



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

DECEMBER 3, 2019

5:00 P.M. – CLOSED SESSION

5:15 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 - 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](#)**

[\(Gov. Code section 54956.9\(d\)\(1\).\)](#)

Name of Case: Garcia, et al. v. City of Desert Hot Springs, et al., Case Number PSC1807458

PRESENTATIONS - 5:15 P.M.

2. **[Fire Truck Presentation](#)**

3. **[2020 Census Presentation](#)**

4. [Introduction and Swearing-In of Two New Police Officers](#)
Chief of Police, Jim Henson; and City Clerk, Jerry Soriano

RECESS

REGULAR SESSION - 6:00 P.M.

CALL TO ORDER

ROLL CALL

SELECTION OF MAYOR PRO TEM

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. **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**

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 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) Recommendation to continue the Public Hearing off calendar to a date uncertain for the following:
 - A) Certification of the Addendum to the Final Environmental Impact Report and Mitigation Monitoring Program for the Tuscan Hills Specific Plan; and
 - B) 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
 - C) 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, and 638-330-001, 002, 003, and 632-270-006)

6. **Annexation No. 37 to the City of Desert Hot Springs Community Facilities District No. 2010-1 (Services) for APN 665-110-006. Located East of Little Morongo Road, and North of Dillon Road.**

Finance Director, Geoffrey Buchheim

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- 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. 37)
- 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. 37).

7. [Creating Special Tax Area 43 \(Mirali Zarrabi\) for APN 665-110-006 Located North of Dillon Road and East of Little Morongo Road Within the Desert Springs Special Public Safety Tax Area](#)

Finance Director, Geoffrey Buchheim

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- 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 43 (Mirali Zarrabi).

8. [Ortega Drive Vacation](#)

Public Works Director, Daniel Porras

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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) Adopt a Resolution of the City Council of the City of Desert Hot Springs, California, approving the vacation of Ortega Drive for public roadway purposes, generally located between Eliseo Road and Agua Cayendo Road, and reserving of easement for public utilities; and
 - 9) Direct the City Clerk to record the Resolution.

9. [AB 1600 Annual Report - Development Impact Fees and Resolution Making Findings and Reaffirming the Necessity of Certain Development Impact Fees](#)

Finance Director, Geoffrey Buchheim

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- Recommendation:**
- 1) Staff Report
 - 2) Entertain questions from Staff and from the 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) Review and accept the AB 1600 Annual Report on Development Impact Fees for the period ending June 30, 2019 (Exhibit 1); and
- 9) Adopt a Resolution of the City Council making findings and reaffirming the necessity of certain Development Impact Fees.

ADMINISTRATIVE CALENDAR:

10. **[Audited Financial Statements and Housing Compliance Report for Fiscal Year 2018-2019](#)**
Finance Director, Geoffrey Buchheim *Packet Page 111*
Recommendation: Receive and file.

11. **[Approval of Parcel Map No. 37606, for Moreland California Properties LLC, and Acceptance of Dedication of Easements for Street and Public Utility Purposes](#)**
Public Works Director, Daniel Porras *Packet Page 277*
Recommendation: 1) Find that the Parcel Map No. 37606 is in substantial conformance with the previously approved tentative map;
2) Approve Parcel Map 37606 in accordance with the Conditions of Approval;
3) Accept the dedication of easement offered on the map for street and public utility purposes;
4) Authorize the City Clerk and City Engineer to sign the map evidencing the City Council's approval; and
5) Authorize staff to process and file the map with the County Recorder's Office.

12. **[Grocery Outlet - Traffic Signal Fair Share Agreement](#)**
Public Works Director, Daniel Porras *Packet Page 287*
Recommendation: Authorize the City Manager to execute the Agreement for Payment of Fair Share of Development Impact Fees by and between the City of Desert Hot Springs and Best Development Group LLC. for the fair share cost of the installation of a new Traffic Signal at the intersection of Palm Drive and Park Lane.

13. **[Purchase of Twenty \(20\) New Kennel Doors and Side Panels for the Animal Care and Control Facility](#)**
Chief of Police, Jim Henson *Packet Page 333*
Recommendation: Authorize the purchase of twenty (20) new kennel doors and side panels to be installed at the Animal Care and Control

Facility from Shor-Line in the amount of \$60,377.19 (includes the removal of existing doors and installation).

14. [Community Development Block Grant \(CDBG\) Program for Fiscal Year 2020-2021](#)

Public Works Director, Daniel Porras

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Recommendation: 1) Approve the rehabilitation of Hot Springs Park into Reflection Park; and
2) Adopt a Resolution of the City Council authorizing participation in and authorizing the City Manager to approve all agreements and necessary documents associated with the Community Development Block Grant (CDBG) for Fiscal Year 2020-2021.

