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# City Council Meeting Agenda

Thursday, February 20 2014

1:30 p.m.

City Hall Council Chambers at  
44-950 Eldorado Drive, Indian Wells



*Indian Wells City Hall*

WELCOME TO A REGULARLY SCHEDULED MEETING OF THE CITY COUNCIL. ALL PERSONS WISHING TO ADDRESS THE CITY COUNCIL SHOULD FILL OUT A BLUE PUBLIC COMMENT FORM BEFORE THE MEETING BEGINS AND GIVE IT TO THE CITY CLERK. WHEN THE MAYOR HAS RECOGNIZED YOU, PLEASE COME FORWARD TO THE PODIUM AND STATE YOUR NAME FOR THE RECORD. A 3-MINUTE TIME LIMIT IS CUSTOMARY. PLEASE NOTE THAT YOU MAY ADDRESS THE CITY COUNCIL ON AN AGENDA ITEM AT THE TIME IT IS DISCUSSED, BUT ONLY AFTER BEING RECOGNIZED BY THE MAYOR. ANY PUBLIC RECORD, RELATING TO AN OPEN SESSION AGENDA ITEM, THAT IS DISTRIBUTED WITHIN 72 HOURS PRIOR TO THE MEETING IS AVAILABLE FOR PUBLIC INSPECTION AT CITY HALL RECEPTION AREA 44-950 ELDORADO DRIVE, INDIAN WELLS DURING NORMAL BUSINESS HOURS.

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

MAYOR TED J. MERTENS  
MAYOR PRO TEM TY PEABODY  
COUNCIL MEMBER PATRICK MULLANY  
COUNCIL MEMBER DOUGLAS HANSON  
COUNCIL MEMBER MARY T. ROCHE

**2. APPROVAL OF THE FINAL AGENDA****3. APPROVAL OF THE MEETING MINUTES**

A. February 6, 2014 Regular Meeting Minutes. Page 13.

**4. PROCLAMATIONS AND PRESENTATIONS**

A. Proclamation Presentation to 2014 Senior Inspiration Recipient Stella Ohanesian.

**5. PUBLIC COMMENTS**

ALL PERSONS WISHING TO ADDRESS THE CITY COUNCIL SHOULD FILL OUT A BLUE PUBLIC COMMENT FORM IN ADVANCE AND HAND IT TO THE CITY CLERK. AT THE APPROPRIATE TIME, PLEASE COME FORWARD TO THE PODIUM AND STATE YOUR NAME FOR THE RECORD. SPEAKERS ARE LIMITED TO THREE MINUTES. PARTIES ARE ENCOURAGED TO SUBMIT THEIR COMMENTS IN WRITING WITH ANY ATTACHMENTS OR EXHIBITS THEY WISH FOR THE COUNCIL TO REVIEW, PREFERABLY 24 HOURS PRIOR TO THE MEETING. SPEAKERS CAN THEN USE THEIR THREE-MINUTES TO SUMMARIZE THE KEY POINTS OF THEIR COMMENTS. PLEASE NOTE THAT YOU MAY ADDRESS THE CITY COUNCIL ON AN AGENDA ITEM AT THE TIME IT IS DISCUSSED, BUT ONLY AFTER BEING RECOGNIZED BY THE MAYOR.

UNDER THE BROWN ACT, THE COUNCIL SHOULD NOT TAKE ACTION ON OR DISCUSS MATTERS RAISED DURING THE PUBLIC COMMENT PORTION OF THE AGENDA WHICH ARE NOT LISTED ON THE AGENDA. COUNCIL MEMBERS MAY REFER SUCH MATTERS TO STAFF FOR FACTUAL INFORMATION OR TO BE PLACED ON A SUBSEQUENT AGENDA FOR CONSIDERATION. NOTWITHSTANDING THE FOREGOING, COUNCIL MEMBERS AND STAFF MAY BRIEFLY RESPOND TO STATEMENTS MADE OR QUESTIONS POSED DURING PUBLIC COMMENT, AS LONG AS SUCH RESPONSES DO NOT CONSTITUTE ANY DELIBERATION OF THE ITEM.

- A. Public Comments
- B. Response to Prior Public Comments

## 6. CONSENT CALENDAR

ALL MATTERS LISTED ON THE CONSENT CALENDAR ARE CONSIDERED TO BE ROUTINE AND WILL BE ENACTED BY ONE VOTE. THERE WILL BE NO SEPARATE DISCUSSION OF THESE ITEMS UNLESS MEMBERS OF THE CITY COUNCIL OR AUDIENCE REQUEST THAT SPECIFIC ITEMS BE REMOVED FROM THE CONSENT CALENDAR FOR SEPARATE DISCUSSION AND ACTION. IF YOU WISH TO ADDRESS THE CITY COUNCIL, PLEASE FILL OUT A BLUE PUBLIC COMMENT FORM IN ADVANCE AND HAND IT TO THE CITY CLERK. PLEASE STATE YOUR NAME FOR THE PUBLIC RECORD. A THREE MINUTE LIMIT IS CUSTOMARY. FINANCIAL MATTERS WILL BE INDICATED AS BUDGETED OR NON-BUDGETED BELOW.

- A. Receive and File Planning Commission's Resolution Recommending Approval of Variance Time Extension for 45-410 Cook Street. Page 21.

**RECOMMENDED ACTION:**

COUNCIL **RECEIVES** AND **FILES** RESOLUTION NO. PC 2014-01, APPROVING A TIME EXTENSION FOR VARIANCE NO. 2011-03 TO EXTEND THE FRONT YARD BLOCK WALL AND COLUMN HEIGHTS FROM APPROXIMATELY 3' TO 6' FROM FINISH GRADE AND INSTALLATION OF A FRONT ENTRY GATE AT 45-410 COOK STREET.

- B. Approve Indian Wells Tennis Garden Water Quality Management Plan, Stormwater Maintenance and Right to Entry Agreement, for Which an Addendum to the Previous PEIR for Tennis Garden Expansion Project was Approved. Page 31.

**RECOMMENDED ACTIONS:**

COUNCIL **APPROVES** THE WATER QUALITY MANAGEMENT PLAN AND STORMWATER BEST MANAGEMENT PRACTICES MAINTENANCE AND RIGHT OF ENTRY AGREEMENT BETWEEN GARDEN OF CHAMPIONS, LLC AND THE CITY OF INDIAN WELLS, IN ACCORDANCE WITH STATE STORMWATER DISCHARGE PERMIT REQUIREMENTS; AND

**AUTHORIZES** AND **DIRECTS** THE MAYOR TO EXECUTE THE AGREEMENT ON BEHALF OF THE CITY.

- C. Receive/File City Treasurer's Cash Balance and Investment Report. Page 42.

**RECOMMENDED ACTION:**

COUNCIL **RECEIVES** AND **FILES** THE OCTOBER 2013 CITY TREASURER'S CASH BALANCE AND INVESTMENT REPORT.

D. FAMD Warrant and Demands. Page 67.

**RECOMMENDED ACTION:**

COUNCIL APPROVES THE FEBRUARY 20, 2014 FAMD WARRANT AND DEMANDS.

E. City Warrant and Demands. Page 69.

**RECOMMENDED ACTION:**

COUNCIL APPROVES THE FEBRUARY 20, 2014 CITY WARRANT AND DEMANDS.

**7. GENERAL BUSINESS**

A. Approve Addendum to Management Contract with Troon Golf. Page 81.

**RECOMMENDED ACTIONS:**

COUNCIL **APPROVES** THE THIRD ADDENDUM TO THE MANAGEMENT CONTRACT WITH TROON GOLF; AND

**AUTHORIZES** AND **DIRECTS** THE CITY MANAGER TO EXECUTE THE ADDENDUM ON BEHALF OF THE CITY.

B. Consideration of Request to Extend the Utility Undergrounding Loan Program for District #2 to Homeowner Associations. Page 98.

**RECOMMENDED ACTION:**

COUNCIL **DENY** THE REQUEST TO EXTEND THE UTILITY UNDERGROUNDING LOAN PROGRAM TO HOMEOWNER ASSOCIATIONS WITHIN DISTRICT #2 AS THERE IS NO FINANCIAL MECHANISM TO SECURE THE LOAN WITH A HOMEOWNERS ASSOCIATION.

C. Approve Traffic Lane Modifications to Eastbound Highway 111 at Cook Street Intersection. Page 100.

**RECOMMENDED ACTION:**

COUNCIL **APPROVES** THE PROPOSED TRAFFIC LANE MODIFICATIONS TO EASTBOUND HIGHWAY 111 AT COOK STREET INTERSECTION BY CONVERTING THE EXISTING EASTBOUND RIGHT TURN ONLY LANE INTO A COMBINATION THROUGH AND RIGHT TURN LANE.

- D. Quarterly Update and Review of City Goals for Fiscal Year 2013-14.  
Page 104.

**RECOMMENDED ACTIONS:**

COUNCIL PROVIDES **DIRECTION** AS TO FY 2013-14 CITY GOALS, AND THE IMPLEMENTATION OR TIMING OF THE ACTION PLAN; AND

**RECEIVES** QUARTERLY UPDATE OF CITY GOALS FOR FISCAL YEAR 2013-14.

**8. CITY MANAGER’S REPORT/COMMENTS AND MATTERS FROM STAFF**

**9. COUNCIL MEMBERS’ REPORTS AND COMMENTS**

**A. Council Member Roche**

California Joint Powers Insurance Authority  
Coachella Valley Mountains Conservancy  
Cove Communities Services Commission  
Coachella Valley Animal Campus  
CVAG Conservation Commission  
CVAG Energy Committee  
Indian Wells Marketing Committee  
Jacqueline Cochran Regional Airport Commission

**B. Council Member Hanson**

Coachella Valley Economic Partnership  
CVAG Transportation Committee  
Indian Wells Finance and Legal Services Oversight Committee  
Indian Wells Golf Resort Advisory Committee  
Indian Wells Tee Committee  
Riverside County Transportation Committee  
Sunline Transit Agency

**C. Council Member Mullany**

Cove Communities Services Commission  
Indian Wells Golf Resort Advisory Committee  
Indian Wells Public Safety Committee  
Indian Wells Tee Committee

**D. Mayor Pro Tem Peabody**

CVAG Homelessness Committee  
Indian Wells Community Activities Committee  
Indian Wells Grants-in-Aid Committee  
Indian Wells Finance and Legal Services Oversight Committee  
Indian Wells Marketing Committee  
Indian Wells Personnel Committee  
Indian Wells Crossing Development Ad Hoc Committee  
Tennis Stadium Ad Hoc Committee

**E. Mayor Mertens**

CVAG Executive Committee  
CVAG Public Safety Committee  
Greater Palm Springs Convention and Visitors Bureau  
Indian Wells Personnel Committee  
Indian Wells Public Safety Committee  
Indian Wells Crossing Development Ad Hoc Committee  
Tennis Stadium Ad Hoc Committee

**10. CITY ATTORNEY REPORTS AND COMMENTS**

**11. ADJOURNMENT**

TO A REGULARLY SCHEDULED MEETING OF THE CITY COUNCIL TO BE HELD AT 1:30 P.M. ON MARCH 6, 2014 IN THE CITY HALL COUNCIL CHAMBERS.

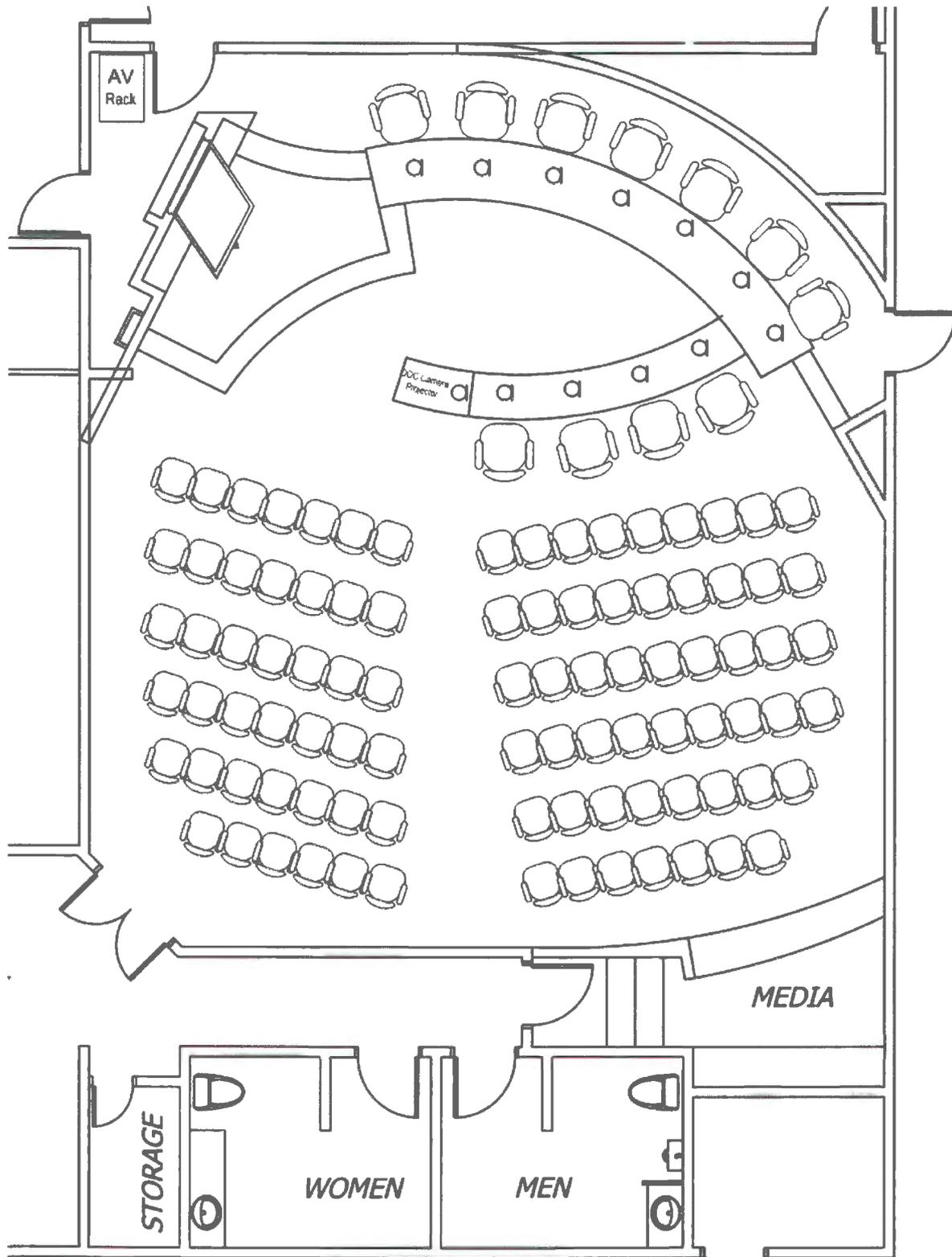
IN COMPLIANCE WITH THE AMERICANS WITH DISABILITIES ACT, IF YOU NEED SPECIAL ASSISTANCE TO PARTICIPATE IN THIS MEETING, PLEASE CONTACT THE CITY CLERK AT (760) 346-2489. NOTIFICATION 48 HOURS PRIOR TO THE MEETING WILL ENABLE THE CITY TO MAKE REASONABLE ARRANGEMENTS TO ENSURE ACCESSIBILITY TO THIS MEETING. 128 CFR 35.102.35.104 ADA TITLE III

AFFIDAVIT OF POSTING

I, Anna Grandys, certify that on February 14, 2014, I caused to be posted a notice of a City Council Meeting to be held on Thursday, February 20, 2014 at 1:30 p.m. in the City Hall Council Chambers.

Notices were posted at Indian Wells Civic Center, Village 1 [Ralph's], and Indian Wells Plaza [Indian Wells Chamber of Commerce].

  
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Anna Grandys  
Chief Deputy City Clerk



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# City Council/Successor Agency Minutes

Thursday, February 6, 2014

1:30 p.m.

City Hall Council Chambers at  
44-950 Eldorado Drive, Indian Wells



*Indian Wells City Hall*

WELCOME TO A REGULARLY SCHEDULED MEETING OF THE CITY COUNCIL. ALL PERSONS WISHING TO ADDRESS THE CITY COUNCIL SHOULD FILL OUT A BLUE PUBLIC COMMENT FORM BEFORE THE MEETING BEGINS AND GIVE IT TO THE CITY CLERK. WHEN THE MAYOR HAS RECOGNIZED YOU, PLEASE COME FORWARD TO THE PODIUM AND STATE YOUR NAME FOR THE RECORD. A 3-MINUTE TIME LIMIT IS CUSTOMARY. PLEASE NOTE THAT YOU MAY ADDRESS THE CITY COUNCIL ON AN AGENDA ITEM AT THE TIME IT IS DISCUSSED, BUT ONLY AFTER BEING RECOGNIZED BY THE MAYOR. ANY PUBLIC RECORD, RELATING TO AN OPEN SESSION AGENDA ITEM, THAT IS DISTRIBUTED WITHIN 72 HOURS PRIOR TO THE MEETING IS AVAILABLE FOR PUBLIC INSPECTION AT CITY HALL RECEPTION AREA 44-950 ELDORADO DRIVE, INDIAN WELLS DURING NORMAL BUSINESS HOURS.

**1. CONVENE THE CITY COUNCIL/SUCCESSOR AGENCY AND ROLL CALL**

[1:30:31] Mayor Mertens convened the City Council of the City of Indian Wells at 1:30 p.m. in the City Hall Council Chambers.

Mayor Mertens requested a moment of silence in remembrance of Ralph Kiner who passed away recently and spent a number of years here in the Coachella Valley.

PRESENT: 5 – Mayor Ted Mertens, Mayor Pro Tem Ty Peabody, Council Member Patrick Mullany, Council Member Douglas Hanson, and Council Member Mary T. Roche.

**2. APPROVAL OF THE FINAL AGENDA**

[1:31:51] Council Member Hanson requested that General Business Item #7A, "Discussion and Direction Regarding Revision to Mayoral Rotation Ordinance", be removed from the agenda and from discussion.

**A motion was made by Council Member Mullany, seconded by Council Member Roche, to Approve the Agenda as Amended. The motion carried by the following vote 5-0:**

AYES: 5 – Mertens, Peabody, Mullany, Hanson, Roche  
NOES: 0 – None

**3. APPROVAL OF THE MEETING MINUTES**

[1:33:00]

A. January 16, 2014 Regular Meeting Minutes. Page 9.

**A motion was made by Council Member Roche, seconded by Council Member Mullany, to Approve the Minutes as Submitted. The motion carried by the following vote 5-0:**

AYES: 5 – Mertens, Peabody, Mullany, Hanson, Roche  
NOES: 0 – None

3A

**4. PROCLAMATIONS AND PRESENTATIONS**

- A. Proclamation Recognizing Yvonne Parks, Former Desert Hot Springs Mayor.

[1:33:30] Council Member Roche presented a Proclamation to Former Desert Hot Springs Mayor Yvonne Parks in recognition of her time and energy throughout the years in her service to not only the City of Desert Hot Springs as well as Coachella Valley organizations.

**5. PUBLIC COMMENTS**

[1:38:08] Mayor Mertens apologized to the residents for the problem with the online tennis ticket request form. Mayor Mertens thanked staff for their efforts this past week in rectifying problems that occurred with the online request form for tennis tickets.

Mr. Bob Mitchell, resident, inquired as to how many residents participated in the recent email survey regarding the pavilion party. Mr. Mitchell remarked it was the best ever party however, Mr. Mitchell stated, the music chosen was not appropriate for the Indian Wells resident demographics. Mr. Mitchell also commented the music was too loud.

Ms. Pat Fredericks, resident, stated Don Hanrahan is no longer president of the Rancho Palمراس Homeowners Association, thanked Mr. Hanrahan for his many years of service, and introduced herself as the new president.

**6. CONSENT CALENDAR**

[1:48:51]

- A. Approve Loan Agreement, Modified Owner Participation Agreement, and Authorize City Manager to Execute Agreement in Relation to Village Undergrounding District #2. Page 20.

IT WAS DETERMINED TO **APPROVE** THE LOAN AGREEMENT AS TO FORM FOR VILLAGE UNDERGROUNDING DISTRICT #2; AND

TO **APPROVE** THE MODIFIED OWNER PARTICIPATION AGREEMENT AS TO FROM; AND

TO **AUTHORIZE** AND **DIRECT** THE CITY MANAGER TO EXECUTE THE AGREEMENTS WITH PARTICIPATING RESIDENTS.

**THIS MATTER WAS APPROVED ON THE CONSENT AGENDA.**

- B. Receive/File City Treasurer's Cash Balance and Investment Report. Page 76.

IT WAS DETERMINED TO **RECEIVE** AND **FILE** THE SEPTEMBER 2013 CITY TREASURER'S CASH BALANCE AND INVESTMENT REPORT.

**THIS MATTER WAS APPROVED ON THE CONSENT AGENDA.**

- C. FAMD Warrant and Demands. Page 101.

IT WAS DETERMINED TO **APPROVE** THE FEBRUARY 6, 2014 FAMD WARRANT AND DEMANDS.

**THIS MATTER WAS APPROVED ON THE CONSENT AGENDA.**

- D. City Warrant and Demands. Page 103.

IT WAS DETERMINED TO **APPROVE** THE FEBRUARY 6, 2014 CITY WARRANT AND DEMANDS.

**THIS MATTER WAS APPROVED ON THE CONSENT AGENDA.**

**PASSED THE CONSENT AGENDA. A MOTION WAS MADE BY COUNCIL MEMBER ROCHE, SECONDED BY COUNCIL MEMBER MULLANY, INCLUDING ALL THE PRECEDING ITEMS MARKED AS HAVING BEEN APPROVED ON THE CONSENT AGENDA. THE MOTION CARRIED BY THE FOLLOWING VOTE 5-0:**

AYES: 5 – Mertens, Peabody, Mullany, Hanson, Roche

NOES: 0 – None

## **7. GENERAL BUSINESS**

- A. Discussion and Direction Regarding Revision to Mayoral Rotation Ordinance. Page 118.

[1:31:51] This item was removed from the Agenda and from Discussion.

B. Approve Agreement with Vacation Rental Compliance for Short-Term Vacation Rental Compliance Program. Page 141.

[1:49:33] Ms. Cindy Gosselin, President and CEO of Vacation Rental Compliance, explained the process of registering and monitoring Short-Term Vacation Rentals she would use if she were to provide this service for the City. Ms. Gosselin provides this service to a number of other cities in the Coachella Valley.

Mr. Andy Elchuck, resident, stated the percentage of fees is in the 20% range.

It was the **CONSENSUS** of the City Council to take no action today and refer this matter to the Strategic Planning Session for discussion and to have staff bring this item back to Council on February 20, 2014 with a proposal, an ordinance, an agreement as well as incorporating the suggested changes from today's City Council meeting and any suggestions made at the Strategic Planning Session.

AYES: 5 – Mertens, Peabody, Mullany, Hanson, Roche

NOES: 0 – None

C. 2014-15 Strategic Planning Update: Financial Condition. Page 151.

[2:23:04] It was **CONSENSUS** of the City Council to **RECEIVE** and **FILE** this update; and

to **ADD** the following discussion items to the City Council Discussion Issues List for the February workshops: Reserve Policy Review, Long-Term PERS Liabilities Plan, and Vacation Rentals.

AYES: 5 – Mertens, Peabody, Mullany, Hanson, Roche

NOES: 0 – None

**8. SUCCESSOR AGENCY**

- A. Adopt Resolution Approving Recognized Obligation Payment Schedule 14-15A for July 1 through December 31, 2014 and Finding this Action is Exempt Under CEQA. Page 188.

[2:49:18] IT WAS DETERMINED TO **FIND** THAT THIS ACTION IS EXEMPT UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT PURSUANT TO SECTION 15060(C)(3) THE ACTIVITY IS NOT A PROJECT AS DEFINED IN SECTION 15378; AND

to **ADOPT** Resolution Bill SA No. 2014-02 [Resolution SA No. 2014-02] to read as follows:

RESOLUTION SA NO. 2014-02

A RESOLUTION OF THE SUCCESSOR AGENCY TO THE DISSOLVED REDEVELOPMENT AGENCY OF THE CITY OF INDIAN WELLS, CALIFORNIA, APPROVING AND ADOPTING A DRAFT OF THE RECOGNIZED OBLIGATION PAYMENT SCHEDULE PURSUANT TO HEALTH AND SAFETY CODE SECTION 34177(I)

**A motion was made by Council Member Mullany, seconded by Council Member Roche that this matter be APPROVED. The motion carried by the following vote 5-0:**

AYES: 5 – Mertens, Peabody, Mullany, Hanson, Roche  
NOES: 0 – None

**9. CITY MANAGER’S REPORT/COMMENTS AND MATTERS FROM STAFF**

[2:50:43] None

**10. COUNCIL MEMBERS’ REPORTS AND COMMENTS**

[2:50:42] **A. Council Member Roche**

No report.

**B. Council Member Hanson**

No report.

**C. Council Member Mullany**

No report.

**D. Mayor Pro Tem Peabody**

Mayor Pro Tem Peabody stated the Mayor has requested that starting January of this year, the goals of the Indian Wells Golf Resort Strategic Plan created under the management of Troon Golf which became effective January 1, 2014 be reviewed each month under various categories such as Food & Beverage, Golf, etc. with the Finance Committee as well as then be reported each month at a Council Meeting. Mr. Peabody went over the comparisons which were on a PowerPoint presentation for the month of January 2014.

**E. Mayor Mertens**

No report.

**11. CITY ATTORNEY REPORTS AND COMMENTS**

[2:59:57] City Attorney Stephen Deitsch stated he recommended that the Council recess to Closed Session to discuss the Closed Session item.

**12. CITY COUNCIL CLOSED SESSION**

At 3:00 p.m. Mayor Mertens stated the City Council would hold a Closed Session to discuss the following items:

- A. Conference with Legal Counsel Regarding Existing Litigation, Pursuant to Government Code Section 54956.9(d)(1): City of Indian Wells, Respondent vs. Douglas A. Lawellin, et al, Appellants, California Superior Court, Fourth Appellate District, Division Two, Case No. E0600000.

At 3:10 p.m. City Attorney Stephen Deitsch stated there was no reportable action taken on this item.

**13. ADJOURNMENT**

AT 3:11 P.M. MAYOR MERTENS ADJOURNED TO A SPECIAL STRATEGIC PLANNING WORKSHOP OF THE CITY COUNCIL TO BE HELD AT 1:00 P.M. ON FEBRUARY 11, 2014 AT THE INDIAN WELLS GOLF RESORT, CELEBRITY BALLROOM.

Respectfully submitted,

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Wade G. McKinney, City Manager/City Clerk

This council meeting may be viewed on the City's website at <http://www.cityofindianwells.org> click on "City Council Meeting View Online" tab and the complete agenda packets are available on the City's website at <http://www.cityofindianwells.org/cityhall/cagaends.asp>

## ***Indian Wells City Council***

***February 20, 2014***

### ***Staff Report – Community Development***

#### **Receive and File Planning Commission's Resolution Recommending Approval of Variance Time Extension for 45-410 Cook Street**

#### **RECOMMENDATION:**

City Council **RECEIVES** and **FILES** Resolution No. PC 2014-01, approving a time extension for Variance No. 2011-03 to extend the front yard block wall and column heights from approximately 3' to 6' from finish grade and installation of a front entry gate at 45-410 Cook Street.

#### **DISCUSSION:**

##### Background:

The City Council on May 19, 2011, approved a variance request by the owners, Diane Wilk and Michael Burch, to allow the existing front yard block wall and columns to be raised to approximately 6 feet in height at the two-story home (Hutton House) located at 45-410 Cook Street (Attachment 2). In addition, approval was granted to install a vehicular entry gate along the front property line. The project was approved for a one-year time period expiring on May 19, 2012.

##### Analysis:

The owners are now requesting approval of a one-year time extension of the variance (Attachment 4). The request is a result of a delay in completing construction of the preceding phases of construction at the residence that include a master bedroom/bathroom addition, landscape/hardscape improvements, and a roof deck. The previous phases were put on hold in 2012 pending final approval of the roof deck project which occurred on December 19, 2013. The wall and wrought iron vehicle gate are proposed to be compatible with the design of the existing residence (Attachment 3).

The Planning Commission recommended approval of the subject Variance with a 3-0 vote on January 30, 2014, with two Planning Commissioners absent from the meeting. The Planning Commission's recommendation included limiting the expiration date of the Variance extension to December 31, 2014, instead of the normal one-year from the date

mayor? A would think the individual responsible for putting this person into the payroll sytem would report this to the Finance Director, who would then report it to the mayor. And the mayor then would call for a closed door meeting of the council to discuss appropriate corrective action.

Demosthenes James Booth

## ***Indian Wells City Council***

***February 20, 2014***

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The Planning Commission recommended approval of the subject Variance with a 3-0 vote on January 30, 2014, with two Planning Commissioners absent from the meeting. The Planning Commission's recommendation included limiting the expiration date of the Variance extension to December 31, 2014, instead of the normal one-year from the date

of City Council approval. In addition, the Planning Commission supported the applicant's request that the front hedge along Cook Street be allowed to grow to a maximum of six feet in height consistent with the front yard wall height allowed by the subject Variance. Staff has modified the attached resolution to reflect the changes recommended by the Planning Commission.

Correspondence:

Staff contacted Brian Jacobson with Standard Pacific Homes who is the owner of the Province development bordering the project site and Adele Ruxton with the Indian Wells Historical Preservation Foundation to inform them of the proposed time extension. They both informed staff that they were not in objection of the time extension. Ms. Ruxton also attended the Planning Commission meeting in support of the proposed Variance time extension. She stated that it made sense that the front hedge be allowed to grow to the same height as the six foot wall along Cook Street.

**ATTACHMENTS:**

1. Resolution No. PC 2014-01
2. Aerial Map
3. Fence Plan
4. Applicant Time Extension Request Letter dated January 9, 2014
5. Site Photos

**RESOLUTION NO. PC 2014-01**

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF INDIAN WELLS, CALIFORNIA, RECOMMENDING APPROVAL OF A TIME EXTENSION FOR VARIANCE NO. 2011-03 TO EXTEND THE FRONT YARD BLOCK WALL AND COLUMN HEIGHTS FROM APPROXIMATELY 3 FEET TO 6 FEET FROM FINISH GRADE AND INSTALLATION OF A FRONT ENTRY GATE AT 45-410 COOK STREET, FOR WHICH THE PROJECT HAS BEEN FOUND TO BE EXEMPT FROM THE PROVISIONS OF CEQA PURSUANT TO SECTION 15301, EXISTING FACILITIES**

**WHEREAS**, Diane Wilk (the "Applicant") filed an application with the City for a variance pursuant to Zoning Code Section 21.23.050(a) for Variance No. 2011-03 to modify one hundred forty (140') linear feet of the existing three (3')(+/-) foot high block wall and columns to approximately five feet, five inches (5')(+/-) from finished grade and install a vehicle entry gate along the front property line at 45-410 Cook Street, Indian Wells, California (the "Project"); and

**WHEREAS**, on April 28, 2011, the Planning Commission held a duly noticed public hearing on the Project in conformance with applicable Government Code and Municipal Code sections and adopted by unanimous vote Resolution No. PC 2011-13 recommending that the City Council approve the Project; and

**WHEREAS**, on May 19, 2011, the City Council approved the Project on consent calendar; and

**WHEREAS**, on January 9, 2013, the Applicant filed an application with the City for a time extension of Variance No. 2011-03; and

**WHEREAS**, notice of a public hearing of the Planning Commission of the City of Indian Wells to consider the Applicant's request was given in accordance with applicable law; and

**WHEREAS**, on January 30, 2014, a duly noticed public hearing on the request was held by the Planning Commission; and

**WHEREAS**, the Planning Commission recommended the Project include allowance for the front yard hedge along Cook Street to be a maximum of six feet in height, consistent with the front yard wall; and

**WHEREAS**, after careful consideration of the staff report, public testimony and all of the information presented at the hearing, the Planning Commission finds that none of the following findings have changed with the addition of the front yard hedge allowance to

maximum of six feet height, and since approval of the Project by the City Council on May 19, 2011:

1. The strict application of this Zoning Code deprives the property of privileges enjoyed by other property in the vicinity and under identical zoning classification because of special circumstances applicable to the property, including size, shape, topography, location, or surroundings.

