

# The Public Record

TUESDAY, MAY 4, 2021

VOLUME 48 - EDITION #35  
PALM SPRINGS, CALIFORNIA  
\$1.50 - PER SINGLE ISSUE

SERVING ALL OF THE DESERT CITIES AND UNINCORPORATED AREAS OF RIVERSIDE COUNTY IN THE COACHELLA VALLEY

## C2 Collaborative Set to Transform Failed Palm Springs Golf Course Into Chic Modern “Agrihood”

BY STAFF REPORTS

C2 Collaborative, an internationally acclaimed Orange County, Calif.-based landscape architecture design firm, is pleased to announce the upcoming opening of Miralon Palm Springs this summer 2021. C2 Collaborative was retained by its client, Freehold Communities, as the master landscape architect tasked with transforming a failed golf course project into a thriving agrihood community situated within a working olive tree farm.

The 309-acre agrihood will be one of the largest in the United States and will offer 1,150 residences amid working olive and citrus groves, community gardens and walking trails. Built atop of a never played-on abandoned 18-hole golf course, the community emphasizes resort-style living alongside sustainable open space.

“Miralon is a bit of a phoenix rising

*Continued on page 2...*

## Greater Palm Springs Entrepreneur Wins 1st Place at Riverside County Fast Pitch Finale

BY STAFF REPORTS

Technology entrepreneur Bear Simerson is the first entrepreneur from the Greater Palm Springs area to come in first at the Fourth Annual Riverside County Fast Pitch Finale held on April 28, 2021. Simerson was one of five Riverside County entrepreneurs who qualified for the Finale by taking top honors at an official Riverside County Innovation Month regional pitch competition. Simerson won Fast Pitch Greater Palm Springs to qualify.

Also a first for the Finale: a stalemate among the judges. For the first time in the competition’s history, judges awarded two first-place prizes, having emerged from their deliberation room to inform event organizers that no amount of additional discussion would change the fact that they saw two equally qualified top competitors.

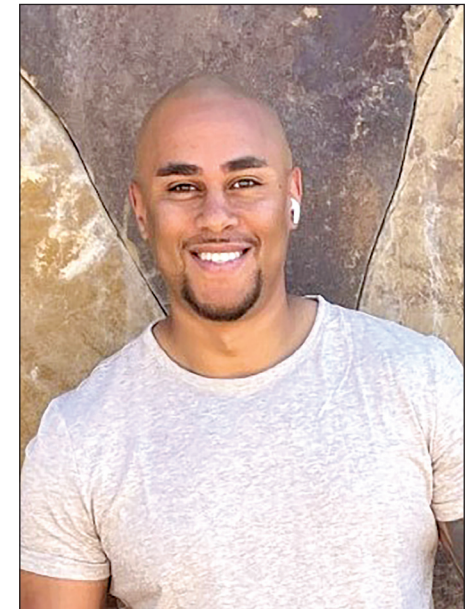
“Each year, the competitors from our region get more impressive,” said Laura James, CVEP’s VP of Innovation. “We are seeing an increase in very well-educated

entrepreneurs like Bear with ideas that solve real problems, and the tenacity to follow through. We are excited to continue to provide guidance to this outstanding new Palm Springs iHub portfolio company as he grows this cutting-edge business in Greater Palm Springs.”

Tied for first place were Simerson, co-founder of Palm Desert-based 3C.Health, and Steve Ward, founder of Riverside-based Future N Focus Dream Catcher Enterprises. The first place prize of \$10,000 and second place prize of \$5,000 were combined and divided equally among the two first place winners, with each taking home \$7,500.

“I was truly truly shocked when they announced the winner,” says Mr. Simerson. “There were some amazing companies with great presentations. But when we won, it was such an amazing feeling.”

Mr. Simerson’s award winning company, 3C.Health, is an innovative, virtual hospital model that allows medical pro-



Bear Simerson, Co-founder, 3C.Health

viders to care for their patients in their homes. Using remote monitoring technol-

*More on page 2...*

## IN THIS ISSUE

### DEPARTMENTS

Business News ..... 3  
Public Sector News..... 4  
HOA Homefront ..... 6

### FEATURES/NEWS

Financial Advisor ..... 8  
From the Dean’s Desk ..... 9  
PUBLIC NOTICES ..... 10

# Greater Palm Springs Entrepreneur Wins 1st Place at Riverside County Fast Pitch Finale

...continued from page 1

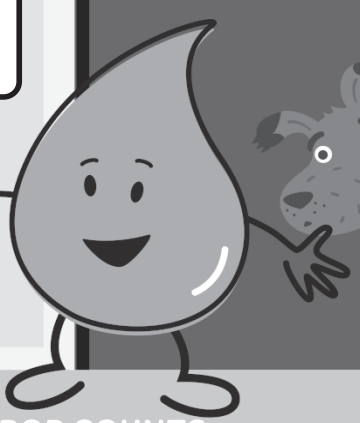
ogy, telemedicine, machine learning and integration of medical records.3C has the potential to lower costs, reduce readmittance rates, and change patient behavior for the better. 3C.Health is a growing startup company with plans to hire up to 12 employees in Greater Palm Springs by the end of 2021.

Mr. Simerson also says he believes winning even further validates his company vision. “This validates our view of how we feel healthcare should be and we are even more inspired to fulfill that vision within our community. The guidance and resources that were provided from CVEP leading up to the competition were so valuable to our presentation and we can’t thank them enough for their continuing support.”

