



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

MARCH 6, 2018

4:30 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 - 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 LEGAL COUNSEL – POTENTIAL INITIATION OF LITIGATION**
Pursuant to Government Code Section 54956.9: (3 potential cases)
2. **CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION**
Significant exposure to litigation pursuant to subdivision (e)(1) of Section 54956.9:
(1 case)

PRESENTATIONS - 5:30 P.M.

3. **Human Rights Committee Presentation**
Mayor, Scott Matas

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

ADMINISTRATIVE CALENDAR:

4. [Resolution to Continue Hearing Date to Annex and Assess 259 Homes Commonly Known as Rancho Del Oro to the City of Desert Hot Springs Landscape and Lighting Maintenance District No. 2 from April 3, 2018 to May 15, 2018](#)
Community Development Director, Daniel Porras, P.E. Packet Page 7
Recommendation: Adopt a Resolution of the City Council continuing the Public Hearing Date for the Hearing to Annex and Assess Property to Landscape and Lighting Maintenance District No. 2 (Annexation No. 18, Zone 19) and to Levy Assessments on Such Property for Fiscal Year 2018-19 (Rancho del Oro) from April 3, 2018 to May 15, 2018.

5. [Approval of Mission Springs Water District Initiating Formation of Assessment District No. 17 of the Mission Springs Water District](#)
Deputy City Manager, Luke Rainey Packet Page 13
Recommendation: Consider adoption of a Resolution of the City Council that does not object to the Mission Springs Water District initiation of proceedings for the construction of certain work pursuant to the provisions of the Municipal Government Act of 1913 for Assessment District No. 17 and additional Assessment Districts contained therein.

6. [Resolution Setting Forth Certain Regulations Pertaining to Dispensaries](#)
City Manager, Charles L. Maynard; Packet Page 21
Presented by Jennifer Mizrahi, City Attorney
Recommendation: Adopt a Resolution of the City Council of the City of Desert Hot Springs setting forth certain regulations pertaining to dispensaries.

7. [Discussion Regarding Taxation of Marijuana Manufacturing](#)
City Manager, Charles L. Maynard; Packet Page 29
Presented by Jennifer Mizrahi, City Attorney
Recommendation: Provide direction as the City Council deems appropriate, and direct Staff to come back with a Resolution or Ordinance memorializing same.

8. [Award Professional Services Agreement for the Desert View Avenue Sidewalk Project](#)
Community Development Director, Daniel Porras, P.E. Packet Page 41
Recommendation: Authorize the City Manager to execute the Professional Services Agreement for the Desert View Avenue Sidewalk Project (SB 821) with Omnis Incorporated in an amount not to exceed \$43,650.00 with a contingency of \$4,365.00 (10%)

for any additional work as approved by the City, which brings a total budget of \$48,015.00.

9. [Award Professional Services Agreement for the ATP Cycle 3 – Palm Drive Bicycle and Pedestrian Improvement Project](#)

Community Development Director, Daniel Porras, P.E. Packet Page 127

Recommendation: Authorize the City Manager to execute the Professional Services Agreement for the ATP Cycle 3 – Palm Drive Bicycle and Pedestrian Improvement Project with Omnis Incorporated in an amount not to exceed \$68,000.00 with a contingency of \$6,800 (10%) for any additional work, as approved by the City, for a total amount not to exceed \$74,800.00.

10. [County Service Area 152 \(CSA 152\) Budget and Proposed Assessment for Fiscal Year 18-19](#)

Deputy City Manager, Luke Rainey Packet Page 195

Recommendation: 1) Review the budget and assessment for County Service area 152; and
2) Adopt a Resolution of the City Council making its findings and establishing the rates for County Service Area 152 and fund the City's National Pollutant Discharge Elimination System (NPDES) Permit.

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.

11. [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 205

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 17.180 to include special dispensary entitlements in certain circumstances.

12. [Second Reading and Adoption of an Ordinance Approving the Amended Development Agreement \(DA No. 02-16\) With TK Veterans LLC](#)

Community Development Director, Daniel Porras, P.E. Packet Page 243

Recommendation: Approve Second Reading, read by title only and adopt: "An Ordinance of the City Council approving Development Agreement No. 02-16 to allow additional ancillary uses for the project located at the southwest corner of Cabot Road and San Jacinto Lane in the I-L (Light Industrial) District. (APN: 665-030-037).

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.*

March 8	Public Safety Commission	6:00 p.m.
March 13	Planning Commission	6:00 p.m.
March 14	RDA Oversight Board Meeting	8.00 a.m.
March 14	CCAC	6:00 p.m.
March 20	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.