



## **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 18, 2017**

**5:30 P.M. – CLOSED SESSION**

**6:00 P.M. – REGULAR SESSION**

**MISSION SPRINGS WATER DISTRICT  
Board Room  
66575 2nd Street, Desert Hot Springs, CA 92240**

---

### **CLOSED SESSION 5:30 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 - ANTICIPATED LITIGATION](#)**  
Significant exposure to litigation pursuant to subdivision (d)(2) of Section 54956.9: (1 Case). The facts and circumstances involve issues pertaining to a certain developer who has threatened litigation against the City, although no formal claim has been filed.

#### **RECESS**

#### **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. Conditional Use Permit No. 14-16. Development Agreement No 10-16, and Sign Permit No. 06-17. Applications for the development of a ground-up 45,000 square foot Medical Marijuana Cultivation Facility on an approximately 9.75 acre parcel \(APN 663-270-001\) along with associated site improvements and a monument sign. The project is located at the southeast corner of Little Morongo Road and Hacienda Avenue, in the Light Industrial \(I-L\) zone. Applicant: Chris Ganan/Desert Hot Springs Green Horizons, Inc.](#)

*Acting Community Development Director, Daniel Porras, P.E.*

*Packet Page 7*

**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) The Planning Commission recommended approval of the following: 1) Adoption of the Mitigated Negative Declaration for the Desert Hot Springs Green Horizons / Medmen cultivation project and, 2) Conditional Use Permit No. 14-16 and, 3) Development agreement (DA 10-16) and, 4) Sign Permit No. 06-17 to allow for development of a 45,000 square foot medical marijuana cultivation facility and other related improvements on a vacant 9.75 acre parcel located at the southwest corner of Little Morongo Road and Hacienda Avenue in the light industrial (L-I) general plan land use district. (APN 663-270-001).

3. [Ordinance of the City Council of the City of Desert Hot Springs 1\) Amending Table 17.12.01 "Permitted, Development Permitted, and Conditionally Permitted Uses" As Found in Section 17.12.020 "Development Permitted and Conditionally Permitted Uses," 2\) Amending Section 17.04.050 "Definitions," and 3\) Adding Chapter 17.12.390 "Car Wash Establishments" to Title 17 "Zoning" of the Desert Hot Springs Municipal Code to Add Car Wash Establishment as a Conditionally Permissible Use in Commercial-General Districts](#)

*Acting Community Development Director, Daniel Porras, P.E.*

*Packet Page 189*

**Recommendation:** 1) Staff Report;  
2) Entertain Questions from the City Council;  
3) Open the Public Hearing;  
4) Take Public Testimony;  
5) Close the Public Hearing;  
6) City Council discussion and questions to Staff; and  
7) Adopt and read by title only: an Ordinance of the City Council of the City of Desert Hot Springs 1) Amending Table 17.12.01 "Permitted, Development Permitted, and Conditionally Permitted Uses" As Found in Section 17.12.020 "Development Permitted and Conditionally Permitted Uses," 2) Amending Section 17.04.050 "Definitions," and 3) Adding Chapter 17.12.390 "Car Wash Establishments" to Title 17 "Zoning" of the Desert Hot Springs Municipal Code to Add Car Wash Establishment as a Conditionally Permissible Use in Commercial-General Districts

**ADMINISTRATIVE CALENDAR:**

4. [Approve First Amendment to the Professional Services Agreement by and between the City of Desert Hot Springs and the Pun Group, LLP, for Professional Auditing Services](#)

*Administrative Services Director, Joseph M. Tanner*

*Packet Page 199*

**Recommendation:** Authorize the City Manager to execute the First Amendment to the Professional Services Agreement dated June 19, 2014 by and between the City of Desert Hot Springs and The Pun Group, Incorporated for Professional Auditing Services for the City and the Desert Hot Springs Health and Wellness Foundation for Three Fiscal Years with a One Year Extension.

5. [Ordinance of the City Council of the City of Desert Hot Springs, 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](#)

*Police Chief, Dale Mondary*

*Packet Page 339*

**Recommendation:** Introduce and read by title only "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.

6. [Pavement Management Plan](#)

*Acting Community Development Director, Daniel Porras, P.E.*

*Packet Page 345*

**Recommendation:** Staff recommends that City Council give direction to Staff on setting an annual Road Maintenance Budget based on priority projects as shown on the Pavement Management Plan and adopt the 2017 Pavement Management Plan into the Capital Improvement Program as the Annual Road Maintenance Capital Improvement Project.

**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.*

7. [City Council Regular Meeting Minutes: April 4, 2017](#)  
*City Clerk, Jerryl Soriano, CMC* *Packet Page 473*  
**Recommendation:** Approve Minutes as submitted; or as corrected.
  
8. [County Service Area 152 \(CSA 152\) Budget and Proposed Assessment For Fiscal Year 2017-18](#)  
*Administrative Services Director, Joseph M. Tanner* *Packet Page 481*  
**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 to fund the City's National Pollutant Discharge Elimination System (NPDES) Permit.
  
9. [Second Reading and Adoption of the Uniform Public Construction Cost Accounting Act \(UPCCAA\) Ordinance](#)  
*City Clerk, Jerryl Soriano, CMC* *Packet Page 491*  
**Recommendation:** Approve Second Reading, read by title only and adopt: "An Ordinance Adding Sections 3.45.110 through 3.45.200 to Chapter 3.45 ("Public Works Projects") of Title 3 ("Revenue & Finance") of the Desert Hot Springs Municipal Code to Provide Informal and Formal Bidding Procedures under the Uniform Public Construction Cost Accounting Act."
  
10. [Treasurer's Report as of February 28, 2017](#)  
*Administrative Services Director, Joseph M. Tanner* *Packet Page 507*  
**Recommendation:** Receive and File.
  
11. [Payment Register and City Council Expenditures Report for the Month of February 2017](#)  
*Administrative Services Director, Joseph M. Tanner* *Packet Page 513*  
**Recommendation:** Receive and File.
  
12. [Contracts Management Report as of April 18, 2017](#)  
*Administrative Services Director, Joseph M. Tanner* *Packet Page 535*  
**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](#) at [www.cityofdhs.org](http://www.cityofdhs.org) for meeting locations and the most up to date information.*

May 2, 2017	City Council Regular Meeting	6:00 p.m.
May 9, 2017	Planning Commission	6:00 p.m.
May 9, 2017	RDA Oversight Board Meeting	8.00 a.m.
May 10, 2017	CCAC	6:00 p.m.
May 11, 2017	Public Safety Commission	6:00 p.m.
May 16, 2017	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.