

# CITY OF PALM DESERT STAFF REPORT

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MEETING DATE: January 22, 2026

PREPARED BY: Richard D. Cannone, AICP, Assistant City Manager

SUBJECT: ALLOCATION OF FUNDS AND APPROVAL OF PURCHASE AND SALE AGREEMENT FOR THE ACQUISITION OF PROPERTY FOR DAVE ERWIN PARK ACCESS

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## **RECOMMENDATION:**

1. Approve the allocation of \$23,232 from the Capital Bond Funds Account No 4514618-5000913 for the acquisition of approximately 2,122 square feet of property, as provided in Attachment 2, for right-of-way purposes to provide access to the soon-to-be-built Dave Erwin Park.
2. Approve the Purchase and Sale Agreement with the property owner at the rate of \$11.00 per square foot, based on a 2023 appraisal.
3. Authorize the City Attorney to make any necessary non-monetary changes to the agreement.
4. Authorize the City Manager to execute all necessary documents to complete the acquisition.

## **BACKGROUND/ANALYSIS:**

The City is in the process of developing Dave Erwin Park. To provide appropriate access to the park, the acquisition of a portion of an adjacent parcel (approximately 2,112 SF) is required for right-of-way purposes (see attachment 2).

Staff initiated discussions with the property owner regarding a potential purchase of the required right-of-way. The owner has offered the property at \$11.00 per square foot, based on a 2023 appraisal. At the time of the appraisal, Technology Drive had not yet been fully extended. With the roadway now completed and accepted by the City, it is possible that the current market value may be higher. This information was also provided as background to the City Council during the November 13, 2025, study session regarding the Millennium Specific Plan Development Agreement, to inform Council of right-of-way considerations associated with both the park and adjacent developments.

Palm Communities are required, as a condition of approval, to acquire a portion of the area to provide access to a property it recently purchased from the City. Because additional right-of-way is needed, staff determined it would be more efficient for the City to lead the acquisition process rather than having multiple entities independently negotiate with the property owner. Palm Communities has been notified that it will be responsible for reimbursing the City for its proportional share of the acquisition, approximately 574 square feet. This reimbursement will be addressed through a separate agreement, which will be brought forward for City Council consideration at a future meeting.

**Environmental Review**

The proposed actions are exempt from review under the California Environmental Quality Act (CEQA) (Public Resources Code section 21000 et seq.) pursuant to CEQA Guidelines sections 15060(c)(2) and 15060(c)(3), because the actions will not result in a direct or reasonably foreseeable indirect physical change in the environment and do not constitute a “project” as defined in CEQA Guidelines section 15378. The actions are limited to approving funding and executing a purchase agreement to acquire approximately 2,122 square feet of property for right-of-way purposes, and do not authorize any construction or physical site disturbance.

In addition, the actions are exempt under the commonsense exemption set forth in CEQA Guidelines section 15061(b)(3), because it can be seen with certainty that there is no possibility the actions may have a significant effect on the environment.

A Notice of Exemption shall be filed with the County Clerk and State Clearinghouse in accordance with CEQA Guidelines section 15062.

**Legal Review:**

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

**FINANCIAL IMPACT:**

Sufficient unencumbered funds in the amount of \$23,232 are available in the Capital Bond Funds Account No. 4514618-5000913.

**ATTACHMENTS:**

1. Draft Purchase and Sale Agreement
2. Parcel legal description and map

**CONFLICT OF INTEREST AWARENESS CHECKLIST:**

**Site-Specific Property Interest** – Councilmembers should check if they own or lease real property within 1,000 feet of the project site (Gov. Code § 87103(b); FPPC Reg. 18702.2).

**SB 1439 Applicability (Campaign Contributions)** – Applies to licenses, permits, or other entitlements for use, and to contracts or franchise agreements other than competitively bid, labor, or personal employment contracts.

**Applicant(s)/Appellant(s):** Not Applicable

Councilmembers should review any campaign contributions received within the last 12 months from parties or participants to the proceeding and must not accept contributions over \$500 from those parties for 12 months following the final decision (Gov. Code § 84308).

*Note: These indicators are informational and do not constitute a legal determination. Each Councilmember is responsible for identifying and disclosing any disqualifying interests in accordance with the Political Reform Act and FPPC regulations.*