



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

DRAFT MINUTES

JULY 5, 2017

6:00 P.M. – REGULAR SESSION

**CITY COUNCIL CHAMBERS
Carl May Community Center
11711 West Drive, Desert Hot Springs, California**

CALL TO ORDER

Mayor Matas called the meeting to order at 6:00 P.M.

ROLL CALL

Present:

Council Members: Russell Betts, Joe McKee (recused), Anayeli Zavala
Mayor Pro Tem: Yvonne Parks
Mayor: Scott Matas

INVOCATION

None.

PLEDGE OF ALLEGIANCE

Desert Hot Springs Scouts Troop 1606 presented the colors and led the Pledge of Allegiance.

APPROVAL OF THE AGENDA

Action: Betts moved to approve the July 5, 2017 Regular Meeting Agenda, motion seconded by McKee, motion carried 5/0 by the following vote:

Vote: AYES: 5 - Zavala, Parks, Betts, Matas, McKee
Passed NOES: 0 - (None)

PUBLIC COMMENTS

Eddie Johnson spoke regarding the Vietnam Veterans Memorial Moving Wall.

Donna Dann spoke regarding the Vietnam Veterans Memorial Moving Wall.

Marcie Hartman announced the Life Stream, 9 Cities Challenge Blood Drive event.

CITY MANAGER REPORT

Dale Mondary, Chief of Police, and Eddy Moore, Cal Fire Division Chief, reported on the Special Enforcement Team's response to illegal fireworks during July 4th weekend.

MAYOR AND COUNCIL MEMBER REPORTS

Mayor Pro Tem Parks reported on the various meetings and events she attended.

Council Member McKee reported on the various meetings and events he attended.

Council Member Betts reported on the various meetings and events he attended. (Senior Center acoustics).

Council Member Zavala reported on the various meetings and events she attended.

Mayor Matas reported on the various meetings and events he attended.

PUBLIC HEARINGS:

- 1. Resolutions Calling and Noticing a Special Municipal Election to be held on November 7, 2017, for the Extension of the following Voter-Approved Public Safety Measures; "Desert Hot Springs' Neighborhood Police Protection and Public Safety Measure" (Utility Users Tax) and "Desert Hot Springs' 911, Gang/Drug Crime Prevention Measure" (Parcel Tax) and Amendment of the FY 2017/2018 Budget in the Amount of \$40,000.00 for the Cost of the Special Municipal Election**

Deputy City Manager, Luke Rainey

Recommendation: 1) Adopt a Resolution of the City Council of the City of Desert Hot Springs calling and giving notice of a Special Municipal

Election to be held in the City of Desert Hot Springs on November 7, 2017, regarding a ballot measure titled "Desert Hot Springs Neighborhood Police Protection and Public Safety Measure" asking shall the Ordinance to increase police training, recruitment/retention and crime investigation/prevention; maintain rapid police, fire and 9-1-1 emergency response times; and to hire additional police officers to patrol streets, extending its existing, voter-approved utility users' tax, producing approximately \$2,831,543 annually, until ended by voters, with independent citizens' oversight, annual audits, and requiring all funds for local public safety services be adopted?;

- 2) Adopt a Resolution of the City Council of the City of Desert Hot Springs calling and giving notice of a Special Municipal Election to be held in the City of Desert Hot Springs on November 7, 2017, regarding a ballot measure titled "Desert Hot Springs 911, Gang/Drug Crime Prevention Measure" asking shall the Ordinance to prevent essential public safety services cuts such as police/emergency response, anti-gang/drug, youth violence prevention and sex offender/parolee monitoring programs, extending the existing, voter-approved public safety measure at the reduced rate of \$103 per single family residence, providing approximately \$2,000,000 annually, until ended by voters, requiring oversight, audits, all funds for local public safety services, with a tax decrease for these parcels be adopted?; and
- 3) Approve an Amendment to the FY 2017-2018 Budget in the amount of \$40,000.00 for the cost of the Special Municipal Election.

Jan Pye spoke in support.

Greta Carter spoke in support.

Dick Cromwell spoke in support.

Bill Houston spoke in support.

Nina Duarte spoke in support.

Miguel Preciado spoke in support.

Chris Saucier spoke in support.

Donna Dann spoke in support.

Gustavo Paiz spoke in support.

Larry Gaines, Police Officer's Association President, spoke in support.

Gretchen Guterrez, Desert Valley Builders Association (DVBA), spoke in support of placing the measures on the ballot; and distributed a letter from the DVBA, a copy of which was received and made a part of the record.

A discussion ensued.

Action: McKee moved to approve staff recommendation and adopt *Resolution No. 2017-056 (Parcel Tax)* and *Resolution No. 2017-057 (Utility Users Tax)*, motion seconded by Parks, motion carried 5/0 by the following vote:

| | |
|---------------|--|
| <u>Vote</u> : | AYES: 5 - Zavala, Parks, Betts, Matas, McKee |
| Passed | NOES: 0 - (None) |

2. Resolution Affirming the Report of Public Nuisance Abatement Costs and Placing them on the Tax Roll

Community Development Director, Daniel Porras, P.E.