FACT: The strict application of the front yard setback for the block wall sections **and hedge** deprives the homeowner of privileges enjoyed by other property owners within the City limits.

2. The granting of the Variance will not be detrimental to the public health, safety or welfare, or materially injurious to properties or improvements in the vicinity.

FACT: The height modification of the existing block wall **and hedge up to six (6') feet along the front property line** continues to allow emergency access to the surrounding residential structure and will not be detrimental to public health or safety.

3. The granting of the Variance does not constitute a grant of special privileges inconsistent with the limitations upon other properties in the vicinity and same zoning classification.

FACT: The precedent regarding encroachments into the front-yard for residential structures and or reductions to the front yard setbacks for block walls has been set with approval of other similar variance requests in the City.

4. The granting of the Variance does not authorize a use of activity which is not otherwise expressly authorized by the zone regulation governing the parcel of property.

FACT: The use of the lot shall remain residential and activities on the property including the proposed front perimeter block wall along the front property line will be regulated in a similar manner.

5. The granting of this Variance will have no significant effect on the environment and qualifies, as being Categorically Exempt from the California Environmental Quality ("CEQA") pursuant to Section 15301, Existing Facilities.

**NOW, THEREFORE,** the Planning Commission of the City of Indian Wells **RESOLVES** as follows:

**SECTION 1.** The Planning Commission **ADOPTS** Resolution No. PC 2014-01 recommending that the City Council approve a time extension for Variance No. 2011-03 concerning the proposed Project, subject to the Conditions of Approval listed in Exhibit "A" attached hereto and by this reference incorporated herein.

**SECTION 2.** The Community Development Director shall transmit this recommendation to the City Council, and the time extension for Variance No. 2011-03 shall be scheduled for a public hearing before the City Council.

**SECTION 3.** The Planning Department shall certify to the adoption of this Resolution and shall mail by first class, prepaid, United States mail, a certified copy of this Resolution to Applicant.

**PASSED, APPROVED, AND ADOPTED** by the Planning Commission of the City of Indian Wells, California at a regular meeting held on this 30<sup>th</sup> day of January 2014.

\_\_\_\_\_  
**BRENDA REED**  
**CHAIRMAN**

**CERTIFICATION FOR RESOLUTION BILL NO. PC 2014-01**

I, Warren Morelion, AICP, Community Development Director of the Planning Department of the City of Indian Wells, California, **DO HEREBY CERTIFY** that the whole number of the members of the Planning Commission is five (5); that the above and foregoing Resolution was duly and regularly passed and adopted at a regular meeting of the Planning Commission of the City of Indian Wells on the 30<sup>st</sup> day of January, 2014, by the following vote:

- AYES:** Desnoes, Pindiak, Williams
- NOES:** None
- EXCUSED:** Kleeman, Reed

**ATTEST:**

**APPROVED AS TO FORM:**

\_\_\_\_\_  
**WARREN MORELION, AICP**  
**COMMUNITY DEVELOPMENT DIRECTOR**

\_\_\_\_\_  
**STEPHEN P. DEITSCH**  
**CITY ATTORNEY**

**EXHIBIT "A"**  
**CONDITIONS OF APPROVAL FOR**  
**VARIANCE NO. 2011-03**

1. The time extension for Variance No. 2011-03 shall lapse and become null and void on **December 31, 2014**, unless the rights granted therein have been vested or the time limit extended by the City Council.
2. The Applicant shall defend, indemnify, and hold harmless the City of Indian Wells and its officers, employees, and agents from and against any claim, action, or proceeding against the City of Indian Wells, its officers, employees, or agents to attack, set aside, void, or annul any approval or condition of approval of the City of Indian Wells concerning this project, including but not limited to any approval or condition of approval by the Planning Commission. The City shall promptly notify the applicant of any claim, action, or proceeding concerning the project and the City shall cooperate fully in the defense of the matter. The City reserves the right, at its own option, to choose its own attorney to represent the City, its officers, employees, and agents in the defense of the matter.
3. The modified block wall may be approximately six (6'-0")(+/-) feet in height as measured from the most adjacent grade in order to match the adjacent subdivision walls of the Province.
4. The gate shall be designed to open inward only and shall not encroach into the right-of-way area when in operation and shall not extend beyond the front property line in the "open" position.
5. Prior to initiating construction, the Applicant shall trim **and maintain** the existing hedge-row flanking the front wall along Cook Street to a **maximum of 6-feet** in height.

**END OF CONDITIONS**

**VAR 2011-03  
(Time Extension)**

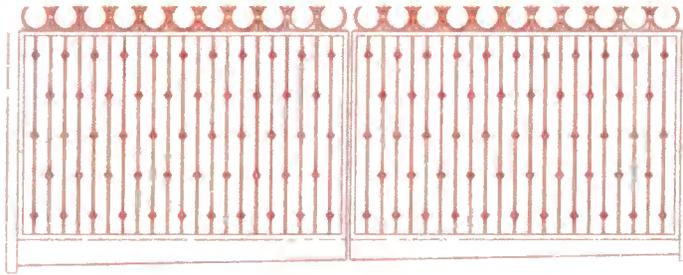


**LEGEND**

☐ 45-410 Cook Street (Subject Site)



(N) WROUGHT-IRON GATE TO MATCH DETAILS OF (E) WROUGHT-IRON PEDESTRIAN GATE EXCEPT WHERE NOTED.



3" METAL POST. GATE ATTACHED TO POST WITH CONTINUOUS METAL HINGE ADEQUATE TO SUPPORT 8' WIDE METAL GATE  
1-1/2" x 1-1/2" METAL FRAME

METAL BASE PANEL (TO HIDE SURFACE MOUNTED GATE OPENERS ON BACK-SIDE OF GATE. BOTTOM OF BASE TO FOLLOW SLOPE OF DRIVEWAY.

DETAIL OF GATE (SCALE: 1" = 1'-0")

WALL HEIGHT VARIATION DUE TO EXISTING GRADE CHANGE ALONG COOK STREET FRONTAGE - BLOCK WALL NOT TO EXCEED (6) FEET IN OVERALL HEIGHT ALONG FRONT PROPERTY LINE

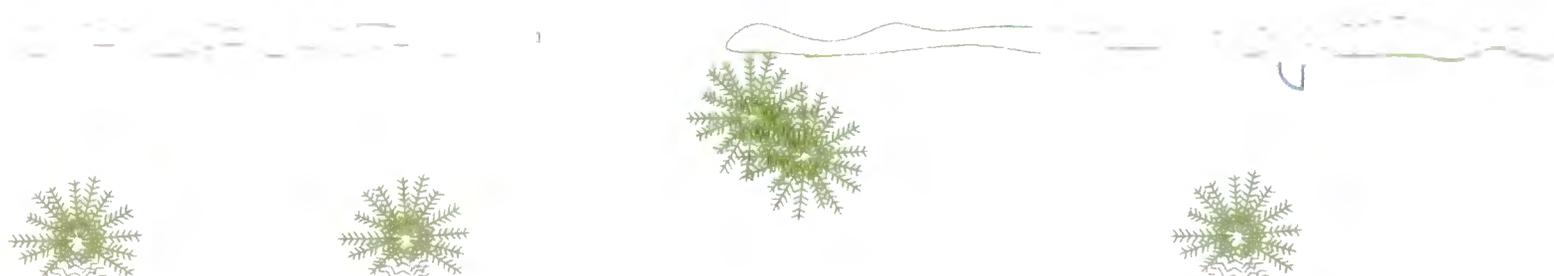
(6') high block wall section and columns

(2) Proposed vehicle entry gates (see detail)

Existing pedestrian gate and columns

(5'-6") high block wall section

FRONT ELEVATION (NEW CONSTRUCTION SHOWN IN RED)



Diane Wilk & Michael Burch  
5357 Alta Canyon Road  
La Canada Flintridge, CA 91011

January 9, 2014

Warren Morelion

City of Indian Wells  
44-950 Eldorado Drive  
Indian Wells, CA 92210-7497

Dear Warren,

We would like an extension of time on Variance #2011-03 for raising the block wall height and installation of the front gates at 45410 Cook Street Indian Wells. The project was originally approved by the Planning Commission on April 28, 2011 and City Council on May 19, 2011. As you know, because we were waiting for City approval on another matter, construction temporarily stalled on the project.

Thank you very much for your consideration in this matter. Please let us know if you need additional information from us.

Thank you,



Diane Wilk and Michael Burch

Owners, 45410 Cook Street, Indian Wells, CA 92210

(626) 482-6465

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***Indian Wells City Council***

***February 20, 2014***

***Staff Report – Public Works***

**Approve Indian Wells Tennis Garden Water Quality Management Plan, Stormwater Maintenance and Right of Entry Agreement, for Which an Addendum to the Previous PEIR for Tennis Garden Expansion Project was Approved**

**RECOMMENDATIONS:**

City Council **APPROVES** the Water Quality Management Plan and Stormwater BMP (Best Management Practices) Maintenance and Right of Entry Agreement between Garden of Champions, LLC and the City of Indian Wells in accordance with State Stormwater Discharge Permit requirements; and

**AUTHORIZES** and **DIRECTS** the Mayor to execute the Agreement on behalf of the City.

**DISCUSSION:**

*Background:*

On April 3, 2008, City Council approved the renewal of the City's State Stormwater Discharge Permit shared with Riverside County Flood Control and Water Conservation District, the County of Riverside, the Coachella Valley Water District, and all cities of the Coachella Valley. One new requirement included with the permit renewal is the submittal of a Water Quality Management Plan ("WQMP") by developers of specific development projects, including commercial developments of 100,000 square feet or more. The WQMP addresses the long-term water quality impacts as a result of the proposed project, and typically requires developers to include specific structures and devices intended to minimize or eliminate storm water pollution. To insure the property owner maintains the facilities constructed, a WQMP, Stormwater BMP (Best Management Practices) Maintenance and Right of Entry Agreement between the owner and the city is executed and recorded.

Analysis:

The expansion of the Indian Wells Tennis Garden required the preparation and submittal of a WQMP. Specific items identified in the WQMP and constructed on the site included, but are not limited to, underground stormwater storage chambers.

Conclusion:

Execution and recordation of the subject Agreement will insure that the current and any subsequent property owner(s) implement all Best Management Practices in maintaining all the facilities constructed as a requirement of the WQMP. The Agreement has been reviewed and approved to form by our City Attorney.

**ENVIRONMENTAL REVIEW:**

Pursuant to Resolution No. 2013-05 adopted by City Council on February 21, 2013, the City Council re-adopted those mitigation measures identified in Riverside County's original Programmatic Environmental Impact Report (PEIR) and the City's Supplemental Environmental Impact Report (SEIR) that are relevant to the Modified Project (Tennis Garden expansion project described herein). Council further determined that the CEQA Findings and Statements of Overriding Considerations adopted in support of the Garden of Champions Project remain valid and appropriate.

**FISCAL IMPACT:**

There is no fiscal impact to the City as a result of Council's approval of this Agreement. The current and subsequent owners of the Tennis Garden are responsible for all costs associated with maintenance of the facilities constructed in conjunction with the WQMP.

**ATTACHMENTS:**

1. Agreement Summary
2. WQMP Stormwater BMP Maintenance and Right of Entry Agreement

## AGREEMENT SUMMARY

### **WATER QUALITY MANAGEMENT PLAN AND STORMWATER BMP MAINTENANCE AND RIGHT OF ENTRY AGREEMENT**

Parties: City of Indian Wells ("City"), and Garden of Champions, LLC ("GOC")

Responsible  
Department(s): Public Works

#### Background:

As a condition to GOC's expansion project for the Tennis Garden, the City required the project to use Best Management Practices ("BMPs") to minimize pollutants and adverse impacts from urban runoff. GOC has filed with the City a certain Project Specific Water Quality Management Plan ("WQMP") and will install or implement certain BMPs to accomplish the foregoing.

#### Contract Terms:

- GOC shall solely be responsible for the implementation of BMPs on its property, and shall diligently maintain all BMPs in a manner assuring peak performance at all times in accordance with all laws and regulations in effect from time to time.
- GOC shall provide to City at City's request documentation identifying material removed pursuant to the BMPs, the quantity thereof, and the disposal destination.
- GOC shall provide to City access to determine compliance with the BMPs, and if necessary to make emergency repairs (in the City's sole discretion) or take preventative measures, all at GOC's expense.
- GOC authorizes City to cause any necessary maintenance to be performed, at GOC's expense, if GOC fails to provide necessary maintenance after notice from City to do so. GOC is liable for all resulting expenses, including reasonable administrative costs, reasonable attorney's fees and interest, all of which shall be a lien on GOC's property.

- The Agreement shall be recorded against GOC's property and shall be binding on successors and assigns.
- GOC provides indemnification to the City and its officials, employees and authorized agents regarding the BMPs, unless City engages in negligence or wilful misconduct.

WHEN RECORDED MAIL TO:

CITY CLERK  
CITY OF INDIAN WELLS  
44-950 ELDORADO DRIVE  
INDIAN WELLS, CA 92210

---

**WATER QUALITY MANAGEMENT PLAN AND STORMWATER BMP  
MAINTENANCE AND RIGHT OF ENTRY AGREEMENT**

**THIS WATER QUALITY MANAGEMENT PLAN AND STORMWATER BMP MAINTENANCE AND RIGHT OF ENTRY AGREEMENT ("Agreement")** is made and entered into in the City of Indian Wells, California, this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_ by and between Garden of Champions LLC, a California limited liability company ("Owner"), and the City of Indian Wells (the "City"), a municipal corporation. The Agreement is subject to the following recitals and terms and conditions:

**RECITALS**

**WHEREAS**, Owner owns real property ("Property") in the City of Indian Wells, County of Riverside, State of California, more specifically described in Exhibit "A" and depicted in Exhibit "B", each of which exhibits is attached hereto and incorporated herein by this reference;

**WHEREAS**, as a condition to Owner's development of the Property, the City requires the project to employ Best Management Practices, hereinafter referred to as "BMPs," to minimize pollutants and other adverse impacts in urban runoff;

**WHEREAS**, Owner has chosen to install and/or implement certain BMPs (the "Project BMPs") as described in the Project Specific Water Quality Management Plan for the Indian Wells Tennis Garden, dated January 16, 2013 ("WQMP"), that is on file with the City;

**WHEREAS**, the WQMP has been certified by Owner and reviewed and approved by the City;

**WHEREAS**, the Project BMPs, with installation and/or implementation on private property and draining only private property, are part of a private facility and all maintenance or replacement thereof are the sole responsibility of Owner in accordance with the terms of this Agreement; and

**WHEREAS**, Owner is aware that periodic and continuous maintenance, including, but not necessarily limited to, filter material replacement and sediment removal, is required to assure peak performance of all Project BMPs and that,

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furthermore, such maintenance activity will require compliance with all local, state, or federal laws and regulations, including those pertaining to confined space and waste disposal methods, in effect at the time such maintenance occurs;

**NOW, THEREFORE,** it is mutually stipulated and agreed as follows:

1. Responsibility for Operation and Maintenance of Project BMPs: Owner shall diligently maintain all Project BMPs in a manner assuring peak performance at all times. All reasonable precautions shall be exercised by Owner and Owner's representative or contractor in the removal and extraction of any material(s) from the Project BMPs and the ultimate disposal of the material(s) in a manner consistent with all relevant laws and regulations in effect at the time. As may be requested in writing from time to time by the City, Owner shall provide the City with documentation identifying the material(s) removed, the quantity, and disposal destination.
2. Right of Access: Owner hereby provides the City or City's designee complete access, of reasonable duration, to the Project BMPs and their immediate vicinity at any time, upon reasonable notice, or in the event of emergency, as determined by the City's Director of Public Works ("Director"), no advance notice, for the purpose of inspection, sampling, testing of the Project BMPs, and in case of emergency, to undertake, in the City's sole discretion, necessary repairs or other preventative measures at Owner's expense as provided in paragraph 3 below. City shall make every effort at all times to minimize or avoid interference with Owner's use of the Property and any adjoining or nearby property owned by Owner.
3. City Maintenance at Owner's Expense: In the event Owner, or its successors or assigns, fails to provide the necessary maintenance contemplated by this Agreement within five (5) days after receiving written notice from the City of such failure, the City is hereby authorized to cause any maintenance reasonably necessary to be done and charge the entire cost and expense to Owner or Owner's successors or assigns, including reasonable administrative costs, reasonable attorney's fees and interest thereon at the maximum rate authorized by the California Civil Code from the date of the notice of expense until paid in full. The City, at its sole election, may make these costs to be a lien upon the Property that may be collected at the same time and in the same manner as ordinary municipal taxes as provided in California Government Code section 38773.5. Nothing in this section or this Agreement creates an obligation by the City to maintain or repair any Project BMP, nor does this section prohibit the City from pursuing other legal recourse against Owner.
4. Recording: This Agreement shall be recorded in the Office of the Recorder of Riverside County, California, at the expense of Owner, and shall constitute notice to all successors and assigns of the title to said Property of the obligation herein set forth, and also a lien in such amount

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as will fully reimburse the City in accordance with Section 3, above, subject to foreclosure in event of default in payment.

5. Attorney's Fees: In event of legal action occasioned by any default under this Agreement by Owner, or its successors or assigns, Owner and its successors or assigns agree(s) to pay all costs reasonably incurred by the City in enforcing the terms of this Agreement, including reasonable attorney's fees and costs, and that the same shall become a part of the lien against said Property.
6. Covenant: It is the intent of the parties hereto that burdens and benefits herein undertaken shall constitute covenants that run with said Property and constitute a lien there against.
7. Binding on Successors and Assigns: The obligations herein undertaken shall be binding upon the heirs, successors, executors, administrators and assigns of the parties hereto. The term "Owner" shall include not only the present Owner, but also its successors and assigns. Owner shall notify any successor to title of all or part of the Property about the existence of this Agreement. Owner shall provide such notice prior to such successor obtaining an interest in all or part of the Property. Owner shall provide a copy of such notice to the City at the same time such notice is provided to the successor.
8. Indemnity and Insurance: Owner agrees to defend, indemnify and holds harmless the City, its officials, employees and its authorized agents from any and all damages, accidents, casualties, occurrences or claims (collectively, "Claims") which might arise or be asserted against the City and which are in any way connected with the construction, operation, presence, existence or maintenance of the Project BMPs by Owner, or from any personal injury or property damage that may result from the City or other public entities entering the Property under Sections 2 or 3 of this Agreement. Notwithstanding the foregoing, Owner shall not be required to so indemnify the City for any Claims to the extent they arise from the negligence or willful misconduct of the City or any of its employees, agents or contractors entering the Property and/or performing work on the Property under Sections 2 or 3 of this Agreement.
9. Time of the Essence: Time is of the essence in the performance of this Agreement.
10. Notice: Any notice to a party required or called for in this Agreement shall be served in person, or by deposit in the U.S. Mail, first class postage prepaid, to the address set forth below. Notice(s) shall be deemed effective upon receipt, or seventy-two (72) hours after deposit in the U.S. Mail, whichever is earlier. A party may change a notice address only by providing written notice thereof to the other party.

IF TO CITY:

Attn: Public Works Director  
City of Indian Wells  
44-950 Eldorado Drive  
Indian Wells, Ca. 92210  
Telephone: (760) 776-0237  
Fax: (760) 346-0407

IF TO OWNER:

Attn: Steve Simon  
Garden of Champions LLC  
78-200 Miles Avenue  
Indian Wells, Ca. 92210  
Telephone: (760)-200-8400

IN WITNESS THEREOF, the parties hereto have affixed their signatures as of the date first written above.

CITY: City of Indian Wells

OWNER: Garden of Champions LLC

By: \_\_\_\_\_  
Ted J. Mertens  
Mayor

By:  \_\_\_\_\_  
Name: Steven R. Simon  
Title: Chief Operating Officer

APPROVED AS TO FORM:

\_\_\_\_\_  
Stephen P. Deitsch  
City Attorney

ATTEST:

\_\_\_\_\_  
Anna Grandys  
Chief Deputy City Clerk

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CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

CIVIL CODE § 1189

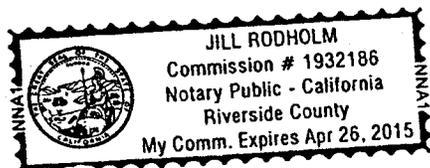
State of California

County of Riverside

On 12/18/2013 before me, Jill Rodholm, Notary Public

personally appeared Steven Simon

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.



I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature: [Handwritten Signature]

Place Notary Seal Above

OPTIONAL

Though the information below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent removal and reattachment of this form to another document.

Description of Attached Document

Title or Type of Document: Water Quality Management + Plans + Stormwater BMP

Document Date: 12/18/2013 Number of Pages: 4

Signer(s) Other Than Named Above: NONE

Capacity(ies) Claimed by Signer(s)

Signer's Name: \_\_\_\_\_ Signer's Name: \_\_\_\_\_

Corporate Officer - Title(s): \_\_\_\_\_  Corporate Officer - Title(s): \_\_\_\_\_

Individual  Partner -  Limited  General  Individual  Partner -  Limited  General

Attorney in Fact  Attorney in Fact

Trustee  Trustee

Guardian or Conservator  Guardian or Conservator

Other: City of Indio Wells  Other: \_\_\_\_\_

Signer Is Representing: \_\_\_\_\_ Signer Is Representing: \_\_\_\_\_

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**EXHIBIT "A"**  
**LEGAL DESCRIPTION**

Those certain parcels of land located in the Northeast Quarter of Section 24, Township 5 South, Range 6 East, and the Northwest Quarter of Section 19, Township 5 South, Range 7 East, San Bernardino Meridian, in the City of Indian Wells, County of Riverside, State of California, more particularly described as follows:

Parcel "A" of Lot Line Adjustment No. 7-05-03 recorded April 27, 2006 as Document No. 2006-0303159, Official Records of said County and State and Parcel 3 of Parcel Map No. 28833 filed in Book 195 of Parcel Maps, at Pages 10 through 15, inclusive, in the Office of the County Recorder of said County of Riverside.

**EXCEPTING THEREFROM** that portion lying within Lot "E" of said Parcel Map No. 28833.

**CONTAINING:** 29.23 Acres, more or less.

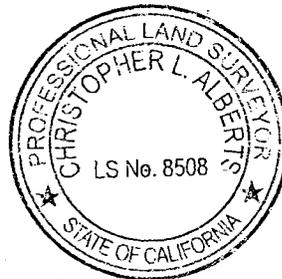
**EXHIBIT "B"** attached and by this reference made a part hereof.

**SUBJECT TO** all Covenants, Rights, Rights-of-Way and Easements of Record.

This description was prepared by  
me or under my direction.

  
\_\_\_\_\_  
Christopher L. Alberts, P.L.S. 8508

1-16-2014  
\_\_\_\_\_  
Date

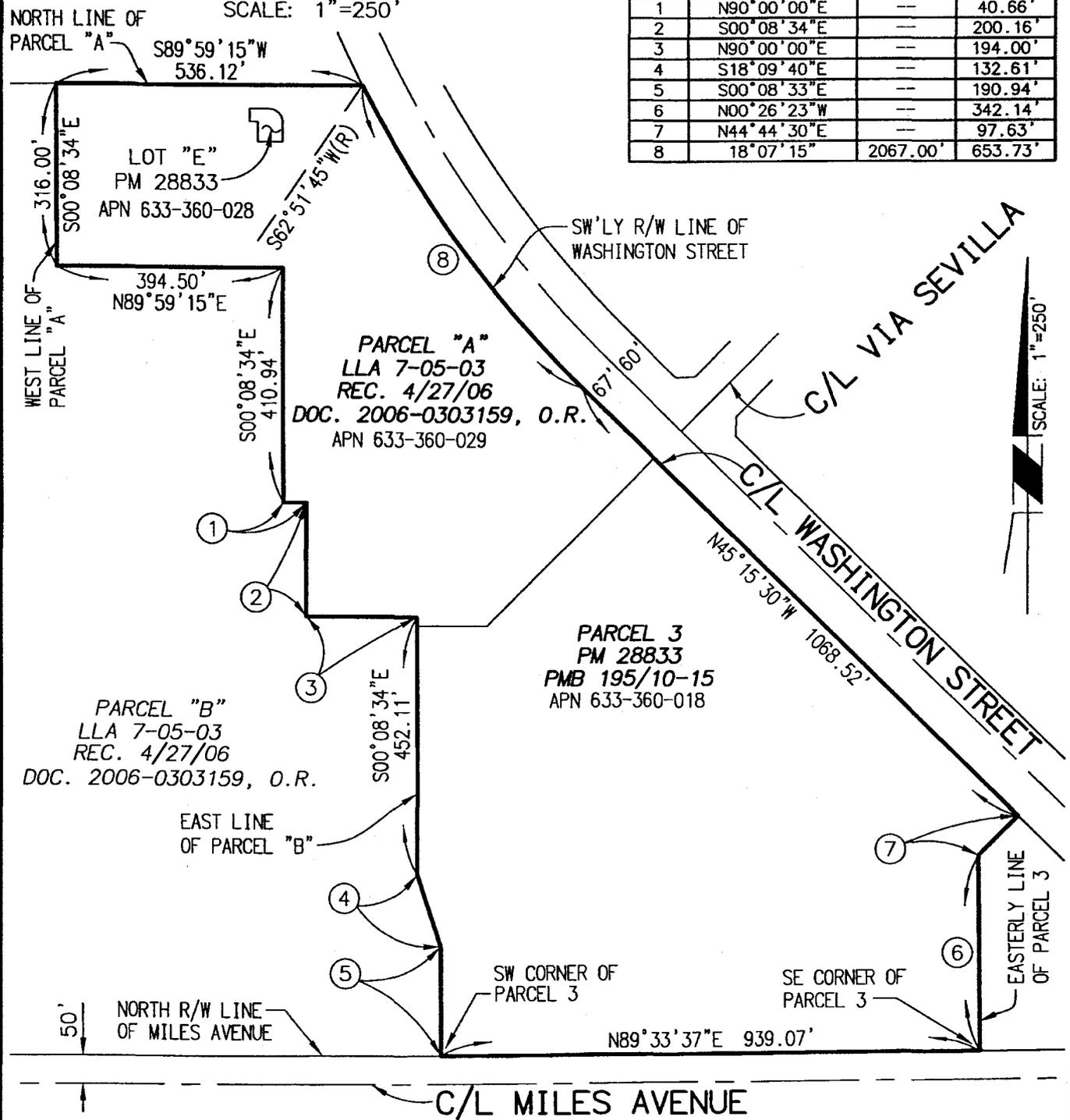


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SCALE: 1"=250'

| CURVE DATA TABLE |               |          |         |
|------------------|---------------|----------|---------|
| NO               | BEARING/Delta | RADIUS   | LENGTH  |
| 1                | N90°00'00"E   | ---      | 40.66'  |
| 2                | S00°08'34"E   | ---      | 200.16' |
| 3                | N90°00'00"E   | ---      | 194.00' |
| 4                | S18°09'40"E   | ---      | 132.61' |
| 5                | S00°08'33"E   | ---      | 190.94' |
| 6                | N00°26'23"W   | ---      | 342.14' |
| 7                | N44°44'30"E   | ---      | 97.63'  |
| 8                | 18°07'15"     | 2067.00' | 653.73' |



LOCATED IN THE NE 1/4 OF SEC. 24, T5S, R6E & THE NW 1/4 OF SEC. 19, T5S, R7E, SBM.

AREA WITHIN DISTINCTIVE BORDER = 29.23 ACRES

**EXHIBIT "B"**  
PLAT TO ACCOMPANY A LEGAL DESCRIPTION

**RBF**  
CONSULTING

SHEET 1 OF 1 SHEETS  
PLANNING ■ DESIGN ■ CONSTRUCTION

74-130 COUNTRY CLUB DRIVE  
PALM DESERT, CALIFORNIA 92260-1655  
760.346.7481 • FAX 760.346.8315 • www.RBF.com  
J.N. 20-101571.006

DATE: DECEMBER 10, 2013

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***Indian Wells City Council***  
***Staff Report – Finance Department***

***February 20, 2014***

**Receive and File the City Treasurer's Cash Balance and Investment Report for October 2013**

**RECOMMENDATION:**

City Council Receive and File the City Treasurer's Cash Balance and Investment Report for the month of October 2013.

**DISCUSSION:**

Background:

The Treasurer's report presents the City's cash activity and investment portfolio on a monthly basis. The report provides reconciliation between investment balances and City ledger balances. The report provides information on the investment type, dates of maturities, costs, current market value of securities, and rates of interest.

The City's investment policy is designed to maximize the productive use of assets entrusted to its care and to invest and manage those funds wisely and prudently. Criteria for selecting investments and the order of priority are: (1) safety, (2) liquidity and (3) yield. It is the policy of the City of Indian Wells to invest public funds in a manner which will provide the maximum security of the City's capital while meeting the daily cash flow demands of the City and conforming to all state and local statutes governing the investment of public funds; and beyond that, to maximize return within an acceptable and defined level of risk.

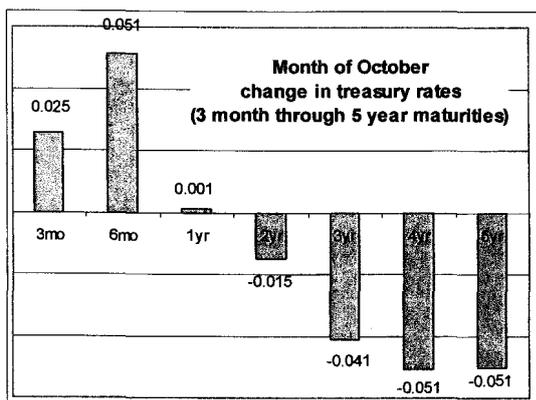
As a City Government, the City of Indian Wells is required to maintain a written investment policy in compliance with legal requirements of Government Code section 53600. Under the Government Code, the City is prohibited from investing in the equity markets like stocks, mutual funds, inverse floaters, or interest only strips; to name just a few. Consequently, the City's portfolio is not subject to the same volatility we have seen in the financial markets. While no portfolio is free from risk the primary objective of the City's portfolio is safety. Risk in the City's portfolio is carefully managed through our established policy. Investments of the City of Indian Wells are undertaken in a manner that seeks to ensure the preservation of capital in the overall portfolio. The City invests in: U.S. Treasuries, Federal Agency Securities, FDIC insured bank certificates of deposit, bonds, and overnight cash investments.

