



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

JUNE 20, 2017

4:30 P.M. – STUDY SESSION

5:30 P.M. – PRESENTATIONS

6:00 P.M. – REGULAR SESSION

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

STUDY SESSION - 4:30 P.M.

CALL TO ORDER

ROLL CALL

1. [Housing Sub-Committee Report](#)
Mayor, Scott Matas

PRESENTATIONS - 5:30 P.M.

2. [Youth Court Presentation](#)
Mayor, Scott Matas
3. [Special Presentation](#)
Mayor, Scott Matas

RECESS

REGULAR SESSION - 6:00 P.M.

CALL TO ORDER

ROLL CALL

INVOCATION

PLEDGE OF ALLEGIANCE

APPROVAL OF THE AGENDA

At this time the City Council may amend the order of the agenda, approve the Consent Calendar, remove items from the Consent Calendar for separate discussion and action, and add Urgency Items.

Urgency Items ("Added Starters"): The Brown Act, which governs public meetings, permits the City Council to take action on any item that does not appear on the agenda only if 2/3 of the City Council (if all are present) or all members of the City Council (if fewer than all members are present) determine there is a need to take immediate action on the item, and the need to take immediate action came to the City Council's attention after the agenda was posted.

PUBLIC COMMENTS

At this time, pursuant to the Brown Act, any person may comment on matters of general interest within the subject matter jurisdiction of the City Council, NOT listed on the agenda. Under the Brown Act, the City Council should not take action on or discuss matters raised during Public Comment portion of the agenda that are not listed on the agenda.

Comments are limited to the first ten (10) speakers at three (3) minutes per speaker. Speakers may not yield their time to others without consent of the Mayor. All comments are to be directed to the City Council and shall be devoid of any personal attacks. Members of the public are expected to maintain a professional, courteous decorum during public comments.

Please complete and submit a "speaker card" to the City Clerk. You will be asked to STATE YOUR NAME AND CITY OF RESIDENCE FOR THE RECORD.

CITY MANAGER REPORT

MAYOR AND COUNCIL MEMBER REPORTS

PUBLIC HEARINGS:

4. **Urgency Interim Ordinance Adopting a Moratorium on the Establishment of any Medical Marijuana Facility Located in the 207 Acre Area North of the I-10 Freeway and West of Palm Drive, and South of Varner Road, Excepting APN 669-150-002**

Community Development Director, Daniel Porras, P.E.

Packet Page 11

Recommendation: 1) Staff Report;
2) Entertain questions of Staff from City Council;
3) Open the Public Hearing;
4) Take Public Testimony;
5) Close the Public Hearing;
6) City Council discussion and questions to Staff; and
7) Consider adoption of an Interim Urgency Ordinance of the City Council of the City of Desert Hot Springs prohibiting the establishment of any medical marijuana facility as defined in Chapter 17.180 of the Desert Hot Springs Municipal Code, or for any use or activity related thereto, for properties with a General Plan land-use designation of L-I (light-Industrial) and located in the 207 acre area north of the I-10 freeway, and west of Palm Drive, and south of Varner Road, and excepting APN 669-150-002.

5. **Request for a General Plan and Zoning Map Amendment (GPA 02-16 and ZMA 02-16) from R-L (Low Density Residential) to I-L (Light Industrial) for the Two Parcels Located on the East Side of Little Morongo Road Between Desert View Avenue and 13th Avenue (APN Nos. 663-260-001 and 663-260-002) Applicants: Ozhemma Kazaryan and Feliks Akopyan**

Community Development Director, Daniel Porras, P.E.

Packet Page 21

Recommendation: 1) Staff Report;
2) Entertain questions of Staff from City Council;
3) Open the Public Hearing;
4) Take testimony from applicant;
5) Take Public testimony;
6) Applicant rebuttal;
7) Close the Public Hearing;
8) City Council discussion and questions to Staff; and
9) Planning Commission's recommendation is to DENY the Project. Should the City Council wish to DENY the Project, it should adopt a Resolution denying the Negative Declaration and General Plan and Zone Map Amendment from a R-L (low-density residential) land use designation to a I-L (light industrial) designation for APN Nos. 663-260-001 and 663-260-002; OR
10) Should the City Council wish to Approve the Project, it should adopt a Resolution approving: 1) the Negative Declaration and 2) the General Plan and Zone Map Amendment from a R-L (low-density residential) land use designation to a I-L (light industrial) designation for APN Nos. 663-260-001 and 663-260-002.