Recommendation:

- 1) Staff Report;
- 2) Entertain questions of Staff from the City Council;
- 3) Open the Public Hearing;
- 4) Take public testimony;
- 5) Close the Public Hearing;
- 6) City Council discussion and questions of Staff; and
- 7) Adopt a Resolution of the City Council Ordering Confirmation of the Special Assessments Against Parcels of Land within the Public Nuisance Abatement Costs for Fiscal Year 2017-18.

Daniel Porras, Community Development Director, presented the staff report; and responded to questions.

Christina Archuleta, Community Preservation Officer, responded to questions.

Mayor Matas opened the Public Hearing.

John Ruth addressed the City Council regarding the property he rents.

Christopher Kirk addressed the City Council regarding the property owned by his Father (Kenneth J. Kirk).

Mayor Matas closed the Public Hearing.

A discussion ensued.

Action: Betts moved to approve staff recommendation and adopt *Resolution No. 2017-058*; reducing the fine for the "Kenneth J. Kirk" property to the original fine amount following Staff determination that the property was in compliance; and reducing the fine for the "Lawrence W. Martin" property to the original fine amount following Staff

determination that the property was in compliance, and that the fine be paid by the property owner, motion seconded by Matas, motion carried 5/0 by the following vote:

Vote: AYES: 5 - Zavala, Parks, Betts, Matas, McKee
Passed NOES: 0 - (None)

3. **Conditional Use Permit (CUP 02-17) and Development Agreement (DA 08-17) for the Development of a 621,920 Square Foot Facility for Medical Marijuana Cultivation, Processing / Manufacturing, Associated Parking and Other Improvements on Four Vacant Parcels Totaling 30.53 Gross Acres Located Northeast of the I-10 Freeway and Indian Avenue, Within the General Plan Light Industrial (I-L) Zone (Applicant: BlackStar Financial, Inc. / Ray Dorame)**
Community Development Director, Daniel Porras, P.E.

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) Approve Conditional Use Permit No. 02-17 and Development Agreements 08-17; for the development of a 621,920 square foot facility for medical marijuana cultivation and processing / manufacturing on four vacant parcels totaling 30.53 gross acres located on northeast of the I-10 freeway and Indian Avenue, within the General Plan Light Industrial (I-L) Zone (APNs 666-370-012 thru 015).

Scott Taschner, Senior Planner, presented the staff report and responded to questions.

Mayor Matas opened the Public Hearing.

Ray Dorame, Applicant, addressed the City Council, presented an overview of the Project, and responded to questions.

There was no public testimony.

In response to Council Member Zavala, the Applicant agreed to strike "Third Party Litigation" from Section 12.10 of the Development Agreement.

The Applicant responded to City Council questions.

Mayor Matas closed the Public Hearing.

Action: McKee moved to approve staff recommendation; striking "Third Party Litigation" from Section 12.10 of the Development Agreement, motion seconded by Betts, motion carried 5/0 by the following vote:

Vote: AYES: 5 - Zavala, Parks, Betts, Matas, McKee
Passed NOES: 0 - (None)

The City Council recessed at 8:20 P.M.

The City Council reconvened at 8:31 P.M.

4. Conditional Use Permit No. 07-17 and Development Agreement 05-17 for the Development of an Indoor Marijuana Cultivation Facility Totaling 63,446 Square Feet With Associated Parking and Other Improvements Located on 5 Vacant Parcels Totaling 3.69 Gross Acres on the South East Corner of Little Morongo Road and Palomar Lane and Within the General Plan Light Industrial (I-L) Zone (Applicant: Din Cultivation / Victor Din)

Community Development Director, Daniel Porras, P.E.

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) Approve Conditional Use Permit No. 07-17 and Development Agreement 05-17 for the development of an indoor marijuana cultivation facility for a total area of 63,446 square feet on 3.69 gross acres located on the south east corner of Little Morongo Road and Palomar Lane in the Light Industrial (I-L) Zone. (APNs 665-050-001, 002, 003, 004, 006).

Scott Taschner, Senior Planner, presented the staff report and responded to questions.

Mayor Matas opened the Public Hearing.

Christopher Brizuela, MSA Consulting, representing Applicant, addressed the City Council.

There was no public testimony.

Mayor Matas closed the Public Hearing.

Action: McKee moved to approve staff recommendation, motion seconded by Betts, motion carried 5/0 by the following vote:

Vote: AYES: 5 - Zavala, Parks, Betts, Matas, McKee
Passed NOES: 0 - (None)

5. **Conditional Use Permit No. 08-17 and Development Agreement 06-17 for the Development of a 50,976 Square Foot Building for Medical Marijuana Cultivation, Processing / Manufacturing, Associated Parking and Other Improvements on Two Vacant Parcels Totaling 2.52 Gross Acres Located on the North Side of Palomar Lane, Approximately 850 Feet East of Little Morongo Road and Within the General Plan Light Industrial (I-L) Zone (Applicant: Kim Cultivation / Un Sun Kim)**

Community Development Director, Daniel Porras, P.E.