The mission of the Coachella Valley Economic Partnership is to incite a vision-driven economic transformation in the Greater Palm Springs region. Established in 1994, the nonprofit organization is a vital innovator of regional business development initiatives, fostering entrepreneurship and diversifying industry. As the only regional entity with the capacity to execute technology-led economic development, the partnership has dedicated significant resources to incubate cutting edge businesses through its pioneering iHubs in Palm Springs, Palm Desert, and Indio. CVEP is committed to promoting a diversified, year-round economy through business attraction, retention, and expansion. Visit [www.cvep.com](http://www.cvep.com) or call 760-340-1575. **TPR**

**SPLASH SAYS...**

**TEST YOUR TOILET FOR LEAKS AT LEAST ONCE A YEAR**









**EVERY DROP COUNTS**




*Water*  
**COUNTS**

THE COUNTY'S LEADERSHIP IN WATER QUALITY

**The Public Record**

[CVWaterCounts.com](http://CVWaterCounts.com)

# C2 Collaborative Set to Transform Failed Palm Springs Golf Course Into Chic Modern “Agrihood”

...continued from page 1

from the ashes in the Coachella Valley,” said Paul Haden, president at C2 Collaborative. “After a golf course project failed in 2007, its streets, roads and golf courses sat untouched until we were tasked with reimagining this neglected community into a sustainable, modern agrihood. The reuse of this land was approached with a water- and energy-conservation first vision. The former golf course’s lakes are now used for irrigation and the orchards will act as a windbreak creating shade opportunities that slow evaporation from the lakes – every detail was considered to ensure a habitat-sensitive approach.”

To bring this vision to life, C2 Collaborative conducted an in-depth water analysis to ensure the new olive grove would not use more water than the former golf course did. The farm concept drove the rest of the design elements including Miralon’s recreational center, street scenes, social spaces, trails, gardens, dog parks, desert planting and more.

After 18 months of planning and approvals, construction began with the exterior landscape roads in April 2017, followed by walls and internal streets. The clubhouse and other amenities were next, with C2 Collaborative’s team of highly skilled landscape design architects spending countless hours during the construction phase to ensure plan specifications were met and installed accurately.

Residential development is currently underway with three different homebuilders who will erect over 1,000 modernist-inspired residences over the next year. Operationally, Miralon will open this summer 2021, with the club, fitness center, yoga studio, hub, café, pools and dog parks complete.

To learn more about C2 Collaborative or its role in the Miralon project, visit: [www.c2collaborative.com](http://www.c2collaborative.com). **TPR**

## The Public Record

**THE PUBLIC RECORD** (ISSN 0744-205X), is published twice weekly for \$59.95 per year by The Public Record, 78-370 Hwy 111, Suite 250, La Quinta, CA 92253, (760) 771-1155, Fax (760) 771-1188. Periodical postage paid at Palm Springs, CA 92262. Postmaster: Send address changes to The Public Record, 78-370 Hwy 111, Suite 250, La Quinta, CA 92253.

**The Public Record** assumes no responsibility for errors or omissions. The original public records are open to public inspection and should be consulted before any action is taken on information contained herein. The material published in **The Public Record** is compiled at a substantial expense for the exclusive use of subscribers. **The Public Record** is available through UMI in one or more of the following formats: microform, electronic or paper. The material cannot be republished, resold, recorded, or used in any manner, in whole or part, without the consent of the publisher. Any infringement will be subject to legal redress. Opinions expressed in guest editorials are those of the author and do not represent those of The Public Record, its owners, or its employees.

Copyright © 2021 by **The Public Record**.

# BUSINESS NEWS

## ENTRAVISION LAUNCHES FUEGO RADIO FORMAT IN PALM SPRINGS

Entravision Communications Corporation (NYSE: EVC), a leading global media and marketing technology company, today announced its Fuego Radio format is expanding into two new owned and operated stations in the Las Vegas (92.7 FM) and Palm Springs (103.5 FM) markets beginning on March 29, 2021. This follows Fuego Radio's expansion into the Santa Barbara-Santa Maria affiliate (97.1 FM) market on January 6, 2021.

Fuego Radio presents a music mix ignited by today's top trending global Latin Urban music movement mixed with Contemporary Hits, including recent chart topping artists such as Ariana Grande, Dua Lupa, Cardi B, Olivia Rodrigo, Drake, The Weeknd and Bruno Mars. In addition to hit music offerings, each morning Fuego Radio listeners can enjoy the antics of Edgar "Shoboy" Sotelo, on the popular Shoboy Show. This feel-good entertainment experience is real, relatable and fun and targets young adults that prefer entertainment in English with a Latin vibe. The Shoboy Show is also featured on Fuego Stations in Sacramento, Stockton and Modesto, California, Albuquerque, New Mexico, Salt Lake City, Utah and Harlingen, Brownsville and McAllen, Texas.

"Following the expansion of our popular Fuego Radio format into the Santa Barbara-Santa Maria market in January, we are thrilled to also introduce this format into the Las Vegas and Palm Springs markets," said Entravision's Nestor Rocha, Vice President of Audio. "The Shoboy Show" has been a great success in all of our markets, and we anticipate this momentum to continue in Las Vegas and Palm Springs as well."

## LOS ANGELES JURY AWARDS \$4.8 MILLION IN MESOTHELIOMA CASE AGAINST TALC SUPPLIER

The Worthington & Caron Law Firm reported that on April 15 and 16, 2021, a Los Angeles jury returned verdicts totaling \$4.8 million in favor of our client Willie McNeal Jr. in a case entitled McNeal Jr. vs. Whittaker, Clark & Daniels (Los Angeles Superior Court Case Number BC698965).

The fact that Mr. McNeal's case was the first civil jury trial in L.A. County since the onset of the pandemic a year ago, rank this as an especially hard-fought victory.