**FISCAL IMPACT:**

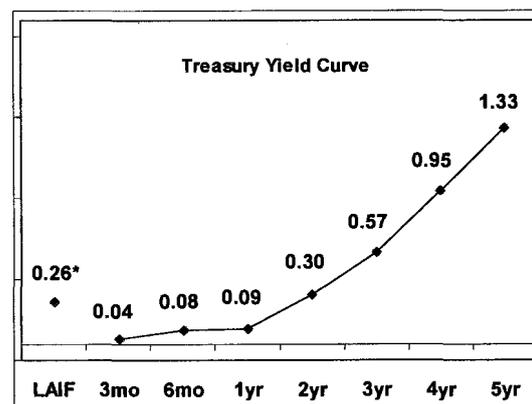
As of October 31, 2013, the City's cash and investments totaled \$37,567,389, of which 98% was invested in Federal Agency Issues, Treasury Securities, Medium Term Notes, Bank Certificates of Deposit (CDs), Municipal Securities and the Local Agency Investment Fund (LAIF). The City's portfolio earned a 1.4% rate of return and remains in compliance with all State laws and the City's Investment Policy.

Consistent with most municipal agencies and many private sector companies, the revenues received and the expenditures reflected within the month are not necessarily related to the current month. The increase or decrease to cash on a monthly basis is not a reflection of the health of the City as a whole. Cash flow citywide will vary month to month as taxes, assessments, and seasonal tourism revenue is received.

The investments reflected in this investment report are booked "Marked-to-Market", meaning the market value of City's investments is updated on a monthly basis. This method provides a clear depiction of the value of the City's portfolio on a monthly basis subject to the performance of the investment market. The City of Indian Wells maintains a buy and hold investment philosophy. While Mark to Market reporting is important to establish current market value it doesn't truly affect the City in that investments acquired by the City are held to maturity. Due to routine fluctuations in the marketplace, the City may have some investments with a current market value that is greater or less than recorded value. This difference has no effect on investment yield as the City intends to hold securities to maturity. Generally accepted accounting principles (GAAP) require that market gains and losses be reported as interest earnings or losses at year-end.



\*Estimated LAIF apportionment rate.

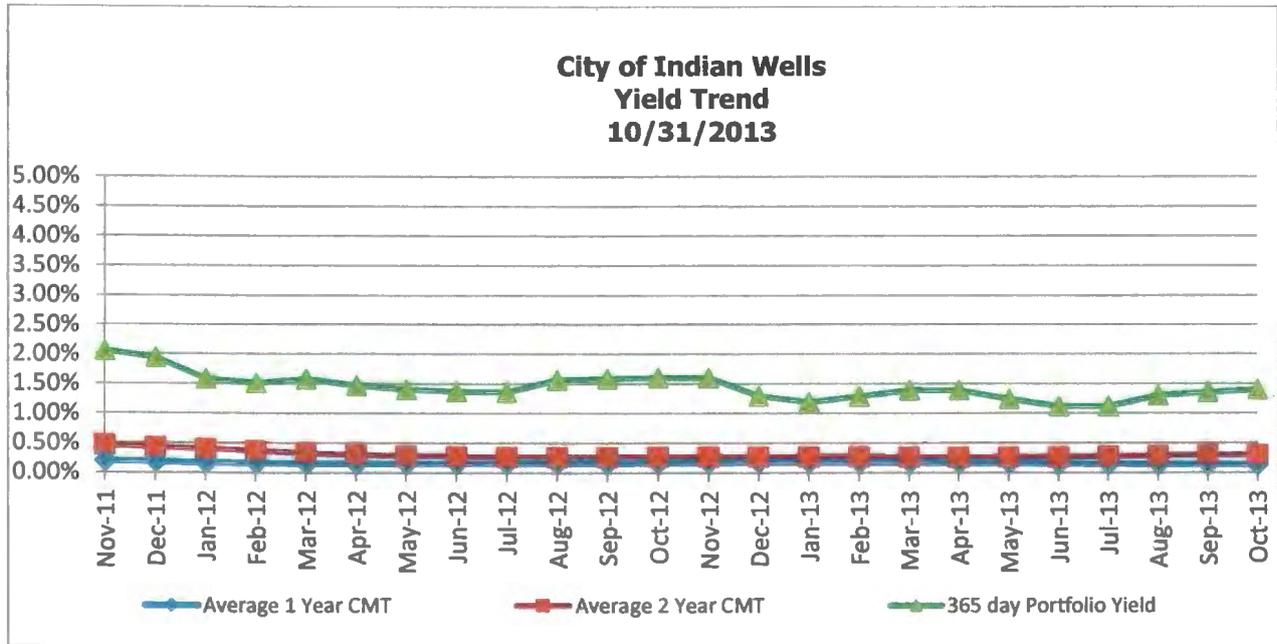


Source: Bloomberg; rates as of market close 10/31/13.

Benchmarking Performance of the Portfolio

It's impossible to manage what you can't measure. Benchmarking is the process that appropriately compares and measures investment performance. Benchmarking the portfolio allows the City to track performance, manage investment and re-investment risk, and monitor duration relative to current markets. The City has chosen to benchmark the portfolio off the one and two year US Constant Maturity Treasury (CMT). These preferred benchmarks are consistent with the city's investment policy; authorizing investments, maturity structure, diversification, percentage limitations, and objectives of the portfolio.

Performance of the Portfolio



**ATTACHMENT(S):**

City Treasurer's Cash Balance and Investment Report for the month of October 2013

**The City of Indian Wells**  
**Summary by Type**  
**October 31, 2013**

City of Indian Wells  
44-950 Eldorado Drive  
Indian Wells CA 92210  
(760)346-2489

| Security Type                       | Number of Investments | Par Value            | Remaining Cost       | % of Portfolio | Average YTM 365 | Average Days to Maturity |
|-------------------------------------|-----------------------|----------------------|----------------------|----------------|-----------------|--------------------------|
| Bank Certificates of Deposit        | 12                    | 3,000,000.00         | 3,000,000.00         | 7.98           | 1.233           | 1,122                    |
| Certificates of Deposit - S & L     | 1                     | 250,000.00           | 250,000.00           | 0.66           | 1.267           | 100                      |
| Managed Pool Accounts - LAIF        | 2                     | 3,660,166.20         | 3,660,166.20         | 9.74           | 0.266           | 1                        |
| Money Market Sweep/Checking Account | 5                     | 611,926.84           | 611,926.84           | 1.63           | 0.249           | 1                        |
| Medium Term Corporate Notes         | 8                     | 8,000,000.00         | 8,052,940.00         | 21.42          | 2.618           | 952                      |
| Federal Agency Issues - Callables   | 15                    | 22,000,000.00        | 22,022,558.00        | 58.57          | 1.188           | 1,644                    |
| <b>Total and Average</b>            | <b>43</b>             | <b>37,522,093.04</b> | <b>37,597,591.04</b> | <b>100.00</b>  | <b>1.393</b>    | <b>1,258</b>             |

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## NET CASH & INVESTMENT SUMMARY OCTOBER, 2013

|  | <u>October</u><br><u>2013</u> | <u>October</u><br><u>2012</u> |
|--|-------------------------------|-------------------------------|
| <b>GENERAL FUND</b>                    |                               |                               |
| 101- GENERAL                           | \$ 1,715,655.44               | \$ 3,058,911.35               |
| <b>TOTAL GENERAL FUND</b>              | <u>1,715,655.44</u>           | <u>3,058,911.35</u>           |
| <br>                                   |                               |                               |
| <b>SPECIAL REVENUE FUNDS</b>           |                               |                               |
| 202 - TRAFFIC SAFETY                   | 0.25                          | 9,197.59                      |
| 203 - PUBLIC SAFETY 1/2 CENT SALES TAX | 5,939.61                      | 4,345.92                      |
| 204 - MEASURE "A"                      | 36,463.03                     | 10,455.93                     |
| 209 - F.A.M.D. #1                      | 1,830,489.50                  | 1,626,904.13                  |
| 210 - SCAQMD (VEHICLE REG.)            | 642.12                        | 0.59                          |
| 211 - AB 3229 COPS FUNDING             | 0.83                          | 25,941.83                     |
| 214 - GAS TAX 2103 MAINTENANCE         | 24,607.56                     | 61,979.42                     |
| 215 - GAS TAX 2105 MAINTENANCE         | 0.65                          | 0.42                          |
| 216 - GAS TAX 2106 CONSTRUCT/MAINT     | 0.27                          | 341.56                        |
| 217 - GAS TAX 2107 MAINTENANCE         | 0.32                          | 107.45                        |
| 218 - GAS TAX 2107.5 ENG./ADMIN        | 8,857.63                      | 1,961.16                      |
| 228 - EMERG. UPGRADE SERVICES          | 2,963,740.44                  | 3,109,786.34                  |
| 247 - AB 939 RECYCLING FUND            | 164,451.71                    | 112,358.74                    |
| 248 - SOLID WASTE                      | 209,376.17                    | 216,416.22                    |
| 251 - STREET LIGHTING DISTRICT 2000-1  | 3,534.91                      | 3,644.92                      |
| 252 - HOUSING AUTHORITY                | 0.00                          | 309,397.80                    |
| 253- INDIAN WELLS VILLAS OPERATIONS    | 303,181.12                    | 301,850.12                    |
| 254- MOUNTAIN VIEW VILLAS OPERATIONS   | 330,052.00                    | 328,601.00                    |
| 256- HOUSING AUTHORITY                 | (19,911.12)                   | 0.00                          |
| 260 - IWGR OPERATIONS                  | 602,596.15                    | 559,559.98                    |
| 271 - ELDORADO DRIVE LLM D             | 76,457.58                     | 74,789.21                     |
| 272 - MONTECITO/STARDUST LLM D         | 2,071.26                      | 5,874.90                      |
| 273 - CASA DORADO LLM D                | 3,372.55                      | 2,570.19                      |
| 274 - THE COVE LLM D                   | 3,238.05                      | 3,189.80                      |
| 275 - SH 111/IWGR (ENTRANCE) LLM D     | 280,178.76                    | 294,743.30                    |
| 276 - CLUB/IW LANE LLM D               | 48,151.48                     | 47,679.56                     |
| 277 - COLONY LLM D                     | 30,893.18                     | 35,097.04                     |
| 278 - COLONY COV ESTATES LLM D         | 51,249.20                     | 48,250.93                     |
| 279 - DESERT HORIZONS LLM D            | 51,488.17                     | 43,131.81                     |
| 280 - MOUNTAIN GATE LLM D              | 67,835.76                     | 70,190.84                     |
| 281 - MOUNTAIN GATE ESTATES LLM D      | 32,790.87                     | 29,446.68                     |
| 282 - VILLAGIO LLM D                   | 177,080.99                    | 168,326.70                    |
| 283 - VAIDYA LLM D                     | 28,698.54                     | 28,555.88                     |
| 284 - CLUB, SOUTH OF 111 LLM D         | 8,766.26                      | 8,008.42                      |
| 285 - MONTELENA LLM D                  | 5,953.43                      | 11,933.37                     |
| 286 - SUNDANCE LLM D                   | 3,497.37                      | 999.65                        |
| 287 - PROVINCE LLM D                   | 56,823.08                     | 56,698.72                     |
| 288 - PROVINCE DBAD                    | 383,501.54                    | 328,079.64                    |
| <b>TOTAL SPECIAL REVENUE FUNDS</b>     | <u>7,776,071.22</u>           | <u>7,940,417.76</u>           |
| <br>                                   |                               |                               |
| <b>CAPITAL PROJECT FUNDS</b>           |                               |                               |
| 314 - PARK-IN-LIEU FEES                | 6,909.20                      | 3,005.20                      |
| 315 - CITYWIDE PUBLIC IMPROVEMENT FEE  | 14,964.26                     | 65,090.26                     |
| 316 - CAPITAL IMPROVEMENT              | 5,699,404.85                  | 8,990,931.76                  |
| 319 - ART IN PUBLIC PLACES             | 381,606.92                    | 279,651.51                    |
| 321 - HIGHWAY 111 CIRCULATION IMP FEE  | 9.70                          | 9.70                          |
| <b>TOTAL CAPITAL PROJECT FUNDS</b>     | <u>6,102,894.93</u>           | <u>9,338,688.43</u>           |

CITY OF INDIAN WELLS  
**NET CASH & INVESTMENT SUMMARY OCTOBER, 2013**  
 PAGE 2

|  | <u>October<br/>2013</u>               | <u>October<br/>2012</u>               |
|--|---------------------------------------|---------------------------------------|
| <b>REPLACEMENT FUNDS</b>                   |                                       |                                       |
| 326 - INFRASTRUCTURE CAPITAL               | 6,935,975.00                          | 6,905,498.00                          |
| 327 - FF&E ROLLING STOCK CAPITAL           | 2,270,427.00                          | 2,260,451.00                          |
| 328 - GOLF RESORT CAPITAL                  | 3,934,888.00                          | 3,917,626.00                          |
| 329 - HOUSING VILLAS CAPITAL               | 2,242,455.00                          | 8,940,623.00                          |
| 330 - FACILITIES CAPITAL                   | 2,270,469.00                          | 2,260,454.00                          |
| <b>TOTAL REPLACEMENT FUNDS</b>             | <u><b>17,654,214.00</b></u>           | <u><b>24,284,652.00</b></u>           |
| <b>SUCCESSOR AGENCY FUNDS</b>              |                                       |                                       |
| 453 - RDA (WHITEWATER)                     | 1,066,074.64                          | 0.77                                  |
| 456 - RDA OBLIGATION RETIREMENT            | 0.00                                  | (2,555,258.91)                        |
| <b>TOTAL SUCCESSOR AGENCY FUNDS</b>        | <u><b>1,066,074.64</b></u>            | <u><b>(2,555,258.14)</b></u>          |
| <b>INTERNAL SERVICE FUNDS</b>              |                                       |                                       |
| 601 - OPEB BENEFIT FUND                    | 524,936.25                            | 987,086.09                            |
| <b>TOTAL INTERNAL SERVICE FUNDS</b>        | <u><b>524,936.25</b></u>              | <u><b>987,086.09</b></u>              |
| <b>RESERVE FUNDS</b>                       |                                       |                                       |
| 602 - COMPENSATED ABSENCES                 | 537,013.00                            | 534,653.00                            |
| 603 - SELF INSURANCE                       | 120,337.00                            | 753,484.00                            |
| <b>TOTAL RESERVE FUNDS</b>                 | <u><b>657,350.00</b></u>              | <u><b>1,288,137.00</b></u>            |
| <b>TRUST &amp; AGENCY FUNDS</b>            |                                       |                                       |
| 732 - SPECIAL DEPOSITS                     | 1,242,434.99                          | 183,038.25                            |
| 760 - VISITOR COMMITTEE                    | 358,813.26                            | 428,515.95                            |
| <b>TOTAL TRUST &amp; AGENCY FUNDS</b>      | <u><b>1,601,248.25</b></u>            | <u><b>611,554.20</b></u>              |
| <b>TOTAL ALL FUNDS</b>                     | <u><u><b>37,098,444.73</b></u></u>    | <u><u><b>44,954,188.69</b></u></u>    |
| <b>FISCAL AGENTS</b>                       |                                       |                                       |
| 253 - NAT'L CORE INDIAN WELLS VILLAS       | 760,279.84                            | 820,318.36                            |
| 254 - NAT'L CORE MOUNTAIN VIEW VILLAS      | 702,036.78                            | 548,498.52                            |
| 260 - INDIAN WELLS GOLF RESORT             | 744,269.26                            | 1,027,735.81                          |
| 453 - UNION BANK OF CALIFORNIA TRUSTEE     | 780,696.48                            | 788,680.86                            |
| <b>TOTAL FISCAL AGENTS</b>                 | <u><b>2,987,282.36</b></u>            | <u><b>3,185,233.55</b></u>            |
| <b>TOTAL ALL FUNDS &amp; FISCAL AGENTS</b> | <u><u><b>\$ 40,085,727.09</b></u></u> | <u><u><b>\$ 48,139,422.24</b></u></u> |

| City of Indian Wells                               |                  |   |                         |
|--|------------------|---|-------------------------|
| <b>Bank Reconciliation Report - City Held Cash</b> |                  |   |                         |
| Finance Department                                 |                  |   |                         |
| MONTH:   | October 31, 2013 |   |                         |
| Investment #                                       | Investment Type  | Investment Description                                    | Book Value              |
| <b>Bank Checking &amp; Sweep</b>                   |                  |   |                         |
| 1  |                  | Pacific Western Bank - Sweep 45-301117                    | \$ 523,108.89           |
| 2  |                  | Pacific Western Bank - Accts. Payable 45-523411           | 0.00                    |
| 3  |                  | Pacific Western Bank - Payroll 45-501752                  | 0.00                    |
| 4  |                  | Union Bank of CA - Sweep Investment 217-0000121           | 87,417.95               |
| 19   |                  | Petty Cash  | 1,400.00                |
|  |                  |   | <b>611,926.84</b>       |
| <b>Managed Pool Accounts</b>                       |                  |   |                         |
| 21   |                  | Local Agency Investment Fund - City 98-33-385             | 3,660,165.13            |
| 23   |                  | Local Agency Investment Fund - RDA 65-33-007              | 1.07                    |
|  |                  |   | <b>3,660,166.20</b>     |
| <b>Bank Certificates of Deposit</b>                |                  |   |                         |
| 281  |                  | Certificate of Deposit-Pacific Western Bank 126418        | 250,000.00              |
| 316  |                  | Certificate of Deposit-GE Capital Retail Bank 36161NYT9   | 250,000.00              |
| 317  |                  | Certificate of Deposit-Ally Bank 02005QF65                | 250,000.00              |
| 319  |                  | Certificate of Deposit-Discover Bank 254671BH2            | 250,000.00              |
| 320  |                  | Certificate of Deposit-GE Capital Financial Inc. 36160YMZ | 250,000.00              |
| 329  |                  | Certificate of Deposit-Sallie Mae                         | 250,000.00              |
| 330  |                  | Certificate of Deposit-SAFR National Bank                 | 250,000.00              |
| 336  |                  | Certificate of Deposit-Wells Fargo Bank 94986TLX3         | 250,000.00              |
| 337  |                  | Certificate of Deposit-Am Ex Centurion 02587DKR8          | 250,000.00              |
| 338  |                  | Certificate of Deposit-Goldman Sachs Bank 38143A5L5       | 250,000.00              |
| 339  |                  | Certificate of Deposit-JP Morgan Chase 48124JSY5          | 250,000.00              |
| 348  |                  | Certificate of Deposit-Citicorp Bank 17284CJG0            | 250,000.00              |
| 349  |                  | Certificate of Deposit-Compass Bank 20451PBG0             | 250,000.00              |
|  |                  |   | <b>3,250,000.00</b>     |
| <b>Medium Term Corporate Notes</b>                 |                  |   |                         |
| 257  |                  | Medium Term Corporate Note 59217EBW3                      | 999,597.91              |
| 278  |                  | Goldman Sachs Mid Term Corp Note 38141EA74                | 1,009,490.86            |
| 280  |                  | Bank of America Mid Term Corp Note 06051GED               | 1,006,315.83            |
| 296  |                  | Barclays Bank Corporate Note 06738JVS0                    | 1,000,000.00            |
| 306  |                  | General Electric Cap Corp 36962G5U4                       | 1,000,000.00            |
| 322  |                  | AT&T Inc. 00206RBF8                                       | 1,003,435.17            |
| 331  |                  | JP Morgan 46625HJG6                                       | 1,002,544.24            |
| 346  |                  | General Electric Cap Corp 36962G6W9                       | 1,007,456.41            |
|  |                  |   | <b>8,028,840.42</b>     |
| <b>Federal Agency Issues</b>                       |                  |   |                         |
| 301  |                  | Federal Home Loan Mtg Corp 3134G3NW6                      | 1,000,000.00            |
| 323  |                  | Federal National Mortgage 3136G0PN5                       | 2,000,000.00            |
| 324  |                  | Federal Home Loan Mtg Corp 313G3RK8                       | 2,010,011.09            |
| 325  |                  | Federal National Mortgage Assn 3135G0MX8                  | 2,000,000.00            |
| 326  |                  | Federal Farm Credit 3133EAA81                             | 2,000,000.00            |
| 332  |                  | Federal Home Loan Bank 313381YG4                          | 2,000,000.00            |
| 333  |                  | Federal National Mortgage Assoc 3136G1AP4                 | 1,000,000.00            |
| 334  |                  | Freddie Mac 3134G33S7                                     | 1,000,000.00            |
| 335  |                  | Fannie Mae 3136GICF4                                      | 1,000,000.00            |
| 340  |                  | Federal Home Loan Bank 313381YN9                          | 1,000,000.00            |
| 341  |                  | Federal Farm Credit Bank 3133EC7L2                        | 999,097.68              |
| 342  |                  | Federal Farm Credit Bank 3133ECDX9                        | 998,614.53              |
| 344  |                  | Federal Home Loan Mtg Corp 3134G43H9                      | 2,000,000.00            |
| 345  |                  | Federal National Mortgage Assn 313G0WN9                   | 2,000,000.00            |
| 347  |                  | Federal National Mortgage Assn 3136G1FL8                  | 1,008,732.24            |
|  |                  |   | <b>22,016,455.54</b>    |
| <b>Total Pooled Cash and Investments</b>           |                  |   | <b>\$ 37,567,389.00</b> |
| Fair Value Increase (over cost)                    |                  |   | (418,560.46)            |
| <b>Outstanding items</b>                           |                  |   |                         |
|  |                  | Outstanding Warrants/Wire Transfers                       | (40,610.28)             |
|  |                  | Reconciliation Item                                       | (11,460.27)             |
|  |                  | Reconciliation Item                                       | 0.00                    |
|  |                  | Credit Card in Transit                                    | 1,686.74                |
| <b>Total Outstanding Items</b>                     |                  |   | <b>(50,383.81)</b>      |
| <b>Reconciled Bank Balance</b>                     |                  |   | <b>\$ 37,098,444.73</b> |
| <b>General Ledger Balance</b>                      |                  |   | <b>\$ 37,098,444.73</b> |
|  |                  |   | 0.00                    |

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|  |  |    |            |                        |
|--|--|----|------------|------------------------|
| City of Indian Wells   |  |    |            |                        |
| <b>Trustee Reconciliation Report - Cash and Investments with City Agents</b> |  |    |            |                        |
| Finance Department   |  |    |            |                        |
| MONTH: <b>October 31, 2013</b>   |  |    |            |                        |
| <b>Trustee Balance:</b>  |  |    |            |                        |
| Investment #   | Investment Description                                     |    |            |                        |
| <b>Housing Series 2003 AT Bonds</b>  |  |    |            |                        |
|  | Blackrock Provident T-Fund                                 | \$ | 8.64       |                        |
| <b>36</b>  | Fidelity Institutional Money Markey Fund - Housing Surplus |    | 0.00       | \$ 8.64                |
| <b>RDA Series 2003 A Bonds</b>   |  |    |            |                        |
|  | Blackrock Provident T-Fund                                 | \$ | 4.98       | \$ 4.98                |
| <b>RDA Series 2006 A Bonds</b>   |  |    |            |                        |
|  | Blackrock Provident T-Fund                                 | \$ | 6.88       | \$ 6.88                |
| <b>RDA Series 2010 A Bonds</b>   |  |    |            |                        |
|  | Blackrock Provident T-Fund                                 | \$ | 780,671.82 | \$ 780,671.82          |
| <b>Other Trustees</b>  |  |    |            |                        |
| <b>12 &amp; 13</b>   | Series 2005 Tax Allocation Refunding Bonds - Escrow Fund   |    | 4.16       |                        |
| <b>6</b>   | Indian Wells Golf Resort                                   |    | 744,269.26 |                        |
| <b>7</b>   | Indian Wells Villas  |    | 760,279.84 |                        |
| <b>10</b>  | Mountain View Villas                                       | \$ | 702,036.78 | \$ 2,206,590.04        |
| <b>Total Cash and Investments with City Agents</b>                           |  |    |            | <b>\$ 2,987,282.36</b> |
| Fair Value Increase (over cost)  |  |    |            |                        |
| <b>Reconciled Bank Balance</b>   |  |    |            | <b>\$ 2,987,282.36</b> |
| <b>General Ledger Balance</b>  |  |    |            | <b>\$ 2,987,282.36</b> |
|  |  |    |            | 60                     |
|  |  |    |            | 0.00                   |

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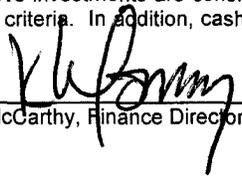
The City of Indian Wells  
 Portfolio Management  
 Portfolio Summary  
 October 31, 2013

City of Indian Wells  
 44-950 Eldorado Drive  
 Indian Wells CA 92210  
 (760)346-2489

| Investments                         | Par Value            | Market Value         | Book Value           | % of Portfolio | Term         | Days to Maturity | YTM 360 Equiv. | YTM 365 Equiv. |
|-------------------------------------|----------------------|----------------------|----------------------|----------------|--------------|------------------|----------------|----------------|
| Bank Certificates of Deposit        | 3,000,000.00         | 2,999,139.00         | 3,000,000.00         | 7.99           | 1,475        | 1,122            | 1.216          | 1.233          |
| Certificates of Deposit - S & L     | 250,000.00           | 250,000.00           | 250,000.00           | 0.67           | 1,096        | 100              | 1.250          | 1.267          |
| Managed Pool Accounts - LAIF        | 3,660,166.20         | 3,660,166.20         | 3,660,166.20         | 9.74           | 1            | 1                | 0.262          | 0.266          |
| Money Market Sweep/Checking Account | 611,926.84           | 611,926.84           | 611,926.84           | 1.63           | 1            | 1                | 0.246          | 0.249          |
| Medium Term Corporate Notes         | 8,000,000.00         | 8,157,170.00         | 8,028,840.42         | 21.37          | 1,683        | 952              | 2.583          | 2.618          |
| Federal Agency Issues - Callables   | 22,000,000.00        | 21,643,830.00        | 22,016,455.54        | 58.61          | 1,979        | 1,644            | 1.172          | 1.188          |
| <b>Investments</b>                  | <b>37,522,093.04</b> | <b>37,322,232.04</b> | <b>37,567,389.00</b> | <b>100.00%</b> | <b>1,645</b> | <b>1,258</b>     | <b>1.374</b>   | <b>1.393</b>   |
| <b>Cash and Accrued Interest</b>    |                      |                      |                      |                |              |                  |                |                |
| Accrued Interest at Purchase        |                      | -1.00                | -1.00                |                |              |                  |                |                |
| Subtotal                            |                      | -1.00                | -1.00                |                |              |                  |                |                |
| <b>Total Cash and Investments</b>   | <b>37,522,093.04</b> | <b>37,322,231.04</b> | <b>37,567,388.00</b> |                | <b>1,645</b> | <b>1,258</b>     | <b>1.374</b>   | <b>1.393</b>   |

| Total Earnings           | October 31 Month Ending |
|--------------------------|-------------------------|
| Current Year             | 40,463.98               |
| Average Daily Balance    | 37,963,710.03           |
| Effective Rate of Return | 1.25%                   |

The above investments are consistent with the City's investment policy and allowable under current legislation of the State of California. Investments were purchased using safety, liquidity, and yield as criteria. In addition, cash flow from revenue and maturing investments will be sufficient to cover expenditures for the next six months. All securities are "Marked-to-Market" on a monthly basis.