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) Approve Conditional Use Permit No. 08-17 and Development Agreements 06-17; for the development of a 50,976 square foot building for medical marijuana cultivation and processing / manufacturing on two vacant parcels totaling 2.52 gross acres located on the north side of Palomar Lane, approximately 850 feet east of Little Morongo Road and within the General Plan Light Industrial (I-L) Zone. (APN: 665-040-018, 019)

Scott Taschner, Senior Planner, presented the staff report and responded to questions.

Mayor Matas opened the Public Hearing.

Paul DePalatis, MSA Consulting, representing the Applicant, addressed the City Council.

There was no public testimony.

Mayor Matas closed the Public Hearing.

Action: Betts moved to approve staff recommendation, motion seconded by McKee, motion carried 5/0 by the following vote:

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|--------------|--|
| <u>Vote:</u> | AYES: 5 - Zavala, Parks, Betts, Matas, McKee |
| Passed | NOES: 0 - (None) |

6. **Conditional Use Permit No. 03-17, Development Agreement No. 01-17, and Tentative Parcel Map No. 37286 for the Development of a Two-Story Cultivation Building Totaling Approximately 22,000 Square Feet (SF) on a 1.26 Acre Site Located on Palomar Lane Between Little Morongo Road and Cabot Road in the I-L (Light Industrial) Zone (Applicant: Desert Grow, LLC)**

Community Development Director, Daniel Porras, P.E.

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) Approve: (A) a Mitigated Negative Declaration for the Desert Grow Cultivation Project; (B) Conditional Use Permit No. 03-17; (C) Development Agreement No. 01-17; and (D) Tentative Parcel Map No. 37286, for a two-story cultivation building totaling approximately 22,000 square feet to be constructed on Palomar Lane between Little Morongo Road and Cabot Road in the I-L (Light Industrial) District. (APN 665-040-017)

Scott Taschner, Senior Planner, presented the staff report.

Mayor Matas opened the Public Hearing.

There was no public testimony.

Mayor Matas closed the Public Hearing.

Action: Parks moved to approve staff recommendation, motion seconded by McKee, motion carried 5/0 by the following vote:

Vote: AYES: 5 - Zavala, Parks, Betts, Matas, McKee
 Passed NOES: 0 - (None)

7. Amendment to Development Agreement 04-16 to Allow for Medical Marijuana Manufacturing / Extraction Activities Within the Previously Approved Facility Located at 65283 San Jacinto Lane (Applicant: We Care DHS, Inc. - Ryan Fingerhut)

Community Development Director, Daniel Porras, P.E.

- Recommendation:**
- 1) Staff Report;
 - 2) Entertain questions of Staff from the City Council;
 - 3) Open the Public Hearing;
 - 4) Invite Applicant to speak;
 - 5) Questions for the Applicant;
 - 6) Take Public Testimony;
 - 7) Opportunity for Applicant Rebuttal;
 - 8) Close the Public Hearing;
 - 9) City Council discussion and questions to Staff; and
 - 10) Approve First Reading of an Ordinance approving an amendment to Development Agreement 04-16 to allow for medical marijuana manufacturing and extraction activities within the previously approved We Care DHS cultivation facility located at 65283 San Jacinto Lane.

Scott Taschner, Senior Planner, presented the staff report and responded to questions.

Mayor Matas opened the Public Hearing.

Ryan Fingerhut, Applicant, addressed the City Council.

There was no public testimony.

Mayor Matas closed the Public Hearing.

Action: Betts moved to approve staff recommendation, motion seconded by McKee, motion carried 5/0 by the following vote:

Vote: AYES: 5 - Zavala, Parks, Betts, Matas, McKee
Passed NOES: 0 - (None)

8. Creating Special Tax Area 24 (Snider Investments, LLC), APN 663-270-004 Located North of 14th Avenue and East of Little Morongo Road Within the Desert Hot Springs Special Public Safety Tax Area

Administrative Services Director, Joseph M. Tanner, Jr.

Recommendation: 1) Staff Report;
2) Entertain questions of Staff from the City Council;
3) Open the Public Hearing;
4) Take public testimony;
5) Close the Public Hearing;
6) City Council discussion and questions of Staff;
7) Hold the election;
8) Canvass the election; and
9) Adopt an Ordinance Establishing a Special Public Safety Tax Area Zone 24 (Snider Investments, LLC)

Joe Tanner, Administrative Services Director, presented the staff report.

Mayor Matas opened the Public Hearing.

There was no testimony.

Mayor Matas closed the Public Hearing.

Jerryl Soriano, City Clerk, canvassed the election results and advised that the property owner had voted in favor.

Action: McKee moved to approve staff recommendation and adopt *Ordinance No. 619*, motion seconded by Zavala, motion carried 4/1 by the following vote:

Vote: AYES: 4 - Zavala, Parks, Matas, McKee
Passed NOES: 1 - Betts

9. Creating Special Tax Area 25 (San Jac Facilities, LLC) for APN 665-030-021 Located at 65242 San Jacinto Lane, and APN 665-030-022 Located at 65282 San Jacinto Lane, Within the Desert Hot Springs Special Public Safety Tax Area

Administrative Services Director, Joseph M. Tanner, Jr.

Recommendation: 1) Staff Report;
2) Entertain questions of Staff from the City Council;
3) Open the Public Hearing;
4) Take public testimony;
5) Close the Public Hearing;
6) City Council discussion and questions of Staff;
7) Hold the election;
8) Canvass the election; and
9) Adopt an Ordinance Establishing a Special Public Safety Tax Area Zone 25 (San Jac Facilities, LLC).

Jerryl Soriano, City Clerk, advised that the ballots for Item 9 (Zone 25) and Item 16 (Annexation 20) were not returned and recommended continuance.

Mayor Matas opened the Public Hearing.

There was no public testimony.

Action: Betts moved to continue Item 9 (Zone 25) and Item 16 (Annexation 20) to September 5, 2017, motion seconded by McKee, motion carried 5/0 by the following vote:

Vote: AYES: 5 - Zavala, Parks, Betts, Matas, McKee
Passed NOES: 0 - (None)

10. Creating Special Tax Area 26 (Golden Star Investment Properties, LLC) for APN 641-092-049 Located on the Northwest corner of Palm Drive and Hacienda Avenue, Within the Desert Hot Springs Special Public Safety Tax Area

Administrative Services Director, Joseph M. Tanner, Jr.

Recommendation: 1) Staff Report;
2) Entertain questions of Staff from the City Council;
3) Open the Public Hearing;
4) Take public testimony;
5) Close the Public Hearing;
6) City Council discussion and questions of Staff;
7) Hold the election;
8) Canvass the election; and
9) Adopt an Ordinance Establishing a Special Public Safety Tax Area Zone 26 (Golden Star Investment Properties, LLC).

Mayor Matas opened the Public Hearing.

There was no public testimony.

Mayor Matas closed the Public Hearing.

Jerryl Soriano, City Clerk, canvassed the election results and advised that the property owner voted in favor.

Action: McKee moved to approve staff recommendation and adopt *Ordinance No. 620*, motion seconded by Parks, motion carried / by the following vote:

Vote: AYES: 4 - Zavala, Parks, Matas, McKee
Passed NOES: 1 - Betts

11. (Continued from June 20, 2017) Annexation No. 12 to the City of Desert Hot Springs Community Facilities District No. 2010-1 (Services) for APN 665-030-053 Located at 65145 Two Bunch Palms Trail (Armando Rodriguez)

Administrative Services Director, Joseph M. Tanner, Jr.

Recommendation: 1) Staff Report;
2) Entertain questions of Staff from the City Council;
3) Open the Public Hearing;
4) Take public testimony;
5) Close the Public Hearing;
6) City Council discussion and questions of Staff;
7) Adopt a Resolution calling an election to submit to the qualified electors the question of levying a special tax within the area proposed to be annexed to Community Facilities District No. 2010-1 (Services) (Annexation No. 12).
8) Hold the election;
9) Canvass the election; and
10) Adopt a Resolution declaring election results for annexation to Community Facilities District No. 2010-1 (Services) (Annexation No. 12).

Mayor Matas opened the Public Hearing.

There was no testimony.

Mayor Matas closed the Public Hearing.

Action: Parks moved to approve staff recommendation 1), adopting *Resolution No. 2017-059* (calling the Election) , motion seconded by Zavala, motion carried 4/1 by the following vote:

Vote: AYES: 4 - Zavala, Parks, Matas, McKee
Passed NOES: 1 - Betts

Jerryl Soriano, City Clerk, canvassed the election results and advised that the property owner voted in favor.

Action: McKee moved to approve staff recommendation 2), adopting *Resolution No. 2017-060* (declaring the Election results), motion seconded by Zavala, motion carried 4/1 by the following vote:

Vote: AYES: 4 - Zavala, Parks, Matas, McKee
Passed NOES: 1 - Betts

12. Annexation No. 16 to the City of Desert Hot Springs Community Facilities District No. 2010-1 (Services) for APN 660-160-010 Located Northeast of Interstate 10 and West of Palm Drive (William Conner)

Administrative Services Director, Joseph M. Tanner, Jr.

Recommendation:

- 1) Staff Report;
- 2) Entertain questions of Staff from the City Council;
- 3) Open the Public Hearing;
- 4) Take public testimony;
- 5) Close the Public Hearing;
- 6) City Council discussion and questions of Staff;
- 7) Adopt a Resolution calling an election to submit to the qualified electors the question of levying a special tax within the area proposed to be annexed to Community Facilities District No. 2010-1 (Services) (Annexation No. 16)
- 8) Hold the election;
- 9) Canvass the election; and
- 10) Adopt a Resolution declaring election results for annexation to Community Facilities District No. 2010-1 (Services) (Annexation No. 16)

Mayor Matas opened the Public Hearing.

