



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 3, 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—EXISTING LITIGATION](#)** (Paragraph (1) of subdivision (d) of Section 54956.9) [Coachillin' Holdings, LLC v. City of Desert Hot Springs, Riverside Superior Court Case No. RIC1805014](#)
2. **[CONFERENCE WITH LEGAL COUNSEL—EXISTING LITIGATION](#)** (Paragraph (1) of subdivision (d) of Section 54956.9) [Sungrow Consulting v. The City of Desert Hot Springs, Riverside Superior Court Case No. PSC1800747.](#)
3. **[CONFERENCE WITH LEGAL COUNSEL – POTENTIAL INITIATION OF LITIGATION](#)**
Pursuant to Government Code Section 54956.9: (1 potential case)

PRESENTATIONS - 5:30 P.M.

4. **Veterans of Foreign Wars (VFW) Post 1534, Presentation of Officer of the Year Awards to Detective Christopher Tooth and Officer Yesenia Barriola**
VFW Post Commander, Jeff Horton
5. **Desert Valley Disposal Solid Waste Update**
Desert Valley Disposal, Chris Cunningham

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:

6. [An Ordinance 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](#)

Community Development Director, Daniel Porras, P.E.

Packet Page 9

Recommendation:

- 1) Staff Report;
- 2) Entertain Questions from Councilmembers to Staff;
- 3) Open the Public Hearing;
- 4) Take Testimony of those in Favor;
- 5) Take Testimony of those 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 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."

7. [An Ordinance Amending the Desert Hot Springs Municipal Code Updating Procedures to Issue Administrative Citations](#)

Community Development Director, Daniel Porras, P.E.

Packet Page 17

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, 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.

ADMINISTRATIVE CALENDAR:

8. **[Engineering Design for the Palm Drive Traffic Signals and Lighting Project](#)**
Community Development Director, Daniel Porras, P.E. Packet Page 47
Recommendation: Authorize the City Manager to execute a Professional Services Agreement for the Palm Drive Traffic Signals and Lighting Project with Omnis Incorporated in an amount not to exceed \$152,950 with a contingency of \$30,590 (20%) for the completion of an additional analysis of the Palm Drive and Camino Aventura intersection and its surrounding driveways, and any other work as approved by the City for a total budget of \$183,540.

9. **[Purchase of One Fully Equipped BMW Police Motorcycle and One Motor Officer's Uniform](#)**
Chief of Police, Dale R. Mondary Packet Page 97
Recommendation: Accept the lowest bid from BMW Motorcycles of Riverside in the amount of \$33,983.58 along with the cost of graphics and Motorola radio and specialized helmet for a total amount of \$42,498.83 and authorize the City Manager to make the proper budget adjustment of \$3,000.00 to the Police Department Budget to purchase the uniforms.

10. **[Coachella Valley Association of Governments \(CVAG\) Alan Seman Bus Pass Program](#)**
City Manager, Charles L. Maynard Packet Page 133
Recommendation: Consider a request from CVAG to contribute \$3,000.00 towards the Alan Seman Bus Pass Program for FY 2018-19.

11. **[Resolution of Intention to Annex Four Parcels \(Annexation No. 29\) Located South of 19th Avenue and East of North Indian Canyon Drive \(APNs 666-370-012 through 015\) to the City of Desert Hot Springs Community Facilities District No. 2010-1 \(Services\) \(Blackstar Industrial Properties, LLC\)](#)**
Deputy City Manager, Luke Rainey Packet Page 141
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. 29), and to authorize the levy of special taxes therein.

12. [Resolution of Intention to Create a Special Tax Area Zone 35 for Property, APN 666-370-012 through -015 Located South of 19th Avenue and East of North Indian Canyon Drive, to the Desert Hot Springs Special Public Safety Tax Area \(Blackstar Industrial Properties, LLC\)](#)
Deputy City Manager, Luke Rainey *Packet Page 187*
Recommendation: Adopt a Resolution of Intention which establishes the time and place of the Public Hearing to establish Zone 35 within the Special Public Safety Tax Area for Police and Fire Protection Services, and authorizing an election.
13. [Resolution of Intention to Create a Special Tax Area Zone 36 for Property, APN 663-270-001 Located South of 13th Avenue/Hacienda Drive and East of Little Morongo Road to the Desert Hot Springs Special Public Safety Tax Area \(Manlin2, LLC/Desert Hot Springs Green Horizons\)](#)
Deputy City Manager, Luke Rainey *Packet Page 207*
Recommendation: Adopt a Resolution of Intention which establishes the time and place of the Public Hearing to establish Zone 36 within the Special Public Safety Tax Area for Police and Fire Protection Services, and authorizing an election.
14. [Resolution of Intention to Annex one Parcel \(Annexation No. 30\) Located North of 13th Avenue/Hacienda Avenue and East of Little Morongo Road \(APN 663-270-001\) to the City of Desert Hot Springs Community Facilities District No. 2010-1 \(Services\) \(Manlin2, LLC/Desert Hot Springs Green Horizons\)](#)
Deputy City Manager, Luke Rainey *Packet Page 227*
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. 30), and to authorize the levy of special taxes therein.
15. [An Ordinance Amending the Municipal Code to Clarify the Procedures for the Selection of Hearing Officers](#)
Community Development Director, Daniel Porras, P.E. *Packet Page 271*
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 Chapter 4.36 ("Permit and License Suspension, Modification, and Revocation Procedures") of Title 4 ("Code Enforcement") of the Desert Hot Springs Municipal Code ("DHSMC") to update the procedures for selection of Hearing Officers."

16. [An Ordinance Adding a Stipend for City Council Members for Attendance of City Council Assigned Committees](#)

City Council

Packet Page 281

Recommendation: Introduce for First Reading and read by title only, "An Ordinance of the City Council of the City of Desert Hot Springs: 1) Amending Section 2.04.020 of Chapter 2.04 of the Desert Hot Springs Municipal Code adding a stipend for City Councilmembers for attendance of City Council-Assigned Committees."

17. [Appointment of a Delegate and Alternate for the 2018 Southern California Association of Governments \(SCAG\) General Assembly](#)

City Clerk, Jerryl Soriano, CMC

Packet Page 287

Recommendation: Appoint a Delegate and Alternate Delegate for the 2018 SCAG General Assembly meeting to be held on May 3-4, 2018 in Indian Wells, California.

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.

18. [City Council Regular Meeting Minutes: March 20, 2018](#)

City Clerk, Jerryl Soriano, CMC

Packet Page ---

Recommendation: Approve Minutes as submitted; or as corrected.

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.*

| | | |
|----------|------------------------------|-----------|
| April 10 | Planning Commission | 6:00 p.m. |
| April 11 | RDA Oversight Board Meeting | 8.00 a.m. |
| April 11 | CCAC | 6:00 p.m. |
| April 12 | Public Safety Commission | 6:00 p.m. |
| April 17 | 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.