  
 Kevin McCarthy, Finance Director

50 60

Reporting period 10/01/2013-10/31/2013

Run Date: 01/22/2014 - 15:55

No fiscal year history available

Portfolio CITY  
 AP  
 PM (PRF\_PM1) 7.3.0  
 Report Ver. 7.3.3

The City of Indian Wells  
Portfolio Management  
Portfolio Details - Investments  
October 31, 2013

| CUSIP                                      | Investment # | Issuer                         | Average Balance     | Purchase Date | Par Value           | Market Value        | Book Value          | Stated Rate | S&P | YTM 360      | Days to Maturity | Maturity Date |
|--|--------------|--------------------------------|---------------------|---------------|---------------------|---------------------|---------------------|-------------|-----|--------------|------------------|---------------|
| <b>Bank Certificates of Deposit</b>        |              |                                |                     |               |                     |                     |                     |             |     |              |                  |               |
| SYS317                                     | 317          | Ally Bank                      |                     | 05/23/2012    | 250,000.00          | 251,517.50          | 250,000.00          | 1.250       |     | 1.233        | 934              | 05/23/2016    |
| 02587DKR8                                  | 337          | American Express Centurion     |                     | 02/06/2013    | 250,000.00          | 251,707.50          | 250,000.00          | 1.700       |     | 1.677        | 1,370            | 08/02/2017    |
| 17284CJG0                                  | 348          | Citicorp Bank                  |                     | 07/24/2013    | 250,000.00          | 249,172.50          | 250,000.00          | 1.400       |     | 1.381        | 1,361            | 07/24/2017    |
| 20451PBG0                                  | 349          | Compass Bank                   |                     | 07/24/2013    | 250,000.00          | 249,870.00          | 250,000.00          | 1.700       |     | 1.677        | 1,726            | 07/24/2018    |
| SYS319                                     | 319          | Discover Bank                  |                     | 05/23/2012    | 250,000.00          | 251,482.50          | 250,000.00          | 1.050       |     | 1.036        | 571              | 05/26/2015    |
| SYS316                                     | 316          | GE Capital Retail Bank         |                     | 05/25/2012    | 250,000.00          | 251,982.50          | 250,000.00          | 1.800       |     | 1.800        | 1,301            | 05/25/2017    |
| SYS320                                     | 320          | GE Capital Financial inc       |                     | 05/25/2012    | 250,000.00          | 250,350.00          | 250,000.00          | 0.800       |     | 0.789        | 207              | 05/27/2014    |
| 38143A5L5                                  | 338          | Goldman Sachs Bank             |                     | 02/06/2013    | 250,000.00          | 247,952.50          | 250,000.00          | 1.050       |     | 1.036        | 1,193            | 02/06/2017    |
| 48124JSY5                                  | 339          | JP Morgan Chase                |                     | 02/27/2013    | 250,000.00          | 246,197.50          | 250,000.00          | 1.125       |     | 1.110        | 1,571            | 02/19/2018    |
| 7865802B5                                  | 330          | SAFR National Bank             |                     | 08/28/2012    | 250,000.00          | 251,267.50          | 250,000.00          | 0.800       |     | 0.789        | 665              | 08/28/2015    |
| 795450NWM                                  | 329          | Sallie Mae                     |                     | 08/15/2012    | 250,000.00          | 251,180.00          | 250,000.00          | 1.250       |     | 1.233        | 1,018            | 08/15/2016    |
| 94986TLX3                                  | 336          | Wells Fargo Bank               |                     | 01/30/2013    | 250,000.00          | 246,459.00          | 250,000.00          | 0.850       |     | 0.838        | 1,552            | 01/31/2018    |
| <b>Subtotal and Average</b>                |              |                                | <b>3,000,000.00</b> |               | <b>3,000,000.00</b> | <b>2,999,139.00</b> | <b>3,000,000.00</b> |             |     | <b>1.216</b> | <b>1,122</b>     |               |
| <b>Certificates of Deposit - S &amp; L</b> |              |                                |                     |               |                     |                     |                     |             |     |              |                  |               |
| SYS281                                     | 281          | Pacific Western Bank           |                     | 02/09/2011    | 250,000.00          | 250,000.00          | 250,000.00          | 1.250       |     | 1.250        | 100              | 02/09/2014    |
| <b>Subtotal and Average</b>                |              |                                | <b>250,000.00</b>   |               | <b>250,000.00</b>   | <b>250,000.00</b>   | <b>250,000.00</b>   |             |     | <b>1.250</b> | <b>100</b>       |               |
| <b>Managed Pool Accounts - LAIF</b>        |              |                                |                     |               |                     |                     |                     |             |     |              |                  |               |
| SYS21                                      | 21           | LAIF - City                    |                     |               | 3,660,165.13        | 3,660,165.13        | 3,660,165.13        | 0.266       |     | 0.262        | 1                |               |
| SYS23                                      | 23           | LAIF - Redevelopment           |                     |               | 1.07                | 1.07                | 1.07                | 0.266       |     | 0.262        | 1                |               |
| <b>Subtotal and Average</b>                |              |                                | <b>3,994,987.90</b> |               | <b>3,660,166.20</b> | <b>3,660,166.20</b> | <b>3,660,166.20</b> |             |     | <b>0.262</b> | <b>1</b>         |               |
| <b>Money Market Sweep/Checking Account</b> |              |                                |                     |               |                     |                     |                     |             |     |              |                  |               |
| SYS1                                       | 1            | Pacific Western Bank           |                     |               | 523,108.89          | 523,108.89          | 523,108.89          | 0.250       |     | 0.247        | 1                |               |
| SYS2                                       | 2            | Pacific Western - Acct Payable |                     | 07/01/2012    | 0.00                | 0.00                | 0.00                |             |     | 0.000        | 1                |               |
| SYS3                                       | 3            | Pacific Western-Payroll        |                     | 07/01/2012    | 0.00                | 0.00                | 0.00                |             |     | 0.000        | 1                |               |
| SYS4                                       | 4            | Union Bank-Checking            |                     |               | 87,417.95           | 87,417.95           | 87,417.95           | 0.250       |     | 0.247        | 1                |               |
| SYS19                                      | 19           | Petty Cash                     |                     | 07/01/2012    | 1,400.00            | 1,400.00            | 1,400.00            |             |     | 0.000        | 1                |               |
| <b>Subtotal and Average</b>                |              |                                | <b>672,778.84</b>   |               | <b>611,926.84</b>   | <b>611,926.84</b>   | <b>611,926.84</b>   |             |     | <b>0.246</b> | <b>1</b>         |               |
| <b>Medium Term Corporate Notes</b>         |              |                                |                     |               |                     |                     |                     |             |     |              |                  |               |
| 00206RBF8                                  | 322          | AT&T INC                       |                     | 06/21/2012    | 1,000,000.00        | 1,005,500.00        | 1,003,435.17        | 1.600       |     | 1.479        | 1,308            | 06/01/2017    |
| 06738JVS0                                  | 296          | Barclays Bank PLC              |                     | 10/27/2011    | 1,000,000.00        | 1,039,730.00        | 1,000,000.00        | 3.500       | AA  | 3.452        | 1,091            | 10/27/2016    |
| 06051GED                                   | 280          | Bank of America                |                     | 02/02/2011    | 1,000,000.00        | 1,047,750.00        | 1,006,315.83        | 3.700       |     | 3.254        | 669              | 09/01/2015    |

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**The City of Indian Wells  
Portfolio Management  
Portfolio Details - Investments  
October 31, 2013**

| CUSIP                                    | Investment # | Issuer                    | Average Balance      | Purchase Date | Par Value            | Market Value         | Book Value           | Stated Rate | S&P | YTM 360      | Days to Maturity | Maturity Date |
|--|--------------|---------------------------|----------------------|---------------|----------------------|----------------------|----------------------|-------------|-----|--------------|------------------|---------------|
| <b>Medium Term Corporate Notes</b>       |              |                           |                      |               |                      |                      |                      |             |     |              |                  |               |
| 36962G5U4                                | 306          | General Elec. Cap Crp     |                      | 04/18/2012    | 1,000,000.00         | 1,000,070.00         | 1,000,000.00         | 1.200       |     | 1.200        | 528              | 04/13/2015    |
| 36962G6W9                                | 346          | General Elec. Cap Crp     |                      | 05/01/2013    | 1,000,000.00         | 998,470.00           | 1,007,456.41         | 1.625       |     | 1.430        | 1,613            | 04/02/2018    |
| 38141EA74                                | 278          | Goldman Sachs Group Inc   |                      | 02/02/2011    | 1,000,000.00         | 1,044,520.00         | 1,009,490.86         | 3.700       | AA  | 3.072        | 638              | 08/01/2015    |
| 46625HJG6                                | 331          | J P Morgan                |                      | 01/28/2013    | 1,000,000.00         | 993,090.00           | 1,002,544.24         | 1.800       |     | 1.713        | 1,546            | 01/25/2018    |
| 59217EBW3                                | 257          | MetLife                   |                      | 06/29/2009    | 1,000,000.00         | 1,028,040.00         | 999,597.91           | 5.125       |     | 5.068        | 221              | 06/10/2014    |
| <b>Subtotal and Average</b>              |              |                           | <b>8,029,286.88</b>  |               | <b>8,000,000.00</b>  | <b>8,157,170.00</b>  | <b>8,028,840.42</b>  |             |     | <b>2.583</b> | <b>952</b>       |               |
| <b>Federal Agency Issues - Callables</b> |              |                           |                      |               |                      |                      |                      |             |     |              |                  |               |
| 3133EAA81                                | 326          | Fed. Farm Credit Bank     |                      | 07/30/2012    | 2,000,000.00         | 1,991,220.00         | 2,000,000.00         | 0.780       |     | 0.769        | 1,186            | 01/30/2017    |
| 3133EC7L2                                | 341          | Fed. Farm Credit Bank     |                      | 03/22/2013    | 1,000,000.00         | 959,540.00           | 999,097.68           | 1.290       |     | 1.289        | 2,051            | 06/14/2019    |
| 3133ECDX9                                | 342          | Fed. Farm Credit Bank     |                      | 03/25/2013    | 1,000,000.00         | 938,990.00           | 998,614.53           | 1.840       |     | 1.835        | 2,652            | 02/04/2021    |
| 313381YG4                                | 332          | Fed. Home Loan Bank       |                      | 02/20/2013    | 2,000,000.00         | 1,946,180.00         | 2,000,000.00         | 1.000       |     | 0.986        | 1,572            | 02/20/2018    |
| 313381YN9                                | 340          | Fed. Home Loan Bank       |                      | 03/21/2013    | 1,000,000.00         | 980,850.00           | 1,000,000.00         | 0.750       |     | 1.856        | 2,478            | 08/14/2020    |
| 3134G3NW6                                | 301          | Fed. Home Loan Mtg Corp   |                      | 02/27/2012    | 1,000,000.00         | 1,002,560.00         | 1,000,000.00         | 1.050       | AAA | 1.036        | 1,214            | 02/27/2017    |
| 3134G3RK8                                | 324          | Fed. Home Loan Mtg Corp   |                      | 06/29/2012    | 2,000,000.00         | 2,005,980.00         | 2,010,011.09         | 1.000       |     | 0.774        | 864              | 03/14/2016    |
| 3134G33S7                                | 334          | Fed. Home Loan Mtg Corp   |                      | 01/24/2013    | 1,000,000.00         | 979,900.00           | 1,000,000.00         | 1.000       |     | 0.986        | 1,718            | 07/16/2018    |
| 3134G43H9                                | 344          | Fed. Home Loan Mtg Corp   |                      | 04/30/2013    | 2,000,000.00         | 1,964,540.00         | 2,000,000.00         | 1.060       |     | 1.045        | 1,641            | 04/30/2018    |
| 3136G0PN5                                | 323          | Fed. Nat'l Mortgage Assoc |                      | 06/27/2012    | 2,000,000.00         | 1,975,220.00         | 2,000,000.00         | 1.000       |     | 2.219        | 2,247            | 12/27/2019    |
| 3135G0MX8                                | 325          | Fed. Nat'l Mortgage Assoc |                      | 07/26/2012    | 2,000,000.00         | 2,002,100.00         | 2,000,000.00         | 0.750       |     | 0.740        | 998              | 07/26/2016    |
| 3136G1AP4                                | 333          | Fed. Nat'l Mortgage Assoc |                      | 01/24/2013    | 1,000,000.00         | 991,880.00           | 1,000,000.00         | 0.700       |     | 1.094        | 1,543            | 01/22/2018    |
| 3136G1CF4                                | 335          | Fed. Nat'l Mortgage Assoc |                      | 01/30/2013    | 1,000,000.00         | 978,720.00           | 1,000,000.00         | 1.000       | AAA | 0.986        | 1,732            | 07/30/2018    |
| 3135G0WN9                                | 345          | Fed. Nat'l Mortgage Assoc |                      | 04/30/2013    | 2,000,000.00         | 1,959,840.00         | 2,000,000.00         | 1.000       |     | 0.986        | 1,641            | 04/30/2018    |
| 3136G1FL8                                | 347          | Fed. Nat'l Mortgage Assoc |                      | 04/26/2013    | 1,000,000.00         | 966,310.00           | 1,008,732.24         | 1.820       |     | 1.660        | 2,491            | 08/27/2020    |
| <b>Subtotal and Average</b>              |              |                           | <b>22,016,656.42</b> |               | <b>22,000,000.00</b> | <b>21,643,830.00</b> | <b>22,016,455.54</b> |             |     | <b>1.172</b> | <b>1,644</b>     |               |
| <b>Total and Average</b>                 |              |                           | <b>37,963,710.03</b> |               | <b>37,522,093.04</b> | <b>37,322,232.04</b> | <b>37,567,389.00</b> |             |     | <b>1.374</b> | <b>1,258</b>     |               |

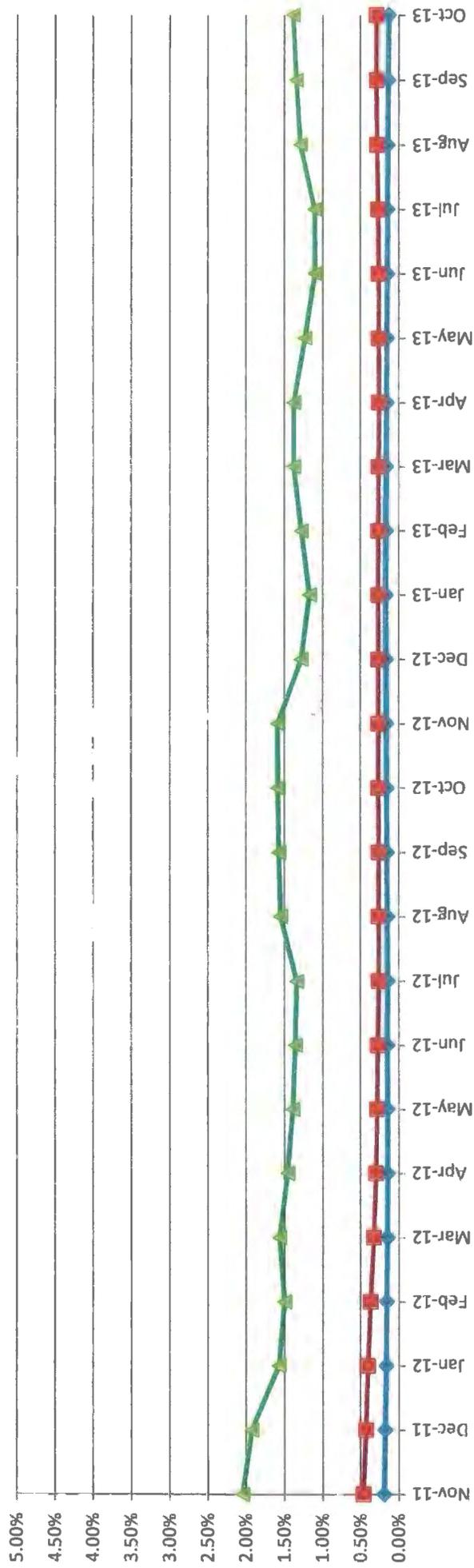
39

The City of Indian Wells  
 Portfolio Management  
 Portfolio Details - Cash  
 October 31, 2013

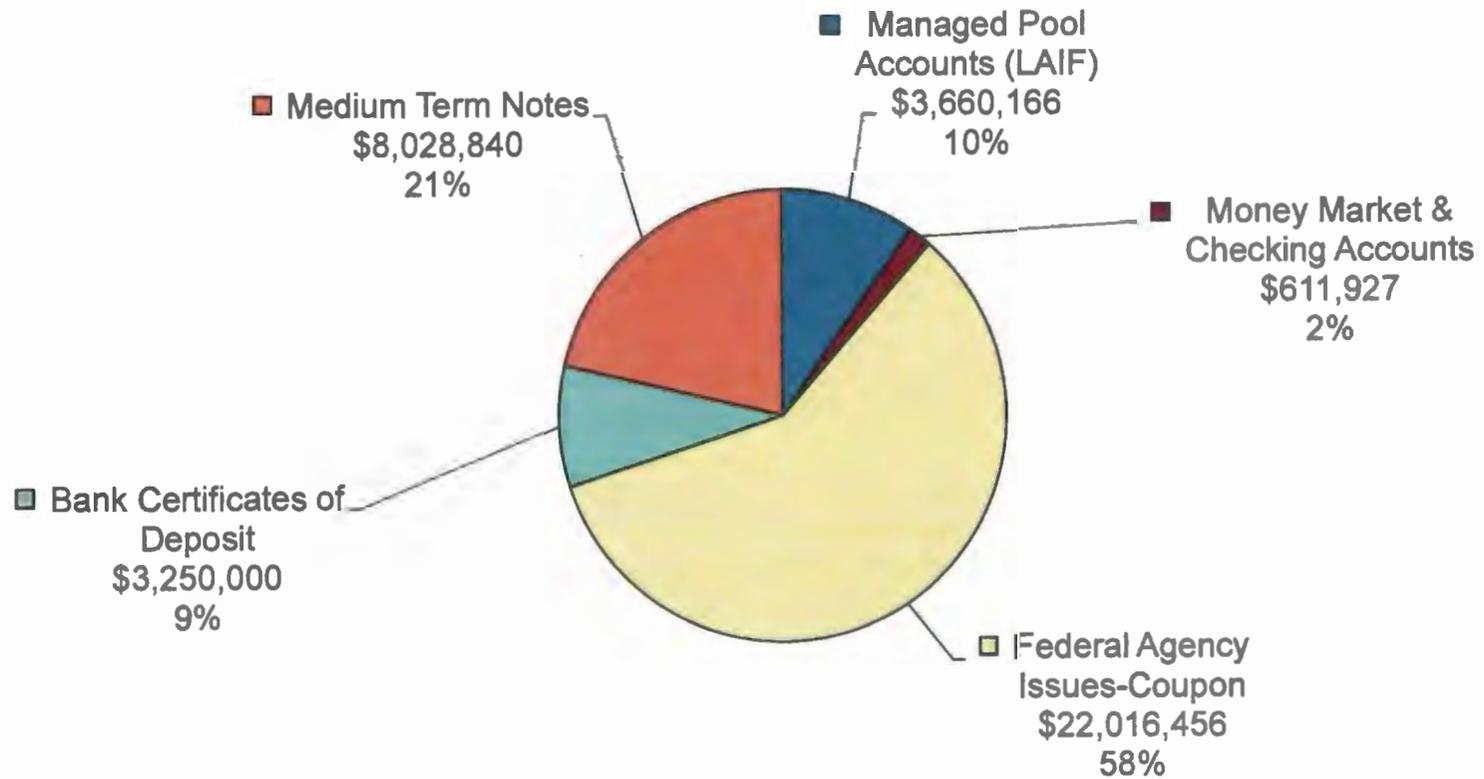
| CUSIP | Investment # | Issuer                            | Average Balance      | Purchase Date                | Par Value            | Market Value         | Book Value           | Stated Rate | S&P | YTM 360      | Days to Maturity |
|-------|--------------|-----------------------------------|----------------------|------------------------------|----------------------|----------------------|----------------------|-------------|-----|--------------|------------------|
|       |              | <b>Average Balance</b>            | <b>0.00</b>          |                              |                      |                      |                      |             |     |              |                  |
|       |              |                                   |                      | Accrued Interest at Purchase |                      | -1.00                | -1.00                |             |     |              | 0                |
|       |              |                                   |                      | Subtotal                     |                      | -1.00                | -1.00                |             |     |              |                  |
|       |              | <b>Total Cash and Investments</b> | <b>37,963,710.03</b> |                              | <b>37,522,093.04</b> | <b>37,322,231.04</b> | <b>37,567,388.00</b> |             |     | <b>1.374</b> | <b>1,258</b>     |

69  
 33

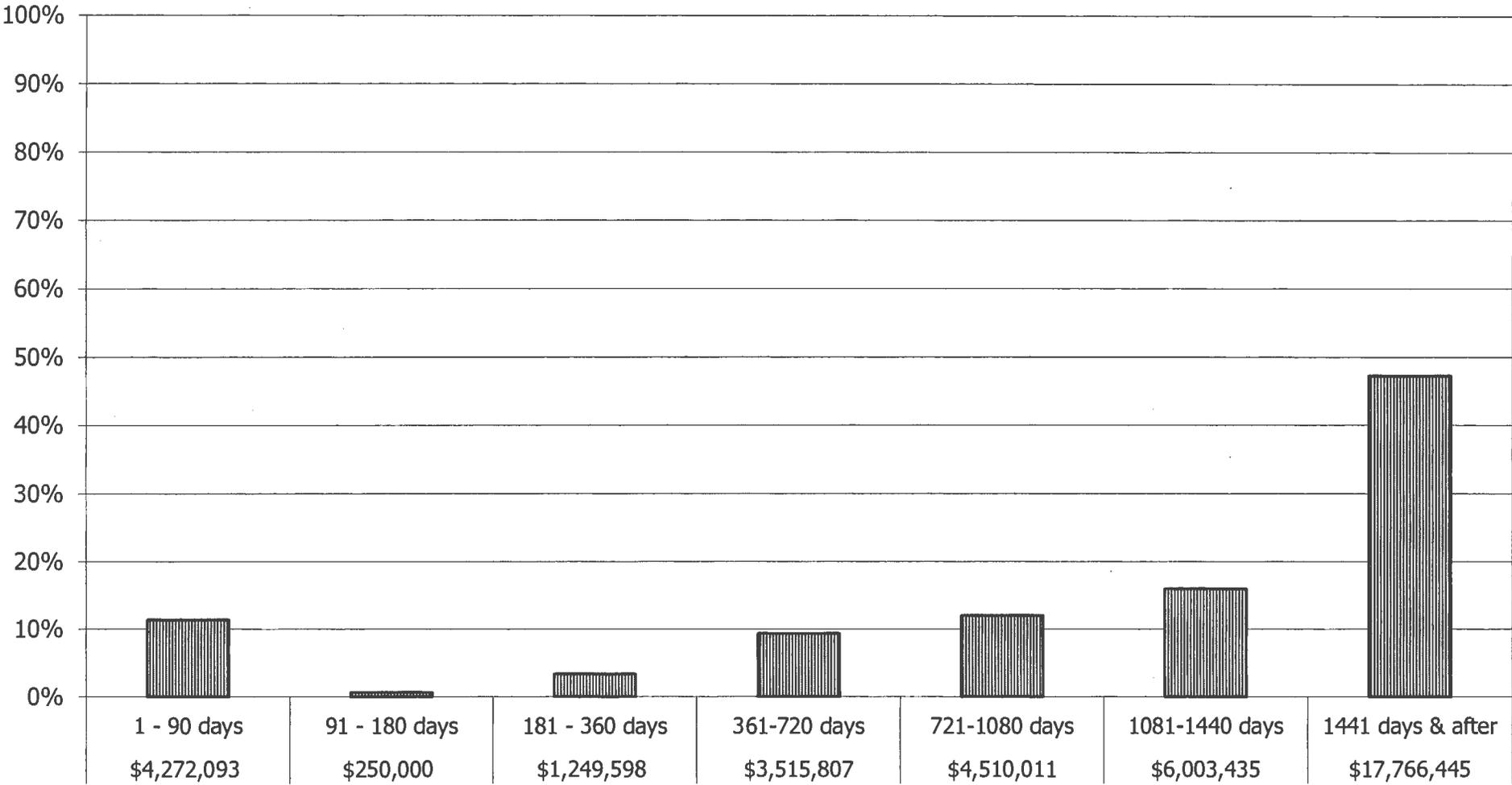
City of Indian Wells  
Yield Trend  
10/31/2013



## City of Indian Wells Sector Diversification as of 10/31/2013



**City of Indian Wells**  
**Aging of Maturing Investments at 10/31/2013**  
**\$37,567,389**



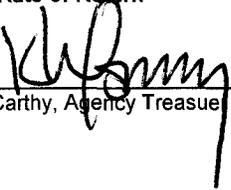


**Housing Series 2003 AT Bonds  
Portfolio Management  
Portfolio Summary  
October 31, 2013**

City of Indian Wells  
44-950 Eldorado Drive  
Indian Wells CA 92210  
(760)346-2489

| Investments                         | Par Value   | Market Value | Book Value  | % of Portfolio | Term     | Days to Maturity | YTM 360 Equiv. | YTM 365 Equiv. |
|-------------------------------------|-------------|--------------|-------------|----------------|----------|------------------|----------------|----------------|
| Money Market Sweep/Checking Account | 8.64        | 8.64         | 8.64        | 100.00         | 1        | 1                | 0.358          | 0.363          |
| <b>Investments</b>                  | <b>8.64</b> | <b>8.64</b>  | <b>8.64</b> | <b>100.00%</b> | <b>1</b> | <b>1</b>         | <b>0.358</b>   | <b>0.363</b>   |

| Total Earnings           | October 31 Month Ending |
|--------------------------|-------------------------|
| Current Year             | 0.00                    |
| Average Daily Balance    | 7.03                    |
| Effective Rate of Return | 0.00%                   |

  
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Kevin McCarthy, Agency Treasurer

57 09

Reporting period 10/01/2013-10/31/2013

Run Date: 01/22/2014 - 16:15

No fiscal year history available

Portfolio 03AT  
CP  
PM (PRF\_PM1) 7.3.0  
Report Ver. 7.3.3

**Housing Series 2003 AT Bonds  
Portfolio Management  
Portfolio Details - Investments  
October 31, 2013**

| CUSIP                                      | Investment # | Issuer                         | Average Balance | Purchase Date | Par Value   | Market Value | Book Value  | Stated Rate | S&P | YTM 360      | Days to Maturity | Maturity Date |
|--|--------------|--------------------------------|-----------------|---------------|-------------|--------------|-------------|-------------|-----|--------------|------------------|---------------|
| <b>Money Market Sweep/Checking Account</b> |              |                                |                 |               |             |              |             |             |     |              |                  |               |
| SYS36                                      | 36           | 2003 AT Bonds Housing Surplus  |                 |               | 0.00        | 0.00         | 0.00        | 2.410       |     | 2.377        | 1                |               |
| SYS12                                      | 12           | 2003 AT Bonds Interest Reserve |                 |               | 2.68        | 2.68         | 2.68        | 0.410       |     | 0.404        | 1                |               |
| SYS13                                      | 13           | 2003 AT Bonds Principal Reserv |                 |               | 4.96        | 4.96         | 4.96        | 0.410       |     | 0.404        | 1                |               |
| SYS11                                      | 11           | 2003 AT Bonds Reserve          |                 | 07/01/2012    | 1.00        | 1.00         | 1.00        |             |     | 0.000        | 1                |               |
| SYS1                                       | 1            | Fidelity Institutional Money M |                 |               | 0.00        | 0.00         | 0.00        | 2.640       |     | 2.604        | 1                |               |
| SYS10                                      | 10           | UBC Cost Of Issuance Escrow    |                 | 07/01/2012    | 0.00        | 0.00         | 0.00        |             |     | 0.000        | 1                |               |
| <b>Subtotal and Average</b>                |              |                                | <b>7.03</b>     |               | <b>8.64</b> | <b>8.64</b>  | <b>8.64</b> |             |     | <b>0.358</b> | <b>1</b>         |               |
| <b>Total and Average</b>                   |              |                                | <b>7.03</b>     |               | <b>8.64</b> | <b>8.64</b>  | <b>8.64</b> |             |     | <b>0.358</b> | <b>1</b>         |               |

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58

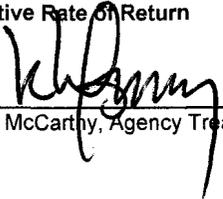


**RDA Series 2003 A Bonds  
Portfolio Management  
Portfolio Summary  
October 31, 2013**

City of Indian Wells  
44-950 Eldorado Drive  
Indian Wells CA 92210  
(760)346-2489

| Investments                         | Par Value   | Market Value | Book Value  | % of Portfolio | Term     | Days to Maturity | YTM 360 Equiv. | YTM 365 Equiv. |
|-------------------------------------|-------------|--------------|-------------|----------------|----------|------------------|----------------|----------------|
| Money Market Sweep/Checking Account | 4.98        | 4.98         | 4.98        | 100.00         | 1        | 1                | 0.328          | 0.333          |
| <b>Investments</b>                  | <b>4.98</b> | <b>4.98</b>  | <b>4.98</b> | <b>100.00%</b> | <b>1</b> | <b>1</b>         | <b>0.328</b>   | <b>0.333</b>   |

| Total Earnings           | October 31 Month Ending |
|--------------------------|-------------------------|
| Current Year             | 0.00                    |
| Average Daily Balance    | 4.55                    |
| Effective Rate of Return | 0.00%                   |

  
Kevin McCarthy, Agency Treasurer

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59

Reporting period 10/01/2013-10/31/2013

Run Date: 01/22/2014 - 16:08

No fiscal year history available

Portfolio 03A  
CP  
PM (PRF\_PM1) 7.3.0  
Report Ver. 7.3.3

**RDA Series 2003 A Bonds  
Portfolio Management  
Portfolio Details - Investments  
October 31, 2013**

| CUSIP                                      | Investment # | Issuer                      | Average Balance | Purchase Date | Par Value   | Market Value | Book Value  | Stated Rate | S&P | YTM 365      | Days to Maturity | Maturity Date |
|--|--------------|-----------------------------|-----------------|---------------|-------------|--------------|-------------|-------------|-----|--------------|------------------|---------------|
| <b>Money Market Sweep/Checking Account</b> |              |                             |                 |               |             |              |             |             |     |              |                  |               |
| SYS12                                      | 12           | 2003 A Bonds Reserve        |                 |               | 1.00        | 1.00         | 1.00        | 0.001       |     | 0.001        | 1                |               |
| SYS14                                      | 14           | 2003 A Bonds Principal      |                 |               | 2.38        | 2.38         | 2.38        | 0.420       |     | 0.420        | 1                |               |
| SYS13                                      | 13           | 2003 A Bonds Interest       |                 |               | 1.60        | 1.60         | 1.60        | 0.410       |     | 0.410        | 1                |               |
| SYS1                                       | 1            | Blackrock Provident T-Fund  |                 |               | 0.00        | 0.00         | 0.00        | 0.001       |     | 0.001        | 1                |               |
| SYS11                                      | 11           | UBC Cost Of Issuance Escrow |                 | 07/01/2012    | 0.00        | 0.00         | 0.00        |             |     | 0.000        | 1                |               |
| <b>Subtotal and Average</b>                |              |                             | <b>4.55</b>     |               | <b>4.98</b> | <b>4.98</b>  | <b>4.98</b> |             |     | <b>0.333</b> | <b>1</b>         |               |
| <b>Total and Average</b>                   |              |                             | <b>4.55</b>     |               | <b>4.98</b> | <b>4.98</b>  | <b>4.98</b> |             |     | <b>0.333</b> | <b>1</b>         |               |

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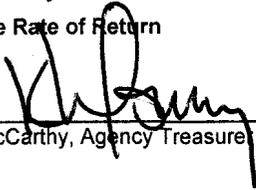


**2006 A Bonds  
Portfolio Management  
Portfolio Summary  
October 31, 2013**

City of Indian Wells  
44-950 Eldorado Drive  
Indian Wells CA 92210  
(760)346-2489

| Investments                         | Par Value   | Market Value | Book Value  | % of Portfolio | Term     | Days to Maturity | YTM 360 Equiv. | YTM 365 Equiv. |
|-------------------------------------|-------------|--------------|-------------|----------------|----------|------------------|----------------|----------------|
| Money Market Sweep/Checking Account | 6.88        | 6.88         | 6.88        | 100.00         | 1        | 1                | 0.346          | 0.350          |
| <b>Investments</b>                  | <b>6.88</b> | <b>6.88</b>  | <b>6.88</b> | <b>100.00%</b> | <b>1</b> | <b>1</b>         | <b>0.346</b>   | <b>0.350</b>   |

| Total Earnings           | October 31 Month Ending |
|--------------------------|-------------------------|
| Current Year             | 0.01                    |
| Average Daily Balance    | 5.70                    |
| Effective Rate of Return | 2.07%                   |

  
Kevin McCarthy, Agency Treasurer

61 6C

Reporting period 10/01/2013-10/31/2013

Run Date: C1/22/2014 - 16:57

No fiscal year history available

Portfolio 06A  
CP  
PM (PRF\_PM1) 7.3.0  
Report Ver. 7.3.3

**2006 A Bonds  
Portfolio Management  
Portfolio Details - Investments  
October 31, 2013**

| CUSIP                                      | Investment # | Issuer                         | Average Balance | Purchase Date | Par Value   | Market Value | Book Value  | Stated Rate | S&P | YTM 365      | Days to Maturity | Maturity Date |
|--|--------------|--------------------------------|-----------------|---------------|-------------|--------------|-------------|-------------|-----|--------------|------------------|---------------|
| <b>Money Market Sweep/Checking Account</b> |              |                                |                 |               |             |              |             |             |     |              |                  |               |
| SYS13                                      | 13           | 2006A Good Faith Deposit       |                 |               | 0.00        | 0.00         | 0.00        | 5.080       |     | 5.080        | 1                |               |
| SYS15                                      | 15           | 2006 A Bonds Reserve           |                 |               | 1.00        | 1.00         | 1.00        |             |     | 0.000        | 1                |               |
| SYS14                                      | 14           | 2006 A Bonds Interest          |                 |               | 4.04        | 4.04         | 4.04        | 0.410       |     | 0.410        | 1                |               |
| SYS12                                      | 12           | UBC Cost Of Issuance Escrow    |                 |               | 0.00        | 0.00         | 0.00        | 5.020       |     | 5.020        | 1                |               |
| SYS10                                      | 10           | Fidelity Institutional Money M |                 |               | 0.00        | 0.00         | 0.00        | 5.360       |     | 5.360        | 1                |               |
| SYS17                                      | 17           | Principal Account              |                 |               | 1.84        | 1.84         | 1.84        | 0.410       |     | 0.410        | 1                |               |
| <b>Subtotal and Average</b>                |              |                                | <b>5.70</b>     |               | <b>6.88</b> | <b>6.88</b>  | <b>6.88</b> |             |     | <b>0.350</b> | <b>1</b>         |               |
| <b>Total and Average</b>                   |              |                                | <b>5.70</b>     |               | <b>6.88</b> | <b>6.88</b>  | <b>6.88</b> |             |     | <b>0.350</b> | <b>1</b>         |               |