6. [Annexation No. 11 to the City of Desert Hot Springs Community Facilities District No. 2010-1 \(Services\) for APN No. 665-030-063 Located at 65241 San Jacinto Lane \(Healing Nature/Clonenetics - Osborne\)](#)

Administrative Services Director, Joseph M. Tanner, Jr.

Packet Page 163

- Recommendation:**
- 1) Staff Report;
 - 2) Entertain questions of Staff from the City Council;
 - 3) Open the Public Hearing;
 - 4) Take testimony;
 - 5) Close the Public Hearing;
 - 6) City Council discussion and questions of Staff;
 - 7) Adopt a Resolution calling an election to submit to the qualified electors the question of levying a special tax within the area proposed to be annexed to Community Facilities District No. 2010-1 (Services) (Annexation No. 11).
 - 8) Hold the election;
 - 9) Canvass the election; and
 - 10) Adopt a Resolution declaring election results for annexation to Community Facilities District No. 2010-1 (Services) (Annexation No. 11).

7. [Annexation No. 12 to the City of Desert Hot Springs Community Facilities District No. 2010-1 \(Services\) of APN 665-030-053 Located at 65145 Two Bunch Palms Trail \(Armando Rodriguez\)](#)

Administrative Services Director, Joseph M. Tanner, Jr.

Packet Page 201

- Recommendation:**
- 1) Staff Report;
 - 2) Entertain questions of Staff from the City Council;
 - 3) Open the Public Hearing;
 - 4) Take testimony;
 - 5) Close the Public Hearing;
 - 6) City Council discussion and questions of Staff;
 - 7) Adopt a Resolution calling an election to submit to the qualified electors the question of levying a special tax within the area proposed to be annexed to Community Facilities District No. 2010-1 (Services) (Annexation No. 12).
 - 8) Hold the election;
 - 9) Canvass the election; and
 - 10) Adopt a Resolution declaring election results for annexation to Community Facilities District No. 2010-1 (Services) (Annexation No. 12).

8. [Annexation No. 13 to the City of Desert Hot Springs Community Facilities District No. 2010-1 \(Services\) for APN 665-080-013 located East of Little Morongo Road, South of 14th Avenue, and West of Palm Drive \(MERJ, LLC\)](#)

Administrative Services Director, Joseph M. Tanner, Jr.

Packet Page 241

- Recommendation:**
- 1) Staff Report;
 - 2) Entertain questions of Staff from the City Council;
 - 3) Open the Public Hearing;

- 4) Take testimony;
- 5) Close the Public Hearing;
- 6) City Council discussion and questions of Staff;
- 7) Adopt a Resolution calling an election to submit to the qualified electors the question of levying a special tax within the area proposed to be annexed to Community Facilities District No. 2010-1 (Services) (Annexation No. 13).
- 8) Hold the election;
- 9) Canvass the election; and
- 10) Adopt a Resolution declaring election results for annexation to Community Facilities District No. 2010-1 (Services) (Annexation No. 13).

9. [Annexation No. 14 to the City of Desert Hot Springs Community Facilities District No. 2010-1 \(Services\) for APN 641-101-005 Located at 12106 Palm Drive and APN 641-101-006 Located East of Palm Drive, North of Acoma Avenue and South of Pierson Boulevard \(La Plaza Center, LLC\)](#)

Administrative Services Director, Joseph M. Tanner, Jr.

Packet Page 281

- Recommendation:**
- 1) Staff Report;
 - 2) Entertain questions of Staff from the City Council;
 - 3) Open the Public Hearing;
 - 4) Take testimony;
 - 5) Close the Public Hearing;
 - 6) City Council discussion and questions of Staff;
 - 7) Adopt a Resolution calling an election to submit to the qualified electors the question of levying a special tax within the area proposed to be annexed to Community Facilities District No. 2010-1 (Services) (Annexation No. 14)
 - 8) Hold the election;
 - 9) Canvass the election; and
 - 10) Adopt a Resolution declaring election results for annexation to Community Facilities District No. 2010-1 (Services) (Annexation No. 14).

ADMINISTRATIVE CALENDAR:

10. [Options for Homelessness Efforts](#)

City Council

Packet Page 321

Recommendation: Consider options and possible action.

11. [Operating and Nonexclusive License Agreement Between Cabot's Pueblo Museum Foundation and the City of Desert Hot Springs](#)

Administrative Services Director, Joseph M. Tanner, Jr.

