

From: [Brad Anderson](#)
To: [CityClerk](#)
Subject: Public Comment Agenda Item: 9.e - City of Palm Desert Council meeting of October 24, 2024
Date: Thursday, October 24, 2024 10:00:10 AM



October 24, 2024

City of Palm Desert
City Council / City Hall
73510 Fred Waring Dr.
Palm Desert, CA.
Attention: Clerk of the Board

Re: Written letter to be entered in the Public record and made available for public Inspection for the October 24, 2024 (4:PM) Palm Desert City Council meeting - Agenda Item: 9.e (Imposing Ordinance No. 1418/Street Vacations)

Dear current City Council members,

This letter is in strong opposition to Palm Desert city council order to establish a new city ordinance No. 1418, to impose unnecessary harmful procedures over a commonly and well established method of Street Vacations that have been conducted throughout Riverside County and the Great State of California for decades.

City of Palm Deserts newly constructed ordinance no. 1418 has detailed written statements stating that on October 10, 2024 the city council heard and considered "all testimony and arguments, If any, of all interested persons desiring to be heard". In the matter of advancing ordinance no. 1408. Please be advised, that NO public testimony and or written statements were produced at that Public meeting against ordinance no. 1418 and NO city council member added any verbal comment(s) to the public record in regards to the action of approval of that ordinance.

As an interested member of the public and having provided testimony in regards to a prior issues surrounding Palm Desert City street vacation that originally prompted the city to construct ordinance no.1418. It was alarming that all interested persons (the original property owners and or their contractors) of that prior proposed street vacation that prompted ordinance no. 1418 to be constructed was NOT notified of the citys ongoing restrictive efforts of recommending Ordinance no. 1418 at the October 10, 2024 public hearing. It's reasonable to consider that the City of Palm Desert had desired to force ordinance no. 1418 through the city procces with little to No fanfare from residents that maybe negatively financially affected from the City's actions.

The overly restrictive natural of the newly created ordinance no. 1418 appears to be motivated by potential political maneuvers to reduce and or eliminate street vacations from impacting selected Individuals (current City Council members and or political elements) that have residential properties near the original proposed Street Vacation near (73745 Shadow Lake Drive) location.

Please consider that an extreme measure of ordinance no. 1418 (12.36.050) that mandates a written appraisal of the value of the proposed street vacation property is an unreasonable burden of the applicant(s). It's reasonable to consider that an independent appraiser would be difficult to locate and potentially expensive to employ once found that would obtain the unique and unusual expertise to value right-of-ways, or portion thereof of a proposed street vacation. Please be advised, Street Vacation real estate value(s) appears to be of great importance of City Council member (Kelly). It's been documented that Council member Kelly recently voice her own property value opinion of a prior proposed Street Vacation property near (73745 Shadow Lake Dr) during city council discussion. It's also worth noting, that Council person Kelly may of influence other council members with her extremely unrealistic "opinion" in regards to that property value at that City Council meeting. Furthermore Council person Kellys direct involvement with opposing a prior Street Vacation near (73745 Shadow Lake Dr) maybe worth noting, for future reference and potential investigation due to her drectly informing a street vacation applicant contractor that their future involvement was unnecessary at a city public meeting prior to the city council consideration of that agenda Item to discuss a street vacation action.

The Palm Desert City Councils attempt to micromanage (case-by-case/ 12.36.080, [F]) applicant(s) of Street Vacations to limit their legal right to use their properties as they see fit is nonsensical. It's reasonable to consider that Applicants for any Street Vacation would of suffered in some manner from the proposed property being considered for vacation over prior years. Honorable and ethical standards would dictate that any excess City held unused property should be redirected to affected properties for the benefit of the community. Monetary benefits would naturally be assessed through increase property taxes on the beneficiaries of street vacations (with increased property taxes). Please consider that California Code, of Streets and Highways - SHC 8357 would require the City of Palm Desert to direct monies received from properties sold to any city fund available for the same purpose for which the original property was used. It's simply nonsensical that certain street vacations (easement right-of-ways) should be treated differently when local politicians may be invested (construction of ordinance no. 1418).

In summary, ordinance no. 1418 appears to be an avenue for selected city council members to defend against intrusion on certain city properties that may drectly or indirectly impact them and or special Interests associated with them.

Sincerely,

Brad Anderson | [REDACTED]

Cc: