

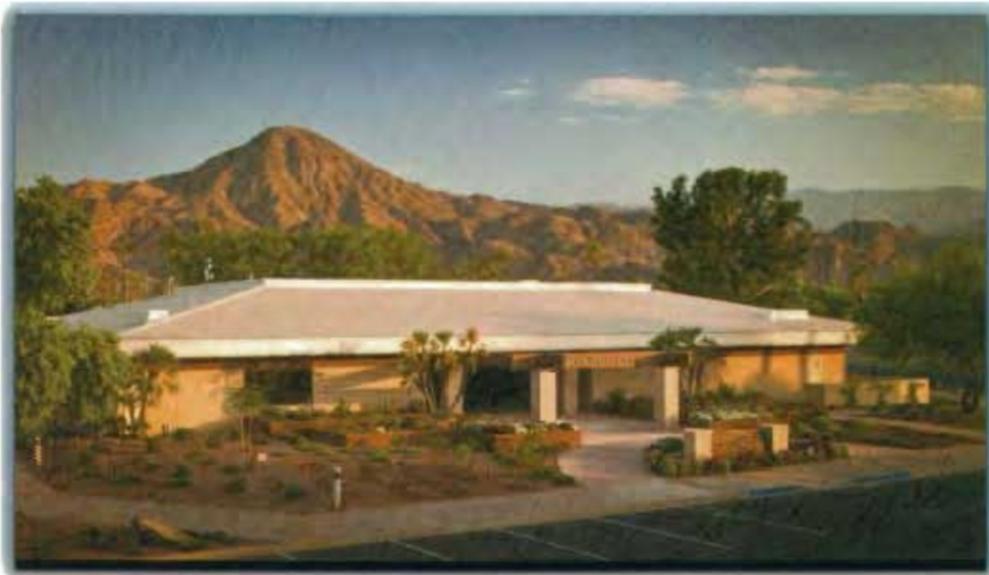
---

# City Council Meeting Agenda

Thursday, May 1, 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. RECONVENE 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. April 3, 2014 Special Meeting Minutes. Page 34.
- B. April 17, 2014 Regular Meeting Minutes. Page 39.
- C. April 17, 2014 Special State of the City Minutes. Page 50.

**4. PROCLAMATIONS AND PRESENTATIONS**

- A. Certificate of Recognition Honoring Hyatt Employee Rachel Godek.
- B. Proclamation Proclaiming May 2014 as Mental Health Month in the City of Indian Wells.

**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. Adopt Resolutions Initiating Proceedings and Preliminarily Approving the Annual Levy Report for Indian Wells Street Lighting District No. 2000-1 for Fiscal Year 2014-15. Page 54.

**RECOMMENDED ACTIONS:**

COUNCIL **ADOPTS** RESOLUTION BILL No. 2014-11 INITIATING PROCEEDINGS FOR ANNUAL LEVY OF ASSESSMENTS AND DECLARING ITS INTENTION TO LEVY ANNUAL ASSESSMENTS FOR THE INDIAN WELLS STREET LIGHTING DISTRICT NO. 2000-1 FOR FISCAL YEAR 2014-15 PURSUANT TO THE PROVISIONS OF PART 2 OF DIVISION 15 OF THE CALIFORNIA STREETS AND HIGHWAYS CODE; AND

**SCHEDULES** A NOTICED PUBLIC HEARING ON MAY 15, 2014 AT 1:30 P.M. TO HEAR PUBLIC TESTIMONY ON THE PROPOSED LEVY; AND

**ADOPTS** RESOLUTION BILL No. 2014-12 PRELIMINARILY APPROVING THE ANNUAL LEVY REPORT FOR THE INDIAN WELLS STREET LIGHTING DISTRICT NO. 2000-1 FOR FISCAL YEAR 2014-15.

- B. Adopt Resolutions Initiating Proceedings and Preliminarily Approving the Annual Levy Report for Indian Wells Landscape and Lighting District No. 91-1 for Fiscal Year 2014-15. Page 77.

**RECOMMENDED ACTIONS:**

COUNCIL **ADOPTS** RESOLUTION BILL NO. 2014-14 INITIATING PROCEEDINGS FOR ANNUAL LEVY OF ASSESSMENTS AND DECLARING ITS INTENTION TO LEVY ANNUAL ASSESSMENTS FOR THE INDIAN WELLS LANDSCAPE AND LIGHTING DISTRICT NO. 91-1 FOR FISCAL YEAR 2014-15 PURSUANT TO THE PROVISIONS OF PART 2 OF DIVISION 15 OF THE CALIFORNIA STREETS AND HIGHWAYS CODE; AND

**SCHEDULES** A NOTICED PUBLIC HEARING ON MAY 15, 2014 AT 1:30 P.M. TO HEAR PUBLIC TESTIMONY ON THE PROPOSED LEVY; AND

**ADOPTS** RESOLUTION BILL NO. 2014-15 PRELIMINARILY APPROVING THE ANNUAL LEVY REPORT FOR THE INDIAN WELLS LANDSCAPE AND LIGHTING DISTRICT NO. 91-1 FOR FISCAL YEAR 2014-15.

- C. Adopt Resolutions Initiating Proceedings, Preliminarily Approving the Annual Levy Report and Declaring Intention to Order the Levy and Collection of Assessments for Annual Levy for City of Indian Wells Drainage Maintenance Benefit Assessment District No. 1 for Fiscal Year 2014-15. Page 86.

**RECOMMENDED ACTIONS:**

COUNCIL **ADOPTS** RESOLUTION BILL NO. 2014-06 INITIATING PROCEEDINGS FOR LEVY AND COLLECTION OF ASSESSMENTS FOR FISCAL YEAR 2014-15 FOR THE CITY OF INDIAN WELLS DRAINAGE MAINTENANCE BENEFIT ASSESSMENT DISTRICT NO. 1 PURSUANT TO THE BENEFIT ASSESSMENT ACT OF 1982; AND

**ADOPTS** RESOLUTION BILL NO. 2014-07 PRELIMINARILY APPROVING THE ANNUAL ENGINEER'S REPORT REGARDING THE CITY OF INDIAN WELLS DRAINAGE MAINTENANCE BENEFIT ASSESSMENT DISTRICT NO. 1 AND THE LEVY AND COLLECTION OF ASSESSMENTS FOR FISCAL YEAR 2014-15 PURSUANT TO THE PROVISIONS OF THE BENEFIT ASSESSMENT ACT OF 1982; AND

**ADOPTS** RESOLUTION BILL NO. 2014-08 DECLARING IT INTENTION TO ORDER THE LEVY AND COLLECTION OF ASSESSMENTS FOR THE CITY OF INDIAN WELLS DRAINAGE MAINTENANCE BENEFIT ASSESSMENT DISTRICT NO. 1 FOR FISCAL YEAR 2014-15 PURSUANT TO THE PROVISIONS OF THE BENEFIT ASSESSMENT ACT OF 1982; AND

**SCHEDULES** A NOTICED PUBLIC HEARING ON MAY 15, 2014 AT 1:30 P.M. TO HEAR PUBLIC TESTIMONY ON THE PROPOSED LEVY.

D. **FAMD Warrant and Demands. Page 107.**

**RECOMMENDED ACTION:**

COUNCIL **APPROVES** THE MAY 1, 2014 FAMD WARRANT AND DEMANDS.

E. **City Warrant and Demands. Page 108.**

**RECOMMENDED ACTION:**

COUNCIL **APPROVES** THE MAY 1, 2014 CITY WARRANT AND DEMANDS.

**7. GENERAL BUSINESS**

A. **Approve Agreement with Verizon for Cabling and Connection Service for Undergrounding Project. Page 120.**

**RECOMMENDED ACTIONS:**

COUNCIL **APPROVES** AGREEMENT WITH VERIZON FOR THE INSTALLATION OF COMMUNICATION CABLES IN UNDERGROUND CONDUIT AND REMOVAL OF OVERHEAD SERVICE IN THE AMOUNT OF \$135,767.46; AND

**AUTHORIZES** AND **DIRECTS** THE CITY MANAGER TO EXECUTE SAID AGREEMENT.

- B. Award Contract for Maintenance of Indian Wells Golf Resort Cart Bridge to Watkins Landmark Construction. Page 121.

**RECOMMENDED ACTIONS:**

COUNCIL **AWARDS** CONTRACT TO WATKINS LANDMARK CONSTRUCTION FOR MAINTENANCE IMPROVEMENTS TO THE CART BRIDGE AT THE INDIAN WELLS GOLF RESORT IN THE AMOUNT OF \$74,995; AND

**AUTHORIZES** AND **DIRECTS** THE CITY MANAGER TO EXECUTE SAID AGREEMENT; AND

**APPROVES** A SUPPLEMENTAL APPROPRIATION IN THE AMOUNT OF \$74,995 TO THE GOLF RESORT ADMINISTRATION FUND ACCOUNT NUMBER 260.67.02.05440.

**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. CLOSED SESSION**

- A. Conference with Labor Negotiators Pursuant to Government Code Section 54957. Agency Designated Representative: Wade G. McKinney. Employee Organization: Indian Wells City Employees Association.
- B. Conference with Legal Counsel Regarding Anticipated Litigation. Significant Exposure to Litigation Pursuant to Government Code Section 54956.9(d)(2). Number of Potential Cases: 1.

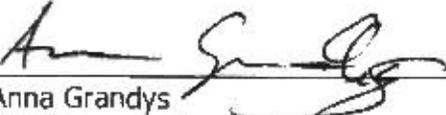
**12. ADJOURNMENT**

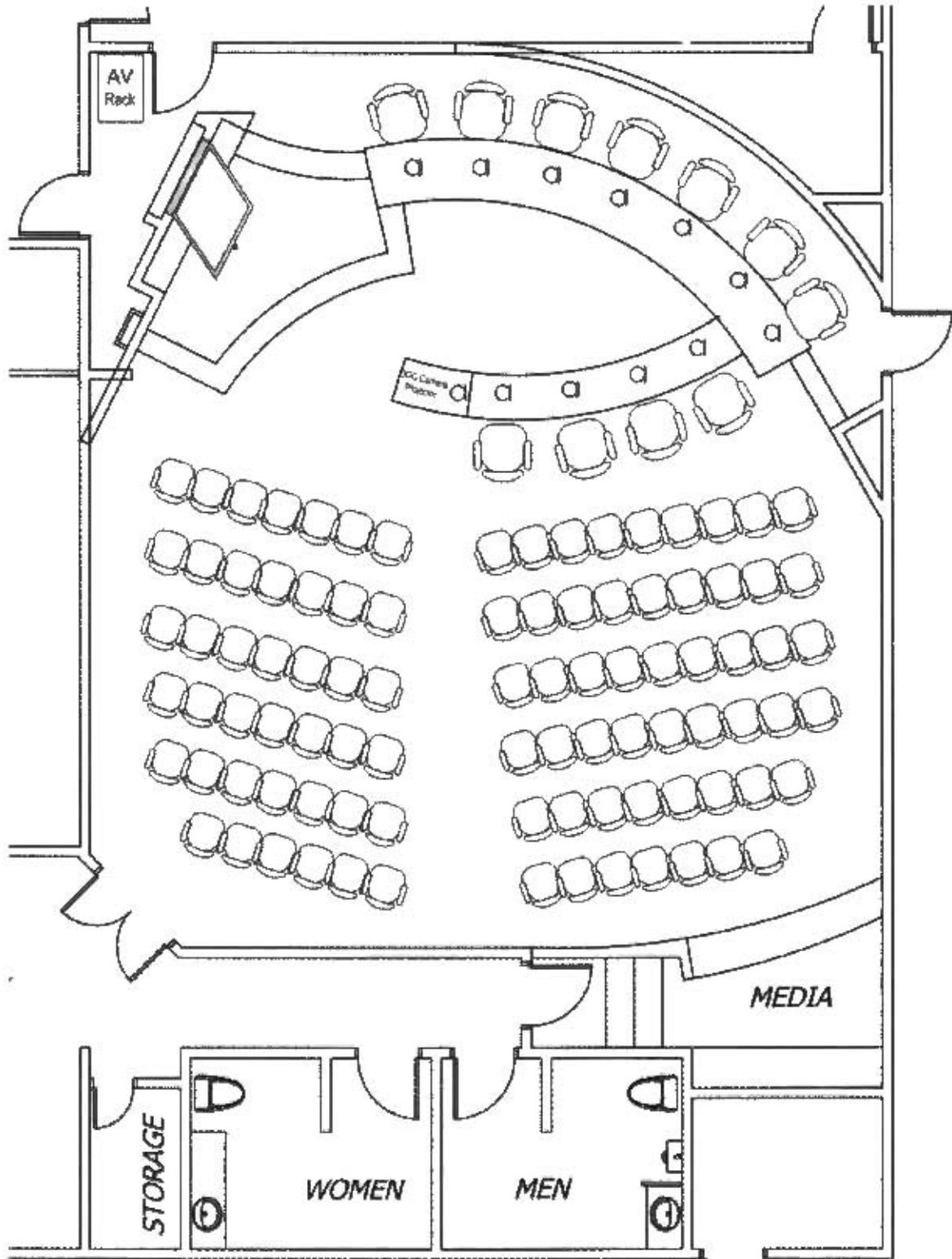
IN COMPLIANCE WITH THE AMERICANS WITH DISABILITIES ACT, IF YOU NEED SPECIAL ASSISTANCE TO PARTICIPATE IN THIS MEETING, PLEASE CONTACT THE CITY CLERK AT (760) 346-2489. NOTIFICATION 48 HOURS PRIOR TO THE MEETING WILL ENABLE THE CITY TO MAKE REASONABLE ARRANGEMENTS TO ENSURE ACCESSIBILITY TO THIS MEETING.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

AFFIDAVIT OF POSTING

I, Anna Grandys, certify that on April 25, 2014, I caused to be posted a notice of a City Council Meeting to be held on Thursday, May 1, 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].

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



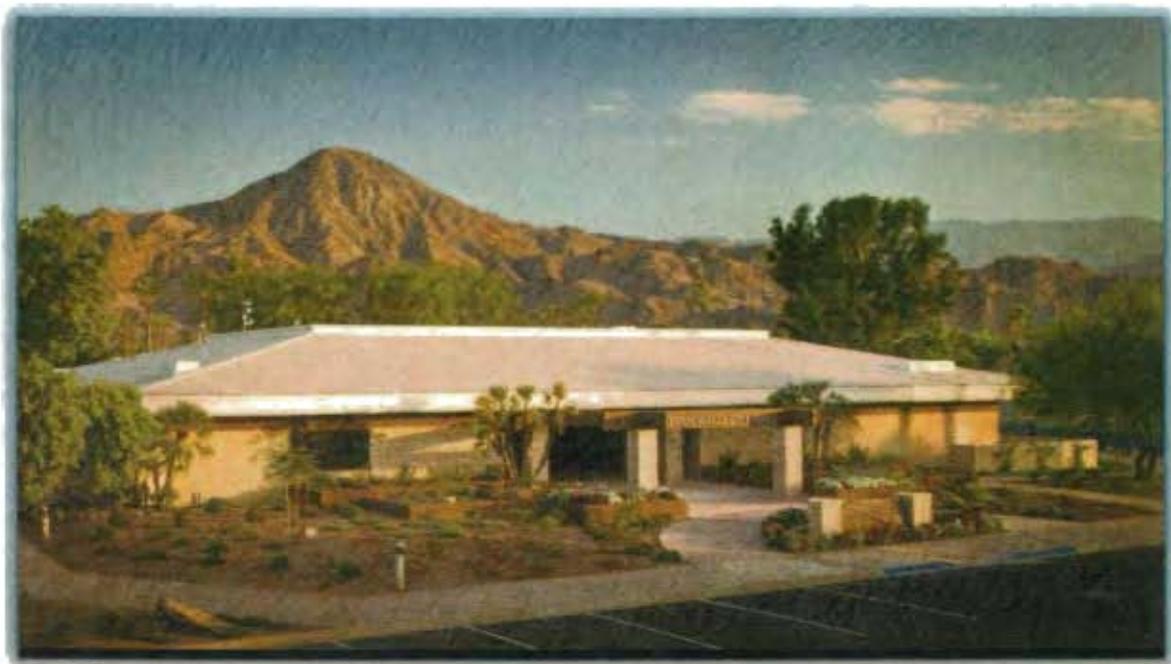
---

# Special City Council Meeting Minutes

Thursday, April 3, 2014  
10:00 a.m.

City Hall Council Chambers/Executive Conference Room  
at 44-950 Eldorado Drive, Indian Wells

**UNOFFICIAL**



WELCOME TO A SPECIAL 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 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.

UNOFFICIAL

**1. CONVENE THE CITY COUNCIL AND ROLL CALL**

[10:00] Mayor Mertens convened the City Council of the City of Indian Wells at 10:00 a.m. in the City Hall Executive Conference Room.

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**

[10:01]

**A motion was made to Approve the Agenda as Submitted. The motion carried by the following vote 5-0:**

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

NOES: 0 – None

**3. PUBLIC COMMENTS**

[10:02] Mr. Andy Elchuck, resident, questioned why the City is giving taxpayer money to charities.

Mr. Dave Rolston, Grants in Aid Committee member, stated it is not just taxpayer money as the majority of the City's General fund comes from hotel guests paying TOT (transient occupancy tax).

**4. GENERAL BUSINESS**

- A. Discussion and Direction Regarding the Overall Grants-in-Aid Program, Including But Not Limited to the Eligibility Requirements and Policy Guidelines, the Definition of 'Homeless' Organizations, and the Fiscal Year 2014-15 Grant Funding Budget. Page 6.

[10:14] The Council reviewed the Grants in Aid Committee's recommended modifications to the Eligibility Requirements and Policy Guidelines. It was the **CONSENSUS** of the Council to accept the "501C3 organizations" proposed language in the last paragraph of the Purpose section of the Guidelines and that requirement also extends to schools.

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

NOES: 0 – None

It was the **CONSENSUS** of the Council to accept all the proposed language changes for Criteria for Funding Agencies in the Eligibility Requirements and Policy Guidelines as proposed by the Grants in Aid Committee, including the removal of the \$5,000 grant allocation cap in item #14.

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

NOES: 0 – None

The Council then discussed the items outlined in the staff report for Council direction and/or clarification. The Council discussed Roy's Desert Resource Center. Mayor Pro Tem Peabody made a motion, seconded by Council Member Roche that the Grants in Aid Committee is to make funding recommendations to the Council for all grant recipients including Roy's and the budget is to also include the \$103,000 currently budgeted for Roy's for a total budget of \$203,000.

Council Member Hanson made a substitute motion, seconded by Council Member Mullany for the Council to fund Roy's Desert Resource Center for the full amount of \$103,000 this year, that the decision would not be under the Grants in Aid Committee's purview, and request financial documentation from CVAG on Roy's.

**UNOFFICIAL**

**A motion was made by Council Member Hanson, seconded by Council Member Mullany, to Approve this Substitute Motion. The motion failed by the following vote 2-3:**

AYES: 2 – Mullany, Hanson,

NOES: 3 – Mertens, Peabody, Roche

The Council voted on the original motion that the Grants in Aid Committee is to make funding recommendations to the Council for all grant recipients including Roy's and the budget is to also include the \$103,000 currently budgeted for Roy's for a total budget of \$203,000.

**A motion was made by Mayor Pro Tem Peabody, seconded by Council Member Roche, to Approve this Motion. The motion passed by the following vote 4-1:**

AYES: 4 – Mertens, Peabody, Hanson, Roche

NOES: 1 – Mullany

The Council deferred discussion as to increasing the grants in aid budget by an additional \$50,000 until the discretionary policy is revised and the budget surplus is known.

## 5. CLOSED SESSION

[11:55] Mayor Mertens stated the City Council would hold a Closed Session to discuss the following agenda item.

- A. Conference with Labor Negotiators Pursuant to Government Code Section 54957. Agency Designated Representative: Wade G. McKinney. Employee Organization: Indian Wells City Employee Association.

At 3:01 p.m. City Attorney Stephen Deitsch stated there was no reportable action taken on this item.

- B. Conference with Legal Counsel Regarding Existing Litigation Pursuant to Government Code Section 54956.9(d)(1). Name of Case: Rubakovic v. Indian Wells, Riverside County Superior Court Case # PSC 1302806.

At 3:01 p.m. City Attorney Stephen Deitsch stated there was no reportable action taken on this item.

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

At 3:01 p.m. City Attorney Stephen Deitsch stated there was no reportable action taken on this item.

**6. ADJOURNMENT**

At 1:11 p.m. Mayor Mertens ADJOURNED to a regularly scheduled meeting of the City Council to be held at 1:30 p.m. on April 17, 2014 in the City Hall Council Chambers; and thereafter to a Special State of the City meeting of the City Council to be held at 6:00 p.m. on April 17, 2014 at the Indian Wells Golf Resort, Pavilion.

Respectfully submitted,

\_\_\_\_\_  
Wade G. McKinney, City Manager/City Clerk

---

# City Council Meeting Minutes

Thursday, April 17, 2014

1:30 p.m.

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

UNOFFICIAL



*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 AND ROLL CALL**

[1:30:18] Mayor Mertens convened the City Council at 1:30 p.m. in the City Hall Council Chambers.

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**

[1:31:01]

**A motion was made by Council Member Roche, seconded by Council Member Mullany, to Approve the Agenda as Submitted. 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**

[1:31:14]

A. April 3, 2014 Regular Meeting Minutes.

**A motion was made by Council Member Mullany, seconded by Mayor Pro Tem Peabody, 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

#### 4. PROCLAMATIONS AND PRESENTATIONS

[1:31:30] Mayor Mertens reminded the residents that this evening there would be a State of the City meeting at 6:00 p.m. at the Indian Wells Golf Resort's Pavilion.

- A. "Working Together to Prevent West Nile Virus" Presentation by Coachella Valley Mosquito & Vector Control District.

City of Indian Wells' Representative to the Coachella Valley Mosquito & Vector Control District Board Bruce Underwood gave a quick overview of the District and introduced Jill Oviatt, Public Information Manager who gave a presentation to the City Council. Ms. Oviatt stated that March to early July and August to November are peak times for mosquitos.

#### 5. PUBLIC COMMENTS

[1:51:52] A. Public Comments

SunLine Transit's General Manager Lauren Skiver introduced herself to the City Council and gave a brief update on projects SunLine is involved with here in the Coachella Valley.

Mr. Dana Reed, resident, stated he was advised that he could not circulate the petition for signatures at the State of City meeting this evening and asked the City Council to reconsider his request.

Ms. Rocky Randall, resident, requested help from the City Council to get train service from the Coachella Valley to Los Angeles.

- B. Response to Prior Public Comments

City Manager Wade McKinney responded to Mr. Denny Booth's questions raised at the April 7, 2014 Council meeting. The City's response is included in the agenda packet.