Packet Page 373

Recommendation: Authorize the City Manager to execute an Operating and Nonexclusive License Agreement between the Cabot's Pueblo Museum Foundation and the City of Desert Hot

Springs for marketing, operations, insurance, and utilities from July 1, 2017 to June 30, 2018 with automatic renewal every fiscal year.

12. [Independent Findings and Analysis Provided by the City's Independent Financial Advisor, Urban Futures, Inc., Identifying Potential Budget Reduction Impacts from the Loss of Funding Provided by Measure A \(2009 Utility Users Tax\) and Measure G \(2010 Public Safety Parcel Tax\) Should the Tax Measures Sunset](#)

Urban Futures CEO, Michael Busch

Packet Page 389

Recommendation: Receive and file the independent findings and analysis provided by the City's independent financial advisor, Urban Futures Inc., identifying potential budget reduction impacts that could arise from the loss of revenue provided by Measure A (2009 Utility Users Tax) and Measure G (2010 Public Safety Parcel Tax) should the tax measures sunset.

13. [Amendment to the Professional Services Agreement with Urban Futures, Incorporated, for Fiscal Budgeting, Cash Flow Analysis and Projections, Cost Recovery and Cost Allocation Methodology](#)

Administrative Services Director, Joseph M. Tanner, Jr.

Packet Page 393

Recommendation: Authorize the City Manager to execute an Amendment to the Professional Services Agreement with Urban Futures, Incorporated, in the amount of \$150,000.00 from July 1, 2017 through June 30, 2020 and to execute all necessary agreements with approval as to form by the City Attorney.

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.

14. [Resolution of Intention to Annex One Parcel \(Annexation No. 16\) Located Northeast of Interstate 10 and West of Palm Drive \(APN 660-160-010\) to the City of Desert Hot Springs Community Facilities District No. 2010-1 \(Services\)](#)

Administrative Services Director, Joseph M. Tanner, Jr.

Packet Page 425

Recommendation: Adopt a Resolution of Intention to annex one parcel to the City of Desert Hot Springs Community Facilities District No. 2010-1 (Services)

15. [Resolution of Intention to Annex One Parcel \(Annexation No. 17\) Located at 65118 San Jacinto Lane \(APN 665-030-017\) to the City of Desert Hot Springs Community Facilities District No. 2010-1 \(Services\)](#)

Administrative Services Director, Joseph M. Tanner, Jr.

Packet Page 461

Recommendation: Adopt a Resolution of the City Council of the City of Desert Hot Springs declaring its intention to annex territory to

Community Facilities District No. 2010-1 (Services) of the City of Desert Hot Springs, adopting a map of the area proposed to be annexed (Annexation No. 17), and to authorize the levy of special taxes therein.

16. [Resolution of Intention to Annex One Parcel \(Annexation No. 18\) Located at 65265 San Jacinto Lane \(APN 665-030-049\) to the City of Desert Hot Springs Community Facilities District No. 2010-1 \(Services\)](#)

Administrative Services Director, Joseph M. Tanner, Jr. Packet Page 497

Recommendation: Adopt a Resolution of the City Council of the City of Desert Hot Springs declaring its intention to annex territory to Community Facilities District No. 2010-1 (Services, of the City of Desert Hot Springs, adopting a map of the area proposed to be annexed (Annexation No. 18), and to authorize the levy of special taxes therein.

17. [Resolution of Intention to Annex One Parcel \(Annexation No. 19\) Located South of Pioneer Boulevard, West of Palm Drive, North of 14th Avenue, and East of Little Morongo Road \(APN 663-270-004\) to the City of Desert Hot Springs Community Facilities District No. 2010-1 \(Services\)](#)

Administrative Services Director, Joseph M. Tanner, Jr. Packet Page 535

Recommendation: Adopt a Resolution of the City Council of the City of Desert Hot Springs declaring its intention to annex territory to Community Facilities District No. 2010-1 (Services) of the City of Desert Hot Springs, adopting a map of the area proposed to be annexed (Annexation No. 19), and to authorize the levy of special taxes therein.