Mr. McNeal, a 78-year-old Vietnam veteran, retired school bus driver, and current grandfather, was diagnosed with cancer in 2017. Mr. McNeal's cancer, malignant pleural mesothelioma, is the "signature" cancer caused by asbestos.

Through his legal counsel, Worthington & Caron, PC and Simon Greenstone Panatier, PC, Mr. McNeal filed a lawsuit against several companies responsible for the products involved in Mr. McNeal's asbestos exposures. After three years of litigation, including lengthy delays resulting from the COVID-19 pandemic, Mr. McNeal's case was resolved against all defendants except for one, longtime talc supplier, Whittaker, Clark & Daniels ("WCD").

Mr. McNeal used Old Spice powder as part of his daily personal care routine for 22 years. Like other consumers of talc-based personal care products, such as baby powder, cologne or perfume-scented powder, powdered makeup, and medicated powder, Mr. McNeal had no idea that the cooling, comforting product was exposing him to toxic asbestos.

Trial attorneys Stuart Purdy and Tyson Gamble presented evidence that the Old Spice powder favored by Mr. McNeal contained talc from WCD's North Carolina mine, known to be contaminated with asbestos. On April 15, the jury found WCD's talc to be a substantial cause of Mr. McNeal's mesothelioma and awarded over \$1.8 million in compensatory damages. The following day, the jury awarded an additional \$3 million in punitive damages as "punishment" for WCD's disregard for Mr. McNeal's safety and well-being.

Despite the unprecedented challenges of seeking justice during a pandemic, we are proud of Mr. McNeal's victory and will continue our efforts to hold asbestos talc manufacturers and suppliers accountable for their role in causing harm.

## U.S. JOB SWITCHING RATE DECLINES BY 2%

U.S. job switching rate declines 2.0 percentage points since the start of the pandemic in March 2020, while wages for U.S. workers grew 5.9 percent over the last year, increasing the average wage level by \$1.71 to \$30.84 an hour according to the ADP Research Institute Workforce Vitality Report (WVR) released today. Employment growth demonstrated a continued downward slide by -7.0 percent. The average wage growth is higher than expected as a result of significant job losses among low wage earners, which increased the average.

"The significance of this data is a pre- and post-pandemic assessment of the labor market, from March 2020 compared to one year later in March 2021," said Nela Richardson, chief economist, ADP. "Our data shows a decline in job switching, pointing to the pandemic's effect on worker sentiment of the job market. This decline in job switching shows workers staying put, perhaps apprehensive to make the switch or rather, embracing existing job opportunities brought on by the pandemic such as promotions and additional responsibilities, likely another reason to hold their current job. As the workforce moves beyond the one-year mark, we'll be keeping a close watch on how job switching behaviors change and evolve as the economy rebounds."

Employment growth year-over-year continued a downward slide with -7.0 percent due to COVID-19, yet at a slightly slower pace than we have seen in past months. Individual industry employment trends were unchanged with leisure and hospitality remaining as the hardest hit and the finance industry the least impacted. Additionally, the leisure and hospitality and trade sectors both show larger wage growth over other sectors, due to greater loss of low wage job in these sectors.

Regionally, wage growth has been consistently higher in the Northeast followed by the West. Though employment growth is still negative across all regions, the West saw the least impact. Job switchers also fared better in the Northeast and the West with wage growth of 6.9 and 5.9 percent respectively. By firm size, larger firms did better both from wage and employment perspective compared to small businesses.

Job switching declined on average by 2.0 percentage points across all industries; however, there were some differences among industries. Job switching in the finance sector declined by 2.0 percentage points, whereas leisure and hospitality declined by almost 4.0 percentage points. This practically double percentage point drop in job switching is due to the significant job loss in leisure and hospitality which limited job opportunities to switch into that industry.

The distribution of job switchers across gender remained the same from pre-pandemic to now. While wages for male job switchers were higher overall, wage growth was higher for females. This is indicative of the lower wage levels females currently receive.

Compared to last year, the disparity in wages between male and females increased with age. The hourly wage for males is 7 percent higher for those 24-years-old and younger, whereas the hourly wage for males is 36 percent higher compared to females in the 55+ age group.

## WORKER CONFIDENCE AND OPTIMISM REMAIN HIGH, UNPAID OVERTIME SOARS

At a time of extraordinary economic, professional and personal disruption, worker optimism offers hope for the world of work, according to a new research report on the global workforce. One year into the global pandemic, ADP Research Institute's study, "People at Work 2021: A Global Workforce View" serves as a barometer of how the global workforce feels, how they have coped thus far, and delivers insight into workers' perspectives about the future.

*Continued on page 5...*



# PUBLIC SECTOR NEWS

## MILLIONS OF CALIFORNIANS COULD CONTINUE TO PAY LOWER PREMIUMS DUE TO THE AMERICAN FAMILIES PLAN

Covered California's executive director, Peter V. Lee, is issuing this statement following tonight's joint session of Congress, during which President Joe Biden introduced the American Families Plan. The proposal outlines the next step to the president's vision for economic recovery and would make permanent the new and expanded financial help from the American Rescue Plan, which is currently lowering health insurance premiums for millions of Americans.

The American Rescue Plan ensures that everyone eligible will pay no more than 8.5 percent of their household income on their health care premiums if they enroll through an Affordable Care Act marketplace like Covered California. However, the law is currently set to expire at the end of 2022.

"The American Families Plan would ensure lower premiums for millions of Americans for the long-term. The proposal would make permanent the new and expanded subsidies that are available right now, which stand to improve the lives of 2.5 million Californians and 25 million Americans.

