



CITY OF PALM DESERT
CITY MANAGER'S OFFICE
INTEROFFICE MEMORANDUM

Date: August 28, 2025
To: Honorable Mayor and Councilmembers
From: Anthony J. Mejia, City Clerk
Subject: City Council Meeting of August 28, 2025

Below you will find questions received from the Mayor or Councilmembers and answers provided by City staff regarding tonight's City Council meeting:

ITEM 13e: RATIFICATION OF LETTER OPPOSING ASSEMBLY BILL 339 (ORTEGA) – LOCAL PUBLIC EMPLOYEE ORGANIZATIONS: NOTICE REQUIREMENTS

Q1: What is the standard window to apply once an RFP is posted on OpenGov?

A1: Procurements conducted through the formal bid process must be advertised for a minimum of ten (10) calendar days, in accordance with M.C. 3.30.100(C). The specific bid submission deadline, however, is established by the project manager or subject matter expert (SME) and is based on the complexity of the project. For example, smaller and less complex projects (e.g., slurry seal) may allow for a two-week response period, while larger and more complex projects (e.g., library or fire station facilities) generally require six to eight weeks. In addition, certain grant-funded projects may have prescribed response periods to remain eligible for reimbursement.

Following an analysis of procurement solicitations conducted since 2022, staff notes that the shortest solicitation period was 12 days, with an average solicitation period of 24 days.

ITEM 13g: RATIFICATION OF LETTER SUPPORTING EXPANSION OF U.S. CUSTOMS AND BORDER PROTECTION SERVICES AT PALM SPRINGS INTERNATIONAL AIRPORT

Q1: Do we know if other local cities support or oppose expansion?

A1: The cities of Cathedral City, Desert Hot Springs, Indian Wells, Indio, La Quinta, Palm Desert, and Rancho Mirage sent letters of support. The City of Coachella has not responded to the request for a letter of support.

ITEM 13i: ADOPTION OF ORDINANCE NO. 1430, AMENDING PALM DESERT MUNICIPAL CODE RELATED TO ADVISORY BODY OFFICERS

Q1: Have other Committees/Commissions expressed the same complaint?

A1: Members of the Public Safety Committee commented on the implementation of the rotation system, noting that it was decided without prior communication. They mentioned that some members have been on the committee for several years, and they would like newer members to have the opportunity to serve as Chair/VC earlier in their terms.

Q2: Given how many Committees/Commissions meet infrequently, do we know if every single member of every advisory board has received the policy??

A2: On July 7, 2025, the policy memo was emailed directly to all appointed body members. In addition, the policy memo was included in meeting packets with approximately 1 week to review.

Q3: When is the next meeting for each of the other advisory bodies?

A3: The advisory bodies that still need to appoint a chairperson and vice chairperson are the Library Advisory Committee, which meets on September 22, and the Civic Engagement Committee, which meets on October 16.

ITEM 13k: ACCEPTANCE OF A RESIGNATION FROM THE FINANCE COMMITTEE

Q1: How long has Mr. Leo served on committees and commissions?

A1: Our records show that Mr. Leo has served for 10 years and 3 months.

ITEM 13m: AMENDMENT NO. 5 TO CONTRACT NO. C28880 WITH BEST BEST & KRIEGER LLP FOR CITY ATTORNEY SERVICES, EXTENDING THE TERM TO DECEMBER 31, 2025

Q1: Why was this delayed for such a long time? Can we extend it past 12/1/25 at this time?

A1: In August 2024, the City Council conducted a performance evaluation for the recently appointed City Attorney, Isra Shah. Following that review, the City Council approved Amendment No. 4 on September 12, 2024, extending the contract through August 31, 2025. At this time, staff is recommending a short extension of four months, through December 31, 2025, to align the agreement with the City Council's practice of conducting annual performance evaluations and to ensure the contract does not lapse.

Yes, the City Council may choose to extend the agreement beyond December 31, 2025. However, staff has proposed a shorter extension to retain flexibility for the City Council to conduct a performance evaluation and make any desired adjustments before considering a longer term. In addition, this timeframe allows the City Attorney the opportunity to check in with the City Council regarding any requested contract changes.

