

**CITY COUNCIL
CITY OF PALM SPRINGS, CALIFORNIA**



**JOINT MEETING MINUTES
WITH THE AGUA CALIENTE TRIBAL COUNCIL**

WEDNESDAY, MAY 11, 2011

Palm Springs Convention Center, 277 Avenida Caballeros, Palm Springs

CALL TO ORDER: Mayor Pougnet and Tribal Chairman Milanovich called the meeting to order at 5:07 p.m.

PLEDGE OF ALLEGIANCE: Chairman Milanovich led the Pledge.

CITY COUNCIL ROLL CALL:

PRESENT: Councilmember Foat, Councilmember Hutcheson, Councilmember Mills, Mayor Pro Tem Weigel, and Mayor Pougnet.

ABSENT: None.

ALSO PRESENT: City Manager Ready, City Attorney Holland, City Clerk Thompson.

TRIBAL COUNCIL ROLL CALL:

PRESENT: Richard M. Milanovich, Chairman, Jeff L. Grubbe, Vice Chairman, Vincent Gonzales, III, Secretary/Treasurer, Anthony Andreas III, Member, and Savana R. Saubel, Member.

ABSENT: None.

ALSO PRESENT: Tom Davis, Tribal Council Chief Planning Officer, Margaret Park, Director of Planning and Natural Resources, Alva Johnson, Director of Government Affairs, Todd Hooks, Economic Development Director, Michelle Carr, Tribal Attorney, and Laura Fregozo, Executive Assistant to the Tribal Council.

REPORT OF THE CLOSED SESSION:

The meeting was called to order at 4:00 p.m., and the City Attorney requested the City Council add three matters of litigation to the Closed Session Agenda, pursuant to G.C. Section 54956.9(a):

O'Donnell Golf Club v. City of Palm Springs et al.

Case No. INC 1101850, Riverside Superior Court, Indio Division

Pacific Hospitality Group v. Palm Springs Community Redevelopment Agency

Case No. INC 079881 Riverside Superior Court, Indio Division

Palm Springs Investment Company, L.P. v. City of Palm Springs et. al.

Case Nos. INC 070629 and INC 070631 Riverside Superior Court, Indio Division

ACTION: 1) Find the above matters came to the attention of the City after the posting of the Agenda, and there is an immediate need to hear and/or take action prior to the next meeting; and 2) Add three cases of existing litigation as described above to the Closed Session Agenda. **Motion Councilmember Foat, seconded by Councilmember Mills and unanimously carried.**

The City Council recessed into Closed Session to discuss Items on the Closed Session Agenda.

City Attorney Holland reported that the City Council: 1) Authorized the City Manager to execute a Settlement Agreement for the O'Donnell v. City of Palm Springs Litigation, upon full execution the contract will be on file in the Office of the City Clerk for public inspection, 2) Approved a confidentiality agreement with Wessman Development, which will be on file in the Office of the City Clerk upon execution; and 3) Authorized the Mayor to execute a letter to members of the State Legislature and Governor in support of SB 444 relating to Palm Springs Investment Company litigation. A6088. (O'Donnell) A6089. (Wessman).

PUBLIC COMMENT: None.

1. DISCUSSION ITEMS:

1.A. MUSEUM MARKET PLAZA UPDATE AND STATUS REPORT.

Mayor Pougnet and Councilmember Mills provided background information and update on the Museum Market Plaza Specific Plan, and the Mayor stated the City is in negotiation with Wessman Development negotiating a Development Agreement and a Project Funding Agreement.

Discussion was held regarding: the projected new street from the proposed development to the Spa Hotel, and the possibility of the Tribe, in conjunction, with possible partners to develop a new hotel next to the current Casino.

No action taken.

1.B. SPECIAL DISTRIBUTION FUND UPDATE.

City Manager Ready, Alva Johnson, Tribal Director of Government Affairs, and Geoffrey Kiehl, Director of Finance, provided background information on the status of the Special Distribution Fund.

Discussion was held regarding: the current Tribal contract negotiated with Gov. Schwarzenegger, mitigation of the cost of public safety near and around the City, TOT in-lieu payments.

No action taken.

1.C. INTERSTATE 10 INTERCHANGES UPDATE AND PROGRESS REPORT.

David Barakian, City Engineer, provided background information and an update on the Interstate 10 Interchanges construction, and stated both the Gene Autry Interchange and the Indian Drive Interchange are both under construction.

Discussion was held regarding: sand closures on Indian Drive and the lack of options to avoid such closures.

No action taken.

1.D. VISTA CHINO BRIDGE OVER WHITEWATER RIVER FUNDING AND PROGRESS REPORT.

David Barakian, City Engineer, provided background information and an update on the Vista Chino Bridge Project and stated the City has received approval to commence the start of the environmental process.

Discussion was held regarding: working with Cathedral City toward a grant application such as the joint Ramon Road Bridge Project.

No action taken.

1.E. BELARDO ROAD AND BELARDO ROAD BRIDGE PROJECT UPDATE AND PROGRESS REPORT.

David Barakian, City Engineer, and Margaret Park, Tribal Director of Planning and Natural Resources, provided background information and an update on the Belardo Road and Bridge Project and stated Cal Trans has authorized the advertising of the construction project.

Discussion was held regarding: construction timeline, and partial funding by Tribal Indian Reservation Road Funds.

No action taken.

1.F. WHITEWATER RANCH WIND ENERGY PROJECT DISCUSSION.

Tom Davis, Tribal Council Chief Planning Officer, and Todd Hooks, Economic Development Director, provided background information on the proposed Whitewater Ranch Wind Energy Project.

Discussion was held regarding: Tribe executed a lease agreement with Noble for the installation of wind turbines on six acres, and the application and approval process.

No action taken.

1.G. OVERVIEW ON TRIBAL EMERGENCY MANAGEMENT OPERATIONS.

Tom Davis, Tribal Council Chief Planning Officer, and Margaret Park, Director of Planning and Natural Resources, provided an overview on the Tribal Emergency Management Operations including the Tribal Flood Management Program and compliance with NIMS.

Discussion was held regarding: interfacing and consolidating efforts between the City and the Tribe, interoperability radio system, and the Tribal Mobile Command Vehicle.

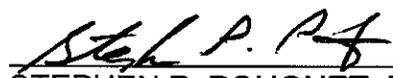
No action taken.

IDENTIFICATION OF FUTURE AGENDA/DISCUSSION ITEMS.

Schedule the next Joint Meeting of the City Council and the Tribal Council for September 2011.

ADJOURNMENT: The City Council adjourned at 6:00 p.m. to the Regular Meeting on Wednesday, May 18, 2011, at 6:00 P.M., Council Chamber, City Hall, preceded by a Closed Session in the Small Conference Room, City Hall, 3200 East Tahquitz Canyon Way, Palm Springs.

APPROVED BY A MOTION OF THE PALM SPRINGS CITY COUNCIL THIS 18TH DAY OF MAY, 2011.


STEPHEN P. POUGET, MAYOR

ATTEST:


JAMES THOMPSON, CITY CLERK