There was no public testimony.

Mayor Matas closed the Public Hearing.

Action: McKee moved to approve staff recommendation 1), adopting *Resolution No. 2017-061* (calling the Election), motion seconded by Zavala, motion carried / by the following vote:

Vote: AYES: 4 - Zavala, Parks, Matas, McKee
Passed NOES: 1 - Betts

Jerryl Soriano, City Clerk, canvassed the election results and advised that the property owner voted in favor.

Action: McKee moved to approve staff recommendation 2), adopting *Resolution No. 2017-062* (declaring the Election results), motion seconded by Parks, motion carried 4/1 by the following vote:

Vote:
Passed

AYES: 4 - Zavala, Parks, Matas, McKee
NOES: 1 - Betts

13. Annexation No. 17 to the City of Desert Hot Springs Community Facilities District No. 2010-1 (Services) for APN 665-030-017 Located at 65118 San Jacinto Lane (Kamran Amirianfar)

Administrative Services Director, Joseph M. Tanner, Jr.

Recommendation:

- 1) Staff Report;
- 2) Entertain questions of Staff from the City Council;
- 3) Open the Public Hearing;
- 4) Take public testimony;
- 5) Close the Public Hearing;
- 6) City Council discussion and questions of Staff;
- 7) Adopt a Resolution calling an election to submit to the qualified electors the question of levying a special tax within the area proposed to be annexed to Community Facilities District No. 2010-1 (Services) (Annexation No. 17).
- 8) Hold the election;
- 9) Canvass the election; and
- 10) Adopt a Resolution declaring election results for annexation to Community Facilities District No. 2010-1 (Services) (Annexation No. 17).

Mayor Matas opened the Public Hearing.

There was no public testimony.

Mayor Matas closed the Public Hearing.

Action: McKee moved to approve staff recommendation 1), adopting *Resolution No. 2017-063* (calling the Election), motion seconded by Zavala, motion carried 4/1 by the following vote:

Vote:
Passed

AYES: 4 - Zavala, Parks, Matas, McKee
NOES: 1 - Betts

Jerryl Soriano, City Clerk, canvassed the election results and advised that the property owner voted in favor.

Action: McKee moved to approve staff recommendation 2), adopting *Resolution No. 2017-064* (declaring the Election results), motion seconded by Parks, motion carried 4/1 by the following vote:

Vote:
Passed

AYES: 4 - Zavala, Parks, Matas, McKee
NOES: 1 - Betts

14. Annexation No. 18 to the City of Desert Hot Springs Community Facilities District No. 2010-1 (Services) for APN 665-030-049 Located at 65265 San Jacinto Lane (Kamran Amirianfar)

Administrative Services Director, Joseph M. Tanner, Jr.

Recommendation:

- 1) Staff Report;
- 2) Entertain questions of Staff from the City Council;
- 3) Open the Public Hearing;
- 4) Take public testimony;
- 5) Close the Public Hearing;
- 6) City Council discussion and questions of Staff;
- 7) Adopt a Resolution calling an election to submit to the qualified electors the question of levying a special tax within the area proposed to be annexed to Community Facilities District No. 2010-1 (Services) (Annexation No. 18).
- 8) Hold the election;
- 9) Canvass the election; and
- 10) Adopt a Resolution declaring election results for annexation to Community Facilities District No. 2010-1 (Services) (Annexation No. 18).

Mayor Matas opened the Public Hearing.

There was no public testimony.

Mayor Matas closed the Public Hearing.

Action: McKee moved to approve staff recommendation 1), adopting *Resolution No. 2017-065* (calling the Election), motion seconded by Zavala, motion carried 4/1 by the following vote:

Vote: AYES: 4 - Zavala, Parks, Matas, McKee
Passed NOES: 1 - Betts

Jerryl Soriano, City Clerk, canvassed the election results and advised that the property owner voted in favor.

Action: McKee moved to approve staff recommendation 2), adopting *Resolution No. 2017-066* (declaring the Election results), motion seconded by Parks, motion carried / by the following vote:

Vote: AYES: 4 - Zavala, Parks, Matas, McKee
Passed NOES: 1 - Betts

15. Annexation No. 19 to the City of Desert Hot Springs Community Facilities District No. 2010-1 (Services) for APN 663-270-004 Located North of 14th Avenue and East of Little Morongo Road (Snider Investments)

Administrative Services Director, Joseph M. Tanner, Jr.

Recommendation: 1) Staff Report;

- 2) Entertain questions of Staff from the City Council;
- 3) Open the Public Hearing;
- 4) Take public testimony;
- 5) Close the Public Hearing;
- 6) City Council discussion and questions of Staff;
- 7) Adopt a Resolution calling an election to submit to the qualified electors the question of levying a special tax within the area proposed to be annexed to Community Facilities District No. 2010-1 (Services) (Annexation No. 19).
- 8) Hold the election;
- 9) Canvass the election; and
- 10) Adopt a Resolution declaring election results for annexation to Community Facilities District No. 2010-1 (Services) (Annexation No. 19).