15. [\(Successor Agency\) Recognized Obligation Payment Schedule \(ROPS 20-21\) for the Period of July 1, 2020 Through June 30, 2020](#)

Finance Director, Geoffrey Buchheim

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Recommendation: Adopt a Resolution of the Successor Agency approving the Recognized Obligation Payment Schedule (ROPS 20-21) and Administrative Budget for the Successor Agency for the period of July 1, 2020 through June 30, 2021.

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.

16. [City Council Regular Meeting Minutes: November 19, 2019](#)

City Clerk, Jerryl Soriano, CMC

Packet Page 545

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

17. [Resolution Reporting Compliance with the Annual Inspection of Certain Occupancies Pursuant to Section 13146.2 and 13146.3 of the California Health and Safety Code](#)

Cal Fire Division Chief, Tyrell Davis

Packet Page 557

Recommendation: Adopt a Resolution of the City Council of the City of Desert Hot Springs reporting compliance with the annual inspection of certain occupancies pursuant to Section 13146.2 and 13146.3 of the California Health and Safety Code

18. [Contracts Management Report as of November 15, 2019](#)

Finance Director, Geoffrey Buchheim

Packet Page 563

Recommendation: Receive and file.

19. [Second Reading and Adoption of an Ordinance Amending the City's Zoning Map \(ZMA 01-19\)](#)
City Clerk, Jerryl Soriano, CMC *Packet Page 569*
Recommendation: Approve Second Reading, read by title only and adopt: "An Ordinance of the City Council of the City of Desert Hot Springs, California, 1) Finding That the Project Described Herein Is Exempt from CEQA Under Section 15061(B)(3) of the California Code of Regulations, Title 14, Sections 15000 Et Seq. (The "Guidelines"), 2) and Amending the City's Zoning Map 01-19 to Reflect a Change in Zoning Map from R/Vs-L (Residential Visitor Serving Low Density) and R-L (Low Density Residential) to V-S-V (Visitor Serving Village) for the 108 Acre Site Located at the Bubbling Wells Ranch Site on Both Sides of Yerxa Road North of San Gorgonio Street (APN's: 656-140-002, 005, 007, 011, 016, 014, 018 & 656-255-003, 005, 007 and 656-150-011)."
20. [Second Reading and Adoption of an Ordinance Amending Table 17.02.02 of the Desert Hot Springs Municipal Code Titled "Residential Development Standards"](#)
City Clerk, Jerryl Soriano, CMC *Packet Page 579*
Recommendation: Approve Second Reading, read by title only and adopt: "An Ordinance of the City Council of the City of Desert Hot Springs amending Table 17.08.02 of the Desert Hot Springs Municipal Code Titled "Residential Development Standards" related to setbacks for substandard lots within the R-M (Residential Medium Density), R-MH (Residential Mobile Home), R-H (Residential High Density) and R-VS (Residential Visitor Serving) Zones, and clarifying the notes thereof."
21. [Second Reading and Adoption of an Ordinance Amending Desert Hot Springs Municipal Code Chapter 12.04 Regarding Camping Restrictions](#)
City Clerk, Jerryl Soriano, CMC *Packet Page 587*
Recommendation: Approve Second Reading, read by title only and adopt: "An Ordinance of the City Council of the City of Desert Hot Springs amending Chapter 12.04 of the Desert Hot Springs Municipal Code regarding camping restrictions."
22. [Second Reading and Adoption of an Ordinance Amending Title 6 of the Desert Hot Springs Municipal Code to Prohibit Roosters Within City Limits](#)
City Clerk, Jerryl Soriano, CMC *Packet Page 599*
Recommendation: Approve Second Reading, read by title only and adopt: "An Ordinance of the City Council of the City of Desert Hot Springs, amending Sections 6.04.020, and deleting Chapter 6.05 "Crowing Roosters" of County Code Title 6 "Animals Generally," which is incorporated by reference into the Desert Hot Springs Municipal Code pertaining the banning of roosters within the City."

23. [Second Reading and Adoption of: 1\) An Ordinance Regarding Disclosure of Campaign Contributions; and 2\) An Ordinance Pertaining to City Council Vacancies](#)

City Clerk, Jerryl Soriano, CMC

Packet Page 607

Recommendation: Approve Second Reading, read by title only and adopt:

- 1) "An Ordinance of the City Council of the City of Desert Hot Springs, California amending Section 2.20.125 "Disclosure of Campaign Contributions" of the Desert Hot Springs Municipal Code to provide that all persons accepting and/or providing campaign contributions must comply with all applicable state law and Fair Political Practices Commission's regulations;" AND
- 2) "An Ordinance of the City Council of the City of Desert Hot Springs, California amending Section 2.04.040 of the Desert Hot Springs Municipal Code pertaining to vacancies and the appointment of a temporary city councilmember."

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.*

December 10	Planning Commission	6:00 p.m.
December 11	CCAC	6:00 p.m.
December 12	Public Safety Commission	6:00 p.m.
December 17	City Council Regular Meeting	DARK
January 7	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.