ITEM 13n: RESOLUTION APPROVING THE APPLICATION FOR THE CANNABIS TAX FUND GRANT PROGRAM (CTFGP) AND ACCEPTING GRANT AWARD NUMBER 23348 IN THE AMOUNT OF \$120,800 FROM THE CALIFORNIA HIGHWAY PATROL (PROJECT CODE NO. GCT00001)

Q1: Are any of these funds applied to Flock cameras, including ongoing monitoring fees?

A1: No, these funds are not applied to Flock cameras or any related monitoring fees. The Cannabis Tax Fund Grant Program (CTFGP) award is restricted for use specifically on equipment purchases and personnel costs associated with training, patrol operations, and DUI checkpoints, in alignment with the California Highway Patrol's program requirements

ITEM 13o: RESOLUTION AMENDING AND RESTATING THE ADMINISTRATIVE PLAN FOR THE HOUSING AUTHORITY'S AFFORDABLE RESIDENTIAL COMMUNITIES AND AUTHORIZING THE EXECUTIVE DIRECTOR TO TAKE APPROPRIATE ACTIONS FOR IMPLEMENTATION

Q1: To what extent were we fully compliant under the previous plan?

A1: The Admin Plan is written in conformance with State Law, and both the Housing Authority and Property Manager are required to comply with the applicable laws. The Housing Authority and Property Manager use the Admin Plan to set rules and standards that are either more stringent than State Law or that are not addressed under State Law.

Q2: How many applications are currently on the wait list? When adding up the household sizes, how many people are currently on the wait list? How frequently do people wait for more than 2 years?

A2: 16,537 applicants are on the waitlist between all PDHA sites. The waitlist does not pull household sizes. At times, people do wait for more than 2 years, depending on availability, but we do not have that frequency rate.

Q3: What are examples of situations that would exceed “reasonable expenses” identified under Exhibit D Animal Policy-Section 3.1?

A3: “Reasonableness” will be determined on a case-by-case basis, so we cannot definitively say what might arise.

Q4: How is the City prepared to assist in verification of spay/neuter status, and/or increase opportunities for spay/neuter/pet wellness events?

A4: Right now, the City’s Municipal Code does not require dogs or cats to be spayed or neutered. However, the PDHA can assist our tenants by promoting our free spay and neuter program through Animal Services. We will also share information about the City’s current and future programs, along with other pet wellness and spay/neuter events that the city sponsors or supports, so tenants have more opportunities to access these services.

Q5: Under section 5.3, can we request pet owners to list an “emergency contact” in the event of incapacitation or death of the Owner?

A5: The PDHA would follow the same notification procedures with respect to pets that it uses to notify next-of-kin when a tenant falls ill or passes away. A pet-specific protocol may be included if the Authority Board desires.

ITEM 14a: APPROVE A THREE-YEAR AGREEMENT WITH THE COUNTY OF RIVERSIDE FOR ANIMAL FIELD, SHELTER, AND LICENSING SERVICES

The following responses were provided by County staff of the Department of Animal Services:

Q1: What types of exceptions do RCDAS foresee as potentially necessary?

A1: Exceptions with priority of calls depend on the circumstances. For example, a permit investigation may move up as a priority if there are a number of public complaints or an incident out of the ordinary. A deceased animal pick-up may move to a higher priority if there are other factors, such as a major roadway presenting safety concerns.

Q2: What are the balances of Subfund 11102, and Subfund 11109, including the individual funding categories within 11109?

- a. **Care Fund:** \$686,536
- b. **Disaster Relief Fund:** \$26,860
- c. **Animal Health Fund:** \$89,591
- d. **Pet Zone Fund:** \$30,999
- e. **Subfund 11102:** \$408,641

Q3: How have these funds have been spent over the last 5 years?

A3: If the department can cover expenditures for these purposes without accessing the subfunds, it will do this first. These subfunds have not been relied on with the changes in department leadership. This has been to ensure that when they are expended, it will be to support department priority initiatives.

