



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

NOVEMBER 7, 2017

4:30 P.M. – CLOSED SESSION

**5:00 P.M. – JOINT SPECIAL MEETING OF THE CITY COUNCIL
AND PLANNING COMMISSION**

6:00 P.M. – REGULAR SESSION

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

CLOSED SESSION - 4:30 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 REAL PROPERTY NEGOTIATORS

Pursuant to Government Code Section 54956.8:

Property: 66036 Pierson Boulevard
(APNs: 639-232-026, 027, and 028)

Agency Negotiator: Charles L. Maynard, City Manager / Executive Director
Jennifer Mizrahi, City Attorney / General Counsel
Joseph M. Tanner, Administrative Services Director

Negotiating Parties: 1) Dr. Arshad Abid 2) Chaudhry Sharjeel Masood

Under Negotiation: Price and Terms

**[JOINT SPECIAL MEETING OF THE CITY COUNCIL
AND PLANNING COMMISSION - 5:00 P.M.
\(Click Here to View the Joint Meeting Agenda\)](#)**

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. **[Specific Plan 02-17, General Plan Amendment No. 03-17, Zoning Ordinance Amendment No. 02-17, Conditional Use Permit No. 28-17 and Tentative Parcel Map No. 37332 Applicant: Michael J. Avenatti / Desert Harvest](#)**

Community Development Director, Daniel Porras, P.E.

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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) Certify the Negative Declaration and Mitigation Monitoring Program, adopt the Findings of Fact, and approve: Specific Plan 02-17, General Plan Amendment 03-17, and introduction of Zoning Ordinance Amendment 02-17 to establish development regulations and guidelines for the subject site; Conditional Use Permit No. 28-17 to develop of an indoor marijuana cultivation facility of approximately 1.5 million square feet; and Tentative Parcel Map No. 37332 to divide the properties into three lots, located on 64.9 acres at the northeast corner of the intersection of Interstate 10 and North Indian Canyon Drive, approximately one-half mile east of Indian Canyon Drive, and fronting the north side of 20th Avenue (APN: 666-370-019) in the I-L (Light Industrial) zone.

3. **[Annexation No. 22 to the City of Desert Hot Springs Community Facilities District No. 2010-1 \(Services\) for APN 665-030-037 Located Southwest Corner of Cabot Road and San Jacinto Lane](#)**

Administrative Services Director, Joseph M. Tanner, Jr.

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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. 22)
- 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. 22)

4. **Creating Special Tax Area 22 (Bunch Palms Trail, LLC) for APN 665-030-058 Located on the Southwest Corner of Cabot Road and 14th Avenue, Within the Desert Springs Special Public Safety Tax Area**

Administrative Services Director, Joseph M. Tanner, Jr.

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- 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 22 (Bunch Palms Trail, LLC)

5. **Creating Special Tax Area 27 (Tim Guderian) for APN 665-030-037 Located on the Southwest Corner of Cabot Road and San Jacinto Lane, Within the Desert Springs Special Public Safety Tax Area**

Administrative Services Director, Joseph M. Tanner, Jr.

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- 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 27 (Tim Guderian)

ADMINISTRATIVE CALENDAR:

6. **Resolution of Intention to Annex Two Parcels (Annexation No. 27) Located East of Indian Canyon Drive, South of 18th Avenue and North of 19th Avenue (APNs 666-340-004 and 666-640-006) to the City of Desert Hot Springs Community Facilities District No. 2010-1 (Services)**

Administrative Services Director, Joseph M. Tanner, Jr.

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- 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. 27), and to authorize the levy of special taxes therein.

7. [Resolution of Intention to Create a Special Tax Area Zone 32 for Property, APNs 666-340-004 and 666-340-006 Located South of 18th Avenue and East of Indian Canyon Road to the Desert Hot Springs Special Public Safety Tax Area](#)
Administrative Services Director, Joseph M. Tanner, Jr. Packet Page 461
Recommendation: Adopt a Resolution of Intention which establishes the time and place of the Public Hearing to establish Zone 32 within the Special Public Safety Tax Area for Police and Fire Protection Services, and authorizing an election.

8. [\(Successor Agency\) Resolution Approving an Extension of Exclusive Listing Agreement Between NAI Capital and the Desert Hot Springs Successor Agency to List and Sell Certain Real Property Assets of the Successor Agency](#)
Administrative Services Director, Joseph M. Tanner, Jr. Packet Page 475
Recommendation: Adopt a Resolution of the Successor Agency to the Redevelopment Agency of the City of Desert Hot Springs approving an extension of exclusive listing agreement between NAI Capital and the Successor Agency to list and sell certain real property assets of the Successor Agency and approve certain related actions.

9. [2017 Bicycle Pedestrian Safety Program - Palm Drive Signals and Lighting Project](#)
Community Development Director, Daniel Porras, P.E. Packet Page 491
Recommendation: Authorize the City Manager to execute a Reimbursement Agreement between the City of Desert Hot Springs and the Coachella Valley Association of Governments (CVAG) for the 2017 Bicycle Pedestrian Safety Program – Palm Drive Signals and Lighting Project.

10. [Ordinance Amending Section 10.16.050 "Use of Streets for Storage of Vehicle Prohibited" of Chapter 10.16 "Stopping, Standing and Parking" of the Desert Hot Springs Municipal Code](#)
Chief of Police, Dale R. Mondary Packet Page 505
Recommendation: Introduce for First Reading and read by title only, "An Ordinance Of The City Council of the City of Desert Hot Springs, California, Amending Section 10.16.050 ("Use Of Streets for Storage of Vehicle Prohibited") of Chapter 10.16 ("Stopping, Standing And Parking") of Title 10 ("Vehicles And Traffic") of the Desert Hot Springs Municipal Code" ("DHSMC").

11. [School Resource Officer Agreement with Palm Springs Unified School District](#)
Chief of Police, Dale R. Mondary Packet Page 521
Recommendation: Authorize the City Manager to execute a Law Enforcement Services Agreement with Palm Springs Unified School District for School Resource Officer Services.

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.

12. Second Reading and Adoption of an Ordinance Amending Chapter 17.180 to Include Recreational/Adult Use

City Attorney, Jennifer A. Mizrahi

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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 of the Desert Hot Springs Municipal Code to include recreational (Adult Use).

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.*

November 8	RDA Oversight Board	CANCELLED
November 8	CCAC	6:00 p.m.
November 9	Public Safety Commission	6:00 p.m.
November 14	Planning Commission	6:00 p.m.
November 21	City Council Regular Meeting	6:00 p.m.
November 28	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.