"Thanks to the leadership of President Biden and Congress, consumers are currently experiencing significant premium savings that will ease their financial burdens and allow them put money back into our economy. We have heard from a retired firefighter and his wife who will save \$1,000 a month, a small business owner who will be able to expand his operations, and a family who says their savings mean they can put their children into a junior lifeguard program this summer.

"Making these savings permanent will help more Californians, and more Americans, get covered and stay covered during this pandemic and recession and beyond.

"While the American Families Plan will need to work its way through Congress, it's important to note that Californians can get these savings now. Covered California is in the early days of a special-enrollment period, and this Friday marks the first deadline for consumers to sign up for coverage and begin saving.

"Many people will be able to get high-quality coverage for as little as \$1 per month, while others will be able to save hundreds of dollars off what they are paying now. Do not miss out — the sooner you sign up, the sooner you can start saving and be covered. We don't want any Californians to be uninsured or leave money on the table."

Covered California is currently holding a special-enrollment period to allow the uninsured, and those insured directly through a health insurance carrier, to sign up for coverage and begin benefiting from the lower premiums. While the special-enrollment period runs through the end of the year, consumers need to enroll by April 30 if they want to maximize their savings and have coverage that starts on May 1.

Consumers who are currently enrolled in Covered California will not need to take any action in order to receive the new benefits.

## GOVERNOR NEWSOM STATEMENT ON PRESIDENT BIDEN'S AMERICAN FAMILIES PLAN

Governor Gavin Newsom released the following statement today regarding President Biden's American Families Plan, an investment in our kids, our families and our economic future:

"Right here in California, our stimulus programs have provided tax relief for small businesses and money in pockets for struggling families, and we've expanded childcare and made community college free," said Governor Newsom. "These strategic investments, which are complemented by President Biden's American Families Plan, will bolster California's equitable economic recovery and bring us roaring back."

Here are some of Governor Newsom's key accomplishments for California's recovery:

- Small Business COVID-19 Relief Grant Program has sent \$500 million to over 40,000 small businesses and nonprofits that have been hit hardest by the pandemic.
- Golden State Stimulus and CalEITC expansion will result in stimulus payments and expanded tax credits for families and individuals.
- Expanded paid family leave for parents or caretakers of a newborn and those who care for a family member or have a newborn and expanded paid sick leave in response to COVID-19.
- Investments in early-childhood and childcare worth billions for childcare providers who have been impacted by the pandemic and special education programs.
- More than 29 million vaccines have been administered to Californians and we are consistently seeing the lowest COVID-19 positivity rates in the entire country, all of which is leading up to fully reopening the economy by June 15.
- Free Community College for two years for first-time, full-time students, as well as \$100 million in financial aid to low-income students.

## MAG INSTRUMENT CELEBRATES WORLD AMATEUR RADIO DAY

In celebration of World Amateur Radio Day on April 18, Maglite and ARRL, the national association for Amateur Radio, have announced they have formed a partnership based on the common mission of helping people be prepared for emergencies and to serve their communities in extreme situations such as natural disasters. ARRL member-volunteers provide public service through the ARRL Amateur Radio Emergency Service (ARES), and by expanding the reservoir of trained operators and technicians in radio communications and radio technology. Mag Instrument is the leading maker of U.S.-manufactured high-quality flashlights that have a deserved reputation for performance, reliability and durability.

"Amateur radio operators, or 'hams,' help people in times of difficulty, often by supporting emergency communications when critical infrastructure is damaged, and by responding to the needs of first responders to keep connected," said Anthony Maglica, Founder, Owner and CEO of MAG Instrument Inc. "We manufacture a product that has been used in public safety for over 40 years and we are very supportive of the incredible dedication of radio amateurs, so culturally this is a great alliance for both brands."

Maglite is the preferred flashlight brand of many police, fire and other first responder organizations and is the official flashlight of NASAR — the National Association of Search and Rescue. The partnership with ARRL will entail Mag Instrument creating special laser engraved Maglite product for ARRL as well as offering their members special pricing on a select line of Maglite products, and in turn, those purchases raise funds for ARRL to support their mission.

"ARRL is delighted that Maglite recognizes the service and skill of ARRL members. This partnership will help us introduce amateur radio to more people," says David Minster, NA2AA, ARRL CEO.

ARRL, headquartered in Newington, Connecticut, counts the majority of active radio amateurs in the US among its ranks. Since ARRL's founding in 1914, its members have advanced the art, science, and enjoyment of amateur radio. For more information about ARRL and World Amateur Radio Day, visit [arrl.org](http://arrl.org). **TPR**

## INPUT WELCOME

*The Public Record* welcomes letters to the editor, guest editorials, tips on local business news and press releases. All submissions should include your name, occupation or business affiliation, email address and phone number. Photos submitted for publication should include a caption and be a minimum of 4"x6" at 300dpi (1800x1200 pixels), jpg format is preferred. We reserve the right to edit for length, grammar and to ensure that copy remains within the bounds of good taste.

Send all correspondence to [editor@desertpublicrecord.com](mailto:editor@desertpublicrecord.com).

# BUSINESS NEWS

...continued from page 3

ADP Research Institute surveyed more than 32,000 adult workers, including the gig economy, across 17 countries to understand employee sentiment. Though attitudes and behaviors vary depending on location and local policies, the report details the impact on employees over the past year across five key dimensions of working life: worker confidence and job security, workplace conditions, pay and performance, worker mobility, and gender and family.

