

CITY OF PALM DESERT STAFF REPORT

MEETING DATE: June 26, 2025

PREPARED BY: Cesar Lopez, Associate Engineer

SUBJECT: RELEASE PARTICULATE MATTER (PM10) BONDS FOR COMPLETED PROJECTS

RECOMMENDATION:

Release the following PM 10 Bonds:

1. Starwood Vacational Ownership Inc in the amount of \$22,270
2. Villa Portofino phase 29 (PG21-0013) in the amount of \$1,420
3. Villa Portofino phase 32 (PG21-0015) in the amount of \$1,420
4. Chick-Fil-A (PG19-0029) in the amount of \$740
5. Hovley Gardens (PG21-0018) in the amount of \$3,980
6. Villa Portofino phase 25 (PG21-0011) in the amount of \$1,420
7. Villa Portofino phase 1 (PG21-0026) in the amount of \$2,560
8. Single Family Grading 143 Tepin Way (SFGR22-0005) in the amount of \$1,360
9. Mechanics Bank (PG22-0040) in the amount of \$820
10. Heartbeat at 22 (PG22-0037) in the amount of \$1,440
11. Carmax Auto Superstore (PG23-0010) in the amount of \$3,220
12. Palms to Pines Plaza West (PG23-0001) in the amount of \$460
13. Single Family Grading 49981 Canyon View Dr (SFGR23-0002) in the amount of \$980

BACKGROUND/ANALYSIS:

The Palm Desert Municipal Code Chapter 24.12 establishes minimum requirements for demolition activities and other land uses to reduce fugitive dust and particulate matter (PM10) emissions. A fugitive dust PM10 mitigation plan is approved prior to land alteration and mitigation measures are implemented throughout the construction phase.

The Palm Desert Municipal Code Section 24.12.070 requires a bond (or equivalent form approved by the city including a cash deposit) sufficient to completely stabilize all disturbed areas if the operator fails to adequately control dust or abandons the site in lieu of mitigating fugitive dust problems; and shall be easily accessible to the city to initiate stabilization measures without a significant delay. PM10 bonds were received prior to a grading permit. The Public Works Inspectors monitor and inspect the project to ensure there is compliance throughout the project.

During our municipal code review, staff and the city's legal counsel have determined that City Council approval is required for the release of PM10 bonds. The City Council has approved the release of improvement and grading bonds for the listed projects. Moving forward with current projects, PM10 bonds will be released concurrently with the improvement and grading bonds.

City of Palm Desert

Release of PM10 Bonds for Completed Projects

The release of a PM10 bond is eligible at the time of the completion of the project where no disturbed areas remain. The following projects have an approved final public work inspection, and no further fugitive dust PM10 mitigation is required, therefore staff recommends approval.

Legal Review:

This report has been reviewed by the City Attorney's Office.

FINANCIAL IMPACT:

The amounts listed below are currently being held in trust by the City and upon approval, refund checks will be issued. There is no fiscal impact to the General Fund with this action.

<i>Project</i>	<i>Date Received</i>	<i>Amount</i>	<i>Surety Type</i>	<i>Final PW Inspection Date</i>
<i>Starwood Vacation Ownership</i>	01/02/2008	\$22,270	TD 4560	6/3/2011
<i>Villa Portofino phase 29</i>	7/15/2021	\$1,420	Check 3044	3/18/2022
<i>Villa Portofino phase 32</i>	7/20/2021	\$1,420	Check 3049	6/9/2022
<i>Chick-Fil-A</i>	9/22/2021	\$740	Credit Card	6/21/2022
<i>Hovley Gardens</i>	12/16/2021	\$3,980	Check 56579	8/29/2024
<i>Villa Portofino phase 25</i>	2/16/2022	\$1,420	Check 3346	2/13/2023
<i>Villa Portofino phase 1</i>	4/15/2022	\$2,560	Check 3498	11/13/2023
<i>143 Tepin Way</i>	8/9/2022	\$1,360	Check 12945	1/10/2025
<i>Mechanics Bank</i>	3/23/2023	\$820	Check 29463	3/19/2024
<i>Heartbeat at 22</i>	2/22/2023	\$1,1440	Check 233	4/15/2024
<i>Carmax Auto Superstore</i>	4/12/2023	\$3,220	Check 9415782	2/11/2025
<i>Palms to Pines Plaza west</i>	5/01/2023	\$460	Credit Card	9/11/2023
<i>49981 Canyon View Dr</i>	6/8/2023	\$980	Credi Card	3/20/2025