

MINUTES OF A SPECIAL MEETING
OF THE CITY COUNCIL OF
THE CITY OF PALM SPRINGS

Held Tuesday

October 11, 1955

8:00 o'clock p.m.

The City Council of the City of Palm Springs held a Special Meeting in the Council Chambers, 3240 McCallum Way, in said city on Tuesday, October 11, 1955, 8:00 o'clock p.m., pursuant to call by Mayor Boyd naming time and place of meeting and stating the

Purpose of meeting: To consider and possibly take action relative to proposed 25-year leases of Indian Lands and zoning provisions applicable to said Indian Lands.

The Mayor called the meeting to order and the City Clerk presented consents to meeting, signed by all members of Council.

ROLL CALL: PRESENT: Councilmen McKinney, Sanborn, Hardy, Nathanson and Mayor Boyd

ABSENT: Councilmen Strebe and Miller

ALSO PRESENT: City Manager Peterson, City Attorney Bunker, Director of Finance Langford, Director of Public Works Hamerschlag and City Clerk McCarn

Mayor Boyd, referring to recently enacted Public Law 255 which authorizes leasing of Indian Lands "for a term of not to exceed twenty-five years," outlined the basic issues involved in such law and the possible effect thereof upon our local economy - due to existing procedure for evaluation and assessment of property for taxation purposes; reviewed City's activities over past several years in appearances by representatives before the Department of the Interior and participation in Congressional hearings upon this subject of Indian Lands and leases; and called upon

City Manager, who read a letter from Fred G. Aandahl, Assistant Secretary of the Interior (received Monday - October 10, after this meeting had been called and consented to), advising that:

Bill was approved on August 9, 1955, and is effective from date of approval; Act is permissive, but contains requirement that all leases shall be made in accordance with prescribed regulations. General regulations designed to carry out provisions of Act are presently being drafted, and it is anticipated that these regulations will be approved and published within next few weeks in the Federal Register; and

went on to say:

In terms of Palm Springs, the Department is working on an over-all program. An advisory committee has been appointed to study the Palm Springs situation in hope of arriving at a sound and satisfactory solution.

Authority for long-term leases unquestionably becomes an important factor in any plan that may be proposed. However, we would not want to implement the long-term leasing act at Palm Springs until recommendations of committee have been submitted to Department for consideration and a program has been worked out.

City Manager further reported receipt of advice from the County Assessor's Office as to procedure for assessing improvements on Indian Lands: valuations are

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determined on improvements of leased land by same method as for valuation on fee title lands throughout the County; County never has assessed land taxes on short term 5-year leases but does so on long term leases where there is determined to be a possessor's interest by the lessee.

Mayor Boyd referred to statistics which show that Indian Lands now yield about 2-4/10 per cent. of total taxes collected in Palm Springs on 47 per cent. of land within city.

Roy W. Colegate, Esq., when called upon, reviewed circumstances of appearance by City's representatives before Congressional Committee and Department of the Interior in matter of Indian Lands: City's representatives always made it clear that, if, as and when long-term leases should be authorized, City favored procedure whereby lessees would pay taxes in an amount equal to that of land rental; at same time, City's representatives pointed out advisability of over-all street plan for Section 14 and a specific plan for allotment of lands inside city; referred to assurance by Government officials that these long-term leases never would be approved; Senate seemed of consensus against perpetuation in office of Department of Interior's Bureau of Indian Affairs and opposition to such leases; in consequence, news of enactment of Public Law 255 came as a considerable surprise; and law has been enacted without any of the provisions sought by City; and

Commenting upon procedure now in order, stated that it is obvious from the Aandahl letter that Department will seek recommendation of Advisory Committee before implementing Act; this particular Act, however, is written in language which seems to leave Department free in authorizing leases under the law;

Advised that it certainly behooves the City to be heard in this matter; it is doubtful whether regulations under the Act will be released before January; meantime Council may find opportunity for obtaining such Congressional action as would afford some measure of protection for the City's taxpayers - in view of existing land valuations on Section 14 as related to improvements planned and projected for School and Hospital Districts and probably for the City - under bond issues; considerable effort should be made before January through Congressman Phillips and others in Washington who are familiar with the situation here and who would keep the Department of the Interior conscious of our problem.

Mrs. Viola Olinger, Chairman of the local Indian Tribal Council, when called upon by Mayor, reviewed problems facing Indians due to Indians' inability to obtain such clear titles to their lands as would place them upon equal footing with other citizens and property owners in negotiating leases and taking concrete action for development of Master Street and Flood Control Plans; Indians would welcome any City proposal for taxes if it were not for existing title situation and would also welcome any procedure which might assist them in obtaining clear title to their lands.

Answering inquiry, Mrs. Olinger further stated that the rumor in circulation to effect that "any leases made by Indians now will be extended to the 25-year terms as soon as Department of Interior regulations are released" is false.

The Mayor thanked Mrs. Olinger for representing the Indians here and for her statements, which are most helpful to the City and indicative of the cooperation the City now has from the local Tribal Council.

Mr. George A. P. Prosser, on permission of Mayor, addressed Council, in confirmation of Mrs. Olinger's denial of rumor as to extension of leases; quoted District Bureau Indian Agent Mitchell in Tribal Council meetings as having stressed the point that 5-year leases all contain a provision that lessee, in addition to stipulated rental, will pay proportionate share of taxes when lands shall have become taxable.

There being no further appearances, Mayor declared hearing closed and, after discussion announced Council consensus: In view of Aandahl letter, no formal action is necessary at this time; however, City Manager will communicate with Congressman Phillips, Senators and Department of Interior, and with members of the Advisory

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Committee, to arrange for City's representatives to have audience with the Committee and to develop any procedure necessary for Congressional and Department of Interior appearances in the City's behalf.

City Manager, in response to inquiry, reported that City's plans for zoning, streets and flood control inside Section 14 are presently under revision for such amendments as will coincide with developments now on the land; and

Also reported that, although the Wehr plan indicates parcels of land in Section 14 with 50-foot frontages, this is to confirm policy with Council that Section 14 should be subject to same regulations as other sections of city relative to zoning provisions and that building permits should be issued on lots in R-1a district only with 100-foot frontages.

There being no further business, on motion by Nathanson, seconded by Sanborn, and unanimously carried, the meeting adjourned.

Louise McCarn
LOUISE McCARN
City Clerk