



## **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**

**MAY 16, 2017**

**5:00 P.M. – CLOSED SESSION**

**5:30 P.M. – PRESENTATIONS**

**6:00 P.M. – REGULAR SESSION**

**MISSION SPRINGS WATER DISTRICT  
Board Room  
66575 2nd Street, Desert Hot Springs, California**

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### **CLOSED SESSION - 5:00 P.M.**

#### **CALL TO ORDER**

#### **ROLL CALL**

#### **CLOSED SESSION 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\)](#)**  
**[Name of Case: Gough v. City of Desert Hot Springs,](#)**  
**[County of Riverside Superior Case Number \(Small Claims\): INS1700928](#)**

### **PRESENTATIONS - 5:30 P.M.**

2. **[Certificate of Recognition Presented to Danny Holt](#)**  
*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:**

3. **[Desert Valley Disposal Re-Investment Payment and Extension of Term of the Franchise Agreement](#)**  
*Administrative Services Director, Joseph M. Tanner, Jr. Packet Page 9*  
**Recommendation:** Approve a Minute Motion to accept a request from the Desert Valley Disposal for Re-Investment Payment and Extension of Term of the Franchise Agreement.
  
4. **[\(Successor Agency\) Approval of Preliminary and Final Official Statements and Purchase Contract in Connection with Issuance of 2017 Subordinate Tax Allocation Refunding Bonds, and Providing for Other Matters Properly Relating Thereto](#)**  
*Administrative Services Director, Joseph M. Tanner, Jr. Packet Page 13*  
**Recommendation:** Adopt a Resolution of the Successor Agency approving Preliminary and Final Official Statements and a Purchase Contract in connection with the issuance of 2017 Subordinate Tax Allocation Refunding Bonds, and providing for other matters properly relating thereto.
  
5. **[Landscape Maintenance District No. 1 Intention Proceedings for the Levy and Collection of Assessments](#)**  
*Administrative Services Director, Joseph M. Tanner, Jr. Packet Page 115*  
**Recommendation:** 1) Adopt a Resolution of the City Council, declaring its intention for the levy and collection of assessments for the Citywide Landscape and Lighting Maintenance District No. 1 Zone A and Zone B for Fiscal Year 2017-18; and  
2) Adopt a Resolution of the City Council, approving the Annual Engineer's Report regarding the proposed levy and collection of assessments for the Landscape Maintenance District No. 1 for Fiscal Year 2017-18.
  
6. **[Approval of the Nonexclusive License Agreement for Professional Services Between the City of Desert Hot Springs and All Desert Aquatics for the 2017 Summer Swim Program](#)**  
*Acting Community Development Director, Daniel Porras, P.E. Packet Page 347*  
**Recommendation:** Approve the 2017 Summer Swim Program at the John H. Furbee Aquatic Center with All Desert Aquatics and authorize the City Manager to execute the Non Exclusive License Agreement for Professional Services for a total of \$47,849.93.

7. [Initiate Proceedings for the Levy and Collection of Assessments for the Lighting and Landscape Maintenance Districts and the Drainage Assessment District](#)

*Administrative Services Director, Joseph M. Tanner, Jr. Packet Page 379*

**Recommendation:** 1) Adopt a Resolution of the City Council initiating proceedings for the levy and collection of assessments for the Citywide Landscape and Lighting Maintenance District No. 1 Zone A and Zone B for Fiscal Year 2017-18;  
2) Adopt a Resolution of the City Council initiating proceedings for the levy and collection of assessments for the Landscape Maintenance District No. 2 for Fiscal Year 2017-18; and  
3) Adopt a Resolution of the City Council initiating proceedings for the levy and collection of assessments for the Drainage Assessment District No. 1 for Fiscal Year 2017-18.

8. [Fireworks Permits](#)

*Acting Community Development Director, Daniel Porras, P.E. Packet Page 399*

**Recommendation:** Approve six (6) Fireworks Permit applications for the sale of safe and sane fireworks.

9. [Second Amendment to the Joint Exercise of Powers Agreement of the Eastern Riverside County Interoperable Communications Authority \(ERICA\)](#)

*Chief of Police, Dale R. Mondary Packet Page 459*

**Recommendation:** Approve Second Amendment to the Joint Exercise of Powers Agreement of the Eastern Riverside County Interoperable Communications Authority (ERICA).

**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.*

10. [Resolution of Intention to Annex One Parcel \(Annexation No. 11\) Located at 65241 San Jacinto Lane to the City of Desert Hot Springs Community Facilities District No. 2010-1 \(Services\)](#)

*Administrative Services Director, Joseph M. Tanner, Jr. Packet Page 465*

**Recommendation:** Adopt a Resolution of the City Council declaring its intention to annex territory (one parcel) 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. 11), and to authorize the levy of special taxes therein.

11. [Resolution of Intention to Annex One Parcel \(Annexation No. 12\) Located at 65145 Two Bunch Palms Trail to the City of Desert Hot Springs Community Facilities District No. 2010-1 \(Services\)](#)  
*Administrative Services Director, Joseph M. Tanner, Jr. Packet Page 501*  
**Recommendation:** Adopt a Resolution of the City Council declaring its intention to annex territory (one parcel) 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. 12), and to authorize the levy of special taxes therein.
  