**6. PUBLIC HEARINGS**

- A. Adopt Resolution Approving the Annual Special Fire Tax Standby and Availability Charges for Fiscal Year 2014-15.

[2:03:27] Mayor Mertens opened the public hearing at 2:04 p.m. to hear testimony in favor of or against Resolution Bill No. 2014-04; hearing none, the public hearing was closed.

It was determined to **ADOPT** Resolution No. 2014-03 [Resolution Bill No. 2014-04] to read as follows:

RESOLUTION NO. 2014-03

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF INDIAN WELLS, CALIFORNIA, ORDERING THE LEVY AND COLLECTION OF ASSESSMENTS FOR THE CITY OF INDIAN WELLS FIRE TAX STANDBY AND AVAILABILITY CHARGES PURSUANT TO CITY ORDINANCE NO. 170; and

to **ORDER** the special fire tax levy to be placed on the Fiscal Year 2014-15 Riverside County tax roll.

**A motion was made by Council Member Mullany, seconded by Mayor Pro Tem Peabody, to Approve the Agenda as Submitted. The motion carried by the following vote 5-0:**

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

NOES: 0 – None

- B. Adopt Resolution Approving the Annual Levy of the Fire Access Maintenance District No. 1 for Fiscal Year 2014-15.

[2:05:20] Mayor Mertens opened the public hearing at 2:09 p.m. to hear testimony in favor of or against Resolution Bill No. 2014-05; hearing none, the public hearing was closed.

It was determined to **ADOPT** Resolution No. 2014-04 [Resolution Bill No. 2014-05] to read as follows:

RESOLUTION NO. 2014-04

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF INDIAN WELLS, CALIFORNIA, ORDERING THE LEVY AND COLLECTION OF A SPECIAL TAX FOR THE CITY OF INDIAN WELLS FIRE ACCESS MAINTENANCE DISTRICT NO. 1; and

to **ORDER** the Fire Access Maintenance District No. 1 levy to be placed on the Fiscal Year 2014-15 Riverside County tax roll.

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

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

## 7. CONSENT CALENDAR

[2:09:52] Council Member Hanson requested that Consent Item #6A be removed for information and discussion.

- B. FAMD Warrant and Demands.

IT WAS DETERMINED TO **APPROVE** THE APRIL 17, 2014, 2014 FAMD WARRANT AND DEMANDS.

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

C. City Warrant and Demands.

IT WAS DETERMINED TO **APPROVE** THE APRIL 17, 2014, 2014 CITY WARRANT AND DEMANDS.

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

**PASSED THE CONSENT AGENDA. A MOTION WAS MADE BY COUNCIL MEMBER HANSON, SECONDED BY COUNCIL MEMBER MULLANY, INCLUDING THE PRECEDING ITEM 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

- A. Approve Requisition for Levy Restaurants in the Amount of \$31,190.66 for Food & Beverage in Suites During the 2014 BNP Paribas Open. Page 33.

[2:10:53] Director of Marketing and Community Relations Nancy Samuelson reported the additional tourism events and increased costs for food and beverage were the reason for the additional expenditures.

It was determined to **APPROVE** the requisition to Levy Restaurants in the amount of \$31,190.66 for food & beverage served in the City suites during the 2014 BNP Paribas Open.

**A motion was made by Council Member Mullany, seconded by Mayor Pro Tem Peabody, to Approve this Motion. The motion carried by the following vote 5-0:**

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

NOES: 0 – None

**8. GENERAL BUSINESS**

- A. Adopt Resolution Approving the City of Indian Wells Bail Schedule.

[2:15:02] IT WAS DETERMINED TO **ADOPT** RESOLUTION BILL NO. 2014-05 [RESOLUTION BILL No. 2014-03] TO READ AS FOLLOWS:

RESOLUTION NO. 2014-05

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF INDIAN WELLS, CALIFORNIA, ADOPTING A BAIL SCHEDULE FOR INFRACTION AND MISDEMEANOR VIOLATIONS; AND

TO **DIRECT** STAFF TO FORWARD THE NEW BAIL SCHEDULE TO RIVERSIDE COUNTY SUPERIOR COURT.

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

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

NOES: 0 – None

- B. Approve Sub-Reimbursement Agreement with Coachella Valley Association of Governments for the Jefferson Street and Interstate 10 Interchange Project.

[2:16:42] Mayor Pro Tem Peabody stated he does not agree on contributing to this Interchange Project at Jefferson Street and Interstate 10 and therefore will vote no.

IT WAS DETERMINED TO **APPROVE** THE SUB-REIMBURSEMENT AGREEMENT BY AND BETWEEN COACHELLA VALLEY ASSOCIATION OF GOVERNMENTS, THE NINE COACHELLA VALLEY CITIES, AND THE COUNTY OF RIVERSIDE WHICH ESTABLISHED INVOICING PROCEDURES FOR THE LOCAL SHARE OF COSTS FOR THE INTERCHANGE PROJECT AT JEFFERSON STREET AND INTERSTATE 10; AND

TO **AUTHORIZE** AND **DIRECT** THE MAYOR TO EXECUTE SAID AGREEMENT.

**A motion was made by Council Member Mullany, seconded by Council Member Hanson, to Approve this Motion. The motion carried by the following vote 4-1:**

AYES: 4 – Mertens, Mullany, Hanson, Roche

NOES: 1 – Peabody

- C. Affirm Consent to Conflict of Representation Waiver Allowing Best Best & Krieger to Represent Coachella Valley Association of Governments for CV Link Project Environmental Work.

[2:33:32] At 2:34 p.m. City Attorney Stephen Deitsch stated since this item pertains to his law firm, he will therefore step down from his position as City Attorney and be part of the audience so that he may answer any questions Council may have of him.

IT WAS DETERMINED TO **AFFIRM** ITS CONSENT TO THE CONFLICT OF REPRESENTATION ALLOWING BEST BEST & KRIEGER LLP TO REPRESENT COACHELLA VALLEY ASSOCIATION OF GOVERNMENTS FOR THE ENVIRONMENTAL WORK RELATED TO THE CV LINK PROJECT; AND

TO **AUTHORIZE** AND **DIRECT** THE CITY MANAGER TO EXECUTE THE CONFLICT OF REPRESENTATION WAIVER.

**A motion was made by Council Member Mullany, seconded by Mayor Pro Tem Peabody, to Approve this Motion. The motion carried by the following vote 5-0:**

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

NOES: 0 – None

City Attorney Stephen Deitsch returned to his seat at 2:35 p.m.

- D. Adopt 1) Resolution Amending Resolution No. 2013-53 Concerning the Compensation and Benefit Plan for Non-Represented Professional and Management Employees, Confidential Employees, and Non-Represented Employees and 2) Authorized Positions and Salary Schedule Including Two New Positions.

[2:34:47] City Manager Wade McKinney stated the Employee Association has objected to the inclusion of the Accounting Technician II/Payroll under the Confidential positions within this resolution. Mr. McKinney further stated the City will need to meet and confer with the Employee Association on this matter. The resolution shall be amended by removing this portion to which there has been objection and approve the resolution as amended.

IT WAS DETERMINED TO **ADOPT AS AMENDED** RESOLUTION NO. 2014-06 TO READ AS FOLLOWS:

RESOLUTION No. 2014-06

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF INDIAN WELLS, CALIFORNIA, AMENDING RESOLUTION NO. 2013-53 CONCERNING THE COMPENSATION AND BENEFIT PLAN FOR NON-REPRESENTATIVE PROFESSIONAL AND MANAGEMENT WORKERS, CONFIDENTIAL EMPLOYEES, AND NON REPRESENTED EMPLOYEES, EFFECTIVE JULY 1, 2013 THROUGH JUNE 30, 2014, AND

TO **ADOPT** THE FISCAL YEAR 2013-2014 AUTHORIZED POSITIONS AND SALARY SCHEDULE THAT INCORPORATES CHANGES TO THE AUTHORIZED POSITIONS.

**A motion was made by Council Member Hanson, seconded by Council Member Roche, to Approve this Motion. 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**

[2:36:18] No report.

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

[2:36:25]

**A. Council Member Roche**

No report.

**B. Council Member Hanson**

No report.

**C. Council Member Mullany**

No report.

**D. Mayor Pro Tem Peabody**

No report.

**E. Mayor Mertens**

No report.

**11. CITY ATTORNEY REPORTS AND COMMENTS**

[2:36:49] City Attorney Stephen Deitsch recommended the City Council recess from open session to closed session to consider two items as listed on the agenda.

**12. CLOSED SESSION**

- A. Conference with Labor Negotiators Pursuant to Government Code Section 54957. Agency Designated Representative: Wade G. McKinney. Employee Organization: Indian Wells City Employees Association.

At 3:59 p.m. City Attorney Stephen Deitsch stated there was no reportable action taken on this item.

- B. Conference with Legal Counsel Regarding Existing Litigation Pursuant to Government Code Section 54956.9(d)(1). Name of Case: Rubakovic v. Indian Wells, Riverside County Superior Court Case # PSC 1302806.

At 3:59 p.m. City Attorney Stephen Deitsch stated there was no reportable action taken on this item.

**13. ADJOURNMENT**

At 4:00 p.m. Mayor Mertens ADJOURNED to a Special State of the City meeting of the City Council to be held at 6:00 p.m. on April 17, 2014 at the Indian Wells Golf Resort, Pavilion.

Respectfully submitted,

---

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>

---

# Special State of the City Meeting Minutes

Thursday, April 17, 2014

6:00 p.m.

Indian Wells Golf Resort, Pavilion

44-500 Indian Wells Lane, Indian Wells

UNOFFICIAL



*Indian Wells Golf Resort, Pavilion*

WELCOME TO A SPECIAL 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 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 SPECIAL STATE OF THE CITY, PLEDGE OF ALLEGIANCE AND ROLL CALL**

At 6:15 p.m. Mayor Mertens convened the Special State of the City Meeting at the Indian Wells Golf Resort, Pavilion Building.

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**

**A motion was made and seconded to Approve the Agenda as Submitted. The motion carried by the following vote 5-0:**

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

**3. PUBLIC COMMENTS**

None.

**4. GENERAL BUSINESS****A. State of the City.**

Council Member Hanson presented an overview of Highway 111, Coachella Valley Link with PEV Stations, Sunline Transit Agency Statistics explaining transit lines, bus stops, staff fleet and its budget. He also spoke of the need for rail transit to connect the Coachella Valley with outside area communities.

Council Member Roche spoke of the importance of Strategic Partnerships with the City's four hotels, with the Indian Wells Golf Resort and the Indian Wells Tennis Gardens along with its world renowned PNB Paribas Tennis Tournament. She reported on attendance of the 2014 tournament as 431,527 with a total 5,804 resident tickets distributed. Council Member Roche also reported that there are over 17,000 rounds of golf played by Indian Wells residents at the Golf Resort on a yearly basis.

Council Member Mullany spoke of the crime statistics and that property crime had decreased within the City. He reviewed the type of recent burglaries, current crime trends, as well as the Special Events within the City, such as the visit of the President of China, that required an extraordinary level of police coverage. Council Member Mullany commended Lieutenant Coby Webb and her deputies along with other staff of the Riverside County Sheriff's Department on taking good care of the City and its residents.

Mayor Pro Tem Peabody spoke of the Indian Wells Golf Resort and the recently adopted Strategic Plan and Goals for the Golf Resort as well as detailing the progress to date. He identified the cost for the improvements at the Restaurant, Café and Front Patio along with the installation of the Pavilion. Mayor Pro Tem Peabody reviewed the Golf Resort's current Strategic Plan Results and Operating Results.

Mayor Mertens reviewed the Financials of the City, the City's Operating Budget, the General Fund Revenue, the City's Reserves as well as the City's re-establishment of the Grants-in-Aid Funding and Committee. He highlighted the City Goals and Action Plan for Fiscal Year 2014-15 as to enhancing the Indian Wells financial condition; to continue to build trust, capacity and customer service culture in the Indian Wells organization; and to continue to build the Indian Wells community devoted to an exceptional quality of life. Mayor Mertens finally spoke of the expansion of an additional stadium at the Indian Wells Tennis Garden, as well as the Miles/Indian Wells Crossing parcel and Brixton Capital, and the Ryerson project.

#### B. Open Discussion.

Mayor Mertens opened up the floor for questions, comments and remarks from the audience. There were questions posed regard bring rail to the valley, the reasoning why a bigger banquet facility was not incorporated when the Golf Resort was re-built, and the Highway 111 petition and future plans, if any, to widen Highway 111.

**5. ADJOURNMENT**

At 8:02 p.m. Mayor Mertens ADJOURNED to a Special Meeting of the City Council to be held at 10:00 a.m. on May 1, 2014 in the City Hall Council Chambers/executive conference room; and thereafter to a regularly scheduled meeting of the City Council to be held at 1:30 p.m. on May 1, 2014 in the City Hall Council Chambers.

Respectfully submitted,

\_\_\_\_\_  
Wade G. McKinney, City Manager/City Clerk

UNOFFICIAL

CITY COUNCIL MEETING THURSDAY May 1, 2014

Mayor Mertens, City Council, City Staff and those in attendance. My name is Denny Booth. A resident for over 15 years.

On April 17, 2014 City Manager McKinney responded to the questions I raised at a city council meeting April 3, 2014 regarding details of the purchase of city owned land by Mr. Fogelson, through his companies, made from our city. The purpose of which was to build a hotel, restaurants and other businesses in our city.

The city loaned his consortium the money to purchase the two parcels of land in 2003 due in 5 years. And in 2008 the city extended the due date for the payment of the two loans involved another 5 years ending in August 2013. And on which his company subsequently defaulted.

The following summarizes the answers to my questions regarding the 10 years Fogelson through his company had to develop these properties. And on which he never constructed a single building.

The city at this time does not know how much it paid for the properties. Perhaps some day they will. I do recall a portion of the land was secured through the use of eminent domain. I was at the council meeting, when the owner of the land challenged the city action, as being unfair.

In total, the city loaned him \$4.3 million dollars on which he made a \$50 thousand dollar down payment. Monthly principal and interest payments were deferred until the notes became due. And on August 2013, 10 years from the date of the original loan, \$5.5 million dollars became due. No one knows how much revenue (sales tax and TOT) the city lost because the promised development never happened.

In other words, Mr. Fogelson through his company bought a 10 year option costing \$5 thousand dollars a year controlling the use of \$4.3 million dollars

worth of the property for the period. He subsequently defaulted on the loan payment of \$5.5 million dollars, when it became due August 2013. And taking until the year 2014, for the city to secure control the property in question.

Our Finance Director, Greg Johnson the City Manger at the time and city council members one of whom is presently sitting on the council "dropped the ball".

Action needs to be taken by the present city goverment and city council to keep something similar from happening in the future. Will they? And if not, at some time in the future, there will once again be another ballot initiative to keep them from doing so.

Demosthenes James Booth

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

***May 1, 2014***

### ***Staff Report – Finance***

#### **Adopt Resolutions Initiating Proceedings and Preliminarily Approving the Annual Levy Report for Indian Wells Street Lighting District No. 2000-1 for Fiscal Year 2014-15**

#### **RECOMMENDATIONS:**

City Council **ADOPTS** Resolution Bill No. 2014-11 initiating proceedings for annual levy of assessments and declaring its intention to levy annual assessments for the Indian Wells Street Lighting District No. 2000-1 for Fiscal Year 2014-15, pursuant to the provisions of Part 2 of Division 15 of the California Streets and Highway Code; and

**SCHEDULES** a noticed Public Hearing on May 15, 2014 at 1:30 p.m. to hear public testimony on the proposed levy; and

**ADOPTS** Resolution Bill No. 2014-12 preliminarily approving the annual engineer's report regarding the Indian Wells Street Lighting District No. 2000-1 for Fiscal Year 2014-15.

#### **DISCUSSION:**

The City is responsible for levying the annual lighting and maintenance assessment for the Village area in accordance with the Landscape and Lighting Act of 1972 and Proposition 218. The District is located at the southwest corner of Fred Waring Drive and Warner Trail, to Blackfoot Drive and Dakota Trail, to Arapahoe Vista and Elkhorn Trail. The District was originally established by Riverside County to provide street lighting for the area and reformed by the City in 2000 when the Tennis Garden area was annexed into the City. Improvements within the District include: the maintenance and operation of and the furnishing of services for street lighting and appurtenant facilities, including repair, removal or replacement of all or part of any of the street lights or appurtenant facilities and the furnishing of electricity for the lighting and operation of the street lighting and appurtenant facilities within the District.

The Council will hold a noticed Public Hearing on Thursday, May 15, 2014 at 1:30 p.m. to hear public testimony and approve the final levy.

**FISCAL IMPACT:**

There is no fiscal impact to the General Fund as the annual levy is sufficient to operate the district by paying the associated utility costs which are the major expense of the District. The levy has not changed from the prior fiscal year and the City anticipates collecting \$1,480 from 31 assessed parcels within the District. The City records the revenues into a Special Revenue fund which can only be used to operate the District.

**ATTACHMENTS:**

1. Resolution Bill No. 2014-11
2. Resolution Bill No. 2014-12

**RESOLUTION BILL NO. 2014-11**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF INDIAN WELLS, CALIFORNIA, INITIATING PROCEEDINGS FOR ANNUAL LEVY OF ASSESSMENTS AND DECLARING ITS INTENTION TO LEVY ANNUAL ASSESSMENTS FOR THE INDIAN WELLS STREET LIGHTING DISTRICT NO. 2000-1 FOR FISCAL YEAR 2014-15 PURSUANT TO THE PROVISIONS OF PART 2 OF DIVISION 15 OF THE CALIFORNIA STREETS AND HIGHWAYS CODE**

**WHEREAS**, the City Council has by previous Resolutions formed the Indian Wells Street Lighting District No. 2000-1 (the "District") pursuant to the provisions of *Landscaping and Lighting Act of 1972, Part 2 of Division 15 of the Streets and Highways Code of California, beginning with Section 22500* (the "Act"), that provides for levy and collection of assessments by the County of Riverside for the City of Indian Wells to pay the maintenance and services of lighting facilities, landscaping and all appurtenant facilities and operations related thereto; and

**WHEREAS**, the District and the associated assessments are in compliance with the provisions of California Constitution Articles XIIC and XIID; and

**WHEREAS**, the City Council has retained Willdan Financial for the purpose of assisting with the Annual Levy of the District and to prepare and file a report with the City Clerk in accordance with the Act.

**NOW, THEREFORE, BE IT RESOLVED, DETERMINED, AND ORDERED BY THE CITY COUNCIL FOR THE DISTRICT PURSUANT TO CHAPTER 3, SECTION 22622, 22624 AND 22626 OF THE ACT, AS FOLLOWS:**

**SECTION 1. Annual Levy Report.** The City Council hereby **ORDERS** Willdan Financial to prepare the Annual Levy Report concerning the levy of assessments for the District in accordance with *Chapter 3, Section 22622 of the Act*.

**SECTION 2. Intention.** The City Council hereby declares that it intends to seek the Annual Levy of the District in accordance with *Chapter 3, Section 22624 of the Act*, over and including the land within the District boundary and to levy and collect assessments on all such land to pay the costs of the following: the operation, maintenance and servicing of lighting and all appurtenant facilities and operations related thereto. It is proposed that there be no increase in the assessments levied in the prior annual levy.

**SECTION 3. Description of Improvements and Any Substantial Changes Proposed.** The improvements within the District include: the maintenance and operation of and the furnishing of services for street lighting and appurtenant facilities, including repair, removal or replacement of all or part of any of the street lights or appurtenant facilities and the furnishing of electricity for the lighting and operation of the street lighting and appurtenant facilities within the District. The Annual Levy Report describes all new improvements or substantial changes in existing improvements.

**SECTION 4. Boundaries and Designation.** The boundaries of the District are previously defined in the formation documents of the original District and include Tract Nos. 21650 and 3292-R, which comprise a portion of Riverside County Service Area No. 121. The District is designated as "Indian Wells Street Lighting District No. 2000-1".

**SECTION 5. Public Hearing.** The City Council hereby declares its intention to conduct a Public Hearing concerning the levy of assessments for the District in accordance with *Chapter 3, Section 22626 of the Act*. Notice is hereby given that a public meeting and hearing will be held by the City Council of the City of Indian Wells for this purpose on **Thursday, May 15, 2014 at 1:30 P.M.** or as soon thereafter as feasible, in the City Council Chambers of the City of Indian Wells, 44-950 Eldorado Drive, Indian Wells, California 92210.

**SECTION 6. Notice.** A "Resolution of Intention" shall be published in a newspaper of general circulation once at least ten days before the public hearing on annual levies; and posting a copy of the Resolution of Intention in three (3) public places within the City.

**SECTION 7. Effective Date.** This Resolution shall take effect upon adoption.

**PASSED, APPROVED AND ADOPTED** by the City Council of the City of Indian Wells, California, at a regular meeting held on this 1<sup>st</sup> day of May, 2014.

---

**TED J. MERTENS**  
**MAYOR**

**CERTIFICATION FOR RESOLUTION NO. 2014-11**

I, Wade G. McKinney, City Clerk of the City Council of the City of Indian Wells, California **DO HEREBY CERTIFY** that the whole number of the members of the City Council is five (5); that the above and foregoing resolution was duly and regularly passed and adopted at a regular meeting of the City Council of the City of Indian Wells the 1<sup>st</sup> day of May 2014, by the following vote:

AYES:

NOES:

**ATTEST:**

**APPROVED AS TO FORM:**

---

**WADE G. MCKINNEY**  
**CITY MANAGER/CITY CLERK**

---

**STEPHEN P. DEITSCH**  
**CITY ATTORNEY**

**RESOLUTION BILL NO. 2014-12**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF INDIAN WELLS, CALIFORNIA, PRELIMINARILY APPROVING THE ANNUAL LEVY REPORT FOR THE INDIAN WELLS STREET LIGHTING DISTRICT NO. 2000-1 FOR FISCAL YEAR 2014-15**

**WHEREAS**, the City Council of the City of Indian Wells (the "City Council") has by previous Resolutions ordered the preparation of the Engineer's Annual Levy Report (the "Report") for the district known and designated as Indian Wells Street Lighting District No. 2000-1 (the "District"), pursuant to the provisions of the *Landscaping and Lighting Act of 1972, Part 2 of Division 15 of the Streets and Highways Code of California, beginning with Section 22500* (hereafter referred to as the "Act"); and

**WHEREAS**, the District and the associated assessments are in compliance with the provisions of California Constitution Articles XIIC and XIID; and

**WHEREAS**, there has now been presented to this City Council the Report as required by *Chapter 1, Article 4, Section 22566* of said Act; and

**WHEREAS**, this City Council has examined and reviewed the Report as presented and is preliminarily satisfied with the Report and each and all of the budget items and documents as set forth therein, and is satisfied that the assessments, on a preliminary basis, have been spread in accordance with the benefits received from the improvements, operation, maintenance, and services to be performed, as set forth in said Report.

**NOW, THEREFORE, BE IT RESOLVED, DETERMINED, AND ORDERED BY THE CITY COUNCIL FOR THE DISTRICT AS FOLLOWS:**

**SECTION 1.** That the above recitals are all true and correct.

**SECTION 2.** That the Report as presented consists of the following:

- a. A Description of the Improvements
- b. The Annual Budget (Costs and Expenses of Services, Operation and Maintenance)

**SECTION 3.** The Report is hereby **APPROVED** on a preliminary basis and ordered to be filed in the Office of the City Clerk as a permanent record and to remain open to public inspection.

**SECTION 4.** That the City Clerk shall certify to the passage and adoption of this Resolution and the minutes of this meeting shall so reflect the presentation of the Annual Levy Report.

**SECTION 5.** This Resolution shall take effect upon adoption.

**PASSED, APPROVED AND ADOPTED** by the City Council of the City of Indian Wells, California, at a regular meeting held on this 1<sup>st</sup> day of May, 2014.

---

**TED J. MERTENS**  
**MAYOR**

**CERTIFICATION FOR RESOLUTION BILL NO. 2014-12**

I, Wade G. McKinney, City Clerk of the City Council of the City of Indian Wells, California **DO HEREBY CERTIFY** that the whole number of the members of the City Council is five (5); that the above and foregoing resolution was duly and regularly passed and adopted at a regular meeting of the City Council of the City of Indian Wells the 1<sup>st</sup> day of May 2014, by the following vote:

AYES:  
NOES:

**ATTEST:**

**APPROVED AS TO FORM:**

---

**WADE G. MCKINNEY**  
**CITY MANAGER/CITY CLERK**

---

**STEPHEN P. DEITSCH**  
**CITY ATTORNEY**

THE CITY OF  
**INDIAN WELLS**  
CALIFORNIA

# City of Indian Wells

## Street Lighting District No. 2000-1

### 2014/2015 ENGINEER'S REPORT

Intent Meeting: May 1, 2014  
Public Hearing: May 15, 2014

27368 Via Industria  
Suite 110  
Temecula, CA 92590  
T 951.587.3500 | 800.755.6864  
F 951.587.3510

[www.willdan.com/financial](http://www.willdan.com/financial)



# ENGINEER'S REPORT AFFIDAVIT

## Indian Wells Street Lighting District No. 2000-1

City of Indian Wells  
Riverside County, State of California

This Report describes the District including the improvements, budgets, parcels and assessments to be levied for Fiscal Year 2014/2015, as they existed at the time of the passage of the Resolution of Intention. Reference is hereby made to the Riverside County Assessor's maps for a detailed description of the lines and dimensions of parcels within the District. The undersigned respectfully submits the enclosed Report as directed by the City Council.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 2014.

Willdan Financial Services  
Assessment Engineer  
On Behalf of the City of Indian Wells

By: \_\_\_\_\_

Susana Medina, Project Manager  
District Administration Services

By: \_\_\_\_\_

Richard Kopecky  
R. C. E. # 16742

# TABLE OF CONTENTS

<b><u>I. OVERVIEW</u></b>	<b>1</b>
<b><u>II. DESCRIPTION OF THE DISTRICT</u></b>	<b>2</b>
A. DISTRICT BOUNDARY	2
B. IMPROVEMENTS AUTHORIZED BY THE 1972 ACT	2
C. IMPROVEMENTS WITHIN THE DISTRICT	3
<b><u>III. METHOD OF APPORTIONMENT</u></b>	<b>4</b>
A. GENERAL	4
B. PROPOSITION 218 BENEFIT ANALYSIS	4
C. BENEFIT ANALYSIS	5
D. METHODOLOGY	6
<b><u>IV. DISTRICT BUDGETS</u></b>	<b>7</b>
A. DESCRIPTION OF BUDGET ITEMS	7
B. FISCAL YEAR 2014/2015 DISTRICT BUDGET	9
<b><u>APPENDIX A – DISTRICT BOUNDARY MAPS</u></b>	<b>10</b>

---

## I. OVERVIEW

---

The City of Indian Wells (the “City”) annually levies and collects special assessments in order to provide and maintain the improvements within the Indian Wells Street Lighting District No. 2000-1 (the “District”). The boundary of the District includes Tract 21650 and Tract 3292-R, which consists of a portion of Riverside County Service Area (the “CSA”) No. 121 that was annexed to the City as “Indian Wells Annexation No. 13” by order of Resolution No. 2000-12 of the City Council on March 16, 2000. The annexation authorized the City to continue levying assessments previously approved and authorized to be levied by CSA 121 in order to continue street lighting services previously provided by that CSA and now provided by the City. The District was formed on October 2000 and provides a mechanism to continue levying assessments for street lighting services within the boundaries of the District. The District assessments described in this report are prepared and levied annually pursuant to the provisions of the *Landscape and Lighting Act of 1972, Part 2 of Division 15 of the California Streets and Highways Code (Act)* and Article XIID of the California Constitution which was enacted with the passage of Proposition 218 in November 1996.

The Engineer’s Report (the “Report”) describes the District, any changes to the District, and the proposed assessments for fiscal year 2014/2015. The assessments are based on the City’s estimate of the annual costs to maintain the improvements that provide direct and special benefits to properties within the District. The improvements within the District, the corresponding costs, and the annual levy are budgeted. The assessment includes expenditures, deficits, surpluses, revenue, and reserve funds.

For the purposes of this Report, the word “parcel” refers to an individual property assigned its own Assessor’s Parcel Number (the “APN”) by the Riverside County Assessor’s Office. The Riverside County Auditor/Controller uses the APN and specific Fund Numbers to identify properties assessed for special district benefit assessments on the tax roll.

Following consideration of the public comments and written protests at a noticed public hearing, the City Council may order amendments to the Report or confirm the Report as submitted. Following final approval of the Report and confirmation of the assessments, the Council may order the levy and collection of assessments for fiscal year 2014/2015 pursuant to the Act. In such case, the assessment information will be submitted to the County Auditor/Controller and included on the property tax roll for each benefiting parcel in fiscal year 2014/2015.

## ***II. DESCRIPTION OF THE DISTRICT***

---

### **A. DISTRICT BOUNDARY**

The boundaries of the District include Tract 21650 and Tract 3292-R, which consists of the portion of Riverside County Service Area No. 121 that was annexed into the City as "Indian Wells Annexation No. 13" by order of Resolution No. 2000-12 of the City Council on March 16, 2000.

The District's boundaries are comprised of the streets and parcels that are located within the territory that is defined as the area South of Fred Waring Drive between Elkhorn Trail and Warner Trail; North of Arapahoe Drive between Elkhorn Drive and Dakota Trail; and North of Blackfoot Drive between Dakota Trail and Warner Trail.

### **B. IMPROVEMENTS AUTHORIZED BY THE 1972 ACT**

As applicable or may be applicable to this proposed District, the 1972 Act defines improvements to mean one or any combination of the following:

- The installation or planting of landscaping.
- The installation or construction of statuary, fountains, and other ornamental structures and facilities.
- The installation or construction of public lighting facilities.
- The installation or construction of any facilities which are appurtenant to any of the foregoing or which are necessary or convenient for the maintenance or servicing thereof, including, but not limited to, grading, clearing, removal of debris, the installation or construction of curbs, gutters, walls, sidewalks, or paving, or water, irrigation, drainage, or electrical facilities.
- The maintenance or servicing, or both, of any of the foregoing.
- The acquisition of any existing improvement otherwise authorized pursuant to this section.

Incidental expenses associated with the improvements including, but not limited to:

- The cost of preparation of the report, including plans, specifications, estimates, diagram, and assessment;
- The costs of printing, advertising, and the publishing, posting and mailing of notices;

- Compensation payable to the County for collection of assessments;
- Compensation of any engineer or attorney employed to render services;
- Any other expenses incidental to the construction, installation, or maintenance and servicing of the improvements;
- Any expenses incidental to the issuance of bonds or notes pursuant to Section 22662.5.
- Costs associated with any elections held for the approval of a new or increased assessment.

The 1972 Act defines "Maintain" or "maintenance" to mean furnishing of services and materials for the ordinary and usual maintenance, operation, and servicing of any improvement, including:

- Repair, removal, or replacement of all or any part of any improvement.
- Providing for the life, growth, health, and beauty of landscaping, including cultivation, irrigation, trimming, spraying, fertilizing, or treating for disease or injury.
- The removal of trimmings, rubbish, debris, and other solid waste.
- The cleaning, sandblasting, and painting of walls and other improvements to remove or cover graffiti.

### **C. IMPROVEMENTS WITHIN THE DISTRICT**

The improvements for the District may be generally described as follows: the operation, maintenance and servicing of the street lighting and appurtenant facilities located in public places within the boundary of the District. "Maintenance" means the furnishing of services and materials for the ordinary and usual maintenance, operation and servicing of the street lighting and appurtenant facilities, including repair, removal or replacement of the street lights or appurtenant facilities. "Servicing" means the furnishing of electricity for the lighting and operation of the street lighting and appurtenant facilities.

Plans and specifications for the improvements are on file in the office of the City Clerk and the City Engineer where they are available for public inspection.

### **III. METHOD OF APPORTIONMENT**

---

#### **A. GENERAL**

Pursuant to the Act and the provisions of Proposition 218, the costs of the District are apportioned by a formula or method, which fairly distributes the net amount to be assessed among the assessable parcels in proportion to the special benefits to be received by each such parcel from the improvements. Proposition 218, approved by the voters in November 1996, requires the agency to separate the general benefit from special benefit, whereas only special benefits are assessable.

Each parcel within the District receives special benefits from the improvements due to the close proximity of the lighting improvements to each parcel. The proposed assessments are at the same rate as those imposed by the County under the CSA. Since the assessments are not new, not increased, and are for street lighting, they are currently exempt from the procedures and approval process of Proposition 218.

#### **B. PROPOSITION 218 BENEFIT ANALYSIS**

In conjunction with the provisions of the 1972 Act, the California Constitution Article XIID addresses several key criteria for the levy of assessments, notably:

Article XIID Section 2d defines District as follows:

“District means an area determined by an agency to contain all parcels which will receive a special benefit from a proposed public improvement or property-related service”;

Article XIID Section 2i defines Special Benefit as follows:

“Special benefit” means a particular and distinct benefit over and above general benefits conferred on real property located in the district or to the public at large. General enhancement of property value does not constitute “special benefit.”

Article XIID Section 4a defines proportional special benefit assessments as follows:

“An agency which proposes to levy an assessment shall identify all parcels which will have a special benefit conferred upon them and upon which an assessment will be imposed. The proportionate special benefit derived by each identified parcel shall be determined in relationship to the entirety of the capital cost of a public improvement, the maintenance and operation expenses of a public improvement, or the cost of the property related service being provided. No

assessment shall be imposed on any parcel which exceeds the reasonable cost of the proportional special benefit conferred on that parcel.”

This District was formed to establish and provide for the improvements that enhance the presentation of the surrounding properties and developments. These improvements will directly benefit the parcels to be assessed within the District. The assessments and method of apportionment is based on the premise that the assessments will be used to construct and install landscape and lighting improvements within the existing District as well as provide for the annual maintenance of those improvements, and the assessment revenues generated by District will be used solely for such purposes.

The costs of the proposed improvements have been identified and allocated to properties within the District based on special benefit. The improvements to be provided by this District and for which properties will be assessed have been identified as an essential component and local amenity that provides a direct reflection and extension of the properties within the District which the property owners and residents have expressed a high level of support.

The method of apportionment (method of assessment) set forth in the Report is based on the premise that each assessed property receives special benefits from the landscape and lighting improvements within the District, and the assessment obligation for each parcel reflects that parcel’s proportional special benefits as compared to other properties that receive special benefits.

To identify and determine the proportional special benefit to each parcel within the District, it is necessary to consider the entire scope of the improvements provided as well as the properties that benefit from those improvements. The improvements and the associated costs described in this Report, have been carefully reviewed and have been identified and allocated based on a benefit rationale and calculations that proportionally allocate the net cost of only those improvements determined to be of special benefit to properties within the District. The various public improvements and the associated costs have been identified as either “general benefit” (not assessed) or “special benefit”.

### **C. BENEFIT ANALYSIS**

The improvements associated with the District are part of the overall development plan for these parcels and were specifically installed for the benefit and development of the parcels. The benefit of street lighting conferred upon the parcels within the District includes the convenience, safety, and security of properties, improvements and goods. Specifically:

1. Enhanced deterrence of crime – an aid to police protection.
2. Increased nighttime safety on roads and highways.

3. Improved visibility of pedestrians and motorists.
4. Improved ingress and egress to and from property.
5. Reduced vandalism, damage to improvements or property, and other criminal acts.
6. Improved traffic circulation and reduced nighttime accidents and personal property loss.
7. Increased promotion of business during nighttime hours in the case of commercial properties.

#### **D. METHODOLOGY**

The cost to provide maintenance and services of the improvements within the District is fairly and equitably distributed among each assessable parcel based upon the estimated special benefits received by each parcel.

The District is comprised of single-family residential parcels with the exception of two parcels identified as common areas or public property. The residential lots receive the same special benefit from the improvements due to their similarity in size and use and their similar proximity to the improvements. Therefore, each assessable lot is assessed an equal amount.

For fiscal year 2014/2015, the assessment rate will be the total balance to levy divided by the number of assessable residential lots.

The assessed lots or parcels of real property within the District are listed on the Assessment Roll, which is provided as Appendix B of this report. The Assessment Roll provides a listing of the assessable parcels and their respective assessment for fiscal year 2014/2015. The specific lines and dimensions of the parcels are more particularly described on the County Assessor's Parcel Map, which is on file in the Office of the Riverside County Assessor and by reference is made a part of this Report.

The maximum assessment rate for the District is the same as the rate approved under the CSA (\$47.74 per parcel) and is to be used for the same purpose – maintaining and servicing the existing streetlights within the District. As part of the annexation process of this unincorporated area to the City, it was detached from the CSA. However, the annexation process specifically allowed the City to continue the imposition of these assessments for street lighting purposes.

## ***IV. DISTRICT BUDGETS***

---

### **A. DESCRIPTION OF BUDGET ITEMS**

The following section describes the services and costs that are funded through the District and are shown in the District Budget.

#### ***Maintenance Costs***

Labor, Material and Equipment – Includes labor, material and equipment required to properly maintain and service the street lighting and appurtenant facilities within the District. The improvements within the District will be maintained and serviced on a regular basis by the City. The specific maintenance operations required for the District, and the frequency thereof, are to be determined by City Staff.

#### ***Utilities***

Electric – The furnishing of electricity for the operation of the landscaping and appurtenant facilities.

#### ***Capital Replacement Costs***

Repairs – Unforeseen repairs not normally included in the yearly maintenance cost. This may include repair of damage due to vandalism or weather.

Upgrades – Planned upgrades of the improvements that provide a direct benefit to the District may also be included in capital replacement costs. Examples of upgrades are additional street lighting facilities and/or renovating existing street lighting facilities.

#### ***Reserves***

Operating Reserves – Reserves to be accumulated for maintenance services for the first six months of each fiscal year until tax monies become available for maintenance costs.

#### ***Administrative Services***

City Staff – The cost of City Staff's efforts in coordinating the maintenance and servicing of the improvements, responding to public concerns and levying and collecting the assessments. This includes reimbursement for time spent by Finance and Accounting, the City Attorney, the City Manager and the Public Works Staff.

Professional Services – The cost of contracting with professionals to provide services specific to the levy of assessments and annual administration of the District.

***County Administration Fees***

Assessment Collection – The fees charged by the County to place the assessments on the property tax rolls and collect the assessments from property owners.

***Carryover/(Deficit) Prior Year***

Available Funds – Any funds that are not expended in the prior fiscal year shall be included to offset maintenance costs in the current fiscal year. If the total funds in any fiscal year are insufficient to offset maintenance costs, a loan from other City funds shall be a deficit of the District and shall be included and repaid as the costs and assessments for the subsequent fiscal year.

***Assessable Lots***

Current and Planned Lots – Any subdivided residential lots and parcels planned for subdivision into residential lots within the District.

**B. FISCAL YEAR 2014/2015 DISTRICT BUDGET**

<b>BUDGET ITEM</b>	<b>TOTAL</b>
<i><u>Direct Costs</u></i>	
Maintenance - Labor, Material and Equipment	\$ 100
Utilities - Electric	700
Capital Replacement Costs - Repairs and Upgrades	50
Reserves - Operating Reserves	100
<b>Direct Costs Subtotal</b>	<b>\$ 950</b>
<i><u>Administrative Costs</u></i>	
Administrative Services - City Staff	\$ 200
Administrative Services - Professional Services	320
County Administration Fees - Assessment Collection	10
<b>Administrative Costs Subtotal</b>	<b>\$ 530</b>
<i><u>Fiscal Year 2014/2015 Assessment</u></i>	
Total Direct and Administrative Costs	\$ 1,480
Carryover (Deficit) Prior Years - Available Funds	0
<b>Balance to Levy<sup>(1)</sup></b>	<b>\$ 1,480</b>
<b>Assessable Lots - Current and Planned Lots</b>	<b>31</b>
<b>Annual Assessment Per Parcel</b>	<b>\$ 47.74</b>

<sup>(1)</sup> Balance to Levy rounded to nearest dollar

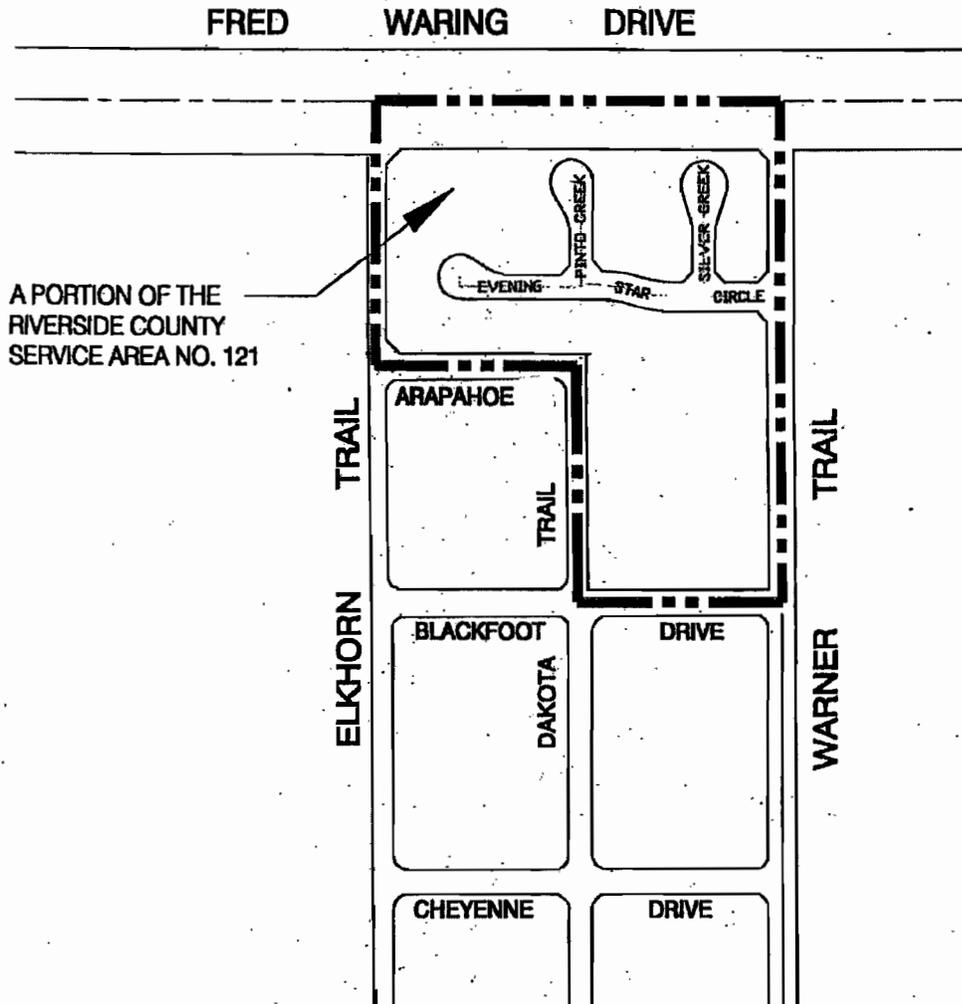
## APPENDIX A – DISTRICT BOUNDARY MAPS

The Boundary Diagrams for the original districts have previously been submitted to the Clerk of the City in the format required under the Act and are made part of this Report by reference.

The parcel identification, lines and dimensions of each parcel within the District are those lines and dimensions shown on the Assessor Maps of Riverside County for the year in which this Report was prepared and is incorporated by reference and made part of this Report.

# CITY OF INDIAN WELLS

## PROPOSED STREET LIGHTING DISTRICT NO. 2000-1



PROPOSED DISTRICT BOUNDARY

AWMCA121512000-1

## APPENDIX B – 2014/2015 ASSESSMENT ROLL

Parcel identification, for each lot or parcel within the District, shall be the parcel as shown on the Riverside County Assessor Parcel Maps and/or the Riverside County Secured Tax Roll for the year in which this Report is prepared.

Non-assessable lots or parcels may include government owned land; public utility owned property, land principally encumbered with public right-of-ways or easements and dedicated common areas. These parcels will not be assessed.

A listing of parcels within the District, along with the proposed assessment amounts, has been submitted to the City Clerk and, by reference, is made part of this Report.

Upon approval of the Report, and confirmation of the assessments, the assessment information will be submitted to the County Auditor/Controller, and included on the property tax roll in fiscal year 2014/2015. If the parcels or assessment numbers within the District and referenced in this Report, are re-numbered, re-apportioned or changed by the County Assessor's Office after approval of the Report, the new parcel or assessment numbers with the appropriate assessment amount will be submitted to the County Auditor/Controller. If the parcel change made by the County includes a parcel split, parcel merger or tax status change, the assessment amount submitted on the new parcels or assessment numbers will be based on the method of apportionment and levy amount approved in this Report by the City Council.

