



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

APRIL 17, 2018

5:00 P.M. – CLOSED 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**

CLOSED SESSION - 5:00 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 – POTENTIAL INITIATION OF LITIGATION](#)**
Pursuant to Government Code Section 54956.9: (1 potential case)

PRESENTATIONS - 5:30 P.M.

2. **[Recognition of the Desert Hot Springs High School Basketball Team](#)**
Mayor, Scott Matas

3. [Recognition of Dr. Paul M. Ross, DC, of Ross Chiropractic in Desert Hot Springs](#)
Mayor, Scott Matas
4. [Presentation by Supervisor, V. Manuel Perez, Fourth District, Riverside County Board of Supervisors](#)

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:

5. [Applications for Entitlement of the Desert Land Ventures Mixed Use Development Project Located North of the I-10 Freeway, West of Palm Drive, and South of Varner Road, in the Light Industrial \(L-I\) and Rural Desert \(R-D\) General Plan and Zoning Land Use Districts \(SP 01-16, GPA 01-16, ZMA / ZTA 01-16, Vesting TTM 37185, and Development Agreement 01-18\) \(Applicant: Ted Frattone, Hunsaker & Associates\)](#)

Community Development Director, Daniel Porras, P.E.

Packet Page 9

- 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) Opportunity for Applicant Rebuttal
 - 7) Close the Public Hearing;
 - 8) City Council discussion and questions to Staff; and
 - 9) Consider a recommendation from the Planning Commission to the City Council for certification of the Environmental Impact Report and Mitigation Monitoring Program and to adopt findings of fact recommending approval of:
 - A) Specific Plan 01-16, General Plan Amendment 01-16, and Zoning Ordinance Amendment 01-16 to establish development regulations and guidelines for the subject site;
 - B) Vesting Tentative Tract Map No. 37185 to divide the properties into thirteen lots plus streets; and
 - C) Development Agreement No. DA 01-18; to allow up to 1.9 million square feet of commercial and industrial development on a vacant 123.4 acre property located along the north side of Interstate 10, along both sides of Varner Road, and approximately one-half mile west of Palm Drive (APN: 669-150-001 and -002) in the R-D (Rural Desert) and L-I (Light Industrial) zones.

ADMINISTRATIVE CALENDAR:

6. [Resignation of Council Member, Yvonne Parks](#)

City Clerk, Jerryl Soriano, CMC

Packet Page 585

- Recommendation:** Receive and file the resignation letter received from Council Member, Yvonne Parks, effective upon filling the vacancy by the City Council.

7. [Appointment to the Planning Commission to Fill Vacancy for Unexpired Term](#)
City Clerk, Jerryl Soriano, CMC *Packet Page 589*
Recommendation: Ratify Mayor Scott Matas' appointment to the Planning Commission to fill one (1) vacancy consisting of an unexpired term ending January 2020.

8. [Resolution of Intention to Annex One Parcel \(Annexation No. 31\) Located North of 14th Avenue and East of Little Morongo Road, \(APN 663-280-005\) to the City of Desert Hot Springs Community Facilities District No. 2010-1 \(Services\) \(Hot Desert Springs, LLC\)](#)
Finance Director, Linda Kelly *Packet Page 615*
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. 31), and to authorize the levy of special taxes therein.

9. [Resolution of Intention to Create Special Tax Area Zone 34 for Property, 12 APNs Located North of Mission Lakes Boulevard and East of Indian Canyon Drive, to the Desert Hot Springs Special Public Safety Tax Area \(The Watermarke at DHS, LLC\)](#)
Finance Director, Linda Kelly *Packet Page 659*
Recommendation: Adopt a Resolution of Intention which establishes the time and place of the Public Hearing to establish Zone 34 within the Special Public Safety Tax Area for Police and Fire Protection Services, and authorizing an election.

10. [Resolution of Intention to Create a Special Tax Area Zone 37 for Property, APN 663-280-005 Located North of 14th Avenue and East of Little Morongo Road, to the Desert Hot Springs Special Public Safety Tax Area \(Hot Desert Springs, LLC\)](#)
Finance Director, Linda Kelly *Packet Page 679*
Recommendation: Adopt a Resolution of Intention which establishes the time and place of the Public Hearing to establish Zone 37 within the Special Public Safety Tax Area for Police and Fire Protection Services, and authorizing an election.

11. [Discussion on the Upcoming LAFCO \(Local Area Formation Commission\) Hearing Regarding a Potential Annexation of a 33+ Acre Site Into the City's Jurisdiction](#)
Community Development Director, Daniel Porras, P.E. *Packet Page 699*
Recommendation: Receive Staff Report, City Council discussion and questions to Staff.