62 69

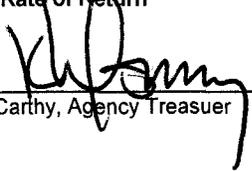


**RDA Series 2010 A Bonds  
Portfolio Management  
Portfolio Summary  
October 31, 2013**

City of Indian Wells  
44-950 Eldorado Drive  
Indian Wells CA 92210  
(760)346-2489

| Investments                         | Par Value         | Market Value      | Book Value        | % of Portfolio | Term     | Days to Maturity | YTM 360 Equiv. | YTM 365 Equiv. |
|-------------------------------------|-------------------|-------------------|-------------------|----------------|----------|------------------|----------------|----------------|
| Money Market Sweep/Checking Account | 780,671.82        | 780,671.82        | 780,671.82        | 100.00         | 1        | 1                | 0.000          | 0.000          |
| <b>Investments</b>                  | <b>780,671.82</b> | <b>780,671.82</b> | <b>780,671.82</b> | <b>100.00%</b> | <b>1</b> | <b>1</b>         | <b>0.000</b>   | <b>0.000</b>   |

| Total Earnings           | October 31 Month Ending |
|--------------------------|-------------------------|
| Current Year             | 0.00                    |
| Average Daily Balance    | 780,665.43              |
| Effective Rate of Return | 0.00%                   |

  
Kevin McCarthy, Agency Treasurer

69  
69

Reporting period 10/01/2013-10/31/2013

Run Date: 01/22/2014 - 17:00

No fiscal year history available

Portfolio 010A  
CP  
PM (PRF\_PM1) 7.3.0  
Report Ver. 7.3.3

**RDA Series 2010 A Bonds  
Portfolio Management  
Portfolio Details - Investments  
October 31, 2013**

| CUSIP                                      | Investment # | Issuer                       | Average Balance   | Purchase Date | Par Value         | Market Value      | Book Value        | Stated Rate | S&P | YTM 365      | Days to Maturity | Maturity Date |
|--|--------------|------------------------------|-------------------|---------------|-------------------|-------------------|-------------------|-------------|-----|--------------|------------------|---------------|
| <b>Money Market Sweep/Checking Account</b> |              |                              |                   |               |                   |                   |                   |             |     |              |                  |               |
| SYS1                                       | 1            | 2010 A Bonds Reserve         |                   | 07/01/2012    | 780,670.62        | 780,670.62        | 780,670.62        |             |     | 0.000        | 1                |               |
| SYS14                                      | 13           | 2010 A Bonds Principal       |                   | 07/01/2012    | 0.64              | 0.64              | 0.64              |             |     | 0.000        | 1                |               |
| SYS4                                       | 4            | 2010 A Bonds Interest        |                   |               | 0.56              | 0.56              | 0.56              | 0.530       |     | 0.530        | 1                |               |
| SYS7                                       | 7            | Local Agency Investment Fund |                   |               | 0.00              | 0.00              | 0.00              | 0.530       |     | 0.530        | 1                |               |
| SYS2                                       | 2            | Blackrock Provident T-Fund   |                   | 07/01/2012    | 0.00              | 0.00              | 0.00              |             |     | 0.000        | 1                |               |
| SYS3                                       | 3            | UBC Cost Of Issuance Escrow  |                   | 07/01/2012    | 0.00              | 0.00              | 0.00              |             |     | 0.000        | 1                |               |
| <b>Subtotal and Average</b>                |              |                              | <b>780,665.43</b> |               | <b>780,671.82</b> | <b>780,671.82</b> | <b>780,671.82</b> |             |     | <b>0.000</b> | <b>1</b>         |               |
| <b>Total and Average</b>                   |              |                              | <b>780,665.43</b> |               | <b>780,671.82</b> | <b>780,671.82</b> | <b>780,671.82</b> |             |     | <b>0.000</b> | <b>1</b>         |               |

19 09



**City of Indian Wells  
Portfolio Management  
Portfolio Summary  
October 31, 2013**

City of Indian Wells  
44-950 Eldorado Drive  
Indian Wells CA 92210  
(760)346-2489

| Investments                         | Par Value           | Market Value        | Book Value          | % of Portfolio | Term     | Days to Maturity | YTM 360 Equiv. | YTM 365 Equiv. |
|-------------------------------------|---------------------|---------------------|---------------------|----------------|----------|------------------|----------------|----------------|
| Managed Trustee Accounts            | 4.16                | 4.16                | 4.16                | 0.00           | 1        | 1                | 1.523          | 1.544          |
| Checking Accounts with Fiscal Agent | 2,206,585.88        | 2,206,585.88        | 2,206,585.88        | 100.00         | 1        | 1                | 0.654          | 0.663          |
| <b>Investments</b>                  | <b>2,206,590.04</b> | <b>2,206,590.04</b> | <b>2,206,590.04</b> | <b>100.00%</b> | <b>1</b> | <b>1</b>         | <b>0.654</b>   | <b>0.663</b>   |

| Total Earnings           | October 31 Month Ending |
|--------------------------|-------------------------|
| Current Year             | 1,242.15                |
| Average Daily Balance    | 1,781,100.90            |
| Effective Rate of Return | 0.82%                   |

*Kevin McCarthy* 2/13/2014  
 \_\_\_\_\_  
 Kevin McCarthy, Finance Director

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Reporting period 10/01/2013-10/31/2013

Run Date: 02/13/2014 - 09:29

No fiscal year history available

Portfolio FA  
AP  
PM (PRF\_PM1) 7.3.0  
Report Ver. 7.3.3

**City of Indian Wells  
Portfolio Management  
Portfolio Details - Investments  
October 31, 2013**

| CUSIP                                      | Investment # | Issuer                         | Average Balance     | Purchase Date | Par Value           | Market Value        | Book Value          | Stated Rate | S&P | YTM 360      | Days to Maturity | Maturity Date |
|--|--------------|--------------------------------|---------------------|---------------|---------------------|---------------------|---------------------|-------------|-----|--------------|------------------|---------------|
| <b>Managed Trustee Accounts</b>            |              |                                |                     |               |                     |                     |                     |             |     |              |                  |               |
| SYS1                                       | 1            | Union Bank of California       |                     |               | 0.00                | 0.00                | 0.00                | 5.110       |     | 5.040        | 1                |               |
| SYS11                                      | 11           | Union Bank of California       |                     |               | 1.00                | 1.00                | 1.00                | 5.110       |     | 5.040        | 1                |               |
| SYS12                                      | 12           | Union Bank of California       |                     |               | 1.78                | 1.76                | 1.76                | 0.420       |     | 0.414        | 1                |               |
| SYS13                                      | 13           | Union Bank of California       |                     |               | 1.40                | 1.40                | 1.40                | 0.410       |     | 0.404        | 1                |               |
| SYS14                                      | 14           | Union Bank of California       |                     | 07/01/2012    | 0.00                | 0.00                | 0.00                | 5.110       |     | 5.040        | 1                |               |
| SYS15                                      | 15           | Union Bank of California       |                     | 07/01/2012    | 0.00                | 0.00                | 0.00                | 5.110       |     | 5.040        | 1                |               |
| SYS16                                      | 16           | Union Bank of California       |                     | 07/01/2012    | 0.00                | 0.00                | 0.00                | 5.110       |     | 5.040        | 1                |               |
| SYS2                                       | 2            | Union Bank of California       |                     |               | 0.00                | 0.00                | 0.00                | 5.110       |     | 5.040        | 1                |               |
| SYS3                                       | 3            | Union Bank of California       |                     |               | 0.00                | 0.00                | 0.00                | 4.950       |     | 4.882        | 1                |               |
| SYS4                                       | 4            | Union Bank of California       |                     |               | 0.00                | 0.00                | 0.00                | 4.950       |     | 4.882        | 1                |               |
| SYS5                                       | 5            | Union Bank of California       |                     |               | 0.00                | 0.00                | 0.00                | 4.950       |     | 4.882        | 1                |               |
| SYS8                                       | 8            | Union Bank of California       |                     |               | 0.00                | 0.00                | 0.00                | 4.950       |     | 4.882        | 1                |               |
| <b>Subtotal and Average</b>                |              |                                | <b>3.64</b>         |               | <b>4.16</b>         | <b>4.16</b>         | <b>4.16</b>         |             |     | <b>1.523</b> | <b>1</b>         |               |
| <b>Checking Accounts with Fiscal Agent</b> |              |                                |                     |               |                     |                     |                     |             |     |              |                  |               |
| SYS6                                       | 6            | The Golf Resort at Indian Well |                     | 07/01/2012    | 744,269.26          | 744,269.26          | 744,269.26          |             |     | 0.000        | 1                |               |
| SYS7                                       | 7            | Indian Wells Villas            |                     |               | 760,279.84          | 760,279.84          | 760,279.84          | 1.000       |     | 0.986        | 1                |               |
| SYS10                                      | 10           | Mountain View Villas           |                     |               | 702,036.78          | 702,036.78          | 702,036.78          | 1.000       |     | 0.986        | 1                |               |
| <b>Subtotal and Average</b>                |              |                                | <b>1,781,097.26</b> |               | <b>2,206,585.88</b> | <b>2,206,585.88</b> | <b>2,206,585.88</b> |             |     | <b>0.654</b> | <b>1</b>         |               |
| <b>Total and Average</b>                   |              |                                | <b>1,781,100.90</b> |               | <b>2,206,590.04</b> | <b>2,206,590.04</b> | <b>2,206,590.04</b> |             |     | <b>0.654</b> | <b>1</b>         |               |

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**FIRE ACCESS MAINTENANCE DISTRICT (FAMD)  
02/20/2014 MEETING WARRANT LIST**

| CHECK # | DATE      | INVOICE #        | VENDOR NAME/DESCRIPTION  | INVOICE AMT | CHECK TOTAL      |
|---------|-----------|------------------|--|-------------|------------------|
|         | 2/20/2014 |                  | UNIVERSAL PROTECTION SERVICE   |             |                  |
|         |           | 1019114          | FAMD SECURITY SVCS FOR DEC 27, 2013-JAN 2, 2014                                  | 16,664.26   |                  |
|         |           | 1026657          | FAMD SECURITY SVCS FOR JAN 10-JAN 16, 2014                                       | 14,880.76   |                  |
|         |           | 1022926          | FAMD SECURITY SVCS FOR JAN 3-JAN 9, 2014   | 14,784.02   |                  |
|         |           | 959281           | FAMD SECURITY SERVICES FOR OCT 4-OCT 10, 2013                                    | 13,738.74   |                  |
|         |           | 936349           | FAMD SECURITY SERVICES FOR AUG 30-SEPT 5, 2013                                   | 13,546.06   |                  |
|         |           | 1010427          | FAMD SECURITY SVCS CYCOP & VEHICLES FOR NOV 29-DEC 26, 2013                      | 1,045.00    |                  |
|         |           | 1018262          | FAMD SECURITY SERVICES FUEL REIMBURSEMENT FOR DEC, 2013                          | 664.19      | <b>75,323.03</b> |
|         | 2/20/2014 |                  | DESERT RESORT MANAGEMENT INC.  |             |                  |
|         |           | DRM013311        | FAMD MANAGEMENT SERVICES FOR FEB, 2014   | 5,768.00    | <b>5,768.00</b>  |
|         | 2/20/2014 |                  | M & M SWEEPING, INC.   |             |                  |
|         |           | 35376            | FAMD MONTHLY STREET SWEEPING & ADDITIONAL-MANITOU, IROQUOIS & CLUB FOR JAN, 2014 | 5,380.00    | <b>5,380.00</b>  |
|         | 2/20/2014 |                  | STAPLES  |             |                  |
|         |           | 601110005223615  | FAMD MICROWAVE, COMPUTER DESK, HUTCH, BOOKCASE, 2-TIER CART, INK, TISSUE & PAPER | 2,080.98    | <b>2,080.98</b>  |
|         | 2/20/2014 |                  | ASSOCIA ONCALL CALFORNIA INC   |             |                  |
|         |           | OCA006210        | FAMD GUARDHOUSES RUBBER MATS & REPLACEMENT SVCS ON DEC 16, 2013                  | 1,625.00    |                  |
|         |           | OCA006529        | FAMD FIRE HYDRANT LOCATION FLAG REPLACEMENTS & INSTALLATION SERVICE              | 271.00      |                  |
|         |           | OCA006211        | DISPOSAL SERVICE OF BROKEN CHAIRS & OLD COMPUTERS AT MANITOU GUARD HOUSE         | 50.00       | <b>1,946.00</b>  |
|         | 2/20/2014 |                  | CONSERVE LANDCARE  |             |                  |
|         |           | 7214             | FAMD LANDSCAPE MAINTENANCE FOR JAN, 2014   | 1,755.00    | <b>1,755.00</b>  |
|         | 2/20/2014 |                  | SOUTHERN CALIFORNIA EDISON CO.   |             |                  |
|         |           | 2-04-020-2624    | FAMD 45400 MANITOU DRIVE UTILITIES FOR DEC, 2013                                 | 851.90      |                  |
|         |           | 2-01-570-2145    | FAMD 45301 CLUB DR GATE UTILITIES FOR DEC, 2013                                  | 424.67      | <b>1,276.57</b>  |
|         | 2/20/2014 |                  | APPLICATIONS BY DESIGN, INC.   |             |                  |
|         |           | 22470            | FAMD ACCESS CONTROL SYSTEM HOSTING FOR FEB, 2014                                 | 625.00      | <b>625.00</b>    |
|         | 2/20/2014 |                  | TIME WARNER CABLE  |             |                  |
|         |           | 8448410760024103 | FAMD CLUB DRIVE INTERNET SVC FOR JAN 23,-FEB 22, 2014                            | 129.70      |                  |
|         |           | 8448410760024111 | FAMD MANITOU DRIVE INTERNET SVC FOR JAN 23-FEB 22, 2014                          | 129.70      | <b>259.40</b>    |

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FIRE ACCESS MAINTENANCE DISTRICT (FAMD)  
02/20/2014 MEETING WARRANT LIST

| CHECK # | DATE      | INVOICE # | VENDOR NAME/DESCRIPTION   | INVOICE AMT | CHECK TOTAL |
|---------|-----------|-----------|---|-------------|-------------|
|         | 2/20/2014 | 7492      | AMS<br>FAMD COMPUTER, PRINTER, KMV SWITCH & ID SCANNER RE-INSTALL AT CLUB GUARD HOUSE | 95.00       | 95.00       |

10 checks in this report

TOTAL FAMD WARRANTS 44724-44733 : 94,508.98

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CC/HACTION \_\_\_\_\_ MTG. DATE 2-20-14  
 APPROVED  DENIED \_\_\_\_\_ REC/FILE \_\_\_\_\_ CONT. \_\_\_\_\_  
 OTHER \_\_\_\_\_  
 VOTE: YES 5 NO 0 ABSTAIN \_\_\_\_\_

**CITY OF INDIAN WELLS**  
**02/20/2014 MEETING WARRANT LIST**

| CHECK # | DATE      | INVOICE #    | VENDOR NAME/DESCRIPTION  | INVOICE AMT | CHECK TOTAL |
|---------|-----------|--------------|--|-------------|-------------|
| 44660   | 2/20/2014 |              | DESERT HORIZONS OWNERS ASSOC.  |             |             |
|         |           | 2013/14-1    | LLMD PASS THROUGH 1ST PAYMENT FOR FY 2013/14                                     | 245,970.48  | 245,970.48  |
| 44707   | 2/20/2014 |              | RIVERSIDE COUNTY SHERIFF DEPT  |             |             |
|         |           | SH0000023021 | SHERIFF DEPUTIES, MILEAGE, FORENSIC TECH, LIEUTENANT,CSO FOR NOV 14-DEC 11, 2013 | 237,983.61  | 237,983.61  |
| 44697   | 2/20/2014 |              | PROVINCE HOMEOWNERS ASSOC.   |             |             |
|         |           | 2013/14-1    | LLMD PASS THROUGH 1ST PAYMENT FOR FY 2013/14                                     | 132,833.87  | 132,833.87  |
| 44658   | 2/20/2014 |              | DESERT AIR CONDITIONING, INC.  |             |             |
|         |           | 136886       | INSTALL (4) REPLACEMENT HVAC UNITS AT 45-200 CLUB DRIVE SUITE A & D              | 27,404.32   | 27,404.32   |
| 44635   | 1/31/2014 |              | CALPERS RETIREMENT SYSTEM  |             |             |
|         |           | 0844         | OPEB FUNDING FOR JAN 31, 2014  | 26,237.89   | 26,237.89   |
| 44713   | 2/20/2014 |              | SUNDANCE AT INDIAN WELLS HOA   |             |             |
|         |           | 2013/14-1    | LLMD PASS THROUGH 1ST PAYMENT FOR FY 2013/14                                     | 25,010.44   | 25,010.44   |
| 44648   | 2/20/2014 |              | CALMEX ENGINEERING, INC.   |             |             |
|         |           | 15202        | SLURRY SEAL FAIRWAY DRIVE FROM RANCHO PALMERAS TO APPROXIMATELY WILLIAMS ROAD    | 19,501.20   | 19,501.20   |
| 44642   | 2/20/2014 |              | A.M. ORTEGA CONSTRUCTION, INC.   |             |             |
|         |           | 62305-R      | IW VILLAGE RULE 20A DISTRICT VERIZON TRENCH INSTALLATION RETENTION RELEASE       | 19,171.15   | 19,171.15   |
| 44641   | 2/5/2014  |              | PLATINUM PLUS FOR BUSINESS   |             |             |
|         |           | 2000         | (7) EMPLOYEE SERVICE AWARDS AND GIFT CARD BAGS                                   | 3,068.59    |             |
|         |           | 1615         | RESIENT SUNNYLAND ANNENBERG TOUR FOR DEC 18, 2013                                | 2,700.00    |             |
|         |           | 5493         | 2013 BUILDING CODE REFERENCE BOOKS CA TITLES, ELECTRIC CODES, & FIRE CODES       | 2,051.32    |             |
|         |           | 1615         | 2014 OUTLOOK FORUM REGISTRATION ON FEB 5-FEB 6, 2014 FOR N.SAMUELSON & M.WILKEY  | 950.00      |             |
|         |           | 1615         | 2014 CALIFORNIA TRAVEL ASSOCIATION REGULAR MEMBERSHIP & BOARD MEETING DINNER     | 905.00      |             |
|         |           | 1615         | EXECUTIVE TEAM 3-DAY RETREAT OVERNIGHT ACCOMODATIONS FOR FEB 26-28, 2014         | 556.24      |             |
|         |           | 1864         | ASSISTANT TO THE CITY MANAGER JOB POSTING ADVERTISEMENT                          | 450.00      |             |
|         |           | 1864         | SENIOR ACCOUNTANT JOB ADVERTISEMENT  | 450.00      |             |

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**CITY OF INDIAN WELLS**  
**02/20/2014 MEETING WARRANT LIST**

| CHECK # | DATE      | INVOICE # | VENDOR NAME/DESCRIPTION   | INVOICE AMT | CHECK TOTAL |
|---------|-----------|-----------|---|-------------|-------------|
|         |           | 1615      | (23) RESIDENT SUNNYLAND ANNENBERG TOUR BOX LUNCHESES FOR DEC 18, 2013             | 390.99      |             |
|         |           | 2000      | EMPLOYEE RECOGNITION/HOLIDAY LUNCHEON EVENT DEPOSIT FOR DEC 13, 2013              | 360.00      |             |
|         |           | 2000      | CITY COUNCIL MEETING LUNCH FROM CALIFORNIA PIZZA KITCHEN FOR DEC 19, 2013         | 304.55      |             |
|         |           | 5493      | CALIFORNIA DESERT ASSOCIATION OF REALTORS 2014 INVEST SPONSOR                     | 250.00      |             |
|         |           | 5493      | 2010 BLDG REFERENCE BOOKS ADA STANDARD FOR ACCESSIBLE DESIGN, ABS & ABA GUIDES    | 196.02      |             |
|         |           | 2000      | NEW MAYOR & COUNCIL MEMBERS CONFERENCE FLIGHT EXPENSE FOR D.HANSON ON JAN 22-24   | 193.80      |             |
|         |           | 2000      | MEL WINDSOR RETIREMENT BREAKFAST PASTERIES, ORANGE JUICE, & YOGURT                | 112.93      |             |
|         |           | 2048      | (1) PROFESSIONAL 8 PDF SOFTWARE CONVERTER FOR TECHNOLOGY DEPT                     | 99.99       |             |
|         |           | 2048      | (1-100) OFFICE 365 USER MAILBOXES EXCHANGE MIGRATOR TOOL SOFTWARE                 | 99.00       |             |
|         |           | 2048      | CREATIVE CLOUD TEAM ALL MONTHLY SOFTWARE LICENSE                                  | 49.99       |             |
|         |           | 2000      | (1) DESK CALENDAR FOR MAYOR T.MERTENS   | 30.23       |             |
|         |           | 1615      | (1) \$25 ITUNES GIFT CARD FOR MEETING PLANNER SWEEPSTAKES WINNER-DENISE BENDER    | 25.00       |             |
|         |           | 1615      | (1) \$25 ITUNES GIFT CARD FOR MEETING PLANNER SWEEPSTAKES WINNER-WENDY COLE       | 25.00       |             |
|         |           | 1615      | (1) \$25 ITUNES GIFT CARD FOR MEETING PLANNER SWEEPSTAKES WINNER-SHARON SCHUHART  | 25.00       |             |
|         |           | 1615      | (1) \$25 ITUNES GIFT CARD FOR MEETING PLANNER SWEEPSTAKES WINNER-MAX FALAMAKI     | 25.00       |             |
|         |           | 1615      | (1) \$25 ITUNES GIFT CARD FOR MEETING PLANNER SWEEPSTAKES WINNER-SHARON PUBS      | 25.00       |             |
|         |           | 1615      | (1) \$25 ITUNES GIFT CARD FOR MEETING PLANNER SWEEPSTAKE WINNER-CONSTANCE HAWKINS | 25.00       |             |
|         |           | 1615      | (1) \$25 ITUNES GIFT CARD FOR MEETING PLANNER SWEEPSTAKES WINNER-JEN MOYER        | 25.00       |             |
|         |           | 1615      | (1) \$25 ITUNES GIFT CARD FOR MEETING PLANNER SWEEPSTAKES WINNER-CHARLES SAVOCA   | 25.00       |             |
|         |           | 1615      | (1) \$25 ITUNES GIFT CARD FOR MEETING PLANNER SWEEPSTAKES WINNER-AMANDA GIBSON    | 25.00       |             |
|         |           | 1615      | (1) \$25 ITUNES GIFT CARD FOR MEETING PLANNER SWEEPSTAKES WINNER-CARRIE MACIAS    | 25.00       |             |
|         |           | 5493      | MONTHLY FORECLOSURE COMPLETE PROPERTY PROFILE SEARCH SERVICES FOR DEC 2013        | 20.00       |             |
|         |           | 2000      | CITY COUNCIL MEETING SNACKS ALMONDS, COOKIES & BANANAS FOR DEC, 19, 2013          | 13.55       | 13,502.20   |
| 44651   | 2/20/2014 |           | CASA DORADO HOMEOWNERS ASSOC.   |             |             |
|         |           | 2013/14-1 | LLMD PASS THROUGH 1ST PAYMENT FOR FY 2013/14                                      | 13,393.94   | 13,393.94   |
| 44657   | 2/20/2014 |           | COVE AT INDIAN WELLS HOA  |             |             |
|         |           | 2013/14-1 | LLMD PASS THROUGH 1ST PAYMENT FOR FY 2013/14                                      | 10,431.76   | 10,431.76   |
| 44653   | 2/20/2014 |           | COACHELLA VALLEY ASSOC OF GOVT  |             |             |
|         |           | JAN14     | TUMF FEES COLLECTED FOR JAN, 2014   | 9,187.20    | 9,187.20    |

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**CITY OF INDIAN WELLS**  
**02/20/2014 MEETING WARRANT LIST**

| CHECK # | DATE      | INVOICE #     | VENDOR NAME/DESCRIPTION  | INVOICE AMT | CHECK TOTAL |
|---------|-----------|---------------|--|-------------|-------------|
| 44682   | 2/20/2014 |               | LSL CPA'S  |             |             |
|         |           | 9206          | GOLF RESORT QUARTERLY AGREED UPON PROCEDURES PREPARATION & AUDIT SERVICES          | 9,000.00    | 9,000.00    |
| 44664   | 2/20/2014 |               | HEPTAGON SEVEN CONSULTING, INC.  |             |             |
|         |           | 201401005     | IW VILLAGE RULE 20B UTILITY UNDERGROUNDING MGMT SVCS FOR DEC 28,13 TO JAN 30,14    | 8,370.00    | 8,370.00    |
| 44671   | 2/20/2014 |               | INDIAN WELLS PLAZA ASSOCIATION   |             |             |
|         |           | 2043          | 45-200 & 45-300 CLUB DRIVE SEMI-ANNUAL ASSOCIATION DUES FOR FY 2013/14             | 6,443.00    | 6,443.00    |
| 44715   | 2/20/2014 |               | TEKWORKS, INC.   |             |             |
|         |           | 5073          | (1) REPLACEMENT AUDIO/VIDEO SWITCHER FOR COUNCIL CHAMBERS                          | 4,742.44    | 4,742.44    |
| 44652   | 2/20/2014 |               | CLEANSTREET  |             |             |
|         |           | 73184         | CITYWIDE STREET SWEEPING FOR JAN, 2014   | 3,702.43    |             |
|         |           | 73152         | (2.5) HOURS SPECIAL STREET SWEEPING SERVICE ON PAINTED DESERT & MANZO FOR JAN 24   | 212.50      | 3,914.93    |
| 44668   | 2/20/2014 |               | HUB CONSTRUCTION SPECIALTIES,  |             |             |
|         |           | Y11011947     | (1) CONCRETE SCARIFIER FOR PW DEPT   | 3,910.14    | 3,910.14    |
| 44636   | 1/31/2014 |               | DELTA DENTAL   |             |             |
|         |           | BE000720409   | DENTAL INSURANCE FOR FEB 2014  | 3,416.86    | 3,416.86    |
| 44683   | 2/20/2014 |               | LUMPKIN, RUSSELL L.  |             |             |
|         |           | DTD 1/31/14   | BUILDING INSPECTION, PLAN REVIEW, PERMIT ISSUANCE & CODE ENFORCEMENT FOR FEB, 2014 | 3,312.00    | 3,312.00    |
| 44717   | 2/20/2014 |               | TRAFFEX ENGINEERS INC  |             |             |
|         |           | 3             | HWY 111, MILES, COOK ST & VILLAGE CTR TRAFFIC ENGINEERING SVC                      | 3,095.75    | 3,095.75    |
| 44675   | 2/20/2014 |               | JOE A. GONSALVES & SON   |             |             |
|         |           | 24190         | LEGISLATIVE ADVOCACY SERVICES FOR FEB, 2014  | 3,000.00    | 3,000.00    |
| 44702   | 2/20/2014 |               | RA STRUCTURAL ENGINEERING  |             |             |
|         |           | B00-011-012-1 | 78-200 MILES AVE PIEROS BAR CANOPY PLAN CHECK SERVICE FOR JAN 2-10, 2014           | 2,600.00    |             |
|         |           | B00-010-636-1 | 75305 STARDUST LANE PLAN CHECK SERVICES FOR AUG 20-SEPT 11, 2013                   | 325.00      | 2,925.00    |
| 44687   | 2/20/2014 |               | MINUTEMAN PRESS  |             |             |
|         |           | 28520         | CITY NEWSLETTER ADVERTISING INSERT PRINTING FOR JAN, 2014                          | 917.68      |             |

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**CITY OF INDIAN WELLS**  
**02/20/2014 MEETING WARRANT LIST**

| CHECK # | DATE      | INVOICE #     | VENDOR NAME/DESCRIPTION   | INVOICE AMT | CHECK TOTAL     |
|---------|-----------|---------------|---|-------------|-----------------|
|         |           | 29118         | CITY NEWSLETTER ADVERTISING INSERT PRINTING FOR FEB, 2014                   | 917.68      |                 |
|         |           | 29053         | PRINT (10,000) CITY WINDOW ENVELOPES FOR STOCK SUPPLY                       | 867.68      | <b>2,703.04</b> |
| 44700   | 2/20/2014 |               | PWLC, II, INC.  |             |                 |
|         |           | 87379         | IWGR WHITEWATER CHANNEL LANDSCAPE MAINTENANCE FOR FEB, 2014                 | 2,696.00    | <b>2,696.00</b> |
| 44665   | 2/20/2014 |               | HIGH TECH MAILING SERVICES  |             |                 |
|         |           | 28154         | NEWSLETTER MAILING, UPDATING MAILING LIST, IMPRINT ADDRESSES FOR FEB, 2014  | 2,280.53    | <b>2,280.53</b> |
| 44655   | 2/20/2014 |               | COACHELLA VALLEY WATER DIST.  |             |                 |
|         |           | 331197-849962 | LLMD S. HWY 111 @ MANITOU UTILITIES JAN, 2014                               | 987.39      |                 |
|         |           | 317055-849582 | LLMD A2 RANCHO PALMERAS DR UTILITIES FOR JAN, 2014                          | 343.66      |                 |
|         |           | 155641-422578 | 44980 COOK ST UTILITIES FOR JAN, 2014                                       | 276.60      |                 |
|         |           | 281233-740500 | 76625 HWY 111 UTILITIES FOR JAN, 2014                                       | 180.86      |                 |
|         |           | 281271-740546 | 45-410 COOK ST UTILITIES FOR JAN, 2014                                      | 143.32      |                 |
|         |           | 155581-422504 | COOK ST CENTER MEDIAN UTILITIES FOR JAN, 2014                               | 104.12      |                 |
|         |           | 155805-422752 | HWY 111 EAST OF CLUB DR UTILITIES FOR JAN, 2014                             | 70.52       |                 |
|         |           | 314309-846198 | 75420 MANSFIELD DR UTILITIES FOR JAN, 2014                                  | 50.22       |                 |
|         |           | 314511-846428 | 44500 INDIAN WELLS LN UTILITIES FOR JAN, 2014                               | 47.98       |                 |
|         |           | 152575-419066 | 45200 CLUB DR UTILITIES FOR JAN, 2014                                       | 23.34       | <b>2,228.01</b> |
| 44679   | 2/20/2014 |               | KEITH HULL'S POOL SERVICE, INC  |             |                 |
|         |           | 14200100      | IW LANE FOUNTAIN MAINTENANCE & CHEMICALS FOR JAN, 2014                      | 1,810.00    |                 |
|         |           | 14220100      | WALK OF HONOR/CITY ENTRY FOUNTAINS MAINT FOR JAN, 2014                      | 345.00      | <b>2,155.00</b> |
| 44696   | 2/20/2014 |               | PROPER SOLUTIONS  |             |                 |
|         |           | 603           | RECEPTIONIST & COMMUNITY DEVELOPMENT TEMP SVCS FOR JAN 27-JAN 31, 2014      | 1,108.80    |                 |
|         |           | 585           | RECEPTIONIST & COMMUNITY DEVELOPMENT TEMP SVCS FOR JAN 21-JAN 24, 2014      | 950.40      | <b>2,059.20</b> |
| 44645   | 2/20/2014 |               | B.G. STRUCTURAL ENGINEERING   |             |                 |
|         |           | 917.343       | 50-012 DESERT ARROYO PLAN CHECK SVCS-ENGINEER, ARCHITECTURE, ADMINISTRATION | 275.00      |                 |
|         |           | 917.262       | 75-720 VALLE VISTA PLAN CHECK SVCS-ENGINEER, ARCHITECTURE, ADMINISTRATION   | 175.00      |                 |
|         |           | 917.234       | 76-363 FAIRWAY DRIVE PLAN CHECK SVCS-ENGINEER, ARCHITECTURE, ADMINISTRATION | 175.00      |                 |
|         |           | 917.311       | 45-755 ALVAREZ PLAN CHECK SVCS-ENGINEER, ARCHITECTURE, ADMINISTRATION       | 137.50      |                 |
|         |           | 917.342       | 76342 VIA VOLTERRA PLAN CHECK SVCS-ENGINEER, ARCHITECTURE, ADMINISTRATION   | 500.00      |                 |