## Assessment Roll

Assessor's Parcel Number	Fiscal Year 2014/2015 Assessment Amounts
633-300-007 <sup>(1)</sup>	\$ 0.00
633-700-001	47.74
633-700-002	47.74
633-700-003	47.74
633-700-004	47.74
633-700-005	47.74
633-700-006	47.74
633-700-007	47.74
633-700-008	47.74
633-700-009	47.74
633-700-010	47.74
633-700-011	47.74
633-700-012	47.74
633-700-013	47.74
633-700-014	47.74
633-700-015	47.74
633-700-021	47.74
633-700-022	47.74
633-700-023	47.74
633-700-024	47.74
633-700-025	47.74
633-700-026	47.74
633-700-027	47.74
633-700-028	47.74
633-700-029	47.74
633-700-030	47.74
633-700-031	47.74
633-700-032 <sup>(2)</sup>	0.00
633-700-033	47.74
633-700-034	47.74
633-700-035	47.74
633-700-036	47.74
633-700-037	47.74
<b>Total Assessment</b>	<b>\$1,479.94</b>

- (1) Parcel 633-300-007 is vacant property and therefore exempt from the assessment.
- (2) Parcel 633-700-032 is an open space parcel owned by the Village at Indian Wells Home Owner Association and is not assessed as the benefit conferred upon the parcel is passed on to the other lots in the development by the nature of the common area use of the parcel.

*Mullany & Roche*

# ***Indian Wells City Council***

**May 1, 2014**

## ***Staff Report – Finance***

### **Adopt Resolutions Initiating Proceedings and Preliminarily Approving the Annual Levy Report for Indian Wells Landscape and Lighting District No. 91-1 for Fiscal Year 2014-15**

#### **RECOMMENDATIONS:**

City Council **ADOPTS** Resolution Bill No. 2014-14 initiating proceedings for annual levy of assessments and declaring its intention to levy annual assessments for the Indian Wells Landscape and Lighting District No. 91-1 No. 1 for Fiscal Year 2014-15, pursuant to the provisions of Part 2 of Division 15 of the California Streets and Highway Code; and

**SCHEDULES** a noticed Public Hearing on Thursday, May 15, 2014 at 1:30 p.m. to hear public testimony on the proposed levy; and

**ADOPTS** Resolution Bill No. 2014-15 preliminarily approving the annual levy report for the Indian Wells Landscape and Lighting District No. 91-1 for Fiscal Year 2014-15.

#### **DISCUSSION:**

##### Background

The City Council is responsible to initiate proceedings for the collection of levies for the Landscape and Lighting District No. 91-1 (the "District"). The District provides for the expense of operating and maintaining landscape and lighting facilities located within the District in accordance with the Landscape and Lighting Act of 1972 and Article XIID of the California Constitution (Proposition 218). Proposition 218 generally requires a public notice to all effected parcels of any proposed maximum authorized levy increase and a majority vote (by returned ballots) to be approved. However, as was set forth in the Engineer's Report and pursuant to voter approval in Fiscal Year 1997-98, the maximum authorized assessment as earlier approved by the voters can be increased each year by CPI or up to 3% percent, if CPI is less than 3%, by approval of the City Council. Such increases shall not be considered an increased assessment and shall not require that a notice be sent to property owners.

Analysis

The District is a collection of assessment zones mainly along Highway 111 as shown in Attachment #1. The assessments and method of apportionment is based on the premise that the assessments will be used to construct and install landscape and lighting improvements within the existing District, as well as provide for the annual maintenance of those improvements, and the assessment revenues generated by District will be used solely for such purposes. While these improvements benefit the parcels to be assessed within the District, the City recognizes that landscaping benefits the City as a whole and subsequently contributes approximately 25% of the funds necessary to operate the District.

The levy request contains five pass-through districts, which operate differently than districts operated by the City. Pass-through districts are required to submit landscape and lighting maintenance districts budgets to the City on an annual basis. Based upon the budget submitted, the City calculates and collects the levies of the pass-through district. The levy is passed back to the district at the time it is collected. The pass-through district oversees the lighting and landscaping maintenance program. The Engineer's Report provides a complete budget detail for each Landscape and Lighting District.

The Council will hold a noticed Public Hearing on Thursday, May 15, 2015 at 1:30 p.m. to hear public testimony and approve the final levy.

**FISCAL IMPACT:**

The average cost to operate the district rose 3.1% over last year with the exception of Desert Horizons zone which decreased 17.6%. The average cost increase reflects increased labor and utility costs to provide landscape services within the district. The decrease at Desert Horizons zone reflects installation of one-time landscape infrastructure improvements along Highway 111 during the prior fiscal year. The total cost to operate the landscape and lighting maintenance districts during Fiscal Year 2014-15 is \$1,231,645.

The preliminary levies per the engineer's report are as follows:

Zone	Description	Maximum Levy	Prior Year	Proposed	Increase	% Increase
		Allowed per EDU	Levy per EDU	Levy per EDU	(Decrease)	(Decrease)
A1	Eldorado	\$ 172.81	\$ 57.04	\$ 59.41	\$ 2.37	4.2%
A2	Montecito/Stardust	\$ 363.53	\$ 245.54	\$ 255.64	\$ 10.10	4.1%
A3	Casa Dorado (A Pass-through District)	\$ 166.92	\$ 160.88	\$ 166.25	\$ 5.37	3.3%
A5B	The Cove (A Pass-through District)	\$ 258.76	\$ 245.70	\$ 253.63	\$ 7.93	3.2%
A8	Indian Wells Golf Resort	\$ 497.99	\$ 277.14	\$ 285.49	\$ 8.35	3.0%
A11A	Hwy. 111 & Club Drive	\$ 241.29	\$ 74.26	\$ 76.77	\$ 2.51	3.4%
A11C	Club Drive	\$ 156.58	\$ 118.82	\$ 122.82	\$ 4.00	3.4%
C	The Colony	\$ 2,988.01	\$ 350.18	\$ 360.94	\$ 10.76	3.1%
D	Colony Cove Estates	\$ 8,590.31	\$ 673.92	\$ 697.73	\$ 23.81	3.5%
E	Desert Horizons (A Pass-through District)	\$ 568.78	\$ 552.20	\$ 454.92	\$ (97.28)	-17.6%
A19	Mountain Gate	\$ 953.67	\$ 616.88	\$ 636.00	\$ 19.12	3.1%
A20	Mountain Gate Estates	\$ 927.70	\$ 635.64	\$ 663.57	\$ 27.93	4.4%
A21	Villagio	\$ 1,951.97	\$ 928.20	\$ 963.30	\$ 35.10	3.8%
A22	Vaidya	\$ 733.85	\$ 269.96	\$ 278.08	\$ 8.12	3.0%
A23	Montelena	\$ 1,048.43	\$ 757.08	\$ 790.28	\$ 33.20	4.4%
A25	Sundance (A Pass-through District)	\$ 1,098.45	\$ 925.56	\$ 945.11	\$ 19.55	2.1%
A26	Province (A Pass-through District)	\$ 1,204.72	\$ 1,192.94	\$ 1,204.14	\$ 11.20	0.9%

The City provides both annual administrative subsidies as well as direct operating contributions to support the operation of the Districts. The City's annual administrative subsidies are estimated to be \$202,950 based upon historical staff time administrative oversight and field inspections. The City's direct operating contribution during fiscal year 2014-15 is \$57,397. The LLMF funds will contribute \$42,064 from reserve fund balance. Collectively, these funds are a direct benefit to the property owners residing within the districts accounting for 24.7% of the expected costs to operate the landscape maintenance districts. The remaining \$927,388 (75.3%) of the costs to operate the landscape and lighting maintenance districts is collected from property owners living within the districts.

## ATTACHMENTS:

1. Landscape & Lighting District Map
2. Resolution Bill No. 2014-14
3. Resolution Bill No. 2014-15

**GENERAL FUND AREAS (#101.84.20)**  
(Shown in Red)

AREA	LOCATION/LIMITS OF FACILITIES (AREAS) MAINTAINED
GF-1	The medians of Cook St. from Fairway Dr to Fred Waring Dr, the parkway on the west side of Cook St from Fairway Dr to 450' north, and the parkway on the east side of Cook St from 150' north of Palisades Pl to 300' north of Palisades Pl
GF-2	The northeast corner of Highway 111 and Cook St (Grove Gate)
GF-3	The parkway on the west side of Rancho Palmaras from Highway 111 to 275' north of Stardust Ln
GF-4	The medians of Rancho Palmaras Drive from Palm Shadow Drive to Hwy 111
GF-5	The Civic Center complex at the northeast corner of Highway 111 and Eldorado Dr
GF-6	The medians of Eldorado Drive from 200' north of Altamira to the Whitewater River
GF-7	The southwest corner lot at Eldorado Drive and Fred Waring Drive (Eldorado Park), and the parkway on the east side of Eldorado Drive from the Whitewater River to 155' north
GF-8	The parkway on the east side of Eldorado Drive from the Civic Center to the Whitewater River
GF-9	The medians of Osage Trail from Cielito Dr to Apache Tr
GF-10	The parkway on Indian Wells Ln north of Pala Palms Dr
GF-11	The parkway on the south side of Hwy 111 from Rancho Palmaras Drive to 500' west
GF-14	The live windbreak on the north side of Hwy 111 from 1,500' W/O Miles Ave to 1,300' west of Mt Cove Dr (includes parkway/bus shelter landscaping at NW corner Miles/Hwy 111)
GF-15	The medians and parkways of Miles Avenue from Elkhorn Tr to Washington St
GF-16	The median lighting of Washington St from Fred Waring to Miles Ave
GF-17	The parkway on the west side of Cook Street from Fred Waring to 430' south, and the "mini-park" at the southwest corner of Fred Waring and Cook St
GF-18	The parkway on the S/S of Hwy 111 between the highway and the Pedestrian Bridge
GF-19	The medians of Fred Waring Dr from Phyllis Jackson to Washington St (maint. by Palm Desert)
GF-20	The parkway on the south side of Fred Waring Drive from Eldorado Drive to Elkhorn Trail, and the parkway on the west side of Elkhorn Trail from Miles Avenue to Fred Waring Drive (includes portion on Miles)
GF-21	The pedestrian (bollard) lighting and trash receptacles only in the parkway on the S/S of Fairway Drive from Dorado Villas Drive to Eldorado Drive

INDIAN WELLS  
CALIFORNIA

# INDEX MAP

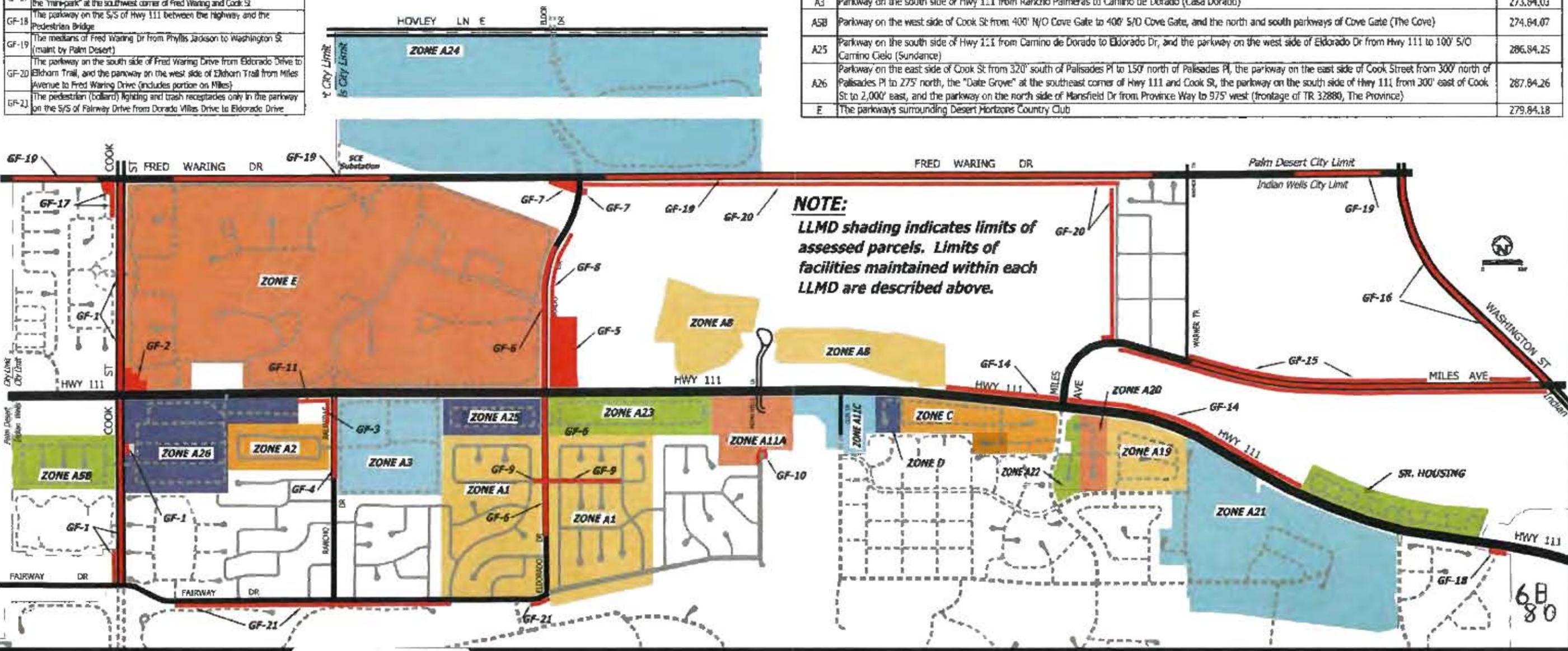
## LANDSCAPE & LIGHTING MAINTENANCE DISTRICTS AND GENERAL FUND AREAS

### August 2009

**LANDSCAPE & LIGHTING MAINTENANCE DISTRICTS (LLMD)**

ZONE	LOCATION/LIMITS OF FACILITIES (AREAS) MAINTAINED	ACCT. CODE
A1	Parkway on west side of Eldorado from 100' S/O Cam. Cielo to Altamira, and parkway on east side of Eldorado from 100' S/O Via Montelena to 150' N/O Fairway	271.84.01
A2	Parkway on west side of Rancho Palmaras from 250' N/O Stardust to 250' S/O Stardust, north and south parkways of Stardust from Rancho Palmaras to 100' west, and the 220' long westerly parkway of Stardust/Montecito	272.84.02
A8	Parkway on north side of Hwy 111 from 300' E/O Eldorado to 2,300' E/O Indian Wells Ln (end of SW), and both parkways and the median of Indian Wells Ln from Hwy 111 to 600' north (beginning of roundabout)	275.84.08
A11A	Parkway on south side of Hwy 111 from Indian Wells Ln to Club Dr	276.84.11
A11C	Parkways on both the east and west sides of Club Dr from Hwy 111 to 60' north of guard house	284.84.13
A19	Parkway on south side of Hwy 111 from 500' E/O Manitou to 1,600' E/O Manitou (frontage of Tr 26595, Mt Gate)	280.84.19
A20	Parkway on south side of Hwy 111 from 180' E/O Manitou to 500' E/O Manitou (frontage of TR 27747-1, Mt Gate Estates)	281.84.21
A21	Parkway on south side of Hwy 111 from 1,600' E/O Manitou to Mt Cove Dr (frontage of TR 29502, Villaggio)	282.84.22
A22	Parkway on south side of Hwy 111 from Manitou to 180' east (frontage of TR 27747, The Estates)	283.84.23
A23	Parkway on south side of Hwy 111 from Eldorado to 2,000' east, and parkway on east side of Eldorado from Hwy 111 to 30' N/O Via Montelena (frontage of TR 31200, Montelena)	285.84.24
A24	Parkway on north side of Fred Waring from Whitewater River to 100' west of California, the parkway on the south side of Howley from 2,600' west of Eldorado to 2,600' east of Eldorado, and the Whitewater River ROW from the westerly city limits to Fred Waring (frontage of TR 29663, Toscana; maintained by HOA)	-
C	Parkway on the south side of Hwy 111 from Manitou to 1,950' west (frontage of TR 24625, Colony)	277.84.15
D	Parkway on the south side of Hwy 111 from 400' E/O Club Dr to 750' E/O Club Dr (frontage of PM 26494, Colony Estates)	278.84.17

ZONE	PASS-THROUGH LLMD'S	ACCT. CODE
A3	Parkway on the south side of Hwy 111 from Rancho Palmaras to Camino de Dorado (Casa Dorado)	273.84.03
A5B	Parkway on the west side of Cook St from 400' N/O Cove Gate to 400' S/O Cove Gate, and the north and south parkways of Cove Gate (The Cove)	274.84.07
A25	Parkway on the south side of Hwy 111 from Camino de Dorado to Eldorado Dr, and the parkway on the west side of Eldorado Dr from Hwy 111 to 100' S/O Camino Cielo (Sundance)	286.84.25
A26	Parkway on the east side of Cook St from 320' south of Palisades Pl to 150' north of Palisades Pl, the parkway on the east side of Cook Street from 300' north of Palisades Pl to 275' north, the "Date Grove" at the southeast corner of Hwy 111 and Cook St, the parkway on the south side of Hwy 111 from 300' east of Cook St to 2,000' east, and the parkway on the north side of Mansfield Dr from Province Way to 975' west (frontage of TR 32880, The Province)	287.84.26
E	The parkways surrounding Desert Horizons Country Club	279.84.18



**RESOLUTION BILL NO. 2014-14**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF INDIAN WELLS, CALIFORNIA, INITIATING PROCEEDINGS FOR ANNUAL LEVY OF ASSESSMENTS AND DECLARING ITS INTENTION TO LEVY ANNUAL ASSESSMENTS FOR THE INDIAN WELLS LANDSCAPE AND LIGHTING DISTRICT NO. 91-1 FOR FISCAL YEAR 2013-14 PURSUANT TO THE PROVISIONS OF PART 2 OF DIVISION 15 OF THE CALIFORNIA STREETS AND HIGHWAYS CODE**

**WHEREAS**, the City Council of the City of Indian Wells (the "City Council") has by previous Resolutions, formed the Indian Wells Landscape and Lighting District No. 91-1 (the "District") pursuant to the provisions of *Landscaping and Lighting Act of 1972, Part 2 of Division 15 of the Streets and Highways Code of California, beginning with Section 22500* (the "Act"), that provides for levy and collection of assessments by the County of Riverside for the City of Indian Wells to pay the maintenance and services of lighting facilities, landscaping and all appurtenant facilities and operations related thereto; and

**WHEREAS**, the District and the associated assessments are in compliance with the provisions of California Constitution Articles XIIC and XIID; and

**WHEREAS**, the City Council has retained Willdan Financial for the purpose of assisting with the Annual Levy of the District, and to prepare and file a report with the City Clerk in accordance with the Act.

**NOW, THEREFORE, BE IT RESOLVED, DETERMINED, AND ORDERED BY THE CITY COUNCIL FOR THE DISTRICT PURSUANT TO CHAPTER 3, SECTION 22622, 22624 AND 22626 OF THE ACT, AS FOLLOWS:**

**SECTION 1. Annual Levy Report.** The City Council hereby **ORDERS** Willdan Financial to prepare the Annual Levy Report concerning the levy of assessments for the District in accordance with *Chapter 3, Section 22622 of the Act*.

**SECTION 2. Intention.** The City Council hereby declares that it intends to seek the annual levy of the District in accordance with *Chapter 3, Section 22624 of the Act*, over and including the land within the District boundary, and to levy and collect assessments on all such land to pay the costs of the following: the operation, maintenance and servicing of lighting, landscaping and all appurtenant facilities and operations related thereto.

**SECTION 3. Description of Improvements and Any Substantial Changes Proposed.** The improvements within the District include: the maintenance and operation of and furnishing of services and materials for street lighting facilities, fencing, detention basins, open space areas, landscaping, irrigation systems, bike paths, pedestrian pathways, slope maintenance, graffiti abatement, local parks and entry monuments; landscaping including trees, shrubs, grass and other ornamental vegetation and appurtenant facilities, including irrigation systems and drainage devices within the District. The Annual Levy Report describes all new improvements or substantial changes in existing improvements.

**SECTION 4. Boundaries and Designation.** The boundaries of the District are described as the boundaries previously defined in the formation documents of the original District. The District includes thirteen (13) Zones: (A1) Tract Nos. 10262 and 10863; (A2) Rancho Palمراس Estates APN 634-04; (A3) Tract Nos. 2752, 3097 and 4853; (A5B) a sub-zone within A5A "The Cove"; (A8) three (3) parcels south of Coachella Valley Stormwater Channel along Hwy 111 east of Eldorado Drive; (11A) Highway 111 South at Club Dr.; (11C) Club Dr. eight (8) parcels; (C) south of Highway 111 west of Manitou Dr.; (D) Parcel Map No. 26494; (E) north of Highway 111 west of Eldorado Drive, east of Cook Street and south of Whitewater River Channel; (A19) Mountain Gate Tract No. 26595; (A20) Mountain Gate Tract No. 27747-1; (A21) Villagio Tract No. 29502; (A22) Vaidya Tract No. 27747; (A23) Montelena Tract No. 31200, (A25) Sundance Tract No. 27104, (A26) Province Tract No. 32880. The District is designated as "Indian Wells Landscape and Lighting District No. 91-1".

**SECTION 5. Public Hearing.** The City Council hereby declares its intention to conduct a Public Hearing concerning the levy of assessments for the District in accordance with *Chapter 3, Section 22626 of the Act*. Notice is hereby given that a public meeting and hearing will be held by the City Council of the City of Indian Wells for this purpose on **Thursday, May 2, 2013 at 1:30 P.M.** or as soon thereafter as feasible, in the City Council Chambers located within:

Indian Wells City Hall  
44-950 Eldorado Drive  
Indian Wells, CA 92210

**SECTION 6. Notice.** A "Resolution of Intention" shall be published in a newspaper of general circulation once at least ten days before the public hearing on annual levies; and posting a copy of the Resolution of Intention in three (3) public places within the City.

**SECTION 7. Effective Date.** This Resolution shall take effect upon adoption.

**PASSED, APPROVED AND ADOPTED** by the City Council of the City of Indian Wells, California, at a regular meeting held on this 1<sup>st</sup> day of May, 2014.

---

**TED J. MERTENS**  
**MAYOR**

**CERTIFICATION FOR RESOLUTION BILL NO. 2014-14**

I, Wade G. McKinney, City Clerk of the City Council of the City of Indian Wells, California **DO HEREBY CERTIFY** that the whole number of the members of the City Council is five (5); that the above and foregoing resolution was duly and regularly passed and adopted at a regular meeting of the City Council of the City of Indian Wells the 18<sup>th</sup> day of April 2013, by the following vote:

AYES:  
NOES:

**ATTEST:**

**APPROVED AS TO FORM:**

---

**WADE G. MCKINNEY**  
**CITY MANAGER/CITY CLERK**

---

**STEPHEN P. DEITSCH**  
**CITY ATTORNEY**

**RESOLUTION BILL NO. 2014-15**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF INDIAN WELLS, CALIFORNIA, PRELIMINARILY APPROVING THE ANNUAL LEVY REPORT FOR THE INDIAN WELLS LANDSCAPE AND LIGHTING DISTRICT NO. 91-1 FOR FISCAL YEAR 2013-14**

**WHEREAS**, the City Council of the City of Indian Wells (the "City Council") has by previous Resolutions ordered the preparation of the Engineer's Annual Levy Report (the "Report") for said district known and designated as Indian Wells Landscape and Lighting District No. 91-1 (the "District"), pursuant to the provisions of the *Landscaping and Lighting Act of 1972, Part 2 of Division 15 of the Streets and Highways Code of California, beginning with Section 22500* (hereafter referred to as the "Act"); and

**WHEREAS**, the District and the associated assessments are in compliance with the provisions of California Constitution Articles XIIC and XIID; and

**WHEREAS**, there has now been presented to this City Council the Report as required by *Chapter 1, Article 4, Section 22566* of said Act; and

**WHEREAS**, the City Council has examined and reviewed the Report as presented and is preliminarily satisfied with the District, each and all of the budget items and documents as set forth therein, and is satisfied that the assessments, on a preliminary basis, have been spread in accordance with the benefits received from the improvements, operation, maintenance, and services to be performed within each Benefit Zone, as set forth in said Report.