- a. The Care Fund: \$40,792, for equipment, operational supplies, collars and leashes, educational materials, volunteer recognition, and shelter signs.
- b. Disaster Relief Fund: \$775, for a disaster supply trailer.
- c. Animal Health Fund: \$100, Professional services.
- d. Pet Zone Fund: \$62.25, Dog food.

Q4: How much was collected in 2018-19 and 2019-20 for 11102 and 11109?

A4: For donations - Sub-Fund 11109

- FY 18-19 = \$33,621.18 was the balance as of June 30, 2019
- FY 19-20 = \$949.79 was the balance as of June 30, 2020

For State Mandated Fine - Sub-Fund 11102 = Was Fund 65465 until FY 19-20

- FY 18-19 = \$72,009.70 was the balance as of June 30, 2019 = This was fund 65465 at the time.
- FY 19-20 = \$201,094.53 was the balance as of June 30, 2020

Q5: Is RCDAS complying with the Hayden Act as instructed to do so by the courts? Status of compliance with the Asilomar Accord?

A5: The litigation being referenced is at the early pleading and litigation stage. The Court has not made a substantive decision in the case, so the County cannot comment on the pending litigation.

There is no mandate to comply with the Asilomar Accords. The Asilomar Accords came out of a gathering of animal welfare leaders in 2004, with the intent to provide common definitions in animal sheltering for terms like "healthy," "treatable," and "adoptable," creating a shared language within the animal welfare community.

Opinions on the Asilomar Accords are polarized: proponents see them as a valuable framework for standardizing shelter metrics and promoting the no-kill movement, while critics argue the Accords legitimize euthanasia, permit practices that distort shelter performance, and hinder real reform. The Accords provide standardized definitions and a live release rate (LRR) to track progress, but are criticized for creating a narrow view of shelter work and potentially masking deeper issues.

Q6: If all adopted animals must be spayed and neutered, does this mean that if a person walks in today and wants to adopt a dog on the Red List, they will not be able to take the dog home until the dog is spayed/neutered?

A6: No, an animal on the Red List may be taken home the same day on foster. Additionally, there is no spay/neuter requirement to release these animals to rescue groups.

ITEM 14b: APPROVE UPDATES TO THE OUTDOOR DINING DECK DESIGN GUIDELINES

Q1: Is there an approximate calculation of the cost per foot for sidewalks to be built by applicants?

A1: The cost per foot would be \$7.08, approved by the City Council on October 24, 2024.

Q2: Is 5 feet consistent with what other cities implemented?

A2: 5 feet is consistent with the Americans with Disabilities Act (ADA) and Chapter 11B of the California Building Code, and detailed in Section 4.5 of the Dining Deck Guidelines.

Q3: What kind of conversation did staff have with applicants that they interpreted as a verbal agreement?

A3: Before taking down their existing decks in May 2025, Staff met with the three (3) operators that submitted public comments (Sally from Sweet Basil, Sheri from PizzaVino, and Amanda and Armando from Armandos) and confirmed that their existing set up would meet the current guidelines if they re-apply in October 2025. After direction was received in July that the guidelines would change, staff reached back out to these operators to inform them of potential changes.

Q4: The opposition letters express concern over the time it takes for the city to approve their applications. Is it possible to expedite the approval if they meet the new, clarified guidelines?

A4: Yes, this is possible. Staff will continue to meet with interested applicants to ensure complete applications and timely reviews.

Q5: If all applications are approved, what percentage of parking along El Paseo from Portola to Monterey will become angled parking?

A5: Design of the temporary sidewalks would not create angled parking; the parking on either side of a temporary sidewalk would be parallel parking, as shown on Exhibit 1 of the staff report.

ITEM 15b: ADOPT A RESOLUTION UPDATING AND ESTABLISHING USER AND REGULATORY FEES

Q1: Public comments and letters in opposition have raised concerns about long processing times, staffing levels, and consultant performance, with some describing Palm Desert as less efficient than neighboring cities. At the same time, organizations such as DVBA appear less concerned, likely because their membership consists of larger entities and regulatory agencies.