12. [Resolution of Intention to Annex One Parcel \(Annexation No. 13\) Located East of Little Morongo, South of 14th Avenue, and West of Palm Drive to the City of Desert Hot Springs Community Facilities District No. 2010-1 \(Services\)](#)  
*Administrative Services Director, Joseph M. Tanner, Jr. Packet Page 539*  
**Recommendation:** Adopt a Resolution of the City Council declaring its intention to annex territory (one parcel) 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. 13), and to authorize the levy of special taxes therein.
  
13. [Resolution of Intention to Annex Two Parcels \(Annexation No. 14\) to the City of Desert Hot Springs Community Facilities District No. 2010-1 \(Services\). Parcel No. 641-101-005 is Located at 12106 Palm Drive and Parcel No. 641-101-006 is Located East of Palm Drive, North of Acoma Avenue, and South of Pierson Boulevard](#)  
*Administrative Services Director, Joseph M. Tanner, Jr. Packet Page 577*  
**Recommendation:** Adopt a Resolution of the City Council declaring its intention to annex territory (two parcels: APNs 641-101-005 and -006) to Community Facilities District No. 2010-1 (Services) of the City of Desert Hot Springs, adopting a map of the proposed area to be annexed (Annexation No. 14), and to authorize the levy of special taxes therein.
  
14. [Second Reading and Adoption of Ordinances Approving Development Agreement Nos. 11-16 and 12-16 With Richard, Nancy, and Brian Maddox \(APN's: 663-280-003 and 004\)](#)  
*Acting Community Development Director, Daniel Porras, P.E. Packet Page 615*  
**Recommendation:** Approve Second Reading, read by title only and adopt Ordinances of the City Council approving Development Agreement Nos. 11-16 and 12-16 for the development of two adjacent 2.31 acres lots, each proposing construction of one main building and two greenhouse structures totaling 51,968 square feet (on each site) as well as associated parking and

other improvements for the projects located east of Little Morongo Road and north of Two Bunch Palms Trail within the Light Industrial (I-L) Zoning District. (APN's: 663-280-003 & 004).

15. [Second Reading and Adoption of an Ordinance Approving Development Agreement No. 05-17 with Fiore Management \(Cannodescent II Cultivation Project\) \(APN: 665-030-018 and -019\)](#)

*Acting Community Development Director, Daniel Porras, P.E. Packet Page 731*

**Recommendation:** Approve Second Reading, read by title only and adopt an Ordinance of the City Council approving Development Agreement No. 05-17 for the development of two (2) attached two-story cultivation buildings together totaling approximately 86,700 square feet on a 2.53 acre site located on San Jacinto Lane between Little Morongo Road and Cabot Road in the I-L (Light Industrial) Zone. (APN's 665-030-018 and 665-030-019)

16. [Second Reading and Adoption of an Ordinance Approving Development Agreement No. 10-16 with Manlin2, LLC \(Medmen / DHS Green Horizons Cultivation Project\)](#)

*Acting Community Development Director, Daniel Porras, P.E. Packet Page 805*

**Recommendation:** Approve Second Reading, read by title only and adopt an Ordinance of the City Council approving Development Agreement No.10-16 for the development of a ground-up 45,000 square foot Medical Marijuana Cultivation Facility on an approximately 9.75 acre parcel located at the southeast corner of Little Morongo Road and Hacienda Avenue, in the Light Industrial (I-L) Zone (APN: 663-270-001)

17. [Second Reading and Adoption of an Ordinance Amending Section 10.16.320 \("Removal of Vehicle from City streets"\) of Chapter 10.16 \("Stopping, Standing and Parking"\) of Title 10 \("Vehicles and Traffic"\) of the Desert Hot Springs Municipal Code](#)

*City Clerk, Jerryl Soriano, CMC*

*Packet Page 887*

**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 10.16.320 ("Removal of Vehicle from City streets") of Chapter 10.16 ("Stopping, Standing and Parking") of Title 10 ("Vehicles and Traffic") of the Desert Hot Springs Municipal Code" ("DHSMC") to give express authority to City Police Officers, rather than Riverside County Sherriff's Deputies, to remove vehicles from City streets under specified circumstances.

18. [Treasurer's Report as of March 31, 2017](#)  
*Administrative Services Director, Joseph M. Tanner, Jr.* Packet Page 895  
**Recommendation:** Receive and file.
19. [Payment Register and City Council Expenditures Report for the Month of March 2017](#)  
*Administrative Services Director, Joseph M. Tanner, Jr.* Packet Page 901  
**Recommendation:** Receive and file.
20. [Contracts Management Report as of May 16, 2017](#)  
*Administrative Services Director, Joseph M. Tanner, Jr.* Packet Page 927  
**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](http://www.cityofdhs.org) at [www.cityofdhs.org](http://www.cityofdhs.org) for meeting locations and the most up to date information.*

June 6	City Council Regular Meeting	6:00 p.m.
June 8	Public Safety Commission	6:00 p.m.
June 13	Planning Commission	6:00 p.m.
June 14	RDA Oversight Board Meeting	8.00 a.m.
June 14	CCAC	6:00 p.m.
June 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.