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CITY OF INDIAN WELLS  
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| CHECK # | DATE      | INVOICE #    | VENDOR NAME/DESCRIPTION   | INVOICE AMT | CHECK TOTAL     |
|---------|-----------|--------------|---|-------------|-----------------|
|         |           | 917.340      | 75-464 RIVIERA DRIVE PLAN CHECK SVCS-ENGINEER, ARCHITECTURE, ADMINISTRATION     | 423.50      |                 |
|         |           | 917.316      | 44-840 WINGED FOOT PLAN CHECK SVCS-ENGINEER, ARCHITECTURE, ADMINISTRATION       | 175.00      |                 |
|         |           | 917.293      | 74-982 COVE DRIVE PLAN CHECK SVCS-ENGINEER, ARCHITECTURE, ADMINISTRATION        | 175.00      | <b>2,036.00</b> |
| 44722   | 2/20/2014 |              | WEX BANK  |             |                 |
|         |           | 35666242     | PW VEHICLE FLEET FUEL SUPPLY FOR JAN, 2014                                      | 1,839.73    | <b>1,839.73</b> |
| 44701   | 2/20/2014 |              | QUALITY CODE PUBLISHING LLC   |             |                 |
|         |           | 2014-33      | WEB BASED MUNICIPAL CODE SVCS FOR AUG 1, 2013-JAN 31, 2014                      | 1,756.27    | <b>1,756.27</b> |
| 44695   | 2/20/2014 |              | PRINTING PLACE  |             |                 |
|         |           | 140089       | PRINT (5,000) 8-PAGE FEBRUARY, 2014 NEWSLETTERS                                 | 1,695.00    | <b>1,695.00</b> |
| 44637   | 1/31/2014 |              | UNION SECURITY INSURANCE CO.  |             |                 |
|         |           | 4015595      | SHORT/LONG TERM DISABILITY FOR FEB 2014   | 1,538.91    | <b>1,538.91</b> |
| 44654   | 2/20/2014 |              | COACHELLA VALLEY CONSERVATION   |             |                 |
|         |           | JAN14        | MSHCP COLLECTED FOR JAN, 2014   | 1,265.22    | <b>1,265.22</b> |
| 44705   | 2/20/2014 |              | RENNE SLOAN HOLTZMAN SAKAI LLP  |             |                 |
|         |           | 24691        | COLLEGE OF DESERT & RIV CTY OFFICE EDUCATION PROP.TAX CLAIM LEGAL SVC DEC 11-20 | 1,189.50    | <b>1,189.50</b> |
| 44674   | 2/20/2014 |              | JOBS AVAILABLE, INC.  |             |                 |
|         |           | 1403015      | SR ACCOUNTANT & ASSISTANT TO THE CITY MANAGER JOB ADS FOR JAN 14 & JAN 28, 2014 | 1,071.00    | <b>1,071.00</b> |
| 44689   | 2/20/2014 |              | MVT PUBLIC RELATIONS, LLC   |             |                 |
|         |           | 00001        | TWITTER MIRROR TOURISM EXPERIENCE BOOTH STAFF                                   | 1,000.00    | <b>1,000.00</b> |
| 44656   | 2/20/2014 |              | CORELOGIC INFORMATION   |             |                 |
|         |           | 81079416     | REALQUEST ONLINE REAL ESTATE DATA FOR JAN, 2014                                 | 992.25      | <b>992.25</b>   |
| 44659   | 2/20/2014 |              | DESERT ELECTRIC SUPPLY  |             |                 |
|         |           | S2059047.001 | ELECTRICAL SUPPLIES FOR 45200 CLUB DRIVE SUITES A & D IMPROVEMENTS              | 663.29      |                 |
|         |           | S2060357.003 | WASHERS,ROOF FLASHING,CONDUIT,COUPLINGS & FUSES FOR 45200 CLUB DR SUITES A & D  | 173.44      |                 |
|         |           | S2059499.002 | (3) LANDSCAPE LIGHTS FOR MILES AVENUE   | 73.77       |                 |
|         |           | S2060357.004 | (1) DISCONNECT SAFETY SWITCH FOR 45200 CLUB DRIVE SUITES A & D                  | 60.51       |                 |

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**CITY OF INDIAN WELLS**  
**02/20/2014 MEETING WARRANT LIST**

| CHECK # | DATE      | INVOICE #        | VENDOR NAME/DESCRIPTION  | INVOICE AMT | CHECK TOTAL |
|---------|-----------|------------------|--|-------------|-------------|
|         |           | S2059499.001     | ELECTRICAL TAPE FOR 45200 CLUB DRIVE SUITES A & D IMPROVEMENTS                   | 18.10       | 989.11      |
| 44684   | 2/20/2014 |                  | MARK CIESLIKOWSKI PHOTOGRAPHY  |             |             |
|         |           | 2985             | PAVILION PARTY SHOOTING FEE & DVD BURNING PHOTOGRAPHY SVC ON JAN 23, 2014        | 377.40      |             |
|         |           | 2984             | GALA ART TOUR SHOOTING FEE & DVD BURNING PHOTOGRAPHY SVC FOR JAN 24, 2014        | 366.60      |             |
|         |           | 2990             | DESERT TOWN HALL SHOOTING FEE & DVD BURNING PHOTOGRAPHY SVC FOR JAN 28 2014      | 231.60      | 975.60      |
| 44711   | 2/20/2014 |                  | STAPLES  |             |             |
|         |           | 3220972776       | STORAGE BOXES, HEAVY DUTY TAPE DISPENSER, GEL IMPACT PENS & COFFEE JACKETS       | 621.29      |             |
|         |           | 3220439819       | THERMAL ROLLS, COFFEE CREAMERS, TEA, COPY PAPER, DISHWASHING SOAP & CARD STOCK   | 343.26      | 964.55      |
| 44716   | 2/20/2014 |                  | TIME WARNER CABLE  |             |             |
|         |           | 8448410760148720 | CITY HALL INTERNET SERVICES FOR FEB 6-MAR 5, 2014                                | 889.00      | 889.00      |
| 44639   | 2/7/2014  |                  | PAULL, MARVIN J.   |             |             |
|         |           | DTD 1/24/14      | POST-RETIREMENT MEDICAL BENEFITS ACTUARIAL VALUATION SERVICES FOR JAN 14-JAN 24  | 742.00      | 742.00      |
| 44686   | 2/20/2014 |                  | MERTENS, TED   |             |             |
|         |           | SACRAMENTO       | LCC NEW MAYOR & COUNCIL ACADEMY TRAVEL EXPENSE REIMB FOR JAN 22-25, 2014         | 674.91      | 674.91      |
| 44709   | 2/20/2014 |                  | SIMPLOT PARTNERS   |             |             |
|         |           | 208029842        | (42) BAGS OF CALCIUM NITRATE STANDARD FERTIZER FOR CITY GENERAL FUND AREAS       | 623.70      | 623.70      |
| 44662   | 2/20/2014 |                  | GLOBAL CTI   |             |             |
|         |           | 106311           | (1) YEAR GLOBAL SHIELD YEARLY SHORETEL UPGRADE                                   | 600.00      | 600.00      |
| 44681   | 2/20/2014 |                  | LOCK SHOP  |             |             |
|         |           | BB00017911       | (1) PUSH BUTTON DOOR LOCK FOR FINANCE DEPARTMENT                                 | 302.40      |             |
|         |           | AA00017704       | (12) MASTER LOCKS FOR TRAFFIC SIGNAL CABINETS                                    | 164.59      |             |
|         |           | 73263            | RE-KEY 45200 CLUB DRIVE SUITE D FOR JAN 22, 2014                                 | 118.15      | 585.14      |
| 44688   | 2/20/2014 |                  | MUNISERVICES, LLC  |             |             |
|         |           | 0000032745       | SALES & USE TAX AUDIT SERVICES FOR QUARTER ENDING 9/30/13                        | 570.42      | 570.42      |
| 44677   | 2/20/2014 |                  | JOHNSTONE SUPPLY   |             |             |
|         |           | 274245           | (6) WATER FILTERS FOR DRINKING DISPENSERS AT CITY HALL, FIRE, EOC, PW MAINT BLDG | 535.83      |             |
|         |           | 274247           | (3) PVC P-TRAPS FOR 45200 CLUB DRIVE SUITES A & D                                | 3.24        | 539.07      |

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**CITY OF INDIAN WELLS**  
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| CHECK # | DATE      | INVOICE #       | VENDOR NAME/DESCRIPTION  | INVOICE AMT | CHECK TOTAL |
|---------|-----------|-----------------|--|-------------|-------------|
| 44646   | 2/20/2014 |                 | BIO-TOX LABORATORIES   |             |             |
|         |           | 28119           | IW POLICE DRUG TESTING SVCS FOR DEC, 2013                                      | 537.00      | 537.00      |
| 44663   | 2/20/2014 |                 | HANSON, DOUGLAS  |             |             |
|         |           | SACRAMENTO      | NEW MAYORS & COUNCIL MEMBERS ACADEMY TRAVEL EXPENSE REIMB FOR JAN 22-24, 2014  | 492.68      | 492.68      |
| 44650   | 2/20/2014 |                 | CANON FINANCIAL SERVICES, INC  |             |             |
|         |           | 13469910        | CW300 & SCEXPN WIDE FORMAT COPIER/SCANNER LEASE FOR FEB, 2013                  | 447.12      | 447.12      |
| 44676   | 2/20/2014 |                 | JOHN DEERE LANDSCAPES  |             |             |
|         |           | 67055347        | PRUNERS,SOD KNIFE,ADJUSTABLE PLIERS,COMBINATION STUB WRENCH,SPIGOT FOR COOLER  | 287.14      |             |
|         |           | 67071449        | QUICK COUPLING KEYS, TEFLON TAPE, PVC FITTINGS, SWIVEL ADAPTERS & 9V BATTERIES | 142.21      | 429.35      |
| 44694   | 2/20/2014 |                 | PETERMAN LUMBER, INC   |             |             |
|         |           | FON00532021-001 | SHELVING UNIT SUPPILES FOR FINANCE DEPT  | 421.60      | 421.60      |
| 44667   | 2/20/2014 |                 | HOSPITALITY EBUSINESS  |             |             |
|         |           | 19894           | WEBSITE HOSTING FOR JAN TO MAR, 2014   | 390.00      | 390.00      |
| 44703   | 2/20/2014 |                 | RASA   |             |             |
|         |           | 4669            | FIRST PLAN CHECK 15-14-01 PARCEL MERGER REVIEW SERVICE FEE                     | 380.00      | 380.00      |
| 44708   | 2/20/2014 |                 | SEPULVEDA BUILDING MATERIALS   |             |             |
|         |           | 2065400         | SANTA FE STONE PALLETS FOR CITY MONUMENT REPAIRS                               | 374.44      | 374.44      |
| 44721   | 2/20/2014 |                 | VINTAGE ASSOCIATES   |             |             |
|         |           | SI-140493       | TRIM (5) DATE PALM TREES N.E. HWY 111 WEST OF MILES AVENUE FOR JAN 23, 2014    | 330.00      | 330.00      |
| 44710   | 2/20/2014 |                 | SOUTHERN CALIFORNIA EDISON CO.   |             |             |
|         |           | 2-10-366-7440   | 44-210 1/2 COOK & 76-105 1/2 FRED WARING UTILITIES FOR JAN, 2014               | 132.89      |             |
|         |           | 2-10-366-7580   | 44-950 ELDORADO, 45-826 IW LN, ELDORADO/FW & PORTOLA/VINTAGE UTILITIES FOR JAN | 54.09       |             |
|         |           | 2-36-295-8456   | MILES AVE & WARNER TRL UTILITIES FOR DEC, 2013                                 | 43.43       |             |
|         |           | 2-25-128-1648   | IW VILLAGE HOA #3 LIGHTING FOR JAN, 2014                                       | 21.81       |             |
|         |           | 2-25-185-7439   | IW VILLAGE HOA #2 LIGHTING FOR JAN, 2014                                       | 21.81       |             |
|         |           | 2-35-530-3157   | FAIRWAY DR & WILLIAMS RD STREET LIGHT UTILITIES FOR JAN, 2014                  | 10.94       | 284.97      |

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**CITY OF INDIAN WELLS**  
**02/20/2014 MEETING WARRANT LIST**

| CHECK # | DATE      | INVOICE # | VENDOR NAME/DESCRIPTION   | INVOICE AMT | CHECK TOTAL |
|---------|-----------|-----------|---|-------------|-------------|
| 44698   | 2/20/2014 |           | PRUDENTIAL OVERALL SUPPLY   |             |             |
|         |           | 20812165  | CITY TOWEL, MATS & AIR FRESHENER SUPPLIES FOR JAN 22, 2014                      | 137.22      |             |
|         |           | 20815612  | CITY TOWEL, MATS & AIR FRESHENER SUPPLIES FOR JAN 29, 2014                      | 109.79      | 247.01      |
| 44692   | 2/20/2014 |           | PASCO DOORS   |             |             |
|         |           | 71424     | CITY HALL FRONT ENTRANCE SLIDING DOOR REPAIR SERVICE ON JAN 22, 2014            | 227.50      | 227.50      |
| 44649   | 2/20/2014 |           | CAMERON NURSERY & TURF PRODUCT  |             |             |
|         |           | 258144    | (12) TECOMA STANS, (3) ICEBERG ROSES & (4) BOUGAINVILLEA BUSHES                 | 209.79      | 209.79      |
| 44718   | 2/20/2014 |           | TROPICAL PLANT SERVICES   |             |             |
|         |           | 20107     | INDOOR PLANT MAINTENANCE SERVICE FOR JAN, 2014                                  | 205.00      | 205.00      |
| 44666   | 2/20/2014 |           | HOME DEPOT  |             |             |
|         |           | 8222312   | HERBS,RASPBERRY,GRAPES,STRAWBERRY,ONION,LETTUCE,PEPPER,RADISH & CORN COMM GARDE | 142.62      |             |
|         |           | 6100382   | (3) 4-PACKS OF ENERGIZER CR2032 BATTERIES FOR PW YARD GATE                      | 30.72       |             |
|         |           | 8117785   | (6) WET PATCH ROOF CEMENT FOR 45200 CLUB DRIVE SUITES A & D                     | 25.27       | 198.61      |
| 44723   | 2/20/2014 |           | YELLOW MART STORES  |             |             |
|         |           | 10288     | (1) PAIR OF REDWING BOOTS FOR MAINTENANCE WORKER I C.WIGGINS                    | 172.79      | 172.79      |
| 44661   | 2/20/2014 |           | DESERT REPROGRAPHICS, LLC   |             |             |
|         |           | 27682     | (1) CITY TEAM BUILDING LARGE PUZZLE MOUNT                                       | 160.99      | 160.99      |
| 44691   | 2/20/2014 |           | PALM DESERT ACE HARDWARE  |             |             |
|         |           | 182409    | PUTTY PAINTERS, CASTER PLATE, SHEETMETAL SCREW, JIG BLADES MAINTENANCE SUPPLIES | 58.84       |             |
|         |           | 181518    | SOCKET ADAPTERS FOR PUBLIC WORKS DEPT   | 23.74       |             |
|         |           | 182313    | DRILL BITS FOR PUBLIC WORK DEPT   | 20.49       |             |
|         |           | 181777    | DRILL BITS FOR CITY SAFETY SIGN INSATLLATION                                    | 19.40       |             |
|         |           | 182382    | FELT BLANKET PADS & DAWN SOAP FOR PUBLIC WORKS DEPT                             | 13.25       |             |
|         |           | 182453    | VELCRO STICKY SQUARES FOR ARIAL PHOTO PUZZLE                                    | 12.93       |             |
|         |           | 181916    | 16OZ & 32OZ HOUSEHOLD SPRAYERS FOR PUBLIC WORKS DEPT                            | 11.40       | 160.05      |
| 44719   | 2/20/2014 |           | VERIZON CALIFORNIA  |             |             |
|         |           | 341-3179  | CITY HALL FIRE/ALARM PHONE LINE SERVICE FOR JAN 25-FEB 24, 2014                 | 159.60      | 159.60      |

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**CITY OF INDIAN WELLS**  
**02/20/2014 MEETING WARRANT LIST**

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| 44669   | 2/20/2014 |            | HYATT REGENCY INDIAN WELLS   |             |             |
|         |           | 23412      | HOTEL ROOM EXPENSE FOR JULIE DUNN IW ART FESTIVAL ARTIST GUEST AT PAVILION PARTY | 151.01      | 151.01      |
| 44699   | 2/20/2014 |            | PUBLIC RECORD  |             |             |
|         |           | 14709      | PLANNING DEPT LEGAL NOTICES NOTICE OF PUBLIC HEARING: VARIANCE TIME EXTENSION    | 141.00      | 141.00      |
| 44673   | 2/20/2014 |            | INTERNATIONAL CODE COUNCIL   |             |             |
|         |           | 2987873    | GOVERNMENTAL MEMBERSHIP FOR WARREN MORELION                                      | 125.00      | 125.00      |
| 44678   | 2/20/2014 |            | JUDICIAL DATA SYSTEMS CORP.  |             |             |
|         |           | 4267       | PARKING CITATIONS REVIEWS/HEARING PROCESSING ADMINISTRATION FEES FOR DEC, 2013   | 100.00      | 100.00      |
| 44720   | 2/20/2014 |            | VERIZON WIRELESS   |             |             |
|         |           | 9719040230 | CITY, CSO & BURGLARY SURPRESSION UNIT CELLULAR PHONES FOR DEC 26, 13-JAN 25, 14  | 92.40       | 92.40       |
| 44714   | 2/20/2014 |            | TCC SALES  |             |             |
|         |           | 11278      | DEVFLEX INTERIOR/EXTERIOR PAINT, HARD WATER PUTTY, & 2-GALLON BUCKETS            | 62.52       |             |
|         |           | 11356      | CITY PAINT SUPPLIES PLUS 411 REVERSIBLE TIP                                      | 26.95       | 89.47       |
| 44672   | 2/20/2014 |            | INLAND POWER EQUIPMENT CO.   |             |             |
|         |           | 119003     | ROPE, HANDLE & SPRINGS FOR STEAM CLEANER PULL ROPE REPAIR                        | 89.37       | 89.37       |
| 44644   | 2/20/2014 |            | ARRANGEMENTS FLORAL & PARTY  |             |             |
|         |           | 42387      | (1) GET WELL ARRANGEMENT FOR DAVID REED  | 78.84       | 78.84       |
| 44706   | 2/20/2014 |            | RIVERSIDE COUNTY AUDITOR/  |             |             |
|         |           | DEC13      | CITY CITATION COLLECTIONS REIMBURSEMENT FOR DEC, 2013                            | 62.50       | 62.50       |
| 44670   | 2/20/2014 |            | IMPERIAL IRRIGATION DISTRICT   |             |             |
|         |           | 50579115   | 78560 VISTA DEL SOL #A BRIDGE LIGHTING UTILITIES FOR DEC 20, 2013-JAN 23, 2014   | 59.00       | 59.00       |
| 44712   | 2/20/2014 |            | STAPLES  |             |             |
|         |           | 17911      | BOX HANGERS, MOVE & STORAGE BOXES, WINDOW ENVELOPES & MINI CALENDAR CITY CLERKS  | 34.95       |             |
|         |           | 19755      | RECLOSABLE FASTENERS AND MAGIC MARKER FOR PUBLIC WORKS DEPT                      | 17.91       | 52.86       |

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**CITY OF INDIAN WELLS  
02/20/2014 MEETING WARRANT LIST**

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| 44640   | 2/7/2014  |                | RIVERSIDE CO. CLERK-RECORDER  |             |             |
|         |           | DTD 2/7/14     | NOTICE OF EXEMPTION RECOGNIZED OBLIGATION PAYMENT SCHEDULE 7-1-14 THRU 12-31-14 | 50.00       | 50.00       |
| 44680   | 2/20/2014 |                | LEO'S MIRROR & GLASS, INC.  |             |             |
|         |           | 18384          | (1) 1/4" CLEAR GLASS TABLE TOP FOR FINANCE DEPT CABINET                         | 49.68       | 49.68       |
| 44685   | 2/20/2014 |                | MAXIMUM SECURITY  |             |             |
|         |           | 85013          | CITY HALL BACK ENTRANCE ACCESS CONTROL DOOR PROGRAMMING SVC ON JAN 31, 2014     | 45.00       | 45.00       |
| 44704   | 2/20/2014 |                | REGAL PLASTIC SUPPLY CO.  |             |             |
|         |           | 24724          | EXPANDED BEIGE PLASTIC FOR FINANCE DEPT CABINET                                 | 42.35       | 42.35       |
| 44643   | 2/20/2014 |                | AMERICAN FORENSIC NURSES  |             |             |
|         |           | 64300          | (1) PUBLIC SAFETY BLOOD DRAW TESTING SERVICE                                    | 41.08       | 41.08       |
| 44638   | 1/31/2014 |                | UNITED WAY OF THE DESERT  |             |             |
|         |           | 352000006506   | PAYROLL EMPLOYEE CONTRIBUTIONS FOR JAN 31, 2014                                 | 40.00       | 40.00       |
| 44693   | 2/20/2014 |                | PEDERSEN, SYLVIA  |             |             |
|         |           | 1400301-1 0033 | ONE GALEN ART TOUR LUNCH REFUND FOR JAN 24, 2014 RESIDENT UNABLE TO ATTEND      | 30.00       | 30.00       |
| 44647   | 2/20/2014 |                | BOSSONE, ROBERT   |             |             |
|         |           | 1400301-1 0091 | REFUND (2) PAVILION PARTY TICKETS FOR JAN 21, 2014                              | 20.00       | 20.00       |
| 44690   | 2/20/2014 |                | NAPA AUTO PARTS   |             |             |
|         |           | 111664         | TOOL MOTOR OIL FOR PUBLIC WORKS DEPT  | 3.75        | 3.75        |

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**TOTAL CITY WARRANTS 44635-44723: 876,609.15**

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CITY OF INDIAN WELLS  
02/20/2014 MEETING WARRANT LIST

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|---|-----------|---------------|--|-------------|------------------|
| <b>Wires :</b>  |           |               |  |             |                  |
| 1407  | 1/31/2014 |               | INTERNAL REVENUE SERVICE               |             |                  |
|   |           | 95-2489139    | FWT, FICA & MEDICARE FOR JAN 31, 2014  | 33,732.43   | 33,732.43        |
| 1409  | 1/31/2014 |               | ICMA                                   |             |                  |
|   |           | CONTRIBUTIONS | 401A, 457 & ROTH IRA FOR JAN 31, 2014  | 9,944.15    | 9,944.15         |
| 1410  | 2/1/2014  |               | CALPERS RETIREMENT SYSTEM              |             |                  |
|   |           | 6392517834    | PAYROLL CONTRIBUTIONS FOR JAN 31, 2014 | 8,369.76    | 8,369.76         |
| 1408  | 1/31/2014 |               | CALIFORNIA, STATE OF                   |             |                  |
|   |           | 925-0060-2    | SDI & SWT DEPOSIT FOR JAN 31 2014      | 6,855.01    | 6,855.01         |
| 2832  | 1/30/2014 |               | INDIAN WELLS EMPLOYEE ASSOC.           |             |                  |
|   |           | 2379795       | PAYROLL EE DUES FOR JAN 31, 2014       | 154.00      | 154.00           |
| <b>PAYROLL WIRE DISBURSEMENTS 1407-1410 &amp; 2832:</b> |           |               |  |             | <b>59,055.35</b> |

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|                                     |                  |
|-------------------------------------|------------------|
| EFT 12895-12925                     | 73,986.10        |
| 2835-2836                           | 2,606.53         |
| <b>Total Net Payroll 02/14/2014</b> | <b>76,592.63</b> |

**TOTAL CITY DISBURSEMENTS: 1,012,257.13**

Note: Warrants 44635-44641 were issued prior to City Council approval.

CC/HA ACTION \_\_\_\_\_ MTG. DATE: 2-20-14  
 APPROVED  DENIED  REC/FILE  CONT \_\_\_\_\_  
 OTHER \_\_\_\_\_  
 VOTE: YES  NO  ABSTAIN \_\_\_\_\_

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CC/HA ACTION \_\_\_\_\_ MTG. DATE: 2-20-14

APPROVED \_\_\_\_\_ DENIED \_\_\_\_\_ REC/FILE \_\_\_\_\_ CONT. \_\_\_\_\_

OTHER: Pulled from Agenda

VOTE: YES \_\_\_\_\_ NO \_\_\_\_\_ ABSTAIN \_\_\_\_\_

*being back at next CC mtg  
February 20, 2014*

# **Indian Wells City Council**

## **Staff Report – Finance**

*of all IW Golf Resort Advisory  
Committee to Review at their  
next meeting*

### **Approve Addendum to the Management Contract with Troon Golf**

#### **RECOMMENDATIONS:**

City Council **APPROVES** the Third Addendum to the Management Contract with Troon Golf; and

**AUTHORIZES** and **DIRECTS** the City Manager to execute the addendum on behalf of the City.

#### **DISCUSSION:**

##### Background:

To safeguard long-term financial sustainability at the Indian Wells Golf Resort, the City Council implemented a new strategic plan which included \$2,250,000 in capital improvements. The improvements provided for increased visitor capacity and were designed to increase gross revenues and bottom line performance. The improvements included remodeling and rebranding of the upstairs restaurant, remodeling of the downstairs café, and the construction of a 5,000 square foot Pavilion capable of seating more than 400 guests.

Troon Golf used its expertise to develop the strategic plan, oversee the construction, and is now implementing the plan. The current agreement with Troon Golf is set to expire on May 31, 2015. To ensure plan consistency and best opportunity of success, City Council wishes to extend the current Troon Golf management agreement.

The Council directed Staff to negotiate an extension of the existing management agreement predicated on the following: new five year term consistent with the implementation of the strategic plan, removal of annual incentive fee, and removal of Golf Resort employee liability to the City.

Analysis:

The third addendum to the management agreement includes the following six (6) modifications:

1. Changes the current agreement to a calendar year basis effective January 1, 2014.
2. Extends the agreement from May 31, 2015 to June 30, 2021 consistent with the implementation of the strategic plan. The agreement will automatically terminate unless renewed.
3. Effective January 1, 2014, Troon agrees to indemnify and hold harmless City and its officials, officers, employees, agents and volunteers from and against any and all claims, demands, actions, lawsuits, proceedings, damages liabilities, judgments, penalties, fines, attorneys' fees, costs, and expenses relating to all Golf Resort employees.
4. Effective January 1, 2014, the annual incentive fee will be eliminated.
  - a. Based upon the Golf Resort's fiscal year 2013/14 budget assumptions, Troon could have potentially earned \$63,672 as an annual incentive fee under the current agreement.
  - b. Under this new agreement the annual incentive fee will no longer be paid.
5. Effective January 1, 2014, the annual management fee will increase \$15,000 from \$260,000 to \$285,000 and will stay a "fixed" amount through December 31, 2015.
  - a. Beginning January 1, 2016 and continuing through January 1, 2021, the annual management fee will be subject to the annual consumer price index (CPI) for all urban Consumers in Los Angeles, Riverside, and Orange Counties, California.
  - b. The management fee shall increase by the lesser of (a) CPI, or (b) a 3% cap.

7. Effective January 1, 2014, Troon will grant the City a "Most Favored Nations (MFN)" clause in the category of: Daily fee resorts with gross revenues over \$10,000,000 within the continental United States.

a. Essentially, this means Troon will ensure the City enjoys the lowest management fees as a percentage of gross revenues of any club it manages in this category. This MFN clause refers to Troon's current daily fee resorts as well as future opportunities.

i. The percentage is simple to calculate: If gross revenues at the Golf Resort are \$14,250,000 and the management fee is \$285,000, then the facility percentage would be two percent (2%) [I.e.  $285,000/14,250,000$ ].

b. If Troon re-negotiated with a current daily fee/resort golf facility or was presented with the opportunity to manage another daily fee/resort golf facility within the continental United States with annual gross revenues equal to or greater than Ten Million Dollars (\$10,000,000) at a lower percentage fee currently enjoyed by the City, Troon would be required to adjust City's fees to the lower applicable percentage as of the date of entering into the agreement with the other party.

The Finance Committee reviewed the third addendum to the management contract with Tim Schantz, Executive Vice President with Troon Golf and is recommending approval by the City Council.

#### **ATTACHEMENTS:**

1. Contract Summary – Troon Golf Course Management & Restaurant Lease
2. Contract Summary – Third Addendum
3. Third Addendum to the Management Contract with Troon Golf
4. Memo from Troon Corporate Support

# AGREEMENT SUMMARY

## **GOLF COURSE MANAGEMENT AGREEMENT (and Restaurant Lease Agreement)**

Parties: City of Indian Wells and Troon Golf, LLC

Responsible  
Department(s): Finance

### Background:

In June, 2009, the City and Troon Golf entered into a three year agreement for Troon Golf to take over the management and operation of the Golf Resort at Indian Wells. The City and Troon Golf also entered into a related Restaurant Lease Agreement to govern the management of food and beverage operations at the Golf Resort. The Agreement has been amended twice to extend the original term and it currently expires on May 31, 2014.

### Contract Terms:

The Agreement and Lease set forth the terms and conditions pursuant to which Troon Golf operates the Golf Course at Indian Wells as follows:

- Troon Golf is responsible for the management of all Golf Course operations and the Agreement sets forth standards for:
  - (i) the management of Golf Resort personnel;
  - (ii) the maintenance of the Golf Course and the facilities;
  - (iii) the enforcement of rules and regulations regarding use of the facilities;
  - (iv) the operation of the pro shop and the food and beverage concessions;
  - (v) the marketing of the facilities; and
  - (vi) the management and administrative services related to the Golf Course, including the use of Troon Golf's national purchasing and administrative infrastructure.

- Troon Golf is responsible for the development of the annual plan, which is subject to approval by the City. The City is generally responsible for all costs related to the operation of the Golf Resort as provided for in the annual plan.
- All Golf Resort personnel are employed by Troon Golf, however, the City retains responsibility for the costs associated with such personnel, including salary and benefits, and for certain employment related liability.
- Troon Golf is paid an annual base fee for the management of the Golf Course in the amount of \$260,000 per year. Troon Golf is also eligible to be paid an annual incentive fee of 3.5% of gross revenues provided that certain minimum gross revenue targets (\$9 million for the Golf Resort and \$4 million for food and beverage operations) are met.
- Troon Golf is required to follow certain procedures with respect to the operating accounts, accounting books and records and other financial matters in connection with the use of City funds to Golf Resort revenues.
- Troon Golf is required to indemnify the City with respect to liability resulting from the negligence or willful misconduct of Troon and for employee claims that directly result from the misconduct of Troon management personnel.
- The City generally indemnifies Troon Golf for liability arising in connection with the normal operation of the Golf Resort which is not directly attributable to the fault or acts of Troon. The insurance requirements to protect against liability claims are also specified in detail.
- The Agreement provides for the rights of the parties with respect to default and termination and places certain obligations on Troon Golf for the orderly transition of the Golf Resort operations following any termination.

