



CITY OF DESERT HOT SPRINGS

**REGULAR MEETING OF THE CITY COUNCIL
And the City Council Serving as the Successor Agency to the
Redevelopment Agency Board**

AGENDA

SEPTEMBER 4, 2018

5:30 P.M. – CLOSED SESSION

6:00 P.M. – REGULAR SESSION

**CITY COUNCIL CHAMBERS
Carl May Community Center
11711 West Drive, Desert Hot Springs, California**

CLOSED SESSION - 5:30 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 \(Paragraph \(1\) of subdivision \(d\) of Section 54956.9\) In the Matter of the Administration of the D.H.S. Drugs, Inc. Profit Sharing Plan, Riverside Superior Court Case No. PRIN1801126](#)

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:

- [2. Conditional Use Permit No. 03-05: Amendment to Change a Type 20 \(Off-Sale Beer and Wine\) Alcoholic Beverage Control License to a Type 21 \(Off-Sale General\) for the Existing Carniceria Rancho Grande Located at 13313 Palm Drive \(APN 641-214-022\) Within the General Commercial \(C-G\) Zone \(Applicant: Carlos Enterprises, Inc.\)](#)

Community Development Director, Daniel Porras, P.E.

Packet Page 7

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 testimony from those in favor;
- 6) Take testimony from those opposed;
- 7) Take testimony from those in a neutral position;
- 8) Opportunity for Applicant rebuttal;
- 9) Close the Public Hearing;
- 10) City Council discussion and questions to Staff; and
- 11) That the City Council make a Finding of Public Convenience or Necessity and approve Conditional Use Permit No. 03-05 Amendment for a Type 21 ABC License which allows the sale of beer, wine, and distilled spirits for the existing Carniceria Rancho Grande located at 13313 Palm Drive within the C-G (General Commercial) Zone. APN 641-214-022.

ADMINISTRATIVE CALENDAR:

3. **[Application for the Installation of Public Art on the Northeast Corner of the Bunch Palms Trail Cultivation Project Located at the Corner of Cabot Road and Two Bunch Palms Trail \(APN 665-030-058\) \(AIPP No. 01-18\)](#)**
Community Development Director, Daniel Porras, P.E. *Packet Page 41*
Recommendation: Consider a recommendation from the Community and Cultural Affairs Commission for approval of the proposed public art for the Bunch Palms Trails Cultivation project located at the southwest corner of Cabot Road and Two Bunch Palms Trail, subject to the recommended condition to move the fence behind the art piece.

4. **[Law Enforcement Services Agreement between City of Desert Hot Springs and Palm Springs Unified School District](#)**
Chief of Police, Dale R. Mondary *Packet Page 65*
Recommendation: Authorize the City Manager to execute a Law Enforcement Services Agreement with Palm Springs Unified School District for School Resource Officer Services.

5. **[Ordinance Relating to Electronic and Paperless Filing of Fair Political Practices Commission \(FPPC\) Campaign Disclosure Statements](#)**
City Clerk, Jerryl Soriano, CMC *Packet Page 75*
Recommendation: Introduce for First Reading and read by title only, "An Ordinance of the City Council of the City of Desert Hot Springs adding Chapter 2.68 "Electronic and Paperless Filing of Fair Political Practices Commission Campaign Disclosure Statements" of Title 2 "Administration and Personnel" to the Desert Hot Springs Municipal Code relating to electronic and paperless filing of Fair Political Practices Commission campaign disclosure statements.

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.

6. **City Council Regular Meeting Minutes: August 21, 2018**
City Clerk, Jerryl Soriano, CMC *Packet Page 81*
Recommendation: Approve the Minutes as submitted; or as corrected.

7. **Year-End Budget Adjustments for Fiscal Year 2017-2018**
Finance Director, Linda Kelly *Packet Page 91*
Recommendation: Approve Year-End Budget Adjustments for Fiscal Year 2017-2018.

8. **Second Reading and Adoption of an Ordinance Amending Chapter 3.36 "Transportation Uniform Mitigation Fee" of the Desert Hot Springs Municipal Code**
City Clerk, Jerryl Soriano, CMC *Packet Page 95*
Recommendation: Approve Second Reading, read by title only and adopt: "An Ordinance of the City Council of the City of Desert Hot Springs amending Chapter 3.36 "Transportation Uniform Mitigation Fee" of the Desert Hot Springs Municipal Code.

9. **Second Reading and Adoption of an Ordinance Amending Chapter 17.180 Allowing Marijuana Testing Facilities in the Commercial Zones**
City Clerk, Jerryl Soriano, CMC *Packet Page 103*
Recommendation: Approve Second Reading, read by title only and adopt: "An Ordinance of the City Council of the City of Desert Hot Springs amending Chapter 17.180 allowing marijuana testing facilities in the commercial zones.

10. **Treasurer's Report for the Month of July 2018**
Finance Director, Linda Kelly *Packet Page 121*
Recommendation: Receive and file.

11. **Payment Register and City Council Expenditures Report for the Month of July 2018**
Finance Director, Linda Kelly *Packet Page 129*
Recommendation: Receive and file.

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.*

September 11	Planning Commission	6:00 p.m.
September 12	CCAC	6:00 p.m.
September 13	Public Safety Commission	6:00 p.m.
September 18	City Council Regular Meeting	6:00 p.m.

NOTICES

Americans with Disabilities Act

In an effort to comply with the requirements of Title 2 of the Americans with Disabilities Act of 1990, the City of Desert Hot Springs requires that any person in need of any type of special equipment, assistance, or accommodation(s) in order to communicate at a City public meeting, must inform the City Clerk a minimum of 72 hours prior to the scheduled meeting to enable the City to make reasonable arrangements.

SB 343

In accordance with California Government Code Section 54957.5, any writing or document that is a public record, relates to an open session agenda item, and is distributed less than 72 hours prior to a regular meeting will be made available for public inspection in the Office of the City Clerk at City Hall during normal business hours at 65950 Pierson Boulevard, Desert Hot Springs, CA 92240.

If, however, the document or writing is not distributed until the regular meeting to which it relates, then the document or writing will be made available to the public at the location of the meeting, as listed on this agenda at 11711 West Drive, Desert Hot Springs, CA 92240.