“In the past year business-as-usual has been suspended, forcing employers and workers to rethink accepted norms and adapt quickly to an uncertain and fast-changing world,” said Nela Richardson, chief economist, ADP. “COVID-19’s impact on job loss and change has been uneven, and those who held their jobs are facing unexpected choices, compromises, and even opportunities. We set out to understand how the pandemic continues to shape workers’ opinions and attitudes so employers can better understand the shift in employee mindset as they navigate the path forward.”

Optimism is shaken yet persistent: COVID-19 has dented worker sentiment: although the majority (86%) of workers still say they feel optimistic about the next five years in the workplace, this is down from 92% last year. While overall optimism may be the long-term outlook, it is uneven among workers, specifically among new entrants in the workforce.

Nearly four in five (78%) Generation Z (18-24 years old) workers feel their professional lives are affected and two in five (39%) report they lost jobs, were furloughed, or

suffered a temporary layoff from their employer.

As a result, optimism among Generation Z has fallen substantially (to 83% from 93%) – far more than any other generation.

Additionally, fears of job insecurity have compelled three quarters of respondents (76%) to take on extra tasks, longer hours or assume a heavier workload.

Unpaid overtime soars; empowerment rises on flexible working: With concerns around job security looming large, nearly half (46%) of global respondents have taken on additional responsibilities at work, either to compensate for colleagues losing their roles or – particularly when it comes to essential workers (55%) – to cope with the extra workload COVID-19 has created. In fact, unpaid overtime has jumped sharply to 9.2 hours per week on average, up from 7.3 hours just a year ago.

Additionally, since the pandemic began, there has been a sharp increase in the proportion of workers (67%) who say they feel empowered to take advantage of flexible working arrangements at their companies, up from just over a quarter (26%) before the pandemic.

Pandemic puts employee performance in the spotlight: Workers admit the workplace changes have offered opportunities to develop new skills or embark on new career trajectories that they find satisfying or that unlock their potential in unforeseen ways.

More than one-in-four workers (28%) report having taken on a new role or changing roles due to job losses in their organization. Once again, Generation Z workers had to be the most agile, with more than one in three (36%) having changed roles or taken on a new one.

And there are positives, as most employees have been rewarded financially for their commitment, with nearly seven in ten (68%) having received a pay raise or a bonus.

Workers are on the move: Within a year, COVID-19 has significantly impacted workers’ locations. In fact, three quarters (75%) of the global workforce made changes or plan to change how or where they live, with that percentage even greater (85%) among Generation Z. Worker mobility also plays into considerations around whether employed roles or gig work are preferable in terms of freedom of choice about how and where to work.

More than half (54%) of the global workforce say they are more interested in contract work since the advent of COVID-19, the main reasons being that they believe there are new opportunities for them to perform contract work (35% say so) or because they have learned new skills that they can apply to contract work (32%).

In fact, older workers are the most open to the idea of shifting into contract work (29% of over 55-year-olds and 22% of 45 to 54-year-olds), followed by Generation Z (19%).

However, the majority of workers (83%) would still opt for a permanent, traditional job rather than contract work, a proportion that is relatively unchanged since last year.

Women feel the strain – and pay gaps hold: One of the defining characteristics of the COVID-19 pandemic is the way in which it has upended work/life balance.

Half of respondents (52%) believe employers accommodating the needs of working parents will cease within a year, something likely to weigh heavily in future decisions, as 15% of working parents report that they or a member of their household has already stopped working voluntarily, rising to 26% for those with children under one.

Two thirds (67%) of the global workforce say they have been forced to make a compromise between their work and their personal life because of the impact of the pandemic, especially for women and parents.

Women are also less likely than men to receive a bonus or pay raise for taking on additional work or changing roles, with the greatest gap in North America, where 62% of men received a bonus or pay raise for changes to their roles, compared to only 50% of women.

Continued on page 7...

## ADVERTISE WITH US!

The area’s most influential and affluent residents rely on The Public Record for comprehensive local and regional business news, focused on the Coachella Valley. Our Readers are the movers and shakers of our economy – leaders in business and government.

Unlike most local media, we are not a tourist or general news publication. Our business is business. The Public Record sets the gold standard in local business journalism and is a must read for key decision makers in business or public affairs.

The Public Record offers a targeted platform for business-to-business advertisers who need to connect with a powerful, influential, affluent – and often elusive audience.

### DISPLAY ADVERTISING RATES

SIZE/POSITION	AD SIZE	1X	13X
1/4 Page	4.875”w x 4.75”h	\$286	\$259
1/2 Page Vertical	4.875”w x 9.5”h	\$484	\$435
1/2 Page Horizontal	10”w x 4.75”h	\$484	\$435

*We Now Publish Twice A Week! Tuesdays and Thursdays!*

THE DESERT’S BUSINESS & PUBLIC AFFAIRS WEEKLY

# The Public Record

**DISPLAY ADVERTISING: 760-771-1155**





# HOA HOMEFRONT

BY KELLY G. RICHARDSON, ESQ.

## Are There Surprises In Your CC&Rs?

Among the association governing documents including articles of incorporation, recorded map or plan, bylaws, operating rules and covenants, conditions, and restrictions (“CC&Rs”), the CC&Rs document is arguably the most important. Here are eleven things about CC&Rs which might surprise you, before you read them.

### CC&Rs are:

**1) Public documents.** When filed with the County Registrar/Recorder (aka, “recorded”), CC&Rs become a public document and anyone can see a copy.

**2) Binding all owners.** CC&Rs bind all owners, regardless of whether they read it, understood it, or received a full copy of it. As a recorded document, CC&Rs are a “covenant running with the land,” meaning a legal commitment attaching to the land and therefore its owners.