**NOW, THEREFORE, BE IT RESOLVED, DETERMINED, AND ORDERED BY THE CITY COUNCIL FOR THE DISTRICT AS FOLLOWS:**

**SECTION 1.** That the above recitals are all true and correct.

**SECTION 2.** That the Report, as presented consists, of the following:

- a. A Description of the Improvements
- b. The Annual Budget (Costs and Expenses of Services, Operation and Maintenance)

**SECTION 3.** The Report is hereby **APPROVED** on a preliminary basis and ordered to be filed in the Office of the City Clerk as a permanent record and to remain open to public inspection.

**SECTION 4.** That the City Clerk shall certify to the passage and adoption of this Resolution and the minutes of this meeting shall so reflect the presentation of the Annual Levy Report.

**SECTION 5.** This Resolution shall take effect upon adoption.

**PASSED, APPROVED AND ADOPTED** by the City Council of the City of Indian Wells, California, at a regular meeting held on this 1<sup>st</sup> day of May, 2014.

---

**TED J. MERTENS**  
**MAYOR**

**CERTIFICATION FOR RESOLUTION BILL NO. 2014-15**

I, Wade G. McKinney, City Clerk of the City Council of the City of Indian Wells, California **DO HEREBY CERTIFY** that the whole number of the members of the City Council is five (5); that the above and foregoing resolution was duly and regularly passed and adopted at a regular meeting of the City Council of the City of Indian Wells the 18<sup>th</sup> day of April 2013, by the following vote:

AYES:  
NOES:

**ATTEST:**

**APPROVED AS TO FORM:**

---

**WADE G. MCKINNEY**  
**CITY MANAGER/CITY CLERK**

---

**STEPHEN P. DEITSCH**  
**CITY ATTORNEY**

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

***May 1, 2014***

### ***Staff Report – Finance***

### **Adopt Resolutions Initiating Proceedings, Preliminarily Approving the Annual Levy Report and Declaring Intention to Order the Levy and Collection of Assessments for Annual Levy for City of Indian Wells Drainage Maintenance Benefit Assessment District No. 1 for Fiscal Year 2014-15**

#### **RECOMMENDATIONS:**

City Council **ADOPTS** Resolution Bill No. 2014-06 initiating proceedings for annual levy and collection of assessments for Fiscal Year 2014-15 for the City of Indian Wells Drainage Maintenance Benefit Assessment District No. 1 pursuant to the Benefit Assessment Act of 1982; and

**ADOPTS** Resolution Bill No. 2014-07 preliminarily approving the annual engineer's report regarding the City of Indian Wells Drainage Maintenance Benefit Assessment District No. 1 and the Levy and collection of assessments for Fiscal Year 2014-15 pursuant to the provisions of the Benefit Assessment Act of 1982; and

**ADOPTS** Resolution Bill No. 2014-08 declaring its intention to order the levy and collection of assessments for the City of Indian Wells Drainage Maintenance Benefit Assessment District No. 1 for Fiscal Year 2014-15 pursuant to the Benefit Assessment Act of 1982; and

**SCHEDULES** a noticed Public Hearing on May 15, 2014 at 1:30 p.m. to hear public testimony on the proposed levy.

#### **DISCUSSION:**

As a condition of approval for the Province development in 2006, the City required the developer to install and guarantee the maintenance of storm water control structures. The structures consist of two drywells located at the northeast corner of Desert Horizons Drive and Vista Del Ray Drive. These drywells serve to remove surface nuisance water and storm water coming from the Province development into neighboring developments. The City makes regular inspections, preventative maintenance, and performs "clean outs" of the drywells to ensure their effective operation.

**FISCAL IMPACT:**

There is no direct fiscal impact to the General Fund as the annual levy is sufficient to operate the district by paying the associated maintenance costs of the drywells. The levy has not changed from the prior fiscal year and the City anticipates collecting \$61,050 from 133 assessed parcels inside the gates at the Province. The City records the revenues into a Special Revenue fund which can only be used to operate the District as described in the attached engineer's report.

The proposed levy is shown below:

Description	Prior Year Levy per EDU	Proposed Levy per EDU	Increase (Decrease)	% Increase (Decrease)
Drainage Benefit Assessment District No. 1	\$459.01	\$459.01	\$0.00	0.0%

**ATTACHMENTS:**

1. Resolution Bill No. 2014-06
2. Resolution Bill No. 2014-07
3. Resolution Bill No. 2014-08

**RESOLUTION BILL NO. 2014-06**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF INDIAN WELLS, CALIFORNIA, INITIATING PROCEEDINGS FOR LEVY AND COLLECTION OF ASSESSMENTS FOR FISCAL YEAR 2014-15 FOR THE CITY OF INDIAN WELLS DRAINAGE MAINTENANCE BENEFIT ASSESSMENT DISTRICT NO. 1, PURSUANT TO THE BENEFIT ASSESSMENT ACT OF 1982**

**WHEREAS**, the City Council of the City of Indian Wells (the "City Council") by previous Resolutions formed and established the annual levy of assessments for the City of Indian Wells Drainage Maintenance Benefit Assessment District No. 1 (the "Assessment District"), pursuant to the provisions of the *Benefit Assessment Act of 1982, Chapter 6.4, Division 2, Title 5 of the Government Code of the State of California commencing with section 54703* (the "Act"); and

**WHEREAS**, the Act authorizes the City Council to levy and collect assessments for the Assessment District to pay for the costs and expenses of operating, maintaining and servicing drainage improvements, and appurtenant facilities located within public places within the boundaries of the District; and

**WHEREAS**, the City Council desires to initiate proceedings for the levy and collection of annual assessments against lots and parcels of land within the Assessment District for Fiscal Year 2014/15 pursuant to provisions of the Act; and

**WHEREAS**, the City Council has retained MuniFinancial for the purpose of assisting with the annual levy of the Assessment District.

**NOW, THEREFORE, BE IT RESOLVED, DETERMINED, AND ORDERED BY THE CITY COUNCIL OF THE CITY OF INDIAN WELLS, AS FOLLOWS:**

**SECTION 1. Proposed Improvements.** The proposed drainage improvements for the assessment District are briefly described as:

Installation, construction or maintenance of any authorized improvements under the Act, including, but not limited to, drainage improvements and any facilities which are appurtenant to any of the aforementioned or which are necessary or convenient for the maintenance or servicing thereof.

**SECTION 2. Extension of Existing Assessments.** The City Council hereby determines that to provide the drainage improvements described in Section 1 of this Resolution, it is necessary to levy and collect assessments against lots and parcels within the Assessment District. The City Council hereby declares that the property owners previously approved the existing assessments in compliance with the provisions of the California Constitution Article XIIIID and the proposed assessments for Fiscal Year 2014-15 comply with said approval and provisions.

**SECTION 3. Finance Director.** The Finance Director of the City of Indian Wells is hereby **AUTHORIZED** and **DIRECTED** to take any and all action necessary and appropriate in connection with the annual levy and collection of assessments for the Assessment District.

**SECTION 4. Effective Date.** This Resolution shall take effect upon adoption.

**PASSED, APPROVED AND ADOPTED** by the City Council of the City of Indian Wells, California, at a regular meeting held on this 1<sup>st</sup> day of May, 2014.

---

**TED J. MERTENS**  
**MAYOR**

**CERTIFICATION FOR RESOLUTION BILL NO. 2014-06**

I, Wade G. McKinney, City Clerk of the City Council of the City of Indian Wells, California **DO HEREBY CERTIFY** that the whole number of the members of the City Council is five (5); that the above and foregoing resolution was duly and regularly passed and adopted at a regular meeting of the City Council of the City of Indian Wells the 1<sup>st</sup> day of May 2014, by the following vote:

AYES:  
NOES:

**ATTEST:**

**APPROVED AS TO FORM:**

---

**WADE G. MCKINNEY**  
**CITY MANAGER/CITY CLERK**

---

**STEPHEN P. DEITSCH**  
**CITY ATTORNEY**

**RESOLUTION BILL NO. 2014-07**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF INDIAN WELLS, CALIFORNIA, PRELIMINARILY APPROVING THE ANNUAL ENGINEER'S REPORT REGARDING THE CITY OF INDIAN WELLS DRAINAGE MAINTENANCE BENEFIT ASSESSMENT DISTRICT NO. 1 AND THE LEVY AND COLLECTION OF ASSESSMENTS FOR FISCAL YEAR 2014-15 PURSUANT TO THE PROVISIONS OF THE BENEFIT ASSESSMENT ACT OF 1982**

**WHEREAS**, the City Council of the City of Indian Wells (the "City Council") has by Resolution ordered the preparation of the Engineer's Annual Levy Report (the "Engineer's Report") in connection with the City of Indian Wells Drainage Maintenance Benefit Assessment District No. 1 (the "Assessment District"), and levy and collection of assessments against lots and parcels of land within the territory for the Fiscal Year commencing July 1, 2014 and ending June 30, 2015, to pay the maintenance, servicing and operation of the improvements, pursuant to provisions of the *Benefit Assessment Act of 1982, Chapter 6.4, Division 2, Title 5 of the Government Code of the State of California commencing with section 54703* (the "Act"); and

**WHEREAS**, the Assessment District Engineer has prepared and filed with the City Clerk of the City of Indian Wells and the City Clerk has presented to the City Council such report entitled "City of Indian Wells Engineer's Annual Levy Report for the Drainage Maintenance Benefit Assessment District No. 1 Fiscal Year 2014/15" (the "Report"); and

**WHEREAS**, the City Council has examined and reviewed the Report as presented, and is satisfied with the Report including, without limitation, each of the budget items and documents as set forth therein, and is satisfied that the assessments have been spread in accordance with the special benefits received from the improvements, operation, maintenance and services to be performed, as set forth in said Report.

**NOW, THEREFORE, BE IT RESOLVED, DETERMINED, AND ORDERED BY THE CITY COUNCIL OF THE CITY OF INDIAN WELLS, AS FOLLOWS:**

**SECTION 1.** That the above recitals are true and correct.

**SECTION 2.** That the Report as presented consists of the following:

- (a) A Description of Improvements;
- (b) The Annual Budget (Costs and Expenses of Services, Operations and Maintenance); and

- (c) The Method of Apportionment and the proposed amount to be levied and collected against each Assessor's Parcel within Assessment District for Fiscal Year 2014-15.

**SECTION 3.** The Report is hereby **APPROVED** on a preliminary basis, and ordered to be filed in the Office of the City Clerk as a permanent record and to remain open to public inspection.

**SECTION 4.** That the City Clerk shall certify to the passage and adoption of this Resolution and the minutes of this meeting shall so reflect the presentation of the Report.

**SECTION 5.** This Resolution shall take effect upon adoption.

**PASSED, APPROVED AND ADOPTED** by the City Council of the City of Indian Wells, California, at a regular meeting held on this 1<sup>st</sup> day of May, 2014.

---

**TED J. MERTENS**  
**MAYOR**

**CERTIFICATION FOR RESOLUTION BILL NO. 2014-07**

I, Wade G. McKinney, City Clerk of the City Council of the City of Indian Wells, California **DO HEREBY CERTIFY** that the whole number of the members of the City Council is five (5); that the above and foregoing resolution was duly and regularly passed and adopted at a regular meeting of the City Council of the City of Indian Wells the 1<sup>st</sup> day of May 2014, by the following vote:

AYES:  
NOES:

**ATTEST:**

**APPROVED AS TO FORM:**

---

**WADE G. MCKINNEY**  
**CITY MANAGER/CITY CLERK**

---

**STEPHEN P. DEITSCH**  
**CITY ATTORNEY**



# City of Indian Wells

## Drainage Maintenance Benefit Assessment District No. 1

### 2014/2015 ENGINEER'S REPORT

**Intent Meeting: May 1, 2014**

**Public Hearing: May 15, 2014**

27368 Via Industria  
Suite 110  
Temecula, CA 92590  
T 951.587.3500 | 800.755.6864  
F 951.587.3510

[www.willdan.com/financial](http://www.willdan.com/financial)



# ENGINEER'S REPORT AFFIDAVIT

## Drainage Maintenance Benefit Assessment District No. 1

City of Indian Wells  
Riverside County, State of California

This Report describes the District including the improvements, budgets, parcels and assessments to be levied for Fiscal Year 2014/2015, as they existed at the time of the passage of the Resolution of Intention. Reference is hereby made to the Riverside County Assessor's maps for a detailed description of the lines and dimensions of parcels within the District. The undersigned respectfully submits the enclosed Report as directed by the City Council.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 2014.

Willdan Financial Services  
Assessment Engineer  
On Behalf of the City of Indian Wells

By: \_\_\_\_\_

Susana Medina, Project Manager  
District Administration Services

By: \_\_\_\_\_

Richard Kopecky  
R. C. E. # 16742

# TABLE OF CONTENTS

<b><u>I. INTRODUCTION</u></b>	<b>1</b>
<b><u>II. DESCRIPTION OF THE DISTRICT</u></b>	<b>2</b>
A. DISTRICT BOUNDARY	2
B. PLANS AND SPECIFICATIONS	2
C. IMPROVEMENTS AND SERVICES WITHIN THE DISTRICT	2
<b><u>III. METHOD OF ASSESSMENT</u></b>	<b>3</b>
A. BACKGROUND	3
B. SPECIAL BENEFIT	3
C. APPORTIONMENT	4
D. ASSESSMENT RANGE FORMULA	4
<b><u>IV. DISTRICT BUDGET</u></b>	<b>4</b>
A. DESCRIPTION OF BUDGET ITEMS	4
B. DISTRICT BUDGET	6
<b><u>APPENDIX A – ASSESSMENT DIAGRAM</u></b>	<b>7</b>
<b><u>APPENDIX B – 2014/2015 ASSESSMENT ROLL</u></b>	<b>8</b>

---

## I. INTRODUCTION

The City of Indian Wells (the "City") annually levies and collects special assessments in order to provide and maintain the improvements within the Indian Wells Drainage Maintenance Benefit Assessment District No. 1 (the "District"). In Fiscal Year 2006/2007, the District assessments were presented to the property owners and approved through a protest ballot proceeding in compliance with the provisions of Proposition 218. The District assessments described in this report are prepared and levied annually pursuant to the *Benefit Assessment Act of 1982, Chapter 6.4, Division 2, Title 5* of the Government Code of the State of California commencing with section 54703 (the "1982 Act").

Pursuant to the 1982 Act, the City Council previously caused an Engineer's Report to be prepared in connection with the formation and the levy of assessments for the District. The Engineer's Report (the "Original Report") described the proposed services and improvements, identified the properties to be assessed and the amount of the proposed assessments by parcel, and fixed the maximum amount of future annual installments for the District.

Pursuant to the 1982 Act, the City Council conducted the required public hearings necessary to accept property owner protests, public comments and testimony regarding the formation of the District and the proposed annual levy of assessments. In conjunction with the required 1982 Act formation proceedings (public hearing), the City conducted property owner protest ballot proceedings for the annual assessments and assessment range formula described in the Original Report in compliance with the substantive and procedural requirements of the California Constitution Article XIII D. The proposed formations and annual assessments for each District were approved and established at the public hearing for the District, and pursuant to the 1982 Act, the City Council may annually determine the cost of the services that are financed by the assessments and by ordinance or resolution order the levy of the annual assessments. However in accordance with the provisions of the California Constitution Article XIII D, no annual assessment shall exceed the maximum assessment amount established in the Original Report without additional approval of the affected property owners.

This document provides a summary of the District and the proposed budgets and assessments for fiscal year 2014/2015. The budget and assessments are based on the City's estimate of the costs and funds necessary to maintain and service the improvements that provide a special benefit to properties within the District.

The word "parcel" refers to an individual property assigned its own Assessment Number by the Riverside County Assessor's Office. The Riverside County Auditor/Controller uses Assessment Numbers and specific Fund Numbers to identify properties assessed on the tax roll for special district benefit assessments.

## ***II. DESCRIPTION OF THE DISTRICT***

---

### **A. DISTRICT BOUNDARY**

The District lies on the southeast corner of Cook Street and Highway 111. The legal description is specified as a portion of the Southwest one-quarter of Section 22, Township 6 South, Range 6 East, SBBM, being in the City of Indian Wells, County of Riverside, State of California; to be known as Tract No. 32880.

### **B. PLANS AND SPECIFICATIONS**

The drainage improvements for the District may be generally described as follows:

Installation, construction or maintenance of any authorized improvements under the 1982 Act, including, but not limited to, drainage improvements and any facilities which are appurtenant to any of the aforementioned or which are necessary or convenient for the maintenance or servicing thereof.

Plans and Specifications for the improvements for the District are voluminous and are not bound in this report but by this reference are incorporated and made a part of this report. The Plans and Specifications are on file in the office of the City Engineer where they are available for public inspection.

### **C. IMPROVEMENTS AND SERVICES WITHIN THE DISTRICT**

Article XIID of the California Constitution defines "maintenance and operation expenses" as "the cost of rent, repair, replacement, rehabilitation, fuel, power, electrical current, care and supervision necessary to properly operate and maintain a permanent public improvement". The District funding includes, but is not limited to, the removal, repair, replacement and appurtenances, electrical energy, supplies, engineering and incidental costs relating to the maintenance and operation of the drainage improvements benefiting the District parcels.

The location of the drywell improvements is as follows:

Two or more drywells located at the northeast corner of Desert Horizons Drive and Vista Del Ray Drive.

Maintenance shall include inspections, upkeep, and/or replacement of the pumps necessary to remove the surface nuisance water and to de-water the drywells. Inspection of the drywells, upkeep, or preventative type maintenance shall be

performed on a monthly basis. Major maintenance of the drywells and pumps shall be performed on a semi-annual basis.

The improvements identified above, are subject to change. For details and exact locations, refer to the approved development plans on file in the office of the City Engineer.

### ***III. METHOD OF ASSESSMENT***

---

#### **A. BACKGROUND**

The Benefit Assessment Act of 1982 provides that assessments may be apportioned upon assessable lots or parcels of land within a district in proportion to the estimated benefits to be received by each lot or parcel from the improvements. In addition, Article XIID of the California Constitution (the "Article") requires that a parcel's assessment may not exceed the reasonable cost of the proportional special benefit conferred on that parcel. The Article provides that only special benefits are assessable, and the City must separate the general benefits from the special benefits conferred on a parcel. A special benefit is a particular and distinct benefit over and above general benefits conferred on the public at large, including real property within the District. The general enhancement of property value does not constitute a special benefit.

The assessed lots or parcels of real property within the District are listed on Assessment Rolls, attached as Exhibit 'A' of this report. The Assessment Roll states the net amount to be assessed upon assessable lands within the District for fiscal year 2014/2015 and shows the assessment upon each lot and parcel within the District and identifies, by assessor parcel number, each assessable lot or parcel of land within the District. These lots or parcels are more particularly described on the County Assessment Roll, which is on file in the office of the Riverside County Assessor and by reference is made a part of this report.

#### **B. SPECIAL BENEFIT**

Each parcel within the District receives a particular and distinct benefit from the improvements over and above general benefits conferred by the improvements.

First, all of the improvements were conditions of approval for the creation or development of the parcels. In order to create or develop the parcels, the City of Indian Wells required the developer to install and guarantee the maintenance of storm water control structures and appurtenant facilities to serve the parcels. Therefore, the parcels within the District could not have been developed in the absence of the installation and promised maintenance of these facilities.

In addition, the improvements continue to confer a particular and distinct special benefit upon parcels within the District because of the nature of the improvements. The proper maintenance of storm water, nuance water control and appurtenant facilities provide special benefit to parcels within the District by alleviating excess water. This allows individual parcels to be used to their fullest extent. The above-mentioned contributes to a specific enhancement of each of the parcels within the District.

#### **C. APPORTIONMENT**

For fiscal year 2006/2007 the assessment rate was the total assessment divided by the ratio of each existing parcel to the total area. For subsequent future fiscal years, the assessment rate will be divided equally by the proposed total number of parcels.

#### **D. ASSESSMENT RANGE FORMULA**

Commencing with fiscal year 2007/2008, the amount of the assessment for the District is proposed to increase each year, based upon the Consumer Price Index, All Urban Consumers, for the Los Angeles-Riverside-Orange County Area ("CPI"), as determined by the United States Department of Labor, Bureau of Labor Statistics, or its successor. The Engineer shall compute the percentage difference between the CPI for February of each year and the CPI for the previous February, and shall then adjust the existing assessment by an amount not to exceed such percentage for the following fiscal year. Should the Bureau of Labor Statistics revise such index or discontinue the preparation of such index, the Engineer shall use the revised index or a comparable system as approved by the City Council for determining fluctuations in the cost of living. The percentage difference between February 2013 CPI and February 2014 CPI is 0.54%.

### ***IV. DISTRICT BUDGET***

---

#### **A. DESCRIPTION OF BUDGET ITEMS**

##### **Maintenance Costs**

Labor, Material, and Equipment - Includes all labor, material, and equipment required to properly maintain and service the drainage structures, and appurtenant facilities within the District. All improvements within the District will be maintained and serviced on a regular basis. City staff will determine the frequency and specific maintenance operations required; but generally, the operations will occur monthly.

### **Utilities**

Gas and Electric - The furnishing of electricity and gas required for the operation of the drainage structures, and appurtenant facilities such as pumps.

### **Renovation**

Repairs, which are unforeseen and not normally included in the yearly maintenance cost. This may include repair of damage due to vandalism, storms, and frost. Planned upgrades of the improvements that provide a direct benefit to the District could also be included in renovation costs.

### **Personnel/Overhead**

The cost of City staff for providing the coordination for maintenance and servicing, responding to public concerns, and levying and collecting assessments. This includes reimbursement for time spent by Finance and Accounting, the City Attorney, the City Manager, and the Public Works staff.

### **Professional Fees**

These are the costs of contracting with professionals for maintenance services and for professionals to provide any additional administrative or engineering services specific to the District such as the cost to prepare and mail notices of the public meeting and hearing, or preparation of assessment diagrams.

