



**CITY OF PALM DESERT**  
**CITY MANAGER'S OFFICE**  
**INTEROFFICE MEMORANDUM**

Date: November 17, 2022  
To: Honorable Mayor and Councilmembers  
From: Anthony J. Mejia, City Clerk  
Subject: **City Council Meeting of November 17, 2022**

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

**ITEM 1M: APPROVE THE EXPANSION OF THE UNITE PALM DESERT SECURITY CAMERA SYSTEM GRANT PROGRAM TO ALLOW BUSINESSES AND COMMERCIAL PROPERTY OWNERS TO BE REIMBURSED FOR SECURITY CAMERA SYSTEMS PURCHASED AND INSTALLED WITHOUT PRIOR APPROVAL FROM THE CITY**

**Q1: Has there been targeted outreach to businesses that have experienced theft and/or vandalism in the past?**

A1: Outreach to businesses has been on a general basis letting all businesses know about the program. Targeted marketing of the program is something that we can do. Staff will work with the Sheriff's department to determine which businesses would best benefit from a camera system and go out and meet with those businesses to let them know about the program.

**Q2: Can some of the funds be allocated to generate signs indicating cameras are in use as an additional deterrent? These could also be utilized to assist law enforcement to identify those participating in street races and side shows.**

A2: The funds approved by the City Council for this program are designated for the purchase and installation of the security cameras only. With that, there is enough money in the fund to expand the program to include signage. If directed by the City Council to expand the use of the funds to include signage, staff will work with the Sheriff's department to determine the best signage to use.

**ITEM 2C: AWARD A FIVE-YEAR CONTRACT TO THE CHRISTMAS KINGS FOR SEASONAL LIGHTING AND DECOR IN AN AMOUNT NOT TO EXCEED \$370,000 (PROJECT NO. 775-24)**

**Q1: Is there a date for the Christmas tree lighting?**

A1: The Shops on El Paseo will have the "Annual Holiday Tree Lighting" on November 18th (4 p.m. to 6 p.m.). The City's tree lighting partnership with the Gardens ended in 2019.

**Q2: Given that this is a multi-year contract, has Lupine Plaza been factored in, if so, will it be within “allowable extra work and services not to exceed \$100K”?**

A2: Although Lupine Plaza was not originally factored in, staff anticipated additional lights being added in the future. Item No. 4 will authorize the City Manager to approve Change Orders for additional lights, such as at Lupine Plaza, not specifically outlined in the original scope of work.

**Q3: Page 2A-47, identifies a timeline for removal of El Paseo Seasonal Lighting installation in May 2024. What is anticipated in the months prior that would require work in May?**

A3: Previous internal discussions selected the removal of the seasonal lights to occur in May. This was to provide ambiance light during the shopping season.

**ITEM 2F: APPROVE A SECOND AMENDMENT TO THE DISPOSITION AND DEVELOPMENT AGREEMENT BETWEEN THE CITY OF PALM DESERT AND DESERT WAVE VENTURES, LLC, AND TAKING CERTAIN OTHER NECESSARY RELATED ACTIONS**

**Q1: What was the original number of rooms originally proposed versus the number listed on page 2F-61?**

A1: The previously approved plans included 92 hotel rooms. The current proposal increases the room count to 132-rooms.

**Q2: What was the methodology for evaporation rates?**

A2: Staff is providing the memorandum (see Attached) prepared by the applicant's environmental consultant for the original surf lagoon approval. The previous study calculated evaporation using two methods:

- 25+ year weather data for average monthly temperatures, humidity, wind, cloud cover and solar radiation rates.
- Published monthly pan evaporation rates for the area.

**Q3: Referring to page 2F-105, what is the anticipated timeline in months that correlates to Progress Payments?**

A3: Because the progress payments are performance-based, staff is unable to estimate a timeline in months for payment of the corresponding improvements. The developer is only eligible for payments once the milestones outlined in the agreement are achieved.

