



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

OCTOBER 15, 2019

4:00 P.M. – CLOSED SESSION

5:00 P.M. – PRESENTATIONS

6:00 P.M. – REGULAR SESSION

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

CLOSED SESSION - 4:00 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—ANTICIPATED LITIGATION**
Potential Initiation of litigation pursuant to paragraph (4) of subdivision (d) of Section 54956.9: One Potential Case
2. **CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION**
Significant exposure to litigation pursuant to subdivision (d)(2) of Section 54956.9: The facts and circumstances involve issues pertaining a certain entity who has threatened litigation against the City, although no formal claim or action has been filed.

3. **CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION**
Significant exposure to litigation pursuant to subdivision (d)(2) of Section 54956.9:
The facts and circumstances involve issues pertaining a certain developer who
has threatened litigation against the City, although no formal claim has been filed.

PRESENTATIONS - 5:00 P.M.

4. **Greater Palm Springs Convention & Visitors Bureau Annual Update Presentation (15 Minutes)**
5. **Safehouse of the Desert Presentation (15 Minutes)**
6. **Recognition of L.E.A.D (Leadership, Education, Action, Development) Group**
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Mayor and City Council
7. **Police Department Life Saving Awards**
Chief of Police, Jim Henson
8. **Mayoral Presentations**
Mayor, Scott Matas

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:

9. [\(Continued from October 1, 2019\) Applications for Implementation of the Tuscan Hills Specific Plan, a Master Planned Residential Subdivision and a Proposed 334 Room Resort Hotel and Spa Located on a Vacant 554 Acre Property Located Along the North Side of Pierson Boulevard East of Foxdale Drive \(Applicant: Walton Development and Management, Southwest USA\)](#)

Community Development Director, Rebecca Deming

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Recommendation: Continue the Public Hearing to a date certain of December 3, 2019 for the following actions:

- Certify the Addendum to the Final Environmental Impact Report and Mitigation Monitoring Program and approval of:
- A Resolution and Ordinance approving the Specific Plan 02-16, General Plan Amendment 03-16, and Zoning Ordinance Amendment 03-16 to establish development regulations and guidelines for the subject site; and
- Tentative Tract Map Nos. 36774, 37300, 37301, 37302, and 37303 – to subdivide the properties into 585 lots plus streets, open space and detention basins for a vacant 554.8 acre site located on the north side of Pierson Boulevard east of Foxdale Drive on the former Desert Hot Springs Resort Cornerstone Specific Plan project site. (APN's 638-340-003, 005, 006, 007, & 638-330-001, 002, 003, and 632-270-006)

10. [Extension of an Urgency Interim Ordinance Adopting a Moratorium on the Establishment of Any Marijuana Facility, as Defined in Chapter 17.180 of the Desert Hot Springs Municipal Code, or Any Use or Activity Related Thereto, for Properties Located in the Downtown Area near City Hall, Specifically on Pierson Boulevard Between Cactus Drive and Mesquite Avenue, on Palm Drive Between Acoma and 1st Street, on 1st Street Between Cactus Drive and Mesquite Avenue, and on Acoma Avenue Between Cactus Drive and Palm Drive](#)

Community Development Director, Rebecca Deming

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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) Adopt an Extension Urgency Interim Ordinance of the City Council of the City of Desert Hot Springs Adopting a Moratorium on the Establishment of Any Marijuana Facility, as Defined in Chapter 17.180 of the Desert Hot Springs Municipal Code, or Any Use or Activity Related Thereto, for Properties Located in the Downtown Area near City Hall, Specifically on Pierson Boulevard Between Cactus Drive and Mesquite Avenue, on Palm Drive Between Acoma and 1st Street, on 1st Street Between Cactus Drive and Mesquite Avenue, and on Acoma Avenue Between Cactus Drive and Palm Drive.

ADMINISTRATIVE CALENDAR:

11. [Report from the L.E.A.D. \(Leadership, Education, Action, and Development\) Team](#)

LEAD Team Members

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Recommendation: Receive and file.

12. [Resolution of Intention to Annex One Parcel \(Annexation No. 37\) Located East of Little Morongo Road and North of Dillon Road \(APN 665-110-006\) to the City of Desert Hot Springs Community Facilities District No. 2010-1 \(Services\)](#)

Acting Finance Director, Geoffrey Buchheim

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Recommendation: Adopt a Resolution of the City Council of the City of Desert Hot Springs declaring its intention to annex territory to Community Facilities District No. 2010-1 (Services) of the City of Desert Hot Springs, adopting a map of the area proposed to be annexed (Annexation No. 37), and to authorize the levy of special taxes therein.

13. [Resolution of Intention to Create a Special Tax Area Zone For Property, APN 665-110-006, Located North of Dillon Road and East of Little Morongo Road, to the Desert Hot Springs Special Public Safety Tax Area.](#)

Acting Finance Director, Geoffrey Buchheim

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Recommendation: Adopt a Resolution of Intention which establishes the time and place of the Public Hearing to establish Zone 43 within the Special Public Safety Tax Area for Police and Fire Protection Services and authorizing an election.

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.

14. [City Council Regular Meeting Minutes: October 1, 2019](#)

City Clerk, Jerryl Soriano, CMC

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

15. [Second Reading and Adoption of an Ordinance Amending the Desert Hot Springs Municipal Code Regarding Sidewalk 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 of the City of Desert Hot Springs, California, amending Section 5.28.010 "Purpose" and Section 5.28.085 "Sidewalk Vendor General Regulations" of Chapter 5.28 "Sidewalk Vendors and Peddlers" of Title 5 "Business Licenses and Regulations" of the Desert Hot Springs Municipal Code.

16. [Second Reading and Adoption of an Ordinance Amending Various Chapters of the Desert Hot Springs Municipal Code Providing More Consistent Rules and Procedures for the Denial, Suspension, Modification, and Revocation of Licenses and Permits and Appeals Thereof](#)

City Clerk, Jerryl Soriano, CMC

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Recommendation: Approve Second Reading, read by title only and adopt: "An Ordinance Amending Chapters 3.20, 4.36, 5.04, 5.08, 5.12, 5.28, 5.36, 5.44, 5.50, 15.60, 17.08, 17.12, 17.40, 17.45, 17.76, 17.92, 17.144, 17.152, 17.156, 17.164, and 17.168 of the Municipal Code Providing More Consistent Rules and Procedures for the Denial, Suspension, Modification, and Revocation of Licenses and Permits and Appeals Thereof."

17. [Treasurer's Report for the Month of August 2019](#)

Acting Finance Director, Geoffrey Buchheim

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Recommendation: Receive and file.

18. [Payment Register and City Council Expenditures Report for the Month of August 2019](#)

Acting Finance Director, Geoffrey Buchheim

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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 for meeting locations and the most up to date information.*

October 22	City Council Special Meeting	6:00 p.m.
November 5	City Council Regular Meeting	6:00 p.m.
November 12	Planning Commission	6:00 p.m.
November 13	CCAC	6:00 p.m.
November 14	Public Safety Commission	6:00 p.m.
November 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.