### **County Administration Fees**

The costs charged by the County to place the assessments on the property tax rolls.

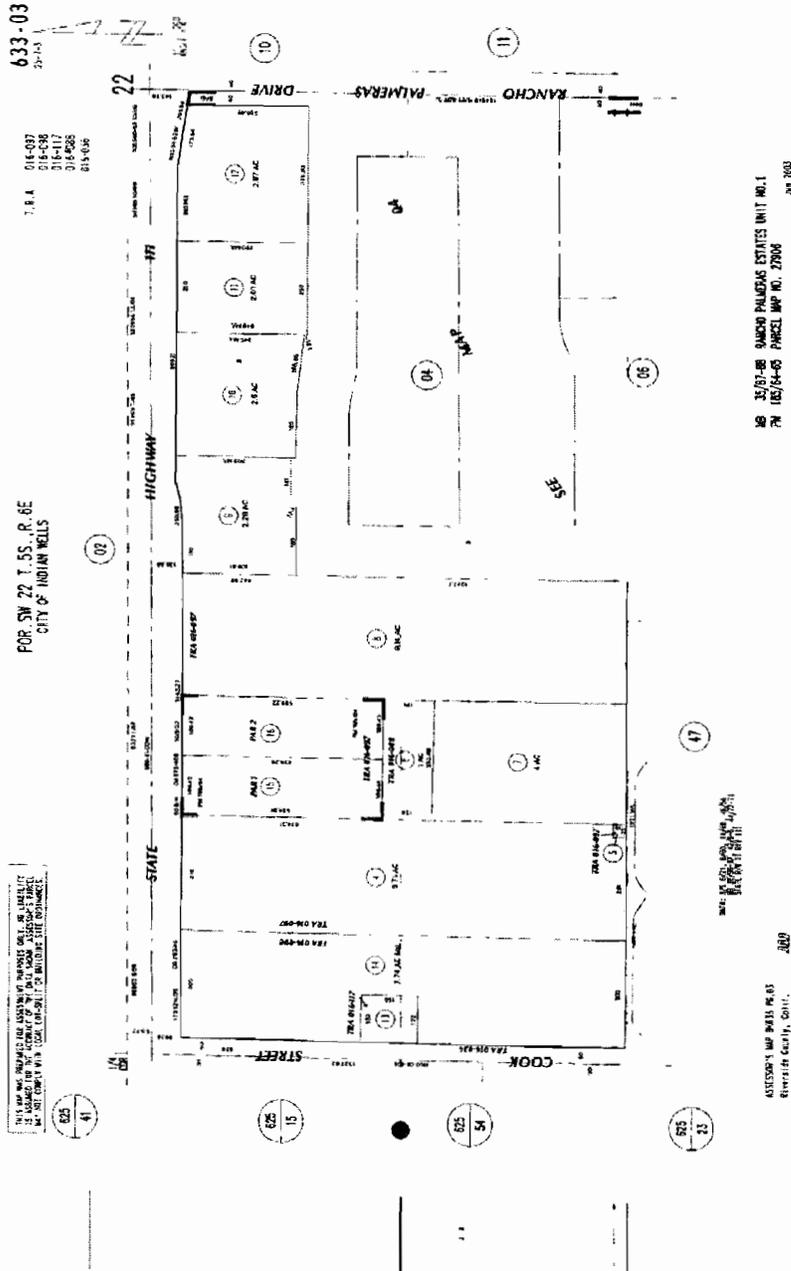
### **Carryover (Deficit) Prior Years**

Any funds that are not expended in the prior fiscal year shall be included to offset maintenance costs in the current fiscal year. If the total funds in any fiscal year are insufficient to offset maintenance costs, a loan from other City funds shall be a deficit of the District and shall be included and repaid as the costs and assessments for the subsequent fiscal year.

**B. DISTRICT BUDGET**

<b>DRAINAGE BENEFIT ASSESSMENT DISTRICT NO. 1 2014/2015 PROJECTED DISTRICT BUDGET</b>	
<b>DIRECT COSTS</b>	
Maintenance Costs	\$29,385
Capital Replacement Costs	10,311
Utilities	10,311
<b>Direct Subtotal</b>	<b>\$50,007</b>
<b>ADMINISTRATION COSTS</b>	
Administrative Personnel Overhead	\$1,700
Public Works Personnel Overhead	7,805
Professional Fees	1,500
County Admin. Fees	38
<b>Administration Subtotal</b>	<b>\$11,043</b>
<b>Total Direct and Administration Costs</b>	<b>\$61,050</b>
<b>LEVY ADJUSTMENTS</b>	
Reserve Fund Contribution	\$0
Personnel/Overhead - City of Indian Wells Subsidy	0
Annual City Operating Contribution	0
<b>City of Indian Wells Contribution and Subsidy Subtotal</b>	<b>\$0</b>
<b>Remaining Balance to Levy</b>	<b>\$61,050</b>
<b>DISTRICT STATISTICS</b>	
Total Parcels	151
Total Parcels Levied	133
Total Equivalent Benefit Unit (EBU)	133
<b>FY 2014/15 Levy Rate per EBU (projected)</b>	<b>\$459.02</b>
<b>Maximum Levy per EBU Allowed</b>	<b>\$499.70</b>
<b>Maximum Rate per EBU</b>	
FY 2006/07 Maximum Rate	\$430.14
FY 2007/08 Maximum Rate	\$445.18
FY 2008/09 Maximum Rate	\$459.01
FY 2009/10 Maximum Rate	\$459.03
FY 2010/11 Maximum Rate	\$465.62
FY 2011/12 Maximum Rate	\$476.21
FY 2012/13 Maximum Rate	\$486.18
FY 2013/14 Maximum Rate	\$496.99
FY 2014/15 Maximum Rate	\$499.70
<b>Total Assessment Allowable</b>	<b>\$66,4610.10</b>
<b>FUND BALANCE INFORMATION</b>	
Beginning Reserve Balance	\$6,219
Reserve Fund Collection/(Reduction)	0
<b>Ending Reserve Fund Balance 6/30/2014</b>	<b>\$6,219</b>

# APPENDIX A – ASSESSMENT DIAGRAM



## APPENDIX B – 2014/2015 ASSESSMENT ROLL

Parcel identification, for each lot or parcel within the District, shall be the parcel as shown on the Riverside County Assessor Parcel Maps and/or the Riverside County Secured Tax Roll for the year in which this Report is prepared.

Non-assessable lots or parcels may include government owned land, public utility owned property, land principally encumbered with public right-of-ways or easements and dedicated common areas. These parcels will not be assessed.

A listing of parcels within the District, along with the proposed assessment amounts, have been submitted to the City Clerk, and by reference, are made part of this Report.

Upon approval of the Engineer's Annual Levy Report, and confirmation of the assessments, the assessment information will be submitted to the County Auditor/Controller, and included on the property tax roll in fiscal year 2014/2015. If the parcels or assessment numbers within the District and referenced in this Report, are re-numbered, re-apportioned or changed by the County Assessor's Office after approval of the Report, the new parcel or assessment numbers with the appropriate assessment amount will be submitted to the County Auditor/Controller. If the parcel change made by the County includes a parcel split, parcel merger or tax status change, the assessment amount submitted on the new parcels or assessment numbers will be based on the method of apportionment and levy amount approved in this report by the City Council.

**RESOLUTION BILL NO. 2014-08**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF INDIAN WELLS, CALIFORNIA, DECLARING ITS INTENTION TO ORDER THE LEVY AND COLLECTION OF ASSESSMENTS FOR THE CITY OF INDIAN WELLS DRAINAGE MAINTENANCE BENEFIT ASSESSMENT DISTRICT NO. 1 FOR FISCAL YEAR 2014/15 PURSUANT TO THE BENEFIT ASSESSMENT ACT OF 1982**

**WHEREAS**, the City Council of the City of Indian Wells (the "City Council") has by Resolution initiated proceedings for the levy and collection of assessments against lots and parcels of land within the City of Indian Wells Drainage Maintenance Benefit Assessment District No. 1 (the "Assessment District") for Fiscal Year 2014/15, under the provisions of the *Benefit Assessment Act of 1982, Chapter 6.4, Division 2, Title 5 of the Government Code of the State of California commencing with section 54703* (the "Act"); and

**WHEREAS**, the City Council has retained Willdan Financial as the Assessment District Engineer to assist with the annual levy of assessments in accordance with the Act.

**NOW, THEREFORE, BE IT RESOLVED, DETERMINED, AND ORDERED BY THE CITY COUNCIL OF THE CITY OF INDIAN WELLS, AS FOLLOWS:**

**SECTION 1. Intention.** The City Council hereby declares its intention to order the drainage improvements of the Assessment District and to levy and collect assessments against lots and parcels of land within the Assessment District for the Fiscal Year commencing July 1, 2014, and ending June 30, 2015, to pay for the costs and expenses of operating, maintaining and servicing drainage improvements therein as outlined in the original Engineer's Report, filed with the City Clerk and approved by the City Council in connection with the formation and the levy of the assessment.

**SECTION 2. Authority.** Pursuant to the Act, the City Council may annually determine the cost of the services that are financed by the assessment and, by ordinance or resolution order the levy of an annual assessment. However, no annual assessment shall exceed the maximum assessment amount established in the original Report and approved by the property owners without additional approval of the property owners in accordance with the provisions of the California Constitution Article XIID.

**SECTION 3. Boundaries and Designation.** The territory of the proposed Assessment District is within the boundaries and jurisdiction of the City of Indian Wells within the County of Riverside, State of California. The boundary map describing the Assessment District is on file with the City Clerk, and is incorporated herein by reference. The Assessment District is designated and shall be referred to as the:

**"City of Indian Wells Drainage Maintenance Benefit Assessment District No. 1".** 60 104

**SECTION 4. Description of Drainage Improvements.** The proposed drainage improvements for the Assessment District are briefly described as the operation, maintenance, servicing and administration of the improvements, and incidental expenses related thereto for the Assessment District located within the boundary of the City of Indian Wells, and the jurisdiction of the City Council. The drainage improvements and the installation and/or maintenance of such improvements for the District can be generally described as follows:

Installation, construction or maintenance of any authorized improvements under the Act, including, but not limited to, drainage improvements and any facilities which are appurtenant to any of the aforementioned or which are necessary or convenient for the maintenance or servicing thereof.

**SECTION 5. Public Hearing.** The City Council hereby declares its intention to conduct a Public Hearing concerning the improvements, and the levy of assessments for the Assessment District in accordance with the Act. Notice is hereby given that on **Thursday, May 15, 2014, at 1:30 P.M.**, the City Council will hold a Public Hearing on the question of the levy and collection of assessments for Fiscal Year 2014/15 against lots and parcels of land within the Assessment District, or as soon thereafter as feasible. The Public Hearing will be held at the City Council Chambers of the City of Indian Wells, 44-950 Eldorado Drive, Indian Wells, California at the times fixed. At the hearing, all interested persons shall be afforded the opportunity to hear and be heard.

**SECTION 6. Notice.** A Public Hearing Notice shall be published in a local newspaper of general circulation once a week for two (2) weeks, the first publication appearing not less than fourteen (14) days before the date of hearing; and posting a copy of the Public Hearing Notice in three (3) public places within the City.

**SECTION 7. Effective Date.** This Resolution shall take effect upon adoption.

**PASSED, APPROVED AND ADOPTED** by the City Council of the City of Indian Wells, California, at a regular meeting held on this 1<sup>st</sup> day of May, 2014.

---

**TED J. MERTENS**  
**MAYOR**

**CERTIFICATION FOR RESOLUTION BILL NO. 2014-08**

I, Wade G. McKinney, City Clerk of the City Council of the City of Indian Wells, California **DO HEREBY CERTIFY** that the whole number of the members of the City Council is five (5); that the above and foregoing resolution was duly and regularly passed and adopted at a regular meeting of the City Council of the City of Indian Wells the 1<sup>st</sup> day of May 2014, by the following vote:

AYES:  
NOES:

**ATTEST:**

**APPROVED AS TO FORM:**

---

**WADE G. MCKINNEY**  
**CITY MANAGER/CITY CLERK**

---

**STEPHEN P. DEITSCH**  
**CITY ATTORNEY**

FIRE ACCESS MAINTENANCE DISTRICT (FAMD)  
05/01/2014 MEETING WARRANT LIST

CHECK #	DATE	INVOICE #	VENDOR NAME/DESCRIPTION	INVOICE AMT	CHECK TOTAL
45130	5/1/2014		UNIVERSAL PROTECTION SERVICE		
		1036915	FAMD SECURITY SVCS FOR JAN 24-JAN 30, 2014	15,268.88	
		1070650	FAMD SECURITY SVCS FOR MAR 7-MAR 13, 2014	14,791.15	
		1076182	FAMD SECURITY SVCS FOR MAR 14-MAR 20, 2014	14,572.15	44,632.18
45129	5/1/2014		M & M SWEEPING, INC.		
		35748	FAMD MONTHLY STREET SWEEPING & ADDITIONAL-MANITOU, IROQUOIS & CLUB FOR MAR, 2014	5,380.00	
		35698	FAMD EAST & WEST MANITOU CURB DRAINS & (9) STREET DRAIN SWEEPING SERVICES	2,850.00	
		35859	FAMD (27) EXTRA DRAIN CLEANING SERVICE	2,025.00	10,255.00
45128	5/1/2014		DESERT RESORT MANAGEMENT INC.		
		DRM013934	FAMD MANAGEMENT SERVICES FOR APR, 2014	5,768.00	5,768.00
	5/1/2014		CONSERVE LANDCARE		
		7633	FAMD LANDSCAPE MAINTENANCE FOR APR, 2014	1,755.00	1,755.00
45123	5/1/2014		AMS		
		7904	FAMD MANITOU & CLUB DR SECURITY GATE TROUBLESHOTS SVC ON FEB 27-MAR 21, 2014	860.40	860.40
45131	5/1/2014		VERIZON CALIFORNIA		
		345-1307	FAMD MANITOU GUARDGATE PHONE SVC MAR 19-APR 18, 2014	538.02	
		345-1306	FAMD CLUB GUARDGATE PHONE SVC FOR MAR 16-APR 15, 2014	205.16	743.18
45124	5/1/2014		COACHELLA VALLEY WATER DIST.		
		313223-844958	FAMD 45-065 MANITOU DR UTILITIES FOR MAR, 2014	367.68	
		152597-419098	FAMD 45-301 CLUB DR UTILITIES FOR MAR, 2014	55.36	
		155649-422592	FAMD 45-105 MANITOU UTILITIES FOR MAR, 2014	49.43	472.47
45127	5/1/2014		DESERT PROPERTIES LIGHT MAINT.		
		10862	FAMD GATES LIGHT MONTHLY MAINTENANCE & SUPPLIES FOR SEPT, 2014	164.47	164.47
45125	5/1/2014		COASTAL CLEAR POOLS		
		5456	FAMD CLUB/MANITOU FOUNTAINS MAINTENANCE FOR MAR, 2014	150.00	150.00

9 checks in this report

COCHA ACTION \_\_\_\_\_ MTG. DATE: 5-1-14  
 APPROVED  DENIED \_\_\_\_\_ REC/FILE \_\_\_\_\_ CONT. \_\_\_\_\_  
 OTHER \_\_\_\_\_  
 VOTE: YES 5 NO 0 ABSTAIN \_\_\_\_\_

TOTAL FAMD WARRANTS 45123-45131: **64,800.70**

107  
60

**CITY OF INNON WELLS**  
**05/01/2014 MEETING WARRANT LIST**

CHECK #	DATE	INVOICE #	VENDOR NAME/DESCRIPTION	INVOICE AMT	CHECK TOTAL
45104	5/1/2014		RIVERSIDE COUNTY SHERIFF DEPT		
		SH0000023530	SHERIFF DEPUTIES, MILEAGE, FORENSIC TECH, LIEUTENANT,CSO FOR FEB 6-MAR 5, 2014	223,454.76	<b>223,454.76</b>
45119	5/1/2014		VINTAGE ASSOCIATES		
		SI-140342	(19) CITYWIDE GENERAL FUND & LLMDS LANDSCAPE MAINT FOR FEB, 2014	43,855.13	
		SI-142017	(19) CITYWIDE GENERAL FUND & LLMDS LANDSCAPE MAINT FOR MAR, 2014	43,855.13	<b>87,710.26</b>
45069	5/1/2014		DOTY BROTHERS CONSTRUCTION CO.		
		44511	IW VILLAGE UNDERGROUNDING DISTRICT NO. 2 / RULE 20B VERIZON TRENCH INSTALLATION	74,705.96	<b>74,705.96</b>
45047	4/18/2014		DANNA ELECTRIC, INC.		
		99-44697D	44697 DAKOTA ELECTRICAL,CABLE & COMMUNICATIONS CONDUIT INSTALLATION (RULE 20B)	6,630.00	
		99-44754D	44754 DAKOTA ELECTRICAL, CABLE & COMMUNICATIONS CONDUIT INSTALLATION (RULE 20B)	5,950.00	
		99-44732D	44732 DAKOTA ELECTRICAL, CABLE & COMMUNICATIONS CONDUIT INSTALLATION (RULE 20B)	5,865.00	
		99-44725D	44725 DAKOTA ELECTRICAL,CABLE & COMMUNICATIONS CONDUIT INSTALLATION (RULE 20B)	5,525.00	
		99-44749D	44749 DAKOTA ELECTRICAL, CABLE & COMMUNICATIONS CONDUIT INSTALLATION (RULE 20B)	5,270.00	
		99-44652D	44652 DAKOTA ELECTRICAL, CABLE & COMMUNICATIONS CONDUIT INSTALLATION (RULE 20B)	4,420.00	
		99-77431C	77431 CHEYENNE ELECTRICAL,CABLE & COMMUNICATIONS CONDUIT INSTALLATION (RULE 20B)	2,720.00	<b>36,380.00</b>
45056	5/1/2014		BEST, BEST & KRIEGER, L.L.P.		
		723213	HWY 111 PHASE 3 PROJECT LEGAL SERVICES-COFERENCE CALL FOR MAR, 2014	98.10	
		723216	44-057 ERIE COURT CODE ENFORCEMENT LEGAL SVCS EMAIL CORRESPONDENCE FOR MAR, 2014	86.17	
		723219	GENERAL CITY RETAINER LEGAL SERVICES FOR MAR, 2014	20,124.00	
		723214	CODE ENFORCEMENT LEGAL SVCS-DRAFT STAFF REPORTS FOR MAR, 2014	7,580.11	
		723211	PERSONNEL/LABOR LEGAL SVCS-EMAILS & CONFERENCES FOR MAR, 2014	2,517.90	
		723218	77310 SKY MESA CODE ENFORCEMENT LEGAL SVC-EMAILS, PRODUCE DRAFTS FOR MAR, 2014	1,449.68	
		723215	45995 VISTA DORADO CODE ENFORCEMENT LEGAL SVCS-CASE REVIEWS & PLEADINGS FOR MAR	822.16	
		723217	75550 MARY LANE CODE ENFORCEMENT LEGAL SVC-EMAIL, CONFERENCE CALLS FOR MAR, 2014	528.80	<b>33,206.92</b>
45082	5/1/2014		LEVY RESTAURANTS		
		CITYIW2014	BNP PARIBAS OPEN FOOD & BEVERAGE FOR CITY & MARKETING SUITES AT IWTG	31,190.66	<b>31,190.66</b>
45044	4/14/2014		CALPERS RETIREMENT SYSTEM		
		0844	OPEB FUNDING FOR APR 11, 2014	26,279.56	<b>26,279.56</b>

108  
6E

**CITY OF INDIAN WELLS**  
**05/01/2014 MEETING WARRANT LIST**

CHECK #	DATE	INVOICE #	VENDOR NAME/DESCRIPTION	INVOICE AMT	CHECK TOTAL
45048	5/1/2014		A.M. ORTEGA CONSTRUCTION, INC.		
		62305-R	IW VILLAGE RULE 20A DISTRICT VERIZON TRENCH INSTALLATION RETENTION RELEASE	19,171.15	<b>19,171.15</b>
45066	5/1/2014		DESERT CHAMPIONS, LLC		
		0000040302	BNP PARIBAS SALUTE TO HEROES SPONSORSHIP-BUSES, SWING DOLLS, IMPERSONATOR, MEALS	10,976.26	<b>10,976.26</b>
45074	5/1/2014		HEPTAGON SEVEN CONSULTING, INC.		
		201403003	IW VILLAGE RULE 20B UTILITY UNDERGROUNDING MGMT SVCS FOR FEB 24-MAR 29, 2014	8,572.50	<b>8,572.50</b>
45122	5/1/2014		ZUMAR INDUSTRIES, INC.		
		0150896	(33) CITYWIDE TRAFFIC SIGNAGE SUPPLY	10,047.59	
		0151623	CREDIT OF (3) CITYWIDE TRAFFIC SIGNS	-1,665.72	<b>8,381.87</b>
45046	4/2/2014		PLATINUM PLUS FOR BUSINESS		
		1615	(2) 12X12 PUTTING GREEN, DVD LESSON & RECORDING DECALS FOR 2014 BNP PARIB	3,932.00	
		4964	(3) FLASH MEMORY CARDS (1) MICROPHONE (1) DIGITAL RECORDER & (1) DSLR FILMMAKER	593.97	
		5493	2014 PLANNING COMMISSIONER ACADEMY REGISTRATION FOR LORELEE WILLIAMS ON MAR26-28	525.00	
		5493	2014 PLANNING COMMISSIONER ACADEMY REGISTRATION FOR WARREN MORELION ON MAR 26-28	525.00	
		7384	(1) FINANCE COUNTER PULL DOWN BLIND	499.00	
		5493	2014 PLANNING COMMISSIONER ACADEMY FLIGHT EXPENSE FOR WARREN MORELION ON MAR 26	316.50	
		1864	2014 CMTA ANNUAL CONFERENCE REGISTRATION FOR K.MCCARTHY ON APR 16-18, 2014	305.00	
		5493	2014 PLANNING COMMISSIONER ACADEMY FLIGHT EXPENSE FOR LORELEE WILLIAMS ON MAR 26	257.00	
		1615	2014 OUTLOOK FORUM HOTEL EXPENSE ON FEB 5, 2014 FOR N.SAMUELSON	229.10	
		1615	2014 OUTLOOK FORUM HOTEL EXPENSE ON FEB 5, 2014 FOR M.WILKEY	229.10	
		5493	CALDAG 2013: AN INTERPRETIVE MANUAL & CHECKLIST, CALIFORNIA BLD CODE BOOKS	200.77	
		7384	TRAFFIC SIGNAL LEVEL II FIELD SEMINAR HOTEL EXPENSE FOR J.RUBERG ON FEB 12, 14	94.46	
		7384	PESTICIDE APPLICATORS PROFESSIONAL ASSOCIATION EDUCATION SEMINAR REGISTRATION	80.00	
		4964	ADOBE CREATIVE CLOUD MONTHLY FEE FOR FEB, 2014	49.99	
		1864	CCAC DEPUTY CITY CLERK MEMBERSHIP RENEWAL FOR J.LUCAS	40.00	
		1864	CCAC DEPUTY CITY CLERK MEMBERSHIP RENEWAL FOR A.GRANDYS	40.00	
		1864	IRIDIUM ANNUAL SUBSCRIPTION AIRTIME FEE FOR JAN 2014	37.08	
		1864	CMTA CONFERENCE FLIGHT EXPENSE TAXES FOR FEES FOR APR 15-18, 2014	28.00	
		2000	CITY COUNCIL MEETING SNACKS BANANAS, GRAPES, TRAIL MIX & ASSORTED COOKIES	21.89	