Can you clarify whether these challenges are primarily the result of staffing shortages and consultant turnover, or if there are other structural or procedural factors that have historically contributed to the delays and frustrations described?

A1: We've made significant progress transitioning from a system with no formal permitting process characterized by manual workflows, silos, and undocumented practices to one with defined systems, policies, and procedures. The concerns being raised are valid, as we continue to reconcile this transformation with finding the most effective service delivery model, whether in-house, contracted, or a combination. So far, neither has proven fully optimal, but ongoing updates such as the recent fee study are helping guide these decisions.

In recent years, the City has made substantial progress toward improving internal systems, addressing staffing challenges, and strengthening our development review process. Historically, we faced significant limitations due to manual workflows, software deficiencies, and a lack of integrated systems. These gaps led to internal and external users often bypassing established procedures, creating inconsistencies and inefficiencies. To address this, several departments that previously operated in silos have been consolidated under one unified structure, fostering improved collaboration, streamlined workflows, and alignment between engineering standards and planning objectives, including design standards.

Staffing in the Planning and Engineering Divisions has significantly strengthened. The Planning Division, once limited to 3–4 staff, is now fully staffed with expertise in both current and long-range planning, supported by new systems, policies, and workflows that improve service delivery.

Engineering capacity has also expanded, with the City pursuing a hybrid model of in-house staff and contract support as the most flexible and cost-effective approach. The immediate priority is hiring a Senior or Principal Engineer to provide technical leadership, complementing the Associate Engineer who is progressing toward licensure. This position will be funded through projected fee revenues and aligns with the City's cost-recovery goals, while a future City Engineer role remains a strategic objective.

A key milestone is the October 2025 launch of Clariti permitting software, which will streamline plan tracking, transparency, and coordination.

In response to valid concerns from the development community, such as staff turnover and unclear review standards, the City Council adopted new protocols in March 2025, including standardized submittal requirements and a structured three-plan-check process. Since then, staff have implemented stronger quality control, enhanced consistency, and improved communication with applicants. Applicants are now proactively notified if a fourth plan check is anticipated, and the City's website and application materials have been updated to reflect these changes.

While challenges remain, the City is providing greater clarity, predictability, and accountability in its development review process.

Q2: If the 3-year plan will yield an estimated \$970K, can we hire a City Engineer? Would this position be sustainable if we achieve the 80%+ recovery rate?

A2: Over the past three years, we have made strong efforts to bring engineering services in-house, recognizing the critical importance of having a City Engineer and a robust internal engineering team. A fully developed in-house engineering division would ideally consist of 5–8 staff members with expertise across a range of specialties, including surveying, drainage, and traffic engineering.

However, based on benchmarking with similarly sized cities and the level of development in our community, a hybrid model combining in-house staff with contract engineering support has proven to be the most efficient and flexible approach. Contract engineering services provide us with access to a broader pool of specialized professionals, enabling us to scale resources up or down based on development activity and the volume of plan review applications.

While the long-term vision includes establishing a full-time City Engineer position, our immediate priority is to add a Senior or Principal Engineer. This role will provide the technical leadership necessary to ensure consistent, high-quality plan reviews and enforce the newly adopted standards. Additionally, to grow the skill and ability of our current Associate Engineer.

Q3: How much of the funds recovered were paid by DVBA members versus independent firms?

A3: At this time, we do not have a full list of DVBA members, so we're unable to provide a precise breakdown of how much of the projected cost recovery would come from DVBA-affiliated firms versus independent firms.

Q4: Did members of the public attend the stakeholder meetings?

A4: Members of the general public did not attend the stakeholder meetings. The stakeholder group was defined in accordance with state law as those registered with the City Clerk's Office to receive notices regarding fee updates. These stakeholders were properly notified and invited to participate in the meetings as required by law. While public input is always welcome, the outreach for these sessions followed the legally mandated process for fee-related updates. The proposed fees were publicly noticed and made available on the City's website and through the Engage Palm Desert platform in compliance with state law, with a courtesy email notification to over 2,000 active contractors, engineers, and developers. Three comment letters resulted from this additional outreach, which are attached to the staff report.

