

BERMUDA DUNES COMMUNITY COUNCIL

Created by the Board of Supervisors February 26, 1991

PUBLIC NOTICE & AGENDA

James Monroe Elementary School

42-100 Yucca Lane, Bermuda Dunes, California

DATE: Thursday, October 8, 2009 TIME: 6:00 p.m.

Visit our Website at: www.rivco4.org

In accordance with the requirements of the California Code, Section 59454.2, this Agenda is posted not less than 72 hours prior to the meeting date and time noted above.

1. Call to Order
2. Pledge of Allegiance
3. Roll Call
 - Cheryl – Present
 - April – Present
 - Ryan – Present
 - Lee – Absent
 - Jerry - Absent

4. Approval of September 10, 2009 Meeting Minutes
 - Approved with spelling correction of some names 3-0

5. Public Comments:

All persons wishing to address the Council on items not specifically on the agenda or on matters of general interest should do so at this time. As determined by the chair, speakers may be deferred until a related agenda item is taken for the Council's consideration. Please limit your remarks to 3 minutes.

Zelma Moore Of 41591 Pedro Buff (cul-de-sac 760-345-4966)– lives on alley going to ward maroon town. Lake in front of house. Water contamination possible. Code enforcement called. No resolution yet

Mo: Water in alley or yard? Alley/Street

Bob & Susan Zerr 41490 Pedro Buff: Home across and caty corner yard in disrepair, some neighbors have bad yards. They are brining in sand from desert. Concerned with blowing sand.

Brenda Answer: Took photos, in violation have been notified

Mike Livermore: 41465 Pedro Buff 200-0155

Vehicles (unregistered) in house across from him. Parks truck on street and moves every 72 hours and moves and blocks street sweeper. Neighbor refuses to talk with Mike.

CHP – cited for non registered vehicles. Person is within law.

No parking between hours in some cities. Can this be made in BD?

Carolyn Bascom 78861 Anchovie Road – disgusting gutter. Middle of street looks great, but not the gutters. Oil from one person’s yard (see above)

6. Staff Reports: Presenters must direct their report to the council. At the conclusion of the presentation, Chair may allow questions. Each speaker must first be recognized by the Chair.

A. TLMA – Monthly Report

1. Fred Waring Drive expansion update – Mojahed Salama

- Updates:
 - Jamaica Sands started on Monday. Utility conflicts have been resolved. Construction has started. Finish in 4-5 weeks.
 - Country Club striping to start in November (mid to end). Country Club (Was hinging and Yucca). L turn lane on CC West to Adams
- Fred Waring:
 - Been in contact with city and CVAG. Director in contact 1:1 with city and CVAG. Take back to City Council. Not sure if public or private. Waiting for city manager to see how this will proceed.
 - Alternative number 3 to be dropped.
- Questions:
 - Cheryl: Do we come to you for 42nd median clean up?
 - Mo: Yes. County maintains the median on 42nd. Monument is maintained by EDA. Trash, in anywhere can be taken care of by Median. Median landscaping, dg, etc. call Mo.
 - Ave 42/Country Club Jefferson (North Gate). City of Indio is working on project. Project should be paved within 2-3 weeks.

B. Sheriff’s Department – Monthly Report

- September 2009 down versus September 2008 overall (29 versus 43)
- Call Deputy Paul Herredia with any tips or concerns. Call 760-863-8990
- Thank from Cheryl to Andy and welcome to Paul

C. Code Enforcement – Monthly Report

- Brenda – more than half of cases from new overlay
- Overlay brochure includes
- What are code enforcement for empty lots? Riverside county can enforce dying, but not living weeds on unimproved lots.
- Betty Sanchez – volunteer to clean up empty lots. County would provide gloves, bag and removal.
- Tamarisk trees growing into his yard. Code enforcement will make nursery maintain.
- Disposal of hazmat? PS and PD call 340-2113 for PD.
- Cheryl: sand neighbors pulling in? Sand must be certain grade. Light tan cover (Decomposed Granite) to put over sand. Can’t just bring sand from desert.
- Cheryl – Overlay comments.
- Moving every 72 hours must move 500 yards from first place. Call CHP for cars parked in street
- Roadside rubbish call Code enforcement
- Unimproved clean up must be approved by owner. Betty takes care of contacting owner. Code enforcement 760-343-4150.

- Several people interested in helping with clean up
- Leticia – community clean up can be organized by Betty. Explore with Betty between now and next meeting.