109  
6E

**CITY OF INDIAN WELLS**  
**05/01/2014 MEETING WARRANT LIST**

CHECK #	DATE	INVOICE #	VENDOR NAME/DESCRIPTION	INVOICE AMT	CHECK TOTAL
		5493	MONTHLY FORECLOSURE COMPLETE PROPERTY PROFILE SEARCH SERVICE FOR JAN, 2014	20.00	
		2000	CITY COUNCIL MEETING SNACKS ALOMONDS, BANANAS & ASSORTED BAKERY COOKIES	16.86	
		1864	MONTHLY DIGITAL ACCESS OF THE DESERT SUN FOR W.MCKINNEY	10.00	
		8227	FINANCE CHARGE FOR CITY CREDIT CARD PURCHASES FROM FEB 7-MAR 6, 2014	1.00	<b>8,051.72</b>
45055	5/1/2014		B.G. STRUCTURAL ENGINEERING		
		917.374	43-617 VIA ORVIETO PLAN CHECK SVCS-ENGINEER, ARCHITECTURE, ADMINISTRATION	612.50	
		917.362	78-190 MONTE SERENO CIRCLE PLAN CHECK SVC-ENGINEER, ARCHITECTURE, ADMINISTRATION	537.50	
		917.356	76-200 FAIRWAY DRIVE PLAN CHECK SVCS-ENGINEER, ARCHITECTURE, ADMINISTRATION	487.50	
		917.346	45-410 COOK STREET PLAN CHECK SVCS-ENGINEER, ARCHITECTURE, ADMINISTRATION	425.00	
		917.351	74-502 DESERT ARROYO TRL PLAN CHECK SVCS-ENGINEER, ARCHITECTURE, ADMINISTRATION	1,100.00	
		917.334	76-869 IROQUOIS DRIVE PLAN CHECK SVCS-ENGINEER, ARCHITECTURE, ADMINISTRATION	350.00	
		917.365	44-463 DAKOTA TRL PLAN CHECK SVCS-ENGINEER, ARCHITECTURE, ADMINISTRATION	350.00	
		917.369	46-340 MANITOU DRIVE PLAN CHECK SVCS-ENGINEER, ARCHITECTURE, ADMINISTRATION	337.50	
		917.368	77-280 BLACK MOUNTAIN TRL PLAN CHECK SVCS-ENGINEER, ARCHITECTURE, ADMINISTRATION	337.50	
		917.352	42-569 VIA PRATO PLAN CHECK SVCS-ENGINEER, ARCHITECTURE, ADMINISTRATION	275.00	
		917.361	76-835 SANDPIPER DRIVE PLAN CHECK SVCS-ENGINEER, ARCHITECTURE, ADMINISTRATION	275.00	
		917.366	75-475 DESERT PARK DR PLAN CHECK SVCS-ENGINEER, ARCHITECTURE, ADMINISTRATION	237.50	
		917.363	76-433 SHOSHONE DRIVE PLAN CHECK SVCS-ENGINEER, ARCHITECTURE, ADMINISTRATION	237.50	
		917.360	44-830 DORAL DRIVE PLAN CHECK SVCS-ENGINEER, ARCHITECTURE, ADMINISTRATION	237.50	
		917.358	42-585 VIA ORVIETO PLAN CHECK SVCS-ENGINEER, ARCHITECTURE, ADMINISTRATION	175.00	
		917.371	43-276 VIA SIENA PLAN CHECK SVCS-PRINCIPLE ENGINEER & ADMINISTRATION	137.50	
		917.370	49-628 HIDDEN VALLEY TRL PLAN CHECK SVCS-ENGINEER, ARCHITECTURE, ADMINISTRATION	337.50	
		917.367	74-752 SOUTH COVE DRIVE PLAN CHECK SVCS-ENGINEER, ARCHITECTURE, ADMINISTRATION	237.50	<b>6,687.50</b>
45075	5/1/2014		HIGH TECH MAILING SERVICES		
		28609	NEWSLETTER MAILING, UPDATING MAILING LIST, IMPRINT ADDRESSES FOR APR, 2014	2,199.43	
		28639	COMPUTER MAILING LISTS & IMPRINT ADDRESSES FOR STATE OF THE CITY POSTCARDS	2,075.96	<b>4,275.39</b>
45097	5/1/2014		PIXELPUSHERS, INC. DBA CIVICA		
		2689	WEB MASTERING OF WEB CONTENT, EMAIL MANAGER, TASK SUPPORT FOR JAN TO MAR, 2014	4,000.00	<b>4,000.00</b>

110  
6E

**CITY OF INDIAN WELLS**  
**05/01/2014 MEETING WARRANT LIST**

CHECK #	DATE	INVOICE #	VENDOR NAME/DESCRIPTION	INVOICE AMT	CHECK TOTAL
45062	5/1/2014		CLEANSTREET		
		73799	CITYWIDE STREET SWEEPING FOR MAR, 2014	3,702.43	<b>3,702.43</b>
45096	5/1/2014		PERFECT IMAGES JANITORIAL INC.		
		26022	CIVIC CENTER & CLUB DR BUILDING JANITORIAL SVCS FOR MAR, 2014	3,045.00	<b>3,045.00</b>
45072	5/1/2014		GRAPHTEK INTERACTIVE		
		7906-1	8-PAGE PRINTED NEWSLETTER & 4-PAGE ADVERTISING INSERT FOR JAN, 2014	2,500.00	<b>2,500.00</b>
45106	5/1/2014		SILVER INK COMMUNICATIONS		
		14-0410	MAY 2014 NEWSLETTER EDITORIAL PLANNING, INTERVIEW, RESEARCH, WRITING, EDIT/PROOF	2,400.00	<b>2,400.00</b>
45108	5/1/2014		SOUTHERN CALIFORNIA EDISON CO.		
		2-01-570-2186	44-900 ELDORADO DR FIRE STATION UTILITIES FOR APR, 2014	925.61	
		2-10-366-7440	44-210 1/2 COOK & 76-105 1/2 FRED WARING UTILITIES FOR MAR, 2014	129.17	
		2-26-446-8521	77-440 1/2 MILES AVE TC1 UTILITIES FOR APR, 2014	103.37	
		2-02-275-6597	76-884 1/2 INCA DR UTILITIES FOR APR, 2014	98.38	
		2-28-811-8029	78-496 HWY 111 TC1 UTILITIES FOR MAR, 2014	90.24	
		2-10-366-7580	44-950 ELDORADO, 45-826 IW LN, ELDORADO/FW & PORTOLA/VINTAGE UTILITIES FOR MAR	75.18	
		2-04-013-0916	45-277 CLUB DR UTILITIES FOR APR, 2014	72.98	
		2-33-975-8682	45-200 CLUB DR UNIT B2 UTILITIES FOR APR, 2014	68.67	
		2-26-702-6078	45-002 1/2 MILES AVE PED UTILITIES FOR APR, 2014	59.05	
		2-28-811-8276	79 HIGHWAY 111 MILES LOT UTILITIES FOR APR, 2014	53.61	
		2-28-811-8425	INDIAN WELLS/HWY 111 TC1 UTILITIES FOR APR, 2014	48.57	
		2-28-811-8367	79 HIGHWAY 111 CLUB LOT UTILITIES FOR APR, 2014	45.03	
		2-36-295-8456	MILES AVE & WARNER TRL UTILITIES FOR MAR, 2014	43.33	
		2-35-253-2683	45-324 1/2 INDIAN WELLS LN UTILITIES FOR APR, 2014	32.36	
		2-32-400-4498	45-300 CLUB DR UTILITIES FOR APR, 2014	25.08	
		2-25-128-1648	IW VILLAGE HOA #3 LIGHTING FOR MAR, 2014	21.64	
		2-25-185-7439	IW VILLAGE HOA #2 LIGHTING FOR MAR, 2014	21.64	
		2-01-570-2202	77-250 SANDPIPER DR LOT UTILITIES FOR APR, 2014	18.54	
		2-25-127-1755	IW VILLAGE HOA #1 LIGHTING FOR FEB, 2014	10.85	

111  
6E

**CITY OF INDIAN WELLS**  
**05/01/2014 MEETING WARRANT LIST**

CHECK #	DATE	INVOICE #	VENDOR NAME/DESCRIPTION	INVOICE AMT	CHECK TOTAL
		2-25-410-4201	IW VILLAGE HOA #5 LIGHTING FOR MAR, 2014	10.85	
		2-35-530-3157	FAIRWAY DR & WILLIAMS RD STREET LIGHT UTILITIES FOR MAR, 2014	10.85	<b>1,965.00</b>
45059	5/1/2014		CANON FINANCIAL SERVICES, INC		
		13708723	IRC5051 & IR5075 CANON COPIERS LEASES FOR MAY, 2014	1,489.33	
		13666423	CW300 & SCEXPN WIDE FORMAT COPIER/SCANNER LEASE FOR APR, 2014	447.12	<b>1,936.45</b>
45085	5/1/2014		LUMPKIN, RUSSELL L.		
		DTD 4/15/14	BUILDING INSPECTION, PLAN REVIEW, PERMIT ISSUANCE & CODE ENFORCEMENT SVC	1,920.00	<b>1,920.00</b>
45120	5/1/2014		WEX BANK		
		36305921	PW VEHICLE FLEET FUEL SUPPLY FOR MAR, 2014	1,762.26	<b>1,762.26</b>
45049	5/1/2014		AEGIS ITS, INCOPORATED		
		7067	TRAFFIC SIGNALS MAINT/REPAIRS FOR HWY 111, WARNER, MILES & VARIOUS LOCATIONS	1,754.01	<b>1,754.01</b>
45083	5/1/2014		LEXISNEXIS MATTHEW BENDER		
		0099053595	CA DEERINGS CODE ANNOTED REFERENCE MATERIAL SET W/SVC FOR JUL 2014-JUN 2015	1,518.59	<b>1,518.59</b>
45100	5/1/2014		RA STRUCTURAL ENGINEERING		
		B00-011-096-1	74-644 ARROYO DRIVE PLAN CHECK SERVICES FOR FEB 28 AND MAR 6, 2014	650.00	
		B00-011-072-1	75260 SKYLARK TRAIL PLAN CHECK SERVICES FOR FEB 15, MAR 14, AND MAR 25, 2014	650.00	
		B00-011-050-1	47355 LAS CASCADAS COURT PLAN CHECK SERVICES FOR FEB 10, 2014	130.00	<b>1,430.00</b>
45050	5/1/2014		ALLIED GLASS & DOOR		
		3654	45200 CLUB DR SUITE A DOOR HINGE REPLACEMENT SERVICE ON MAR 24, 2014	1,240.00	<b>1,240.00</b>
45088	5/1/2014		MARTIN SWEEPING		
		5469	CITYWIDE STORM DRAIN FACILITIES MAINTENANCE FOR MAR, 2014	1,183.75	<b>1,183.75</b>
45079	5/1/2014		JOHN DEERE LANDSCAPES		
		67600992	(91) ROTATOR SUPPLY FOR LANDSCAPE IRRIGATION UPGRADE	569.40	
		67454228	ROTATOR SUPPLY FOR CITY GENERAL FUND LANDSCAPE AREAS	290.09	
		67588620	(50) RAINBIRD 17'-24' RADIUS ROTARY NOZZLES FOR CITY GENERAL FUND AREAS	192.51	
		67575454	(10) OVERLAPPING ICV COVER BOXES FOR CITY GENERAL FUND LANDSCAPING	47.13	<b>1,099.13</b>

112  
6E

**CITY OF INDIAN WELLS**  
**05/01/2014 MEETING WARRANT LIST**

CHECK #	DATE	INVOICE #	VENDOR NAME/DESCRIPTION	INVOICE AMT	CHECK TOTAL
45109	5/1/2014		SOUTHWEST BOULDER & STONE INC.		
		1039012-IN	1" CRUSHED ROCK FOR IW VILLAGE AREA RULE 20B	1,047.98	<b>1,047.98</b>
45073	5/1/2014		GREAT AMERICA LEASING CORP.		
		15185699	CANON 4045 & 7105 COPIER LEASES FOR MAY, 2014	999.01	<b>999.01</b>
45099	5/1/2014		PVP COMMUNICATIONS, INC.		
		18488	(1) MOTORCYCLE HELMET WITH COMMUNICATION KIT & INSTALLATION	957.68	<b>957.68</b>
45101	5/1/2014		RASA		
		4694	FIRST PLAN CHECK 07-14-03 LOT LINE ADJUSTMENT REVIEW SERVICE FEE	380.00	
		4693	FIRST PLAN CHECK 15-14-02 PARCEL MERGER REVIEW SERVICE FEE	285.00	
		4692	FINAL PLAN CHECK 07-14-02 LOT LINE ADJUSTMENT REVIEW SERVICE FEE	190.00	<b>855.00</b>
45064	5/1/2014		CORELOGIC INFORMATION		
		81140161	REALQUEST ONLINE REAL ESTATE DATA FOR MAR, 2014	825.00	<b>825.00</b>
45065	5/1/2014		COUNTY OF RIVERSIDE		
		AN0000000275	ANIMAL SHELTER, FIELD SVC, LICENSES, OPERATIONS & MAINT. FOR MAR, 2014	742.80	<b>742.80</b>
45110	5/1/2014		SOUTHWEST NETWORKS		
		14-4506	CITY HALL OFFSITE STORAGE SERVICES FOR MAY, 2014	538.92	
		14-4507	CITY HALL OFFSITE STORAGE SERVICE OVERAGES FOR MAR, 2014	194.40	<b>733.32</b>
45103	5/1/2014		RIVERSIDE COUNTY OFFICE OF		
		2014/1540	DOCUMENT REQUEST DUPLICATION FEE RELATING TO PROPERTY TAX CLAIM	600.40	<b>600.40</b>
45095	5/1/2014		PAUL BLATT ENTERPRISES, INC.		
		930	(10,000) DOGGIE DISPOSAL BAGS & (2) DISPENSERS	561.60	<b>561.60</b>
45113	5/1/2014		TELEPACIFIC COMMUNICATIONS		
		55296478-0	CITY HALL PHONE SERVICE FOR APR 16-MAY 15, 2014	535.32	<b>535.32</b>
45091	5/1/2014		MCKINNEY, WADE G.		
		REIMB	CALIFORNIA CONTRACT CITIES ASSOC MUNICIPAL SEMINAR REGISTRAION FOR MAY 15-18	525.00	<b>525.00</b>

113  
6E

**CITY OF INDIAN WELLS**  
**05/01/2014 MEETING WARRANT LIST**

CHECK #	DATE	INVOICE #	VENDOR NAME/DESCRIPTION	INVOICE AMT	CHECK TOTAL
45111	5/1/2014		STAPLES		
		3227676519	FRENCH VANILLA COFFEE CREAMERS,LIPTON TEA BAGS,PLASTIC CUPS,DIET COKE, & PAPER	251.05	
		3226836525	TYLENOL, ADVIL, BOTTLED WATER & SPARKLING WATER SUPPLY	190.59	
		3226836526	FRENCH VANILLA COFFEE CREAMERS, FILE FOLDERS & SOLO PLASTIC CUPS	68.06	<b>509.70</b>
45090	5/1/2014		MCCARTHY, KEVIN		
		BURLINGAME	2014 CMTA ANNUAL CONFERENCE TRAVEL EXPENSE REIMB FOR APR 16-18, 2014	506.20	<b>506.20</b>
45093	5/1/2014		PALMER, GEORGE		
		DTD 4/4/14	TIP FOR SECURITY SERVICES AT 2014 BNP PARIBAS OPEN CITY SUITE 212	500.00	<b>500.00</b>
45071	5/1/2014		FERNANDO'S BUST-A-BUG		
		76328	ELDORADO DRIVE BEE REMOVAL SERVICE ON MAR 27, 2014	300.00	
		76425	CIVIC CENTER EXTERIOR & INTERIOR PEST CONTROL SERVICE FOR APR, 2014	96.00	
		76426	FIRE STATION PEST CONTROL SERVICE FOR APR, 2014	50.00	
		76424	WALK OF HONOR PEST CONTROL SERVICE FOR APR, 2014	20.00	<b>466.00</b>
45094	5/1/2014		PALMS TO PINES AUTOMOTIVE		
		49216	2008 FORD F150 LUBE, OIL, AIR FILTER, BRAKE CHECK, TRANSMISSION FLUSH MAINT SVCS	451.22	<b>451.22</b>
45102	5/1/2014		RBF CONSULTING		
		874027	HWY 111 WIDENING PHASE3 AWR #5-SIGNING & STRIPING REVISION FOR FEB 3 TO MAR 2,14	420.00	<b>420.00</b>
45117	5/1/2014		UNITED RENTALS NORTHWEST, INC.		
		118586092-001	19' ELECTRIC SCISSOR LIFT FOR FIRE STATION ELECTRICAL REPAIRS FOR APR 2, 2014	417.83	<b>417.83</b>
45053	5/1/2014		ARRANGEMENTS FLORAL & PARTY		
		42490	(9) COMMITTEE/COMMISSIONERS RECOGNITION GATHERING CENTERPIECES FOR APR 2, 2014	401.80	<b>401.80</b>
45063	5/1/2014		COMMOTION PROMOTIONS, LTD.		
		18344	(250) 13X15 RECYCLED PET NON-WOVEN SHOPPER BAGS FOR IW RESIDENT CUP GIVEAWAYS	315.20	<b>315.20</b>
	5/1/2014		LASR-INK		
		11397	(2) PRINTER CARTRIDGE FOR TECHNOLOGY DEPT	303.86	<b>303.86</b>

6E

CITY OF INDIAN WELLS  
05/01/2014 MEETING WARRANT LIST

CHECK #	DATE	INVOICE #	VENDOR NAME/DESCRIPTION	INVOICE AMT	CHECK TOTAL
45080	5/1/2014		JP TREE CARE CERTIFD ARBORIST		
		11685	ELDORADO DR BEE HIVE REMOVAL SERVICE ON APRIL 1, 2014	300.00	<b>300.00</b>
45067	5/1/2014		DESERT ELECTRIC SUPPLY		
		S2079777.001	WHITE, RED, & GREEN THIN BUILDING WIRE FOR VILLAGE AREA LIGHTING REPAIRS	267.12	
		S2079191.001	LIGHTING CONNECTOR & PLUG FOR CITY ELECTRICAL REPAIR	26.16	<b>293.28</b>
45112	5/1/2014		TCC SALES		
		12132	INTERIOR/EXTERIOR FLAT WHITE PAINT, 4-SIDED BUCKET GRID & PAINT BRUSH	175.04	
		11975	PAINT, BRUSHES, MASKING TAPE & MASKING FILM FOR FIRE STATION	92.56	<b>267.60</b>
45061	5/1/2014		CDW GOVERNMENT, INC.		
		KW00406	TV WALL MOUNT ARM SWIVEL & MULTI-DRIVE CARD READER PLUG & PLAY FOR TECHNOLOGY	135.46	
		KV94104	(1) NVS 315 GRAPHICS CARDS FOR TECHNOLOGY DEPT	117.61	<b>253.07</b>
45098	5/1/2014		PRUDENTIAL OVERALL SUPPLY		
		20846065	CITY TOWEL, MATS & AIR FRESHENER SUPPLIES FOR APR 2, 2014	137.23	
		20850041	CITY TOWEL, MATS & AIR FRESHENER SUPPLIES FOR APR 9, 2014	109.79	<b>247.02</b>
45087	5/1/2014		MARK CIESLIKOWSKI PHOTOGRAPHY		
		3008	DESERT TOWN HALL SHOOTING FEE & DVD BURNING PHOTOGRAPHY SVC FOR MAR 24, 2014	226.20	<b>226.20</b>
45107	5/1/2014		SIMPLOT PARTNERS		
		208032692	4/14 APEX PALM PLUS,K-MAG GG SGN88, GREEN GLOVES, COWIDE GLOVES & TINTED GLASSES	213.12	<b>213.12</b>
45084	5/1/2014		LIGATURE, THE		
		2003904	(500)ENGRAVED BUSINESS CARDS FOR T.MERTEN & (1,000) ENGRAVED CARDS FOR K.SEUMALO	205.59	<b>205.59</b>
45116	5/1/2014		TROPICAL PLANT SERVICES		
		20352	INDOOR PLANT MAINTENANCE SERVICE FOR MAR, 2014	205.00	<b>205.00</b>
45077	5/1/2014		INNOVATIVE DOCUMENT SOLUTIONS		
		140441	CANON IR7105 & CANON IR4045 COPIER MAINTENANCE FOR MAR, 2014	203.15	<b>203.15</b>
45078	5/1/2014		INTERNATIONAL INSTITUTE OF		
		18551	ANNUAL FULL MEMBERSHIP FEE FOR A.GRANDYS, DEPUTY CITY CLERK	170.00	<b>170.00</b>

