



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

JULY 18, 2017

6:00 P.M. – REGULAR SESSION

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

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:

1. [Conditional Use Permit No. 17-17, Development Agreement No. 16-17, and Tentative Parcel Map No. 37158, Proposing the Development of Various Medicinal Marijuana Structures Totaling Approximately 219,000 Square Feet \(SF\) on a Portion of the 161 Acre Site Located on the East Side of Indian Canyon Drive Between 18th and 19th Avenues in the I-L \(Light Industrial\) Zone \(Applicant: Kenny Dickerson, Coachillin' Holdings, LLC\)](#)

Community Development Director, Daniel Porras, P.E.

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Recommendation: 1) Staff Report;
2) Open the Public Hearing;
3) Take any testimony; and
4) Continue the Public Hearing to September 5, 2017.

2. [Extension of Interim Urgency Ordinance No. 618 - Adopting a One-Year 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.

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Recommendation: 1) Staff Report;
2) 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) Approve: A) Certification of CEQA Exemption; B) Adopt an Ordinance Establishing a 22 month and 15 day Moratorium on Medical Marijuana Facilities 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 (The Desert Land Ventures Mixed Use Project); and C) Adoption of Government Code Section 65858 (d) Report.

ADMINISTRATIVE CALENDAR:

3. **Desert Hot Springs Recreation Programs and Services**

Deputy City Manager, Luke Rainey

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Recommendation: Authorize the overall transition of current recreation programs and services from the Boys & Girls Clubs of the Coachella Valley to the Borrego Community Health Foundation by approving two agreements, with any further changes to be made at the discretion of the City Manager and the City Attorney:

- A) A Global Termination Agreement which terminates the existing relationship among the 1) Boys and Girls Club, 2) Borrego Community Health Foundation and 3) the City, with respect to the Boys and Girls Clubs operations of the Desert Hot Springs Health and Wellness Center; and
- B) An Amendment to the Sublease Agreement with Borrego Community Health Foundation and the City to allow for Borrego to expand the current recreation programs and services.

4. **Approval of Parcel Map No. 37215-1 for Snider Investments, LLC, Acceptance of Dedications Shown on the Map, and Acceptance of Subdivision Improvement Agreement and Related Bonds**

Community Development Director, Daniel Porras, P.E.

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Recommendation:

- 1) Find that the Parcel Map No. 37215-1 is in substantial conformance with the previously approved tentative map;
- 2) Approve Parcel Map 37215-1 in accordance with the Conditions of Approval and when Subdivider has provided sufficient security for all the improvements to the satisfaction of the City Engineer;
- 3) Accept the dedications as offered on the map for public ingress and egress of service and emergency vehicles, public utilities and limited access rights to Little Morongo Road and when Subdivider has complied with all the Conditions of Approval and has provided sufficient security of all the improvements to the satisfaction of the City Engineer;
- 4) Approve the Subdivision Improvement Agreement, Performance Bond and Labor and Materials Bond, allowing substantive changes to be made by the City Manager and City Attorney as they deem appropriate;
- 5) Authorize the City Clerk and City Engineer to sign the map evidencing the City Council's approval once the supporting documents and bonds are approved by City Staff and when the Subdivider has complied with all the Conditions of Approval and has provided sufficient security for all improvements to the satisfaction of the City Engineer; and

6) Authorize staff to process and file the map and subdivision agreement with the County Recorder's Office when Subdivider has complied with all the Conditions of Approval and has provided sufficient security for all improvements to the satisfaction of the Interim City Engineer.

5. [Resolution Approving Purchase and Sale Agreement and Joint Escrow Instructions for Real Property Located at 66435 1st Street \(APN 639-252-043\) and Approving Certain Related Actions](#)

Administrative Services Director, Joseph M. Tanner, Jr.

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Recommendation: Adopt a Resolution of the City Council approving a Purchase and Sale Agreement and Joint Escrow Instructions between the Successor Agency to the Redevelopment Agency of the City of Desert Hot Springs and the City of Desert Hot Springs with respect to the Real Property located at 66435 1st Street, Desert Hot Springs, California (APN 639-252-043) and approving certain related actions.

6. [\(Successor Agency\) Resolution Approving Purchase and Sale Agreement and Joint Escrow Instructions for Real Property Located at 66435 1st Street \(APN 639-252-043\) and Approving Certain Related Actions](#)

Administrative Services Director, Joseph M. Tanner, Jr.