Mayor Matas opened the Public Hearing.

There was no public testimony.

Mayor Matas closed the Public Hearing.

Action: McKee moved to approve staff recommendation 1), adopting *Resolution No. 2017-067* (calling the Election), motion seconded by Parks, motion carried / by the following vote:

Vote: AYES: 4 - Zavala, Parks, Matas, McKee
Passed NOES: 1 - Betts

Jerryl Soriano, City Clerk, canvassed the election results and advised that the property owner voted in favor.

Action: McKee moved to approve staff recommendation 2), adopting *Resolution No. 2017-068* (declaring the Election results), motion seconded by Parks, motion carried 4/1 by the following vote:

Vote: AYES: 4 - Zavala, Parks, Matas, McKee
Passed NOES: 1 - Betts

16. Annexation No. 20 to the City of Desert Hot Springs Community Facilities District No. 2010-1 (Services) for APN 665-030-021 Located at 65242 San Jacinto Lane and APN 665-030-022 Located at 65282 San Jacinto Lane (San Jacinto Facilities, LLC)

Administrative Services Director, Joseph M. Tanner, Jr.

- Recommendation:**
- 1) Staff Report;
 - 2) Entertain questions of Staff from the City Council;
 - 3) Open the Public Hearing;
 - 4) Take public testimony;
 - 5) Close the Public Hearing;

- 6) City Council discussion and questions of Staff;
- 7) Adopt a Resolution calling an election to submit to the qualified electors the question of levying a special tax within the area proposed to be annexed to Community Facilities District No. 2010-1 (Services) (Annexation No. 20).
- 8) Hold the election;
- 9) Canvass the election; and
- 10) Adopt a Resolution declaring election results for annexation to Community Facilities District No. 2010-1 (Services) (Annexation No. 20).

During consideration of Item 9, Item 16 was continued to September 5, 2017

17. Annexation No. 21 to the City of Desert Hot Springs Community Facilities District No. 2010-1 (Services) for APN 641-092-049 Located on the Northwest Corner of Palm Drive and Hacienda Avenue (Golden Star Investment Properties, LLC)

Administrative Services Director, Joseph M. Tanner, Jr.

- Recommendation:**
- 1) Staff Report;
 - 2) Entertain questions of Staff from the City Council;
 - 3) Open the Public Hearing;
 - 4) Take public testimony;
 - 5) Close the Public Hearing;
 - 6) City Council discussion and questions of Staff;
 - 7) Adopt a Resolution calling an election to submit to the qualified electors the question of levying a special tax within the area proposed to be annexed to Community Facilities District No. 2010-1 (Services) (Annexation No. 21).
 - 8) Hold the election;
 - 9) Canvass the election; and
 - 10) Adopt a Resolution declaring election results for annexation to Community Facilities District No. 2010-1 (Services) (Annexation No. 21).

Mayor Matas opened the Public Hearing.

There was no public testimony.

Mayor Matas closed the Public Hearing.

Action: McKee moved to approve staff recommendation 1), adopting *Resolution No. 2017-069* (calling the Election), motion seconded by Zavala, motion carried 4/1 by the following vote:

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| <u>Vote:</u> | AYES: 4 - Zavala, Parks, Matas, McKee |
| Passed | NOES: 1 - Betts |

Jerryl Soriano, City Clerk, canvassed the election results and advised that the property owner voted in favor.

Action: Parks moved to approve staff recommendation 2), adopting *Resolution No. 2017-070* (declaring the Election results), motion seconded by McKee, motion carried 4/1 by the following vote:

Vote: AYES: 4 - Zavala, Parks, Matas, McKee
Passed NOES: 1 - Betts

18. Levy and Collection of Special Taxes within Community Facilities District 2006-1 Improvement Area No. 1 for Fiscal Year 2017-2018

Administrative Services Director, Joseph M. Tanner, Jr.

Recommendation: 1) Staff Report;
2) Entertain questions of Staff from the City Council;
3) Open the Public Hearing;
4) Take public testimony;
5) Close the Public Hearing;
6) City Council discussion and questions of Staff;
7) Adopt a Resolution of the City Council Ordering the Levy and Collection of Special Taxes within Community Facilities District No. 2006-1 Improvement Area No. 1, for Fiscal Year 2017-2018.

Joe Tanner, Administrative Services Director, presented the staff report.

Action: McKee moved to approve staff recommendation and adopt *Resolution No. 2017-071*, motion seconded by Zavala, motion carried 5/0 by the following vote:

Vote: AYES: 5 - Zavala, Parks, Betts, Matas, McKee
Passed NOES: 0 - (None)

19. Levy and Collection of Special Taxes Within Community Facilities District No. 2010-1 to Fund Improvements for Fiscal Year 2017-2018

Administrative Services Director, Joseph M. Tanner, Jr.