12. [Automated License Plate Reader System Implementation Resolution](#)

Chief of Police, Dale R. Mondary

Packet Page 841

Recommendation: 1) Receive public comment regarding implementation of an Automated License Plate Reader System pursuant to Senate Bill 34; and
2) Adopt a Resolution of the City Council authorizing the City of Desert Hot Springs' Police Department to implement the use of the Automated License Plate Reader System within the jurisdictional boundaries of the City, and direct staff to prepare and approve any necessary amendments to the current Police Department's contract.

13. [Cabot Yerxa Sidewalk Project - Notice of Completion](#)

Community Development Director, Daniel Porras, P.E.

Packet Page 851

Recommendation: 1) Approve and Accept the Public Improvements;
2) Authorize the release of final retention payment;
3) Authorize the City Manager to execute and file the Notice of Completion; and
4) Authorize the release of warranty bond after June 9, 2018 upon re-inspection

14. [Report on Wardman Park Pool](#)

Daniel Porras, Community Development Director

Packet Page 863

Recommendation: Receive and file.

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.

15. [City Council Regular Meeting Minutes: April 3, 2018](#)

City Clerk, Jerryl Soriano, CMC

Packet Page 895

Recommendation: Approve Minutes as submitted; or as corrected.

16. [Second Reading and Adoption of an Ordinance Amending All Validly Approved Development Agreements Regarding Medical Marijuana Facilities That Are in Good Standing with the City to Include All Forms of Marijuana Uses as Described in the Desert Hot Springs Municipal Code, Currently Codified in Chapter 17.180, Including, but Not Limited to Manufacturing, Testing, and Distribution](#)

City Clerk, Jerryl Soriano, CMC

Packet Page 905

Recommendation: Approve Second Reading, read by title only and adopt: "An Ordinance of the City Council of the City of Desert Hot Springs, California, amending all validly approved Development Agreements regarding marijuana facilities that

are in good standing with the City to include all forms of marijuana uses, including but not limited to existing and future marijuana uses as described in the Desert Hot Springs Municipal Code, currently codified in Chapter 17.180, including, but not limited to manufacturing, testing, and distribution.

17. [Second Reading and Adoption of an Ordinance Amending Chapter 17.180 to Include Special Dispensary Entitlements in Certain Circumstances](#)

City Clerk, Jerryl Soriano, CMC

Packet Page 913

Recommendation: Approve Second Reading, read by title and adopt, "An Ordinance of the City Council of the City of Desert Hot Springs, California, amending Chapter 17.180 to include special dispensary entitlements in certain circumstances.

18. [Second Reading and Adoption of an Ordinance Adding a Stipend for City Council Members for Attendance of City Council Assigned Committees](#)

City Clerk, Jerryl Soriano, CMC

Packet Page 933

Recommendation: Approve Second Reading, read by title only and adopt, "An Ordinance of the City Council of the City of Desert Hot Springs, California, amending Section 2.04.020 of Chapter 2.04 of the Desert Hot Springs Municipal Code adding a stipend for City Council Members for attendance of City Council-Assigned Committees."

19. [Second Reading and Adoption of an Ordinance Amending the Desert Hot Springs Municipal Code Updating Procedures to Issue Administrative Citations](#)

City Clerk, Jerryl Soriano, CMC

Packet Page 941

Recommendation: Approve Second Reading, read by title only and adopt, "An Ordinance of the City Council of the City of Desert Hot Springs, California, 1) amending Chapter 4.24 "Administrative Citation Procedure" of Title 4 "Code Enforcement" and 2) amending Section 8.40.030 "Inspection, Registration and Fees" of Chapter 8.40 "Abandoned Residential Property Registration" of Title 8 "Health and Safety" of the Desert Hot Springs Municipal Code to revise the procedures for the issuance of administrative citations.

20. [Second Reading and Adoption of an Ordinance Amending the Desert Hot Springs Municipal Code to Clarify Procedures for the Selection of Hearing Officers](#)

City Clerk, Jerryl Soriano, CMC

Packet Page 965

Recommendation: Approve Second Reading, read by title only and adopt, "An Ordinance of the City Council of the City of Desert Hot Springs, California, amending Chapter 4.36 ("Permit and License Suspension, Modification, and Revocation Procedures") of the Desert Hot Springs Municipal Code to update the procedures for selection of Hearing Officers."

21. [Payment Register and City Council Expenditures Report for the Month of February 2018](#)

Finance Director, Linda Kelly

Packet Page 977

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.*

May 1	City Council Regular Meeting	6:00 p.m.
May 8	Planning Commission	6:00 p.m.
May 9	RDA Oversight Board Meeting	8.00 a.m.
May 9	CCAC	6:00 p.m.
May 10	Public Safety Commission	6:00 p.m.
May 15	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.