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Recommendation: Adopt a Resolution of the Successor Agency to the Redevelopment Agency of the City of Desert Hot Springs approving Purchase and Sale Agreement and Joint Escrow Instructions between the Successor Agency to the Redevelopment Agency of the City of Desert Hot Springs with respect to the Real Property located at 66435 1st Street, Desert Hot Springs, California (APN 639-252-043) and approving certain related actions.

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.

7. [City Council Regular Meeting Minutes: July 5, 2017](#)

City Clerk, Jerryl Soriano, CMC

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Recommendation: Approve Minutes as submitted; or as corrected.

8. [Acceptance of Public Improvements and Reduction of Securities with Pierson Professional Plaza L.P. Concerning Parcel Map No. 35583](#)
Community Development Director, Daniel Porras, P.E. Packet Page 281
Recommendation: Accept Public Improvements and reduce securities (bond) to 10% of total amount for a duration of one year for warranty of public improvements with Pierson Professional Plaza L.P., concerning Parcel Map No. 35583.

9. [Second Reading and Adoption of an Ordinance Amending Section 17.40.110 "Fences, Walls and Hedges," to Regulate Fences on Vacant Land](#)
Community Development Director, Daniel Porras, P.E. Packet Page 301
Recommendation: Approve Second Reading, read by title only and adopt "An Ordinance of the City Council Amending Table 17.40.110 "Fences, Walls and Hedges" of the Desert Hot Springs Municipal Code, amending the same to regulate Fences on Vacant Land.

10. [Second Reading and Adoption of an Ordinance Approving An Amendment to Development Agreement 04-16 to Allow for Medical Marijuana Manufacturing and Extraction Activities Within the Previously Approved "We Care DHS" Cultivation Facility](#)
Community Development Director, Daniel Porras, P.E. Packet Page 311
Recommendation: Approve Second Reading, read by title only and adopt an Ordinance of the City Council approving an amendment to Development Agreement No. 04-16 to allow for medical marijuana manufacturing and extraction activities within the We Care DHS cultivation facility located at 65283 San Jacinto Lane.

11. [Second Reading and Adoption of an Ordinance Approving Development Agreement No. 08-17 with BlackStar Financial / Ray Dorame \(APNs 666-370-012 through 015\)](#)
Community Development Director, Daniel Porras, P.E. Packet Page 357
Recommendation: Approve Second Reading, read by title only and adopt an Ordinance of the City Council approving Development Agreement No. 08-17 for the development of a medical marijuana cultivation facility.

12. [Second Reading and Adoption of an Ordinance Approving Development Agreement No. 01-17 with Desert Grow, LLC \(APN 665-040-017\)](#)
Community Development Director, Daniel Porras, P.E. Packet Page 439
Recommendation: Approve Second Reading, read by title and adopt an Ordinance of the City Council approving Development Agreement No. 01-17 for the development of a medical marijuana cultivation facility.

13. [Second Reading and Adoption of an Ordinance Approving Development Agreement No. 05-17 with Din Cultivation / Victor Din \(APNs: 665-050-001, 002, 003, 004, 006\)](#)

Community Development Director, Daniel Porras, P.E. Packet Page 513

Recommendation: Approve Second Reading, ready by title only and adopt an Ordinance of the City Council approving Development Agreement No. 05-17 for the development of a medical marijuana cultivation facility.

14. [Second Reading and Adoption of an Ordinance Approving Development Agreement No. 06-17 with Kim Cultivation / Un Sun Kim \(APNs: 665-040-018, and -019\)](#)

Community Development Director, Daniel Porras, P.E. Packet Page 585

Recommendation: Approve Second Reading, read by title only and adopt an Ordinance of the City Council approving Development Agreement No. 06-17 for the development of a medical marijuana cultivation facility.

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.*

July 25	Economic Development Committee	6:00 p.m.
August 1	City Council Regular Meeting	DARK
August 8	Planning Commission	6:00 p.m.
August 9	RDA Oversight Board Meeting	8.00 a.m.
August 9	CCAC	6:00 p.m.
August 10	Public Safety Commission	6:00 p.m.
August 15	City Council Regular Meeting	DARK
August 22	Economic Development Committee	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.