Q5: Are the delays cited in the public comments a matter of internal processes, or are they being slowed by ARC or the Planning Commission?

A5: The delays cited in the public comments appear to stem from a combination of factors. We can confirm that at least one comment specifically references delays associated with ARC review; however, the remaining concerns primarily relate to internal processes, staffing and consultant transitions, and the implementation of new review standards and procedures. Historically, both engineering and planning reviews were often handled over the counter, which allowed for more flexibility but also led to inconsistent review paths and incomplete documentation. With the transition to permit processing software, all steps must now be properly routed, reviews cleared, and fees paid before moving forward, which has improved accountability but also introduced some adjustment challenges during implementation.

Q6: Have these fees taken into consideration changes in Codes that may render the fees obsolete, or require additional increases?

A6: Yes, the proposed fees account for recent changes in applicable codes and regulations to the extent known at the time of the study. However, as codes continue to evolve, particularly at the state level, some adjustments may be necessary in future fee updates to ensure continued cost recovery and alignment with regulatory requirements.

Q7: Most of these are fee increases. How many items have seen a decreased fee?

A7: It has been more than a decade since the City last updated these fees. Consequently, almost all fees are proposed for an increase. The amount of the increase is linked to the City's current cost of service and is proposed to be phased in over a 3-year time frame.

Q8: Which items have had the greatest fee increase? Do they truly take up that much staff time to process to justify the increase?

The largest increases are associated with major development projects. These projects require review from multiple departments over an extended period of time (e.g., multi-acre, multi-lot development projects that can take months/years from project application to final construction). In defining the staff hours necessary to process permits and projects, City staff analyzed typical project/permit types. The estimates were intentionally conservative, supported by a thorough assessment of the time required to provide regulatory services.

a. Solar under 250 kW seems to double by year 3.

Solar fees are prescribed by the State of California via CA Govt Code Section 66015. The City is adjusting from current fees to State-authorized fees.

b. Minor permit and renewal for final, courtesy inspection are almost triple from \$59 to \$178

City staff estimated 1 hour of inspection time for each of these line items, averaging 3 inspections per item.

c. Why is there such a drastic difference in fees for New Construction/Additions when the presentation says the fees will reflect the scope of the project

	Y1	Y2	Y3
i. \$1-\$4K	\$170	\$174	\$178
ii. \$50-100K	\$585	\$826	\$1068
iii. \$1M+	\$4881	\$4932	\$4984

Additions are categorized with new construction as they often require more structural engineering due to seismic requirements, changing building codes, and the need to ensure the new structure integrates safely with the existing home.

Q9: Were the major bottleneck issues identified by HSIS addressed? Were they a factor in changing fees?

A9: Yes, there were several bottlenecks within departmental reviews and in coordination with other departments and external agencies when this process began over eighteen months ago. As part of a comprehensive effort to streamline permit processing, HSIS conducted an in-depth analysis of each permit type. Staff participated in collaborative working sessions to document and examine every step of the intake, review, and approval process. Each permit was individually process-mapped, and strategies were developed to reduce delays and improve efficiency. This initial phase took approximately one year to complete. A second round of review occurred during the early stages of software implementation to ensure that workflow refinements aligned with system capabilities. During this effort, it was also discovered that members of the public were unable to accurately calculate permit fees due to the complex, opaque fee structure. The software required manual entry of detailed project information before even generating a fee estimate, creating delays and limiting transparency. This was one of the first major proposals identified as causing friction in the process. The bottlenecks identified by HSIS were thoroughly reviewed and addressed, leading to significant improvements in both internal processing and public-facing clarity. These enhancements provided much-needed insight into the level of staff time and review hours required for each permit—factors that were previously difficult to quantify. This data proved essential in developing an updated fee structure that more accurately reflects the true cost of service delivery and will be fully supported with the launch of the new software system in October 2025.