**3) Typically not reviewed until too late.** Most buyers regard CC&Rs as boilerplate to be reviewed eventually. Even though they don’t sign it, buyers should read it as carefully as the purchase agreement.

**4) Your covenants, not just the association’s.** CC&Rs place rights and responsibilities on the association as well as upon each member. If a neighbor violates the covenants, you have the same right to deal with the problem.

**5) Often distributed in draft or unrecorded format.** “Official” CC&Rs will have a recording number from the County Recorder on each page. Associations often mistakenly distribute unrecorded copies originally received from the developer. Obtaining a copy of the official document is easy.

**6) Normally enforced by courts, even if they seem unreasonable.** The California Supreme Court ruled in 1994 that CC&Rs are presumed enforceable, with some narrow exceptions (such as if they contradict a law).

**7) Often not written with your HOA in mind.** Original developer-supplied CC&Rs often are boilerplate with parts not applicable to the community. This is because the developer’s primary interest is to obtain quick approval from the Department of Real Estate to begin selling the homes. Many developer attorneys submit pre-approved form CC&Rs to the DRE, speeding processing of the application, but also resulting in a document, which is often sparse and ill-fitting to the unique aspects of the specific community.

**8) Normally amended by vote of all members but amendable by the board in three circumstances:** To remove illegal discriminatory language (Civil Code 4225(b)) or developer access rights for construction or marketing (Section 4230(b)), or to update CC&Rs old statute number references to the new Civil Code numbers in effect since 2014 (Section 4235). Such amendments must be approved in an open meeting and filed with the Recorder.

**9) Sometimes called by other names,** such as “maintenance agreement” or “declaration of trust,” for example. What is important is not the title but the fact it is recorded on all the properties in the association.

**10) Sometimes expiring.** In past times, developer attorneys would draft CC&Rs with expiration dates. Modern CC&Rs either have no expiration date or automatically renew. Do not let the CC&Rs expire if it states a termination date – renew and then amend that termination out of the document.

**11) The glue holding your community together.** As limits upon owner autonomy, CC&Rs can seem intrusive at times. These limits help to protect neighbors from unneighborly behavior and against properties detracting from the community. When neighbors paint their garage with purple zebra stripes, CC&Rs restrictions suddenly become more appreciated.

To avoid CC&R surprises, read it.

*Kelly G. Richardson, Esq. is a Fellow of the College of Community Association Lawyers and Partner of Richardson Ober DeNichilo LLP, a California law firm known for community association advice. Submit questions to [Kelly@rodllp.com](mailto:Kelly@rodllp.com). Past columns at [www.HOAHomefront.com](http://www.HOAHomefront.com). All rights reserved®.*

If not us,  
who?  
If not now,  
when?

Every two seconds, someone needs blood. There's a constant shortage, and our shelves are often empty. Whether it's for illness, accidents or tragedy, we can't help save lives without you.

MAKE A DONATION.  
MAKE A DIFFERENCE.

 **LifeStream  
Blood Bank**

800.879.4484 | [LSTREAM.ORG](http://LSTREAM.ORG)

LIFESTREAM BLOOD BANK IS A NONPROFIT 501(C)3 ORGANIZATION.

# BUSINESS NEWS

...continued from page 5

## SURVEY: 1 IN 3 REMOTE WORKERS MAY QUIT IF REQUIRED TO RETURN TO THE OFFICE FULL TIME

More companies are calling workers back to the office, but will they readily return? A new study by global staffing firm Robert Half shows that about 1 in 3 professionals (34%) currently working from home due to the pandemic would look for a new job if required to be in the office full time.

Nearly half of all employees surveyed (49%) said they prefer a hybrid work arrangement, where they can divide time between the office and another location.

At the same time, workers may not be ready to return to the office, and employers may want to consider what could help ease their transition back on-site. Professionals said the top ways their company can support them include freedom to set preferred office hours, a distraction-free workspace, employer-paid commuting costs, relaxed dress code and employer-provided childcare.

“After a year of drastic change, many business leaders are eager to restore a sense of normalcy and welcome staff back to the office,” said Paul McDonald, senior executive director at Robert Half. “But reopening doors will bring new obstacles for companies to navigate. Not all employees will be ready — or willing — to return to the workplace, so staying flexible and responsive to their needs will be critical.”

McDonald added, “Regardless of timing, companies should take a measured and carefully planned office re-entry approach and keep employees’ health and safety top of mind. Leaders should also use the opportunity to solicit staff feedback to shape corporate culture for the future.”

expecting pre-pandemic hiring levels will return before the end of 2021.

“The American workforce and labor market is resilient, and we have a silver lining in sight with the vaccine roll out boosting optimism for the months ahead,” said Becky Frankiewicz, President of ManpowerGroup North America. “It’s encouraging to see positive outlooks reported in leisure and hospitality and retail, particularly as this week we mark International Women’s Day and roles in these industries are predominantly held by women. As we continue to navigate the road to recovery there will be twists and turns, yet slow progress will continue as employers prepare to renew and reset and focus on getting America safely back to work.”

Employers in all 12 U.S. industry sectors expect to add workers during the upcoming quarter: Leisure & Hospitality (+27%), Transportation & Utilities (+23%), Wholesale & Retail Trade (+22%), Nondurable Goods Manufacturing (+20%), Professional & Business Services (+19%), Durable Goods Manufacturing (+18%), Construction (+15%), Education & Health Services (+14%), Financial Activities (+12%), Government (+9%), Information (+9%), and Other Services (+9%).

Employers in all four U.S. regions report positive hiring plans for the next three months. The Midwest, West and South all report Outlooks of +18%, with the Northeast reporting an Outlook of +16%, unchanged for the previous quarter.