**ITEM 3A: CONSIDERATION TO ADOPT A MITIGATED NEGATIVE DECLARATION PURSUANT TO THE CALIFORNIA ENVIRONMENTAL QUALITY ACT, AND APPROVAL OF THE REFUGE SPECIFIC PLAN AND TENTATIVE TRACT MAP 38434 TO ESTABLISH UP TO 969 RESIDENTIAL DWELLING UNITS, AND RELATED IMPROVEMENTS ON A 106.4-ACRE PARCEL LOCATED AT THE SOUTHWEST CORNER OF GERALD FORD DRIVE AND THE EXTENSION OF REMBRANDT PARKWAY**

**Q1: All the references to common recreational facilities are permissive, such as top of page 3A-81: "Common recreational facilities such as pools, spas, clubhouses, management offices, barbecues and other facilities appropriate to the development may be included." Does anything in all of this provide assurances that such amenities WILL be built? Because planning area 4, the major common area, is the last phase (phase 8), what recourse does anyone have if common area amenities are not built?**

A1: Condition of approval 10.B of the Tentative Tract Map Resolution (see page 3A-101) requires the central amenity area be developed prior to the occupancy of the 200th unit within Planning Area 3: *"The central amenity area shown on Lot Q shall be completed prior to the occupancy of the 200th unit within Planning Area 3."*

Future development of the tract must abide this condition of approval. Staff has concluded that the language on Page 81 of the packet is intended to list the potential amenities and that the "may" can be modified to a "shall" or "must". The final design and architecture for the amenities will be reviewed during the future submittal of a precise plan.

**Q2: One of the listed goals for Town Center Neighborhood is "mixed use." There is a vision that residents will have small establishments such as cafes within walking distance. We do not achieve that in this specific plan. Is anything in the works for other land in the vicinity which will achieve this goal?**

A2: Within the immediate vicinity of the Refuge Specific Plan project there are vacant properties which could accommodate small scale, neighborhood serving commercial uses. Additionally, within the 170 acres within University Neighborhood Specific Plan (UNSP) envision mixed uses within walkable distance to residential.

**ITEM 3B: ADOPT A RESOLUTION FOR A HISTORIC LANDMARK DESIGNATION FOR THE CHARLES E. DU BOIS HOUSE LOCATED AT 72806 BURSER A WAY (APN 628-102-012) CASE NO. CRPC 22-03**

**Q1: Referring to page 3B-70, Statement of Significance section A, reads: "The development of Purple Hills Estates was the first of the Tract Homes in Palm Desert complete with its controversy." What was the nature of the referenced controversy?**

A1: Below is an excerpt describing the nature of the controversy (see page 3B-48):

*"The Purple Hills Estates homes were not built as a contiguous tract development but were scattered singly or in small groups among existing custom homes and vacant lots in South Palm Desert. They can be seen primarily on Tamarisk, Goldflower, Salt Cedar and Shadow Mountain, with a few on Joshua Tree and Bursera. At present there have been 43 homes identified; these same designs can be seen in Indian Wells and Palm Springs.*

*The Architectural Committee for the Palm Desert Improvement Association, the predecessor to the Palm Desert Property Owners Association, strongly discouraged tract housing anywhere in Palm Desert, and especially homes built south of El Paseo where large lots and architect designed homes were the norm. In the early 1960s the Palm Desert Sales Company wanted approval from the PDIA to sell 30 lots in the vicinity of Tamarisk Street. The Architectural Committee refused to approve the sale, believing that it was a tract development, but the company manager sold the lots anyway. In response the Architectural Committee resigned en masse."*



MEMORANDUM

November 11, 2021

TO: Eric Ceja  
FROM: Kelly Clark  
SUBJECT: DSRT SURF Water Demand Analysis

A Water Supply Assessment (WSA) was prepared for the DSRT SURF project (Project) in 2019 that analyzed Project-specific water demands and potential impacts to the local and regional water supply. At that time, the Project included a 5.5-acre surf lagoon and associated amenities, up to 350 hotel rooms, up to 88 residential villas, and landscaping. The WSA determined that the 2019 Project would result in a gross water demand of 165.21 acre-feet per year (AFY) and a net water demand of 58.46 AFY after accounting for the turf reduction program which resulted in a savings of 106.75 AFY. For comparison, the net 2019 Project water demand of 58.46 AFY is less than the gross water demand for the 350 hotel rooms and 88 villas combined (60.99 AFY) (see below). The 2019 water demand breakdown is as follows:

- **Surf Lagoon; 73.04 AFY:** Cloward H2O (2019) provided an annual water demand based on the following:
  - Volume: 6,900,000 gallons. Assumed a complete filling annually; Area: 236,720 SF (approx. 5.5 acres)
  - Water Loss: An average of 1,121 gallons/day from backwash and 45,177 gallons/day from evaporation, for a total of 46,298 gallons/day (16,898,770 gallons/year).
    - Evaporation was calculated using two methods: 1) 25+ year weather data for average monthly temperatures, humidity, wind, cloud cover and solar radiation rates; 2) published monthly pan evaporation rates for the area.<sup>1</sup>
- **Surf Lagoon Amenities; 15.28 AFY:** Includes café, restaurant, bar, restrooms, maintenance. Standards water demand rates.
- **Hotel and Villas; 60.99 AFY:** Includes 350 hotel rooms, 88 villas, hotel spa, villa clubhouse, and maintenance and equipment buildings. Standards water demand rates.
- **Swimming Pools; 7.36 AFY:** Onsite pools/spas. Assumed one complete fill annually and total loss due to evaporation.
- **Landscaping; 8.54 AFY of Recycled Water:** 120,159 square feet of landscaped area, including 11,795 square feet of turf and 108,364 square feet of native plant materials. CVWD MAWA calculation was used.
- **Turf Reduction Program for Firecliff and Mountain View Golf Courses: - 106.75 AFY.**

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<sup>1</sup> *Water Supply Assessment and Water Supply Verification for the DSRT SURF Project*, prepared by Terra Nova Planning and Research Inc. May 2019.

The Project was amended in 2020 and resulted in a 27% reduction in commercial space, 71% reduction in restaurant/bar space, and 53% reduction in hotel and villa building square footage compared to maximum buildout assumptions analyzed in the 2019 EIR and WSA. The water demand for the 2020 project was analyzed using the assumptions shown below:

- **Surf Lagoon 73.04 AFY:** Same assumptions used in the 2019 EIR/WSA.
- **Surf Lagoon Amenities; 2.62 AFY:** Includes ancillary uses, maintenance, general retail.
- **Hotel and Villas; 22.79 AFY:** Includes 92 hotel rooms and 83 villas.
- **Pools/Landscaping; 15.9 AFY:** Same assumptions used in the 2019 EIR/WSA.
- **Turf Reduction Program; -106.75 AFY:** Same assumptions used in the 2019 EIR/WSA.

Buildout of the 2020 Project would result in a gross water demand of 114.35 AFY and a net water demand of 7.6 AFY, after accounting for the turf reduction program. For comparison, the net 2020 Project water demand of 7.6 AFY is equivalent to the annual water demands of 58 villas.

The 2020 Project's water demand is detailed in the EIR Addendum prepared for the Project and submitted for review as part of the current entitlement package.

Similar projects in the Valley, specifically the Wave at Coral Mountain in La Quinta (the Wave), used an oversimplified CVWD evaporation rate for the wave pool based on a "Plant Factor of 1.10 for a stationary body of water, and 1.20 for a moving body of water."<sup>2</sup> The analysis does not appear to account for annual loss due to backwash, spilling, or potential refilling of the wave pool. Compared to the La Quinta Wave project, DSRT SURF used conservative water demand estimates that assume the surf lagoon will require complete filling each year, accounts for water loss due to backwash and spilling, and uses historical weather data to account for monthly temperatures, humidity, wind, cloud cover, and solar radiation that affect evaporation rates.

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<sup>2</sup> *Coral Mountain Specific Plan WSA*, prepared by MSA Consulting, Inc. March 2020.