Recommendation: 1) Staff Report;
2) Entertain questions of Staff from the City Council;
3) Open the Public Hearing;
4) Take public testimony;
5) Close the Public Hearing;
6) City Council discussion and questions of Staff;
7) Adopt a Resolution of the City Council of the City of Desert Hot Springs, California, Approving the Levy and Collection of Special Taxes within the Community Facilities District No. 2010-1 (Services) for Fiscal Year 2017-18.

Joe Tanner, Administrative Services Director, presented the staff report.

Action: McKee moved to approve staff recommendation and adopt *Resolution No. 2017-072*, motion seconded by Parks, motion carried 5/0 by the following vote:

Vote: AYES: 5 - Zavala, Parks, Betts, Matas, McKee
Passed NOES: 0 - (None)

20. Landscape and Lighting Maintenance District No. 1 Levy and Collection of Assessments to Fund Improvements for Fiscal Year 2017-2018

Administrative Services Director, Joseph M. Tanner, Jr.

Recommendation: 1) Staff Report;
2) Entertain questions of Staff from the City Council;
3) Open the Public Hearing;
4) Take public testimony;
5) Close the Public Hearing;
6) City Council discussion and questions of Staff;
7) Adopt a Resolution of the City Council of the City of Desert Hot Springs, State of California, Approving the Levy and Collection of Assessments to Fund Improvements within Landscape and Lighting Maintenance District No. 1 for Fiscal Year 2017-2018.

Joe Tanner, Administrative Services Director, presented the staff report.

Action: McKee moved to approve staff recommendation and adopt *Resolution No. 2017-073*, motion seconded by Zavala, motion carried 4/0 by the following vote:

Vote: AYES: 4 - Zavala, Parks, Matas, McKee
Passed NOES: 0 - (None)
RECUSED: 1 - Betts

21. Landscape and Lighting Maintenance District No. 2 Levy and Collection of Assessments to Fund Improvements for Fiscal Year 2017-2018

Administrative Services Director, Joseph M. Tanner, Jr.

Recommendation: 1) Staff Report;
2) Entertain questions of Staff from the City Council;
3) Open the Public Hearing;
4) Take public testimony;
5) Close the Public Hearing;
6) City Council discussion and questions of Staff;
7) Adopt a resolution of the City Council of the City of Desert Hot Springs, State of California, Approving the Levy and Collection of Assessments to Fund Improvements within Landscape and Lighting Maintenance District No. 2 for Fiscal Year 2017-18.

Joe Tanner, Administrative Services Director, presented the staff report.

Action: McKee moved to approve staff recommendation and adopt *Resolution No. 2017-074*, motion seconded by Zavala, motion carried 3/0 by the following vote:

Vote: AYES: 3 - Zavala, Matas, McKee
Passed NOES: 0 - (None)
RECUSED: 2 - Parks, Betts

22. Drainage Assessment District No. 1 Levy and Collection of Assessments

Administrative Services Director, Joseph M. Tanner, Jr.

Recommendation: 1) Staff Report;
2) Entertain questions of Staff from the City Council;
3) Open the Public Hearing;
4) Take public testimony;
5) Close the Public Hearing;
6) City Council discussion and questions of Staff;
7) Adopt a Resolution of the City of Desert Hot Springs, County of Riverside, California Approving and Ordering the Levy and Collection of Assessments within Drainage Assessment District No. 1 for Fiscal Year 2017-2018.

Action: McKee moved to approve staff recommendation and adopt *Resolution No. 2017-075*, motion seconded by Zavala, motion carried / by the following vote:

Vote: AYES: 3 - Zavala, Matas, McKee
Passed NOES: 0 - (None)
RECUSED: 2 - Parks, Betts

23. An Ordinance Amending Desert Hot Springs Municipal Code Section 17.40.110 "Fences, Walls and Hedges," to Regulate Fences on Vacant Land

Community Development Director, Daniel Porras, P.E.

Recommendation: 1) Staff Report;
2) Questions of Staff from 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) Introduce for First Reading and read by title only: An Ordinance of the City Council amending the Desert Hot Springs Municipal Code Section 17.40.110 (Fences Walls and Hedges) to regulate fences on vacant land.

Jennifer Mizrahi, City Attorney, presented the staff report.

Action: McKee moved to approve staff recommendation, motion seconded by Zavala, motion carried 5/0 by the following vote:

Vote: AYES: 5 - Zavala, Parks, Betts, Matas, McKee
Passed NOES: 0 - (None)

ADMINISTRATIVE CALENDAR:

24. Matching Funds for the California Cultural and Historical Endowment's Museum Grant Program to Acquire and Construct a Manufactured Building on the Cabot's Museum Site

Administrative Services Director, Joseph M. Tanner, Jr.

Recommendation: 1) Adopt a Resolution of the City Council approving the Application for Grant Funds for the California Cultural Historical Endowment's Museum Grant Program; and
2) Allocate \$100,000 in matching funds plus a 10% contingency to the Capital Improvement Budget to acquire and construct a manufactured building for Cabot's Museum.