D. Fourth District Supervisor's Office – Leticia DeLara

- Request to possibly name the community services building in Sup Wilson's honor. Name community room in his honor
- Appointment to be made by end of October
- Appointment goes through Dec 2010

7. New Business:

A. Discussion of Bermuda Dunes Overlay – Sally Ann Diggs representing residents

- Of 40791 Cienega Place 760-345-0431
- Petition of people that want to have overlay overturned.
- Want to be able to choose how to maintain yard.
- Not happy with overlay
- Want – aesthetic provision repealed.
- Main issue: Dictate yard maintenance
- Many people were surprised by overlay.
- Don't like it. Don't want it. Especially aesthetic portions.
- 25 signatures collected
- Letter writing campaign planned.
- Cheryl:
 - Overlay in place. Going forward
- Josh:
 - Background: process started in 2006. Only touched new developments, not existing
 - People of community approached county.
 - In Feb 2009 first public hearing at Planning Commission held in La Quinta
 - Most Public dialog held at Community Council meetings
 - Sub meeting held during dark months
- Ryan: How in newspaper? Big or small? Answer: two full page articles in Desert Sun local section.
- Expiration date? No expiration to the Law.
- What is process to change overlay.
 - Possible? Decisions made by Supervisors and Planning Commission.
 - Public Hearings
 - Revisit entire process
- Information mailed to addresses on record from rolls from assessors
- Ron Raul: How does overlay impact houses based on ownership status?
 - Foreclosures are put to same standards
- Is there a better way to post information about meetings and local issues? None that have been discovered yet.

B. **Project Name/Description:** Warfield & Wright Properties

Location: Fronts on Adam Street – cross street is Cliff Street

APN Numbers: 607-270-003 & 607-270-004

Planning Department Case Number: PP23701

Status within Riverside County Planning office: Planning hearing date set for 11/18/09

Zoning: Current zoning is R-1 12,000 – revised by County to L.I. designation. A zone designation change to I.P. is requested to match existing Riverside County Zone Designation at the request of Planning Director and to comply with requirements of the Airport Commission.

Will action be required for this project? Yes

Contact Information for the owner developer making the presentation: Bob Wright, (760) 408-7488, bobwrightplants@verizon.net

- Skip Lynch
 - Been used as a nursery in past
 - Current use: gardening and landscape business
 - Suggests approval condition
- Bob Wright
 - 41220 Adams
 - Purchased property from previous owners to build houses. Air Port Authority won't allow
 - Landscapers in there now? Yes
 - Concerned with making sure neighbors don't have bad views
 - Water to keep dirt down
 - No new roads
 - Not a developer
 - No plans to put anything but nursery there
 - Continuance would be a financial hardship
 - Vehicles will present
- David Mears:
 - General plan trumps zoning. General plan doesn't zone this as a suitable spot for nursery
- Unnamed Resident 1
 - Current residents don't keep area clean
- Cheryl:
 - Have you (Bob) spoken with neighbors? No. Plan on this fall. Want to be good neighbors
 - Nursery Name? None (Desert Take 5 Nursery)
 - Why change of zone needed?
 - David Mares: county cited property. In order to resolve, plot plan application filed. Est designation of LI. Based on proximity to airport.
 - Shipping Containers under code enforcement?
 - Neighbors don't want road near back yards as it currently is.
 - Need to consider roads
 - Not enough room to pull off of Adams
 - Hours of operation? 7AM – 2PM/3PM
 - Security on property? Provided by onsite house / caretaker
 - Concerned with on/off room and tamarisk trees
 - Once a nursery always a nursery?
 - A change in use requires BDCC approval
- April:
 - How much traffic? Less than previous owners. 30 – 50 vehicles
 - Who selling to? Wholesale
- Ron:

- About 60 trucks parked when he previous owner
- Unnamed Resident 2:
 - Refuse concern for back yards backing up to
- Letty to David Mears:
 - What does Planning Commission need
 - On Planning Commission Agenda for Nov 18/19 (Wednesday)
 - How does postponement effect hearing on Nov Planning Commission meeting. Would cause a continuance on applicaation
- Unnamed Resident 3:
 - What would keep owner from changing nursery to something else?
- Unnamed Resident 4:
 - 41st N LI zoned. Might make area less dirty.
- April moves to approve with conditions
- Motion passes with conditions 3-0

8. Council Members' Reports and Correspondence: Thank you letter from Super Visor Wilson's widow and son for condolence card.

**9. Agenda Items for next Council Meeting:
Fred Waring**

10. Next meeting: November 12, 2009

11. Adjourn Meeting

Cheryl Isen
Chair
760-345-7614
ironfam5@aol.com

April Young Acker
Vice Chair
760-772-4615
aprilacker@aol.com

Ryan Cheley
Secretary
760-904-9244
rcheley@gmail.com

Jerry Lugo
Councilmember
760-345-4236
lugos4@aol.com

Lee Miller
Councilmember
760-360-9316
leenfola@msn.com