

CITY OF PALM DESERT STAFF REPORT

MEETING DATE: April 11, 2024

PREPARED BY: Chris Escobedo, Assistant City Manager
Daniel Hurtado, Public Safety Analyst

REQUEST: APPROVE A PURCHASE AND SALE AGREEMENT BETWEEN THE CITY OF PALM DESERT AND GLEN M. KAMMERER AND SHERILL R. KAMMERER FOR AN APPROXIMATELY 1.01-ACRE SITE ON MOUNTAIN VIEW, ASSESSOR'S PARCEL NO. 637-300-023

RECOMMENDATION:

1. Approve Purchase and Sale Agreement in substantial form for the acquisition of APN 637-300-023.
2. Authorize the Director of Finance to appropriate \$1,640,359 from undesignated General Fund Reserve monies to Account No. 1104159-4219100 for the Mountain View Flood Infrastructure Improvements Project.
3. Authorize the City Attorney to make any necessary nonmonetary changes to agreements.
4. Authorize the City Manager to execute all documents necessary to effectuate this action.

BACKGROUND/ANALYSIS:

Between August 2022 and January 2023, California received approximately a year's worth of rainfall. Due to the heavy rain, significant ponding occurs at the approximately 77700 block of Mountain View creating unsafe driving conditions. Unfortunately, even during regular storms, this area ponds up because of the street configuration having a sump condition.

The homeowners are inconvenienced since the nature of this street frequently creates a low spot that can hold about 4' of water. During the Hillary Storm, they not only experienced that depth of water but also significant wave action as cars were routed off Washington Street trying to pass through this area. These waves almost had water enter their homes. During another storm, on trash day, there was ponding that caused their trash cans to float, discharging their contents through the street and creating a health hazard.

There is a vacant lot priced at \$453,000.00 at this sump location that may be purchased and graded as a retention basin to help contain these excessive flows. The intent would be to contain the normal rainfall, thereby making this a safer street to travel on, and the surrounding homeowners will no longer be inconvenienced. It would also be designed in such a way as to reduce or minimize the flooding of this street to the top of the curb, or at least less than 1', during extraordinary events. Public Works can then support other critical areas of the City during storm events and this basin will help the water percolate into the ground quicker, to avoid vector accumulation.

Approval of the Purchase and Sale Agreement would allow the City to acquire the parcel to serve a public benefit to the neighborhood and those utilizing that road. Staff will incorporate this

parcel acquisition into a Capital Improvement Project for fiscal year 2024/2025, which will include the design and construction of the project.

Legal Review:

The City Attorney has reviewed and approved the report and Purchase and Sale Agreement.

Strategic Plan:

The proposed purchase and sale agreement and development of the subject property align with the City's Envision Palm Desert Strategic Plan in the following sections:

Transportation – Priority 1: Create walkable neighborhoods and areas within Palm Desert that Would include residential; retail; services and employment centers; and parks, recreation, and open space to reduce the use of low occupancy vehicles.

Public Safety & Emergency Services – Priority 3: Help the community be more prepared for disasters and public safety emergencies.

FINANCIAL IMPACT:

The total consideration to be paid by the buyer to acquire the property \$453,000. The preliminary cost estimate for the project total is \$1,172,359. The total costs are estimated below and upon appropriation, this project will be paid from the General Services Disaster Emergencies Account No. 1104159 – 4219100.

| Preliminary Project Cost Estimate | |
|-----------------------------------|--------------------|
| Infrastructure | \$947,816 |
| Land Acquisition | \$453,000 |
| Land Acquisition Fees | \$15,000.00 |
| Entitlements | \$29,150 |
| 20% Contingency | \$195,393 |
| Total Project Costs | \$1,640,359 |

ATTACHMENTS:

1. Purchase and Sale Agreement
2. Preliminary Cost Estimate