



## **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**

**NOVEMBER 21, 2017**

**3:30 P.M. – STUDY SESSION**

**CLOSED SESSION**

**(Immediately Following the Study 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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### **STUDY SESSION - 3:30 P.M.**

**CALL TO ORDER**

**ROLL CALL**

**STUDY SESSION:**

1. **Cannabis Microbusinesses**  
*Deputy City Manager, Luke Rainey*  
**Recommendation:** Discuss and provide direction to Staff.

**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**

**(Immediately Following the Study Session)**

**CLOSED SESSION**

2. **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 a certain business owner who has threatened litigation against the City, although no formal claim has been filed.

**PRESENTATIONS - 5:30 P.M.**

3. **Introduction and Swearing In of New Police Officer**

*Chief of Police, Dale Mondary; and  
Deputy City Clerk, Roberta Crncic*

4. **Presentation by the Coachella Valley Volunteers in Medicine, Clinic Services**

5. **Recognition of Support for Regional Homelessness Efforts Presented by the Desert Healthcare District and Coachella Valley Association of Governments (CVAG)**

**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:

### 6. [An Appeal of the Planning Commission's Decision to Deny the Extension of Time for Tentative Tract Map No. 33746 \(Case Number AP 01-17\)](#)

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

*Packet Page 11*

- Recommendation:**
- 1) Receive Staff Report;
  - 2) Questions of Staff from City Council;
  - 3) Open the Public Hearing;
  - 4) Take Testimony from Applicant;
  - 5) Take Testimony from those supporting the project;
  - 6) Take Testimony from those opposing the project;
  - 7) Take testimony from anyone else;
  - 8) Rebuttal of Applicant;
  - 9) Close the Public Hearing;
  - 10) Conduct City Council discussion and questions to staff;  
and
  - 11) City Council action to either:
    - A. Uphold the Planning Commission's decision to deny First Extension of Time for Tentative Tract Map 33746 - for the Silver Oaks Sunset Ridge Residential Development located on approximately 165.7 gross acres at the southeast corner of Mission Lakes Boulevard and Karen Avenue (Assessor Parcel No. 664-020-001) and Adopt the Resolution upholding the decision and denying the project with the appropriate findings contained in the Resolution, which such findings can be amended as the City Council deems fit; OR

B. Overturn the Planning Commission's decision to deny the project and Adopt the Resolution denying the decision and approving the project with the appropriate findings contained in the Resolution, which findings can be amended as the City Council deems fit.

7. [Annexation No. 24 to the City of Desert Hot Springs Community Facilities District No. 2010-1 \(Services\) for APN 665-030-060 Located at 14250 Little Morongo Road \(DHS Manna, LLC\)](#)

*Administrative Services Director, Joseph M. Tanner, Jr.*

*Packet Page 137*

**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. 24)
- 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. 24).

8. [Annexation No. 27 to the City of Desert Hot Springs Community Facilities District No. 2010-1 \(Services\) for APNs 666-340-004 and 666-340-006 Located South of 18th Avenue and East of Indian Canyon Drive \(Coachillin Holdings, LLC.\)](#)

*Administrative Services Director, Joseph M. Tanner, Jr.*

*Packet Page 177*

**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. 27)
- 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. 27)

9. [Creating Special Tax Area 28 \(DHS Facilities LLC\) for APN 663-280-025 located on the Northeast Corner of 14th Ave. and Little Morongo Rd., within the Desert Springs Special Public Safety Tax Area](#)  
*Administrative Services Director, Joseph M. Tanner, Jr. Packet Page 217*  
**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 28 (DHS Facilities LLC)
10. [Creating Special Tax Area 29 \(DHS Manna LLC\) for APN 665-030-060 Located at 14250 Little Morongo Road, Within the Desert Springs Special Public Safety Tax Area](#)  
*Administrative Services Director, Joseph M. Tanner, Jr. Packet Page 241*  
**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 29 (DHS Manna LLC).
11. [Creating Special Tax Area 32 \(Coachillin Holdings LLC\) for APNs 666-340-004 and 666-340-006 located south of 18th Ave. and east of Indian Canyon Rd., within the Desert Springs Special Public Safety Tax Area](#)  
*Administrative Services Director, Joseph M. Tanner, Jr. Packet Page 265*  
**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 32 (Coachillin Holdings LLC.)

**ADMINISTRATIVE CALENDAR:**

12. **[Joint Powers Agreement to Implement a Community Choice Aggregation Program](#)**

*Deputy City Manager, Luke Rainey*

*Packet Page 289*

**Recommendation:** Introduce for First Reading and read by title only, "An Ordinance of the City Council of the City of Desert Hot Springs authorizing implementation of a Community Choice Aggregation program and approving the Desert Community Energy Joint Powers Agreement."

13. **[An Ordinance and URGENCY Ordinance Amending Chapter 5.50 "Medical Marijuana Facilities Regulatory Permit" of Title 5 "Business Licenses and Regulations" of the Desert Hot Springs Municipal Code](#)**

*City Manager, Charles L. Maynard*

*Packet Page 329*

**Recommendation:** 1) 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 5.50 "Medical Marijuana Facilities Regulatory Permit" of Title 5 "Business Licenses and Regulations" of the Desert Hot Springs Municipal Code;" AND  
2) Adopt and read by title only, "An URGENCY Ordinance of the City Council of the City Of Desert Hot Springs, California, Amending Chapter 5.50 "Medical Marijuana Facilities Regulatory Permit" of Title 5 "Business Licenses And Regulations" of the Desert Hot Springs Municipal Code."

