



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 4, 2017

4:30 P.M. – CLOSED SESSION

**CITY HALL – ADMINISTRATION BUILDING “C”
65950 Pierson Boulevard, Desert Hot Springs, California**

5:15 P.M. – PRESENTATIONS

6:00 P.M. – REGULAR SESSION

**DESERT HOT SPRINGS HEALTH AND WELLNESS CENTER
11750 Cholla Drive, Desert Hot Springs, California**

**CLOSED SESSION - 4:30 P.M.
(City Hall - Administration Building "C")**

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—PENDING LITIGATION](#)**
(Paragraph (4) of subdivision (d) of Section 54956.9). The City has received a claim pursuant to the Government Claims Act.

PRESENTATIONS - 5:15 P.M.
(Desert Hot Springs Health and Wellness Center)

2. **Recognition of Desert Springs Middle School "School to Watch" Program**
Mayor, Scott Matas
3. **Recognition of Painted Hills Middle School Band and Choir**
Mayor, Scott Matas
4. **Proclamation for "April is Sexual Awareness Month"**
Mayor, Scott Matas
5. **Certificate of Recognition Presented to Andrew Cirner, Planning Commissioner**
Mayor, Scott Matas
6. **Certificate of Recognition Presented to Kephyan Sheppard, Community and Cultural Affairs Commissioner**
Mayor, Scott Matas

RECESS

REGULAR SESSION - 6:00 P.M.
(Desert Hot Springs Health and Wellness Center)

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:

7. (Continued from March 7, 2017)

Election to Become Subject to the Uniform Public Construction Cost Accounting Act (UPCCAA) and Adoption of Informal and Formal Bidding Procedures under the Uniform Public Construction Cost Accounting Act

City Manager, Charles L. Maynard;

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Presented by Jennifer Mizrahi, City Attorney

Recommendation: 1) Adopt a Resolution of the City Council electing to become subject to the Uniform Public Construction Cost Accounting Procedure; and
2) Introduce for first reading and read by title only, "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.

ADMINISTRATIVE CALENDAR:

8. Art In Public Places Application for the Pierson Professional Plaza Project

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

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Recommendation: The Community and Cultural Affairs Commission recommends approval from the City Council of the Art In Public Places Application for the Pierson Professional Plaza project.

9. [Resolution of Intention to Annex 259 Assessable Parcels Encompassing the Rancho del Oro Residential Community Shown on the Assessment Diagram and Described in Exhibit A to the City of Desert Hot Springs Landscape and Lighting Maintenance District No. 2](#)

Acting Community Development Director, Daniel Porras, P.E. Packet Page 31

Recommendation: Adopt a Resolution of Intention to Annex property to Landscape and Lighting Maintenance District No. 2 (Annexation No. 18, Zone 19) and to levy assessments on such property for Fiscal Year 2017-18 and setting the time and place of a public hearing on the proposed annexation and assessments.

10. [Animal Care and Control Services Project](#)

Special Projects, John Holcomb

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Recommendation: 1) Authorize the City Manager to hire one (1) full-time Senior Animal Care and Control Officer, one (1) full-time Animal Care and Control Officer, and two (2) part-time Kennel Technicians for Animal Care and Control Field Services; and
2) Amend the existing Agreement with Riverside County Department of Animal Services.

11. [Award of Construction Agreement for the Cabot Yerxa Sidewalk Project Number 2016-03](#)

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

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Recommendation: Award a Construction Agreement to the lowest responsive bidder, Leonida Builders Inc. and authorize the City Manager to execute the Agreement by and between Leonida Builders Inc. and the City of Desert Hot Springs for the completion of the Cabot Yerxa Sidewalk Project Number 2016-03 in the amount of \$236,700.00.

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.

12. [City Council Regular Meeting Minutes: March 21, 2017](#)

City Clerk, Jerryl Soriano, CMC

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Recommendation: Approve Minutes as submitted; or as corrected.

13. [Notice of Completion for the Federal Surface Transportation Program \(STP\) Slurry Seal Project Number 2013-04, Federal Project STPL-5384\(018\)](#)
Acting Community Development Director, Daniel Porras, P.E. Packet Page 111
Recommendation: Approve the work, accept the improvements, and direct the City Manager to file the Notice of Completion for the STP Slurry Seal Project Number 2013-04 Federal Project STPL-5384(018).
14. [Second Reading and Adoption of an Ordinance Approving Development Agreement No. 18-16 with Stark Ventures, LLC and Pulse Investment Group, LLC](#)
(Contacts: MSA Consulting)
Acting Community Development Director, Daniel Porras, P.E. Packet Page 115
Recommendation: Approve Second Reading, read by title only and adopt an Ordinance of the City Council approving Development Agreement No. 18-16 with Stark Venture, LLC and Pulse Investment Group, LLC for the development of two (2) warehouse style cultivation buildings approximately 49 feet 6 inches in height and totaling (combined) approximately 69,000 square feet on a 2.3 acre site located on the southeast corner of Little Morongo Road and San Gorgonio Lane in the I-L (Light Industrial) zone.

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://calendar.cityofdhs.org) at www.cityofdhs.org for meeting locations and the most up to date information.*

April 11	Planning Commission	6:00 p.m.
April 12	RDA Oversight Board Meeting	8:00 a.m.
April 12	CCAC	6:00 p.m.
April 13	Public Safety Commission	6:00 p.m.
April 18	City Council Regular Meeting	6:00 p.m.
April 25	Economic Development Committee	6:00 p.m.
April 26	Revenue Advisory Ad-Hoc Committee	6:15 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.