



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

MAY 15, 2018

4:30 P.M. – STUDY SESSION

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

PUBLIC COMMENTS

At this time, item(s) on the Study Session agenda may be discussed during Public Comments. PLEASE STATE YOUR NAME FOR THE RECORD.

STUDY SESSION:

1. **[Approval of 2017-2018 Budgetary Adjustments for Revenues, Expenditures, and Transfers for the Fiscal Year Ending June 30, 2018](#)**

Finance Director, Linda Kelly

Packet Page 9

Recommendation: 1) Approve the mid-year budgetary adjustments as stated for FY 2017-18, with revenues totaling \$2,825,404 and expenditures totaling \$2,775,466; and
2) Approve the transfer of the General Fund balance on hand in the amount of \$2.0 million for the City Hall Project in FY 2017-2018 by minute order.

2. [City of Desert Hot Springs Draft Two-Year Budget and Capital Improvement Projects for Fiscal Years 2018-2019 and 2019-2020](#)

Finance Director, Linda Kelly

Packet Page 29

- Recommendation:**
- 1) Receive Staff Presentation of the City of Desert Hot Springs Draft Two Year Budget for All Funds and Capital Improvement Projects for Fiscal Years 2018-2019 and 2019-2020;
 - 2) Entertain questions from the City Council; and
 - 3) City Council to provide any changes, recommendations, or direction to be included in the final budget document.

[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:

3. **[Annexation No. 29 to the City of Desert Hot Springs Community Facilities District No. 2010-1 \(Services\) for APN 666-370-012 through -015 Located South of 19th Avenue and East of North Indian Canyon Drive \(BlackStar Industrial Properties, LLC\)](#)**

Finance Director, Linda Kelly

Packet Page 173

- Recommendation:**
- 1) Staff Report;
 - 2) Entertain questions of staff from the City Council;
 - 3) Open the Public Hearing;
 - 4) Take public 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. 29)
 - 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. 29)

4. **[Annexation No. 30 to the City of Desert Hot Springs Community Facilities District No. 2010-1 \(Services\) for APN 663-270-001 Located North of 13h Avenue/Hacienda Avenue and East of Little Morongo Road \(Manlin2, LLC\)](#)**

Finance Director, Linda Kelly

Packet Page 207

- 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 propose to be annexed to Community Facilities District No. 2010-1 (Services) (Annexation No. 30)
 - 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. 30).

5. [Creating Special Tax Area 35 \(BlackStar Industrial Properties, LLC\) for APN 663-370-012 through -015 Located South of 19th Avenue and East of North Indian Canyon Drive, within the Desert Springs Special Public Safety Tax Area](#)

Finance Director, Linda Kelly

Packet Page 243

Recommendation: 1) Staff Report;
2) Entertain questions of staff from the City Council;
3) Open the Public Hearing;
4) Take public testimony;
5) Close the Public Hearing;
6) City Council discussion and questions of staff;
7) Hold the election;
8) Canvass the election; and
9) Adopt an Ordinance Establishing a Special Public Safety Tax Area Zone 35 (BlackStar Industrial Properties, LLC).

6. [Creating Special Tax Area 36 \(Manlin2, LLC\) for APN 663-270-001 Located South of 13th Avenue/Hacienda Drive and East of Little Morongo Road, within the Desert Springs Special Public Safety Tax Area](#)

Finance Director, Linda Kelly

Packet Page 265

Recommendation: 1) Staff Report;
2) Entertain questions of Staff from the City Council;
3) Open the Public Hearing;
4) Take public testimony;
5) Close the Public Hearing;
6) City Council discussion and questions of staff;
7) Hold the election;
8) Canvass the election; and
9) Adopt an Ordinance Establishing a Special Public Safety Tax Area Zone 36 (Manlin2, LLC).

7. [2017 Annual Housing Element Progress Report](#)

Community Development Director, Daniel Porras, P.E.

Packet Page 287

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) Receive the 2017 Housing Element Annual Progress Report, and authorize its submittal to the State Department of Housing and Community Development and to the Governor's Office of Planning and Research.

8. [Ordinance Stating that Marijuana Manufacturing Facilities, as Defined by Desert Hot Springs Municipal Code, Are Not Subject to the Taxes as Contemplated in Chapters 3.34 and 3.37](#)

City Attorney, Jennifer A. Mizrahi

Packet Page 341

Recommendation: 1) Staff Report;

- 2) Entertain questions from the City Council to Staff;
- 3) Open the Public Hearing;
- 4) Take testimony of those in Favor;
- 5) Take testimony of those who Opposed;
- 6) Take testimony of those in a neutral position;
- 7) Close the Public Hearing;
- 8) City Council discussion; and
- 9) Introduce for First Reading and read by title only, "An Ordinance of the City Council of the City of Desert Hot Springs, California, amending Chapters 3.34 and 3.37 to add Sections 3.34.045 and 3.37.065 stating that Marijuana Manufacturing Facilities, as defined by Desert Hot Springs Municipal Code ("DHSMC") Section 17.180.030 and regulated pursuant to DHSMC Section 17.180.060, are not subject to the taxes as contemplated in Chapters 3.34 and 3.37.