Employers in Rhode Island (+29%), Wisconsin (+29%), Michigan (+28%), Vermont (+28%), and Arizona (+26%) report the strongest outlooks nationwide. Of the 100 largest metropolitan statistical areas, the strongest outlooks are expected Madison, WI (+38%), Deltona-Daytona Beach-Ormond Beach, FL (+37%), Minneapolis-St. Paul-Bloomington, MN (+33%), Allentown-Bethlehem-Easton, PA-NJ (+32%), and Provo-Orem, UT (+31%).

To view complete results for the ManpowerGroup Employment Outlook Survey, visit: [www.manpowergroup.com/meos](http://www.manpowergroup.com/meos). The next survey will be released June 8, 2021 and will report hiring expectations for Q3 2021. **TPR**



## U.S. HIRING OUTLOOKS CONTINUE TO IMPROVE FOR Q2

Hiring outlooks continue to improve for the second quarter according to the latest ManpowerGroup Employment Outlook Survey (NYSE: MAN) of more than 7,500 U.S. employers. Employers in all twelve U.S. industries report positive outlooks, with the strongest hiring activity forecast in Leisure & Hospitality sector (+27%), Transportation & Utilities (+23%) and Wholesale & Retail Trade (+22%). Employers are more optimistic about a return to pre-pandemic hiring than last quarter, with more than half (52%)

# SEND YOUR BUSINESS NEWS TO THE PUBLIC RECORD

The Public Record welcomes your press releases, news tips and story ideas. Press releases should conform to AP Style\* and contain news that will be of interest to a business audience. Photos, logos and other artwork must be a minimum of 1800x1200 pixels (4x6" @ 300 dpi) or vector .eps files (Adobe Illustrator). Please be sure to include captions for your photos. We can only accept press releases as Microsoft Word documents or your text in the body of the email. Please avoid Adobe Acrobat (.pdf) files, HTML emails (such as Constant Contact) and tables formatting in your Word documents. Date-sensitive news should be submitted at least two weeks prior to the publication date. We publish weekly, each Tuesday and Thursday.

While we cannot write your releases for you, please email us if you need a referral to a public relations professional.

**Email: [editor@desertpublicrecord.com](mailto:editor@desertpublicrecord.com)**

\*We recommend AP StyleGuard, a plug-in for Word that works like the native spelling & grammar checker. It is available at [www.apstylebook.com](http://www.apstylebook.com).





# THE FINANCIAL ADVISOR

By JANICE GOUGH, FINANCIAL ADVISOR

## Will your Retirement Plan be enough after inflation?

Even though you may have worked to age 65 and are now accessing your Social Security and a pension plan, you may be finding it necessary to make additional changes in your life to sustain lifetime income.

The part of the equation that changes the game plan is inflation. With the cost of inflation at more than 3 percent annually, we must look at all resources to help us stay in the black. Strategies may be to reduce expenses, delay retirement, create income from other assets, work part-time, etc.

When we are building assets, inflation is not a big concern. Your income may increase alongside inflation at the same pace. Once you begin the distribution phase of investments, inflation becomes a huge concern and may require you to take a more significant portion of your income. This will drain your bucket of money faster, which could cause you to outlive your money.

Many clients are using one objective to roll over their IRA or qualified account now to a Roth IRA. Pay taxes on your savings now while taxes are lower. Take it back after five years, tax-free.

If you have investments in the risk market, you may experience reverse dollar-cost averaging for which you are taking income. When the market drops, you must liquidate more shares to receive the same income. This is the reason most retirees prefer fixed guaranteed income options.

Before making mistakes by ignoring the inflation problem, you must discuss this with your advisor so they can help you re-focus on your plan. By not making timely decisions, the remedies just become harder.

The first decision would be to make sure your retirement account withdrawals will keep the income bucket sustainable for your lifetime. Next, eliminate as many expenses

as possible, and now you are ready to look at other changes if needed.

Many people today have not had to live on a weekly budget. However, this is just what is needed. Once you have covered all fixed expenses, you know precisely what spendable income is left. Planning how you will spend it ahead of time will help you feel good about your purchases and keep you within the budget.

Changing patterns of behavior may be necessary. You may have to face your demon of compulsive spending or unplanned purchases. You may even have saved money in ways you did not previously, but whatever changes must be made, you are better off than risking running out of income. Staying out of

future debt will bring more happiness. If your purchases help produce more income, you have a reason for this type of spending.

Many academics and financial experts claim that equities traditionally beat inflation. This is mostly untrue. The adverse sequence of returns and negative inflation sequence is cumulative. Thus your savings may be depleted quickly, not leaving you with enough assets to recover.

"Aft casting" is using the actual performance of historical data to project how investments would have reacted under a historic market cycle. Using this method will enable your advisor to forecast your income more accurately. Inflation spikes have happened many times historically. Your retirement plan must consider this factor, and good planning will aid you in getting past it.

Janice Gough is a Safe Financial Adviser in Palm Springs. She can be reached at [janice@goughfinancialsvcs.com](mailto:janice@goughfinancialsvcs.com) or by calling (760) 251-7724 or (650) 200-8291 **TPR**

## New Year's Resolution: Update Telephone Voice Messages

Even in this age of digital media, phone calls remain the primary point of contact for many customer transactions. More often than not, customers form the first impression of a business from their phone experience. With a new year just around the corner, now is the time to streamline your voice messaging prompts and have them professionally voiced.