18. [Resolution of Intention to Annex Two Parcels \(Annexation No. 20\) Located at 65242 and 65282 San Jacinto Lane \(APNs 665-030-021 and 665-030-022\) to the City of Desert Hot Springs Community Facilities District No. 2010-1 \(Services\)](#)

Administrative Services Director, Joseph M. Tanner, Jr. Packet Page 551

Recommendation: Adopt a Resolution of the City Council of the City of Desert Hot Springs declaring its intention to annex territory to Community Facilities District No. 2010-1 (Services) of the City of Desert Hot Springs, adopting a map of the area proposed to be annexed (Annexation No. 20), and to authorize the levy of special taxes therein.

19. [Resolution of Intention to Annex One Parcel \(Annexation No. 21\) Located at the Northwest Corner of Palm Drive and Hacienda Avenue \(APN 641-092-049\) to the City of Desert Hot Springs Community Facilities District No. 2010-1 \(Services\)](#)

Administrative Services Director, Joseph M. Tanner, Jr. Packet Page 589

Recommendation: Adopt a Resolution of the City Council of the City of Desert Hot Springs declaring its intention to annex territory to Community Facilities District No. 2010-1 (Services) of the City of Desert Hot Springs, adopting a map of the area

proposed to be annexed (Annexation No. 21), and to authorize the levy of special taxes therein.

20. [Resolution of Intention to Create a Special Tax Area Zone 24 for Property, APN 663-270-004 Located North of 14th Avenue and East of Little Morongo Road, to the Desert Hot Springs Special Public Safety Tax Area](#)
Administrative Services Director, Joseph M. Tanner, Jr. Packet Page 627
Recommendation: Adopt a Resolution of Intention which establishes the time and place of the Public Hearing (July 5, 2017) to establish Zone 24 within the Special Public Safety Tax Area for Police and Fire Protection Services, and authorizing an election.
21. [Resolution of Intention to Create a Special Tax Area Zone 25 for Property Located at 65242 and 65282 San Jacinto Lane \(APNs 665-030-021 and 665-030-022\) to the Desert Hot Springs Special Public Safety Tax Area](#)
Administrative Services Director, Joseph M. Tanner, Jr. Packet Page 643
Recommendation: Adopt a Resolution of Intention which establishes the time and place of the Public Hearing (July 5, 2017) to establish Zone 25 within the Special Public Safety Tax Area for Police and Fire Protection Services, and authorizing an election.
22. [Resolution of Intention to Create a Special Tax Area Zone 26 for Property, APN 641-092-049 Located in the Northwest Corner of Palm Drive and Hacienda Avenue, to the Desert Hot Springs Special Public Safety Tax Area](#)
Administrative Services Director, Joseph M. Tanner, Jr. Packet Page 661
Recommendation: Adopt a Resolution of Intention which establishes the time and place of the Public Hearing (July 5, 2017) to establish Zone 26 within the Special Public Safety Tax Area for Police and Fire Protection Services, and authorizing an election
23. [Fiscal Year 2017-2018 Appropriations \(Gann\) Limit](#)
Administrative Services Director, Joseph M. Tanner, Jr. Packet Page 675
Recommendation: Approve by Minute Order the Fiscal Year 2017-2018 Appropriations Limit as required by Article XIIIB of the California State Constitution.
24. [Delegation of Investment Authority to the City Treasurer](#)
Administrative Services Director, Joseph M. Tanner, Jr. Packet Page 681
Recommendation: Adopt a Resolution of the City Council approving delegation of investment authority and other related duties to the City Treasurer, as authorized by the City's Investment Policy, and approve and adopt the attached Investment Policy for Fiscal Year 2017-2018.
25. [Payment Register and City Council Expenditures Report for the Month of April 2017](#)
Administrative Services Director, Joseph M. Tanner, Jr. Packet Page 691
Recommendation: Receive and file.

26. [Treasurer's Report as of April 30, 2017](#)
Administrative Services Director, Joseph M. Tanner, Jr. Packet Page 717
Recommendation: Receive and file.
27. [Contracts Management Report as of June 20, 2017](#)
Administrative Services Director, Joseph M. Tanner, Jr. Packet Page 723
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](http://www.cityofdhs.org) at www.cityofdhs.org for meeting locations and the most up to date information.*

July 5	City Council Regular Meeting	6:00 p.m.
July 11	Planning Commission	6:00 p.m.
July 12	RDA Oversight Board Meeting	8.00 a.m.
July 12	CCAC	6:00 p.m.
July 13	Public Safety Commission	6:00 p.m.
July 18	City Council Regular Meeting	DARK

NOTICES

Americans with Disabilities Act

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

SB 343

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

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