



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

FEBRUARY 19, 2019

5:00 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 - 5:00 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) **[Sierra Club and Center for Biological Diversity v. City of Desert Hot Springs, et al; and Adkison Engineers, Inc. et al as real parties in interest, Riverside Superior Court Case No. RIC1821985.](#)**
2. **[CONFERENCE WITH LEGAL COUNSEL—POTENTIAL INITIATION OF LITIGATION](#)** (Paragraph (4) of subdivision (d) of Section 54956.9) (One Potential Case)

PRESENTATIONS - 5:30 P.M.

3. **City Employee Service Recognitions**
Human Resources Director, Pamela Meuse
4. **Little Morongo Power Poles Presentation**
Public Works Director, Daniel Porras, P.E.

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:

5. **[An Ordinance to Amend the City's Zoning Map for the Palm Claire Group Project Located at the Southwest Corner of Palm Drive and Claire Avenue \(APN: 657-050-003\)](#)**

Community Development Director, Rebecca Deming

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Recommendation: 1) Staff Report;
2) Entertain Questions of Staff from the City Council;
3) Open the Public Hearing;
4) Take testimony from Applicant;
5) Take testimony from those in favor;
6) Take testimony from those opposed;
7) Take testimony from those in a neutral position;
8) Opportunity for Applicant rebuttal;
9) Close the Public Hearing;
10) City Council discussion and questions to Staff; and
11) Approve: A) An Exemption to the California Environmental Quality Act (CEQA) Pursuant to Section 15061(b)(3), General Rule, of the CEQA Statutes and Guidelines; and B) Introduce for First Reading and read by title only "An Ordinance of the City Council amending the City's Zoning Map to reflect a change in Land Use Designation from R-R (Rural Residential) to C-N (Commercial Neighborhood) for APN No. 657-050-003 for the Palm Claire Group Project located at the southwest corner of Palm Drive and Claire Avenue.

6. **[An Ordinance Related to Pushcart Vendors, Foot Vendors and Peddlers](#)**

City Attorney, Jennifer A. Mizrahi

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Recommendation: 1) Staff Report;
2) Entertain questions of Staff from the City Council;
3) Open the Public Hearing;
4) Take testimony from those in favor;
5) Take testimony from those opposed;
6) Take testimony from those in a neutral position;
7) Close the Public Hearing;
8) City Council discussion and questions to Staff; 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 Chapter 5.28 "Pushcart Vendors, Foot Vendors and Peddlers" of Title 5 "Business Licenses and Regulations" and Section 10.16.090 "Parking by Peddlers and Vendors-Permits" of Chapter 10.16 "Stopping, Standing, and Parking" of Title 10 "Vehicles and Traffic" of the Desert Hot Springs Municipal Code."

ADMINISTRATIVE CALENDAR:

7. [Approval of the 2018-2019 Budgetary Adjustments for Revenues, Expenditures, and Transfers for the Fiscal Year Ending June 30, 2019](#)
Finance Director, Linda Kelly *Packet Page 55*
Recommendation: Approve the mid-year budgetary adjustments as stated for the FY 2018-2019 budget with revenues totaling \$984,689 and expenditures totaling \$963,303.

8. [CDBG Mission Springs Park Improvement Project 2017-05 Notice of Completion and Change Orders](#)
Public Works Director, Daniel Porras *Packet Page 67*
Recommendation: Approve the work with change orders totaling \$51,848.00, accept the park improvements and direct the City Manager to file the Notice of Completion for the CDBG Mission Springs Park Improvement Project Number 2017-05.

9. [Tedesco Park Playground and ADA Improvement Project 2017-01 - Notice of Completion](#)
Public Works Director, Daniel Porras *Packet Page 83*
Recommendation: Approve the work, accept the park improvements, and direct the City Manager to file the Notice of Completion for the Tedesco Park Playground and ADA Improvement Project 2017-01.

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. [City Council Regular Meeting Minutes: February 5, 2019](#)
City Clerk, Jerryl Soriano, CMC *Packet Page 89*
Recommendation: Approve Minutes as presented; or as corrected.

11. [Second Reading of an Ordinance Amending Title 17 to Amend Various Sections of the Desert Hot Springs Municipal Code Related to Housing, Including Supportive and Transitional Housing, Emergency Shelters, Accessory Dwelling Units, and Other Amendments to Harmonize With State Law](#)
City Clerk, Jerryl Soriano, CMC *Packet Page 99*
Recommendation: Approve Second Reading, read by title only and adopt: "An Ordinance of the City Council amending Title 17 to amend various Sections of the Desert Hot Springs Municipal Code related to housing, including Supportive and Transitional Housing, Emergency Shelters, Accessory Dwelling Units, and other amendments to harmonize with State Law."

12. [Second Reading and Adoption of an Ordinance Establishing Speed Limits on Various Streets Based on Engineering and Traffic Survey](#)
City Clerk, Jerryl Soriano, CMC *Packet Page 127*
Recommendation: Approve Second Reading, read by title only and adopt: "An Ordinance of the City Council adopting an Engineering and Traffic Speed Limit Study, establishing maximum speed limits on Streets within the City of Desert Hot Springs, and amending section 10.32.010 of the Desert Hot Springs Municipal Code.
13. [Treasurer's Report for the Month of January 2019](#)
Finance Director, Linda Kelly *Packet Page 153*
Recommendation: Receive and file.
14. [Payment Register and City Council Expenditures Report for the Month of January 2019](#)
Finance Director, Linda Kelly *Packet Page 161*
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 for meeting locations and the most up to date information.*

March 5	City Council Regular Meeting	6:00 p.m.
March 12	Planning Commission	6:00 p.m.
March 13	CCAC	6:00 p.m.
March 14	Public Safety Commission	6:00 p.m.
March 19	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.