14. **[Desert View Sidewalk Project - Riverside County Transportation Commission \(RCTC\) Agreement for Funding Under Senate Bill \(SB\) 821 Bicycle Pedestrian Facilities Program](#)**

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

*Packet Page 355*

**Recommendation:** Authorize the City Manager to execute a funding agreement between Riverside County Transportation Commission (RCTC) and the City of Desert Hot Springs, to receive SB 821 funding totaling \$293,000 for the Desert View Sidewalk Project.

15. **[Award of Professional Services Agreement for the Systematic Safety Analysis Report Project](#)**

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

*Packet Page 377*

**Recommendation:** Authorize the City Manager to execute the Professional Services Agreement for the Systematic Safety Analysis Report Project with KOA Corporation in the amount not to exceed \$83,920.00; with approval as to form by the City Attorney.

16. [Ordinance Amending Title 4 "Code Enforcement" of the Desert Hot Springs Municipal Code to Clarify the Procedures for the Selection of Administrative Hearing Officers](#)

*Community Development Director, Daniel Porras, P.E. Packet Page 425*

**Recommendation:** Introduce for First Reading and read by title only, "An Ordinance of the City Council of the City of Desert Hot Springs, California, 1) Amending Section 4.16.110 ("Procedures for Appeal of Public Nuisance and Order to Abate"); and 2) Amending Section 4.16.140 ("Abatement Cost Appeals Procedure") of Chapter 4.16 ("Public Nuisances") of Title 4 ("Code Enforcement") of the Desert Hot Springs Municipal Code ("DHSMC") to clarify the procedures for selection of Hearing Officers."

**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.*

17. [City Council Regular Meeting Minutes: November 7, 2017](#)

*City Clerk, Jerryl Soriano, CMC Packet Page 441*

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

18. [Second Reading and Adoption of an Ordinance Amending Section 10.16.050 "Use of City Streets for Storage of Vehicle Prohibited" of Chapter 10.16 "Stopping, Standing and Parking" of the Desert Hot Springs Municipal Code](#)

*City Clerk, Jerryl Soriano, CMC Packet Page 451*

**Recommendation:** Approve Second Reading, read by title and adopt, "An Ordinance of the City Council of the City of Desert Hot Springs, California, amending Section 10.16.050 ("Use of Streets for Storage of Vehicle Prohibited") of Chapter 10.16 ("Stopping, Standing and Parking") of Title 10 ("Vehicles and Traffic") of the Desert Hot Springs Municipal Code.

19. [Second Reading and Adoption of an Ordinance Adding Chapter 17.190 "Desert Harvest Specific Plan" to Title 17 "Zoning" of the Desert Hot Springs Municipal Code to Establish Zoning Standards for the Desert Harvest Specific Plan Area](#)

*Community Development Director, Daniel Porras, P.E. Packet Page 459*

**Recommendation:** Approve Second Reading, read by title only and adopt: "An Ordinance of the City Council of the City of Desert Hot Springs Adding Chapter 17.190 "Desert Harvest Specific Plan" to Title 17 "Zoning" of the Desert Hot Springs Municipal Code to Establish Zoning Standards for the Desert Harvest Specific Plan Area."

20. [Second Reading and Adoption of an Ordinance Adding Chapter 17.200 "Coachillin' Specific Plan" to Title 17 "Zoning" of the Desert Hot Springs Municipal Code to Establish Zoning Standards for the Coachillin Specific Plan Area](#)  
*Community Development Director, Daniel Porras, P.E.* *Packet Page 477*  
**Recommendation:** Approve Second Reading, read by title only and adopt, "An Ordinance of the City Council Adding Chapter 17.200 "Coachillin' Specific Plan" to Title 17 "Zoning" of the Desert Hot Springs Municipal Code to establish zoning standards for the Coachillin Specific Plan area." The 153.71-acre project site (APN 666-340-004, -006) is located on the east side of Indian Canyon Drive between 18th and 19th Avenues.
21. [Treasurer's Report as of September 30, 2017](#)  
*Administrative Services Director, Joseph M. Tanner, Jr.* *Packet Page 501*  
**Recommendation:** Receive and file.
22. [Payment Register and City Council Expenditures Report for the Month of September 2017](#)  
*Administrative Services Director, Joseph M. Tanner, Jr.* *Packet Page 509*  
**Recommendation:** Receive and file.
23. [Contracts Management Report as of November 21, 2017](#)  
*Administrative Services Director, Joseph M. Tanner, Jr.* *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.*

November 28	Economic Development Committee	6:00 p.m.
December 5	City Council Regular Meeting	6:00 p.m.
December 12	Planning Commission	6:00 p.m.
December 13	RDA Oversight Board Meeting	8.00 a.m.
December 13	CCAC	6:00 p.m.
December 14	Public Safety Commission	6:00 p.m.
December 19	City Council Regular Meeting	DARK
January 2	City Council Regular Meeting	DARK

### 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.