# AGREEMENT SUMMARY

## THIRD ADDENDUM TO GOLF COURSE MANAGEMENT AGREEMENT

Parties: City of Indian Wells and Troon Golf, LLC

Responsible  
Department(s): Finance

### Background:

In June, 2009, the City and Troon Golf entered into a three year agreement for Troon Golf to take over the management and operation of the Golf Resort at Indian Wells. The City and Troon Golf also entered into a related Restaurant Lease Agreement to govern the management of food and beverage operations at the Golf Resort. The Agreement has been amended twice to extend the original term and it currently expires on May 31, 2014. The Third Addendum is intended to extend the term further and to provide for certain changes in compensation and liability for employment claims.

### Contract Terms:

The Third Addendum makes the following changes to the Agreement/Lease:

- The term of the Agreement and Lease are extended through June 30, 2021;
- The annual base fee payable to Troon Golf is changed from \$260,000 to \$285,000;
- The annual incentive fee has been removed and will not be applicable commencing in the current 2013-2014 operational year;
- Troon Golf will now be responsible for all employee related liability associated with the Golf Resort personnel. The only exception is if Troon Golf reports a hazardous condition to the City which requires repair and the City refuses to allocate the funding. The City has agreed to provide an additional \$15,000 in the annual budget for additional employment related insurance coverage; and
- Troon Golf has agreed to give the City the benefit of any better pricing negotiated with similarly situated golf facilities operated by Troon Golf.

**THIRD ADDENDUM  
TO  
GOLF COURSE MANAGEMENT AGREEMENT**

THIS THIRD ADDENDUM TO INDIAN WELLS RESORT GOLF COURSE MANAGEMENT AGREEMENT (the "**Third Addendum**") is executed as of January 1, 2014, by and between the **CITY OF INDIAN WELLS**, a California municipal corporation (the "**City**"), whose address is 44-950 Eldorado Drive, Indian Wells, California 92210, and **TROON GOLF, L.L.C.**, a Delaware limited liability company ("**Troon**"), whose address is 15044 N. Scottsdale Road, Suite 300, Scottsdale, Arizona, 85254, with respect to the following recitals:

**RECITALS**

A. City and Troon are parties to that certain Indian Wells Resort Golf Course Management Agreement dated as of June 1, 2009 ("**Agreement**") and that certain Restaurant Lease Agreement dated as of June 1, 2009 ("**Lease**").

B. On May 1, 2012, City and Troon entered into that certain First Addendum to the Agreement extending the term of the Agreement and the Lease to May 31, 2014. On March 21, 2013, City and Troon entered into that certain Second Addendum to the Agreement extending the term of the Agreement and the Lease to May 31, 2015.

B. City and Troon desire to extend the term of the Agreement and the Lease and make other revisions to the Agreement in accordance with the terms and conditions set forth herein.

NOW THEREFORE, in consideration of the foregoing Recitals, the mutual covenants and agreements contained herein, and for other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the City and Troon agree as follows:

1. Recitals. The foregoing recitals are incorporated herein by this reference. Capitalized terms not otherwise defined herein shall have the meanings ascribed to them in the Agreement.

2. Effective Date. The Effective Date of this Third Addendum shall be January 1, 2014.

3. Definition of Management Fee. The definition of "Management Fee" in Section 1.1 is hereby deleted and shall hereafter mean the Annual Base Fee.

4. Extension of Term. The Term of the Agreement and Lease (pursuant to the Second Addendum) expire on May 31, 2015. Section 6.1 of the Agreement and Section 1.1 of the Lease (as amended) shall be amended by deleting the reference to "May 31, 2015" as the termination date and inserting "June 30, 2021" as the termination date in its place.

5. Annual Base Fee. Section 7.1 of the Agreement shall be deleted in its entirety and replaced with the following:

“Commencing on January 1, 2014, City shall pay to Troon a base fee (the “**Annual Base Fee**”) equal to Two Hundred Eighty Five Thousand Dollars (\$285,000) per full Operational Year (pro-rated for any partial Operational Year). The Annual Base Fee shall be paid in equal monthly installments of \$23,750 each, with such payments to be made in advance on the first (1st) day of each month during the Term. The Annual Base Fee shall be comprehensive of all of Troon’s administrative expenses. Except as expressly set forth herein (e.g. Section 3.10 regarding Centralized Services), in the Annual Plan, or as otherwise approved by City, no administrative expenses or additional overhead or other direct or indirect costs of Troon shall be billed directly or indirectly to the Golf Resort. Beginning on January 1, 2016 and on each January 1 thereafter, the Annual Base Fee amount for the immediately preceding Operational Year shall be increased by the lesser of (a) three percent (3%), or (b) the amount of the percentage increase, if any, in the CPI for the immediately preceding Operational Year. For purposes hereof, “CPI” means the Consumer Price Index for All Urban Consumers (1982-84=100) published by the United States Department of Labor, Bureau of Labor Statistics. If such index shall be discontinued, then it shall mean such substitute index as shall be designated by Troon, and approved by Owner, which approval shall not be unreasonably withheld.”

6. Annual Incentive Fee. Section 7.2 of the Agreement shall be deleted in its entirety. No Annual Incentive Fee shall be payable to Troon for the 2013-2014 Operational Year or any year thereafter.

7. Employees. Article V of the Agreement shall be deleted in its entirety and replaced with the following:

“5.1 Golf Resort Employees. Troon shall use established procedures, techniques and programs to hire and evaluate qualified employees. Subject to the obligation of Troon to observe applicable laws regarding such matters, the Annual Plan, and the City’s right (as set forth in this Agreement) to approve the hiring or termination of any Executive Employee, and other terms of this Agreement, Troon shall have the authority to hire, establish Compensation and benefits for, promote, discharge, and supervise all employees in accordance with guidelines and employment policies (which shall include, without limitation, policies regarding safety in the workplace, equal employment opportunities, and job discrimination) proposed by Troon and agreed to by the City. Troon acknowledges and agrees that the City approval of policies and procedures is intended to ensure Troon Golf Quality Standards and compliance with Troon’s obligations pursuant to this Agreement and that Troon remains responsible for Golf Resort employees. As set forth with particularity elsewhere in this Agreement, including the Annual Plan, City shall be responsible for the payment of all costs and expenses incurred in connection with or relating to Golf Resort employees which are provided by Troon in accordance with the terms of this

Agreement.

5.2 Liability for Golf Resort Employees; Indemnity. Troon shall be solely responsible for any employment related liability, fine, penalty or award (including the cost of defense and attorney fees) with respect to claims, demands, arbitration or litigation brought by an employee or employees of Troon at the Golf Resort for any reason, including without limitation, (a) employment claims arising out of the improper acts or omissions of a Troon employee; (b) the failure of an Executive Employee to properly supervise the Golf Resort employees or properly administer employment practices in accordance with the Golf Resort employment manual approved by City; or (c) the violation of federal, state or local laws, ordinances or regulations governing the employment or working conditions of the employees at the Golf Resort (collectively, "Claims"). Troon agrees to indemnify, defend and hold harmless City and its officials, officers, employees, agents and volunteers from and against any and all Claims. Except for the proceeds of any insurance coverage described in Section 9.1, Troon shall not be entitled to any reimbursement by City for Claims. As consideration for Troon's assumption of increased liability for its employees as set forth herein, Troon and City agree that City will pay to Troon an amount equal to Fifteen Thousand Dollars (\$15,000) per full Operational Year for insurance deductible funding. The annual insurance deductible funding expense shall be a Golf Resort Expense as defined in the Agreement.

5.3 Exclusions. In no event shall Troon be required to implement any policy or procedure with respect to operation of the Golf Resort which Troon reasonably believes would result in employee liability or a violation of applicable labor laws provided that Troon provides written notification of such objection in writing. Furthermore, Troon shall not be responsible for any Damages to the extent that such Damages are the result of working conditions at the Golf Resort which were identified in writing as non-compliant by Troon and the City failed to provide the requisite funding to remedy such conditions after written notice to City which clearly identifies that Troon disclaims liability pursuant to this Article V.

5.4 Restaurant Lease. Troon acknowledges that the obligations of Troon pursuant to this Article V shall apply to all employees who are engaged in F/B Operations pursuant to the Restaurant Lease Agreement between the City and Troon."

8 Troon's Indemnity. Section 11.1 of the Agreement shall be deleted in its entirety and replaced with the following:

"11.1 Troon's Indemnity. Troon agrees to indemnify and hold harmless City and its officials, officers, employees, agents and volunteers from and against any and all claims, demands, actions, lawsuits, proceedings, damages liabilities, judgments, penalties, fines, attorneys' fees, costs, and expenses;

(a) which result from any act or omission constituting active or passive negligence (including acts or omissions that do not meet industry standards), gross negligence, fraud or willful misconduct by a Troon employee; or

(b) which result from any action taken by Troon or a Troon employee relating to the Golf Resort (i) that is expressly prohibited by this Agreement, or (ii) that is not within the scope of Troon's duties under this Agreement, or (iii) that is not within Troon's delegated authority under this Agreement; or

(c) subject to Article V above, which result from Troon's material breach of any covenant or obligation contained in this Agreement. For purposes of this Section, the term "material" shall mean any breach resulting in liability in excess of \$5,000.00.

Troon's indemnity obligations under this Section 11.1 shall not apply to Claims which are covered by the indemnity in Section 5.2 or to any acts taken (or omissions not taken) either at the written direction of City or with the approval of City, provided, however, that the approval of the Annual Plan, or any other general operating policy or procedure by City shall not be interpreted as "direction" or "approval" of a specific act or omission unless such act or omission is clearly and unambiguously contemplated thereby."

9. Competitive Pricing. The following provision shall be inserted in the Agreement as follows:

"16.13 Competitive Pricing. Beginning on January 1, 2014 and continuing throughout the remaining Term of this Agreement, should Troon and/or its Affiliates, without the prior written consent of City, enter into, amend or renew any agreement to manage any other daily fee/resort golf facility within the continental United States that (i) has annual gross revenues greater than Ten Million Dollars (\$10,000,000) and (ii) the ratio (expressed as a percentage) of the annual base management and incentive fee under such agreement to the annual gross revenues (determined in a manner consistent with Gross Revenues) of such other facility is less than the ratio (expressed as a percentage) of the annual Management Fee under this Agreement to the annual Gross Revenues of the Facility (the "**Facility Percentage**") then City will have its Management Fee reduced to such lower fee for the remainder of the Term. Troon shall warrant annually that it has complied with this undertaking. For example, if, at the applicable time of determination, the annual Base Management Fee under this Agreement is \$285,000 and the annual Gross Revenues of the Facility are \$13,000,000, then the Facility Percentage would be two percent (2%) [i.e., 285,000/13,000,000]. If Troon were presented with the opportunity to manage another daily fee/resort golf facility within the continental United States with annual gross revenues equal to or greater than Ten Million Dollars (\$10,000,000) and the negotiated Facility Percentage was lower than 2% (2% is used for purposes of this example only) for such facility, Troon would be required to adjust City's fees to the lower applicable percentage as of the date of entering into

the agreement with the other party.”

10. No Other Changes

Except as set forth in this Third Addendum, all terms and conditions of the Agreement and the Lease shall remain in full force and effect during the Term.

IN WITNESS WHEREOF, the City and Troon have executed this Third Addendum as of the date first above written.

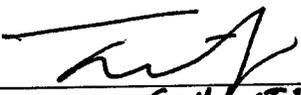
"CITY"

"TROON"

CITY OF INDIAN WELLS,  
a California Municipal Corporation

TROON GOLF, L.L.C.,  
a Delaware limited liability company

By: \_\_\_\_\_  
Name: \_\_\_\_\_  
Its: \_\_\_\_\_

By:   
Name: TIM SCHANTZ  
Its: EVP

Approved as to form:

By: \_\_\_\_\_  
Stephen P. Deitsch, City Attorney



**INDIAN WELLS**  
**GOLF RESORT**

Troon Corporate Support

Indian Wells Golf Resort

February 5, 2014



## **Executive Summary**

Troon golf brings Value, Bench strength, standards of quality, expertise and knowhow, and Worldwide Brand recognition to the Indian Wells Golf Resort.

Troon prides itself on providing operational excellence and "problem solving" to its clients. As a Troon managed facility, Indian Wells Golf Resort has access to functional expertise in the following areas:

- Golf Operations
- Food & Beverage Operations
- Agronomy
- Sales & Marketing
- Design & Development
- Procurement
- Retail
- Human Resources
- Risk Management
- Legal
- Technology
- Finance & Accounting

## **Value Analysis**

### **Golf Operations**

John Easterbrook, Executive Vice President, Operations leads our operations team and oversees our Golf Operations, Food and Beverage, Agronomy, Sales and Marketing and Design and Development departments. The primary corporate contact for Indian Wells is Carl Bielstein, Vice President, Operations and Carl is responsible for the engagement and coordination of the on-site team's access to Troon's resources.

As a result of strategic planning sessions with Troon Golf Operations we were able to consolidate the biggest targets as part of the plan of attack in Golf Operations .

#### **Bullet points of Strategic plan for Golf**

- 10 minute earlier tee time to increase rounds
- Platinum card twosome to foursome increase of players
- Holding of Resort tee times till 24 hours out to increase availability for Resort guests
- Increase of wholesale times by use of sliding scale. Reward based on volume
- Increased merchandise sales for tournament groups by way of online store enhancement as well as proactive work with planners during the sales process.

### **Food and Beverage Operations**

John Bartilomo, Vice President of Food and Beverage and Carlos Acosta, Director - Corporate Food & Beverage, are the two resources for the food and beverage operation at Indian Wells. John or Carlos make multiple visits each year and work closely with Scott Winant, Steve and the F&B team.

#### **Bullet points of Strategic Plan for Food and Beverage**

- Vue Restaurant concept change and repositioning
- Complete re-do of all Furniture fixture and equipment in Vue Restaurant
- New Pavilion addition to increase banquet business
- Concept changed re-do of Café for more impulse buy, increased sales and ADR
- Decrease of kitchen labor and Food costs in COG

### **Agronomy**

Jeff Spangler, Senior Vice President of Agronomy and Dave Nichols, Vice President of Agronomy, are the agronomy resource for Indian Wells. Jeff and or Dave make multiple visits each year and are in regular communication with Brian and the team at Indian Wells.

- Constant over sight and continuous work with our Director of Agronomy to continue to produce the results our guests have come to expect at both golf courses.

### **Sales & Marketing**

Dolf May, Manager of Troon Golf Sales & Marketing, is the primary resources for Indian Wells Golf Resort. Dolf assists in the development, implementation and management of sales and marketing strategies for the club.

- Oversight both during initial planning stages as well as launch of the strategic plan for the resort.

#### **Bullet points of Strategic Plan for Sales and Marketing**

- Re-launch Party for Concept change
- Repositioning of Restaurant
- Launch of Pavilion and increase of market share for Tournament and Social events with Pavilion
- Re-naming of primary restaurant

### **Design & Development**

The design and development team assists with any major capital improvements to the clubhouse or golf course.

Troon Design & Development Personnel:

- Jim Bellington, Senior Vice President Development Services
- Cindy Anderson, Vice President Clubhouse Design and Development
- Ron Despain, Vice President Golf Course Development
- Jeff Polling, Director Golf Course Construction
- John Prengaman, Project Manager Clubhouse Design and Development

#### **Strategic Plan Bullet points:**

- Assisted with vetting out and making recommendations for contractor selection for building Pavilion
- Assist with design recommendations for Vue restaurant and Café.
- Wrote contractual agreement for irrigation changes needed on current site of the Pavilion building.

### **Procurement**

Charlene Gallob, Vice President Procurement leads the procurement programs for Troon.

Tron negotiates purchasing programs with all major club vendors. Sysco, Club Car, Toro and Jonas are examples of vendors who provide Tron managed facilities significant savings.

#### Retail

Kristin Goulet, Director Retail Operations assists with merchandise planning and purchases for the golf shop.

#### Human Resources

All Indian Wells Golf Resort associates are employed by Tron. The associate files are kept in Scottsdale and a team of Human Resource experts are available to the on-site management staff. All payrolls are managed through the corporate office and all associates are e-verified before they start with Tron. The following are descriptions of the different areas of Human Resources:

- Payroll Administration - includes processing of bi-weekly payroll, including check printing and distribution; remittance of state and federal taxes, administration and processing of garnishments, issuance of W-2's, and other procedures related to the maintenance of payroll records.
- Human Resources Administration - includes administration of company policy/procedure, new hire paperwork, maintenance of personnel records, verification of legal status, legal compliance, investigations, management development and coaching, staffing/recruitment, counselling and disciplinary action, unemployment, and termination issues.
- Employee Benefits Administration – includes the management of the employee health insurance, dental, eye and other plans.
- Human Resources Compliance - includes the provision of Tron's standardized materials for conducting compliance training (e.g. standards implementation, safety (Including OSHA compliance), and harassment prevention), recruitment, and administration of employee reward and recognition programs.

Tron Human Resources Personnel:

- Pete Wong, Vice President
- Brooke Beaudoin, Generalist
- Ginny Lofrese, Recruiter
- Chelsea Gilmore, Administrator
- Jill Virden, File Room Administrator
- Lynn Sommers, Benefits Manager
- Kristy Hainline, Benefits Administrator
- Monique Wetli, Manager - Human Resources Development
- Jen Schaeffer, Learning & Development Manager, Property Training
- Toni Freeman, Payroll Director
- Diane Leingang, Payroll Specialist

#### Risk Management

Indian Wells Golf Resort has general liability, fraud and workers comp insurance under the Tron insurance program. Property coverage is procured through the city. The risk management team at the corporate office assists Indian Wells with claims and managing

the overall insurance of the club. The insurance is bid out annually by the team and typically results in a 15% savings relative to current insurance program in place.

**Troon Risk Management Personnel:**

- Bob Provost, Senior Director, Risk Management
- Jason Provost, Risk Management Analyst
- Katie Powell, Claims Manager

**Strategic Plan interaction and assistance:**

- Troon called upon insurance carriers to do a safety analysis in an effort to comply with safety concerns on the present bridge.

**Legal**

Jay McGrath, Executive Vice President & Chief Administrative Officer and Jeff Hansen, Vice President, Associate General Counsel are the resources for specific legal items, such as contracts, leases and other agreements.

**Technology**

Indian Wells Golf Resort is a part of the Troon computer network. The maintenance of the network is administered by the technology professionals at the corporate office. The oversight of technology includes:

- Access to a computer application "help desk"
- Access controls (user ID administration)
- Systems design/engineering
- Systems management methodologies
- Management of enterprise applications and enterprise connectivity
- Assistance from a regional technology manager to coordinate the implementation of new and upgraded technologies
- Oversight of hardware/software procurement
- Establishment of strategic technology goals
- Monitoring service satisfaction.

**Troon Technology Personnel:**

- Rick Gepilano, Vice President Technology
- Todd Lineberger, Regional Technology Manager
- Roman Trugillo, Network Engineer
- Alfred Griffith, Field Systems Engineer
- Sarah Johansen, Technical Support Coordinator

**Finance & Accounting**

Troon provides comprehensive Accounting oversight services from the corporate office through our Regional Controller group. Our Finance team provides all of the services of the "Internal Audit Oversight" as well as the following:

- Supervises all day-to-day property accounting operations at the facility.
- Directly manages Property Accountant and related staff including interviewing, hiring, training, evaluating, and disciplining associates.
- Implements policies and procedures for the Property Accounting function, including compliance of all company standards relating to quality of products and services.

- Provides weekly, monthly, quarterly and annual reports to property owners and management for use in making operational decisions.
- Completes monthly review of all departmental income statements and balance sheet reconciliations.
- Ensures that financial statements are prepared in accordance with Generally Accepted Accounting Principles (GAAP).
- Identifies and explains significant variances from budgeted results and analyzes trends in financial results for internal management reports.
- Assists the property with external audits.
- Assesses and makes recommendations with respect to accounting related technology requirements.

**Troon Finance & Accounting Personnel:**

- Ruth Engle, Executive Vice President Chief Financial Officer
- Megan Stallone, Senior Vice President, Finance
- Pam Walsh, Director, Property Accounting
- Kelly DeBruin, Regional Controller

### **The Bottom Line**

Troon's value proposition provides Indian Wells operational excellence and problem solving, combined with reducing costs (where appropriate) and increasing revenues, without compromising the guest experience. The access to systems, metrics, standards, staffing, resources, expertise and generalized problem solving capabilities, customized to Indian Wells' needs and identity, is what is "purchased" in return for the management fee and other costs incurred. Inherent in the business model is that Troon works for, and at the direction of the city, as that direction is provided by the City Manager's office and the City Council. The city always retains ultimate control. Troon's goal in its engagement with the city is to execute its value proposition and by doing so create a sustainable path to financial stability.

**Indian Wells Strategic Plan results:**

- Produce a profit to become self-sustainable for the resort inclusive of future capital.

## ***Indian Wells City Council***

***February 20, 2014***

### ***Staff Report – Public Works***

## **Consideration of Request to Extend the Utility Undergrounding Loan Program for District #2 to Homeowner Associations**

### **RECOMMENDATION:**

City Council **DENY** the request to extend the utility undergrounding loan program to Homeowner Associations within District #2 as there is no financial mechanism to secure the loan with a Homeowners Association.

### **DISCUSSION:**

#### *Background:*

The City is in the process of undergrounding overhead utility wires as a part of Southern California Edison's Rule 20B program. Because this project requires participation of the individual property owners within the undergrounding district, the City is offering a loan program to assist with the private property undergrounding costs. Terms of the City loan are for 20-years with a simple 1% annual interest rate. The loan can also be repaid through property tax or at the time of the property sale.

Within the project area, there are five (5) Homeowner Associations (HOA's) that have electrical services for pools and lighting which require undergrounding as well. One of the HOA's has asked to participate in the City's loan program in the amount of \$2,500, one HOA has made preparation to fund the improvement themselves and the remaining three have not disclosed their plans to the City.

#### *Analysis:*

In the original concept of providing the opportunity for a loan to help residents pay for the private property portion of the Rule 20B undergrounding project, there was no consideration given to include financing for the five Homeowner Associations affected by the project. After receiving the request to participate in the loan program from one of the HOAs, staff was faced with the challenge of finding a mechanism to secure the loan request. The City's loan program with individual homeowners secures the loan amount through a lien against the private, real property. Because, the nature of an HOA is maintenance of common area without ownership of real property, there is no

conventional way to secure the loan. The City Attorney has researched the issue and is unable to identify any practical financial mechanism to secure the HOA loan program. As there is no financial mechanism to secure the HOA loan, the decision to provide an opportunity for HOAs to finance their cost of undergrounding common area electrical services with an unsecured loan from the City is a Council policy decision. Staff has addressed the alternative of providing a HOA loan program in the alternatives section below.

### **FISCAL IMPACT:**

As discussed above, because there is no practical financial mechanism to secure the HOA loan, the denial of the request for a Homeowners Association program has no fiscal impact to the City.

### **ALTERNATIVE:**

An alternative decision by the City Council would be to approve the opportunity for the homeowner associations to participate in a City funded HOA loan program without posting security for the loan.

A HOA loan program will have the following impacts to the City: it will facilitate the completion of the HOA portion of the undergrounding project and insure the removal of the overhead utility poles within project schedule; it will expose the City to potential default of any or all of the HOA loans as they are unsecured.

A HOA loan program will have the following impacts to the HOAs: it will minimize the lump sum assessment amount to each HOA member for the common area undergrounding costs that are in addition to their individual undergrounding costs; it will increase the HOA's short term expenses to complete the common area undergrounding or it will reduce/deplete the HOA's reserves.

### **ALTERNATIVE RECOMMENDATIONS:**

City Council **APPROVES** the request to extend the utility undergrounding loan program to Homeowner Associations within District #2; and

**ESTABLISHES** a Homeowners Association loan program with specific terms including length of agreement and interest rate; and

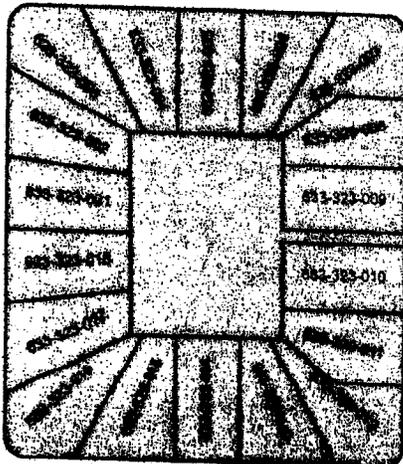
**DIRECTS** staff to prepare a pro forma Homeowners Association loan agreement and Owners Participation Agreement with the Homeowners Association; and

**AUTHORIZES** and **DIRECTS** the City Manager to execute the loan agreements with participating Homeowner Associations.



# Exhibit A - Indian Wells Village Underground Project

Arapahoe Vista



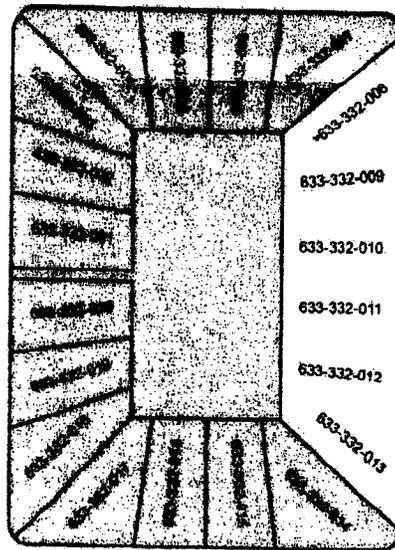
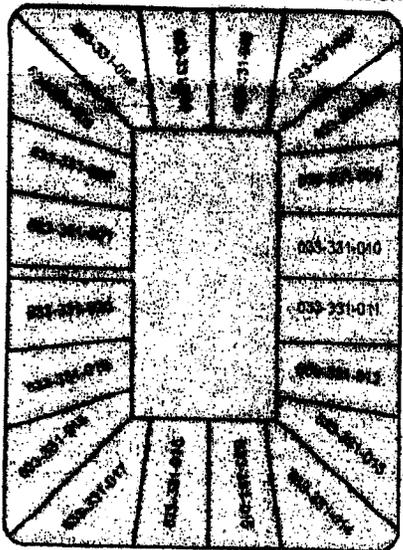
## Legend

Rule 20A District



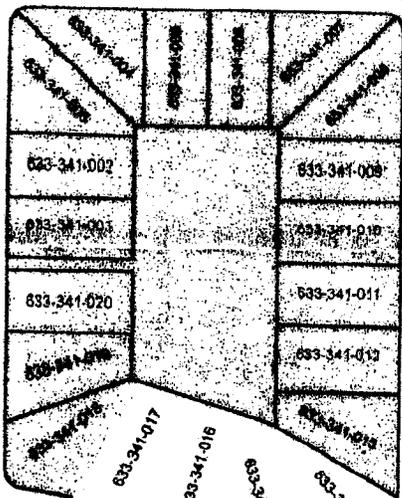
District No. 2

Blackfoot Drive

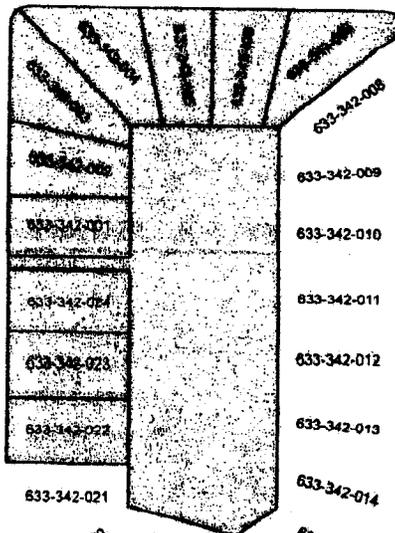


Dakota Trail

Elkhorn Trail



Cheyenne Drive



Warner Trail

Miles Avenue



0 40 80 160 Feet

- 3.9.5 Fixing and establishing the fiscal year for the Association, including the power to modify the fiscal year;
- 3.9.6 Contracting for casualty, liability, and other insurance on behalf of the Association;
- 3.9.7 Contracting for goods and services for the Common Area facilities, and interests of the Association, subject to the limitations set forth in Section 3.10 herein;
- 3.9.8 Borrowing money, incurring indebtedness and executing promissory notes or other evidences of debt for the Association, provided, however, that no action of the Board shall be taken that will cause a deed of trust or mortgage to be placed on any of the common areas of the Association without the approval of a majority of a quorum of the owners;
- 3.9.9 Creating committees pursuant to resolutions adopted by a majority of the Board; provided that if a committee will exercise any power or authority of the Board, it shall consist of two (2) or more directors, and as many other Members as the Board may designate, to serve at the pleasure of the Board. No directors need serve on any committee which does not exercise any power or authority of the Board (e.g., social committees);
- 3.9.10 Delegating its authority, duties, and responsibilities to its officers, employees, committees, or agents, including a general manager, property manager, or professional management agent. The term of any agreement with a manager shall not exceed one (1) year, renewable by agreement of the parties for successive one (1) year periods, and shall provide for termination by either party for cause on thirty (30) days' written notice, or without cause and without payment of a termination fee or penalty on ninety (90) days' or less written notice;
- 3.9.11 Authorizing the withdrawal of monies from the Association's reserve accounts, upon the signatures of two (2) directors;
- 3.9.12 Entering any Lot to perform necessary construction, maintenance, inspection for compliance with the Governing Documents, and/or emergency repair work for the benefit of the Common Area, Association Property, or the Members in the aggregate;
- 3.9.13 Filling vacancies on the Board, except for a vacancy created by the removal of a director by Members;
- 3.9.14 Extending the time for return of ballots when an action is taken without a meeting pursuant to Section 2.9 herein, by majority approval of the Board; and
- 3.9.15 Providing any Owner with the following documents within ten (10) days of the mailing or delivery of a written request therefor and receipt of the costs to prepare and reproduce said documents:
- (a) A copy of the Governing Documents;
  - (b) A copy of the most recent financial statement;
  - (c) A written statement from an authorized representative of the Association specifying (i) the amount of the Association's current Regular, Special, and/or other assessments and fees; (ii) the amount of any assessments levied on the Owner's Lot that are unpaid on the date of the statement; and (iii) the amount of late charges, interest, and costs of collection that, as of the date of the statement, are or may be made a lien on the Owner's Lot pursuant to the Restated Declaration;
  - (d) A statement noting any change in the Association's current assessments and fees which have been approved by the Board, but which have not become due and payable as of the date disclosure is provided pursuant to this Section.