Joe Tanner, Administrative Services Director, presented the staff report.

Irene Rodriguez, Executive Director, Cabot's Pueblo Museum, addressed the City Council and responded to questions.

Action: Betts moved to approve staff recommendation and that the plans be reviewed by the Planning Commission and City Council for input on the design of the modular building, motion seconded by Zavala, motion carried 5/0 by the following vote:

Vote: AYES: 5 - Zavala, Parks, Betts, Matas, McKee
Passed NOES: 0 - (None)

25. Coachella Valley Economic Partnership (CVEP) Funding Request

Deputy City Manager, Luke Rainey

Recommendation: Consider the Coachella Valley Economic Partnership (CVEP) 2017-18 funding request and provide direction to Staff.

Luke Rainey, Deputy City Manager, presented the staff report.

Joe Wallace, CVEP, addressed the City Council and responded to questions.

A discussion ensued.

Action: Parks moved to approve funding of \$28,000, motion seconded by McKee, motion carried 2/3 by the following vote:

Vote: AYES: 2 - Parks, Matas
Failed NOES: 3 - Zavala, Betts, McKee

Action: McKee moved to approve funding of \$10,000, motion seconded by Parks, motion carried 5/0 by the following vote:

Vote: AYES: 5 - Zavala, Parks, Betts, Matas, McKee
Passed NOES: 0 - (None)

26. (Continued from June 6, 2017) Appointment to the Planning Commission to Fill Vacancy for Unexpired Term

City Clerk, Jerryl Soriano, CMC

Recommendation: Ratify Council Member Anayeli Zavala's appointment to the Planning Commission to fill one (1) vacancy consisting of an unexpired term ending January 2018.

Action: Betts moved to continue to September 19, 2017, motion seconded by McKee, motion carried 5/0 by the following vote:

Vote: AYES: 5 - Zavala, Parks, Betts, Matas, McKee
Passed NOES: 0 - (None)

27. Cooperation Agreement for Urban County Qualification 2018-2021

Administrative Services Director, Joseph M. Tanner, Jr.

Recommendation: Authorize the City Manager to execute a Cooperation Agreement for Urban County Qualification for the Community Development Block Grant (CDBG), HOME investment Partnerships Program, and Emergency Shelter Grant.

Joe Tanner, Administrative Services Director, presented the staff report.

Action: Zavala moved to approve staff recommendation and adopt *Resolution No. 2017-78*, motion seconded by McKee, motion carried / by the following vote:

Vote: AYES: 4 - Zavala, Parks, Matas, McKee
Passed NOES: 1 - Betts

28. Resolutions in Support of AB 1408 and Further Legislative Reforms

Mayor, Scott Matas

Recommendation: 1) Adopt a Resolution of the City of Desert Hot Springs supporting AB 1408, a state measure to require revocation of probation after a third violation; and
2) Adopt a Resolution of the City of Desert Hot Springs supporting further legislative reforms to improve the unintended negative impacts of existing criminal law.

Luke Rainey, Deputy City Manager, presented the report.

A discussion ensued.

Action: McKee moved to approve recommendation and adopt *Resolution No. 2017-079* (AB 1408) and *Resolution No. 2017-080* (promoting legislative reforms), motion seconded by Parks, motion carried / by the following vote:

Vote: AYES: 3 - Parks, Matas, McKee
Passed NOES: 0 - (None)
ABSTAIN: 2 - Zavala, Betts

29. City Acquisitions of Two Parcels on 1st Street for Future City Hall

Administrative Services Director, Joseph M. Tanner, Jr.

Recommendation: Approve the acquisition of real property from William Schultz and Felix Ocampo Vences located at 66455 and 66445 1st Street, City of Desert Hot Springs; the related Purchase and Sale Agreement for each and any amendments thereto, as finalized by the City Attorney; and authorize the City Manager to execute the same.

Joe Tanner, Administrative Services Director, presented the staff report.

Action: McKee moved to approve staff recommendation, motion seconded by Zavala, motion carried 4/0 by the following vote:

Vote: AYES: 4 - Zavala, Parks, Matas, McKee
Passed NOES: 0 - (None)
RECUSED: 1 - Betts

30. Consideration of a Revised City Council Meeting Schedule for Summer/Winter 2017

City Manager, Charles L. Maynard

Recommendation: Consider holding the July 18, 2017 Regular Meeting and cancelling the August 15, 2017 Regular Meeting.

Charles Maynard, City Manager, presented the staff report.

Action: Betts moved to approve staff recommendation, motion seconded by Parks, motion carried 5/0 by the following vote:

Vote: AYES: 5 - Zavala, Parks, Betts, Matas, McKee
Passed NOES: 0 - (None)

PUBLIC COMMENTS

There were no comments.

ADJOURN

Mayor Matas adjourned the meeting at 10:08 P.M.

Jerryl Soriano, CMC
City Clerk