### PACKAGE 1: READ SCRIPT ONLY

Up to 3 minutes of copy  
Read & delivered as single WAV or MP3 track  
\$69

### PACKAGE 2: SCRIPT EDIT & READ

Up to 3 minutes of copy plus script optimizing  
Read & delivered as single WAV or MP3 track  
\$99

### PACKAGE 3: SCRIPT WRITE & READ

30-minute phone consultation  
Write script, up to 3 minutes, with one revision  
Read & delivered as single WAV or MP3 track  
\$199



**KEN ALAN VOICES**  
[www.KenAlanVoices.com](http://www.KenAlanVoices.com)  
[Ken@KenAlanVoices.com](mailto:Ken@KenAlanVoices.com)





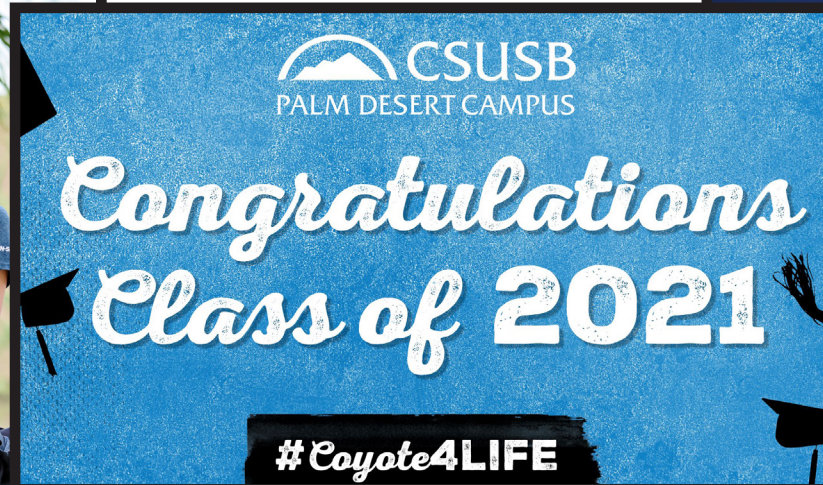


# FROM THE DEAN'S DESK

JAKE ZHU, PH.D., DEAN, CSUSB PALM DESERT CAMPUS



Kayla Robles student photo



Sofia Torres-Crespo PDC Outstanding Graduate 2021

One of the most exciting times of the year at the CSUSB Palm Desert Campus is our spring commencement ceremony. It's the time we all celebrate the achievements of our students, the excellent work of our faculty and staff, and the wonderful support from our friends and community organizations.

Until this year, our spring commencement ceremony would take place in late June of each year, but now that we have successfully transitioned from quarters to semesters, the month of May will now mark a new beginning to celebrate our graduates for years to come.

Traditionally at this time, graduates are busy preparing for the big day. They would rent or purchase their caps and gowns from the university bookstore, and some would come to campus all dressed up with family and friends to take photos with different campus backgrounds to remember their unforgettable years at PDC. They would also get their commencement tickets and invite family and friends to the ceremony and have huge celebrations.

This year, the celebration of graduation will be different as the COVID-19 pandemic still lingers. Commencement will be held virtually, however, there is still good news for PDC students when it comes to celebrating their special day.

The university will be holding a large virtual commencement ceremony on May 22, 2021 for graduates from both the San Bernardino Campus and the Palm Desert Campus, and the ceremony will be for all students who graduated in 2020 and those who will graduate in 2021. Additionally, PDC staff members Regina Garrison, Avi Rodriguez and Francisco Alfaro are planning a Virtual Celebration and Watch Party for PDC graduates, specifically. Many graduates will also be able to participate in additional special ceremonies for veterans, students with disabilities, LGBTQ+ students, and ceremonies for students of various ethnicities.

The celebration of graduation also involves the selection of a PDC Outstanding Undergraduate Student of the Year. For 2021, the recipient of this prestigious award is Sofia Torres-Crespo, who lives in Palm Springs and will receive two bachelor of arts degrees – a degree in psychology, with a concentration in industrial and organizational psychology, and a degree in business administration, with a concentration in management. Graduating

Magna Cum Laude and with honors, Sofia was a Mary Stuart Rogers Foundation Scholar, was on the Dean's List of Distinguished Students, interned with the CSUSB Institute for Child Development and Family Relations and the Annenberg Foundation at Sunnylands Center & Gardens, and continues to do research through the Psychology Department Honors program. She was recently accepted into CSUSB's master of science in industrial and organizational psychology program, and is looking forward to a career in Human Resources.

The celebration of graduation is not only for the achievements of our students, but it is also a time to celebrate the great work done by our staff and faculty during the year. There have been so many great accomplishments this year, including our IT team stepping up when the pandemic hit to acquire additional laptops, desktops and hot spots for those in need, and installing WiFi Access Points on the east side of campus so anyone from CSUSB could sit in the safety of their vehicle and access the Internet; our orientation team transitioning from a traditional event to a virtual one, utilizing their creativity and the latest technology; and members of our faculty who not only provide excellent teaching in the classroom both in-person and virtually, but also volunteer their time in the community.

Community members contribute so much to the Palm Desert Campus throughout the year. I would especially like to thank the members of the PDC Advancement Board for their commitment and passion. This past year, they were instrumental in moving the campus forward by working on various committees to help elevate the student experience, coordinate virtual events and raise funds for various campus initiatives.

We are so glad that we are able to add hundreds of students each year to our list of more than 4,000 alumni. Last year we reached a record high number of graduates, and we are still going strong this year, despite the many challenges the pandemic created, thanks to the support of our San Bernardino Campus, our PDC staff and faculty, the PDC Advancement Board and our generous community.

At CSUSB, We Define the Future!

TPR