# For Fiscal Year July 1, 2013 through June 30, 2014

Offices in Riverside, Palm Springs and Temecula  
Visit our website: [www.riversidetaxinfo.com](http://www.riversidetaxinfo.com)

## IMPORTANT INFORMATION ON REVERSE SIDE

DON KENT, TREASURER  
4080 Lemon St (1st Floor) Riverside, California  
(P.O. Box 12005, Riverside, CA 92502-2205)

Telephone: (951) 955-3900  
or, from area codes 951 and 760 only  
toll free: 1 (877) RIVCOTX (748-268)

Property Data 633342025-6 LOT 164 MB 037/021 INDIAN WELLS VILLAGE 1  
Address Owner, JANUARY 1, 2013 INDIAN WELLS COMMUNITY ASSN

| ASSESSMENT NUMBER |             |
|-------------------|-------------|
| 633342025-6       |             |
| Tax Rate Area     | Bill Number |
| 016-110           | 000412032   |

INDIAN WELLS COMMUNITY ASSN  
C/O RICHARD STEUBEN



All questions about ownership, values or exemptions must be directed to the Riverside County Assessor at (951) 955-6200

**UNPAID PRIOR-YEAR TAXES**  
(See Item #6 on reverse)

NONE

|                       |                     |                |
|-----------------------|---------------------|----------------|
| Tax bill requested by | Loan Identification | Multiple Bills |
|-----------------------|---------------------|----------------|

| CHARGES LEVIED BY TAXING AGENCIES (See Item #4 on reverse) | AMOUNT |
|--|--------|
| 1% TAX LIMIT PER PROP 13                                   | 771.22 |
| DESERT SANDS UNIFIED SCHOOL (760) 771-8516                 | 84.47  |
| DESERT COMMUNITY COLLEGE (760) 674-3776                    | 15.38  |
| COACHELLA VALLEY WATER DISTRICT (760) 398-2661             | 77.12  |
| CITY OF INDIAN WELLS EMG UPGRADE (866) 807-6864@           | 41.14  |
| COACHELLA VALLEY MOSQUITO & RIFA (866) 807-6864@           | .74    |

*pd  
11-16-13  
OK # 1206  
of \$495.04*

|  |          |
|--|----------|
| STRUCTURES                               | 58,064   |
| PERSONAL PROPERTY                        | 19,058   |
| PROPERTY                                 |          |
| FULL-VALUE                               |          |
| EXEMPTIONS                               | 77,122   |
| NET VALUE                                | 77,122   |
| TAX RATE PER \$100 VALUE                 | 1.22949  |
| TAXES                                    | \$948.20 |
| Special Assessments & Fixed Charges      | \$41.88  |
| TOTAL AMOUNT                             | \$990.08 |
| If over \$50,000, see Item #1 on reverse |          |

|  |          |
|--|----------|
| \$495.04                                   | \$495.04 |
| Add 10% penalty after 12/10/2013           | 1        |
| \$495.04                                   | \$495.04 |
| Add 10% penalty plus cost after 04/10/2014 | 2        |
| \$495.04                                   | \$495.04 |

**PLEASE KEEP TOP PORTION FOR YOUR RECORDS**  
(NO RECEIPTS WILL BE ISSUED - YOUR CANCELLED CHECK IS YOUR RECEIPT)

CC/HA ACTION \_\_\_\_\_ MTG. DATE: 2-20-14  
APPROVED  DENIED \_\_\_\_\_ REC/FILE \_\_\_\_\_ CONT. \_\_\_\_\_  
OTHER Monitor Traffic Flow - come back  
VOTE: YES 4 NO 1 ABSTAIN \_\_\_\_\_  
*in 6 months & directed staff to move*  
**February 20, 2014**

**Indian Wells City Council**  
**Staff Report – Public Works**

*all striping & signage for merge lane  
to west City boundary.*

**Approve Traffic Lane Modifications to Eastbound  
Highway 111 at Cook Street Intersection**

**RECOMMENDATION:**

City Council **APPROVES** the proposed traffic lane modifications to eastbound Highway 111 at Cook Street intersection by converting the existing eastbound right turn only lane into a combination through and right turn lane.

**DISCUSSION:**

Background:

The Highway 111 Phase III Improvement Project added a third travel lane for both eastbound and westbound vehicles between Hospitality Row and Cook Street. The eastbound lane closest to the outside curb (Lane #3) between Village Center Drive and Cook Street was designed and constructed as a "dropped lane", or a lane that becomes a mandatory right turn only lane at Cook Street. The Phase III project did not include any changes to the eastbound travel lanes east of Cook Street; the existing Lane #3 remained as a dropped lane that becomes a mandatory right turn lane at Province Way. The Phase III project also included a protected right turn overlap feature that at a designated period in the traffic signal phasing a green arrow is provided to vehicles turning right from eastbound Highway 111 to southbound Cook Street.

Analysis:

After all lanes were opened to traffic upon the completion of the Phase III project and after careful observation by staff and police of the vehicular movements, it was determined that a traffic merging issue exists with the eastbound Lane #3 between Village Center Drive and Cook Street. Specifically, the length of the eastbound Lane #3 between Village Center Drive and Cook Street is insufficient for motorists to merge to the left. Compounding this deficiency is the fact that eastbound vehicles approaching Cook Street are often stopped or decelerating, often reducing available space between vehicles to allow merging to occur. If a motorist travelling in the eastbound #3 lane is unable to

merge to the left before reaching the Cook Street intersection, that motorist may conflict with a motorist in the same lane intending to turn right if the right turn arrow is illuminated. Recent data has indicated an increase in collisions at this intersection since the completion of Phase III. Over the past year prior to the completion of the construction there was one accident documented in this area. Over the past two months since the completion of the project construction, there has been four accidents. This is a significant increase in collisions over the prior year. The types of collisions that have increased include sideswipes and rear-ends.

In an effort to increase the available space to merge and maintain a smooth flow of traffic with increase, staff recommends converting the existing eastbound #3 lane from a right turn only lane into a combination through/right turn lane. Vehicles in the #3 lane continuing east through the intersection will be offered an opportunity to merge to the left, since the merging lane east of Cook Street is approximately 450-feet longer than the merging lane west of Cook Street. Motorists travelling east of Cook Street will also be accelerating, thereby providing additional space between vehicles and allowing more room for vehicles to merge.

The conversion of the #3 lane to a through lane will also distribute the eastbound vehicles west of Cook Street across three lanes instead of two lanes, thereby reducing the potential for vehicles to either block the entrance to the eastbound left turn lanes or block the intersection of Village Center Drive. Although this change will require the removal of the dedicated right turn and protected right turn overlap feature, traffic volume counts for vehicles turning right onto Cook Street from eastbound Highway 111 account for approximately 3% of all the vehicles travelling through this intersection. Protected turns are generally not required when the percentage of vehicles making the turn is less than 10% of the total intersection volume.

Finally, Sunline Transit Agency has requested the proposed conversion from a right turn only lane into a combination through/right turn lane. Currently, Route 111 buses exiting the "bus turnout" east of Village Center Drive are required to immediately merge into the #2 travel lane, which can be a difficult maneuver during peak hours. Conversion to a combination through/right turn lane will provide an increased opportunity for buses to merge into travel lanes.

Conclusion:

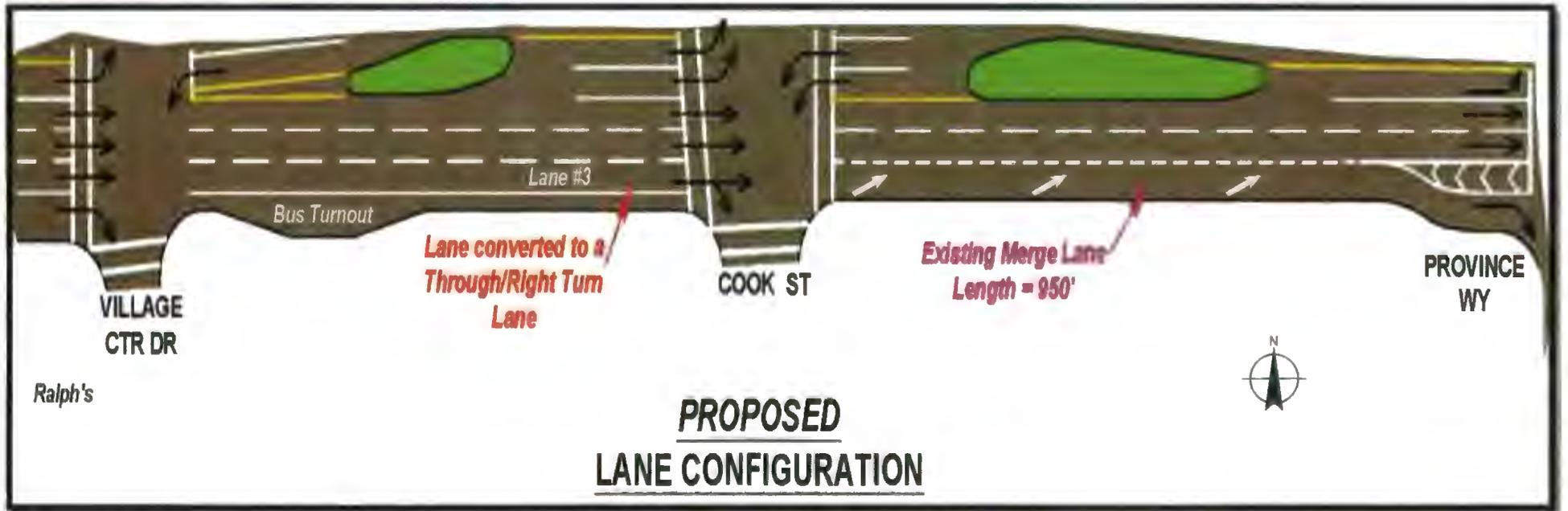
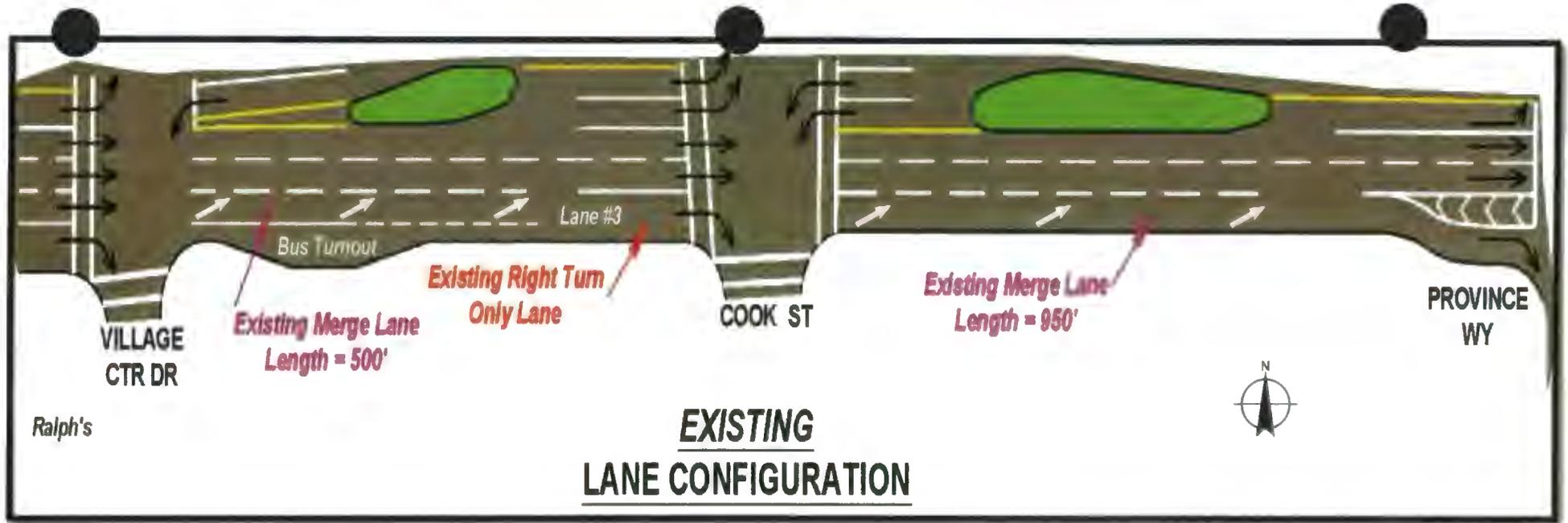
Minor striping, sign, and traffic signal modifications will be required for this proposed lane modification. If approved by Council, work will be scheduled within 3-4 weeks and will take approximately one week to complete.

**FISCAL IMPACT:**

The estimated cost to convert the existing eastbound #3 lane from a right turn only lane into a combination through/right turn lane is \$10,000. Funding is available for this work in the infrastructure operations budget.

**ATTACHMENT:**

1. Existing and Proposed Lane Configurations



**Eastbound Highway 111 Lane Configurations**

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***Indian Wells City Council***  
***Staff Report – City Manager***

***February 20, 2014***

**Quarterly Update and Review of City Goals for Fiscal  
Year 2013-14**

**RECOMMENDATION:**

City Council provides **DIRECTION** as to FY 2013-14 City goals, and the implementation or timing of the action plan; and

**RECEIVES** quarterly update of City Goals for Fiscal Year 2013-14.

**DISCUSSION:**

The City Council adopted Goals for Fiscal Year 2013-14 on October 3, 2013. These goals arose from City Council held workshops on January 25 and 28, 2013. Staff developed a review format that depicts the action item, work steps completed, strategic dates and responsible departments. This is the second review of progress.

The Goals are assembled into three major categories.

- Organizational
- Financial
- Community Building

**Proposed Goals**

- Continue to build **Trust, Capacity** and a **Customer Service** culture in the Indian Wells organization
- Continue to enhance the Indian Wells **Financial** condition
- Continue to build the Indian Wells **Community** devoted to an exceptional quality of life

As can be seen from the tracking document, the action plans are generally on track. Staff will review each action with the City Council to determine if there is any course correction necessary.

The next review of the FY 2013-14 goals and action plan will be scheduled for the second City Council meeting in May.

**FISCAL IMPACT:**

The review of the goals creates no fiscal impact.

**ATTACHEMENT:**

1. FY 2013-14 City Goals and Action Plan Report

# FY 2013-14 City Goals and Action Plan

| Item   | Objective   | Target Date   | Lead Department  | Related Department(s) |
|--|---|---|--|-----------------------|
| <b>Continue to build trust, capacity and a customer service culture in the Indian Wells organization</b> |   |   |  |                       |
| <b>STRENGTHEN THE PERSONNEL SYSTEM</b>   |   |   |  |                       |
| 1.   | Implement a performance based compensation system <ul style="list-style-type: none"> <li>a. Update job descriptions</li> <li>b. Create performance measurement system</li> <li>c. Create performance based compensation system</li> <li>d. Implement performance based compensation system</li> </ul>   | March 2014<br>May 2014<br>June 2014<br>July 2014                              | Personnel<br>Personnel<br>Personnel<br>Personnel   | City Attorney         |
| 2.   | Implement City Attorney evaluation  | <b>Completed</b>  | City Clerk<br>City Attorney  | City Manager          |
| 3.   | Implement City Manager evaluation <ul style="list-style-type: none"> <li>a. Prepare evaluation form</li> <li>b. City Manager prepares self-evaluation form</li> <li>c. Evaluation forms to be distributed to Council with City Manager self-evaluation</li> <li>d. Compile evaluation data and distributed to Council and City Manager</li> <li>e. Council meets and provides feedback on performance to City Manager</li> </ul>  | April 2014<br>May 2014<br>May 2014<br><br>June 2014<br><br>July 2014          | City Clerk<br>City Manager<br>City Clerk<br><br>City Clerk<br><br>City Council                 | City Manager          |
| 4.   | Hold employee events to share information and build organizational culture <ul style="list-style-type: none"> <li>a. Regular CM/employee meetings on topics as annual Council goals, employer/employee MOU, performance-based compensation, development project updates, etc.</li> <li>b. Hold potluck/BBQ luncheons around major holidays</li> <li>c. Conduct periodic employee events</li> <li>d. Event for swearing in of new employees</li> <li>e. December employee appreciation party</li> <li>f. Insure the Department/Division staff meetings are held</li> </ul> | Ongoing<br><br>Ongoing<br>Ongoing<br>As needed<br><b>Completed</b><br>Ongoing | City Manager<br><br>City Manager<br>City Manager<br>City Clerk<br>City Manager<br>City Manager | All                   |

Attachment #1

# FY 2013-14 City Goals and Action Plan

| Item   | Objective   | Target Date                 | Lead Department              | Related Department(s)         |
|--|---|-----------------------------|------------------------------|-------------------------------|
| 5.   | Adopt an employer, employee relations (EER) resolution  | <b>Completed</b>            | Personnel                    | City Manager<br>City Attorney |
| 6.   | Complete labor relations with IW Employee Association (IWEA) <ul style="list-style-type: none"> <li>a. Negotiate a Memorandum of Understanding (MOU) with IWEA</li> <li>b. Bring final MOU before the Council</li> <li>c. Create labor/management regular meetings to build trust and teamwork</li> </ul>   | <b>Completed</b>            | City Manager                 | City Attorney                 |
|  |   | <b>Completed</b><br>Ongoing | City Manager<br>City Manager | Personnel<br>Personnel        |
| 7.   | Update City Personnel Rules <ul style="list-style-type: none"> <li>a. Draft new Personnel Rules</li> <li>b. Meet and consult with IWEA on City Personnel Rules</li> <li>c. Bring final Personnel Rules before the City Council</li> </ul>   | February 2014               | City Manager                 | Personnel                     |
|  |   | March 2014                  | City Manager                 | Personnel                     |
|  |   | April 2014                  | City Manager                 | Personnel                     |
| <b>DEVELOP A TRAINING PLAN FOR EMPLOYEES</b> |   |                             |                              |                               |
| 1.   | Implement customer service training program <ul style="list-style-type: none"> <li>a. Fall Training – “Working in a Fishbowl”</li> <li>b. Spring Training - TBD</li> </ul>  | <b>Completed</b>            | Personnel                    | City Manager                  |
|  |   | April 2014                  | Personnel                    | City Manager                  |
| 2.   | Maintain required certifications/training citywide  | Ongoing                     | Personnel                    | All                           |
| 3.   | Identify position and department training that would: <ul style="list-style-type: none"> <li>support cross training or</li> <li>be a requirement for the position or</li> <li>be essential to providing defined service levels or</li> <li>have the potential to produce revenue or</li> <li>save the City money or</li> <li>improve our competitive advantage</li> </ul> | Ongoing                     | Personnel                    | All                           |
| 4.   | Develop employee training needs assessment and budget <ul style="list-style-type: none"> <li>a. Work with CJPIA and other training consultants to maintain required citywide training program</li> </ul>  | May 2014                    | Personnel                    |                               |
|  |   |                             |                              |                               |

# FY 2013-14 City Goals and Action Plan

| Item                                  | Objective  | Target Date | Lead Department | Related Department(s) |
|---------------------------------------|--|-------------|-----------------|-----------------------|
| <b>IMPROVE COMMUNICATIONS SYSTEMS</b> |  |             |                 |                       |
| 1.                                    | Maintain regular communications with Council, Community and Employees through newsletter, articles, reports and other opportunities              | Ongoing     | City Manager    |                       |
|                                       | a. City Manager will insure Council Members are updated on community issues weekly   | Ongoing     | City Manager    |                       |
|                                       | b. City Manager will prepare articles on major topics in City newsletter and website   | Ongoing     | City Manager    |                       |
|                                       | c. Regular City Manager updates to all employees on projects or items of interest  | Ongoing     | City Manager    |                       |
|                                       | d. Clerk's department to regularly e-mail "future agenda items" to all employees   | Ongoing     | City Clerk      |                       |
| 2.                                    | Insure Council, Commission and Committee meetings are appropriately noticed  |             |                 |                       |
|                                       | a. All meeting agenda are reviewed by Chief Deputy and posted on City's website<br><b>Council agenda E-blast contains direct link to agenda.</b> | Ongoing     | City Clerk      |                       |
|                                       | b. Provide as requested agendas and minutes of meetings to Council Members<br><b>Implemented Council Agenda/Minutes Checklist for 2014.</b>      | Ongoing     | City Manager    | All                   |
| 3.                                    | Maintain important topics fresh on City's website  | Ongoing     | Marketing       | All                   |
| 4.                                    | Communicate directly with Council and residents on projects in City  |             |                 |                       |
|                                       | a. Produce a City Manager's quarterly resident report to be included in newsletter and on website  | Quarterly   | City Manager    | All                   |
|                                       | b. Increase informational reports to residents on City projects  | Ongoing     | Marketing       | All                   |

# FY 2013-14 City Goals and Action Plan

| Item | Objective   | Target Date                          | Lead Department | Related Department(s)   |
|------|---|--------------------------------------|-----------------|-------------------------|
|      | <b>IMPROVE SYSTEMS AND PROCESSES, CLARIFY ROLES</b>   |                                      |                 |                         |
| 1.   | Review the development process and keep it efficient  | Ongoing                              | Community Dev   | Finance                 |
| 2.   | Review the Fire Access Maintenance District<br><b>Memo provided to Council on FAMD overview</b>   | <del>January 2014</del><br>Completed | Personnel       |                         |
| 3.   | Provide quarterly affordable housing site inspections and regular updates from National Community Renaissance   | Quarterly                            | Community Dev   | Finance<br>Public Works |
| 4.   | Provide quarterly Golf Resort site inspections  | Quarterly                            | Finance         | All                     |
| 5.   | Provide regular bridge and wash inspections   | Ongoing                              | Public Works    |                         |
|      | <b>IMPROVE THE CITY COUNCIL MEETING AGENDA SYSTEM</b>   |                                      |                 |                         |
| 1.   | Establish City Council agenda manual  | Completed                            | City Manager    | City Clerk              |
| 2.   | Insure agendas are easily understood by Community<br>a. Create a new format for agendas<br><b>Refinement – New format and added staff recommendations to the agenda itself starting January 2014.</b> | Completed/<br>Ongoing                | City Clerk      | City Manager            |
| 3.   | Improve the quality of staff reports and presentations  | Completed                            | City Clerk      | City Manager            |

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# FY 2013-14 City Goals and Action Plan

| Item  | Objective  | Target Date  | Lead Department  | Related Department(s)  |
|---|--|--|--|--|
| <b>Continue to enhance the Indian Wells financial condition</b> |  |  |  |  |
| <b>MOVE ECONOMIC DEVELOPMENT PROJECTS FORWARD</b>               |  |  |  |  |
| 1.  | <b>Indian Wells Tennis Garden</b> <ul style="list-style-type: none"> <li>a. Investigate additional parking opportunities</li> <li>b. Research options for parking facility on City property south of tennis facility on Miles Avenue</li> <li>c. Investigate initial options for parking revenue sharing</li> <li>d. Monitor existing tennis agreements</li> <li>e. Investigate opportunities to assist and/or promote the facility</li> <li>f. Request Highway 10 exit signage for Tennis Garden</li> </ul> | <b>Completed</b><br><b>Completed</b><br><br><b>Completed</b><br>Ongoing<br>Ongoing<br>April 2014 | Community Dev<br>Community Dev<br><br>Finance<br>City Manager<br>Marketing<br>Public Works | Finance  |
| 2.  | <b>Miles Lodge</b> <ul style="list-style-type: none"> <li>a. Monitor the Development Agreement and take actions as necessary</li> <li>b. Review Conditions of Approval for timing compliance</li> <li>c. Complete plan check for phase 1</li> <li>d. Complete land sale for 1,700 sq. ft. parcel to developer.</li> </ul> <b>Parcel merger in process</b>  | Ongoing<br><br>Dependent on Applicant<br>June 2014<br>April 2014<br><del>December 2013</del>     | Community Dev<br><br>Community Dev<br>Community Dev<br>Community Dev                       | City Attorney<br><br>Public Works<br>Public Works<br>City Attorney |
| 3.  | <b>Miles Crossing Retail</b> <ul style="list-style-type: none"> <li>a. Based upon the actions of the developer, take next steps</li> </ul>   | January 2014   | City Manager   | City Attorney  |

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# FY 2013-14 City Goals and Action Plan

| Item | Objective   | Target Date   | Lead Department   | Related Department(s)   |
|------|---|---|---|---|
| 4.   | <b>Indian Wells Golf Resort</b> <ul style="list-style-type: none"> <li>a. Monitor implementation of strategic plan components</li> <li>b. Extend the contract to coincide with strategic plan and improve the terms relative to labor liability concerns, budget management and reporting</li> <li>c. Develop a new budget depicting all revenues and expenditure and provide for monitoring reports</li> <li>d. Prepare a zero based budget</li> <li>e. Bring budget before the Council</li> <li>f. Develop a new cost allocation plan for golf operations and food &amp; beverage to include Profit and Loss statements</li> <li>g. Create a long term capital expenditure sinking fund plan</li> <li>h. Provide financial performance/statements to Council</li> </ul> | Ongoing<br><b>February 2014</b><br><br><b>Completed</b><br><br><b>Completed</b><br><b>Completed</b><br><b>Completed</b><br><br><b>Completed</b><br><b>Completed/Ongoing</b> | Finance<br>City Manager<br><br>Finance<br><br>Finance<br>Finance<br><br>Finance<br>City Manager | Community Dev<br>City Attorney<br><br>Troon<br><br>Troon<br><br>Finance |
| 5.   | Lissoy property development   | Ongoing/<br><b>Completed</b>  | Community Dev   |   |
| 6.   | Monitor Sands Hotel sale progress   | Ongoing/<br>Contingent  | Community Dev<br>Finance  |   |
| 7.   | <b>Determine next steps for Club Drive buildings</b> <ul style="list-style-type: none"> <li>a. Negotiate leases and tenant improvements with new tenants</li> <li>b. Work with perspective tenant to create construction plans and remodel 45-300 Club Drive building</li> <li>c. Review Council's long term policy with respect to these properties</li> </ul>   | <b>Completed</b><br>March 2014<br><br>March 2014  | Finance<br>Public Works<br><br>City Manager   | Community Dev   |
| 8.   | Monitor the Province development  | Ongoing   | Community Dev   |   |
| 9.   | Evaluate opportunities of vacant sites within the City  | Ongoing   | Community Dev   | Public Works  |

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# FY 2013-14 City Goals and Action Plan

| Item   | Objective   | Target Date                                     | Lead Department | Related Department(s) |
|--|---|---|-----------------|-----------------------|
| <b>COMPLETE A COMPREHENSIVE FINANCIAL STRATEGY</b> |   |   |                 |                       |
| 1.   | Collect data and comparisons with other Coachella Valley cities   | <del>February 2014</del><br><b>Completed</b>    | Finance         |                       |
| 2.   | Evaluate current conditions and policies                          | <del>February 2014</del><br><b>Completed</b>    | Finance         |                       |
| 3.   | Present report to Council and gain guidance on financial policies | <del>May 2014</del><br><b>Completed</b>         | Finance         |                       |
| 4.   | Post the report on City's website                                 | <del>May 2014</del><br><b>Completed</b>         | Finance         |                       |
| 5.   | Semi-annually update the report                                   | Semi-annual                                     | Finance         |                       |
| <b>DEVELOP A MARKETING/TOURISM STRATEGY</b>        |   |   |                 |                       |
| 1.   | Outline Strategy  | <del>January 2014</del><br><b>February 2014</b> | Marketing       |                       |
| 2.   | Collect data regarding visitors and image awareness               | <del>January 2014</del><br><b>February 2014</b> | Marketing       |                       |
| 3.   | Identify key stakeholders and resource providers                  | <del>January 2014</del><br><b>February 2014</b> | Marketing       |                       |
| 4.   | Develop and research options                                      | February 2014                                   | Marketing       |                       |
| 5.   | Develop a Marketing Plan  | March 2014                                      | Marketing       |                       |
| 6.   | Implement the Marketing Plan                                      | Ongoing   | Marketing       |                       |
| <b>EVALUATE AND MONITOR CITY CONTRACTS</b>         |   |   |                 |                       |
| 1.   | Identify all current contracts                                    | <b>Completed</b>                                | City Clerk      |                       |
| 2.   | Develop tickle file of coming actions                             | <b>Completed</b>                                | City Clerk      |                       |
| 3.   | Create a system to monitor actions and implement oversight        | <del>March 2014</del><br><b>May 2014</b>        | City Clerk      |                       |

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# FY 2013-14 City Goals and Action Plan

| Item  | Objective   | Target Date   | Lead Department  | Related Department(s)  |
|---|---|---|--|--|
| <b>MONITOR STATE AND REGIONAL LEGISLATIVE ACTIONS</b>   |   |   |  |  |
| 1.  | Forward League and Lobbyist legislative updates to Council and Department Heads   | Ongoing   | City Manager   |  |
| 2.  | Adopt annual Legislative Agenda   | <b>Completed</b><br>January 2014                                    | City Manager   | City Clerk   |
| 3.  | Maintain close communications with City's advocacy consultant   | Ongoing   | City Manager   |  |
| <b>Continue to build the Indian Wells community devoted to an exceptional quality of life</b> |   |   |  |  |
| <b>HWY 111 CORRIDOR ART AND MONUMENTS MASTER DESIGN PLAN</b>                                  |   |   |  |  |
| 1.  | Create Request for Proposals that identifies existing information and public process for creating the plan <ul style="list-style-type: none"> <li>a. Review during February Strategic Planning sessions</li> <li>b. Approve RFP</li> <li>c. Award bid</li> </ul>  | <del>November 2013</del><br>February 2014<br>March 2014<br>May 2014 | Community Dev<br>Community Dev<br>Community Dev<br>Community Dev | Public Works<br>Public Works<br>Public Works<br>Public Works |
| 2.  | Retain a consultant to provide a comprehensive master design plan that includes Carl Bray monument and Cook/Hwy 111 entrance <ul style="list-style-type: none"> <li>a. Review of Carl Bray EIR/mitigation measures</li> <li>b. Set public meetings for stakeholders</li> <li>c. Bring final Hwy 111 corridor art &amp; monuments master design plan before the Council</li> </ul> | April 2014<br>January 2014  | Community Dev<br>Community Dev<br>Community Dev                  | Public Works<br>Public Works<br>Public Works                 |
| <b>CONTINUE TO IMPROVE EASE OF USE OF CITY'S WEBSITE</b>                                      |   |   |  |  |
| 1.  | Improve the search engine capabilities  | Ongoing   | Marketing  |  |
| <b>COMPLETE COOK STREET/HWY 111 IMPROVEMENT PROJECT</b>                                       |   |   |  |  |
| 1.  | Project information meetings with stakeholders  | <b>Completed</b>  | Public Works   |  |
| 2.  | E-blasts, website, newsletter updates on project  | <b>Completed</b>  | Marketing  | Public Works   |
| 3.  | <b>Granite Punch list</b>   | <b>March 2014</b>   | <b>Public Works</b>  |  |
| <b>COMPLETE RULE 20A UNDERGROUND PROJECT</b>  |   |   |  |  |
| 1.  | Monitor electrical meter panel/stucco repair work   | <b>Completed</b>  | Public Works   |  |
| 2.  | Monitor the removal of utility poles  | March 2014  | Public Works   |  |

# FY 2013-14 City Goals and Action Plan

| Item   | Objective   | Target Date                                   | Lead Department | Related Department(s) |
|--|---|---|-----------------|-----------------------|
| <b>COMPLETE RULE 20B UNDERGROUND PROJECT</b> |   |   |                 |                       |
| 1.   | Bidding process for all work by utilities                                   | Completed                                     | Public Works    |                       |
| 2.   | Bid Package for all private work for property owners                        | Completed                                     | Public Works    |                       |
| 3.   | Public Hearing on November 7, 2013 establishing assessment district         | Completed                                     | Public Works    |                       |
| 4.   | Bring final bid package for utility work before the Council                 | Completed                                     | Public Works    |                       |
| 5.   | Prepare boilerplate private individual construction agreements              | Completed                                     | Public Works    | City Attorney         |
| 6.   | Execute & record each loan agreement with homeowners                        | Ongoing/June 2014<br><del>December 2013</del> | Public Works    | City Attorney         |
| <b>COMPLETE PAVEMENT MANAGEMENT SYSTEM</b>   |   |   |                 |                       |
| 1.   | Develop RFP for grading of streets  | March 2014                                    | Public Works    |                       |
| 2.   | Bring award of consultant for pavement management system before the Council | May 2014                                      | Public Works    |                       |

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