ADMINISTRATIVE CALENDAR:

9. **Funding Request from Health Assessment and Research for Communities (HARC)**
City Manager, Charles L. Maynard *Packet Page 347*
Recommendation: Consider a funding request of \$10,000 from Health Assessment and Research for Communities (HARC) and provide direction to Staff.

10. **Lighting and Landscape Maintenance Districts and Drainage Assessment District, Initiate Proceedings for the Levy and Collection of Assessment**
Finance Director, Linda Kelly *Packet Page 449*
Recommendation:
 - 1) Adopt a Resolution of the City Council initiating proceedings for the levy and collection of assessments for the Citywide Landscape and Lighting Maintenance District No. 1 Zone A and Zone B for Fiscal Year 2018-19;
 - 2) Adopt a Resolution of the City Council initiating proceedings for the levy and collections of assessments for the Landscape Maintenance District No. 2 for the Fiscal Year 2018-19; and
 - 3) Adopt a Resolution of the City Council initiating proceedings for the levy and collection of assessments for the Drainage Assessment District No. 1 for Fiscal Year 2018-19.

11. **Fireworks Permits**
Community Development Director, Daniel Porras, P.E. *Packet Page 471*
Recommendation: Approve five (5) Fireworks Stand Permits at various location within the City, for the temporary sale of Fireworks for the period beginning June 28, 2018 and ending July 4, 2018 at 10:00 P.M.

12. [Participating Agreement for Coachella Valley Regional Traffic Signal Synchronization Program](#)

Community Development Director, Daniel Porras, P.E. Packet Page 505

Recommendation: Approve and authorize for signature, the Multi-Agency Participation Agreement for the Coachella Valley Regional Traffic Signal Synchronization Program.

13. [Fire Services Contract](#)

City Manager, Charles L. Maynard Packet Page 621

Recommendation: Approve the attached Cooperative Agreement to Provide Fire Services for the City.

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. [City Council Regular Meeting Minutes: May 1, 2018](#)

City Clerk, Jerryl Soriano, CMC Packet Page 647

Recommendation: Approve Minutes as presented; or as corrected.

15. [Approval of Side Letter Agreement for the Police Officer's Association](#)

City Manager, Charles L. Maynard Packet Page 655

Recommendation: Approve by Minute Order the Side Letter Agreement between the City and the Police Officer's Association.

16. [Second Reading and Adoption of an Ordinance Approving Development Agreement No. 14-16 with Green Bond, LLC \(APN 663-280-002\)](#)

Community Development Director, Daniel Porras, P.E. Packet Page 663

Recommendation: Approve Second Reading, read by title only and adopt, "An Ordinance of the City Council approving Development Agreement No. 14-16 for the development of a cultivation facility with ancillary distribution and manufacturing activities.

17. [Approve Second Reading and Adoption of 1\) An Ordinance Approving Development Agreement No. 01-18 with Desert Land Ventures III, LLC; and 2\) An Ordinance Adding Chapter 17.210 "Desert Land Ventures Specific Plan"](#)

Community Development Director, Daniel Porras, P.E. Packet Page 705

Recommendation: Approve Second Reading, read by title only and adopt:
1) An Ordinance of the City Council approving Development Agreement No. 01-18 for the development of a mixed use commercial/industrial business park; and
2) An Ordinance of the City Council adding Chapter 17.210 "Desert Land Ventures Specific Plan" to Title 17 "Zoning" of the Desert Hot Springs Municipal Code.

18. [Treasurer's Reports for the Months of January 2018 and February 2018](#)
Finance Director, Linda Kelly *Packet Page 863*
Recommendation: Receive and file.
19. [Payment Register and City Council Expenditures Report for the Month of March 2018](#)
Finance Director, Linda Kelly *Packet Page 877*
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.*

| | | |
|---------|------------------------------|-----------|
| June 5 | City Council Regular Meeting | 6:00 p.m. |
| June 12 | Planning Commission | 6:00 p.m. |
| June 13 | RDA Oversight Board Meeting | 8.00 a.m. |
| June 13 | CCAC | 6:00 p.m. |
| June 14 | Public Safety Commission | 6:00 p.m. |
| June 19 | 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.