year if it is determined within the City Council's sole discretion that the amount of revenue produced by the special tax exceeds the cost of the public safety services for that fiscal year.

- B. To sit as a Board of Equalization under procedures to be adopted to equalize inequities and reduce hardships for the current fiscal year created by a literal interpretation of this chapter and any such action taken in this capacity shall be deemed an administrative action.
- C. To annually provide an official assessment book designating the actual special tax levy on each parcel to the Assessor and Tax Collector of the County.
- D. To amend this chapter for the purpose of administering the general purposes of the article and conforming with any applicable federal and/or state statute, rule or regulation.

3.32.210 Expiration date.

This chapter shall expire until repealed by the voters June 30, 2020.

**Appendix A.**

LAND USE CATEGORY	UNIT OF MEASURE	TAX RATE	<b><u>NEW TAX RATE</u></b>
Single Family Residential/R-1/CON	Per dwelling unit	\$120.87	<b><u>\$103</u></b>
Duplexes/R-2	Per dwelling unit	\$67.60	
Apartments/Mobile Homes/ R-3	Per dwelling unit	\$38.71	
Residential Vacant	Per dwelling unit	\$8.57	<b><u>\$19.14</u></b>
Commercial Developed	Per acre (<or = 0.15 acres)	\$3,734.14	
Commercial Developed	Per acre (>0.15 acres)	\$3,253.20	
Commercial Vacant	Per acre	\$116.66	<b><u>\$267.60</u></b>
Industrial Developed	Per acre	\$521.92	
Industrial Vacant	Per acre	\$2.36	<b><u>\$5.42</u></b>
Hotel Developed	Per room	\$38.16	
Hotel Vacant	Per acre	\$9.80	<b><u>\$22.50</u></b>

**Section 3. VOTER APPROVAL**

That this ordinance was approved by at least two-thirds (2/3rd) of the voters voting in the Desert Hot Springs special municipal election held on November 7, 2017.

**Section 4. SEVERABILITY**

That should any provision, section, paragraph, sentence or word of this ordinance be rendered or declared invalid by any final court action in a court of competent jurisdiction or by reason of any preemptive legislation, the remaining provisions, sections, paragraphs, sentences or words of this ordinance as hereby adopted shall remain in full force and effect.

**Section 5. REPEAL OF CONFLICTING PROVISIONS**

That all the provisions of the Municipal Code as heretofore adopted by the City of Desert Hot Springs that are in conflict with the provisions of this ordinance are hereby repealed.

**Section 6. CERTIFICATION**

That the City Clerk shall certify to the passage of this ordinance and shall cause the same to be published according to law.

**Section 7. EFFECTIVE DATE**

That this ordinance shall take effect ten (10) days following the City Council's certification of the results of the November 7, 2017, special municipal election.

**PASSED AND ADOPTED** by the People of the City of Desert Hot Springs at a special municipal election held on November 7, 2017.

**ATTEST:**

\_\_\_\_\_  
Jerryl Soriano, City Clerk

\_\_\_\_\_  
Scott Matas, Mayor

**APPROVED AS TO FORM:**

\_\_\_\_\_  
Jennifer A. Mizrahi, City Attorney