11:56

**CITY OF INDIAN WELLS**  
**05/01/2014 MEETING WARRANT LIST**

CHECK #	DATE	INVOICE #	VENDOR NAME/DESCRIPTION	INVOICE AMT	CHECK TOTAL
45105	5/1/2014		RIVERSIDE COUNTY SHERIFF DEPT.		
		SH0000023542	TRAFFIC MOTORCYCLE FUEL FOR MAR 1-MAR 13, 2014	157.59	157.59
45114	5/1/2014		TELEPACIFIC COMMUNICATIONS		
		55314486-0	EMERGENCY PHONE SERVICES FOR APR 16-MAY 15, 2014	155.10	155.10
45058	5/1/2014		CALIFORNIA DEPT OF JUSTICE		
		029825	(2) BLOOD ALCOHOL ANALYSIS SERVICES FOR MAR, 2014	140.00	140.00
45086	5/1/2014		MARK BEAMISH WATERPROOFING INC		
		1410001-2 0010	2014 DUPLICATE PAYMENT OF CONTRACTORS BUSINESS LICENSE & STATE FEE REFUND	125.50	125.50
45076	5/1/2014		HOME DEPOT		
		7020573	(1) 1 1/2"X10' HOSE RACK FOR PUBLIC WORKS DEPT	43.55	
		0022015	4X8 DRYWALL & LUMBER FEE FOR FIRE STATION HOSE RACK ASSEMBLY	32.14	
		1021802	1X8-12" LUMBER BOARD & LUMBER FEE FOR FIRE STATION HOSE RACK ASSEMBLY	17.22	92.91
45052	5/1/2014		AROUND-THE-CLOCK		
		140400106101	AFTER HOURS PHONE ANSWERING SERVICE FOR APR 7-MAY 4, 2014	92.10	92.10
45115	5/1/2014		TIME WARNER CABLE		
		8448410760152292	CITY MANAGERS OFFICE CABLE TELEVISION SERVICE FOR APR 14-MAY 13, 2014	80.69	80.69
45051	5/1/2014		AMERICAN FORENSIC NURSES		
		64627	(2) PUBLIC SAFETY BLOOD DRAW TESTING SERVICE	80.00	80.00
45057	5/1/2014		BURRTEC WASTE & RECYCLING		
		44-BS 405166	ONSITE STORAGE RENTAL FOR CHRISTMAS TREE DECORATIONS FOR APR, 2014	80.00	80.00
45121	5/1/2014		WILLIAMS, LORELEE		
		SAN FRANCISCO	LCC PLANNING COMMISSIONER ACADEMY TRAVEL EXPENSE REIMB FOR MAR 26 TO MAR 28,2014	74.27	74.27
45070	5/1/2014		FEDERAL EXPRESS CORP.		
		2-618-49436	EXPRESS MAIL SVC FINANCE & CITY MANAGERS DEPT FOR MAR 21 & MAR 28, 2014	59.52	59.52

116  
6E

**CITY OF INDIAN WELLS**  
**05/01/2014 MEETING WARRANT LIST**

CHECK #	DATE	INVOICE #	VENDOR NAME/DESCRIPTION	INVOICE AMT	CHECK TOTAL
45068	5/1/2014		DESERT PIPE & SUPPLY		
		0014494040	(2) BULK PAC REPLACEMENT CARTRIDGES FOR IW FIRE STATION #55 SHOWER REPAIR	53.07	<b>53.07</b>
45118	5/1/2014		VERIZON CALIFORNIA		
		200-1815	TRAFFIC SIGNAL CONTROL PHONE LINE FOR APR 13-MAY 12, 2014	51.50	<b>51.50</b>
45060	5/1/2014		CANON SOLUTIONS AMERICA, INC.		
		988203175	COLORWAVE 300 COLOR PRINTER USAGE & MAINTENANCE FOR APR, 2014	45.98	<b>45.98</b>
45089	5/1/2014		MAXIMUM SECURITY		
		86556	CITY HALL BACK ENTRANCE ACCESS CONTROL DOOR RE-PROGRAMMING SVC	45.00	<b>45.00</b>
45045	4/14/2014		UNITED WAY OF THE DESERT		
		352000006506	PAYROLL EMPLOYEE CONTRIBUTIONS FOR APR 11, 2014	40.00	<b>40.00</b>
45054	5/1/2014		AT&T MOBILITY		
		287243904839	RAINBIRD LANDSCAPE CONTROLLER SIM CARD DATA SVC FOR MAR 12-APR 11, 2014	20.13	<b>20.13</b>
45092	5/1/2014		NEXTEL COMMUNICATIONS		
		627757319-149	R.BOWEN LANDSCAPE SPECIALIST PUSH TO TALK CELL SVC FOR MAR 12-APR 11, 2014	19.96	<b>19.96</b>

79 checks in this report

**TOTAL CITY WARRANTS 45044-45122: 627,173.40**

6E  
117

**CITY OF INDIAN WELLS**  
**05/01/2014 MEETING WARRANT LIST**

CHECK #	DATE	INVOICE #	VENDOR NAME/DESCRIPTION	INVOICE AMT	CHECK TOTAL
<b>Wires :</b>					
1430	4/14/2014		INTERNAL REVENUE SERVICE		
		95-2489139	FWT, FICA & MEDICARE FOR APR 11, 2014	35,618.63	<b>35,618.63</b>
1429	4/11/2014		ICMA		
		CONTRIBUTIONS	401A, 457 & ROTH IRA FOR APR 11, 2014	8,853.31	<b>8,853.31</b>
1431	4/15/2014		CALPERS RETIREMENT SYSTEM		
		6392517834	PAYROLL CONTRIBUTIONS FOR APR 11, 2014	8,495.40	<b>8,495.40</b>
1432	4/14/2014		CALIFORNIA, STATE OF		
		925-0060-2	SDI & SWT DEPOSIT FOR APR 11, 2014	7,336.76	<b>7,336.76</b>
2845	4/10/2014		INDIAN WELLS EMPLOYEE ASSOC.		
		2379795	PAYROLL EE DUES FOR APR 11, 2014	140.00	<b>140.00</b>
				<hr/>	
				<b>PAYROLL WIRE DISBURSEMENTS 1429-1432 &amp; 2845:</b>	<b>60,444.10</b>

118  
6E

CITY OF INDIAN WELLS  
05/01/2014 MEETING WARRANT LIST

CHECK #	DATE	INVOICE #	VENDOR NAME/DESCRIPTION	INVOICE AMT	CHECK TOTAL
			EFT 13041-13068	91,628.05	
			Total Net Payroll 04/25/14		91,628.05
<b>TOTAL CITY DISBURSEMENTS:</b>				<b>779,245.55</b>	

Note: Warrants 45044-45047 were issued prior to City Council approval.

Note: Warrant 44642 was voided on 4/15/14.

CO/HA ACTION \_\_\_\_\_ MTG. DATE: 5-1-14  
 APPROVED  DENIED \_\_\_\_\_ REG/FILE \_\_\_\_\_ CONT: \_\_\_\_\_  
 OTHER \_\_\_\_\_  
 VOTE: YES 5 NO 0 ABSTAIN \_\_\_\_\_

6E  
119

CC/MA ACTION \_\_\_\_\_ MTG. DATE: 5-1-14  
APPROVED  DENIED  REC/FILE  CONT.   
OTHER \_\_\_\_\_  
VOTE: YES 4 NO 1 ABSTAIN \_\_\_\_\_  
*Amerson*  
May 1, 2014

# ***Indian Wells City Council***

## ***Staff Report – Public Works***

### **Approve Agreement with Verizon for Cabling and Connection Service for Undergrounding Project**

#### **RECOMMENDATIONS:**

City Council **APPROVES** Agreement with Verizon for the installation of communication cables in underground conduit and removal of overhead service in the amount of \$135,767.46; and

**AUTHORIZES** and **DIRECTS** the City Manager to execute said agreement.

#### **DISCUSSION:**

##### Background:

The City is in the process of relocating electrical, communication and television wires from overhead service to underground service in the Village area. Phase I of this project was to relocate the overhead utility services along Warner Trail and Miles Avenue into underground conduits, and Phase II of the project will underground the overhead utilities along the five residential streets in the area.

Verizon is a participant in this undergrounding project and has provided a cost estimate in the amount of \$135,676.46 to relocate their overhead copper and fiber optic cable into underground conduits. City staff has been actively working with Verizon engineers to coordinate their undergrounding work with a completion goal of December 2014. The City's contractor has made considerable progress with the installation of underground conduits to be used by the various utilities. As the project is currently ahead of schedule, staff is optimistic about achieving the December 2014 completion goal.

#### **FISCAL IMPACT:**

The cost estimate provided by Verizon is \$135,767.46 and sufficient funds are available in the Capital Improvement fund account for this project.

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

***May 1, 2014***

**Award Contract for Maintenance of Indian Wells Golf  
Resort Cart Bridge to Watkins Landmark Construction**

**RECOMMENDATIONS:**

City Council **AWARDS** contract to Watkins Landmark Construction for maintenance improvements to the cart bridge at the Indian Wells Golf Resort in the amount of \$74,995; and

**AUTHORIZES** and **DIRECTS** the City Manager to execute said agreement; and

**APPROVES** a supplemental appropriation in the amount of \$74,995 to the Golf Resort Administration Fund account number 260.67.02.05440.

**DISCUSSION:**

The City requested Kleinfelder/Simon Wong Engineering ("Kleinfelder") to conduct an inspection of the Indian Wells Golf Resort cart bridge in September 2013, as the cart bridge was built in 1986 and this was the first structural inspection since the bridge was constructed. The cart bridge is approximately 12-feet wide with a total span of 360-feet over the Whitewater channel. There were approximately 82,000 cart trips over the bridge for golf play alone last year.

The inspection report identified areas on the cart bridge that are in need of maintenance, which include replacing joint seals between the individual concrete decks and resurfacing of the bridge deck driving surface. The maintenance work is recommended by Kleinfelder in order to prolong the useful life of the bridge. The inspection report also recommended a thorough seismic inspection and any necessary seismic upgrades as a separate project. Staff will proceed with a seismic report to identify any necessary retrofitting of the cart bridge. Staff will evaluate the findings of the seismic report, while keeping in mind the impact the future CV Link project may have to the cart bridge.

For bidding purposes, this inspection report was sent to three reputable construction firms with Watkins Landmark Construction the only bidder on the project.

**FISCAL IMPACT:**

The Golf Resort Advisory Committee has been discussing the appropriate allocation of costs in general and specifically in relation to the Whitewater Channel. The discussion has been centered on which entity should be bearing the costs for the Channel. Troon and City staff are preparing potential allocation formulas/policies for the Committee to vet and provide direction. Once that determination has been made as to which entity will bear the cost for the maintenance improvements the expenditures will be allocated to the correct funding source.

The cost estimate provided by Watkins Landmark Construction of \$74,995 are not budgeted in this fiscal year. A supplemental appropriation in the amount of \$74,995 to the Golf Resort Administration Fund account number 260.67.02.05440 is necessary. Sufficient funds are available in the maintenance fund account to pay for this work.



## MEMO REPORT

**DATE:** April 29, 2014

**TO:** Honorable Mayor and City Council Members

**FROM:** Anna Grandys, Chief Deputy City Clerk

**SUBJECT:** Award of Contracts for Golf Resort Cart Bridge Maintenance

Attached as additional material for General Business #7B are Watkins' budget proposal for the maintenance to be performed on the cart bridge and Kleinfelder's visual inspection report.

# #7B Additional Material



560 Stevens Ave.  
Solana Beach, CA 92075  
858-259-1240/858-259-1264 fax

To: City of Indian Wells 44-950 Eldorado Dr. Indian Wells, CA 92210	Contact: Ken Seumalo Phone: 760.776.0237 Fax: 760.346.0407 E-mail: kseumalo@indianwells.com
---	--

Project: Indian Wells Golf Resort - Bridge Repairs Date: 4/25/2014
---

<b>Budget Proposal for Bridge Repairs</b>
---

Scope Description:	Cost:
Demolition - Removal of existing caulking and foam backer rods at bridge/sidewalk abutments, demolish cracked unreinforced concrete collars at Pier #1, 2, and 8, removal of cracked & deteriorated concrete @ underside of bridge at southeast corner of Span 2.	\$9,220.00
Concrete - Form and pour (3) 4" x 12" D concrete collars with #4's spaced 6" O.C., patch existing concrete soffit at southeast corner of Span 2 (up to 12" x 12")	\$6,800.00
Caulking/Sealants - Install foam backer rods and 2-part epoxy at bridge/sidewalk abutments, install 2-part epoxy at all sides of piers (extending up 3" as recommended), at new and existing concrete collar/column joints.	\$8,800.00
Paint - Includes repaint of (7) concrete columns and (9) steel beams with (2) coats of zinc-rich primer and (3) coats of enamel.	\$9,800.00
Rust Removal/Clean-Up - Removal of as much rust as possible on all pier/column plates, removal of as much efflorescence as possible at concrete soffit.	\$4,500.00
Surveying - Includes surveying of bridge with points located at each curb, at centerline of bridge, at each support location and at mid-spans.	\$1,210.00
Off-Hours Project Management/Supervision:	\$4,000.00
<b>Subtotal:</b>	<b>\$44,330.00</b>
Contractor's OH&P: (15%)	\$6,649.50
<b>Grand Total:</b>	<b>\$50,979.50</b>

<u>Alternate:</u>	
Install Floorcrete elastomeric compound over the entire existing bridge drive path	\$23,200.00
P&P Bonds	\$816.00

Qualifications:

The above pricing is based on Visual Inspection Report prepared by Kleinfelder|Simon Wong Engineering and job walk performed by David Torres;

This proposal assumes that on-site water and electricity can be used for construction activities.

Exclusions:

Anything not specifically listed above is excluded

Permit & Plan Check Fees, Inspection Fees, FBA Fees

Hazardous Material Testing, Handling or Disposal

Structural Engineering or Calculations (unless specifically included)

Bonds, Night Work (Off Hours Work)

Sincerely,

Watkins Landmark Construction

David Torres

Estimator/Project Manager



September 11, 2013

Warren Morelion, AICP  
Community Development Director  
City of Indian Wells  
44-950 Eldorado Drive  
Indian Wells, CA 92210-7497

**SUBJECT: Visual Inspection of Indian Wells Golf Resort Pedestrian/Cart Bridge over the Whitewater River Channel**

Dear Mr. Morelion:

Kleinfelder | Simon Wong Engineering has completed an inspection and evaluation of the golf cart bridge crossing the Whitewater River Channel at the Indian Wells Club located at 44-500 Indian Wells Lane. The bridge was constructed in 1987 to connect the clubhouse to the golf course. At your request, we were asked to perform a visual inspection of the bridge and evaluate several signs of distress. On Wednesday, September 4, Keith Gazaway met Craig Degroot (building inspector), Bruce Pelletier (Fire Marshall), and yourself at the bridge site. This report presents the results of our field investigation.

#### **Structure Description**

Based on as-built drawings provided to us, the bridge is 360 feet long consisting of eight 44-foot spans, each span being simply supported. Each span consists of five 12"x40" Spancrete hollow-core prestressed slabs topped with 2.5" concrete. The overall bridge width is 16'-8" including 12"x12" concrete curbs covered with stone fascia and a tubular metal railing. At least ten utility conduits are carried by the bridge.

Each pier consists of a 30-inch-diameter steel pipe column; below grade each pipe column is embedded in a 60-inch-diameter concrete shaft extending approximately 25 feet into the ground. The tallest column is approximately 35 feet above grade. A W14x90 steel cap beam is welded transversely to the top of each column in a hammerhead configuration.



Prestressed Concrete Slab [12-inch Precast Hollow-core Ultralite Spancrete, unknown strands]: The precast slabs appear to be in fair condition. Evidently, the embedded prestressing stands have relaxed somewhat over time, as each span is visibly sagging with an estimated mid-span deflection between 1.0 and 1.5 inches (see Figure 4). No transverse cracking was noted in the soffit; therefore, the prestressing steel is presumably maintaining a fair amount of compression in the concrete.

Efflorescence (white flowery staining caused by moisture migration) is evident in patches on the soffit throughout the length of the bridge. The hollow slabs may be conducting water from the joints, either through the open-ended cells or via utility openings. In several locations, longitudinal rust-colored cracking is visible near the ends of the slabs, suggesting the prestressing strand is corroding (see Figure 5).

At the southeast corner of Span 2, the slab has cracked to the extent that a small piece (approximately 2" x 6") of the soffit has fallen out of the bridge, exposing the void within the slab. This deterioration was noted in the 2008 report, and its origin appears to be stress related, possibly due to uneven bearing surfaces or some binding of the corner of the slab (see Figure 6).

Steel Pier Caps [W14x90, epoxy coated]: The epoxy coating has failed in many locations, particularly along the top flanges of the caps where water is collecting through the deck joints. At the east end of Pier 1, the epoxy coating is delaminating and hanging below the beam (see Figure 4). Corrosion of the steel is present, and at Pier 8 some section loss has occurred in the top flange (less than 15% of thickness where measured at the worst location above the column—see Figures 7 and 8). In our opinion, the section loss is not yet sufficient to warrant a detailed structural analysis of the cap beam.

Steel Pipe Columns [30" dia, 1" thick, A-53 Gr. B, epoxy coated]: The pipe columns appear in very good condition, with little to no corrosion visible in the majority of the columns. At the ground surface, unreinforced concrete collars surrounding the columns have cracked, and some pockets of rust have formed near the ground level where the epoxy coating has chipped off (see Figure 9). The columns appear plumb with no visible settlement.

Concrete Abutments [3 ksi]: The concrete abutments and wingwalls appear in good condition, with the exception that the southern abutment has settled several inches as noted in the 2008 inspection report. A concrete and steel filler slab ramp has been installed to compensate for this grade differential. At the northern abutment, several top corners have cracked, apparently due to undesired bonding to the adjacent sliding bridge span. No rebar corrosion is evident, and no mitigation is necessary.

Approach Slabs: The concrete slabs approaching each end of the bridge are in generally good condition, with some minor cracks visible in the north approach paving. This cracking is not significant (0.015" width), and may be attributed to minor differential settlement.

Joint Seals: The joint seals above the piers consist of shallow mastic and do not appear to be part of the original bridge construction. The service life of the sealant has expired with adhesion and cohesion failures visible (see Figure 12). Although soft to the touch, the seals are cracked and in need of replacement. No joint seal is present at the south abutment gap, although several strips of Styrofoam backing rods have been pushed into the joint (see Figure 11). At the north abutment, the original expansion joint material appears to remain in the joint, but some spalling is present in the deck and backwall concrete adjacent to the joint.

Bearing Plates [3"x0.125"x16.67' Korolath]: No displacement of the bearing pads was observed. The condition of the pads was not visible for inspection.

Metal Tube Railings [2" square rails, 1" square pickets, epoxy coated]: The metal railings and epoxy coatings are in good condition, with occasional deformations attributable to golf cart impact, such as on the southeast wingwall. Pack rust is evident on the bottom rail at most expansion joints where the epoxy coating has delaminated due to joint movement.

Scour Protection: Concrete slope protection at the south abutment is in good condition, but no slope or scour protection was visible at the north abutment. According to a City Staff Report dated August 5, 2010, the north abutment was undermined when a 2-inch water main ruptured on July 3, 2010. Repair work was completed which consisted of excavation to competent soil, vertical jacking, installation of tubular steel columns and a supplemental concrete footing. Scour protection around the columns below grade is unknown.

Seismic Vulnerability: The bridge was apparently designed using seismic criteria derived from the Uniform Building Code. As such, anticipated column deflections are not presented in the original design calculations. The current standard of practice in California for bridge seismic design is the Caltrans Seismic Design Criteria, which requires minimum seat widths of 2'-6" for new bridge supports. The existing bridge has 6-inch seat widths at the end of each span. In our judgment, considering the height of the columns and the tendency of the pileshafts to displace, the bridge spans could easily unseat and collapse during a moderate seismic event.

## **Recommendations**

Load Restrictions: Without knowledge of the specific prestressing steel present in the precast slabs, we cannot analyze the load capacity of the existing structure. However, based on the original design criteria of 50 psf live load with an assumed capacity reduction of one-third, we recommend that no vehicle in excess of 4,000 pounds be allowed on the bridge<sup>1</sup>. This corresponds with the 2008 investigation report which restricted weight to 6,000 pounds.

Clean and Paint Corroded Steel: The existing corrosion in the steel cap beams and columns should be mitigated. Where the epoxy coating has cracked or delaminated from steel elements, the member should be thoroughly cleaned by abrasive spot blasting or wire brushes to remove as much rust as possible. The steel should be repainted with several coats of zinc-rich primer and enamel. To address corroded steel at the base of columns, the cracked concrete collars should be removed, the steel treated, and the collars repoured with nominal reinforcement.

Install New Joint Seals: To reduce migration of water into the ends of the precast slabs and onto the steel cap beams, new joint seals should be installed at each pier and abutment. Joints must be completely repaired (where necessary) and cleaned prior to pouring new sealant material. Material should be a 2-component silicone type that withstands a +/-50% movement. Seals should extend 3 inches vertically up into the curbs.

Monitor Span Deflections: The deck surface should be surveyed to establish a datum for monitoring future slab deflections. Survey points should be located along each curb and along the centerline of the bridge with a set of points at each support location and at mid-spans. The deck should be resurveyed after one year with subsequent surveys every one to two years depending on the settlements observed.

Seal Bridge Deck: Due to the bending of the deck slabs and the inherent compression in the topping slab, we do not believe a significant amount of water is entering the hollow-core slabs through the deck, but rather through the defective joint seals. However, as discussed during the site visit, a methacrylate resin deck treatment (about \$4/sf) may be considered if complete moisture sealing is desired.

Seismic Analysis and Retrofit: As noted in the previous section, the bridge appears vulnerable to seismic loads. The City may desire qualified bridge and geotechnical engineers to perform a detailed seismic

---

<sup>1</sup> Assuming one vehicle, P, is carried by two panels, Live Load = (50 psf) x (3.5' panel width) x 2 = 350 plf.  
 $M = 0.125wL^2 = 84,700 \text{ lbs} = 0.25PL \rightarrow P = 7700 \text{ lbs} / 1.3 \text{ impact} = 6,000 \text{ lbs} \rightarrow \text{Say } 2/3 \times 6,000 = 4,000 \text{ lbs max.}$

evaluation and determine an appropriate seismic retrofit strategy. Retrofit concepts would likely include seat extenders at the abutments and pier caps.

Remaining Service Life: The bridge is currently 26 years old. Although concrete bridges typically have a relatively long service life of 50-100 years, the corrosion issues noted in the prestressed slabs of this bridge will shorten its expected life considerably. If superstructure corrosion and/or deflections continue to increase, complete bridge replacement should be anticipated in the next 5 to 10 years.

Please contact us if you have any further questions or need additional information.

Sincerely,



Andrew Sanford, P.E.  
Senior Engineer

SWE #500-941



Keith Gazaway, P.E.  
Senior Engineer





**Figure 3: Welded Wire Fabric in Deck Slab Adjacent to Joint at Pier 1**



**Figure 4: Mid-Span Sagging in each Span; Pier 1 Cap Beam Bottom Delamination of Epoxy Coating**



**Figure 5: Soffit Efflorescence and Cracking, Pier 2**



**Figure 6: Slab Corner Cracking, Pier 2 East**



**Figure 7: Pier Cap Corrosion, Pier 8 (at South Abutment)**



**Figure 8: Close-up of Top Cap Flange Corrosion over Column, Pier 8**



**Figure 9: Cracked Concrete Collar and Minor Steel Pitting at Base of Column, Pier 8**



**Figure 10: South Abutment, East Elevation**



**Figure 11: South Abutment Joint, Unsealed but Loosely Filled with Styrofoam Backer Rods**



**Figure 12: Failed Mastic Joint Seal above Cellular Foam Backing, Typical Pier**