



# Staff Report

## City Council

Item No. {{section.number}}.H

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**Meeting Date:** August 14, 2024

**From:** Andrew Firestine, AICP, Director of Community and Economic Development

**Title:** Emergency Vehicle Access Agreement with the City of Palm Springs

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### **RECOMMENDATION:**

Approve and authorize the City Manager to execute the emergency access agreement with the City of Palm Springs to grant to the City of Cathedral City the right of ingress and egress for emergency vehicles and personnel over an access easement within the City of Palm Springs for the benefit of Tract Nos. 32557 and Tract No. 32558 located within the City of Cathedral City.

### **BACKGROUND:**

Tentative Tract Map (TTM) 32557 and TTM 32558 were approved by City Council on December 11, 2004. Tract No. 32557 is approximately 3.43 acres and consists of 11 single-family lots and Tract No. 32558 is approximately 15.64 acres and consists of 41 single-family lots. Primary vehicular access to the tracts is through the Escena Community in Palm Springs as there is no direct public access to any public streets in the City of Cathedral City side, although there is emergency access to Tract No. 32558 from Diamond Road in Cathedral City.

The conditions of approval for the TTMs required the project applicant to obtain reciprocal response agreements from the City of Palm Springs to the satisfaction of the City of Cathedral City police and fire departments prior to the recordation of the final map. The final maps were recorded in 2006 without resolution of this condition of approval. The project was also delayed and remains undeveloped. As the Escena 52 project was seeking approvals from the City of Cathedral City to renew the project in 2023, staff reassessed the original conditions of approval with the applicant and the City police and fire departments to determine how the emergency access condition could be resolved.

### **DISCUSSION:**

The 2004 condition of approval pertaining to a reciprocal response agreement was driven by the City of Palm Springs, whose staff at the time advanced the disconnection of the project

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from the City of Cathedral City and its annexation into the City of Palm Springs. While this did not occur, a condition was written assuming the City of Palm Springs would provide emergency services to the Escena 52 development if it were not developed as part of the Palm Springs Classic project and that there would be some agreement to compensate the City of Palm Springs for the provision of these services.

The City of Cathedral City police and fire departments are committed to serve the Escena 52 project. The Cathedral City Fire Station 3 is closer to the development than the closest fire station in the City of Palm Springs and it can be served by the City of Cathedral City police department. City staff have engaged with the City of Palm Springs staff and there is a shared desire for the Escena 52 project to be served by the City of Cathedral City. As such, the original condition requiring a reciprocal response agreement is seemingly obsolete. The Escena 52 project, however, remains without direct access to public streets within the City of Cathedral City.

When the City of Palm Springs approved the adjacent tracts, rights of ingress and egress for emergency vehicles and personnel were reserved over the private streets. Collaboratively, staff worked with the City of Palm Springs staff to review those rights and to prepare an emergency vehicle access agreement granting the City of Cathedral City police and fire departments access across the private streets, thereby resolving the longstanding question of how the Escena 52 project in the City of Cathedral City would be served with police and fire services.

Staff and legal counsel from the City of Cathedral City and the City of Palm Springs have negotiated the attached emergency vehicle access agreement, which also recognizes the cooperative working relationships between the respective agencies, including their respective participation in the Association of Riverside County Chiefs of Police and Sheriff (ARCCOPS) and the existing mutual aid protocol whereby participating emergency responders provide assistance across jurisdictional boundaries.

Execution of the agreement satisfies the original condition of approval and ensures emergency services are provided to the Escena 52 development, clearing the way for the issuance of building permits.

#### **FISCAL IMPACT:**

There is no direct fiscal impact of the emergency vehicle access agreement.

#### **FIVE-YEAR STRATEGIC PLAN:**

C-8, Implement a private development entitlement and plan review system which is predictable, streamlines internal intake and review processes, and creates applicant experiences which are facilitative vs regulatory

#### **ATTACHMENTS:**

1. Emergency vehicle access agreement with exhibit (access easement)