



## **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 5, 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**

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### **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 Government Code section 54956.9)  
Name of case: Garcia et al v. City of Desert Hot Springs– Pending Litigation –  
Riverside Superior Court, Case Number PSC 1807458
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. **Introduction and Swearing-In of New Police Officer**  
*Chief of Police, Dale Mondary; and City Clerk, Jerry Soriano*
4. **Working Scholars / Civic Scholars Presentation**  
*Human Resources Director, Pamela Meuse*

**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 Amending Chapter 17.180 Allowing and Setting Parameters for Marijuana Non-Storefront Retail as a Use](#)**

*Deputy City Manager, Luke Rainey*

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**Recommendation:** 1) Staff Report;  
2) Entertain questions of Staff from 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) That the City Council concur with Planning Commission's recommendation to introduce and read by title only, "An Ordinance of the City Council of the City of Desert Hot Springs, amending Chapter 17.180 of the Desert Hot Springs Municipal Code allowing and setting parameters for Marijuana Non-Storefront Retail as a Use and harmonizing certain definitions and uses with State law."

**ADMINISTRATIVE CALENDAR:**

6. **[Appointment to the Community and Cultural Affairs Commission \(CCAC\) to Fill Vacancy for Unexpired Term](#)**

*City Clerk, Jerryl Soriano, CMC*

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**Recommendation:** Ratify Council Member Betts' appointment to the CCAC to fill one (1) vacancy consisting of an unexpired term ending January 2020.

7. **[Authorization to Apply for Grant Funding from the Edward Byrne Memorial Justice Assistance Grant \(JAG\) Program FY 2018 Local Solicitation Grant Application](#)**

*Dale Mondary, Chief of Police*

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**Recommendation:** 1) Authorize the Desert Hot Springs Police Department to submit an Edward Byrne Memorial Justice Assistance Grant (JAG) Program FY 2018 Local Solicitation grant application requesting allocated grant funds for \$15,572.00; and  
2) Authorize the City Manager, or his designee, to sign any needed grant application documents and/or contract.

8. [Resolution to Adopt the Riverside County Operational Area Multi-Jurisdictional Local Hazard Mitigation Plan](#)

*City Clerk, Jerryl Soriano, CMC*

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**Recommendation:** Adopt a Resolution of the City Council adopting the Riverside County Operational Area Multi-Jurisdictional Local Hazard Mitigation Plan as required by the Federal Disaster Mitigation and Cost Recovery Reduction Act of 2000.

**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.*

9. [City Council Regular Meeting Minutes: February 19, 2019](#)

*City Clerk, Jerryl Soriano, CMC*

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**Recommendation:** Approve the Minutes as presented; or as corrected.

10. [Second Reading and Adoption of an Ordinance Approving a Zoning Map Amendment \(ZMA 01-18\) 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:** Approve Second Reading, read by title only and adopt, "An Ordinance of the City Council of the City of Desert Hot Springs 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 657-050-003 located at the Southwest corner of Palm Drive and Claire Avenue.

11. [Second Reading and Adoption of an Ordinance Related to Pushcart Vendors, Foot Vendors and Peddlers](#)

*City Clerk, Jerryl Soriano, CMC*

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**Recommendation:** Approve Second Reading, read by title only and adopt: "An Ordinance of the City Council amending Chapter 5.28 "Pushcart Vendors, Food 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."

**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.*

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.