
Special Council Meeting Agenda

Thursday, September 17, 2015

8:30 AM

City Hall Executive Conference Room



The Indian Wells City Council welcomes and encourages participation at City Council meetings. The Council requests speakers present their remarks in a respectful manner, within the 3 minute time limit, and focus on issues which directly affect the City or which are within the subject jurisdiction of the City. Please fill out a blue Speaker Request form and give it to the City Clerk, preferably before the start of the meeting.

Any public record, relating to an open session agenda item, that is distributed within 72 hours of the meeting is available for public inspection at City Hall reception, 44-950 Eldorado Drive, Indian Wells during normal business hours.

1. CONVENE THE CITY COUNCIL, PLEDGE OF ALLEGIANCE AND ROLL CALL

MAYOR TY PEABODY
MAYOR PRO TEM DANA REED
COUNCIL MEMBER RICHARD BALOCCO
COUNCIL MEMBER DOUGLAS HANSON
COUNCIL MEMBER TED MERTENS

2. APPROVAL OF THE FINAL AGENDA

3. PUBLIC COMMENTS

The Council requests speakers present their remarks in a respectful manner, within the 3 minutes time limit, and focus on issues which directly affect the City or which are within the subject jurisdiction of the City. The Mayor will call upon the members of the public to address the Council. When you're called please come forward to the podium, and state your name for the record.

The Brown Act, with certain exceptions, does not permit the Council to discuss or take action on issues not listed on the agenda. The Council may respond briefly to statements made or questions posed, request clarification, or refer the item to Staff.

A. PUBLIC COMMENTS

B. RESPONSE TO PRIOR PUBLIC COMMENTS

4. CLOSED SESSION

Once the closed session has ended, the City Attorney or presiding officer will make any announcement required by the Brown Act relative to reportable actions taken during the closed session.

- A. 1212-15 Conference with Legal Counsel Regarding Anticipated Litigation. Significant Exposure to Litigation Pursuant to Government Code Section 54956.9(d)(2). Number of Potential Cases: 3.**

- B. 1208-15** Conference with City's Real Property Negotiator Pursuant to Government Code 54956.8. Property: 0.41 Acre portion of APN 633-150-073, Generally Located North of Highway 111 and West of Miles Avenue. City's Negotiator: Wade G. McKinney, City Manager/Executive Director. Other Negotiating Parties: Gerald Fogelson, Michael Kiner. Under Negotiation: Price and Terms of Payment.
- C. 1206-15** Conference with Legal Counsel Regarding Existing Litigation, Pursuant to Government Code Section 54956.9(d)(1): City of Indian Wells v. Verizon California, Inc. (U1002C), Public Utilities Commission, Case No. (C.) 15-03-006.
- D. 1234-15** Conference with Legal Counsel Regarding Existing Litigation, Pursuant to Government Code Section 54956.9(d)(1): Melanie Haber and Joshua & Ethan Weiss v. City of Indian Wells, et al., California Superior Court, Riverside County, Case No. INC 1303916.
- E. 1210-15** Conference with Legal Counsel Regarding Existing Litigation, Pursuant to Government Code Section 54956.9(d)(1): Douglas A. Lawellin and Steven D. Rohlin vs. City of Indian Wells, et al., U.S. District Court, Central District of California, Case No. CV 13-00731 MMM (SPx) and City of Indian Wells vs. Douglas A. Lawellin, et al, Riverside County Superior Court, INC Case No. INC 1201700.
- F. 1204-15** Conference with Legal Counsel Regarding Existing Litigation, Pursuant to Government Code Section 54956.9(d)(1): Douglas Hanson v. City of Indian Wells, et al., California Superior Court, Riverside County, Case No, PSC 1405730.

5. ADJOURNMENT

To a special meeting of the City Council to be held at 10:00 a.m. on September 17, 2015 in the City Hall Council Chambers/Executive Conference Room; and thereafter to a special meeting of the City Council to be held at 1:00 p.m. on September 17, 2015 in the City Hall Council Chambers; and thereafter to a regularly scheduled meeting of the City Council to be held at 1:30 p.m. on September 17, 2015 in the City Hall Council Chambers.

In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the Chief Deputy City Clerk at (760) 346-2489. Notification 48 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to this meeting. 128 CFR 35.102.35.104 ADA Title III

Affidavit of Posting and Notice

I, Anna Grandys, certify that on September 11, 2015, I caused to be posted and served upon all members of the City Council, a notice of a City Council Special Meeting to be held on September 17, 2015 at 8:30 a.m. in the City Hall Council Chambers/Executive Conference Room.

Notices were posted at Indian Wells Civic Center, Village I [Ralph's], and Indian Wells Plaza [Indian Wells Chamber of Commerce], and were delivered to all City Council members.

A handwritten signature in blue ink, appearing to read "Anna Grandys, Chief Deputy", written over a horizontal line.

Anna Grandys
Chief Deputy City Clerk

